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## Authors and apparatus: a media history of copyright

by Monika Dommann, translated by Sarah Pybus, Ithaca, Cornell University Press, 2019, xii + 257 pp., £35 (hardback), ISBN 9781501709920

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## BOOK REVIEWS

**Authors and apparatus: a media history of copyright**, by Monika Dommann, translated by Sarah Pybus, Ithaca, Cornell University Press, 2019, xii + 257 pp., £35 (hardback), ISBN 9781501709920

The rise of internet file-sharing capabilities has previously been framed as a unique moment in the history of copyright, causing a total break with tradition and legal norms, and the need to re-evaluate the international copyright system. In *Authors and Apparatus*, Monika Dommann aims to historicize this phenomenon, and argues that copyright law has endured a long history of disruption by revolutionary changes in media. Dommann charts these disruptions in two strands of technological development: first, print reproduction, particularly regarding library stock; and, second, sound reproduction, with an emphasis on exploitation rights. Dommann uses legal history as a gateway to explore the social, cultural, political and economic impacts of new media technology developments.

Dommann frames this book in relation to the work of legal scholars and jurists such as Josef Kohler, Benjamin Kaplan and Stephen Breyer, whose work intersects with technology and media theory in their attempts to establish the future of copyright in the face of new technologies. To account for this fusion of legal studies, history of technology and media studies, Dommann borrows from Bruno Latour's *Science in Action*, asserting the need to study 'law "in action"' (p. 9), and give proper attention to the relationships between law, society, economy and science.

This book takes a broad view both temporally and geographically, covering events from the 1850s to the 1980s, and with a transatlantic scope focusing on the US, the UK, Germany, France and Italy, with occasional examples from elsewhere in Europe. The book is made up of 10 chapters, divided into three parts. In Part One each chapter focuses on a different medium of recording, first in writing and then in sound, and the central concepts of authorship and copyright are introduced. Part Two centres on organizations and groups of people who held a stake in the international copyright debate, introducing the collecting societies which formed to represent the rights of composers and publishers of music. Part Three examines questions of the private and the public, and how copyright systems have sought to incorporate both the novel and the traditional, whilst seeking an international standard.

While charting the parallel development of print and sound reproduction technologies, Dommann identifies several major debates and strategies which often emerge around the popularization of a new technology. One such strategy is the use of copyright law as a tool for cultural control and the assertion of national identity. Beginning in Chapter 1, on sheet music, and recurring in later chapters on sound recording and performance, Dommann demonstrates that the increased access to international music provided by new technologies was sometimes treated as a threat to national identity, which must be regulated by international law. An early example comes in the 1860s, with France's desire to protect authors' rights coming up against Switzerland's thriving music box industry, a debate culminating in the exemption of music boxes from authors' rights as objects of ornament rather than art (pp. 25–26). Similar conflicts over music and national identity were still on-going a century later, when a 1963 UNESCO conference discussed the legal status of traditional and folk music. The 20 newly independent African nations involved 'saw folklore as a synonym for the cultural

heritage of African countries' (p. 174), and were thus keen to protect it from any system which would allow individuals to claim ownership over it.

Another reoccurring theme during copyright debates is the tension between personal and commercial use, and between the needs of traditional and academic authors. Libraries are key actors throughout the discussion of print reproduction, and their needs are often set at odds with the desires of publishers and copyright holders. Dommann claims that nineteenth-century photocopying techniques began to challenge the status of libraries as physical institutions which readers had to visit in person to access collections (pp. 29–32). In the 1930s, with the development of microfilm, Dommann posits that libraries responded to this challenge by becoming producers and editors, rather than mere collectors, which in turn altered the activities of the scholars who used them (pp. 90–92). This shift continues when the Xerox copier is introduced, altering the channels of academic communication, and allowing articles to be copied and shared outside the control of the academic publishing establishment (pp. 155–159).

Dommann's choice to present the development of audio and print technologies side by side is an effective way of ensuring that the larger points of the book are not lost amongst the rigorous legal detail provided, with parallels between the two strands of technology apparent throughout. On occasion the focus on legal events means there is limited exploration of the materiality of the technologies in question, and how this may have shaped their social and cultural influence. For example, Chapter 6 ends with an important look at the 'huge operational problems' (p. 103) faced by microfilm technology, a subject which is noticeably absent from the rest of the chapter given how significant these problems turned out to be.

Readers should be advised that an uncensored racial slur appears within a quotation on page 75. There is a growing consensus against the inclusion of uncensored slurs in academic text, and some readers may find this offensive. However, in summary, Dommann paints a picture of copyright systems struggling to accommodate an 'expanding concept of media' (p. 60), as jurists and legislators attempted to extend definitions of authorship and ownership to accommodate new technologies into old legal frameworks. This important work makes a compelling case for the study of legal history in its social, cultural and scientific contexts.

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### **Home rule: national sovereignty and the separation of natives and migrants,**

by Nandita Sharma, Durham, Duke University Press, 2020, 1 + 283 pp., £22.99, ISBN 9781478000778 (hbk); 9781478000952 (pbk)

Published in the year when the resurgence in Black Lives Matter protests highlighted racial inequalities within nation-states and Coronavirus led to unprecedented state-sanctioned limitations on movement, Nandita Sharma's *Home Rule* is indisputably timely.

In the book, Sharma traces the complex discourses that have led to the deeply engrained distinction between 'people of a place' and 'people out of place' in what she terms our 'Postcolonial New World Order' (original emphasis, p. 4). She explains how autochthonous