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Announcements

Lord Cooke of Thorndon: Collected Papers Part III: Indigenous Rights and the Treaty of Waitangi

The Cooke Series forms part of the Victoria University of Wellington Legal Research Paper Series (VUWLRPS). Lord Cooke (1926-2006) was one of New Zealand's most prominent jurists and the first and only New Zealander to sit as a judge in the House of Lords. He was a Distinguished Fellow of the Victoria University of Wellington Law Faculty. The faculty gratefully acknowledges the generous support of the Cooke family for their sponsorship of the series. Lizzie Chan and Tim Cochrane, Wellington solicitors, abstracted and posted Lord Cooke's papers.

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"Book Review: *Waitangi and Indigenous Rights: Revolution, Law and Legitimation* by FM Brookfield"

(2003) 119 *Law Quarterly Review* 326

Victoria University of Wellington Legal Research Paper Series Cooke Paper No. 12/2016

ROBIN COOKE, Victoria University of Wellington - Faculty of Law (Deceased 1926-2006), House of Lords (deceased)
Email: robincookevuw@gmail.com

In this book review, Sir Robin gives glowing praise for Professor FM Brookfield's book, *Waitangi and Indigenous Rights: Revolution, Law and Legitimation* as a major contribution to the legal literature concerning revolutions. Sir Robin concentrates on four points. First, he comments on Professor Brookfield's broad definition of "revolution", noting that most constitutions originate in revolutions which are legitimated in effectiveness over time. Secondly, he mentions the role of de facto courts in exercising supra-constitutional powers to accept a lawful constitution in revolutionary times. Thirdly, he discusses the application of Professor Brookfield's explanation of "revolutions" to the New Zealand context. Finally, he explains Professor Brookfield's own "revolution" to establish a Māori national representative body to consider proposed legislation affecting Māori rights.

"The Harkness Henry Lecture: The Challenge of Treaty of Waitangi Jurisprudence"

Waikato Law Review, Vol. 2, No. 1, 1994

Victoria University of Wellington Legal Research Paper Series Cooke Paper No. 13/2016

ROBIN COOKE, Victoria University of Wellington - Faculty of Law (Deceased 1926-2006), House of Lords (deceased)
Email: robincookevuw@gmail.com

In this lecture, Sir Robin Cooke discusses key cases relating to the Treaty of Waitangi (Treaty) and legislation concerning it, dating from 1847 to 1994. He asserts that the challenge of Treaty jurisprudence has been two-fold: to define the principles of the Treaty and to do what the courts can do to ensure that they are given practical effect. Although the successes of Māori in the courts have been limited, they have won some tangible remedies in respect of their lands, forests and fisheries. Lord Cooke acknowledges the importance of three forces in the development of Treaty jurisprudence. First, both the Crown and Māori have shown enlightened leadership in matters involving Treaty grievances. Secondly, the Waitangi Tribunal's inquiries and reports have assisted the traditional courts in determining Māori issues. Thirdly, judges have become increasingly willing to use the language of the Treaty and the fiduciary concept in understanding the relationship between the Crown and Māori.

"Introduction"

(1990-1991) 14 New Zealand Universities Law Review 1

Victoria University of Wellington Legal Research Paper Series Cooke Paper 14/2016

ROBIN COOKE, Victoria University of Wellington - Faculty of Law (Deceased 1926-2006), House of Lords (deceased)
Email: robincookevuw@gmail.com

This is Sir Robin's introduction to a special issue of the *New Zealand Universities Law Review* commemorating the 150th anniversary of the signing of the Treaty of Waitangi. Sir Robin describes the Treaty as the most important document in New Zealand, the legal status of which has grown ever more significant. The growth in the de facto legal status of the Treaty has generated much interest among lawyers. Accordingly, Sir Robin offers his views on the six articles in the Journal. These articles cover a wide range of topics: the Waitangi Tribunal; the relationship between the courts and the Treaty, the notions of *kawanatanga* and *rangatiratanga*; a historical perspective on the constitutional status of the Treaty; and the concept of partnership.

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About this eJournal

Victoria University of Wellington Legal Research Papers Series primarily contains scholarly papers by members of the **Faculty of Law at Victoria University of Wellington**. Some issues collect a number of papers on a similar theme to form a suite of papers on a single topic. Others issues are general or distribute mainly recent work.

The Student/Alumni Series is a subseries of the Victoria University of Wellington Legal Research Paper Series. The subseries started in 2015 and publishes papers by students and alumni of Victoria University of Wellington, comprising primarily work for honours and postgraduate courses. Papers are collected into thematic or general issues.

The Victoria University of Wellington was founded in 1899 to mark the Diamond Jubilee of the reign of Queen Victoria of Great Britain and of the then British Empire. Law teaching started in 1900. The Law Faculty was formally constituted in 1907. The first dean was Richard Maclaurin (1870-1920), an eminent scholar of both law and mathematics. Maclaurin went on to lead the Massachusetts Institute of Technology as President in its formative years. Early professors included Sir John Salmond (1862-1924), still one of the Common Law's leading scholars. His texts on jurisprudence and torts have gone through many editions and remain in print.

Alumni include Sir Robin Cooke (1926-2006), one of the leading judges of the British Commonwealth. As Baron Cooke of Thorndon, he sat on over 100 appeals to the Appellate Committee of the House of Lords, one of very few Commonwealth judges ever appointed to do so.

Since 1996 the Law School has occupied the Old Government Building in central Wellington. Designed by William Clayton and opened in 1876 to house New Zealand's then civil service, the building is a particularly fine example of Italianate neo-Renaissance style. Unusually among large colonial official buildings of the time it is constructed of wood, apart from chimneys and vaults.

The School is close to New Zealand's Parliament, courts, and the headquarters of government departments. Throughout Victoria's history, our law teachers have contributed actively to policy formation and to law reform. As a result, in addition to many scholarly articles and books, the Victoria SSRN pages include a number of official reports.

Victoria graduates approximately 230 LLB and LLB(Hons) students each year, and about 60 LLM students. The faculty has an increasing number of doctoral students. Ordinarily there are ten to twelve students engaged in PhD research.

Victoria University observes the British system of academic ranks. In North American terms, lecturers and senior lecturers are tenured doctrinal scholars, not legal writing teachers. A senior lecturer corresponds approximately to a North American associate professor in rank.

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