

The principle of fairness: America versus NZ

“On the subject of fairness, no nation in the world has more to teach than New Zealand,” says a Pulitzer Prize-winning American historian and author.

By [Karl du Fresne](#) – 19th May, 2012 The Listener

Sometimes it takes an outsider to introduce us to ourselves, to explain why New Zealanders are the people we are. David Hackett Fischer is just such a person. In his remarkable new book, *Fairness and Freedom: A History of Two Open Societies – New Zealand and the United States*, the Pulitzer Prize-winning American historian analyses how the two countries have evolved in entirely different ways despite sharing many characteristics. His conclusion is summed up in the book’s title. Fischer says that Americans value freedom and liberty above all else. New Zealand, on the other hand, is organised around the principles of fairness and social justice. How these two societies evolved makes fascinating reading, and probably no one could tell the story better than Fischer. His interest was aroused on a visit to New Zealand in 1994. He came here not knowing a lot about the country and certainly with no intention of writing a book. He had simply been invited by University of Auckland history professor Raewyn Dalziel to talk about his acclaimed 1989 work *Albion’s Seed*, in which Fischer explained how the distinct regional origins of early British immigrants profoundly shaped America’s development. New Zealand historians were keen to hear about it because, as Fischer points out, we, too, are “Albion’s seed” – the result of migration from Britain.

He and his botanist wife, Judy, spent a month in New Zealand on that trip and at one point found themselves in Canterbury during a byelection in the Selwyn electorate. It was here, Fischer says, that he began puzzling over an intriguing aspect of New Zealand politics. Many of the trappings of the byelection were familiar: the hoardings, the media attention, the TV commercials. “The election looked familiar to an American eye, but its sounds were strange to an American ear. At first we could not think how or why. Then suddenly it dawned on us that Selwyn’s many candidates had little to say on the subject of liberty and freedom.” In the US, Fischer writes, the rhetoric of a free society is heard everywhere. The Selwyn candidates, however, had more to say about another value not prominent in American politics. “Most of them talked urgently about the idea of fairness.” That was the starting point for a journey of discovery through New Zealand history. Speaking from his home near Boston, where the septuagenarian Fischer teaches history at Brandeis University, he explains: “All my work begins that way. It never begins with a theory or a thesis or an ideology. It begins as a journey of inquiry. “I started with no preconceptions. That is how

good history works, at least for me. The most interesting things are always those we can never know in advance.”

Other trips to New Zealand followed. He spent time at Otago and Waikato universities – about three months altogether, fitting as much road travel in between as he could. The book that eventually emerged, 17 years later, is a work of sweeping breadth and exhaustive scholarship. Fischer’s conclusion, succinctly expressed after 500 pages, is that “on the subject of fairness, no nation in the world has more to teach than New Zealand; and no country has more to learn than the United States”.

In the process of reaching that conclusion, he takes the reader on an exhilarating and insightful tour through American and New Zealand history, comparing and contrasting the ideas, events and people that shaped each country’s evolution. Along the way, he delves into politics, literature, religion, race relations, trade unionism, women’s rights, sport and warfare. Language, too. Fischer makes the interesting observation that “fairness” is a word confined to only a handful of languages. It has no Latin or Greek root and no exact equivalent in French, Italian or German. Americans are not familiar with the expression “fair go” (or with the Australian “fair dinkum”, as an Australian traveller discovered when she said it to an American flight attendant and was subsequently intercepted by police who accused her of swearing).

The common Kiwi expression “fair enough” requires six words in German. The earliest settlers provided Fischer with his first clues to the contrast between America and New Zealand. Many of America’s original colonists were rebels, dissenters and nonconformists escaping tyranny and persecution – hence their obsession with liberty and freedom. New Zealand’s British settlers tended to be dissenters and nonconformists, too, but in a different way. By their time, liberty and tyranny were no longer the most urgent issues in Britain. They had grievances of another kind arising from social injustice, gross inequity and “deep unfairness” in the way British society operated.

Fischer writes that the principle of fairness has not featured prominently in American political discourse. Presidents George Washington, Abraham Lincoln, Theodore Roosevelt, Woodrow Wilson, Franklin Roosevelt and Harry Truman – arguably the greatest US leaders – all spoke or wrote of fairness, “but the attitudes of these fair-minded men were not typical of American politics as a whole”. In fact, President John F Kennedy, rejecting protests from servicemen who had fought in Korea and who objected to being called up again to serve in Vietnam, became famous for his unsympathetic reply: “Life is unfair.” Fischer says some Americans on the right are suspicious of fairness, believing it to be hostile to capitalism and dangerous to liberty.

In contrast, he finds that the concept of fairness has underpinned New Zealand's development since pre-colonial times. James Cook was "a man of the Enlightenment who regarded all people as sharing a common humanity". Colonial undersecretary Sir James Stephen (how many New Zealanders have even heard of him?) was "a man of high moral principle and an abiding concern for equity, justice and fairness", especially when it came to the treatment of Maori. Here, Fischer argues, was a striking contrast with the attitudes that had prevailed at the time America was first settled.

A "great tide of change" had transformed the Western world; the American and French revolutions had set in motion new ideas of liberty, equality, and democracy. New Zealand was founded in the spirit of these new trends, becoming "a school of natural justice and fairness". Fischer points out it was one of the few colonies in any empire that had no system of race slavery, no penal settlements, no plantation serfdom and no contract bondage. This, he says, was a deliberate act of moral choice by British statesmen.

He writes admiringly of early governors William Hobson and Robert FitzRoy, less so of George Grey. Hobson was respected by Maori for his courage, honesty and fair dealing. FitzRoy supported Maori land claims. Although their actions often fell short of their ideals, these early administrators introduced interlocking elements of a distinctive ethos that was "highly principled and deeply Christian, with an elaborately developed sense of justice and equity". Even the much-derided Edward Gibbon Wakefield, founder of the New Zealand Company, was a moral reformer who had been converted to the cause of social justice by a term in Newgate Prison. Maori, too, had their own concept of fairness, as evidenced in their code of honour in combat. Governor FitzRoy wrote that Maori were "alive to a sense of justice".

Fischer comments that colonial attitudes toward Maori were very different from those of the early American colonisers toward American Indians, who were perceived as the Devil's children. A vital factor was the passage of time – a "thought revolution" had occurred in the Western world, inspiring a universal idea of humanity. "Virginia and New England were founded before the Enlightenment," Fischer writes. "Major contact in New Zealand came afterwards."

He doesn't gloss over racial injustices in New Zealand. Governor Grey took more land from Maori than anyone else in the country's history, and Fischer refers to a "dark period" in the 19th century when "corrupt, racist" Pakeha judges ruled that the Treaty of Waitangi was not the law of the land. The seizure of Maori land in the latter part of the 19th century amounted to "outright theft". Even as late as the 1950s, Maori suffered from institutionalised racism in towns such as Pukekohe, which Professor James Belich labelled the capital of New Zealand racism. But far worse things happened to the American Indian.

Four thousand Indians, forcibly removed from their land, died of hunger, exposure, cruelty and neglect on the so-called Trail of Tears in 1838. Indians lost proportionately far more land than Maori and were refused rights of citizenship until 1924. In contrast, the Native Rights Act of 1865 guaranteed full rights to Maori men and the Maori seats in Parliament were created two years later. Fischer comments that although neither country managed always to live up to its ideals, the Treaty at least proclaimed an idea of fairness, equity, justice and the rule of law, “even when those ideas were honoured in the breach”.

Another crucial difference relates to land. In New Zealand, all the land that could be easily farmed was soon taken. Limited resources had to be planned and allocated. America’s vast expanse, on the other hand, created an idea of boundlessness – a world without limits. Economic disparities could be resolved simply by pushing further west and opening up more land – the “frontier experience”, which Fischer says remains a vital presence in American life. This part of the American Dream, he writes, has had a major impact on American ideas of social justice. It fostered a belief that one person could become rich and prosperous without impoverishing another. “On that assumption, American ideas of liberty and freedom, especially freedom of opportunity, become plausible ways of achieving fairness and natural justice.”

Fischer also identifies contrasting attitudes toward wealth. In 1972, Democratic presidential candidate George McGovern campaigned in part for the redistribution of wealth. “Most Americans – white-collar and blue-collar, rich and poor – rejected that idea out of hand,” Fischer writes. Americans, he adds, don’t dream of equality; they dream of wealth. “They don’t want to get even; they want to get ahead.”

In New Zealand, attitudes were very different. When a growing nation began to run up against its physical limits, ideas of social justice could not be realised simply by freedom of opportunity. The famous Liberal-Labour coalition of the 1890s responded to this conundrum by breaking up the big estates of wealthy landowners and allocating the land to small farmers. The 84,000-acre Cheviot estate in North Canterbury was split into 447 holdings. Eventually, 22,000 families were settled on land formerly controlled by 200 people. Fischer writes that the so-called Lib-Labs under Richard Seddon and Sir Joseph Ward achieved astonishing results during their 21 years in power between 1891 and 1912. Other ground-breaking reforms during that period included votes for women, far-reaching industrial and labour laws, old-age pensions and the first national parks. That was when New Zealand was viewed by outsiders as the social laboratory of the world and attracted the admiring attention of leftists and progressives internationally. Here, New Zealand’s size again enters the picture. Fischer calls New Zealand the most centralised of all the English-speaking nations. In contrast, the cultural and regional complexity of American society meant a wide disparity in attitudes and actions, from the reform-minded Northeast and

Midwest to the backward South. New Zealand's relative homogeneity also influenced labour relations.

The American union movement, although weaker than New Zealand's in quantitative terms, had a far more violent history. Fischer attributes this to the fact that in New Zealand, capital and labour shared the same culture and ethnicity, whereas labour violence in America was compounded by racial hatred, ethnic jealousy, religious strife and "ingrained folk traditions of regional violence". Fischer also comments on New Zealand's tendency to produce nominally conservative political parties that were, in his words, remarkably forward-looking in their social policies. A sense of fairness ran "like a bright thread" through the conservative governments of Sir Harry Atkinson, Sir Robert Stout, William Massey and Francis Bell. Robert Muldoon, although a bully personally, continued this tradition. "To read Muldoon's autobiographies is to find an exceptionally strong sense of kinship with Progressive reformers such as Seddon, whose life he studied with close attention." Fischer makes the point that New Zealand has experienced little of the hard-right, hard-core conservatism seen in Britain, the US and Canada. "Reform in America during the 20th century faced entrenched, rigid and deeply ideological partisan opposition from the right that had no equal in New Zealand." He also remarks that leaders of every major New Zealand party accepted the legitimacy of strong intervention by the central government – another point of contrast.

In international affairs, New Zealand tried to steer an independent course while remaining loyal to traditional allies. Again, its approach was heavily centred on fairness and natural justice. Fischer reminds us that New Zealand sounded the alarm over the rise of fascism in Italy and Spain while other democracies averted their eyes or even tacitly condoned fascist aggression. He debunks the perception that New Zealand had a servile relationship with Britain and other big powers. At an imperial conference in London in 1930, Prime Minister George Forbes was so outspoken in his criticism of British policy that when he had finished, the Dominions Secretary commented: "Mr Forbes, we were delighted to meet you, but thank God you are going!"

Fischer devotes particular attention to the behaviour of New Zealanders at war, noting that there was a strong ethos of egalitarianism among New Zealand servicemen. He expresses unabashed admiration for New Zealand commander Bernard Freyberg and his fellow officers Howard Kippenberger, Humphrey Dyer and Tiwi Love. "They were combat officers who led from the front, brave beyond imagining, loyal to a fault, decent and fair-minded, close to their men and very careful of their lives." New Zealand infantry in World War II enjoyed an unparalleled reputation that Fischer attributes to pride, cohesion and (perhaps most important in this context) a just cause. Fischer brings his history up to the present with references to such relatively recent developments as the Waitangi Tribunal (which he admires), Geoffrey Palmer's Bill of Rights, the accident compensation scheme (enacted by the National Party in another

example of progressive conservatism) and the adoption of proportional representation. He writes that Americans are as astonished by the concept of no-fault accident compensation as New Zealanders are by multimillion-dollar awards for injuries as slight as burns from a hot cup of coffee. He also covers the economic reforms of the 1980s, which he sees as “a concerted effort to add more liberty and freedom to [New Zealanders’] deep concern for fairness”.

It’s possible to deduce from the tone of the book that Fischer found much to admire in New Zealand history. “Absolutely,” he says down the line from Massachusetts. Something very important has happened in New Zealand, he maintains, and the world has something to learn from it. Yet he remains a staunch American patriot whose every complimentary remark about New Zealand is followed by one in which he acknowledges American virtues. He writes that American ideas of liberty, freedom and individual rights are in many ways stronger than in New Zealand, and he chides us for knowing so little about our Bill of Rights.

“The Bill of Rights does not loom large in the consciousness of New Zealanders,” Fischer writes. “We spoke about it with highly intelligent, widely read people... None could remember when it was passed, or what it included. One distinguished scholar told me, ‘It doesn’t really matter to us.’”

In short, Americans and New Zealanders may have something to learn from each other.