

Index to Common Law Festschriften: From the Beginning of the Genre up to 2005

(Edited by **Michael Taggart**, Hart Publishing, Oxford, 2006)

The evolution of the common law has been accompanied by sporadic flowerings of new forms of legal literature, followed by attempts to bring the proliferation of material under bibliographic control. An early example was the development of printed law reports and the subsequent invention of the digest (abridgement).

In Victorian times the burgeoning periodical literature in the form of legal newspapers, commercially published legal magazines and academic law reviews such as the *Law Quarterly Review* (1885) and the *Harvard Law Review* (1887) set the scene for Leonard Jones' *Index to Legal Periodical Literature*, v 1 of which was published in 1888. Its thorough indexing of some 158 periodicals continues to be a boon for researchers.

More recently, the fruits of the law reform industry, which began spreading across the English-speaking world in the 1950s and 60s, were listed and indexed in the Commonwealth Secretariat's series of issues of *Law Reform in the Commonwealth* (issue 1, January 1981); the Australian Law Reform Commission's *Law Reform Digest* (1983–85) covering the Australasian region; and the British Columbia Law Institute's *Law Reform Database* online at www.bcli.org (currently indexing over 7,000 documents up to mid-2005).

In the latter decades of the twentieth century, legal publishers found new confidence as they added conference proceedings, themed collections of essays by multiple authors, and *Festschriften*, based on the European model, to their output of printed books. With only a few exceptions in the common law world (such as Lilly Roberts' *A Bibliography of Legal Festschriften* (1972) and Barbara Tearle's *Index to Legal Essays... 1975–79*) there were no means by which a researcher could readily identify individual contributions to such volumes. Only in the last few years have the major cataloguing agencies been including tables of contents in the data they supply to libraries as they build their online catalogues – and library catalogues do not always make self-evident the search processes for uncovering such detail.

Professor Taggart has now, with funding from the New Zealand Law Foundation and assistance from experienced law librarians, helped fill this gap, at least in respect of items published in English in *Festschriften*. This book is a by-product of the searchable database freely available on the Web at <http://magic.lbr.auckland.ac.nz/>, which will be updated to include further and more recent publications as they are identified. The project attempts to pick up all English language legal *Festschriften* published in book form in the common law world, including India, the Caribbean and Anglophone Africa, and includes works published elsewhere if the honorand was of standing in common law jurisdictions. It excludes foreign language contributions. It includes 'anti-*Festschriften*' but excludes books of essays which simply examine the work of an individual. It excludes special issues of law reviews, since such material is covered in the standard periodical indexes. Thanks to the generosity of several European authors and publishers, particularly Dr Helmut Dau, over 1,000 entries

have been added, listing English-language contributions to legal *Festschriften* published in certain continental countries. The volume indexes over 5,000 chapter entries and nearly 300 common law volumes.

It is good to have this material in print form, as it will not only catch the eye of researchers in libraries but also facilitate browsing, even though some types of searching can be done more productively in the web version.

The bulk of the book consists of three indexes – of honorands (giving the title of the work and basic publishing details), of authors, and of subjects. Each chapter is listed under one subject heading only (unlike the web version), giving its author, title, the name of the person being honoured and the pagination within the volume. A relatively small number of subject headings is used. The headings are based on the Library of Congress headings which appear in most academic library catalogues. But subject browsing is enhanced through the provision of lists of related headings and a thesaurus of cross-references and preferred terms. The contents of individual volumes are not gathered together; for that one must turn to the online database.

The work has been executed with exceptional care and attention to detail and indeed fills a serious bibliographic gap. Whether anyone will take up Taggart's challenge to cast a wider net and compile an extended version of the Tearle work, which included chapters in conference proceedings and books of essays as well as *Festschriften*, is doubtful. That work uncovered over 5,000 items in 340 volumes published between just 1975 and 1979 and the pace of publishing has lifted since then. Most library catalogues now include indexed contents pages for new books of these kinds, even though each chapter will not be assigned specific subject headings.

Perhaps salvation will have to await further development and refinement of Google Scholar? A simple Scholar search at <http://scholar.google.co.nz/> (festschrift AND (law OR legal)) currently produces over 24,000 hits but full text searching is no substitute for a focussed bibliography prepared by a knowledgeable scholar and indexed using human intellect.

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