

iwi custom) was usurped by a new 'revolutionary' constitution brought by the British. But what if the Treaty was a starting point, and what authority the British assumed beyond 1840 was assisted by Maori co-operation, more than resisted by Maori opposed to change? Government and Maori spent vastly more time at peace than in conflict between 1840 and the end of the nineteenth century. One of the principles of the Treaty as defined by the courts in 1987, acknowledged the need or right to develop, so that Maori were not frozen in their situation as at 6 February 1840, and nor was the relationship between government and Maori.

Valuable in this work is the relationship shown between revolutionary change, or rebellious change, and legitimacy. Legitimacy is an assumption that 'this is how it all ought to be', reinforced by the appearance of justice being administered by neutral courts. The courts are, however, a fundamental component of the state and therefore of the regime in power. As Brookfield notes, 'it is clear that as long as the courts . . . exist, they will uphold the legal order of which they are part', be that old or new. Though, says Brookfield, the old courts may, and indeed have, validated new regimes brought about by revolution. Southern African jurisdictions are quoted in support of this contention, where it has been determined by the courts that new revolutionary governments are 'lawful' where they have been successfully established, effective and uncontested.

The cynic may look upon this from quite another perspective — as purely legal window-dressing; the courts had no choice but to acknowledge these regimes. It is the regime that legitimates the courts, not the other way around. After all, when the Russian Constitutional Court declared Yeltsin's abolition of Parliament illegal in 1993, Yeltsin simply abolished the court! A realist may argue, therefore, that there is nothing new under the sun, or in this book. Revolution is about who makes the law — not about who administers it. The courts reflect the legitimacy conferred by the actual power of the state.

That is not to say the change in New Zealand was not fundamental; the modern constitutional basis of power is a *revolution* in terms of its sheer size and difference from what preceded it, and this book captures the essence of that enormous change. However, if the Treaty is a founding document, it does not make a revolution if something is built on it that looks quite different 150 years later; what nation has not changed fundamentally over that time? This book seriously explores the nature of constitutional change and political development in New Zealand, and revolution or not, it is a superb contribution to the cause of understanding it.

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Boundary Markers: Land Surveying and the Colonisation of New Zealand. By Giselle Byrnes. Bridget Williams Books, Wellington, 2001. 158 pp. NZ price: \$39.95. ISBN 1-877242-90-X.

IN THOMAS PYNCHON'S 1997 NOVEL *Mason & Dixon*, about the two British surveyors who marked the boundary between Pennsylvania and Maryland in the eighteenth century, surveying is depicted as an emerging Enlightenment enterprise: as Dixon reminds Mason, 'tis the Age of Reason . . . we're Men of Science'.¹ In Giselle Byrnes's book *Boundary Markers* the work of surveyors in New Zealand is recovered as part of the nineteenth-century colonial project. Using the work of influential writers like Paul Carter (also interested in Enlightenment knowledges) Byrnes shows how surveyors in the nineteenth century transformed 'space' into 'place' (p.5).

Boundary Markers is, then, spatial history, or a history of how space has been marked, mapped, sized up and seized in New Zealand's past. Using the writings, maps and working practices of land surveyors during the nineteenth century as its source material — what Byrnes calls the 'survey archive' — this book offers case studies in order to provide an 'alternative reading of the European colonization of New Zealand' (p.2).

There is a not insubstantial historical literature about surveyors and surveying in New Zealand, though much of it has been institutional history, including J.A. McRae's hefty study of the New Zealand Institute of Surveyors published in 1989, or produced by historical societies, such as Harold Jenks's study of Tauranga and district in the 1860s, published in 1991. Nola Easdale's illustrated work *Kairuri* (1988) characterizes the surveyors as Europeans working with Maori to explore and establish New Zealand. Byrnes's ideas add to this body of literature and have also been published in the collection *Fragments* and in a recent issue of the *New Zealand Journal of History*.

Yet with this book, Byrnes does more than simply add to the literature about surveying. It is pleasing to see here a direct engagement with contemporary theoretical paradigms. This book deploys the method of deconstruction and is primarily a work of post-colonial history. Aware of the potential pitfalls of both approaches, she makes a convincing case for post-colonial history in particular, which is always about the relationship between 'past and present' (pp.13–14). Byrnes also uses a broad international literature and is not afraid to imagine New Zealand within this framework; she engages with the best literature to date about place, space and history. Byrnes provides readers with short lessons as she explains her terms. For instance, she does not assume that her audience will immediately read the word 'boundary' as something both literal and figurative, which suggests to me that her study is one concerned primarily with surveying as a representational practice (p.97).

Boundary Markers is a thematic study. The second chapter establishes the 'scene' and while it explains the relationship of New Zealand to a longer history of surveying, and the basic history of surveying in New Zealand, it is a little unsatisfying. It could be expanded to say more about aspects of surveying including, for instance, legal frameworks for the work of surveyors. Several separate threads picked up later are highly compressed here.

In chapters three, four and five Byrnes discusses reading and seeing space, writing the land and place, and examining cultural spaces, boundaries and spaces 'in-between'. The analysis of the different and overlapping gazes deployed by surveyors (commercial, scientific, panoptic) reinforces Byrnes's contention that seeing, or vision, was 'the guiding epistemology of the nineteenth century' (p.41). The many sketches and photographs reproduced here also highlight this point. In chapter four she draws from the 'survey archive' to show that the surveyors' writings, including sketches and maps, were textual practices of inscription. This idea needs some expanding: how diaries framed space and land through the subjectivities of their authors is not entirely explained. I wanted to read more about these texts and how they worked to overlay the existing 'mental maps' of Maori. The discussion in the following chapter about finding Maori resistance to surveying work within the writings of surveyors is fascinating, and an advance on earlier scholarship, but here Byrnes needed to turn the gaze back on the surveyors in a more obvious way. When she reports, through W.C. Symonds, that Maori in 1844 'do not like or understand the spying out of the land', there is an opportunity for Maori and their own watching of the Pakeha to be seen and shown. In this chapter Byrnes also examines colonial land surveyors as 'cultural mediators', and co-operation between Maori and Pakeha.

Like other colonial archives, the 'survey archive' provides Byrnes with an extensive range of surveyors' representations of the land. One different text that has been overlooked here is legislation. After 1876 the colony was divided into 28 survey districts and brought under one controlling agency. The inspector of surveys, a role created in law, reported to the colonial secretary. How the 'law' framed this surveying work for the colony, and the

potential for a more detailed discussion of the creation of the 'survey archive' through law itself would enhance much of what Byrnes is attempting here. However, her assertion that the landscape itself is a part of this archive is important, and her real intention is to show how this landscape was culturally formed and made through ideas about it (p.11).

It perhaps comes as no particular surprise that urban spaces in colonial settings were mapped through grids, following the 'prescribed metropolitan models' of Victorian towns and cities (p.55). Nor should it surprise readers that surveyors were part of the colonial project to possess and inscribe the land, and that in true post-colonial fashion, physical and linguistic traces of this possession and inscription remind us of this history every day. What is impressive about this study is its application of a theoretical model to one set of colonial archives and its detailed and perceptive reading of one history of space and place.

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1 Thomas Pynchon, *Mason & Dixon*, Henry Holt & Co., New York, 1997, p.27.

From Tamaki-Makau-Rau to Auckland. By Russell Stone. Auckland University Press, Auckland, 2001. 350 pp. NZ price: \$59.95. ISBN 1-86940-259-6.

THIS WAS AN UNINTENDED BOOK. Russell Stone set out to write a history of post-1840 Auckland but instead wrote one concentrating on the pre-1840 years. 'To regard the Maori occupation of the isthmus for possibly as long as a millennium as being a mere preliminary to British colonisation seemed academically indefensible and culturally crass' (p.xi). Little of substance has been published on this period, requiring research in a field in which Stone modestly describes himself as 'a tyro'; he has succeeded superbly in an elegantly written and well-illustrated book that is an important contribution to the history of Maori, Pakeha settlement, and race relations.

Stone has written seven previous books on Auckland history, all well received, and his latest contribution is a worthy successor. Written for a general readership, it is a traditional history 'in the sense of being chronological rather than thematic' (pp.xii-xiii), but does not evade some historiographical debates. He does not claim to have written the last word, and explicitly hopes that others, especially Maori, will produce alternative histories. It is not just local history, for although dealing with a restricted geographical area it reveals the 'mainsprings and values of Maori life and culture' of the period (p.xiii).

This well-researched book has used every relevant source, on several occasions having to choose between conflicting evidence. Rival tribal traditions about dates of settlement and areas controlled and, especially, battles are carefully examined and assessed. Archaeological evidence can be interpreted in more than one way, and Stone, whilst emphasizing the desirability of the Tamaki region for settlement and the use of its portages by war parties, denies the common view that it was an area of incessant warfare. He argues that pa had residential areas on higher terraces with kumara gardens on the lower, for between conflicts there were extended periods of peace, and outside tribes were sometimes assimilated peacefully through intermarriage. 'Maori fiercely competed in practising the arts of peace no less than the craft of war' (p.30).

It is impossible to date the earliest settlement, but Stone attempts to determine which tribes settled where, and when. The maps are of great assistance in clarifying both Maori and Pakeha settlement, and the 'general reader' will appreciate his matching past sites with today's landmarks. He carefully traces conflicts, settlements, displacements, and the gradual encroachment of British settlement. The musket wars are examined in particular detail, for they turned the whole country into 'one great battlefield' for a