

# Files, Lists, and the Material History of the Law

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*Files: Law and Media Technology*

Cornelia Vismann, translated by Geoffrey Winthrop-Young

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## Abstract

This article reviews Cornelia Vismann's 2008 book *Files: Law and Media Technology*. In addition to an overview of Vismann's media materialist approach to the study of the law, it provides both a consideration of her relationship to Friedrich Kittler's media theory and a more focused examination of certain functional writing entities that might extend Vismann's genealogical approach. It is suggested that a closer analysis of one such entity, the list, can offer further insight into the epistemological and ontological questions the book provokes.

## Keywords

archive, documentation, law, legal theory, media archaeology, media theory

Cornelia Vismann's magisterial book *Files: Law and Media Technology* offers English readers a wonderful entry point into the challenging and ambitious intellectual project of a scholar whose life was cut tragically short in 2010. The book seeks to rethink the history of the law through a media materialist perspective and is an impressive and stimulating synthesis of media and cultural theory, historiography, philosophy, and legal scholarship. This approach offers an unconventional trajectory for writing the history of the law, focusing not on specific legal case studies nor on the meaning or content of the western legal tradition's documentary apparatus, but rather on the apparatus itself. Files are for Vismann the

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privileged unit or entity of this apparatus, and she follows these entities through an intriguing series of functional histories: from the ancient writing systems to modern literature; from Roman chanceries (and their study in the Renaissance) through the spectacle of traveling archives and registries of imminent monarchical power in the Middle Ages, to the proto-bureaucracy of Maximilian I's imperial court chancery; from the bizarre world of baroque secretaries to the self-administration of the Prussian proto-state; from Goethe's personal archive to Nazi governmentality; from vertical files and binder technology to the Stasi surveillance state and the reclamation by its former subjects of their 'own dossier'. Both the rigour with which each epoch is treated and the general erudition of the book are exceptional.

*Files* is a book ostensibly about analog and pre-digital technologies, with Vismann devoting only one very brief final chapter to files in the digital world. However, a deeper engagement with the project reveals that by recasting certain oft-elided entities from the world of writing – namely files, but also lists, registries, and archives – in functional, non-representational terms, Vismann is able to tease out their *algorithmic* dimensions. Her intervention thereby amounts to nothing less than a prehistory of the digital computer, which ultimately shows that 'administrative techniques of bygone centuries are inscribed as *stacks*, *files*, *compiler* or *registers* in a digital hardware that remains unaware of its historical dimension' (Vismann, 2008: 164). Such a project is one of media archaeology; in the seemingly innocuous administrative writing and documentary practices of earlier historical epochs Vismann unearths certain ontological (pre)conditions of the digital age. These conditions are most observable in the (nonhuman) life-world of files. Thus, while the disappearance of paper files and the emergence of 'files as stylized icons on computer screens' (2008: 163) may *appear* to be ushering in an entirely new immaterial ontology, Vismann shows that such a conclusion would be a misdiagnosis. We may be exiting the time of *paper* files, but this does not entail a clean ontological rupture. Digitization should be seen as both reconfiguration of media-technological conditions and as an extension of certain pre-existing tendencies in the processing, transmission, and storage of data.

The range of sources drawn upon and general erudition of the work make *Files* of interest for readers from a vast array of disciplines, including not just media studies and law but also history, sociology, information science, and communication, to name a few. My hope is that this review essay will serve to expose readers unfamiliar with Vismann to her work, and might help to parse some of the tools that she has bequeathed to those scholars and thinkers interested in the study of the law, the history of writing, and media technology more generally. The essay is organized in three parts: first, I will offer a brief overview of *Files*, focusing in particular on Vismann's unique theoretical framework. Second,

I will explore some of the (dis)connections between Vismann and the German Media Theory tradition out of which she emerged, attempting to situate her in relation to what Geoffrey Winthrop-Young calls the ‘Kittler effect’ (2011: 143). Finally, a third section will focus on one particular inscription entity that is ever-present throughout the various historical epochs Vismann traverses: the list. It will be argued that there are crucial, functional dimensions of forms such as the list provoked by Vismann’s work which themselves prefigure or have a structuring function upon files. The further pursuit of such entities can offer scholars of media technology unique epistemological and ontological insights regarding the constitution of power/knowledge networks, and the material forms through which these are articulated and transmitted.

## Overview

Files, for Vismann, resist easy definition. Her concern is not limited to those files most familiar in the contemporary situation, vertical files. Instead she takes a more generative approach that conceptualizes files as non-discrete entities that can ‘appear in all shapes and forms: as loose pages, lying in little boxes, wrapped in packing paper, or enclosed in capsules; they may present themselves as bundles tied with a string or assume the shape of vertical folders ready to enfold anything that can fit between two paper covers’ (2008: xi). Because a concrete definition of files is both elusive and limiting (to say nothing about translation issues<sup>1</sup>), Vismann’s focus remains trained throughout the book on the functional and process-based dimensions of files – that is, on the media-technological conditions in which they exist and by which they are constituted. The specific lens through which this functional dimension is probed is that of ‘their largest area of application, the law’ (2008: xii). She sees a constitutive dimension of files on the law, and because ‘[f]iles are the variables in the universe of writing and the law’, her approach can investigate ‘how files control the formalization and differentiation of the law’ (2008: xi–xii). The law, too, is defined broadly, ‘not as an instrument or medium for the arbitration of conflicts but as a repository of forms of authoritarian and administrative acts that assume concrete shape in files’ (2008: xiii). The law is not an *a priori* constant or singular tradition that is passed from generation to generation unabated, but is a historically specific constellation that is not just conditioned by the media-technological conditions in which it is called to act, but only finds its articulation in and through the corresponding or dominant media forms of these conditions. Therefore, Vismann argues, ‘files and the law mutually determine one another’ (2008: xiii).

Such a media materialist approach allows Vismann to construct a convincing argument that locates the origins of the law not in a conventional orality/literacy binary but rather within what she calls ‘pragmatic’

or administrative forms of writing – files, registers, and records. The orality/literacy binary elides these forms (and others such as tables, charts, lists, diagrams, etc.<sup>2</sup>) because it has no capacity to account for any form of writing that is not simply a duplication or representation of speech.<sup>3</sup> In contrast, Vismann is concerned exclusively ‘with how these administrative forms of writing *function* precisely insofar as they are not subject to the logic of speech’ (2008: 4). By circumventing the orality/literacy polarity and re-emphasizing such administrative forms, she is able to show that the functional logic of various incarnations and alterations in the documentary apparatus of the law has been formative on the trajectory of the western legal tradition, ‘contribut[ing] to the formation of the three major entities on which the law is based: truth, state, and subject’ (2008: xii).

The theoretical framework of such an approach is laid out in Chapter 1, in which she intervenes in the famous Lévi-Strauss/Derrida debate regarding the ‘writing lesson’ in the former’s *Tristes Tropiques*.<sup>4</sup> Vismann casts the debate between Lévi-Strauss and Derrida about how to read the situation in familiar terms: the former’s privileging of the ‘innocent state of pure orality’ of the Nambikwara tribe that is invaded by the writing of the white man (2008: 2) is deconstructed by the latter as a ‘parable’ about the origin and power of writing (2008: 1). She contends, however, that the power of writing grasped by the chief has nothing to do with its ability to transcend oral communication, nor with its capacity for the transmission of meaning or content, but in fact has everything to do with what writing allows the chief to do, and what writing does itself – its ability to administer or to *act*. That is to say, because the chief of the Nambikwara writes lists that regulate the exchange ritual, and which ‘do not communicate, but control transfer operations’ (2008: 5–6), the writing lesson ‘is not about empowerment through an act of writing or the concurrence of meaning, speech, and writing, nor is it about what language philosophy calls a performative act. It is about administration’ (2008: 5). What Vismann shows is that neither Lévi-Strauss nor Derrida can account for these administrative forms and acts of writing that are neither communicative nor performative but *functional*. Thus, by recasting the ‘so-called’ writing lesson as an encounter between writing and the law that exists outside of the conventional orality/literacy polarity, Vismann is able to illuminate dimensions of the relations between writing, power, the law, and information processing that are missed in conventional accounts.

This intervention is the springboard off of which Vismann recasts the history of the law through a grammatological approach to files that is not at all interested with their content or meaning but rather with their mediality, materiality, and functionality; with the acts of transmission, storage, cancellation, modification, and deletion that write the history of the law. She laments the retreat of a minor, media-technological

tradition of studying documents and information processes in such textual terms (including disciplines such as paleography, codicology, and diplomatics), and seeks to resurrect them. Around 1900 these sciences became merely ancillary to factual or narrative historiography – a position from which they have never recovered, despite the fact that they study documents according to ‘the material on which they were written, the size of the letters, the composition of the ink, the appearance of seals and stamps, the history of their transmission through time and space – in short, everything that is of interest to present-day media studies’ (2008: 39). Vismann resuscitates and redeploys some of the tools from this de-emphasized, minor tradition of media studies (or perhaps better, ‘media sciences’) to buttress her materialism. Drawing from such traditions also allows her approach to move beyond simply repurposing the theoretical tools developed by the so-called ‘father’ of German media theory, Friedrich Kittler. Though there is much implicit in Vismann’s work that borrows from Kittler, there are also important breaks. Some remarks – admittedly preliminary – about these intersections with Kittler are worth making, not just because Vismann’s work is often categorized within the ‘Kittlerian’ school of *medientechnik* but also because the two enjoyed a close working relationship before Vismann’s untimely passing.<sup>5</sup>

### The Kittler Effect

Aside from Vismann’s at least tacit acceptance of his most famous dictum, that ‘media determine our situation’ (Kittler, 1999: xxxix), Kittler’s influence is most evident on two planes: literature and Lacan. For Kittler, encoded within literature are the characteristics of the discourse network in which it is produced; that is, literary texts express and embody the transmission, processing, and storage capacities of the dominant media-technologies of any epoch. By extension, literature is also expressive of the conditions of thought, imagination, and subjectivity made available to human beings via these media technologies. For instance, during the monopoly enjoyed by writing in the historical period Kittler refers to as ‘Discourse Network 1800’, language is the only means available for the expression and exploration of human sense perceptions and imaginings. As a result, literature was the only means by which the reader could access proto-phantasmagoric sensory data by means of an inner hallucination generated by text.<sup>6</sup> With the advent of analog storage media, however (namely gramophone, film, and typewriter), new means are made available through which to articulate, process and transmit the imaginings and sense perceptions of human beings. Such tendencies and changes can be uncovered by the astute media archaeologist in the literature of any epoch, as Kittler is often wont to do in his own texts.<sup>7</sup> And so literature has a crucial

methodological function for Kittler's media theory – at least in his 'middle period', the best known to English readers.

Literary texts function for Vismann in a very similar manner. She argues 'literary fictions that deal with administrations highlight those media and realities of the law that nonfictional, scholarly self-presentations of the law and its history tend to overlook or even suppress' (2008: xiii). Readings of two such texts, Kafka's *Before the Law* and Melville's *Bartleby the Scrivener*, are offered early in *Files* to conceptually frame the work. These readings function as a kind of preamble to the historical account of files Vismann develops in subsequent chapters – they are not often explicitly referenced in later chapters but are ever-present ghosts that haunt the text. To elaborate, Vismann shows that legal preambles demonstrate the concerns and historical contexts of a given law, they contain colloquial stories that are not allowed to enter into official legal discourse, and are usually typographically differentiated from the document to which they are appended (2008: 21). Preambles are expressions of the moment in which the legal text is called to act. So too are Kafka's and Melville's stories expressions of the 'world of files' under Vismann's study: Kafka 'offers an access to the world of files, to the world before institutionalizations, to the world before the law' (2008: 15), while Melville's *Bartleby* 'epitomizes the transition to clerical work devoid of any human factor, that is to say, no *chancery* in the face of a mechanized bureau' (2008: 33, emphasis in original). Bureaucracy is seen as a machine, and chanceries as the relays of the law. Gates, such as those in *Before the Law*, 'facilitate or deny access, establish or interrupt contact, attract and exclude, mediate, regulate, allow entry, subdivide, transform, block, seduce, bar, ensure transfer... [can be] overrun and torn down' (2008: 19). The entrée into such an understanding of files and the law is literature. These texts mark the two poles of the field of functions performed by files in relation to the law: on the one hand secrecy, cancellation, *caesura*, and power (evident in Kafka), on the other hand the machine-like, antihuman, algorithmic dimensions of recording processes (on display in Melville).

As legal preambles have an annunciatory function, granting hermeneutical access to legal texts, so these stories serve to grant the reader of *Files* access into Vismann's conceptualization of the law as a 'repository of acts that assume concrete shape in files' (2008: xiii) and which has no memory of itself (2008: 12). Further, such fictions 'do not merely illustrate the machines and apparatuses of the law, or the logic of bureaucracy driven to its extreme. As narrative residues discarded by the grand tales of the origin and evolution of the law, they stand at the end of a process of differentiation that also entailed a removal of literature from the law' (2008: xiii). They are works of literature, a realm that is barred from entering conventional legal discourse, and their invocation here reminds us this was not always so. Finally, their stylistic or formal

attributes are as differentiated from legalese as a preamble's typographic differentiation is from a legal document. Therefore, as in Kittler's work, literary texts function for Vismann as both historical evidence (as expressions of certain historically specific media-technological conditions) and as important elements of the theoretical armature she constructs in order to explore the law primarily according to its documentary apparatus and processes.

A second plane on which Vismann intersects with Kittler is regarding the latter's importation of the Lacanian concepts of the real, the imaginary, and the symbolic into the study of media technology. Briefly, Kittler understands these concepts as follows: the symbolic is the dimension of code, the syntax through which is constituted and transmitted the communications and information that make up the world. The symbolic for Kittler is 'a syntax purified of all semantics, meaning, degrees of figuration, and thus also every conceivability' which, Kittler proposes, 'could in the end coincide with the concept of information in telecommunications' (2010: 40–1). The imaginary is the realm of figure recognition, the processes of which are 'just as automatic as they are deceitful' (Kittler, 2010: 39), while the real – which cannot be accessed by combinatorial systems and processes of visual perception – is stored, processed, and transmitted (by the symbolic) because it 'has neither a figure, like the imaginary, nor a syntax, like the symbolic' (Kittler, 2010: 40). Importantly – and this is where Vismann follows Kittler in understanding Lacan – the processes or phenomena associated with each category are not understood as primarily (or even fundamentally) psychological, but rather are probed in their material and technical dimensions. For Vismann, conventional understandings of files from disciplines such as linguistics, sociology, and history<sup>8</sup> misunderstand their crucial functional and constitutive dimensions because of an assumption that files capture the real. 'From this phonocentric perspective, files capture everything that other forms of writing no longer contain – all the life, the struggles and speeches that surround decisions' (2008: 10). Vismann shows, however, that what is captured or embodied in files (when viewed in this way) is not the real but a projection of the imaginary, and such conventional approaches to files and archive say more about their practitioners and associated disciplines than the actual entities themselves. In contrast, in the legal world, files are not objects unto themselves, subject to the gaze of the archivist or archaeologist. They are 'the basis for legal work. Their validity resides in their truth value and their everyday operations' (Vismann, 2008: 11). Files stand before the law that is made by them. As such, while the law has no memory of itself (for it could not acknowledge its contingency and hope to be authoritative), its material history exists not *in* but *as* files. Approaching files not as fetishized capturers of the real but rather as procedural entities of the symbolic (which come to be (mis)interpreted by the imaginary),

Vismann's genealogy offers a comprehensive account of the media-technological history of the law.

Lacanian concepts are also crucial to Vismann's reading of Franz Kafka's *Before the Law*. What she teases out of this story of barriers, thresholds, guardians, time, and the law is nothing less than the archive fever of a modernity obsessed with the search for origin. Kafka's central character, the man, is barred from entry to the door of the law. He is assured by the doorkeeper that beyond this door lays another, similarly guarded, and beyond that door is another, and so on. The man is told this but also catches a glimpse of what lies beyond the door. Though he 'sees' only the nothingness of empty space, this glimpse fuels the man's curiosity for what lies beyond the door and, Vismann suggests, binds him to its secret (2008: 15). That is to say, this reading of the story suggests that the modern subject is both barred from and obsessed with the secret of the elusive, endlessly deferred origin – whether of the law, of existence, of history, and so on.

But the story also makes clear that we cannot *know* the law in such terms precisely because such an essence or origin is an endlessly deferred impossibility. Indeed, only the imaginary resides behind the door, while the infinite series of doors suggests a symbolic order 'made up of gates that refer to gates' (Vismann, 2008: 16). Ultimately, 'the legal order consists of nothing other than this chain of references' (2008: 16), and the story's 'whole architecture of entries and barriers testifies above all to the *technologies* of reference adopted by the law' (2008: 17, emphasis in original). Thus all that remains is a received tradition of the law, and 'the very existence of these laws...is at most a matter of presumption' (Kafka in Vismann, 2008: 16). Deconstruction and archaeology attempt to uncover the conditions by which these presumptions operate. Vismann's highly original contribution to this tradition is to use it to open up a space in which to think about a law that is governed not by men or by history but by self-regulating, machinic entities such as files. When literature is parsed and Lacan is incorporated to describe the law as a system of relays, signal processing and transfer operations, we are in the realm of Kittler. Vismann offers a rationale for such an approach when she suggests that, regarding 19th-century scholars dedicated to tracing Roman law back to an undisguised *ur-text*, '[w]hether (to allude to Lacan) [their] gaze opens into the real or the imaginary remains undecidable. Both are involved when Roman law emerges from the reconstruction of its transmission. But it is possible to decide upon, specify, and elaborate the media-technological conditions of its transmission' (2008: 41). This is as succinct an encapsulation of the Vismannian project as exists in *Files*.

These brief remarks regarding the relation between Vismann and Kittler are preliminary and exploratory. They are meant to suggest lines of inquiry that may prove fruitful for situating Vismann in relation

to the ‘Kittler effect’ in media studies. Vismann’s reading of Kafka’s *Before the Law* is a particularly good example of the two main planes on which the thinkers intersect, literature and Lacan. If we follow Vismann’s reading of *Before the Law* as a story about the documentary apparatus of the law a little further, it will also throw into relief an important series of double functions of the law and the files that stand before it. In the story, the law is endlessly announced but continuously deferred. Similarly, files control the formalization *and* differentiation of the law, processing its separation into authority *and* administration (2008: xxi); files first perform the law, and eventually come to service it – that is, files both administer *and* are administered; files also function both to transmit the law *and* store its processes, acts, and traces (2008: xiv). Such a discussion of double-functions of files and information processes echoes Derrida’s similar pronouncement regarding the archive as both commencement and commandment (Derrida, 1995: 1–5). Additionally, Vismann shows that the writing down of a file’s history and movement through space and time in the form of a list also has a double function: such a list is both imperative (i.e. generating the next command) *and* informational (i.e. noting its own execution) (2008: 8). In the latter example we find an issue with Vismann’s definition of files, specifically regarding the relationship she sketches out between files as authorless, process-generated entities and the process generators themselves. One of the latter will be explored specifically in the next section: the list.

## Lists

With the advent of writing came the list. Some of the earliest surviving forms of writing, c. 3000 BCE, are the administrative lists of the ancient Sumerians, scrawled on the walls of caves and on pieces of birch bark (Goody, 1977: 78, 82). Such early lists are purely administrative – they document economic transactions, inventories, and other minutiae of day-to-day life in Mesopotamia in this period. As such, they exist between orality and literacy. Not surprisingly, as a functional entity that is present through each of the epochs traversed by *Files*, lists are isolated by Vismann as one of the administrative forms that can allow for the writing of a new history of the law. She maintains that ‘[l]ists do not communicate, they control transfer operations... individual items are not put down in writing for the sake of memorizing spoken words, but in order to regulate goods, things, or people. Lists sort and engender circulation’ (2008: 6). She conceptualizes the list as strictly a medium of transfer (as in the Lévi-Strauss writing lesson); its storage capacity is only ever temporary because there is no need, nor any desire, to preserve a list once the act or event that it facilitates has occurred. Therefore the orientation of the list, for Vismann, is always toward the present.

However, there is something of a contradiction, or at least a tension in this view of lists, in that she notes that they are not only important in the world of files but actually prefigure files themselves: ‘files are governed by lists... Lists with tasks to be performed govern the inside of the file world, from their initial compilation to their final storage’ (2008: 7). Files are process-generated algorithmic entities, and the process generators are ‘list-shaped control signs’ (2008: 7). That is to say, lists prescribe any file’s movement through space and time. File notes issue commands for the next movement or event of a file’s existence – to where or to whom the file should travel, at what time, by which means, etc. Each executed command triggers the next. Over time these notes accumulate, one after the other, to form a list. They preserve a record of a file’s ‘life’. In Vismann’s own words: ‘when, against all intentions, records multiply and chart their own course through official corridors, when they start taking on a life of their own in filing rooms, this is an indication that lists or programs are at work’ (2008: 8).

Though she spends considerable time discussing lists (particularly in Chapter 1), their actual importance to the kind of ontological conditions she seeks to map out in *Files* is underemphasized. This is primarily because she does not draw clearly a distinction between registries, lists, and files. A registry (see pp. 79–85) is obviously conceptualized as some kind of list, but what kind? Is a registry also categorized as a file? Does this imply that every list is a file? If so, does that not complicate the idea of lists as purely processed-based entities with no archival capacity? Since, as she notes, lists program the movement of files through space and time (and are therefore different from files at some level), more time could be devoted to parsing these questions and making a sharper differentiation between the three forms, which are often conflated by the category of ‘recording device’.

Such a differentiation is important because if lists program the movement and ‘life’ of files, they in some way prefigure files themselves, and thus must be seen to play an integral role in the emergence of truth, subject, state and the law. As an example, much of the material explored in Chapter 3 focuses on registries as a technology of power: ‘[t]he rule of kings around 1200 was the rule of registries’ (2008: 77). Registries are shown to be lists of items or inventories of mobile imperial archives that serve important double functions for the control by monarchical power over space and time – the registry in this period is about both index and affect, communication and transmission, storage and administration. The registry itself is filled in with information and becomes a template that frames the empire. Further, this ‘new writing economy’ reduces noise on the page and allows for a system of retrieval that is not sequential but grid-based. As such, a new economy of reading emerges that is left-to-right, top-to-bottom (2008: 80). Meanwhile, single entries can have multiple units – a corresponding date, location,

or other attribute can be noted beside any given entry. Things can thus become ranked or organized according to various other criteria. Vismann shows these developments affect space, time and power – for instance, dates in margins decompose time into discrete, countable units, linking acts to time, and ‘the coincidence of the two produces an event’ (2008: 81). While these factors or tendencies are not all necessarily *new* in this period, the extent to which they were deployed as technologies of power/knowledge was unprecedented. ‘Registries were more than nifty administrative techniques designed to economize on reading and writing; they were nothing less than the media technology for a state as a permanent entity’ (Vismann, 2008: 81–2). Importantly for our consideration of the list, Vismann herself shows that these registries actually prefigure the world of files that elsewhere are attributed to be constitutive of the power over time required for the state to come into existence. ‘On the basis of this comprehensive chronological register, the state as institutionalized during the reign of Frederick II, became an apparatus of repetitions, a file machine’ (Vismann, 2008: 82). It may very well be that Vismann considers registries to be files (and vice versa), but this is unclear (even her earlier open definition implies that files are collections of spatially and materially discrete units rather than simply discrete units in writing). A clearer differentiation is needed precisely because lists and registries are shown to control the movement of files in space and time, and so are obviously at some level ontologically distinct from them.

Vismann’s description of lists shows us that they can take on a machine-like character. They streamline, standardize, and help accelerate the processing of information in whatever media-technological network they are functioning (and because of its malleability, the list can function in many such networks). She is correct in emphasizing this administrative and facilitative capacity of the list. But her insistence that the list can only ever be present-based results in an explicit rejection of its capacity as a storage device that is also problematic. Surely the list’s indexicality to such file activity as described above – its keeping a *record* of this activity – is demonstrative of an archival capacity that pushes the functionality of the list beyond simply present-based administration? We may not intend or wish to archive our lists, but often they become so preserved.<sup>9</sup> Vismann misses this aspect of lists because, to use the language of Innis (2002), her focus remains trained on the list’s *space-bias* – its ability to facilitate the movement of files in the spaces of administration – at the expense of the important fact that a list can also in its archival capacities express a *time-bias*, which in this case preserves the records of the life-world of files. Fine-tuning Vismann’s analysis of forms that prefigure files such as lists can build off of her contributions and offer further insight into the kinds of ontological and epistemological questions her work provokes.

## Conclusion

*Files* is a rich text that has much to contribute to the contemporary intellectual landscape. It is an important book, and the intellectual tools Vismann develops in it will only prove more influential as it becomes more widely read. I hope to have suggested some potential lines of inquiry provoked by the book, while exploring some connections to other thinkers that may prove fruitful. In the wake of her tragic death, one is left only to wonder about what further intellectual projects might have emerged out of Vismann's brilliant erudition and scholarship. English readers can only hope that translation efforts of her existing works currently underway continue and expand. Her intellectual legacy remains to be written, but *Files* will undoubtedly prove to be the essential Vismannian text.

## Notes

1. She notes that the German word for files, *Akten*, does not differentiate between materiality and function. In English the former is denoted by files, the latter by the term 'records' (corresponding to their function as recording devices) (2008: xii).
2. See Latour (1987) and Rotman (2008).
3. As, for instance, in Ong (1982).
4. Briefly, this episode occurred during a journey of Lévi-Strauss' through the Brazilian jungle with the Nambikwara tribe, and involved the anthropologist presenting members of the tribe with writing utensils and paper. He describes how most Nambikwara quickly lose interest in the materials (not knowing how to use them) with the exception of the chief, who begins to mimic Lévi-Strauss' own writing activity. The chief then proceeds to insert this 'writing' (the wavy lines he draws which bear no communicative function in and of themselves) into a series of complex exchange rituals within the tribe, and between the tribe and Lévi-Strauss' anthropological team (see Vismann, 2008: 2–6).
5. The fruits of which are unfortunately (as yet) unavailable to English readers. See, for instance, Kittler and Vismann (2001).
6. See Kittler (2010: 47–9) and Winthrop-Young (2011: 29–51).
7. For two examples chosen at random, see Kittler's brilliant use of Jean-Marie Guyau to illuminate the effects of the phonograph (1999: 30–3), or his use of Flaubert to discuss the repercussions of infinitely reproducible lithographs in *Optical Media* (2010: 138).
8. Typified by Leopold von Ranke, for whom '[a]rchived records revealed . . . the totality of a present past, and with it the possibility of venturing behind state history to retrieve the life that had been deposited in files' (2008: 8).
9. The Morgan Museum in New York recently devoted an entire exhibit to the lists of famous artists. Over 80 lists with a variety of functions were displayed: practical, aesthetic, archival, autobiographical, etc. (Kerwin, 2011).

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