

charged. Stenson's work comes across as a little drained of heart and of purpose — what *are* the causes of the great debates that have been reverberating around the country? Overall, however, the book serves many useful functions and is a welcome addition to the ever-expanding library of published works dealing with Tribunal and Treaty issues.

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Honour Among Nations? Treaties and Agreements with Indigenous People. Edited by Marcia Langton, Maureen Tehan, Lisa Palmer and Kathryn Shain. Melbourne University Press, Melbourne, 2004. 354 pp. Australian price: \$39.95. ISBN 0-522-85106-1.

THIS BOOK IS THE PRODUCT of papers presented in a seminar series convened in 2002 by Professor Marcia Langton at the Institute of Postcolonial Studies, University of Melbourne. It is also part of a larger Australian Research Council funded project which has produced a highly recommended online database (located at <http://www.atns.net.au>) listing a wealth of information regarding agreements made with indigenous peoples in Australia and other settler societies. As the companion to the database, this book ought to be read not only by scholars of colonial history and international treaty law, but by policy makers and politicians — especially those who found themselves drawn into recent controversies such as the furore over Don Brash's now infamous 'Orewa speech' and the foreshore and seabed debate.

Honour Among Nations? falls into four discrete sections, each with a broad introductory chapter. They include an historical overview of treaties (or 'agreement making'); contemporary processes of recognition of treaty rights in modern settler states; the challenges of negotiating native title, especially in Australia; and finally, the merits and limitations of modern agreement-making between indigenous peoples and governing polities. The book addresses these processes from a number of perspectives. In the first section, Langton and Lisa Palmer sketch out the nature of indigenous relationships with land, place and the common law. In a comparative analysis with nineteenth-century Natal, Julie Evans shows how colonial occupiers in Australia used legal methods to gain control of land and dispossess Aboriginal people. There are also a number of chapters devoted to the role of agreement-making as a way of replying to the history of past injustices. Maureen Teehan navigates through the complex litigation processes in British Columbia, concluding that the power of the law to effect change is limited and often ineffectual. On a similar theme, Paul Chartrand explains how, despite the forward looking recommendations of the 1996 Royal Commission on Aboriginal Peoples, systems of restitution have faltered due largely to lack of government interest; signalling how the implementation of such findings relies on the whim of governments. The sole contributor from New Zealand, Chief Judge Joe Williams, describes the impact of the Treaty of Waitangi on New Zealand law, arguing that there is no settled interpretation of the Treaty and that New Zealand is still far from resolving Treaty issues.

The chapters that specifically refer to Australian experiences largely address the problems of native title. Graham Neate emphasizes the agreement-making function of the Native Title Tribunal, and Noel Pearson critiques the recent High Court decisions in Ward, Yorta and Yamirr, boldly contending that the High Court has misinterpreted the definition of native title and the common law. Lisa Strelein outlines the post-Mabo legal position and maintains that: 'The limits of the legal concept of native title raises the question of whether the development of the common law has left an empty vessel for most Aboriginal and Torres Strait Islander peoples' (p.189).

Arguably, the chapters in this book that address the past present a rather bleak picture

for indigenous communities. But there are contributions that plot the way forward in more optimistic terms. Parry Agius and others discuss the proposal for a South Australia-wide agreement; Sue Jackson writes about maritime agreements in the Northern Territory; Bruce Harvey comments on the cultural changes in mining company Rio Tinto that resulted in the formulation of the Cape York agreement; and Ian Anderson describes the agreements in place to address indigenous health issues. Still with the theme of looking to the future, Michelle Grossman's chapter details how intellectual property law is moving towards statutory recognition of communal rights, while Ciaran O'Fairchaellaigh sets out a methodology for agreement making. In the final chapter, Gillian Triggs recounts the creative way in which the Timor Gap dispute between Australia and East Timor was resolved.

This volume has an ambitious vision. While it goes much deeper than Elazar Barkan's *The Guilt of Nations: Restitution and Negotiating Historical Injustices* (2000), it is not necessarily as broad in terms of its subject-matter. Unlike *The Guilt of Nations*, however, this book deliberately problematizes the 'honour' that nations might claim in their dealings with indigenous peoples: the question mark in the title should therefore be heeded. The title (and the cover illustration) suggest a global focus, yet the overwhelming majority of chapters and contributors address aspects of the Australian experience and the contemporary challenges of native title. From a total of 19 chapters, four address Canadian experiences and there is only one chapter on New Zealand. The limited attention given to New Zealand seems odd — especially when out of all the settler societies under scrutiny in this book, New Zealand has a single Treaty with a clearly defined process of settlement and resolution for Treaty breaches. *Honour Among Nations?* is a dense text, with chapters delving into specific issues. It has lengthy but comprehensive footnotes, although the bibliography is only available online. (Am I the only reader who finds this frustrating?) Perhaps this enables the references to be updated and modified. These quibbles aside, this is an important text, a product of a major research project that deserves a wide readership both inside and outside academia.

GISELLE BYRNES

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The Anzac Experience: New Zealand, Australia and the Empire in the First World War. By Christopher Pugsley. Reed Publishing, Auckland, 2004. 256 pp. NZ price: \$49.99. ISBN 0-7900-0941-2.

THE 'ANZAC EXPERIENCE' is such an obvious and necessary subject that many who pick up this book will bitterly upbraid themselves that they did not think of it first. But very few of us are as qualified as Chris Pugsley to tackle it, and indeed to do so with such assurance. Pugsley, late of New Zealand, for a time in Australia and now in Britain, has been thinking, writing and especially speaking about the Australasian experience of the Great War and its various impacts for 20-odd years. This book originated in the sort of catastrophic computer glitch which seems to be the twenty-first century's counterpart of the maid throwing a manuscript on a sitting-room fire. Fortunately he was able to retrieve the affected files and they suggested the core of this timely compilation.

If the traditional project of Anzac history has been focused first on the nation and then on the nation's relationship with Britain, Pugsley's book suggests a new and welcome inflection on this familiar approach. He looks sideways at Australia and New Zealand's relationship, with an examination of their individual and joint relationships with Britain and Canada from a fresh perspective. It is in many ways a loose grouping of not altogether connected pieces. Some began life as papers or lectures delivered years before. They