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**Key subjects**

- Anthropology
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- Literature
- Sociology

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**Case study**

**Title:** The lore of the judges: Native land court judges’ interpretations of Maori custom law

**Personal Author:** Sorrenson, MPK

**Source:** Journal of the Polynesian Society, The, Vol. 124, No. 3, Dec 2015: 223-242

**Abstract:** The essay explores what I call the ‘lore of the judges’: the collective wisdom of the Native Land Court judges on Maori custom law, especially in relation to land. It is led by a comment by F.D. Fenton, the first Chief Judge, in his Orakei judgment, that the judges’ decisions should emulate those of English Common Law judges, and create a body of precedents recorded in ‘Year Books’ (or Minute Books). The paper examines how the judges’ interpretations and remoulding of Maori custom were eventually incorporated in New Zealand common law. It concludes by asking whether the judge-made law could be considered a Maori common law.