



Book Reviews / Compte rendus

Katherine Biber, Priya Vaughan, and Trish Luker, eds.

Law's Documents: Authority, Materiality, Aesthetics. New York: Routledge, 2022, 375 pp.

Law's Documents is a dynamic collection of eighteen scholarly essays from twenty-five contributors united by a commitment to “capture and re-think law’s relationship with the documentary form” (p. 3). The introduction by editors Katherine Biber, Trish Luker, and Priya Vaughan constitutes a core contribution, providing an excellent overview of some of the key document theories and the seminal texts which inform the essays. The introduction also situates each essay within the contributor’s broader scholarly agenda. It serves as a valuable resource for anyone wanting to understand how these scholars and artists, predominantly based in Australia, have developed academic and artistic agendas which centre on legal documents, generating new knowledge about society, and challenging existing theories of law and justice. While the work draws from a range of disciplinary perspectives, another of its core contributions is that it makes a strong case for diversifying approaches to legal history, suggesting that “the history and development of law can be apprehended through acts of documentation and that law’s material practices are produced in relationships between documents and other entities” (p. 5).

Document theory overlaps with many fields of study (including law) which are heavily based on the examination of documents, most obviously texts. It differs, however, in that it makes documents the focus. It seeks to understand how the document as a concept connects with other, perhaps more traditional, concepts to create knowledge and authority, direct information flows, and facilitate communication. For example, Bonnie Mak’s observation that research publications (the documents she studies) now constitute knowledge production within the bureaucratized university provides a good example of how document theory can reveal the potentially problematic authority and power some documents possess (chap. 2).

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Increased interest in document theory corresponds with the recent materialist turn in history, sociology, and law. However, document theory, and the central inclusion and organizing principles of this collection, are both wider and narrower than new materialism. New materialism studies human and non-human actors or entities, examining how their relationships with one another create the world and societies. Human actors are not given precedence over non-human subjects. Document studies, which consider the “role of documents and documentary practices in actually constituting and materialising information” (p. 13), fit within the new materialism trend and are placed within the “materiality” section of this book. However, the main organizing concept of the collection is not based on the contributors’ commitment to new materialism or a particular branch of document theory. Rather, each scholarly work is included because of its commitment to examine the authority, materiality, and/or aesthetics of documents. This means the collection is not hemmed in by disciplinary or theoretical divides.

What constitutes a legal document is treated by the editors as a matter for both revision and debate. The documents examined in this collection include Western treaty documents and the coloured beaded belts constituting treaties made from shells by the First Nations people from the northeastern parts of North America (Turtle Island) (Hohmann, chap. 9); wills performed or drawn on an array of surfaces or created in digital forms (Biber, chap. 10); passports (Dehm, chap. 4); documents required from refugees by bureaucrats intent on denying their status as refugees (Vogl, chap. 5); timed summaries of oral history interviews (Adams Stein, chap. 6); and letters written by the Nyungar people and kept in state archives (Habich, Kickett, Kickett, Kickett, and Morrison, chap. 11).

While the collection has relevance beyond Australia, it is important to acknowledge that the Australian setting has influenced the documents selected and arguments made. All but three of the contributors are based in Australia and several (although not all) are affiliated with Australian universities. A common and potent theme of the Australian contributors is the role of documents as both sources of oppression and, more recently, sites of creative activism and radical strategies (see e.g., Habich, Kickett, Kickett, Kickett, and Morrison, chap. 11). Several of the chapters speak of the potential for document studies to decolonise and critique racial injustices. For example, Natalie Harkin, a Narungga woman, activist poet, and academic from South Australia, and Jeanine Lean, a Wiradjuri writer, poet, and academic from southwest New South Wales, describe the violence caused by settler colonial archives maintained and heavily policed by collectors, academics, bureaucracies, and laws. They explain that this policing has served as shield and barrier, protecting the perpetrators of this violence and appropriating and hiding the life stories of First Nations people (chap. 3).

There is much within this work to excite the intellectual imagination and inspire new interdisciplinary comparative works that examine the authority, materiality, and aesthetics of law’s documents across the globe. The collection could have engaged more with recent technological changes (a theme identified

in the introduction). However, this does not constitute a major weakness of the work and is a topic the editors have explored in considerable depth in other projects.

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