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# Registration and Imagination in the Everyday of Civic Space

Jessica E.G. Smith

November 2020

Thesis submitted for the degree of Doctor of Philosophy in Law

Kent Law School

University of Kent

73, 864 words (excl. bibliography)

## Abstract

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This thesis provides a room-by-room journey through the ‘tessellating’ spaces of a community hub where the public, cultural, and administrative services of local government are brought together under one roof. The research draws from a case study conducted at the Beaney House of Art and Knowledge – a building situated in Canterbury’s (UK) historic city centre which provides local residents with a museum, library, gallery, café, tourist information desk, community exhibition, and registration hub. Adopting an interdisciplinary approach, I locate imaginative potential in the Beaney’s ‘tessellating spaces’ to explore the spatial dynamics of civil registration.

The thesis argues that there is a meaning scripted into the *where* of registration and that, by tracing the lines back from the certificate to its space of production, a spatial narrative can unfold which may otherwise be overlooked. The room-by-room journey begins with historical analysis which maps out a spatial transition from documenting the soul to registering the medico-legal body. The thesis continues by tracing these historical lines to and through the Beaney’s lawscape. The mezzanine floor of the Beaney highlights the competing technologies of registration as a bureaucratic act of governance which identifies the individual yet also provides a public forum for the local community to perform secular ritual.

The thesis develops these technologies through the conceptual understanding of registration as a process of ‘journeying’. The state’s documentation of the life course, I argue, invokes multiple lines of movement – the literal pathways of registrars and citizens, the figurative ‘journeying’ of legal identity, and the paper trails which follow. This process of ‘journeying’ weaves together the human and non-human, the bureaucratic and spiritual, the sacred and secular to contribute a more nuanced understanding of registration which draws upon its spatial dynamics to highlight the affective, imaginative, and immaterial registers of state documentation. The thesis, in doing so, provides a spatio-legal reading which contributes a fresh perspective to civil registration – a bureaucratic act of governance more typically framed in terms of its written and textual materiality than its spatial dynamics.

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## Acknowledgments

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I would like to take this opportunity to express my gratitude to all those who have helped me in the process of writing this thesis. First and foremost, I owe sincere thanks to my primary supervisor, Didi Herman, without whose invaluable guidance, patience, wisdom, trust, and critical feedback, this thesis would not have been possible. I was equally fortunate to have Edward Kirton-Darling as my second supervisor, who provided much enthusiasm and engagement with the ideas as they developed. Thanks must also go to Emily Grabham for her supervision in the early years of this project. I feel very fortunate to have worked with a supervisory team who gave me the freedom to explore different ideas, the guidance to make sure I wandered with relative safety, and the reassurance that I would get there in the end.

Thanks also to all those who took the time to pass on their advice, feedback, and encouragement. My research has been inspired by a wide range of people along the way, but in particular, I would like to thank: Donatella Alessandrini, Davina Cooper, Maria Drakopoulou (without whose encouragement, I would not have considered doing a PhD), Hayley Gibson, Marie-Andrée Jacob, Julie McCandless, Shaun McVeigh, Amanda Perry-Kessaris, Nigel Pleasants, Margarita Prieto-Acosta, Erika Rackley, Flora Renz, and Katharine Tyler. Thanks must also go to my PGR buddies who took me under their wing and shared with me their knowledge and experience: Ahmed Mehmon, Antonia Porter, Mia Tamarin, Moritz Neugebauer, Steve Crawford and Tracey Varnava. I owe special thanks to my corridor buddy, Allison Holmes, who helped me to navigate the highs-and-lows of research throughout the PhD.

I am grateful for the financial scholarship provided by the University of Kent which enabled me to start this PhD. I am also grateful to have received funding and general support from both the Social Legal Studies Association (SLSA) and the Association for the Study of Law, Culture and Humanities (ASLCH). I am particularly grateful to the ASLCH for funding which enabled me to attend a graduate workshop in Connecticut. Towards the end of the PhD, the event helped to renew my spirit, and as such, I would also like to thank Mark Antaki,

Marianne Constable, Jennifer Culbert, Linda Meyer, and Martha Umphrey for their engagement with the ideas presented here.

The empirical strand of this research project was supported by the managing councils of the Beane House of Art and Knowledge. Thanks to Manda Gifford for her assistance at the beginning of the project, Grace Conium for her assistance with the medieval pilgrim badges, and to Kent County Council for their assistance with my fieldwork – with particular thanks to Christopher Hall.

Earlier versions of parts of chapters four to seven appear in: Smith, J. (2020) 'Tracing lines in the lawscape: Registration/pilgrimage and the sacred/secular of law/space.' *Sociological Review*. 68(5), pp.917–931.

My closest friends have supported me throughout. Chloe Smith allowed me to indulge in allegorical walks long before they became the subject of this thesis; Lars Maagerø and Oli Parken undertook this journey alongside me; and Tanaka Burt crossed my path at the right time. I am also very grateful to my Durham/London friends—Anna, Louise, Sam, Fiona, Fi, and Sumaia—for helping take the girl out of Suffolk and onto the Tube.

The final thanks must go to my family. In the uncertainty caused by the pandemic, they created space for me to finish this thesis, allowing me to take over their summer house, and putting up with all my mood swings along the way. Thanks to Daniel and Chloe Smith for being there, and Gilliane and Steven Smith for their love and support. Mum, you have been a tireless supporter of all my projects and passions, from little to big school, and without you none of this would be possible. Dad, thank you for taking me wherever I needed to go and keeping me grounded with the most important knowledge of all – when to have a break and take the dog for a walk. And, on that note, thanks to the furry members of our family, Jinny and Martha, for bringing so much joy to my life.

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I dedicate this thesis in loving memory of my grandmother, June, who taught me how to love, how to play, and how to make things. Nan, this is my lemon méringue pie.

‘Civil registration is about the continuity of an entire life span. In more than any other public space, the office of the Civil Registry deals in the registering of human bodies as they pass through life.’

Sarah Lund – *Bequeathing and Quest*

‘[The Beaney] is a building full of life and creativity and seriousness and fun.’

Anthony Browne quoted in *The Beaney Celebrates Fifth Birthday*

‘Above all else, sacred place is ‘storied place’...the sacred place is the place rich in story.’

Beldon C. Lane – *Landscapes of the Sacred*

## Chapter One. The Tessellating Spaces of a Community Hub

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'I see it as, sort of, the *heart* of the city, because you have everything in one place', enthuses a visitor to the Beaney House of Art and Knowledge (the Beaney), as she provides the introductory comments for a short video celebrating the Beaney's birthday (Canterbury City Council, 2017). As she indicates, the Beaney occupies a central position in Canterbury's historic city centre, providing local residents with a museum, gallery, library, café, community exhibition, tourist information desk, and registration office.<sup>1</sup> My interest in the Beaney lies in these 'tessellating' spaces.<sup>2</sup> In the vibrancy of the community hub, mums exchange parenting tips, tourists gather brochures, visitors peer at worldly artefacts, and registrars document the births and deaths of their locality. The Beaney, then, is an everyday civic space which draws the community together, under one roof, to access the public, cultural, and administrative services of local government.

But what might the traces of law and bureaucracy in these spaces tell us about the performance of registration as an everyday act of governance? Is the appearance of state documentation on the mezzanine floor of the Beaney's library simply the accidental by-product of austerity, or, does it suggest a public role for the community? How did births and deaths come to be registered in the library? Finally, what might come into view when attention shifts away from the text of the certificate and towards the space in which it is produced?

This thesis draws upon the Beaney to explore the spatial dynamics of civil registration.<sup>3</sup> My central argument is that there is a meaning scripted into the *where* of this everyday act of governance; and, by tracing the lines back from the certificate to its space of production, a narrative of community, place, and secular

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<sup>1</sup> In 2018, a visa and citizenship service point also appeared on the mezzanine floor of the library, adjacent to one of the registration cubicles, following the aftermath of the Brexit vote.

<sup>2</sup> I use the term 'tessellating spaces' throughout this thesis to illustrate the unbounded design of the Beaney (see Chapter Five) and its effect of bringing social, cultural, and bureaucratic spaces together.

<sup>3</sup> The empirical strand of this research project was conducted between 2016-2019 and, as such, the thesis developed before the emergence of COVID-19 (see Chapter Eight for reflection).

ritual unfolds.<sup>4</sup> But rather than using the building as a frame, to follow more closely the activity of registrars and citizens, I locate imaginative potential in the Beaney's 'tessellating' spaces. In other words, the thesis adopts a spatially embedded approach in which unlikely concepts are mapped onto everyday space (see for discussion Cooper, 2014).

Adopting an interdisciplinary approach to explore the Beaney, this thesis contributes to two main bodies of literature. The spatial account of registration which I develop engages with critical scholarship which illustrates the performative force of documentation (see for example Keenan, 2019; Pottage, 1995; Yngvesson and Coutin, 2006). In conversation with these literatures, I develop a series of parallel arguments concerning the inherent movement invoked by the state's documentation of the life course. The thesis also contributes to a growing body of research on law, space, and movement (see for example, Barr, 2016; Keenan, 2015; Philippopoulos-Mihalopoulos, 2015) by developing a spatial practice of 'journeying' the Beaney which illustrates the imaginative realm of law and space.

The chapter continues in four parts. The following section provides a historical overview of the Beaney's tessellating spaces which traces the construction of the building back to the late Victorian era. The chapter then outlines the central argument presented in this thesis and the associated themes of sacred space and ritual, movement and place, legal fiction and narrative, and the everyday civic space of community. The chapter continues with a discussion of the research methodology which explains the use of the Beaney as a framing device for the spatial narrative which unfolds. I also offer a brief reflection of the ethical considerations which were encountered during the empirical strand of this research project. The chapter concludes with a 'floorplan' which outlines the structure of the thesis and gives a detailed overview of the material presented in the subsequent chapters.

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<sup>4</sup> I use the term 'scripted' here not to suggest that registration space was designed to a particular 'script' but rather to make the point that buildings are social spaces that can be read as text and to gesture towards the metaphor of registration space as 'staged' (or 'scripted') by the things within it – as I will return to in Chapter Five.

## The Beaney House of Art and Knowledge

In September 1897, the Mayor of Canterbury, George Collard, laid the foundation stone of the Beaney Institute – as it was originally known (Whitstable Times and Herne Bay Herald, 1897). The event was marked with a series of ceremonial speeches to celebrate the building's construction. The Mayor declared his hope that the stone he had laid would 'be the foundation of an Institute, the advantages and good influence of which will be of immense and ever-increasing benefit to the citizens' (Whitstable Times and Herne Bay Herald, 1897). The Institute was named in dedication to the building's benefactor, Dr James George Beaney (1828-1891). As the Mayor of Canterbury described him,

[Dr Beaney was] a native of the city, [who] rose from the humblest ranks to a position of wealth and high political standing in Melbourne, Australia, but who in the days of his prosperity, never forgot the city of his birth, but generously bequeathed to her the best of all legacies, a sum of money to be applied to the building of our Institute, comprising free reading rooms and library open to the use of all.

(Whitstable Times and Herne Bay Herald, 1897)

The biography of Dr Beaney is scripted as the story of a 'self-made' man who rose through the class system of the Industrial Revolution to amass considerable wealth in colonial Australia (Blackamore, 1996). In the passage of his medical career, Dr Beaney gained notoriety as a 'bold surgeon' and 'flamboyant self-promoter', and came to be known by the nickname 'Diamond Jim' (Gandevia, 1969). Dr Beaney was often in dispute with the medical establishment, positioning himself as something of an 'outsider', and was brought before the law on several occasions, including a notable incident in which he was accused of performing an illegal abortion (Gandevia, 1969).<sup>5</sup> In his later years, Dr Beaney became a representative in the parliament of Victoria, Australia, where he also

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<sup>5</sup> During a banquet held in Canterbury to honour his achievements, Dr Beaney attributed these disagreements to professional jealousy. Telling the story of his arrival in Melbourne, Dr Beaney stated that he had 'carried out most successfully cases that were recorded in the medical journals of the day', to the upset of his seniors, and, as such, 'he found that his early success in life only created a feeling of jealousy and uneasiness among his own professional confrères' (Whitstable Times and Herne Bay Herald, 1885).

gained a reputation as a radical for his progressive views on women (Blackamore, 1996).<sup>6</sup>

Towards the end of his life, Dr Beaney sought to provide Canterbury with the funds to establish an 'Institute for Working Class Men', inspired by the construction of civic spaces he was witnessing in colonial Australia (1889a). The proposal proved controversial, however, as the local newspaper reported in a series of articles. After receiving details of Dr Beaney's proposal, the city's corporation attempted to dissuade him from providing for the working classes, and instead proposed that a new Guildhall should be built, flattering Dr Beaney with the suggestion that 'your name would be brought into permanent connection with the city of your birth' (Whitstable Times and Herne Bay Herald 1889a). The proposal was put on hold until the death of Dr Beaney in 1891 when it was revealed that he had bequest the city with funds for the Institute and specific instructions for its use (Whitstable Times and Herne Bay Herald, 1891). At the turn of the nineteenth century, the Beaney Institute opened to crowds of local residents who had gathered to witness the ceremony (Whitstable Times and Herne Bay Herald, 1899).<sup>7</sup>

The history of Canterbury's museum and library, however, can be traced much further back. In the 1700s, a group of local residents formed the Canterbury Historical Society for the Cultivation of Useful Knowledge and met weekly at a local pub within the city (Pisano, 2012). In 1825, the society built the Philosophical and Literary Institution which, in 1846, was purchased by Canterbury's Corporation following innovative interpretation of the Museums

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<sup>6</sup> In 1883, Dr Beaney opposed a clause in the Public Service Bill which aimed to prohibit women from being head teachers of state schools with over 50 pupils, commenting that 'everything...depended upon the physical condition of the individual; the question of sex was a mere secondary consideration' (Victoria, Parliamentary Debates, Legislative Assembly, 24 October 1883, p.1600). In response to the challenge that 'women were, as a rule, inferior to men, both in physical as well as mental capacity' (Victoria, Parliamentary Debates, Legislative Assembly, 30 October 1883, p.1683), Dr Beaney commented that 'in the examinations at the University of London, women frequently carried off the honours from their male counterparts' (Victoria, Parliamentary Debates, Legislative Assembly, 30 October 1883, p.1685). See for discussion Blackamore, 1996, pp.219-221.

<sup>7</sup> See Part I for a more detailed description of the welcoming ceremony.

Act 1845 (Pisano, 2012).<sup>8</sup> The legislation was the first to provide for publicly funded museums and allowed towns with a population of more than 10,000 to spend up to a one-halfpenny rate for the purpose of establishing a local museum (see for discussion Lewis, 2012).

The Museums Act 1845 formed part of a series of legislative initiatives to improve the health and education of the working classes during the Industrial Revolution (Historic England, 2016). In 1834, a parliamentary committee examining the ‘vices of intoxication amongst the labouring classes’ recommended a ‘partnership between central and local government and local residents to provide facilities such as open spaces, libraries, museums and reading rooms’ (Lewis, 2012, p.72). The argument for publicly funded museums was extended, in 1836, to all classes. As Woodson-Boulston explains,

Many Victorian museum supporters argued that they could present everyone with opportunities for self-improvement through education and for appreciating the wonder of God’s creation through natural history exhibits or fine art. Indeed, in this sense museums could combine a quasi-religious and secularizing role as they became prominent urban and national institutions, ‘cathedrals of urban modernity’ (quoting Lorente, 1998)

(2008, p.111)<sup>9</sup>

The Beane Institute, when it opened in 1899, incorporated the city’s existing Royal Museum and Free Library. The ground floor housed the library with rooms dedicated to newspapers, magazines, references, and lending material (Whitstable Times and Herne Bay Herald, 1899). The museum was contained on the upper floor with large exhibition halls to display a range of ethnological collections; and there was also a basement dedicated to natural history (Whitstable Times and Herne Bay Herald, 1899).<sup>10</sup>

The Beane’s distinct spaces were the product of Victorian ideals concerning the classed society. The initial public libraries were constructed according to a

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<sup>8</sup> See also the Public Libraries Act 1850 which was first of a series of legislative initiatives allowing councils to publicly fund libraries.

<sup>9</sup> See Chapter Seven for an extended discussion on the sacred/secular of museums.

<sup>10</sup> In 1925, an art gallery was added following a donation from the Slater family.

closed-access design with separate rooms for activities such as the ‘magazine’ room, gentleman’s room, borrower’s library or ‘news’ room (see for discussion, Historic England, 2016, pp.6-7). These spaces were gendered and classed such that ‘the reading room was intended for the use of serious students (by implication men) while women and their magazines were kept away in a room of their own’ (Historic England, 2016, p.6-7).<sup>11</sup> The Victorians also promoted the idea of attaching the library to a ‘much larger complex of public amenities’, particularly in urban areas with multiple civic functions (Historic England, 2016, p.7). Accordingly, ‘a single building might accommodate a museum, art gallery, technical schools, town hall, gymnasium (later in the 19th century) or even public baths’ (Historic England, 2016, p.7). The broader significance of which is that the Beaney’s tessellating spaces can be traced back to an era of governance in which class, taste, and community were intertwined in a public forum of discussion.<sup>12</sup>

Today, the visions of Victorian governance have been realised in community hubs like the Beaney where citizens gather to access the services of local government. After significant reconstruction and major extension works, the building reopened, in 2012, as the Beaney House of Art and Knowledge – a re-branding project which rejuvenated local interest in the Victorian building. The Beaney has since evolved as a ‘therapeutic museum’ (Canterbury Museums and Galleries, 2020a) with an award-winning health and wellbeing programme. The museum runs, for example, initiatives such as ‘Power of the Object’ where those suffering from dementia or loneliness are encouraged to engage with the Beaney’s collections. In addition, there are family activities with ‘trails’ around the museum designed for children, and an ‘Adopt an Object’ initiative where each local school is able to lay claim to a particular object.

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<sup>11</sup> See Chapter Three for further discussion of gender, class, and public space.

<sup>12</sup> This historical discussion is continued in Chapter Three where I explore narrative accounts of the General Register Office which circulated the Victorian press to engage the public’s interest in the activities of the General Register Office. I will also continue my discussion of governance through ‘tessellating spaces’ in Chapter Five where I outline the reasons provided by Kent County Council for the merge of registration, library, and archive services.



Image 1. The Beaney's vision of community

It was during the Beaney's construction work that Kent County Council decided to merge registration with the library and archives services. The registration of births and deaths subsequently moved from its old home at the city's registry office to the mezzanine floor of the Beaney's library (see further Chapter Five).<sup>13</sup> This resulted in an unbounded space for the state's documentation of the life course where local residents register the births and deaths of their kin alongside visitors to the museum, library, gallery, café, or tourist information desk.<sup>14</sup> The civic space which the Mayor of Canterbury imagined as he laid the foundation stone in 1897 materialised, then, as the Beaney became a community hub for the provision of public, cultural, and administrative services of local government.

<sup>13</sup> The ceremonial registration of weddings and civil partnerships remained at Wellington House, however, and as such, this thesis does not consider marriage registration (although this may also be considered to form part of the state's documentation of the life course).

<sup>14</sup> I use the term 'unbounded' here to refer to the open plan design of the mezzanine floor where registration takes place and the few physical or material distinctions between the legal, bureaucratic, and social zones of the Beaney. The significance of which, I would suggest, is that physical boundaries demarcate, define, and 'shape' the atmosphere of space so as to give an indication as to the spatial law which abounds to those who enter and exit (see Blandy and Sibley, 2010 for discussion). The open-plan design of the Beaney—its 'unboundedness'—creates a distinct atmosphere or lawscape in which the bureaucratic blends with the social – a point I will return to in much further detail in Chapter Five.

The merge of registration with other public services has since become a national trend.<sup>15</sup> Across Kent County Council's administrative district, 22 of the 28 registration spaces are situated in libraries, four are located in 'gateways', and one is a stately home.<sup>16</sup> Elsewhere, a notable example of registration in the community hub can be found in the library at Stratford-upon-Avon. In 2017, the registration service was re-located to the historic Tudor-style building, with two registration cubicles and a ceremony room dedicated to the registration of weddings and civil partnerships situated within the walls of the library.<sup>17</sup> As Warwickshire County Council explained in a press release, the 'co-location of library and registration services [was intended] to deliver better value for money by accommodating both services in one building' (Lugg, 2016). But whilst austerity governance drives forward the construction of these community hubs, the result is a place-infused setting for the state's documentation of the life course – the broader significance of which I will now outline in the following section.

### **Key Arguments and Themes**

This thesis provides a room-by-room journey through the Beaney to develop a spatial narrative of the state's documentation of the life course. In doing so, I adopt a 'trans-disciplinary' approach to space (Soja, 1996) which draws from a wide range of literature including critical accounts of registration, spatial approaches to law, the anthropology of bureaucracy, social and cultural history, and religious geography.<sup>18</sup> The thesis draws from these literatures to explore the

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<sup>15</sup> See for example, Essex County Council. The most recent example is the construction of Worthing Community Hub in West Sussex County Council which began in September 2020 and will eventually house children and family services alongside registration services and library services.

<sup>16</sup> Kent County Council's 'gateways' are 'places where you can access public and voluntary services' including help with financial hardship, homelessness, disability, computer access, planning permission, parking permits, or adult education courses. See further: <https://www.kent.gov.uk/about-the-council/our-offices/gateway> (Accessed 21 September 2020).

<sup>17</sup> The library and its registration hub are situated next door to a building commemorating Shakespeare's place of birth.

<sup>18</sup> I use the term 'spatial approaches to law' to refer to a broad set of literature including legal geography, legal architecture, and the growing discussion on the relationship between law, space, place, and movement.

continuing relevance of community, place, and ritual to a bureaucratic act of governance largely understood as the authoritative ‘fixing’ of identity upon paper (see for example Szreter and Breckenridge, 2012b). In the sections which follow, I set out the central argument, three associated arguments, and four key themes which run throughout the thesis.

### **Text, Space, and the Lawscape**

My central argument is that there is a socio-legal significance to the spatial dynamics of civil registration. I argue that by shifting focus away from the surface of the certificate to its space of ‘production’ (Lefebvre, 1991), a range of spatio-legal factors come into view which otherwise can be overlooked. This spatial approach contributes to critical scholarship on registration by offering a fresh analysis of a bureaucratic act of governance which is more typically framed in terms of its textual materiality.<sup>19</sup> As the social historians Simon Szreter and Keith Breckenridge put it, ‘Registration, in its most basic form, is the act of producing a written record’ (2012a, p.3).<sup>20</sup> This thesis begins from the premise, however, that such a definition emphasises the production of text without adequate consideration of the ‘space’ in which it is produced. The problem, I argue, is that this textual framing of registration relegates space to the ‘background’ (Wall, 2019)—if it is considered at all—which, in turn, suppresses a range of spatio-legal factors from coming into view. The text of the written record does not explain, for example, how births and deaths came to be registered in the ‘tessellating’ spaces of a community hub.

This textual account of registration has, however, had considerable influence. Across a wide range of literature, from critical legal scholarship to socio-legal studies, the written record has been the focal point for discussions concerning registration. The birth certificate, for example, has formed the subject of analysis in relation to legal identity and kinship (McCandless, 2017), legal personhood

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<sup>19</sup> See, however, literature from the anthropology of bureaucracy which provide useful ethnographic accounts of bureaucratic space and state documentation (see for example Lund, 2001; Hull, 2012).

<sup>20</sup> See Part III for an excerpt of dictionary entries relating to the noun ‘register’ and its related verb ‘to register’ which explores the meaning of registration beyond the production of a written record.

and recognition (Griffin, 2018; Layne, 2000; Sanger, 2012), and the binary categorisation of sex/gender (Cooper and Renz, 2016). The documentation of non-human material has also been explored through a wide range of case studies on medical tests (Stagg-Taylor, 2013), vehicles and license plates (Giddens, 2020; Marusek, 2016), and zoo animals (Braverman, 2012). A growing body of critical literature has also developed in relation to the practice of registering land (Bhandar, 2018; Keenan, 2019; Pottage, 1995) as well as town and village greens (Holder and McGillivray, 2020).

This broad set of literature tends to characterise registration as an exercise in list-making which functions as a blunt tool of governmentality.<sup>21</sup> The state's binary documentation of gender, for example, has been critiqued through a biopolitical lens to illustrate the categorising logic of registration (Currah and Moore, 2009; Meadow, 2010; Spade, 2015). Similarly, the development of title registries has been critiqued as a bureaucratic act of governance which reduces the vibrancy of the natural and material world to paper (Pottage, 1994). The themes within this broad expanse of literature characterise registration not simply as the act of producing a written record, but, as a technology of governance – a way of knowing which draws upon categorisation, centralisation, and the unilateral imposition of identity upon human and non-human material.

This thesis, however, adopts a different approach. In the chapters which follow, I provide a room-by-room journey through the Beaney's tessellating spaces to bring the spatial dynamics of civil registration to the foreground. This spatial account begins, in Chapter Two, with the documentation of the soul in the sacred space of the Anglican parish church. The historical narrative then develops through the workhouses, registrar offices, and General Register Office which provided the setting for civil registration in the early Victorian era (see Chapter Three). The journey continues to and through the Beaney's mezzanine floor where I explore the unbounded and liminal space of the community hub (see Chapter Five). The thesis also provides a brief reflection of the virtual

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<sup>21</sup> There is an extensive body of theoretical literature on the relationship between bureaucracy, documentation, and the state including canonical works from Foucault (1977), Weber (1978), Goody (1986), and Scott (1998). See Szeleter and Breckenridge (2012b, pp.11–13) for a useful literature review which relates this body of work to the state's documentation of the life course.

sphere in which registration is currently performed in jurisdictions such as British Columbia, Canada (see chapters six) and, following COVID-19, discusses how the online realm may take on a central role in future reforms of the legislation (see chapter eight). Accordingly, this thesis maps out a conceptual journey through space and time which connects the Beaney's tessellating spaces to the architectural settings within which registration is (and has been) performed.<sup>22</sup>

My understanding of registration space engages with an interdisciplinary set of spatial literature. The ethos which underlies my approach to the Beaney's registration space has been influenced by the work of critical geographers such as Henri Lefebvre (1991, 2013), Doreen Massey (2005, 1994), and Edward Soja (1996). I also draw from insights developed by the growing body of spatio-legal theory which engages with the work of these critical geographers (Barr, 2016; Keenan, 2015; Philippopoulos-Mihalopoulos, 2015); and literature from the 'spatial turn' in the sociology of religion which develops parallel themes in relation to place, movement, and the everyday (Kinnard, 2014; Knott, 2005; Kong, 2001). The understanding that I take forward recognises that 'space' is not a simply a 'container' or 'setting' for human action, but rather, is produced by a dynamic and interfolding set of historically contingent ideas. The theory of space which Henri Lefebvre (1991) develops, for example, argues that space is produced by the dialectic relationship between the spatial practice (or 'perceived space') embodied in the everyday, the 'representations of space' mapped out by planners, urbanists, and cartographers, and, the space which is given meaning and significance by those who inhabit and imagine it ('representational space').<sup>23</sup>

The thesis' room-by-room journey brings text and space together by tracing the lines of movement which unfold from the state's documentation of the life course (see for discussion Smith, 2020). As Tim Ingold explains,

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<sup>22</sup> Accordingly, I do not develop a linear or singular account of registration space, but rather, point to the existence of multiple journeys and their intersecting lines.

<sup>23</sup> See also Butler (2012) for an application of Henri Lefebvre's work to critical and socio-legal studies.

I have borrowed the term ‘meshwork’ from the philosophy of Henri Lefebvre. There is something in common, Lefebvre observes, between the way in which words are inscribed on a page of writing, and the way in which the movements and rhythms of human and non-human activity are registered in lived space, but only if we think of writing not as a verbal composition but as a tissue of lines – not as text but as texture. ‘Practical activity writes on nature’, he remarks, ‘in a scrawling hand’ (Lefebvre 1991: 117). Think of the reticular trails left by people and animals as they go about their business around the house, village and town. Caught in these multiple entanglements, every monument or building is more ‘archi-textural’ than architectural. It too, despite its apparent permanence and solidity, is a haecceity, experienced processionally in the vistas, occlusions and transitions that unfold along the myriad pathways inhabitants take, from *room to room* and in and out of doors, as they go about their daily tasks.

(2010, p.11, emphasis added)

The understanding of ‘registration space’ that I take forward, then, does not simply refer to the buildings which have provided a setting for the performance of registration. In Chapter Five, for example, I draw loosely upon Henri Lefebvre’s triad, as I explore the everyday rhythm of the community hub, the architectural design of the mezzanine floor, and the symbolic understanding of registration which appears through a ‘meshwork’ of legal, bureaucratic, and social material. In other words, I adopt a ‘palimpsest’ approach to the lawscape (Philippopoulos-Mihalopoulos, 2015) which traces the historical lines of civil registration to and through the Beaney’s registration cubicles.<sup>24</sup> My argument here is that registration space can be ‘read’ in a similar vein to the ‘text’ of law to reveal deeper insights into the competing technologies of registration as, on the one hand, a bureaucratic act of governance which identifies the individual, and on the other, a place-infused, everyday act of governance, which provides a symbolic space for the performance of secular ritual.

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<sup>24</sup> As Henri Lefebvre puts it, ‘the historical and its consequences, the ‘diachronic’, the ‘etymology’ of locations in the sense of what happened at a particular spot or place and thereby changed it – all of this becomes inscribed in space. The past leaves its traces; time has its own script’ (1991, p.37).

## Registration as ‘Journeying’

As I shift attention away from the surface of the certificate to its space of production, I argue that there is a meaning scripted into the *where* of registration. The second argument, then, draws from the basic premise of legal geography that ‘law is always ‘worlded’ in some way’ (Braverman et al., 2014, p.1).<sup>25</sup> I argue that civil registration is a bureaucratic act of governance which is imbued with the significance of place. This conceptual understanding, in contrast to biopolitical accounts, argues that legal identity is not solely mapped onto the body, but rather, that the ‘soul’ (or the ineffable) is also ‘fixed’ to place. The concept of ‘place’, however, is not static – it is made and unmade in the movement of bodies across space and time (see for discussion Barr, 2016). A key contribution of this thesis, as such, is the concept of civil registration as a process of ‘bureaucratic journeying’ whereby state and citizen are brought together, *in space and time*, to produce a written record (see Chapter Four).<sup>26</sup> This simple modification to Szreter and Breckenridge’s definition foregrounds the meaning scripted into the *where* of registration and identifies the multiple lines of movement which unfold from the state’s documentation of the life course.

The metaphor of ‘journeying’ has been used, in the context of title registration, to illustrate the material impact of certification on propertied relationships between people, place, and land. As Sarah Keenan (2019) argues, ‘title registries operate on the basis of fictional accounts of land which portray it as a market commodity with a short and entirely contained history’ (p.285). In a similar vein to the ‘time machine’, the title registry ‘allows its users and the land attached to them through property to be temporally extricated from the material constraints of history and relocated into the future’ (p.285). The ‘journeying’ which Keenan identifies does not simply capture the idea of registration as a ‘legal fiction’ but

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<sup>25</sup> See for example, Andreas Philippopoulos-Mihalopoulos’ ‘lawscape’ (2015), David Delaney’s ‘nomosphere’ (2010) or Blomley’s ‘splices’ (1994), as neologisms which illustrate the inextricable relationship between law and space.

<sup>26</sup> This thesis focuses upon the jurisdiction of England and Wales where births and deaths must be registered in person in local sub-districts (see Chapter Four), and as such, the ‘journeying’ of registration invokes a literal sense of movement to and through administrative place. I provide a discussion, however, of online ‘journeying’ in Chapter Six and reflect upon the impact of COVID-19 in Chapter Eight.

also its racializing effects, since the title registry facilitates the journeying of those *with* property and fixes the movement of those without (see Chapter Three).

This thesis draws upon the metaphor of ‘journeying’ to make parallel arguments in relation to the state’s documentation of the life course. The historical narrative of registration space which I develop in Chapter Two, for example, illustrates how the state’s documentation mapped onto Christian rites of passage. The ritual certification of spiritual ‘journeying’, I argue, privileged the ‘journeying’ of Anglicans whilst ‘fixing’ the social and physical mobility of non-Anglicans and the ‘poor’ (see Chapter Two). The concept of registration as both the ‘fixing’ and ‘journeying’ of legal identity is explored further, in Chapter Three, where I illustrate how civil registration was folded with the class dynamics of the Industrial Revolution. The chapter discusses, for example, the ‘fixing’ of women’s movement in the public search room of the General Register Office, and the permeations of the Poor Law in the administration of state documentation.

In the context of civil registration, however, the ‘journeying’ which I identify goes beyond the metaphorical. The shift from parish to civil registration in the early Victorian era, I argue, was achieved through the development of a ‘spatial machinery’ in which local registrars were set in motion to and through administrative place (see Chapter Three). This administrative system continued until 1874 when the responsibility to register a life event was transferred from registrars to kin and, accordingly, registration ‘stations’ were established which provided fixed hours for citizens to attend. My argument, then, is that the ‘spatial machinery’ saw the role of the community gradually fade as the records were taken out of the sacred space of the parish church and into the domestic space of registrars and citizens. Importantly, the transition from sacred to secular was as much about the *where* of registration as the personnel who were involved (see for discussion of this transition, Higgs, 1996; Szreter, 2013; Wolfenstein, 2007).

My conceptual account of ‘journeying’ illustrates the intersecting pathways which unfold from the state’s documentation of the life course – the ‘legal footprints’ (Barr, 2017) of registrars and citizens, the figurative ‘journeying’ of identity, and the paper trails which follow (see Chapter Four). The concept of

'bureaucratic journeying', which I develop in chapters four and six, draws attention to the multiple layers of movement which are invoked by the state's documentation of the life course. As a consequence of registering births and deaths in sub-districts, and requiring the 'presence' of certain 'informants', citizens are compelled to travel in search of state documentation, and ultimately, legal identity. My argument here is that registration is as much about the process of being 'called' to and entering the spaces of law and bureaucracy as it is the document which is produced. The understanding of journeying that I develop, in other words, draws loosely from Ingold's 'meshwork' (2011) in which lines of human and non-human material are woven together to explore registration as the 'texture' of an encounter.

The conceptual understanding of registration as a process of 'journeying' also offers a broader contribution to the growing body of literature on law and space. As Olivia Barr argues, 'there is no law without movement' (2016, p.3). The argument she makes is that law is carried, not solely in text, but in the movement of bodies through space and time, in place-making activities such as walking or burial. Olivia Barr provides a spatial account of law's movement which connects the common law to the material through an illustration of our 'legal footprints' (Barr, 2017). In a similar vein, I argue that civil registration is a textual act of governance which is also practiced through the 'journeying' of the body in motion. In chapters six and seven, I draw upon the concepts of pilgrimage and sacred space to develop the concept of 'journeying' and explore the intertwining pathways of movement through 'real-and-imagined' (Soja, 1996) places. My account of journeying, then, offers a broader contribution to walking as a technology of governance which explores the imaginative realm of law and space.

### **Journeying the Sacred/Secular**

If there is a meaning scripted into the 'where' of the process, then, I argue that the Beaney's unlikely space of registration is more than simply the accidental by-product of austerity governance. My third argument, as such, is that the spatial dynamics of registration reveal that the process is not necessarily only about the identification of individuals or families, but also, the broader connection

between people and place. The room-by-room journey through the Beaney's tessellating spaces, in other words, reveals the continuing significance of community, place, and secular ritual to the state's documentation of the life course.

The dominant understanding of registration, in contrast, outlines a trajectory of centralisation. The argument, briefly put, is that the development of registry systems replaced community knowledge and ritual performance with paper-based ownership performed by the central state (Pottage, 1994).<sup>27</sup> In a similar vein, social historians and socio-legal scholars identify a parallel transition from parish to civil registration (Higgs, 2018; McCandless, 2017). The current body of literature draws from the understanding that registration has shifted from a symbolic ritual of 'welcome' to a bureaucratic act of governance which records medico-legal details of the life course. Accordingly, modern debates concerning practices of identity and recognition are 'historicised' in a linear fashion which maps out the distinction when registration was the documentation, not of the body, but of the Christian soul (Higgs, 2018). Yet, if civil registration has followed this pattern, and if there is a meaning scripted into the 'where' of registration, how did births and deaths come to be registered on the mezzanine floor of the Beaney's library?

I argue, then, for a more nuanced understanding of civil registration. My account of registration space begins with outlining the shift from parish to civil registration and the programme of centralisation as documents were sent to be archived at the General Register Office. The argument, as I have noted previously, is that a 'spatial machinery' for civil registration developed which saw the diminishing role of the community. The thesis continues, however, by providing a more nuanced account of this 'shift' from documenting the soul to registering the medico-legal body. The argument in Chapter Five, for example, traces the historical lines through the mezzanine floor of the library during a list-making exercise of 'registering' the Beaney's lawscape. The thesis, in doing so, reveals the competing technologies of registration as, on the one hand, a

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<sup>27</sup> See also Holder and McGillivray (2020) for a discussion of registration, community, and everyday shared spaces.

bureaucratic act of governance concerned with identifying the individual and, on the other, a place-infused performance of secular ritual in the public space of the local community. My conceptual account of registration does not seek to provide a linear trajectory of ‘centralisation’, but rather, points to a more nuanced understanding which develops from ‘reading’ the space in which it has been performed. Accordingly, my spatial account of registration is historically contingent yet resists a linear narrative of secularisation and progress (see also Dayan, 2011).

My account of registration as the performance of secular ritual is developed further, in chapters six and seven, as I journey the line of the sacred/secular. The thesis, in doing so, introduces the concept of pilgrimage to explore the inherent lines of movement which unfold from the state’s documentation of the life course. The *People and Places* gallery provides the setting for exploring the imaginative realm of law and space. My argument here is that registration is not solely an exercise of list-making or the official production of a written record, but rather, is an act of journeying which invokes a number of sensory registers. The state’s documentation of the life course, in other words, can be usefully understood through a spatial lens which focuses upon alternative senses of ‘register’ not as a document but as a mode of attention.

This conceptual strand of the thesis draws parallels between legal and religious geography to explore the ‘journeying’ of registration. My argument draws upon literature from the sociology of religion which has adopted the ‘spatial turn’ of social sciences to displace religion from its confines in places of worship and to identify its place within the everyday of civic space (Knott, 2005). Yet, my concern is not with law and its relationship with religion, but rather, with the ‘affective’ dynamics of the sacred.<sup>28</sup> This strand of the thesis’ argument draws from political accounts of the sacred/secular which argue that the sacred is the product of intentional human action and takes on a resonance away from its explicit associations with the divine (Chidester and Linenthal, 1995; Kinnard,

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<sup>28</sup> As I explore further in Chapter Seven, the ‘sacred’ is an emotional concept and provokes different questions of law, space and movement than exploring the place of ‘religion’.

2014; Ostwalt, 2012).<sup>29</sup> My argument is that the sacred is located not in the distant ‘beyond’ but in the connections people form with place and, since registration is fundamentally a place-making act which ‘fixes’ the soul (see argument two), the line of the sacred/secular can be ‘journeyed’ to explore the imaginary, immaterial, and affective registers of state documentation. My argument is not simply that registration is taking place in buildings designed for the community, but, that this setting symbolises the continuing place of ‘secular ritual’ in the performance of registration.

### **Tessellating Space**

The room-by-room journey which I develop provides a spatially embedded account of registration which brings together a wide range of material and arguments. The fourth contribution that this thesis makes, in doing so, is to the theme within critical literature on registration which argues that it is a ‘legal fiction’ which makes the registered moment more ‘real’ than the event itself. In the context of land and title for example, Annelise Riles (2006), Brenna Bhandar (2018), Sarah Keenan (2019), and Alain Pottage (1995) illustrate how the development of title registries operated on a ‘legal fiction’ that severed pre-existing relationships between people, place, and land, and instead, made the ‘fact’ of registration—of what was documented on paper—more ‘real’ than the very fabric of what was documented. These arguments have also arisen in the context of the state’s documentation of the life course. As Yngvesson and Coutin (2006) argue, for example, the birth certificate is a journey of ‘return’ to the event of birth which is then masked through a certificate which authorises the production of legal truth. These literatures point to the real and ‘as if’ world of registration in which legal and social realities compete against one another upon the written record.

This thesis, however, takes a more literal approach to the fiction of registration. In the Beaney, the legal and social ‘tessellate’ together through the unbounded design of the mezzanine floor, and, as such, the everyday material of community

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<sup>29</sup> My understanding of secularisation develops primarily from Conrard Ostwalt’s (2012) theory of a mutual dynamic in which popular institutions take on responsibility for the human impulse towards the sacred and traditionally ‘sacred’ institutions, such as churches, turn towards the secular in an attempt to regain popularity.

permeates the bureaucratic space. My argument, as I discuss in Chapter Five, is that there is often a blurred distinction between these ways of knowing. The Beaney materialises the way in which these competing technologies come together – particularly when registration is viewed as an everyday act of governance—a mode of attention—rather than simply the authoritative making of record. This concept of registration is developed further in Chapter Seven where I explore the affective and emotional ‘registers’ of state documentation – as described in the previous section. The understanding of registration, I argue, has largely privileged one meaning of the term. Yet, the ‘register’ also refers to a tonality or fact of witnessing or expressing the ineffable matter of affect. My account of ‘journeying’, and ‘tracing the lines’ back from the certificate, then, is one that challenges the judicial narrative of registration as one of producing certain ‘truths’ – a point I return to in chapter eight.

This approach of working with the Beaney’s floorplan follows a tradition within legal geography of adopting spatial metaphors in an attempt to integrate law and space (Philippopoulos-Mihalopoulos, 2010). Yet, as Andreas Philippopoulos-Mihalopoulos (2010) has argued, whilst law is increasingly comfortable with geographical concepts and terminology, this spatial turn acts upon the ‘surface’ of space. As he puts it, ‘Here we have the paradox: despite the prominent connection between law and geography, law’s engagement with *space* is being increasingly despatialized’ (Philippopoulos-Mihalopoulos, 2010, p.188). The broader contribution of this thesis, then, is a spatially embedded approach to concepts. The thesis builds from the claim that registration space can be ‘read’ and engaged with in a similar way to law’s text and as such that there is a significance to buildings as places of affect, attachment, and meaning (Kinnard, 2014). In other words, there is an emotional resonance which is not immediately apparent from material engagements with legal geography or legal architecture. The thesis seeks to make a contribution to literatures which adopt a spatial approach to law by offering a room-by-room journey which intertwines movement along both figurative and literal pathways.

## **Research Methodology and Ethics**

The key claim which underpins this thesis, as discussed above, is that by shifting focus away from the surface of the certificate to its space of ‘production’ (Lefebvre, 1991), a range of spatio-legal factors come into view which can otherwise be overlooked. The thesis, then, adopts a spatially embedded approach to ‘foreground’ the spatial dynamics of civil registration. The room-by-room journey through the Beane’s tessellating spaces weaves together historical, empirical, and conceptual strands of argument to develop its spatial analysis of civil registration. The argument, in doing so, draws upon a wide range of methods and materials including archival research, spatial analysis, and conceptual play. The thesis also engages in textual methods of reading law and space such as legislative, policy, and document analysis. In the following pages, I map out the details of these research methods and provide a discussion of the ethical issues which were encountered along the way.

### **Materials for Lawscaping**

The analysis of registration space begins with the historical strand. The historical narrative develops from secondary sources within social and cultural history which have traced the development of civil registration back to the formal documentation of Christian rites of passage in the Reformation era (see Chapter Two). I intertwine these social and cultural approaches to consider the role of registration in the state-citizen relationship and as a form of communal memory. The historical narrative continues, in Chapter Three, with secondary material on the legislative passage of civil registration drawn from social history. My analysis of civil registration in the early Victorian era also draws from a wide range of primary material including parliamentary debates and select committee reports, historic legislation, newspaper and journal articles, correspondence to and from the Registrar General, and engravings of the General Register Office (see Chapter Three). This archival research was conducted through online databases

which have digitised the original records and historical literatures which contain extracts of correspondence.<sup>30</sup>

The empirical strand of the analysis provides a spatio-legal reading of the current legislative framework which is then traced to and through the mezzanine floor of the Beane's library. My argument draws from architectural briefs and plans, council policy documents, and my own sensory experience to perform an exercise of 'lawscape' the Beane (see Chapter Five). This spatio-legal reading is informed by the architectural design of the mezzanine floor—the façades, infrastructure, boundaries, and colour scheme—as well as the everyday material contained within it such as legal signage, council leaflets, bookcases, and posters (see Chapter Five). The empirical analysis is developed, elsewhere, through an ethnographic encounter with place (see Chapter Seven) and a fleeting encounter with the digital sphere (see Chapter Six).<sup>31</sup>

The final strand of the thesis engages in conceptual play. The argument draws from Davina Cooper's (2014) methodology of mapping unlikely concepts onto everyday space as it introduces the religious concepts of pilgrimage and sacred space. The conceptual narrative is intertwined with the artefacts and paintings on display in the *People and Places* gallery. The thesis, in doing so, draws upon a range of pilgrimage material including artistic depictions of Becket's assassinations, memorabilia depicting the *Canterbury Tales*, and medieval souvenirs of pilgrimage to Canterbury Cathedral (see chapters six and seven). The conceptual argument also invokes the sensory and affective registers of the gallery through an ethnographic description of the narrative on display in the paintings.

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<sup>30</sup> The historical analysis is limited to a theoretical engagement with the parish registers as a form of material culture rather than an archival practice. This was a necessary limitation, however, given pragmatic constraints of timing and expertise.

<sup>31</sup> As I will discuss in Chapter Six, I accessed British Columbia's online registration (widely accessible to the public) and went through the initial stages of the registration process, filling in hypothetical details to explore the visuality of the form.

## Lawscaping the Beaney

The thesis draws upon the Beaney as a ‘framing device’ to bring these historical, empirical, and conceptual strands together. I draw upon a wide range of primary material to re-create (or ‘re-curate’) the Beaney’s atmosphere.<sup>32</sup> The historical account of the Beaney was developed using archival research from local newspaper databases such as the *Whitstable Times and Herne Bay Herald* alongside secondary material relating to the biography of the building’s founder, Dr James George Beaney. The thesis, in doing so, treats the Beaney as a ‘palimpsestual space’ (Kinnard, 2014) following on from Henri Lefebvre’s claim that ‘the ‘etymology’ of locations in the sense of what happened at a particular spot or place and thereby changed it – all of this becomes inscribed in space’ (1991, p.37). I also sought to engage with a wide range of ‘everyday materials’ from the Beaney and its ‘archi-texture’ (Ingold, 2010) – objects and artefacts such as the Cabinet of Curiosities, architectural detailing such as the original façade or the timeline running up one of the museum’s balustrades, a series of leaflets from the tourist information desk which I cut up into a collage, comments from visitor books dotted around the galleries, activities for children, and an exercise of ‘soundscaping’ (see for discussion Chapter Five).

The re-curation of the Beaney’s atmosphere relies upon a textual representation of the space – a point I will return to in further detail below. The thesis, however, also provides photographs of the Beaney. These photographs were taken, in the main, on a basic iPhone which enabled me to take a quick and inconspicuous ‘snapshot’ of a minute detail or moment in the building without raising attention. My focus was not to perform a ‘visual ethnography’ (Sarah Pink, 2013) but rather to provide another source of information to counteract my own voice in the description of the Beaney. The photos are not the subject of the analysis and, as such, they are left to stand upon their own, to receive their own engagement by the reader. This is not to say, however, that the photographs were taken without

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<sup>32</sup> My attempt to re-curate the Beaney’s atmosphere follows from the central argument of this thesis that there is a meaning scripted into the ‘where’ of the process. As previously noted, my approach to the Beaney’s registration space draws from Andreas Philippopoulos-Mihalopoulos’ (2015) concept of lawscape and his theory that when legal matter is ‘invisibilised’, law is then experienced as ‘atmosphere’.

care. The images of the Beaney's *People and Places* gallery, for example, were taken from angles which were chosen to give a sense of 'place' to how these artefacts and displays were curated by the museum.

My approach to writing was influenced by ethnographic approaches which draw attention to the rich detail of atmosphere and space.<sup>33</sup> As the anthropologists Elliott and Culhane explain, 'different forms of writing—poetic, satirical, and fictional—can force us to know the world in different ways through unique engagements with the sensory world around us and with our research collaborators' (2017, p.11). The lawscaping approach was combined with 'imaginative ethnography' and a commitment to 'using imagination to write about the unexpected, the idiosyncratic, the sensorial, the everyday – all the sorts of things we often ignore in our writing' (Elliott, 2017, p.33). The thesis, importantly, is not within the ethnographic genre. It does, however, draw inspiration from the commitment of anthropologists to think reflexively upon the manner in which they represent the social worlds they inhabit.<sup>34</sup>

The ethnographic approach to writing, however, goes beyond the 'thick' description more typically associated with ethnography (Geertz, 1973). The style of writing that I adopt switches character between the various rooms of the Beaney such that, for example, Chapter Five engages a 'listing-style' to the lawscape (Philippopoulos-Mihalopoulos, 2019) but then, as I move in Chapter Seven to explore 'register' as a mode of attention, I engage with ethnographic approaches to writing with a focus on bodily experience and sensory matter – see for example my description of the streetscape, or the gallery, or my material engagement with the Beaney's medieval pilgrim souvenirs. The focus of the writing, as such, was to materialise the conceptual play of the thesis in which registration moves along paths both 'real' and 'imagined' (Soja, 1996).

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<sup>33</sup> See also the work of cultural studies scholars Ann Cvetkovich (2012) and Kathleen Stewart (2007).

<sup>34</sup> See Irus Braverman for a discussion of ethnography and legal geography which, as she puts it, provides 'a loose method for exploring the world through an open-ended, experimental, and initially nonjudgmental mind to understand how it actually functions' (2014, p.124).

## Rooms/Frames/Lines

This thesis is structured around the rooms of the Beaney. As previously discussed, I build from the claim that registration space can be ‘read’ and engaged with in a similar way to law’s text and that there is a socio-legal significance to buildings as places of affect, attachment, and meaning (Kinnard, 2014). In other words, there is an emotional resonance which is not immediately apparent from material engagements with legal geography or legal architecture. Following the refurbishment of the Beaney, the building opened to the public as the ‘Beaney House of Art and Knowledge’ – the result of an extensive re-branding effort. As noted in a report on the success of the grant:

The project involved redisplaying the collections, now organised thematically around the ideas of ‘people, places, stories’, an approach that allows visitors to find their own way through the collection. The Beaney was named ‘Beaney House of Art and Knowledge’ and the galleries have been given a ‘homely’ feel, with names like the Front Room and the Garden Room.

(Heritage Lottery Fund 2015, p.7)

The floorplan, which I outline in the following section, moves room-by-room through The Study, Mezzanine, People and Places gallery, and Front Room. The rooms are connected through a series of ‘orientation points’ – a term I have taken from the architectural plans for the Beaney’s refurbishment (Miller and Gibson, 2008). The architects describe these ‘orientation points’ as ‘provid[ing] intellectual access to the building and its collections as well as a means of supporting legibility of the building thus aiding way-finding and orientation, a key factor in the planning for the Beaney’ (Miller and Gibson 2008, section 4.0). I have decided to include several ‘orientation points’ which allow me to travel beyond the matter of the rooms and transition through the various parts of the thesis. The orientation points, then, function as corridors which connect each of the strands of the project.

The Beaney is intended as a ‘framing device’ which materialises a narrative of law, space, and movement. In this sense, it contributes to the work of other socio-legal scholars who have drawn upon the everyday institution of the museum to ‘materialise’ and make ‘tangible’ the traces of law (see for example, Douglas, 2017; Perry-Kessaris, 2017). As Olivia Barr (2019) puts it, as she

discusses the sense of place which arises in a city's mural, 'We walk in frames, whether we notice it or not' (p.7). In journeying through the Beaney, then, the rooms provide the 'frame' for the conceptual thought which develops.

The theoretical approach underlying the methodology is one of 'lawscaping'. I take the approach that 'there is no outside', as Andreas Philippopoulos-Mihalopoulos (2015, p.1) writes, and as such, the range of material which I draw upon does not seek to constrain itself to the bureaucratic space of the Beaney where registration is most obviously present. Instead, I take the approach that law is always present within the everyday civic space of the Beaney, and where it fades away such that it appears invisible, this is the product of 'invisibilisation' (Philippopoulos-Mihalopoulos, 2015) where space becomes more apparent and the presence of law fades.

### **The Ethics of Public Research**

The ethical considerations which arose in the thesis related, in the main, to the empirical strand of the research. The Beaney is, of course, a public space which brings together a wide range of people who access various services. What, then, was my responsibility as a researcher to receive the consent of all those who may enter the Beaney at any one time? Did the visitors have a reasonable expectation of privacy in the rooms of the Beaney? If so, was this an expectation which permeated the Beaney, or, was it shaped by the 'tessellating' nature of the spaces? In other words, was there a level expectation of privacy throughout the building, or, was it tempered by the various zones of the building and the activities which were conducted there?

I started to address these questions by approaching the managing councils for their permission to conduct research at the Beaney. The museum and gallery sections are managed by Canterbury City Council who provided their consent to the project. This was on the condition, however, that I scheduled my visits and provided details to one of their members of staff who would make a record of the date and time.<sup>35</sup> Accordingly, my own movements through the Beaney were registered and left behind a trail of lines. I also received approval from Kent

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<sup>35</sup> Correspondence dated 22 February 2018, record kept on file.

County Council who are responsible for managing the registration and library services.<sup>36</sup> The issue of privacy was of greater significance on the mezzanine floor of the library where registration is performed and, as such, I arranged a private visit to the registration cubicles on a quiet evening in February 2018 (see Chapter Five). The council kindly allowed me to ‘take photos of the registration rooms when they aren’t in use and without close-up photos of the individual posters or notices in the rooms’ (correspondence dated 24 January 2018). The research is limited to the extent that it is largely framed in terms of its architectural set-up and is somewhat absent of the registrars and citizens who animate it. This limitation was necessary, however, because of the ethical issues engaged in observing a private and official act of governance.

The ‘lawscaping’ approach which I developed during the project was performed with an attention to the various layers of law and space which shaped the tessellating spaces of the Beaney. I took the view that the Beaney was a public space, and as such, the expectation of privacy was generally low. However, in areas such as the registration cubicle which were ‘sealed-off’ from the everyday space of the library and featured warning signs against ‘disturbing’ the registration process or to mark particular seating arrangements as ‘for those waiting to see a registrar’, I took this to mean there was a greater expectation of privacy. The lawscaping approach, then, also shaped the ethics, as I relied upon the ethical voice directed by the positioning of my own body in relation to the space.

The museum is a public institution which itself invites ethical reflection. The museum is a space which invokes the power dynamics of the ‘displayer’ and the ‘displayed’, for example, as well as the broader questions of portraying culture, ‘owning’ objects, and writing narrative (see for discussion McVeigh, 2018). For the purposes of my own research project, the choice of which objects to reflect on, the decision to animate them with ‘warmth’, the reflection on their positioning, were all miniature acts of re-curation which, in this thesis, invite similar ethical concerns to that of the museum. The ethics of curation, however, remain largely absent from the text which I have produced.

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<sup>36</sup> Correspondence dated 24 January 2018, record kept on file.

I am conscious, however, that the Beaney which I have re-curated is the product of my own ‘propertied’ relationship of belonging with the museum (Keenan, 2015). The textual representation of the Beaney, in other words, is the product of my own identities, belongings, and connections and is ‘held-up’, to draw upon Keenan’s terminology, by the relationship between myself and the various spaces of the Beaney. The *People and Places* gallery, for example, exhibited a narrative of landscape and belonging that felt familiar and identifiable to me – the rural landscapes, farming tools, Christian imagery, and iconic toys from my childhood such as Rupert the Bear and Bagpuss.<sup>37</sup> The room-by-room journey which follows, as such, is the product of my imagination and interaction with the Beaney. This meant that certain paths, as I discuss in Chapter Seven, remain ‘forgotten’ or overlooked, and I invite further work on registration which explores, for example, its colonial dynamics or racializing effects (particularly in the United States where the category of race is materialised on the document, see for discussion Collaboratory, 2018)).

### **Floorplan – an overview of the chapters**

This chapter has introduced the Beaney’s tessellating spaces which provide the floorplan for the thesis. The room-by-room journey which follows begins with *The Study*, a small gallery which hosts personal memorabilia from Dr Beaney’s medical career, as well as objects used in the ceremonial opening of the building, and a cabinet of curiosities.<sup>38</sup> In a room dedicated to the memory of Dr Beaney, a leading medical figure of the Victorian era, Part I of the thesis (Chapters Two and Three) maps out the spatial transition from documenting the soul to registering the medico-legal body. The thesis then turns in Part II (Chapters Four and Five) to the *Mezzanine* – a liminal space where births and deaths are documented ‘betwixt-and-between’ (Turner, 1969, p.95) the museum and library. The journey continues in Part III (Chapters Six and Seven) in the *People and Places* gallery which draws upon the illustration of Canterbury’s heritage to

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<sup>37</sup> See Smith (2020) for a brief narrative reflection on how these identities played out in the course of my research project.

<sup>38</sup> Dr Beaney’s Will stated that his diplomas, military commissions, illuminated addresses, crest, scrapbook and oil paintings were to be exhibited in the Beaney Institute, as it was originally known, following his death. See *The Whitstable Times and Herne Bay Herald* (1891).

explore the emotional and affective registers of state documentation. The thesis draws to a close in Part IV (Chapter Eight) in the *Front Room* which provides an exhibition space for local community to raise awareness of social injustice and weave together their own narrative of place. The room-by-room journey is navigated alongside a series of ‘orientation points’ which, at various intersections of the thesis, provide a thematic transition between the Beaney’s tessellating spaces.

Chapter Two traces civil registration back to the formal documentation of Christian rites of passage in the Reformation era. The chapter provides an overview of the sacred space in which registration was performed, explains the civic role of documenting the soul, and outlines the spatio-legal politics which were invoked. The chapter also gestures towards an account of the relationship between space and document as it explores the use of parish registers as a public forum for weaving together a local narrative of place. The historical account which develops in Chapter Two introduces the thesis’ central themes of sacred space and ritual, movement and place, legal fiction and narrative, and the everyday civic space of community. My discussion in Chapter Two, then, provides a thematic narrative on the history of registration with a spatial lens which focuses upon the meaning scripted into the *where* of the bureaucratic process.

The historical narrative continues in Chapter Three as the temporal focus shifts to the development of civil registration during the early Victorian era. The chapter begins by explaining the motivating forces behind a ‘secular’ system of documentation before turning to the registration space invoked by the 1836 Registration Act. The chapter provides a detailed account of the bureaucratic mechanics of civil registration through a spatial lens which draws out the significance of movement and place. Chapter Three then draws upon newspaper material to explore the bureaucratic space at the centre of the new civil system for registration – the General Register Office. My argument in Chapter Three is that the transition from parish to civil registration was achieved through the development of a spatial machinery which set bodies in motion to and through administrative place.

The thesis then turns to the current legislative framework for civil registration. Chapter Four provides a spatio-legal reading which traces the historical lines of the thesis through the intricacies of the modern legislation. The chapter introduces the concept of bureaucratic journeying to emphasise the lines of movement which unfold from the state's documentation of the life course – the figurative journeying of legal identity, the literal movement of registrars and citizens, and the paper trails which follow. My argument here is that the bureaucratic process is imbued with a sense of place which is grounded in the legislative requirement to register births and deaths in person at local administrative districts. Accordingly, Chapter Four argues that there is an inherent spatiality to the state's documentation of the life course which otherwise goes unnoticed when focusing upon the surface of the certificate.

Chapter Five illustrates this spatio-legal reading of registration as it turns to the mezzanine floor of the Beaney's library. The chapter adopts a lawscape approach to explore the faded presence of law and bureaucratic process in the Beaney with a focus upon the everyday civic space of community. In doing so, Chapter Five engages with a range of material including architectural plans, council documents and my own sensory experience of the Beaney. My argument here is that the Beaney's mezzanine floor is a useful example of how civil registration is a bureaucratic mechanism which fixes legal identities; and yet, it is also a place-infused act of governance which provides a symbolic space for the performance of secular ritual.

The symbolic space of registration is developed further in chapters six and seven. Chapter Six introduces the concept of pilgrimage to explore the imaginative realm of bureaucratic journeying. The chapter engages in conceptual play which maps the classic model of Christian pilgrimage outlined by Victor and Edith Turner onto the legislative framework for civil registration. The discussion in Chapter Six is intertwined with the pilgrimage display of the *People and Places* gallery which details the lines of spiritual journeying which unfolded in the aftermath of Becket's assassination. The concept of pilgrimage is useful for registration, I argue, because it is an account of movement which blurs the binary distinctions drawn between soul and body, sacred and secular, individual and community, material and imagination. The argument in Chapter Six, draws upon

the sacred/secular of spiritual journeying to rupture the historical lines previously traced and gesture towards the continuing significance of sacred space, ritual, and local narrative.

The discussion of pilgrimage continues into Chapter Seven which journeys the line of the sacred/secular to explore the symbolic space of state documentation. The chapter engages with religious geography to argue that the sacred is located not in the distant 'beyond' but in the connection which is formed between people and place. The chapter then intertwines this account of religious geography with the spatio-legal matter of registration to illustrate the affective resonances of documenting the life course. The discussion in Chapter Seven draws upon the historical lines traced in *The Study*, the legislative intricacies of bureaucratic journeying, and the imaginative realm of law and space. The chapter argues for an approach to law and space which recognises the affect involved in bureaucratic or everyday acts of governance such as civil registration.

The thesis which unfolds in the following chapters provides a detailed account of registration which emphasises the significance of ritual, local memory, and community to the state's documentation of the life course. But how might this change following COVID-19? The final chapter reflects on this question as it weaves together the conceptual threads of the thesis before turning to the future of registration.

## Part I. The Study

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*The Study* is a small room intended for quiet reflection and personal scholarship, dedicated to the founder of the building, Dr James George Beaney. To reach the gallery, I take two flights of stairs tucked just inside the hallway that leads from the High Street entrance to the café. A timeline of events relating to the history of the museum runs parallel to the lines of the balustrade – evoking a sense of linear progression through space and time. At the half-landing, the chronology is briefly interrupted by a stained-glass window which projects a kaleidoscope of Biblical imagery onto the staircase. As an original feature of the building, the significance of its placement appears accidental; and yet, the decorative panel serves as a reminder of the dominance of Christian narrative.<sup>39</sup> The chronicle resumes with an overview of the nineteenth century which leads to the entrance of the gallery.

In the stillness of *The Study*, the Victorian era is carefully preserved for the museum's visitors. The flooring is covered in an elaborate mosaic speckled in amber and brown tiles, the boundaries are decorated with fleur-de-lis motifs, and the ceiling is framed by wooden panelling, with a pair of laylights to punctuate the atmosphere with light. In a glass cabinet, the Beaney's heritage is made tangible with a display featuring items from its construction: a silver trowel presented to the Mayor when he laid the foundation stone and, alongside it, a key to the museum from the ceremonial opening.<sup>40</sup> As I look more closely at the objects, the lighting which bounces off the glass is somehow more noticeable. Although it is unintended, the reflection puts me 'in' to the display – collapsing the distance between the past and present.

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<sup>39</sup> See, for example, Jakobsen and Pellegrini's (2008) discussion of this point in the introductory chapter to an edited collection on secularisms. As they discuss, using the 'millennium' period as an example, the world secular calendar is a specifically Christian time, and beyond this, that what is broadly considered to be 'secularism' does, in fact, take a specifically Protestant form.

<sup>40</sup> The key is made from solid gold and inscribed with the motto 'Ave, Mater Anglae' – which translates from Latin to 'Hail, Mother of England' (Boyle, 2009, p.16). The enamel handle bears the arms of the city which feature one of the lions from the Royal Arms of England and three choughs from the device of Thomas Becket to symbolise Canterbury's position as a 'royal city' and the 'religious centre' of the country (see further Webb, 1977, p.118).

## Chapter Two. Documenting the Soul

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If it could be imagined that England should cease among nations, that her institutions should perish and her cities crumble to the dust, and that the records of the births, deaths, and marriages of her people had survived the wreck, with collateral proof of the social purposes to which they had been applied, - these records would furnish evidence, and evidence of a most satisfactory kind, that she had made some progress in civilization.

(Angus 1854, p.117)

### Introduction

In the following two chapters which compose Part I of the thesis, I develop a thematic narrative of the history of registration space. The chapters contribute to critical literature which argues that registration is a blunt tool of governance flattening out the multiplicity of relationships between people, place, and land (see for discussion, Bhandar, 2018; Keenan, 2019, 2017; Kingwill, 2014; Pottage, 1995, 1994). The argument, briefly put, is that the development of title registration fundamentally altered the concept of property, replacing community knowledge and ritual performance with paper-based ownership performed by the central state (Pottage, 1994).<sup>41</sup>

My contribution to this literature on registration is made by tracing a similar path through the state's documentation of the life course. As I outline the historical spaces in which registration has been performed, chapters two and three identify a parallel shift from the ceremonial documentation of the life course to a centralised record maintained by the state.<sup>42</sup> The chapters map out three overlapping spatial transitions: from parish to civil registration, sacred to secular, and soul to body. My interest in identifying this shift relates to the various spaces, places, and buildings through which bodies have moved in the state's documentation of the life course. I am careful, however, of suggesting a 'clean

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<sup>41</sup> See also Holder and McGillivray (2020) for a discussion of registration, community, and everyday shared spaces.

<sup>42</sup> In this sense, I draw from the social historian, Gabriel Wolfenstein, who notes '[The] transformation to the modern state was neither immediate nor complete. While Parliament may have said, 'let there be civil registration', those words did not immediately transform into reality. Marriages, for the most part, still took place in the church. Children were still baptized, and priests and clergy still officiated over funerals. It did not become a secular world overnight, if it ever did' (Wolfenstein, 2007, p.264).

break’ from the documentation of Christian rites of passage to the modern system of civil registration. Importantly, then, whilst chapters two and three identify a ‘shift’ from one system of registration to another, subsequent chapters will also provide a closer examination of the continuing relevance of the sacred (see chapters six and seven).

The temporal focus of this chapter is the early Reformation era, when registration was first developed, before a civil system was implemented in the early Victorian era.<sup>43</sup> The chapter sets the foundation for the thesis’ central argument. As discussed in Chapter One, I argue that there is a socio-legal significance to registration space and by focusing attention away from the information which is recorded in the process, and towards the *space* in which the document is produced, spatio-legal factors come into view which can otherwise be overlooked. The chapter contributes to this argument by making three claims: the parish church was an early form of registration at the community hub; the documentation of legal identity was historically bound in the spatio-legal politics of the sacred, and the parish registers were a public forum for communal memory, local narrative, and recording everyday life.<sup>44</sup> The chapter also introduces the thesis’ central themes of sacred space and ritual, movement and place, legal fiction and narrative, and the everyday civic space of community.

The chapter is in five parts. It begins with a brief sketch of the sacred space in which registration was performed which traces the state’s documentation of the life course back to the Reformation era. The chapter then provides an overview of the civic role of ‘sacred paper’. After these background sections, the chapter turns to the spatio-legal politics of documenting the soul, with a focus on the

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<sup>43</sup> However, this temporal focus is not intended to be a rigid framing device and in my discussion of the parish registers as material culture, I briefly draw upon sources from the nineteenth century. As previously noted, I am not seeking to provide a linear or historically ‘accurate’ account of registration space—for which, see social historians such as Szreter (2012), Higgs (1996) or Cullen (1974)—but aim to draw out traces of the past which I will pick up again in Parts II and III.

<sup>44</sup> This thesis draws predominantly upon Christian understandings of sacred space, ritual, and pilgrimage. Similarly, the chapters in Part I tend to focus upon the parish registers, however, non-Anglicans (including Catholics, Non-Conformists, Quakers, and Jews) also kept formal records of ritual – see, for example, the 1833 Select Committee Report on Parochial Registration which provides useful interview material from representatives of each of these communities.

connection between parish registration and the Poor Law. In this discussion, I demonstrate how the parish records did not simply fix a legal identity to the body, but, ‘fixed’ the soul to legal place – revealing a bureaucratic concern for movement and locality. The chapter draws to a close by exploring in closer detail the parish registers as a form of material culture which reveals the significance of place, narrative, and communal memory in the early performance of registration.<sup>45</sup> The thematic narrative which is introduced in Chapter Two lays the foundation for identifying the shift, in Chapter Three, from documenting the soul to registering the medico-legal body.

### **The ‘Paper Parish’ (Gordon, 2018)**

The system of civil registration which typifies modern bureaucracies has its roots in the formal documentation of Christian rites of passage (McCandless, 2017).<sup>46</sup> In September 1538, Thomas Cromwell ordered parishes to keep a record of every baptism, wedding, and burial ceremony conducted in the parochial district (30 Hen VIII, 1538). The original order was made as follows:<sup>47</sup>

12.Item, That you, and every parson, vicar, or curate within this diocese, shall for every church keep one book or register, wherein ye shall write the day and year of every wedding, christening, and burying, made within your parish for your time and so every man succeeding you likewise ; and also there insert every person’s name that shall be so wedded, christened, or buried; and for the safe keeping of the same book, the parish shall be bound to provide, of their common charges, one sure coffer with two locks and keys whereof the one to remain with you, and the other with the wardens of every such parish wherein the book shall be laid up ; which book ye shall every Sunday take forth, and in the presence of the said wardens, or one of them, write and record in the same all the weddings, christenings, and buryings, made the whole week before; and that done to lay up the book in the said coffer as before; and for every time that the same shall be

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<sup>45</sup> I use the term ‘material culture’ here to distinguish this body of secondary literature from that of ‘social history’ which tends to focus upon the use of registration by the state. The term ‘material culture’, however, is not central to the thesis’ argument.

<sup>46</sup> As Wolfenstein notes in his discussion of the General Register Office, ‘a bureaucracy is not only emblematic of the modern state but constitutive of it’ (2007, p.263). See Chapter One for discussion.

<sup>47</sup> For a more detailed discussion of this history and the shift from Reformation to the Welfare Reform Act, see Rebecca Probert (2011).

omitted, the party that shall be in the fault thereof shall forfeit to the said church 3s-4d, to be employed on the reparation of the same church.

(Bray, 2004, p.182)

As we see above, Cromwell's injunction established a bureaucratic system for the documentation of Christian rites of passage which made religious officials responsible for keeping the records of their local parish. As the early modern historian, Andrew Gordon puts it, the order was responsible for 'prescribing a record-keeping practice, nominating the minister as the person responsible, particularising the information to be recorded and setting down the occasion and conditions for writing up the record' (2018, p.54). In the following chapter, I will discuss how the Victorian legislation, with its focus on local records, safe-keeping, and penalties for omission largely mirrored that of Cromwell's original injunction.<sup>48</sup> But, for now, I provide this information as background to establish the local scale of registration and its performance with the sacred space of the parish church.<sup>49</sup>

In order to comply with Cromwell's injunction, local parishes established a formal structure of documentation.<sup>50</sup> As Simon Szreter (2012, p.67) explains, there were four practical issues: accuracy of the record, safe-keeping, security from tampering, and the compliance of parish officials. In order to ensure accuracy and timely completion, entries were made regularly at the end of the weekly Sunday service (Szreter, 2012). The church minister recorded the details in the presence of an official witness, typically one of the churchwardens, who were responsible for the maintenance of the church fabric (Szreter, 2012). After the details of the ritual were set down upon paper, the registers were locked-up in the parish chest, to prevent tampering with the contents (Tate, 1969). A

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<sup>48</sup> In Chapter Four, I will discuss the current legislative framework for civil registration in England and Wales which, to a great extent, contains the textual traces of its past life.

<sup>49</sup> In this chapter, my discussion of the 'sacrality' of community space is limited to noting the parish church as the emergence for a modern system of registration. However, in Chapter Seven, I will provide a more detailed account of sacred space which blurs the 'sacred' with secular space and which seeks to go beyond identifying the 'sacred' in places of worship.

<sup>50</sup> As Edward Higgs notes, the early modern state was 'a series of overlapping networks exercising authority at all levels of society, from the nation as a whole down to the parish' (2003, p.36).

financial penalty was also established, amounting to roughly one week's wages for a labourer, if an official failed to record the details, with the funds generated going towards the maintenance of the church fabric (Szureter, 2012).<sup>51</sup>

The Cromwell system of parish registration carried on for decades, with little alteration to its performance, until the end of the sixteenth century.<sup>52</sup> In 1597, during a meeting with Anglican authorities held in Canterbury, Elizabeth I approved her government's proposals to make improvements to the parish registers (Szureter, 2012). In order to strengthen the permanency and accuracy of the records, churchwardens were ordered to purchase superior quality parchment and to make copies of the original documents with the new material (Szureter, 2012).<sup>53</sup> The recording of ritual would then be made in the presence of *two* churchwardens and all three officials would sign the foot of each page to attest to its accuracy (Szureter, 2012). The order also made the parish records subject to the scrutiny of the community with the entries being read out to the congregation after each Sunday service (Szureter, 2012). The parish chests which held the valuable records were now to have *three* locks and keys, each held by separate individuals to prevent any tampering (Szureter, 2012). Finally, the churchwardens were made responsible for sending an annual transcript of the year's entries to the diocese registry (Szureter, 2012). As briefly outlined above, the formal documentation of Christian rites of passage created a new 'unit of administration' (Wood 2013) – the 'paper parish' (Gordon, 2018).<sup>54</sup>

### **Sacred Paper, Legal Record**

The overarching motivation for Cromwell's injunction is contested by social historians (Szureter, 2013). For G.R. Elton, the records of the 'paper parish' were designed to 'provide a statistical basis for government action, a record of the

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<sup>51</sup> This continued until 1547 when a modification was added such that the proceeds of all fines were to be allocated to the parish's poor (Szureter, 2012).

<sup>52</sup> Although, as I will discuss briefly below, the injunction was not routinely complied with until the Elizabethan reforms.

<sup>53</sup> It was also ordered that the entries which had been made on paper should be copied onto the superior parchment (Tate, 1969).

<sup>54</sup> The parish emerged as 'a unit of administration, a phenomenon which has been seen as pivotal to a bottom-up, organic process of state formation' (Wood, 2013, p.258).

people of England, but not unnaturally the usual suspicion arose that the government intended to use its knowledge in order to tax, and the injunction was not at first generally observed' (Elton, 1976, p.111). However, this interpretation of Cromwell's injunction has been questioned by social historians who note a lack of material evidence to support the argument (Szreter, 2013).<sup>55</sup> Indeed, as I will discuss further in Chapter Three, the foundational moment for statistical governance was not Cromwell's injunction, but the 1836 Registration Act and the creation of a centralised record system at the General Register Office (Goldman, 1991; Szreter, 1991a; Wolfenstein, 2007).

The most authoritative explanation for Cromwell's injunction relates the development of parish registration to the turbulence of the Reformation era. In the early period of the Reformation, Henry VIII acted swiftly to dissolve the monasteries, abbeys, nunneries and friaries associated with Roman authority (Edwards, 1989). The fate of these properties was varied: some were taken over as Anglican places of worship but many more were sold off to landowners or left to ruin (Edwards, 1989). As Edward Higgs puts it, 'the years of the dissolution of the monasteries were, of course, another period when the ownership of property was undergoing radical change' (1996, p.121). Accordingly, the development of the 'paper parish' must be placed within the spatio-temporal context of an unsettled religious, political, and geographical landscape.<sup>56</sup>

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<sup>55</sup> This claim is, however, disputed by Simon Szreter (2013) who notes that, 'Despite Elton's reflex supposition, the fact is that the parish registers were not used by any Tudor monarch to raise taxes, and there is no documentation to suggest such a motive. Secondly there is no evidence of any attempt at the time or later to create a system of central returns of these registers (returns were only ever made to diocesan bishops). Thirdly, there is Cromwell's own explicit statement of December 1538 (cited above), reproduced by Elton in 1972 and Higgs in 2004, stating that the registers were to be created mainly for property-legitimation purposes.'

<sup>56</sup> In her socio-legal history of the Poor Law, Lorie Charlesworth (2010) explains, 'having severed connections with Rome, Henry VIII took a more immediate interest in parish activities which already extended beyond religious duties to include, for example, control of vagrants, maintenance of roads, bridges etc. As a result, those legal measures taken to facilitate the King's new role as Head of the Church in England permitted, necessitated, legitimised and thus created the secular, administrative parish that forms the origins of English local government.'

The driving force for the formal documentation of Christian rites of passage, then, was the desire to settle debates over land and to secure property for the wealthy. The strongest evidence for which is a statement given by Thomas Cromwell to the Justices of Peace, which was intended to suppress the rumour, as discussed above, that the parish records would be used to raise taxes (Elton, 1972, pp.259–260). The direct quotation, reproduced by G.R. Elton, states that a system of record-keeping would be useful ‘for the avoiding of sundry strifes, processes and contentions rising upon age, lineal descent, title of inheritance, legitimation of bastardy, and for knowledge whether any person is our subject or no’ (1972, pp.259–260). The parish records were, in other words, designed ‘to provide individuals with attested family and kinship records with which to avoid or settle legal inheritance disputes’ (Szeleter, 2012, p.70). Although Cromwell’s explanation refers to an array of administrative functions, the parish registers were primarily concerned with property.<sup>57</sup> As Simon Szeleter (2012, p.70) explains,

Thomas Cromwell had deliberately created the parish registers to serve as legal documents which would be valid in a court of law, stand up to hostile cross-examination and so provide security of title to property and to the intergenerational transmission of property for that substantial proportion of the nation’s community who had items of value, even if not land itself, to pass on to widows, children and other relatives. Why? As I have argued elsewhere it is likely that there was genuine demand for this service (Szeleter 2011, 337). The English populace probably enjoyed the most widely diffused ownership of modest amounts of individually alienable property in Europe at this time, rendering the issue of inheritance legally problematic for a much greater proportion of the populace than throughout much of the continent, where property was subject to stronger customs of patrimonial ownership and transmission.

As we see above, Cromwell’s injunction pursued a civic mandate which was primarily concerned with the intertwining of property and kinship – a point I will return to in Chapter Three. Yet, the parish registers held very few details, often simply the date of the ritual and the name of the persons involved in the

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<sup>57</sup> In Chapter Three, I will continue to discuss the historical relationship between the state’s documentation of the life course and the linear passage of property.

ceremony (Szreter, 2012).<sup>58</sup> As previously discussed, the order required religious ministers to ‘write the day and year of every wedding, christening, and burying, made within your parish...and also there insert every person’s name that shall be so wedded, christened, or buried’ (Bray, 2004, p.182). The brevity of the parish registers, as opposed to the ‘modern’ system of civil registration, can be explained by reference to the sacred space in which the documents were produced. As Edward Higgs notes, parish registration ‘was not concerned principally with the physical body but with the rites of passage of the Christian soul’ and, as such, ‘baptism, as the ceremony of initiation into the Christian fellowship, rather than the physical birth of the body, was the event recorded’ (2004, p.91).<sup>59</sup>

Importantly, the performance of ritual acts within sacred space (see for discussion, Zartaloudis, 2019)—baptisms, weddings, and funerals—was intertwined with a system of formal documentation which fulfilled legal and administrative purposes at local and central levels of the ‘state’.<sup>60</sup> It is this civic role, played out on the sacred paper of the parish, that makes the formal documentation of Christian rites of passage the earliest form of registration (Szreter, 2012).<sup>61</sup> But whilst social historians draw upon Cromwell’s injunction to map out the origins of the civil system (Szreter, 2013) and to trace the formation of modern identity practices (Higgs, 2011a), here, I have a different

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<sup>58</sup> During the period 1553-1558, when the Crown attempted to bring England back to the Catholic faith, Cromwell’s system was modified to include further details (Szreter, 2012). In the intermission of official Catholicism, Cardinal Pole made attempts to modify the registration system in 1555 and 1557 when ‘he required his bishops to ensure that the names of the sponsors (godparents) were entered in the baptismal registers, an issue of particular interest to the Catholic church’ (Szreter, 2012, p.68). In 1599, the requirement to document the godparents was revoked by Elizabeth I when, under her new Protestant authority, she re-issued Cromwell’s original edict (Szreter, 2012).

<sup>59</sup> In Chapter Three, I provide a brief discussion of the motivations for civil registration which returns to the distinction between documenting the soul and registering the medico-legal body.

<sup>60</sup> I am aware of the complexities of using the term ‘state’ and suggesting a local and central distinction in relation to the early modern period (see for discussion Higgs, 2003; Charlesworth, 2010; Szreter, 2013). I also note here that I will discuss ritual and sacred space further in chapters four and five.

<sup>61</sup> As Simon Szreter puts it, ‘In containing this legal, indeed civic, rationale as a motive in their design, the early modern parish registers of England (and Wales) constitute, I think, a historic innovation in law and government of some magnitude. They may well represent the first general registration system in history created to serve the civil and legal needs of a populace’ (2012, p.70).

concern.<sup>62</sup> The broader point that I am seeking to make, in terms of my own discussion of the movement to and through registration space, is to note the ever-constant blurring of the sacred and secular (see Chapter Seven).<sup>63</sup> These were legal records which mapped onto the spiritual journeying of the body—marking the entrance of the Christian soul into the community and documenting its passage through the life course<sup>64</sup>—and, in the following section, I draw attention to the spatio-legal politics which were invoked.

### **Fixing the Poor**

The turn of the sixteenth century saw not only the upgrade of the ‘paper parish’ (Gordon 2018), with records copied from paper to parchment, but two crucial pieces of legislation – the Poor Law statutes of 1598 and 1601 (Szureter, 2012). These laws established a ‘legal right to relief’ for the ‘settled poor’ which laid the foundation for the development of the modern welfare state (Charlesworth, 2010).<sup>65</sup> The system was organised on a local scale, with each householder contributing to the parish fund based on the value of their property holdings, and each local resident being able to claim in times of hardship – a valuable right which, in itself, was a form of ‘quasi-property’ (Szureter, 2012, pp.74–75).<sup>66</sup> The Poor Law established a local system of ‘caring’ for the poor which was premised upon the connection between people and place.<sup>67</sup> As Edward Higgs explains,

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<sup>62</sup> This is the claim that the formal documentation of Christian rites of passage was a ‘state-sponsored system’, and as such, there was less of a distinction between parish registration and the civil system which developed in the Victorian era with its focus on recording ‘biological events of birth and death’ (Szureter, 2012, p.72).

<sup>63</sup> In Chapter Seven, I will return to this discussion, as I draw upon secular pilgrimage to provide a conceptual framework for the movement invoked by the state’s documentation of the life course.

<sup>64</sup> See Carol Greenhouse (1996) for a brief discussion of the life course its relationship with linear and cyclical models of time.

<sup>65</sup> The question as to whether the Poor Law statutes established a legal ‘right’, in the modern sense of the term, is the source of debate between socio-legal scholars and social historians since a claim for relief ‘could be disputed by the local officials responsible for implementing the system’ (Higgs, 2011a).

<sup>66</sup> The claims for relief were managed by the wealthier inhabitants of the parish, known as ‘overseers of the poor’, who were supervised by the Justices of the Peace (Higgs, 2011a).

<sup>67</sup> I describe this as ‘caring for the poor’ to draw parallels with Olivia Barr’s (2016) account of lawful movement and her discussion of the coronial office (which she describes as ‘caring for

‘the poor citizen in this period was not simply an abstract ‘individual’ by virtue of his or her existence, but was situated in a network of rights and obligations determined by place and custom’ (2011a, p.79).

The registers of the ‘paper parish’ (Gordon, 2018) played a vital role in the operation of Poor Law.<sup>68</sup> To make a successful claim for relief, the ‘poor’ had to prove legal settlement, which provided an incentive to comply with Cromwell’s injunction. The formal documentation of Christian rites of passage was necessary ‘since the place of birth conferred any individual’s primary right of entitlement (known as a person’s ‘settlement’) in that parish, though for all women a correct marriage registration was equally significant, since on marriage a woman’s parish of ‘settlement’ became that of her husband’ (Szreter, 2012, p.75).<sup>69</sup> The parish registers were integral to the functioning of the Poor Law system since they provided proof of the claimant’s connection to the parish – as suggested by the term ‘legal settlement’.

The legislative significance of ‘settlement’ can be understood by briefly tracing the development of Poor Law beyond the Reformation era. In her discussion of welfare’s ‘forgotten past’, Lorie Charlesworth (2010) notes that the history of providing local relief to ‘the poor’ has its roots in the fourteenth century. The concern of the state, at that time, was not solely with ‘dispossessed, landless vagrants’ but also with those who ‘wandered about’ and, as such, those who sought aid were ‘ordered to return to the place where they were born’ (Charlesworth, 2010).<sup>70</sup> Accordingly, the history of the Poor Law does not suggest a governmental concern with the landed concept of property, as Simon

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the dead’ (2016, p.227)). However, it is important to state, I simply want to suggest responsibility was taken at a local level rather than to romanticise the operation of the Poor Law.

<sup>68</sup> In Chapter Three, I return to this discussion since it was the reform of Poor Law administration in 1834 which laid the foundation for civil registration – its performance within local administrative districts mapping onto the boundaries of the Poor Law unions.

<sup>69</sup> In this sense then the journeying of registration and the movement it invokes has gendered consequences – a point I return to in Chapter Three when I provide an analysis of sketches made in the public search room of the General Register Office.

<sup>70</sup> Accordingly, the fourteenth century, is regarded by socio-legal scholars to be the ‘earliest common law recognition of poor people ‘belonging’ to a specific, geographic hence ascertainable place’ (Charlesworth, 2010).

Szreter (2012) suggests, but, with fixing the movement of bodies designated as undesirable.<sup>71</sup> The parish registers were intertwined with a system of providing relief to ‘the poor’ which regulated the movement of bodies to and through legal place.<sup>72</sup> The state’s documentation of the life course was not solely about fixing an identity to a body but fixing the movement of bodies to and through places of community – a theme which I will return to throughout this thesis.<sup>73</sup>

Indeed, social historians have noted that it was ‘not unusual for differences between parishes over the identity of paupers, and who was liable to relieve them, to be settled by a search of the relevant parish registers’ (Higgs, 2011a).<sup>74</sup> As Higgs writes, ‘the protracted dispute over the maintenance of Jane Smith and her son Peter, which preoccupied the Prescott vestrymen and Lancashire justices in the late 1640s, was only settled in 1649 when the churchwardens spent 8p on a journey to Farnworth ‘to know the age of Peter Smith’ by consulting the parish register’ (Higgs, 2011a). The parish chest invoked another sense of journeying, then, as officials were set in motion to perform personal searches of the records (see also, in relation to title registration, Pottage, 1995).<sup>75</sup>

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<sup>71</sup> In Easter 1678, an order was made in relation to the travelling poor which claimed ‘the dayly concourse and great increase of Rogues, Vagabonds and Sturdy Beggars is a great grievance and annoyance to the Inhabitants of this County: and through the negligence or ignorance of those officers who have been intrusted in this Concerne, they are now growne soe insolent and presumtuous that they have oft by threats and menaces extorted money and victuals from those who live in houses far remote from neighbours...the Consequences whereof may prove very dangerous, if not timely prevented’ (Hobbs, 2008, p.99). The order was copied into four parish registers.

<sup>72</sup> As Higgs notes, ‘The poor who wandered about the countryside without any fixed abode, or means of support, were stigmatized as vagrants, and could be sent back to their place of settlement, whipped, branded and even executed as deviants’ (Higgs, 2011a).

<sup>73</sup> The fixing of legal identity and its relationship to ideas of space, place and community is one of the central themes of this thesis. I return to this discussion in the following chapter, in my discussion of the movement to and through the General Register Office, and in Chapter Four, when I discuss the continuing relevance of ‘place’ to the current legislative framework for civil registration.

<sup>74</sup> See also Alain Pottage for a discussion of ‘personal searches’ of conveyancing records (1995).

<sup>75</sup> In the following chapter, I will return to this discussion of ‘personal searches’ of the register, as I discuss the movement to and through the General Register Office.

The parish registers were such a vital part of the legal and civic system that to be unregistered left the individual at a significant economic disadvantage (Szreter 2012). In his analysis of Cromwell's injunction, Szreter argues that the final clause—whether a person was 'our subject or no'—should be interpreted as 'whether Catholic or not' (2012, p.72). As Szreter puts it, Cromwell had created 'a brilliant, subtle, insidious and long-acting weapon which used individuals' voluntary inclusion or exclusion of themselves and their families in the registers of the established church as a means to acquire or forfeit recognition of their legal status and civil rights to transmit property' (Szreter 2012, pp.72-73). Those rejecting the new universal faith of the Established Church were punished with permanent exclusion from the registration system.<sup>76</sup> Importantly, the parish registers were imbued with the spatio-legal politics of sacred space and religious community – a theme I will return to in chapters three and seven. However, in the following sections, I now move from the governmentality lens provided by social historians to consider the parish registers as a local forum of documentation which wove together a narrative of everyday life.

### **Penmanship and Lyrical Prose**

The parish registers played an active role in regulating the movement to and through communities by fixing the soul to legal place. But whilst the sacred paper had a civic mandate, the paper parish served more than simply a bureaucratic purpose. As the early modern historian, Andy Wood explains, Cromwell's injunction had created 'a different kind of memory site: one that was not only about its material culture but which also located the parish chest as the documentary centre of local history and custom' (2013, p.258). The parish registers were not simply an early form of identity documentation, as social historians would suggest, but were a legal place in and of themselves – where a narrative of everyday life could unfold.<sup>77</sup> The broader significance of which lies

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<sup>76</sup> As will be discussed further in Chapter Seven, then, the state's documentation of the life course has its roots in 'the poetics and the politics of sacred space' (Chidester and Linenthal, 1995b, p.6). The term 'poetics and politics' refers to a distinction between conceptual accounts which imbue the sacred with a mystical force (Eliade, 1959) and those which understand the sacred as the product of intentional human action (Smith, 1992).

<sup>77</sup> See for example Higgs (2011a) and Szreter (2012).

in the contrast between critical accounts which depict registration as a legal fiction and, as I will discuss below, the narrative which unfolded as the parish registers became a community forum for local story-telling.<sup>78</sup>

In the opening section of this chapter, ‘The Paper Parish’, I provided a brief sketch of Cromwell’s injunction. As I noted then, the order was modified at the end of the sixteenth century, with the additional stipulation that churchwardens must send an annual transcript of the parish registers to the diocesan registry (Szreter, 2012).<sup>79</sup> At first glance, this linear passage of paper, from sacred space to archive, gestures towards a shift identified by critical legal scholars – from community knowledge and ritual performance to a paper-based system of ownership (Pottage, 1994). Yet, it was quite the opposite.

Instead, a practice of annotation began to emerge, ‘as the registers came to be regarded less as a central government imposition and more as a parish record that could be adapted for local needs’ (Hobbs, 2008, p.96).<sup>80</sup> As local churchwardens took responsibility for purchasing the parchment, the registers were considered the ‘property of the parish’ meaning there was ‘considerable room for variety and individuality in their format and style’ (Hobbs, 2008, p.96).<sup>81</sup> If the formal requirement to provide an annual transcript was met, ‘the register was to some extent released from a bureaucratic straitjacket and a less rigid format could develop, reflecting the interests and requirements for the

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<sup>78</sup> In Chapter Three, I will further complicate this contrast between registration as a legal fiction and the ‘fictional’ qualities of registration in my analysis of the General Register Office.

<sup>79</sup> This requirement ensured the records were preserved by establishing a duplicate for the archive whilst also creating a local facility for magistrates and legal practitioners to search the parish registers (Szreter, 2012, p.69; Tate, 1969, p.45).

<sup>80</sup> As Andy Wood (2013) explains, the churchwardens were ‘administrators of the parish revenues’ who made their own annotations in the registers ‘the purchase of the volume is their act and they ensure their role is memorialised in the gateway to the register, taking precedence over the minister’ (p. 56).

<sup>81</sup> However, the practice of making annotations was far more common in rural villages than populous urban parishes, since the ‘pace of such work was inevitably much slower and there was more scope to be expansive’ (Hobbs, 2008, p.96).

parish' (Hobbs, 2008, p.96).<sup>82</sup> Interestingly, Elizabeth I's amendments did not centralise the records, thereby flattening them out, but instead, provided an opportunity for a sense of locality to permeate the 'paper parish' (Gordon 2018).

In the 'blank pages and wide margins' of the record, parish clerks made notes of local matters alongside the ritual entries, and the parish registers then became 'repositories of local knowledge and experience' (Hobbs, 2008, p.96).<sup>83</sup> But these annotations were not simply additional or supplemental material to aid the listing of fact:

As well as containing a great variety of miscellaneous notes, registers may be embellished with elaborate title pages or annual headings, reflecting the artistic skills and penmanship of their compilers and making them attractive and lively documents to study. There are also many examples of verse, in the form of encomia and aphorisms, which are doubtless the result of the clerks practising their handwriting. We must remember that there was a constant need to re-cut quills and prepare them for use. Scrap paper was hard to come by and the temptation to test a new nib, offered by the endpapers of the register or even unused parchment pages, was too great. The results give the registers a vitality and exuberance they would otherwise lack.

(Hobbs, 2008, p.96)

The paper parish was not solely a bureaucratic enterprise in which details were set down upon paper to serve the legal purposes of the day. Instead, the documentation of the soul gave the local community a space within which to memorialise the everyday matter of the locality.<sup>84</sup> These annotations did not simply provide further bureaucratic detail but were done in an artistic and expressive style. For example, the following annotation was sketched into the pages of one register by the parish clerk: 'Man is a glass, Life is as water, So weakly wayld about, Sinn brings in Death, Death breaks the glass, So runst the

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<sup>82</sup> In Part II of the thesis, 'Mezzanine', I will make a similar argument when I discuss the continuing significance of locality, place, and community in relation to the Beane's registration space.

<sup>83</sup> The subject matter of these annotations will be discussed in further detail below.

<sup>84</sup> See Chapter Seven where I draw comparison between state documentation and the Beane's medieval pilgrimage souvenirs which were bought at the site of Becket's shrine. As I discuss there, the sacred relics evoke tactile questions of place, movement, and memory which illustrate the affective resonances of state documentation.

water out' (Hobbs, 2008, p.98).<sup>85</sup> As Hobbs puts it, the annotations provide 'a vibrant counterbalance to the laconic style of the bureaucratic purpose of the registers' (2008, p.95).

The parish registers were also a source of literary inspiration. The evidence for which is a poem, composed of more than two thousand lines, which begins with a vicar examining the details of his register:

The year revolves, and I again explore  
The simple annals of my parish poor;  
What infant-members in my flock appear,  
What pairs I blest in the departed year;  
And who, of old or young, or nymphs or swains,  
Are lost to life, its pleasures and its pains.  
No muse I ask, before my view to bring  
The humble actions of the swains I sing.  
How pass'd the youthful, how the old their days,  
Who sank in sloth, and who aspir'd to praise;  
Their tempers, manners, morals, customs, arts,  
What parts they had, and how they employed their parts;  
By what elated, sooth'd, seduc'd, deprest,  
Full well I know—these records give the rest.  
(Crabbe, 1838 (1810), 'The Parish Register', 1-14)

The parish registers, as such, were not mundane or bureaucratic documents which served only a civic or legal purpose, but an institution of everyday life.<sup>86</sup> As a review of Crabbe's poetry puts it, George Crabbe 'chooses the arbitrary order of a fundamental social document to organise his materials...the 'Parish Register' [offers] a collection of portraits and stories drawn from a given and highly particular social world' (McGann, 1989). As I will discuss further in Chapter Three, registration is a legal fiction not solely as critical scholars intend the term to be used (see for example, Bhandar 2018; Keenan 2017, 2019; Pottage 1995) but in a more literal sense – the documents were a source of literary inspiration from which a narrative of everyday life unfolded.

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<sup>85</sup> These were the musings of the musings of John Crooke, baker and clerk of Urchfont, dated 8 December 1693 (Hobbs, 2008)

<sup>86</sup> 'The Parish Register' followed shortly after a body of work including 'The Library', 'The Newspaper', and 'The Village' – all of which were used as framing devices to explore the institutions of everyday life (McGann, 1989).

The significance of this penmanship and lyrical prose, I would suggest, lies in the nuance it presents to the concept of registration as a blunt tool of governance which sets ‘facts’ down and ‘fixes’ identity – a point I will return to in chapter eight.<sup>87</sup> Instead of ‘reducing’ the natural and material world to paper (Pottage, 1994) or ‘flattening’ the richness of biography (McCandless, 2017), the parish registers opened up a space for local parishes to weave together a narrative of everyday life – as I will discuss further below.<sup>88</sup> Although the ‘paper parish’ (Gordon, 2018) relied upon a linear transmission of paper from one place to another, it was more than simply a bureaucratic enterprise. In the parish registers, religious officials saw the opportunity to memorialise the community rather than fixing a legal identity to the body. A key theme of this thesis is the narrative form registration can adopt as a medium of storytelling (rather than a written technology), and in the final section of this chapter, I now turn to the everyday narrative which unfolds in registration space.<sup>89</sup>

### **Recording the Everyday**

As discussed previously, Cromwell’s injunction made few requirements of the details to be recorded. The brevity of the parish registers was due to the fact that registration mapped onto the spiritual journeying of the Christian soul – the registers were not evidence of the ‘fact’ of birth, but rather, provided formal recognition of the symbolic entrance and passage of the Christian soul (Higgs 2004). Although the official remit of registration was limited, historical studies of the parish registers have identified annotations made alongside these details,

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<sup>87</sup> See also Holder and McGillivray (2020) who make similar points in relation to the registration of land. As they note, the process for registering land as a ‘town or village green’ focuses upon quantitative measurements of individuals’ use of land which, they argue, fails to take into account the rich sense of place that imbue ‘everyday shared spaces’ – as demonstrated in written and oral narratives.

<sup>88</sup> See, however, Szepter and Breckenridge (2012a) for an extensive literature review on registration as a technology of governance which privileges a particular form of writing as list-making.

<sup>89</sup> In Chapter Three, I return to narrative depictions of registration space in my discussion of the General Register Office.

as parish clerks ‘added observations on the character and circumstances of the parishioners to the records of their rites of passage’ (Hobbs 2008, p.95).<sup>90</sup>

It was not just individual biography which played out on the parchment. As several historians have noted in their analysis of the parish registers as material culture, parish clerks went significantly beyond the mandate set out in Cromwell’s injunction (see for example Hobbs 2008; Wood 2013; Veale 2017). The material recorded and collected in the ‘parish chest’ (Tate 1969) forms an extensive list:

transcriptions of manorial customals; decrees of law courts adjudicating in key local disputes, or depositions placed before them; extracts from medieval manorial, monastic or diocesan material deemed relevant to the community; descriptions of manorial or parochial bounds; or accounts of notable local events such as freak weather

(Wood, 2013, p.258)

It is the last of these entries which I now want to focus upon, as I discuss the local and community space which were opened up by Cromwell’s injunction. As Lucy Veale (2017) and colleagues note, parish registers were often used to compile chronologies of weather, particularly during the early nineteenth century. As she explains, ‘many authors of parish registers, usually either the parish priest or an appointed official, felt it important, and in some cases were actively encouraged, to record events of local or national significance, including weather and weather-related events as they affected parishioners and the church, alongside entries of baptisms, marriages and burials’ (Veale 2017, p.122).<sup>91</sup> The narratives which were weaved through the parchment of the parish registers

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<sup>90</sup> See Hobbs (2008), however, for a discussion of how the registers can ‘reveal attitudes to outsiders’ (p.107). In his discussion of the annotations, Hobbs contrasts entries made in two parish registers concerning the death of a man who took his own life and the death of a Jewish person. The former was documented as a ‘sad accident in this parish’ and ‘Bachelor Frances’ to be ‘sober, civil and honest’ whilst the latter received the following brief note: ‘Britford A Jew found dead in a chalk pit Jan 26 1768. But was removed to London Feb 7’ (Hobbs 2008, p.107). As Hobbs notes, ‘neither person would have received a Christian burial, but the compassion for a parishioner who had committed suicide contrasts somewhat harshly with the brief note about the Jew, whose name, Wolf Myers, was known at the inquest taken the same day’ (2008, p.107).

<sup>91</sup> As Veale explains, ‘the weather could be notable in its own right as a specific memorandum, as well as being included as a descriptor or explanation in official notices of baptisms, marriages and burials, or in events involving parishioners’ (2017, p.128).

included details of: 'harvests and food prices; death, disease and accident; damage to the built environment of the church and immediate vicinity, including roads, bridges and other forms of local infrastructure; particularly notable extremes; and personal curiosity with weather' (Veale 2017, p.128). The following extracts from the parish registers are useful examples of the local and community space recorded:

1655 (St. Mary's, Reading), December 15. Cathere Eldridge a servant and Mary Welbanck, a child, drowned together att the second bridge from the Beare for want of a raile to the bridge in frosty weather.

1662 (Tasley, Shropshire), December 16. John son of John Craffe and Ann, of the p.[parish] of Morvell [Morville], was bap. here, there being a great flood that day, soe that they could not goe to their parish Church

1715-16 (Chapel-en-le-Frith, Derbyshire), February 1. On that day there was an extreme wind. It blew the weathercock off the steeple and brake it in pieces, and a great Ash down in the Church- yard; with vast great loss to most people in their houses, some being blown downe

(Cox 1910, as quoted in Veale 2017, p.128)

As we see above, the parish registers 'detail the relationship between society and the natural world, and in many cases are well described as 'environmental histories'' (Veale 2017, p.122). These weather details were recorded because atmospheric conditions were believed to affect the health and wellbeing of parishioners and vicars. As Veale explains, 'extreme weather events could directly cause the death of parishioners, for instance as a result of being caught in floods, deep snows, or working in the fields during heatwaves' (Veale 2017, p.130).<sup>92</sup>

Interestingly, historians have revealed how the parish registers became 'an important repository of communal memory, running alongside the landscape as a bearer of local knowledge', and in some communities, the parish registers had to supplant that 'which could be read from the land' (Wood, 2013, p.258). The

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<sup>92</sup> I will continue this point in Chapter Three as I provide a discussion of registration, locality, and the Victorian concept of the 'healthy [registration] district' (Szreter 1991b).

evidence for which is a note made in the parish registers of a village in Essex at the end of the seventeenth century which accompanied an account of the parochial bounds. The note reads: ‘In the time of the long Rebellion the landmarcks of our parish were cut downe, and it would be difficult for posterity to find out the proper precints which our parish are encompassed withal’ (as quoted in Wood, 2013, p.258).<sup>93</sup> The parish registers were a form of communal memory which were intimately intertwined with the physical landscape and provided a means of formally documenting the ebbs and flows of the locality.<sup>94</sup>

## **Conclusion**

This chapter has provided a thematic narrative of the history of registration space. I began by outlining how the modern system of registration is rooted in the formal documentation of Christian rites of passage. After an initial sketch of the paper parish, I then provided further background on the civic function this sacred paper performed. Following this, I turned my attention towards the spatio-legal politics of the parish registers and argued that the documents did not fix a legal identity to the body, but rather, ‘fixed’ the soul to legal place. The final sections of the chapter moved from the lens provided by social historians to consider the parish registers as material culture. This shift allowed me to explore how the parish registers weaved together a narrative of everyday life which memorialised the community.

Chapter Two has laid the historical foundation for the key argument of this thesis – that the state’s documentation of the life course invokes multiple layers of movement to and through administrative place. This chapter has focused, in particular, upon journeying within the local and sacred community (the parish church). The parish registers were produced by local communities and paid witness to the collective memory of the locality. The records were paper markers

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<sup>93</sup> See Eve Darian-Smith (2002) for a discussion of the ritual practice of ‘beating the bounds’ and its relationship to law, movement, and place.

<sup>94</sup> See also Hobbs (2008) who notes ‘perambulations of the bounds’ were documented in six of the parishes he studied – with sufficient detail to enable their routes to be traced. In Chapter Three, I will return to this discussion of boundaries, landscapes, and registration as I discuss the evolution of registration districts – administrative localities which are essential to the modern-day performance of civil registration.

not only in the life of the individuals whom they identified, but, in the communities which recorded them – and, as such, they provided a spiritual form of belonging.<sup>95</sup> Yet, as I will discuss further in Chapter Seven, I want to be careful not to suggest a romantic narrative of the otherworldly. Instead, this chapter has argued that the sacrality of state documentation was linked to a politics of property which excluded both the non-Anglican population—whose spiritual journeying was not recognised by the state—and those bodies whose movement was considered undesirable (‘the poor’).

This chapter has gestured towards a spatial transition – from documenting the soul to registering the medico-legal body. The literature on civil registration involves conversations between socio-legal scholars and social historians which, in turn, produces a state-citizen focus with familiar themes of identity and governance (see for example, Higgs 2018; McCandless 2017). However, as I will argue throughout this thesis, the state-citizen focus tends to overlook the significance of spatio-legal factors such as community, locality, movement and place. My contention is that scholarship needs to expand to include focus on the study of parish registers as a form of narrative and place of communal memory. I am arguing for a shift away from the surface of the certificate and towards the *spaces* in which state documentation is produced. This spatial lens reveals the various layers of movement which unfold from the state’s documentation of the life course. Yet, to be clear, this is not an argument for abandoning the certificate. As I have discussed above, the study of parish registers as a forum for local narrative shows how the records actively opened up a space for community – the registers were both text *and* space. I am not suggesting, then, that registration is solely spatial. Instead, I argue that the *materiality* of the document—the fact that it must be written, signed, and typed—creates the very space in which movement occurs (a theme I will return to in Part II). In the following chapter, I continue to explore this shift as I turn to the development of civil registration during the early Victorian era.

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<sup>95</sup> I make this claim in the context of property being a ‘spatially contingent’ relation of belonging (see Keenan 2015), rather than exploring the sociology of belonging.

**Orientation Point: Cabinet of Curiosities**

<p>brush tailed possum kiwi bird Chinese pangolin two-headed shark in a jar duck billed platypus armadillo alligator chamelons toucan great bustard</p>	<p>bronze pastry cutter bronze figure of a wild man of the woods figurine in a jousting pose bronze figure of a cloaked man bronze head marble heads white saucer</p>	<p>Cochiti Pueblo animal handled vessel Cochiti Pueblo snake-shaped vessel Cochiti Pueblo three-legged vessel fossil turtle fossil fish five large palatal teeth of a fish on chalk</p>
<p>Narwhal tusk spiny anteater lion gannet goosander farmyard duckling little bustard Hawksbill turtle shell ruff Coc</p>	<p>chicken skin gloves in a walnut shell medallion showing Strasboug Cathedral purse snowshoe coco de mer seed tray of seeds spices and nuts in their natural state</p>	<p>ammonite pyloceras nautilus shells ammonite pyloceras - cut and polished fossil nautilus cut in half tube containing volcanic dust and lapilli from an eruption of Vesuvius</p>
<p>drawer of South American insects goliath beetle in a box with imperial scorpion thorn bug box boxes of butterflies</p>	<p>box of duelling pistols Australian throwing boards halberd</p>	<p>50 million-year-old shark teeth shark jaws souvenir coin in volcanic lava rectangle of moulded black lava with imprints</p>
<p>statue of St Catherine bronze lizard with a man's face bronze cupid bronze medieval weight bronze bell bronze figure, bronze cherub statuette small bronze bust</p>	<p>American feather star south American bolas (animal hunting tool) model canoe of birch bark Burmese temple in glass dome carved coconut with a lid from South Sea Islands</p>	<p>kidney ore gastropoda shells green glass bottle carved wooden cradle with sides and bottom with cane, resting on four carved legs</p>

### Chapter Three. The Spatial Machinery of Civil Registration

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In times to come, no doubt, the antiquarian as well as the legal importance of the present system will be more apparent; but one trembles to think of what space will be required for the storing of the details of the domestic life of our thirty millions; not one of whom can enter or quit life or take the most important step in it without a record being made for future use and reference.

*(Illustrated Times, The General Register Office, 1890, p.214)*

#### Introduction

In the previous chapter, I traced the history of civil registration back to the formal documentation of Christian rites of passage in the Reformation era. In doing so, Chapter Two highlighted the central themes of the thesis: sacred space and ritual; movement and place; legal fiction and narrative; and the everyday civic space of community. In this chapter, I develop these themes further, as I continue to trace the history of registration through the spaces, places, and buildings within which it has been performed. My temporal focus here, however, is upon the development of a spatial machinery for civil registration during the early Victorian era.<sup>96</sup>

As previously noted, the chapters which compose Part I of the thesis develop a thematic history which contributes to critical literature on registration. This scholarship argues that title registration is a blunt tool of governance which fundamentally altered the concept of property and its relationship with land – replacing community knowledge and ritual performance with paper-based ownership performed by the state (Bhandar, 2018; Keenan, 2017, 2019; Kingwill, 2014; Pottage, 1994, 1995).<sup>97</sup> As I will continue to discuss in this chapter, these arguments about the registration of land share clear parallels with the registration of the life course.

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<sup>96</sup> As I noted in the previous chapter, I am seeking to provide a non-linear understanding of the history which focuses upon the thesis' central themes rather than a chronological or historically 'accurate' account (for which, see Cullen 1974, Higgs 1996 or Szreter 2012). Accordingly, the temporal focus is clustered around a shift from parish to civil registration, rather than a strict time frame, and the material I draw upon here ranges from 1810 – 1890.

<sup>97</sup> See the introduction to Chapter Two.

The central argument of this thesis, however, is that multiple layers of movement unfold from the state's documentation of the life course. This spatial lens, I would argue, complicates the critical narrative in which registration appears as a blunt tool of governance which reduces the natural, social, and material world to a series of lines drawn upon paper.<sup>98</sup> Accordingly, whilst chapters two and three identify a parallel shift from documenting the Christian soul to registering the medico-legal body, I want to be careful to avoid a linear narrative of registration.<sup>99</sup> My focus in this Part of the thesis then, is to develop a thematic history which explores the relevance of movement, place, and community, before and after the deployment of a central bureaucratic system. These historical lines will then be traced, in chapters four and five, into the current legislative framework for civil registration and the Beaney's lawscape.

The chapter begins with a brief overview of the passage of civil registration which explores the spatial transition from parish to state. I draw out three themes which speak to the historical lines traced in the previous chapter – property and kinship, religious diversity, and governing the population. The chapter then turns to the spatial machinery of civil registration which developed as the state transferred responsibility for record-keeping from religious ministers to bureaucratic officers (Wolfenstein, 2007).<sup>100</sup> In the final part of the chapter, I turn to the centrepiece of this new system of civil registration – the General Register Office. In this discussion, I explore how movement and narrative were deployed to encourage the public's interest in the spaces and places of civil registration.

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<sup>98</sup> See Alain Pottage (1994) for the clearest example of this critical line of thinking. As he writes, 'the most distinctive feature of registration was that it reduced questions of devolution and identity to paper' (1994, p.363).

<sup>99</sup> This is not a linear account of the history, then, but an account of 'the 'etymology' of locations' (Lefebvre, 1991, p.37) and how these inscriptions of the past can then be traced through the Beaney's registration space – as I will discuss further in Part II.

<sup>100</sup> See Sarah Keenan (Keenan, 2019) for an analysis of title registries as 'time machines' which 'use fiction to facilitate fantastical journeys in which the subject is radically temporally dislocated from the material constraints of history' (Keenan, 2019). In this chapter, I make parallel points on the development of a 'spatial machinery' for civil registration, and then in Part II where I provide a spatio-legal reading of the current legislative framework, before turning to the idea of civil registration as a form of bureaucratic journeying in Part III.

## The Passage of Civil Registration

In the previous chapter, I traced the history of civil registration back to the formal documentation of Christian rites of passage in the Reformation era. As I discussed then, the records of the ‘paper parish’ (Gordon, 2018) were written in sacred space and mapped onto the journeying of the Christian soul. But the parish registers also pursued a civic mandate. As Cromwell himself explained, the documents were intended to provide written ‘proof’ of age, kinship, and local connections, providing ‘individuals with attested family and kinship records with which to avoid or settle legal inheritance disputes’ (Szreter, 2012, p.70). Why, then, did a civil system of registration develop in the nineteenth century? In the following discussion, I provide a brief outline of three key themes in the established historiography – property and kinship, religious diversity, and statistical governance.<sup>101</sup> The chapter, in doing so, provides essential background to the spatial transition from documenting the soul to registering the body.

### Property and Kinship

The driving force of civil registration was the desire to secure property rights through paper-based ownership of the natural and material world.<sup>102</sup> As I discussed in Chapter Two, Cromwell’s order was made during the turbulence of the Reformation era (Higgs, 1996). At a time when the religious, political, and geographical landscape was inherently unstable, the parish registers fixed the linear passage of land by intertwining it with the knots of kinship (Keenan, 2019).<sup>103</sup> In the centuries which followed Cromwell’s injunction, the parish registers secured property for the wealthier classes and aristocratic families (see

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<sup>101</sup> As such, the chapter does not provide a ‘linear’ account of the development of civil registration – for this see Cullen (1974). See Chapter One where I discuss the methodological choices I made in outlining this history of registration.

<sup>102</sup> As I will continue to discuss in this section, the reasons for developing a system for civil registration are complex, multi-faceted, and contested by social historians who disagree over which factor was most important (Higgs, 1996; see for example Cullen, 1974; Szreter, 1991b). However, there is a general consensus that the motivations for civil registration include: a concern for property, a remedy for non-Anglicans facing exclusion from the legal system, and the desire for statistical knowledge to govern the population (Higgs, 1996).

<sup>103</sup> In Part III of this thesis, *People and Places*, I will discuss this further as I draw upon the gallery to explore the sacred/secular of law and space.

also, Keenan, 2019). However, by the early nineteenth century, the records were in fragile condition:

Many registers were far from complete and others had been lost by fire or flood and even eaten by rats. Frequently transcripts were not sent to the diocesan registrar. Failure to record events in sufficient detail meant that it was often difficult to identify the person to whom they related and carelessness over the security of the records made it easy to forge or falsify the entries. All this made litigation more complicated: in particular, if it was not possible to obtain proof of pedigree or even of legitimacy then the right of inheritance was difficult to establish.

(Nissel, 1987, p.7)

As social historians have noted, the parish registers were increasingly illegible. This was particularly problematic for a legal system which relied upon documentation to 'prove' ownership of the land (Pottage, 1994). In 1830, these problems were brought to the attention of Parliament, when a motion was passed to form a Select Committee which would evaluate the state of parish registration (Higgs, 1996). In a passionate speech, John Wilks<sup>104</sup> gave a detailed account of the failings of the 'paper parish' (Gordon 2018):

In several dioceses eminent for population, and property, such as, London, Bristol, and Chester, at least one-fourth part of the parishes, had made no annual returns... No one alphabetical list of the names in the registers had ever been made, and even, where parishes had incurred the trouble and expense of transcribing the registers, and forwarding them, the postage induced a refusal to receive them, or some error in their direction led to their return to the Post-office. In fact, many hundreds had accumulated at the Post-office, to the inconvenience of that establishment, and they were all positively burnt; a bonfire was actually made of documents that had cost a great deal of labour, and on which the happiness of many families might depend. In very few dioceses were the copies deposited in places which even the registrars considered as secure from fire; in several they were in private houses, and in hazardous situations: and the intelligent and very effective and indefatigable registrar for the diocese of London was compelled to state, with regret, that he had no other depository for his numerous, though imperfect and irregular documents, except a room on the first-floor of his own offices, of which the upper story was let out, and which was liable to all the casualties of ordinary dwellings.

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<sup>104</sup> Leader of the Protestant Society for the Protection of Religious Liberty – see further Cullen (1974).

(HC Deb 28 March 1833 vol 16 cc1214-15)

As we see above, the central tenants of Cromwell's injunction were largely ignored by the nineteenth century.<sup>105</sup> The parish registers were poorly organised and difficult to search whilst some parishes either did not make annual return or the transcripts failed to complete the journey from church to diocesan registry. Although the parish chest was initially a 'repository of local knowledge and custom' (Hobbs, 2008), by the end of the nineteenth century, the documents were occasionally stored in the private homes of clergy officials.<sup>106</sup> These comments were supported by the Solicitor General who commented that he was 'well aware of the defective state of our registration' and argued that it was easier 'to trace a pedigree 500 years ago than five years' (HC Deb 28 March 1833 vol 16 cc1221-1222).<sup>107</sup> The adherence to Cromwell's injunction had faded and the records left in a precarious condition.<sup>108</sup>

But when the Industrial Revolution began to leave its mark upon the physical landscape, the government turned to registration as a tool to stabilise the linear transmission of property.<sup>109</sup> As Edward Higgs (1996, p.118) explains:

At the beginning of the nineteenth century the legal system in England was widely regarded as a shambles, reflecting the manner in which English law had failed to keep pace with economic and social change. Agricultural and industrial innovation, leading to the abolition of many customary rights, new forms of financing, the creation of new entities such as trade unions and new forms of liability posed unprecedented problems for the lawyers of the day. The expansion of cities led to endless disputes over the

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<sup>105</sup> As I discussed in Chapter Two, local parishes were given instructions for record-keeping which dealt with four key practical concerns: accuracy of the record, safe-keeping, security from tampering, and the compliance of parish officials (Szreter, 2012).

<sup>106</sup> See Chapter Two for further discussion on registration, community, and memory, community.

<sup>107</sup> The Solicitor General added that 'owing to the state of the law, any scrap of paper preserved in a family became evidence' and claimed that he knew of several instances of forged baptismal registries – 'there was a regular manufactory of Bibles for that purpose' (HC Deb 28 March 1833 vol 16 cc1221-1222).

<sup>108</sup> The problems with parish registration were so extensive that it 'virtually collapsed' in the period 1790-1820 (Eyler, 1979, p.38).

<sup>109</sup> See Higgs (1996) for a more detailed outline of the dynamics of the legal system during the nineteenth century and the impact this had on the development of civil registration.

ownership of land and hereditaments, as well as increasing calls for state intervention with respect to public health and sanitation, which complicated title to property.

The development of civil registration in the nineteenth century was motivated by the capitalist forces of the Industrial Revolution.<sup>110</sup> As Edwards Higgs puts it, ‘at a time of social and economic change steps were required to underpin the social bonds based upon property’ (Higgs, 1996, p.119). This explanation for the development of civil registration is further underlined by attempts at reform throughout the 1830s. For example, in 1830, a Bill was put forward to create a ‘General Registry of Deeds and Instruments relating to land’ which would ‘hold not only title deeds but also wills and records of births, marriages and deaths, to enable the descent of property rights to be traced’ (Higgs, 1996, p.119).<sup>111</sup> In the centuries that followed Cromwell’s injunction, then, the motivation for documenting rites of passage remained consistent – the linear transmission of property through the knots of kinship.<sup>112</sup>

### **Religious Diversity**

There was, however, a more fundamental issue with the parish records which could not be resolved without a complete overhaul of the system.<sup>113</sup> As I discussed in Chapter Two, the parish registers held very few details, often simply the date of the ritual and the name of the persons involved in the ceremony (Szreter, 2012). The brevity of the parish registers was owing to the fact that registration, when it first began, ‘was not concerned principally with the physical

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<sup>110</sup> See also Keenan (Keenan, 2019) for a discussion of title registration in relation to the Industrial Revolution and Bhandar (2018, p.80) for parallel considerations of land and registration in relation to colonial governance.

<sup>111</sup> Similarly, in 1824 a bill was introduced to ‘authorise the establishment of a Metropolitan Register Office’ which would centralise the parish records, the preamble to which noted that people were put to ‘great expense and inconvenience in tracing Pedigrees, and in investigating and completing titles to real and personal property’ (Higgs, 1996, p.119).

<sup>112</sup> As Edward Higgs argues, the purpose of registration did not change in 1836, only its vehicle – as the legislation ‘removed the protection of property from the religious sphere altogether’ (Higgs, 1996, p.121).

<sup>113</sup> See the Report of the Select Committee on Parish Registration who advised, in 1833, ‘that the existing Law is imperfect and unjust, and requires not merely partial amendment, but real fundamental reform’ (Parliamentary Papers 1833, XIV), p.9.

body but with the rites of passage of the Christian soul' and, as such, 'baptism, as the ceremony of initiation into the Christian fellowship, rather than the physical birth of the body, was the event recorded' (Higgs, 2004, p.91).

The sacred premise of parish registration became increasingly problematic as the legal system developed. In the early nineteenth century, the records of non-Anglicans were ruled inadmissible as evidence whilst the parish registers were deemed as evidence only of the date of baptism rather than the fact of birth (Cullen, 1974).<sup>114</sup> The use of baptism as proxy for age was, of course, problematic for non-Anglicans who practiced adult baptism (Higgs, 1996).<sup>115</sup> Accordingly, non-Anglicans made sustained efforts to reform the parish system throughout the nineteenth century (Cullen 1974).<sup>116</sup> In 1832, just a few years before civil registration was enacted, a Bill was introduced in Parliament for a general registry of births which aimed to settle 'the legal problems affecting all because of the dubious status of the [non-Anglican] registers as evidence in courts of law' (Cullen, 1974; see also Basten, 2006).<sup>117</sup> The Bill was initially restricted in its scale and ambition, proposing only to tighten the regulation of Anglican records, but after a series of amendments the Act contained a proposal for non-Anglicans to send annual copies of their registers to churchwardens in the local district (Cullen, 1974).<sup>118</sup>

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<sup>114</sup> Unfortunately, I am unable to provide details of these cases since Cullen does not cite the primary source. However, John Wilks drew attention to the case law in his speech for a Select Committee on parish registration where he cited the case of *Wiper v Law* and noted, 'In several cases, the Courts of Law had decided, that a baptismal registry could not be given in evidence of the age or legitimacy of a child; as the statement was only an unauthorized declaration, which might, indeed, be true, but might, also, be intentionally false' (HC Deb 28 March 1833 vol 16 c1216).

<sup>115</sup> This was discussed in the Report of the Select Committee on Parish Registration.

<sup>116</sup> However, there was no agreement on the focal point for reform – some non-Anglicans wanted to focus upon a single issue such as the marriage law, some wanted to concentrate on registration and gaining exemption from poor rates for places of religious worship, and some wanted to press for a more sustained attack on the Anglican church (Cullen, 1974).

<sup>117</sup> 'A Bill For the Registration of Births', BPP 1831–2, I, 265. Note the preamble to the Bill stated, 'it is expedient to provide Means for the general Registration of Births, and for better and more direct Evidence in all questions of Birth, Age, and Relationship'.

<sup>118</sup> The Lords rejected the amendments and Lord Nugent, who had introduced the Bill, was advised to postpone the measure until a more adequate Bill could be submitted (Cullen, 1974).

The religious form of parish registration became significant during the final readings of the 1836 Bill. At the first reading of the Bill, Lord John Russell drew attention to the need for a secular system for registration:

Now, with respect to ascertaining the fact of the births, deaths, and marriages of various parts of the community, it was quite obvious that this subject had no reference to the religious creed of any man; but, on the contrary, in a country and amongst a people composed of various sects and religions, it was quite obvious that a registration of marriages according to the rites of the established religion alone could never possibly be perfect or complete.... If the House wished to form a complete registration, it was necessary to have one which would comprise indifferently and impartially all classes and distinctions of religions.

(HC Deb 12 February 1836 vol 31 cc 367)

The transition to civil registration, however, was met with opposition. At the second reading of the 1836 Registration Bill, Sir Robert Inglis argued that civil registration ‘interfered materially’ with the ‘rights’ and ‘duties’ of Anglican ministers and ‘protested against making a general measure, comprehending all classes, when the most important and largest class in the country did not complain of the evils which the Bill professed to remove, but were content with the system as it existed at present’ (HC Deb 15 April 1836 vol 32 cc1088-1089).<sup>119</sup>

In the final reading of the Bill, the secularisation concern came to be expressed in terms of ritual. It was suggested that the 1836 Registration Act ‘separated the naming of the child from the baptismal rite, and made the registration as valid as the ceremony’ (HC Deb 28 June 1836 vol 34 c1017). As a result, an amendment was sought which would ‘require the parent to give to the registrar, upon the birth of a child, every detail with the exception of the name’ (HC Deb 28 June 1836 vol 34 c1012). After some debate as to whether or not the introduction of a civil system of registration would diminish the rate of baptism, the amendment was agreed, on the basis that ‘where [a] religious sense did not exist, the House should, as much as possible, indicate [the] necessity [of

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<sup>119</sup> These comments were met with a sharp rebuttal by the Attorney General who noted the present system was ‘exceedingly imperfect’ and argued that the 1836 Registration Bill ‘provided for a uniform system of births, marriages, and deaths, and included all classes of the community and all sects’ (HC Deb 15 April 1836 vol 32 c1090).

baptism]’ (HC Deb 28 June 1836 vol 34 c1017).<sup>120</sup> In this parliamentary episode on legal and religious rights, then, we see the significance of the transition from parish to civil registration. The state’s documentation of the life course was not simply about securing legal and civic rights, but, documenting *rites of passage* – a point I will return to in Part III of the thesis when I draw upon pilgrimage and the sacred/secular to explore the state’s documentation of the life course.<sup>121</sup>

### **Statistical Governance**

The final reason why civil registration was instantiated relates to the desire for statistical data. As I discussed in Chapter Two, the suggestion that registration would ‘provide a statistical basis for government action, a record of the people of England’ (Elton, 1976, p.111) was made about Cromwell’s injunction. However, it was not until the nineteenth century, that calls for statistical information were meaningfully made and actioned (see for discussion, Goldman, 1991; Szreter, 1991a; Wolfenstein, 2007). The demand for statistical data was made in comparison to other European countries, who were considered to have more ‘advanced’ registration systems (see further Cullen, 1974). In a speech persuading Parliament to form a Select Committee on parish registration, John Wilks continued to make the case as follows:

The community was one vast family, and no real evils could affect a large part of the population, without spreading some portion of such evils over those who seemed to be most distant or secure. It was from this general view that he had devoted some attention to the subject; and it was not only as a lawyer or a Dissenter, but as a legislator and a patriot, that he had felt shame, vexation, and regret. Inquiry had convinced him that on this, as on some other subjects, England was behind the age—that her legislation was defective—that they contented themselves with botching up some grievous rent, but did not wisely, extensively, and deliberately survey, and comprehensively, but discreetly, modify and improve our institutions. When they compared the wretched

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<sup>120</sup> This legislative concern was infused with the class dynamics of industrial capitalism, as it was suggested that the shift to civil registration would ‘not be productive of any evil consequences amongst the upper and more respectable classes, who would most probably resort both to the registration and the baptism; but what would be its effect upon the great mass of the population?’ (HC Deb 28 June 1836 vol 34 c1017).

<sup>121</sup> See for a broader understanding of bureaucracy and rites of passage from an anthropological perspective (Allard and Walker, 2016; Kravel-Tovi, 2012).

system of registration established in England with those of foreign countries, how inferior did it appear?

(HC Deb 28 March 1833 vol 16 cc1218-19)

In bringing his speech to an end, Wilks made the case for statistical data after a lengthy comparison with the registration systems of other European countries – the records of the nation were seen as a measurement of comparison. The Select Committee was made aware of the advances made by other European countries such as Holland, Belgium, Italy, Austria and France – all of whom had registration systems from which statistical data was taken (Cullen, 1974). In the knowledge that Britain's 'global standing' would be persuasive the renowned Belgian statistician, Adolphe Quetelet, was invited to attend the Committee where he 'expressed his amazement that England did not have adequate population records' (Cullen, 1974, p.46). These claims of England 'falling behind' appear to have been persuasive, and when the Select Committee published their final Report, they noted:

That great trouble, vast expense, utter uncertainty, capricious charges, and local and general evils exist, while no means are supplied to obtain the information other countries possess, and justly value, as to the state of disease, the operation of moral and physical causes on the health of the people, the progress of population, and other matters on which accurate knowledge can scarcely be too highly appreciated or too intensely pursued.

(Parochial Registration Select Committee, 1833, p.9)<sup>122</sup>

Although registration had begun as the formal recognition of ritual and spiritual journeying, by the early Victorian era there was a desire to measure the life course in medical rather than ceremonial terms.<sup>123</sup> The focus, in turn, shifted from welcoming the individual into a religious community to a paper-based system which studied the legally recognised individual as a 'unit' (Goldman, 1991; Szreter, 1991a; Wolfenstein, 2007). The shift from parish to civil registration was

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<sup>122</sup> See Chapter One for a brief discussion of colonialism and the themes not explored in this thesis.

<sup>123</sup> To an extent, this process was already underway before the enactment of civil registration. In 1812, the 'Act for the better regulating, and preserving of Parish and Other Registers of Births, Baptisms, Marriages and Burials in England', popularly known as 'Rose's Act' introduced standardised, printed forms to the system of parish registration. As I discussed in Chapter Two, the parish registers were considerably varied and adapted to local needs prior to this standardisation (see further Basten, 2006).

symbolic of a shift from documenting the soul to the medico-legal body (Higgs, 2004) – a point I return to later in the chapter.

The system of civil registration developed in the nineteenth century, then, due to three overlapping concerns: securing the linear passage of property, settling the exclusion of non-Anglicans, and governing the health of the population. But it was the Poor Law Amendment Act 1834 that finally paved the way for civil registration.<sup>124</sup> This crucial piece of legislation reformed the administration of relief by grouping local parishes into Poor Law Unions which were overseen by locally elected Boards of Guardians, each with their own workhouse, and managed by the Poor Law Commission (Charlesworth, 2010). As discussed during the first reading of the 1836 Registration Bill, the new Poor Law ‘seemed to open the way to the establishment of a civil registration...[without] considerable expense’ – the ‘machinery of the unions’ had laid a ‘sufficiently broad foundation for the general introduction of the system’ (HC Deb 12 February 1836 vol 31 c369).<sup>125</sup> In the following section, I provide a brief sketch of this spatial machinery as the chapter moves forward by developing one of the thesis’ central themes – movement and place.<sup>126</sup>

### **Spatial Machinery**

As I discussed in Chapter Two, the ‘paper parish’ (Gordon 2018) was, essentially, a bureaucratic enterprise which used the spiritual journeying of the Christian soul as its foundation. But in the transition from documenting the soul to registering the medico-legal body, the ‘paper parish’ gave way to a new system of administration founded upon the ‘spatial mechanics’ of the Poor Law.<sup>127</sup> The

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<sup>124</sup> See Chapter Two for further discussion of registration and the Poor Law during the Reformation era.

<sup>125</sup> It was also noted that the initial plan was for tax-surveyors to perform registration, however, it was considered necessary to employ a ‘superior class’ of person which would have been too expensive. Similarly, an alternative suggestion was to combine civil registration with the ‘machinery’ of the Postal Service (Yates 1836).

<sup>126</sup> In Chapter Four, I will return to this local system of administration as I discuss the continuing relevance of locality to the administration of civil registration.

<sup>127</sup> See Trabsky (2019) for a ‘spatial history’ of the office of the coroner during the nineteenth century which develops similar points in relation to movement, place, and bureaucracy/administration.

nation was divided into registration districts and sub-districts which mapped onto the boundaries of the Poor Law Unions. The Boards of Guardians appointed registrars for their locality who, until 1874, had the primary duty to register births and deaths – a point I will return to later on in this chapter (see Farr 1885). The registration districts were overseen by superintendent registrars who directed the performance of registration by maintaining the local registers and sending quarterly returns to the General Register Office (Farr 1885).

In her temporal analysis of title registration, Sarah Keenan draws upon a fictional account of time-travelling to argue that ‘title registries can usefully be understood as time machines’ (2019, p.283). As she explains, ‘title registries use fiction to facilitate fantastical journeys in which the subject is radically temporally dislocated from the material constraints of history’ (2019, p.283).<sup>128</sup> The ‘time machine’ novella, which Keenan (2019) refers to, was conceived during an era of British industrial capitalism. This was a period ‘when scientific discoveries and colonial voyages were inspiring white men in the sciences and the humanities to think boldly about how they might reformulate and even overcome what had previously been understood as the natural constraints of space and time’ (Keenan 2019, p.285). In drawing parallels with critical literature on title registration, then, I argue that the metaphor of ‘machinery’ was no accident<sup>129</sup> – and in the following discussion, I provide a more detailed sketch of these bureaucratic mechanics.<sup>130</sup>

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<sup>128</sup> In other words, registration is a legal fiction because it detaches property from the material and natural histories of land, which facilitates the journeying of a select few whilst fixing the movement of others.

<sup>129</sup> The metaphor of registration as ‘machinery’ was also deployed by William Farr, a leading figure in the statistical arm of the General Register Office (see for example 23<sup>rd</sup> Annual Report, pp.xliii-iv, republished in Farr 1885, p.531).

<sup>130</sup> In making this comparison, I note that H.G. Wells’ *The Time Machine* was published in 1895, just a few years before the Beane was opened to the public in 1899. As I allude to in the transition from Part I to Part II of this thesis, the Beane was similarly the product of ‘white men’ being inspired by ‘scientific discoveries and colonial voyages’ (Keenan 2019, p.285).

## Administrative Place

As I briefly noted above, the 1836 Registration Act dissected the nation into 626 registration districts which mapped onto the boundaries of the Poor Law Unions (Farr 1885).<sup>131</sup> The unions were ‘used to administer, and thus collect statistics on, the system of poor relief’ and were created by Poor Law Commissioners who ‘travelled the country grouping parishes into unions’ (Gregory et al., 2002, p.38). In 1836, ‘the new General Register Office (General Register Office) recognized the advantages of unions and decided to base its own spatial organization on them’ (Gregory et al., 2002, p.38).<sup>132</sup> As Southall and Aucott explain, ‘the registration district geography generally followed the Poor Law union geography, enabling the two systems to share buildings and officials’ (2019, p.368). This was, however, a point of contention for those in the classed society of Industrial capitalism – as I will discuss further below.

The administrative places carved out by the Poor Law and civil registration were out of alignment with pre-existing ceremonial and geographical counties. As explained in the Census Report of 1871, the ‘boundaries of the old counties were rivers; on which, subsequently, at fords and bridges, important towns arose, the markets and centres of meeting for the people of all the surrounding parishes’ (as quoted in Farr 1885, p.9). In 1834, the Poor Law Commissioners had been ‘instructed not to follow any existing higher-level boundaries, but to attempt to make each represent a market town and its hinterland’ (Gregory et al., 2002, p.38). Accordingly, a union was typically composed of 20-30 parishes within 10 miles of a market town (Southall and Aucott, 2019). The physical and geographical features of the landscape were no longer decisive. Instead, market towns became ‘the centres of the new [registration] districts’ because it was considered ‘most convenient for the guardians to meet, and the officers to reside’

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<sup>131</sup> As I will discuss further in Chapter Four, the legislative framework still relies upon these administrative districts, as births and deaths must be registered in the sub-district where the birth or death occurred (or where the body was found).

<sup>132</sup> The registration districts were used by the General Register Office for statistical analysis on the health of population, as I will discuss below, (see Farr 1885) and were also the primary reporting geography for the Census of Population between 1851–1911 (Southall and Aucott, 2019) with the General Register Office taking responsibility for the census from 1841 (Szreter, 1991b).

(Farr 1885, p.9). In a similar vein to the ‘temporal machinery’ of title registration (Keenan 2019), then, the registration districts were intentionally detached from the material history of the land.<sup>133</sup>

The decision to map registration districts onto the Poor Law Unions was, however, met with some opposition during the era of Industrial capitalism. The evidence for which is a report on the 1836 Registration Bill produced by James Yates – Fellow of the Linnean and Geological Societies. In his observations, Yates draws attention to the overlapping geography of administrative place:

The present bill both allows the division of parishes and of townships separately maintaining their own poor, and directs that the unions of parishes formed for the purpose of administering the poor laws shall also be unions for the purpose of registration, although there is reason to believe, that the numbers condition, and wants of the poor are so different in different parts of England, that a division of the country formed with a view to this object will not have a proportionate suitableness to the object of registration, which ought certainly to be accommodated to the convenience of the higher and middle classes of society no less than of the lower.

(Yates 1836, p.11)

In his later observations, Yates links the issue of class to the statistical form of knowledge deployed by civil registration:

The mere statist considers human beings not as persons, but as units. Too much in this spirit does the Bill of the present very enlightened government appear to me to be constructed. It exhibits princes, peers, and paupers in one almost indiscriminate mass. The birth of the Heir Apparent to the throne is, as the Bill now stands, to be certified to the nation and to posterity by the Relieving Officer at the expense of the parish or of the union.

(Yates 1836, p.40)

As we see here, then, the class divisions of the Industrial landscape permeated the consciousness of intellectuals who sought to comment upon the new system of civil registration.

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<sup>133</sup> Yet, administrative place is always, in some sense, a legal fiction in that it is detached from the material landscape.

But it was not solely the boundaries of administrative place which Poor Law and civil registration shared – it was also the material infrastructure and architecture. The superintendent registrars, who were responsible for managing the registration districts, each required a register office which, under the 1836 Registration Act, was to be provided by the Boards of Guardians of each Poor Law Union.<sup>134</sup> In the London borough of Lewisham, this was achieved by converting the Boardroom of the Guardians, where a strong-closet was built complete with brick lining, stone shelving and iron doors to store the registers (Nissel, 1987).<sup>135</sup> The boardroom served not only as the register office but also as the private office of the Clerk to the Board whilst a communicating door connected the boardroom with the quarters of the Master of the Workhouse (Nissel, 1987). The only physical separation of the space came from the newly created entrance to the register office which kept it distinct from that to the workhouse (Nissel, 1987). As suggested in the following opinion piece, the inevitable close association of the register office and the workhouse fuelled opposition to the new registration system:

We are of the opinion, that whether from pride or from prejudice, or from other feeling, the *strength* of which it will not be prudent for the Legislature to condemn, the middle classes of the community will very much dislike to make personal applications at the *workhouses* of the districts in which they live for those certificates which are rendered necessary by the bill, before they can enter into the married state.

(*The Times*, 15 February 1836, extract reprinted in Nissel 1987, p.16)

As these discussions suggest, then, the local administration of registration was intertwined with the spatio-legal politics of class and community during the era

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<sup>134</sup> The 1836 Registration Act stated, ‘That the Guardians shall provide and uphold, out of the Monies coming to their Hands or Control as such Guardians, a Register Office, according to a Plan to be approved by the Registrar General, for preserving the Registers to be deposited therein, as herein-after provided; and the Care of the said Office and the Custody of the Registers deposited therein shall be given to the Superintendent Registrar of the Union or Parish or Place having a Board of Guardians as aforesaid’ (6 and 7 Will. IV. c.86, clause 9).

<sup>135</sup> Clause 14 of the 1836 Registration Act stated that the Register General would furnish every superintendent registrar with strong iron boxes to hold the register books to be kept by registrars. The iron boxes would be furnished with a lock and two keys – one to be kept by the registrar and the other by the superintendent registrar. This provision clearly echoed that of Cromwell’s injunction which bound parishes to provide ‘one sure coffer with two locks and keys’ (see Chapter Two).

of Industrial capitalism. In the previous chapter, I identified the close connections between the state's documentation of the life course and its regulation of 'the poor' (see Chapter Two). As I noted then, the parish registers were vital to the operation of Poor Law because they were used as evidence of 'legal settlement' – which granted the right to make a claim to the parish funds. The 1836 Registration Act materialised this connection by mapping the registration districts onto the Poor Law Unions in the creation of administrative place. The shift from parish to civil registration was also a shift from performing registration in the spiritual community of the parish church to the class dynamics of industrial capitalism. But, as Olivia Barr reminds us, 'there is no law without movement' (2016, p.3) – and, as such, the following section traces the movement of registrars through administrative place in the conduct of their office.<sup>136</sup>

### **'A Public Duty'**

Initially, the legislative duty to record the life course laid with the local registrars of each administrative district (see also McCandless 2017).<sup>137</sup> As the 1836 Registration Act stated, registrars were both 'authorised' and 'required' to 'inform himself carefully of every Birth and every Death which shall happen within his District...and to learn and register soon after the Event as conveniently may be done...the Particulars required to be registered' (6 and 7 Will. IV. c.86, clause 18).<sup>138</sup> In contrast to Cromwell's system, the 1836 Registration Act enacted a system which focused upon the individual. As I discussed in Chapter Two, details of the rites of passages would be accumulated during the week before being set down upon parchment following the weekly Sunday service – where the congregation would be given an opportunity to

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<sup>136</sup> See Shaunnagh Dorsett and Shaun McVeigh (2012) for a more detailed consideration of 'office' which is a central theme within literature on law, movement, and place (Trabsky, 2017, 2019; see for example Barr, 2016).

<sup>137</sup> In this sense, the legislation mirrored Cromwell's injunction which was directed towards religious officials – see Chapter Two.

<sup>138</sup> The 1836 Registration Act also stated that the parent(s) or occupiers of a house where a child was born or a body found '*may*' give notice to the registrar within 42 days of birth or 5 days of death (6 and 7 Will. IV. c.86, clause 19). However, the parent(s) were legally obliged to provide details of the birth 'to the best of his or her Knowledge and Belief', if requested by the local registrar (6 and 7 Will. IV. c.86, clause 20).

scrutinise the records. The shift from parish to civil registration, then, was symbolic of a shift from community knowledge to an efficient system of bureaucratic office. It was not the community that was recorded, but the individual, as registrars were given responsibility to find the details of births and deaths in their local area, as soon as possible, and make their own journeys to discover the information which needed to be recorded.<sup>139</sup>

The shift from ceremonial registration to a bureaucratic and individualised system of record-keeping is further evidenced by the space within which registration was performed. In the early years of civil registration, the process was conducted either in the domestic space of the persons to be recorded, or, at the local registrar's home (Farr 1885). Accordingly, the 1836 Registration Act contained the following obligation for the registrar to 'dwell' within administrative place<sup>140</sup>:

every Registrar and Deputy Registrar shall dwell within the District of which he is Registrar or Deputy Registrar, and shall cause his Name, with the Addition of Registrar or Deputy Registrar (as the Case may be) for the District for which he shall be so appointed to be placed in some conspicuous Place on or near the outer Door of his own Dwelling House; and the Superintendent Registrar shall cause to be printed and published in the Districts which he superintend a list of the Name and Place of Abode of every Registrar and Deputy Registrar under his Superintendence

(6 and 7 Will. IV. c.86, clause 16)

As we see above, the public space of ceremonial registration (and its sacrality) was replaced with the bureaucratic performance of registration within the private and domestic space of the registrar and citizens. The legislative duty, however, appears to have caused some confusion for the newly appointed registrars. In the early years of civil registration, the *Lancet* published a letter received by the Editor asking for advice on how to accurately record births, since there were no compulsory clauses or central directions on how to do so, unlike the registration

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<sup>139</sup> The registrars were paid per birth or death entered upon the register, rather than an annual salary which provided a further incentive to register as accurately as possible and made registration an individual process (Farr 1885).

<sup>140</sup> See Trabsky (2017) for a discussion on 'dwelling' as a place-making activity in relation to the office of the coroner.

of deaths (*The Lancet*, August 1839). A week later, a detailed response from a registrar was published which provides useful insight into the early civil registration process:

I regard the registration as a public duty, and therefore make it paramount to all other secular duties. I obtain information of births from practitioners in midwifery, as well as from private persons, in my district, and in case anyone should not call at my office to register, I take an early and convenient opportunity of waiting upon each. It sometimes happens that parties have removed; in such cases I follow them, if practicable, to their new residences. It is, in my opinion, by a diligent use of these means that an approximation to accuracy in the registration of births can be effected under the present Act.

(*The Lancet*, 21 September 1839)

These letters provide valuable information about the role of movement and place in the historical conduct of the registrar's office. Although the registrar outlines his role in terms of 'public duty' and focuses upon the practical steps he must take, there are traces of movement and place within the text. The registrar describes his journeys to and through administrative place in the conduct of office to meet midwives, residents, parents, and relatives – following them through the various spaces they may have moved in order to form an 'accurate' register. Indeed, the very material of the civil registers was designed to aid the registrar's movement. As a journalist in the Victorian era explained, 'the books are oblong folios, with limp leather covers, which permit of rolling up, if necessary, when the Registrar sets off from his house to go over his district in search of subjects for entry on the pages' (Hunt 1850, p.236).<sup>141</sup>

In his discussion of the coroner's office during the nineteenth century of British colonial states, Marc Trabsky (2017) draws attention to the movement and 'place-making' activities of the coroner. As he explains:

Where the dead were found on a public street, the coroner would carry the corpse from one public house to another, hoping to find a hospitable innkeeper willing to let a room for holding an inquest or at least an outbuilding for storage until a hearing could be held... The footprints of the coroner determined the itineraries of

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<sup>141</sup> The registers of births, marriages, and deaths were maintained in separate books which had distinctive covers to indicate their purpose – births in 'cheerful red', marriages 'clad in green', and deaths in black (Hunt 1850, p.236).

the dead. They unravelled a map that bore the traces of legal relations between the living and the dead. In walking through the city, in the performance of his role, the coroner not only carried corpses upon his shoulders, he wrote their histories and biographies, he collected their memories and legacies. In ambulating through alleyways and strolling along promenades, in the routes he walked and the trajectories he followed, the coroner gathered material for a history yet to be written; a history of how techniques of walking cultivated a lawful place for the dead in the modern necropolis

(Trabsky, 2017, p.94)

In this passage, the movements of the coroner are imbued with the meaning of place. But whilst the ‘place’ of the dead had particular significance, the office of the coroner is a useful comparison with the registrar since they performed similar duties.<sup>142</sup> As Trabsky notes, the coroner’s responsibilities involved ‘collecting the dead from where they lay, walking with them through the city, investigating the cause of their death, and issuing burial certificates at the conclusion of his investigations’ (2017, p.98).<sup>143</sup> In turn, the office of coroner ‘cultivated spatial relations between the living and the dead, particularly where the presence of the latter threatened to trouble the continuity of the imperial project of civilising colonial society’ (Trabsky, 2017, p.98). The broader point I am seeking to make here, then, as I trace the movement of the registrar in the conduct of office, is an attention to the place-making activities of registration (see also Chapter Four). However, in 1874, the system of civil registration received a number of amendments which required another spatial transition – from the journeying of the registrar to the journeying of citizens.

### **Registering Kin**

As this chapter previously discussed, the state’s documentation of the life course was motivated by a desire to secure the linear transmission of property through knots of kinship and, in 1874, the ‘kin’ were officially given a role – as the legislative duty to register a birth or death was transferred from registrars to

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<sup>142</sup> See Trabsky (2017) for a useful discussion on the significance of the presence of the dead in the spatial organisation of the city. See also Olivia Barr (2016) for a further discussion of the coronial office in relation to movement and place.

<sup>143</sup> See also Kirton-Darling (2018) for further detail on the office of the coroner.

parents and relatives.<sup>144</sup> The 1874 Registration Act made it a legal requirement for parents to give information concerning the birth to the registrar and sign the register in his presence within 42 days of the birth (section 1).<sup>145</sup> If the birth was unregistered after 42 days, the registrar could then send a written notice to the parents which required them to attend personally at the registrar's office (section 2). Similarly, the 1874 Registration Act placed a legal duty upon the 'nearest relatives of the deceased present at the death, or in attendance during the last illness of the deceased' to provide the registrar with information concerning the death and sign the register in the presence of the registrar within 5 days (section 10).<sup>146</sup> The registrar, however, was still required to 'inform himself carefully' of every birth and death within his sub-district (sections 4 and 14 of the 1874 Registration Act).

The legislative duty placed upon kin meant that it became imperative that a local registrar was accessible to them.<sup>147</sup> Accordingly, section 26 of the 1874 Registration Act made it compulsory for registrars not only to 'dwell in or have a known office' within the sub-district but to also appoint a 'station' for the administrative locality.<sup>148</sup> The registrar was required to attend the dwelling-house, office, or station at days and times approved by the Registrar General in order to receive the details of births and deaths from local residents (section 26

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<sup>144</sup> The current legislative framework for civil registration largely mirrors the 1874 Registration Act – a point I will return to in Chapter Four where I provide a spatio-legal reading of the Births and Deaths Registration Act 1953 (see also McCandless 2017).

<sup>145</sup> The 1874 Registration Act placed the primary duty upon the parents but, if they defaulted, the occupiers of the house where the child was born were also subject to the obligation.

<sup>146</sup> A hierarchical list was enacted such that if the 'nearest relatives' did not register the death, the duty then fell upon (a) every other relative dwelling or being in same sub-district as deceased (b) each person present at the death and occupier of the house where the death took place (c) each inmate of the house and person causing the body to be buried.

<sup>147</sup> As William Farr explained, 'this *compulsory* system, under penalties imposes new duties on the public, and accordingly the Statute makes it imperative that the registrar shall be at home at certain fixed hours on particular days in each successive week, and thus be accessible to informants, who, on repairing to his office at these times, which are announced and published, will be certain not to have made a useless journey, and will be enabled at once to make the entry' (Farr 1885, p.527).

<sup>148</sup> Alternatively, the parents or relatives had the option of paying a shilling for the registrar to travel to their house to register the birth or death (sections 4 and 14 of the 1874 Registration Act).

of the 1874 Registration Act). As the Registrar General explained, ‘Instead of being under a legal obligation upon receiving “Notice” of a birth or death to repair to the house of the informant, Registrars will make the entries for the most part at their dwelling houses or offices, or at appointed stations’ (Graham, 1874, quoted in Glen and Glen, 1875, p.182). Alongside the existing duty to identify his dwelling-house or office as the place for registration, the 1874 Registration Act also introduced a requirement for a list of registrars and residences to be circulated amongst workhouses and police stations (section 26 of the 1874 Registration Act). The transition of responsibility from registrar to kin resulted in a spatial transition as the journeying of the registrar was fixed to particular days, times, spaces, and places within the locality.<sup>149</sup>

Yet, in fixing the movement of registrars, the Registrar General was keen to emphasise that registration should still be performed with a focus on local nuance. Addressing his registrars in a circular dated 1<sup>st</sup> September 1874, George Graham commented that it was not his intention to require Registrars ‘to conform to any uniform rule’ as they proposed stated hours for their attendance at their dwelling-places or offices. The Registrar General instead made it clear that registrars should make arrangements with ‘due regard to local circumstances and the convenience of the majority of the inhabitants of their respective sub-districts may require’ (Graham, 1874, quoted in Glen and Glen, 1875, p.183). The direction to take into account the peculiarities of the local was also emphasised in the appointment of stations, as the Registrar General stated:

I am aware that, owing to the diversities which exist in the population, area, and local peculiarities of different sub-districts, it is inexpedient to require Registrars to proceed according to any uniform plan of action. Each Registrar, guided by his local knowledge, and having regard not only to the distribution of the inhabitants of his sub-district and the facilities of communication, but also to the conditions under which his duties are to be performed with reference to his professional or other employments, should make the best arrangements to enable persons who live at a distance from his dwelling-house or office

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<sup>149</sup> This spatial transition from the registrar journeying the sub-district in search of births and deaths to register to a fixed building where citizens would instead travel to runs in parallel to developments within the coroner’s office. See also the fixing of movement as courthouses were constructed for the specific purpose of hearing cases rather than magistrates journeying the city (Trabsky, 2017; Mulcahy and Rowden, 2019; Mulcahy, 2010).

to meet with him at such times and places as circumstances may permit.

(Graham, 1874, quoted in Glen and Glen, 1875, pp.183-184)

The Registrar General did, however, give an indication of buildings which could be used to document births and deaths. In rural districts, George Graham noted, there was a general practice for registrars who were also employed as relieving officers or public vaccinators to register births and deaths at the workhouses or vaccination stations within their sub-districts (Graham, 1874, as quoted in Glen and Glen, 1875). In central towns, however, it was suggested that the Register Office used by the superintendent registrar to administer the district's records could be used as one of the stations for registration (Graham, 1874, as quoted in Glen and Glen, 1875). As I have outlined above, the shift from parish to civil registration relied upon the introduction of a spatial machinery which mapped onto the boundaries and infrastructure of the Poor Law. The spiritual journeying invoked by Cromwell's injunction was replaced with literal movement in the early Victorian era as registrars were set in motion through their sub-district in search of births and deaths to record. This was until the system was reformed in 1874 when, in order to make the registers more 'accurate' (see further Farr 1885, p.527-528), the legislative duty to register a birth or death was transferred from registrar to kin.<sup>150</sup> Yet, it was not solely the movement of human bodies which was important and, in the following section, I turn my attention to the paper trails which were invoked as I explore the institution which is symbolic of the bureaucratic shift – the General Register Office.

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<sup>150</sup> The decision to transfer the responsibility to kin was motivated by gendered concerns – a theme which I will explore later on in this chapter. As William Farr noted, 'many births escaped being recorded in the civil registers, more particularly illegitimate births in large towns' (1975, p.527). In relation to death registration, the responsibility to register was transferred to kin because of the 'mistakes' which had been made in recording surnames, age, occupation, and cause of death (see also Farr 1885, p.527).

## Measuring the Nation

In 1836, the General Register Office was established at Somerset House, London as the central headquarters for civil registration.<sup>151</sup> The General Register Office was essentially a bureaucratic enterprise, ‘a kind of public of letters’ (Wolfenstein, 2007, p.269), which archived the state’s documentation of the life course. In order to manage this complex web of administration, the General Register Office was divided into three departments: ‘(1) Correspondence; (2) Accounts; and (3) ‘Arrangement and indexing of certified copies of all registers, including the admission of the public to Search’ (Wolfenstein, 2007, p.268). However, the General Register Office soon went beyond the scope of its official duties.<sup>152</sup> Under the influence of William Farr, ‘one of the outstanding vital statisticians of the nineteenth century’ (Glass, 1973, p.130), a new sector was developed at the General Register Office which mined the returns for data and actively monitored the health of the population (see for discussion, Goldman, 1991; Szreter, 1991b; Wolfenstein, 2007).

Across a wide range of fields, the establishment of the General Register Office has been considered a landmark moment. This broad scholarship has cast the General Register Office as playing a vital role in the state’s maintenance of a ‘discursive sphere’ (Higgs, 2011b), the emergence of modern bureaucracy (Wolfenstein, 2007), the development of sanitary improvements (Szreter, 1991b) and the study of demographics (Lilienfeld, 2007). Accordingly, the General Register Office appears to symbolise the shift identified by critical legal scholars of registration from community knowledge and ritual performance to paper-

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<sup>151</sup> The General Register Office was based at Somerset House until 1974 when it moved to St Catherine’s House (London) and then to Southport – where the office has been located since 1997 (Home Office 2012). Alongside these physical moves in location, the function of the General Register Office has been adapted to fit modern purposes: from a singular public office, to being combined with the Office of Population Censuses and Government Social Survey in 1970; and since 2009, it has formed part of the Identity and Passport Service (IPS) in the Home Office. As Julie McCandless notes, the fluctuating structure of the General Register Office may indicate ‘a shift in the perceived purpose and role of civil registration towards identity, as population statistics come to be collected in ever more sophisticated and detailed ways’ (2011, p.189).

<sup>152</sup> The 1836 Registration Act established the General Register Office for the purposes of ‘keeping a Register of all Births, Deaths, and Marriages’ (section 2). The legislation also set out the General Register Office’s duties of indexing, certifying and allowing the registers to be searched (sections 37-39).

based governance and centralised records. Yet, in the following discussion, I explore journalistic accounts of the General Register Office to explore how a method of spatial journeying (Keenan, 2019) was deployed during the Victorian era to engage the wider public in the activities of civil registration. This material, I would argue, contributes another angle to the critical narrative of registration since it further demonstrates both the literary fabric of state documentation (see Chapter Two) and the role of movement to and through administrative place.

### **‘A Visit to the Registrar General’**

In his piece entitled, ‘A Visit to the Registrar-General’, Frederick Knight Hunt provides a narrative account of the General Register Office during the Victorian era.<sup>153</sup> At the outset, Hunt’s enthusiasm for civil registration is apparent. Drawing attention to the state’s record of the course, he writes, ‘the returns to the registrar [are] a kind of barometer of the real state of the nation, valuable alike to the philosopher, the statesman, the physician, the lawyer, and the man of business’ (Hunt 1850, p.236).<sup>154</sup> As a former medical officer of a Poor Law Union, Hunt would have been familiar with the nature of the work undertaken by the General Register Office, given the overlapping administration – as discussed previously (Wolfenstein, 2007).<sup>155</sup> However, he depicts the average Victorian as being simply unaware of its existence:

Tens of thousands of people every year pass along Wellington Street, on their way from the Strand to Waterloo Bridge, and notice the empty space over the wall on the left hand, between the last of the shops and the turnstile of the toll-collector, and when doing so, can scarcely fail to note also the tall brick housebacks which bound the space, and give an unfinished look

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<sup>153</sup> The article was one of the first to be published in Charles Dickens’ *Household Words* – a weekly magazine featuring original short fiction and cutting-edge social journalism. The hybrid journal attracted a wide audience as Dickens sought to appeal to working-class readers with an interest in rising the social ladder as well as affluent middle-class families and people of influence (Drew, 2016).

<sup>154</sup> A statement which reflects the broad interest in establishing civil registration – see previous discussion.

<sup>155</sup> Hunt had a background in medical journalism and established the *Medical Times* in 1839. Soon after, he was threatened with several libel actions for promoting the cause of notable mesmerist, John Elliotson. In 1841, he was forced to sell the paper and moved to Norfolk where he worked as a medical officer in a Poor Law union. The following year, Hunt returned to London where he resumed his medical practice and continued to write for the popular press (Garnett, 2019).

to what seems to be an ugly end of Somerset House. Perhaps not one in ten thousand of that multitude knows what the two last of those common-place brick buildings contain, or the spot would at once be interesting.

(Hunt 1850, p.235)

In this opening paragraph, the vital importance of the work performed by the General Register Office is neatly contrasted with the apparent ignorance of those passers-by.<sup>156</sup> Somerset House is framed as an inconspicuous building, encountered in the daily lives of Londoners, and yet overlooked by the great majority, who are oblivious to the activities performed inside (see also Wolfenstein, 2007). Indeed, Hunt attributes any attention the space does receive to its lack of aesthetic quality. To remedy this perceived lack of awareness, Hunt provides an imaginative sketch of the General Register Office. He claims that if those who passed the building were aware of its significance:

The place would no longer be a mass of dingy brick and mortar, but would grow in interest as the centre to which comes the earliest, and most authentic, and where remains the most lasting record of the three great epochs in the existence of our great family of twenty odd millions of English people – the births, the marriages, and deaths – of the nation. The whole house would swell into the semblance of a huge book, with leaves as endless as the flow of the stream nearby; names in hundreds, thousands, tens of thousands, millions – almost as countless as the ripples of the Thames, and, like them, ever and ever repeated.

(Hunt 1850, p.235)

Adopting an increasingly lyrical tone, Hunt engages the reader's interest with a poetic account of registration space. The General Register Office is repositioned from the 'ugly end of Somerset House' to the 'centre' – an archive which stands testament to three centuries of social history. In this new location, the architectural shape of the General Register Office shifts from an ordinary brick building—where it is nothing more than the sum of its materials—to a 'house'

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<sup>156</sup> The apparent ignorance of everyday Victorians as to the significance of the space is questionable. Although he speaks more generally about the building, the novelist Anthony Trollope writes, 'the London world, visitors as well as residents, are well acquainted also with Somerset House; and it is moreover tolerably well known that Somerset House is a nest of public offices' (1860, p.15, as quoted in Nissel 1987).

which holds the records of a ‘family’.<sup>157</sup> In seeking to make registration more accessible to the public then, Hunt invokes the paradoxical imagery of ‘home’ – a distinctly private realm.<sup>158</sup> And as the registration space is transformed, so too are the records held inside. These are documents which do not simply identify the individual but which measure the life course of a nation, conjuring an image of Englishness which is implicitly bound with the Anglican Church.<sup>159</sup> In its final stage of ‘metamorphosis’ (Dayan, 2011), the General Register Office becomes a physical embodiment of the very space it represents – evolving into a ‘huge book’ with pages that unfold and circulate the capital.<sup>160</sup>

Drawing on these records, Hunt imagines the stories behind those lives which are documented. The narrative begins with the hypothetical ‘Smith, or Jones’, (p.235) who hurries across Waterloo Bridge to see his newly-wedded wife – unaware that ‘a whole housefull of clerks’ (1850, p.235) are passing the entry from room-to-room. Elsewhere, ‘Thompson, or Jackson’, (p.235) takes the bus from Waterloo to Camberwell, where he attends the christening of his first-born – an event which will shortly be inscribed on ‘the grand muster-roll of the British nation’ (p.235). Finally, a ‘heart-broken widow’ (p.235), hands over the last of her money to cross the River Thames and reflects on the registration of her partner’s death. As she does so, a ‘zealous physician’ (p.235) searches for facts about mortality in the ‘black volumes that line the cellar floor of Somerset House’ (p.235) and lists her husband as one of the thousands of victims to die of a ‘fleshless spectre’ (p.235). Mapping these trajectories onto the river, Hunt

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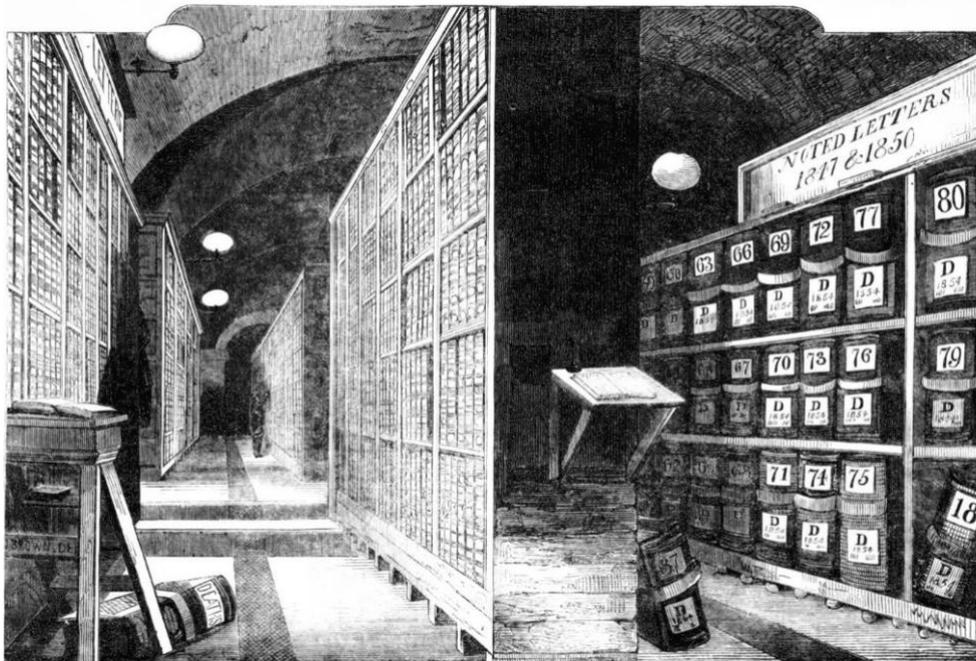
<sup>157</sup> The General Register Office’s metamorphosis runs in parallel to that of the Beaney which re-opened in 2012 as the Beaney House of Art and Knowledge and invoked the language of domestic space to give the galleries a ‘homely feel’ – see Chapter One for further.

<sup>158</sup> In this sense, Hunt’s rhetoric reflects the ethos of Dickens’ *Household Words* – a title inspired by the Shakespearean quote ‘familiar in their mouths as household words’. As the editors explained in the first issue, ‘we aspire to live in the Household affections, and to be numbered among the Household thoughts, of our readers’ (‘A Preliminary Word’, 1850, p.1).

<sup>159</sup> Whilst Hunt refers to the records of ‘the nation’, registration was an exclusionary practice which was dominated by the Established Church for many centuries. Also, whilst many nonconformist bodies sent their records to be indexed by the General Register Office, Roman Catholic and Jewish communities declined to do so (see Whitaker 1866).

<sup>160</sup> See Chapter Six where I provide a brief discussion of how concepts themselves are engaged in a process of ‘metamorphosis’ or ‘oscillation’ (Cooper, 2014).

weaves together a narrative of registration which is deeply intertwined with local space.



ANGLE IN THE RECORD DEPARTMENT.

**Image 2. The General Register Office's record department**

(Source: Illustrated Times 1861, 'Taking the Census on the Regent's Canal', 20 April 1861)

In Chapter Two, I discussed how the parish registers actively 'opened up' a space for the local community. At the end of the sixteenth century, Elizabeth I made an additional stipulation to the original injunction, which stated that an annual transcript of the parish registers was sent to the diocesan registry – a linear transmission of paper from sacred space to archive that appeared an early form of 'centralisation' (see also Pottage, 1995). However, as I noted then, the centralising motion of paper had a localising effect, since it released the documents from a 'bureaucratic straitjacket' (Hobbs 2008) and allowed the local community to take ownership of the parish register. The linear transmission of paper did not systemise the records into bureaucratic order, then, but rather, the parchment became infused with a deeper sense of locality and community, as parish clerks seized the opportunity to record the matter of everyday life.

Yet, as Hunt begins his narrative account of a journey to and through the General Register Office, the shift from parish to civil registration becomes apparent. The 1836 Registration Act established a spatial machinery which directed superintendent registrars to send quarterly returns to the office of the Registrar General – a linear transmission of paper from administrative place to central archive (see previous discussion).<sup>161</sup> In contrast to parish registration, however, these paper trails were symbolic of a shift from community knowledge and ritual performance to paper-based governance performed by the central state. In Hunt’s narrative depiction of the General Register Office, the centralising effect of the paper trail was to ‘reduce’ (Pottage, 1994) or ‘flatten out’ (McCandless, 2017) the richness of autobiography into a homogenised unit – the British nation – achieved through the rhetoric of family, domestic space, and the inherent spirituality of the river as a source of life.<sup>162</sup> It was the imposition of a bureaucratic logic in which the individual was abstracted into a unit of study (see previous discussion).

### **‘That Great Counting-House’<sup>163</sup>**

Inside the General Register Office, Hunt leads his readers from the entrance of the building to the office of the Registrar General:

Threading a stone passage, and ascending a stone stair, we are ushered into a room where, surrounded with maps and books, sits the commander-in-chief of the operations we wish to inspect – Major Graham, the Registrar-General. Seated at his desk, with his blue-books and acts of parliament, and the forms and returns we shall presently know more about, he maybe regarded as the centre of a grand piece of official mechanism, which has ramifications all over the country so complete, as to embrace not only large towns and open country, but the most, secluded villages, and the most, obscure city courts.

(Hunt 1850, p.236)

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<sup>161</sup> See also Mulcahy and Rowden (2019) for reflection on the courtroom as ‘machine’ which explores technocratic discourse.

<sup>162</sup> In Chapter Six, I will reflect further on the themes of family, domesticity, and the inherent ‘spirituality’ of water as I draw upon the concept of pilgrimage to explore the journeying of registration.

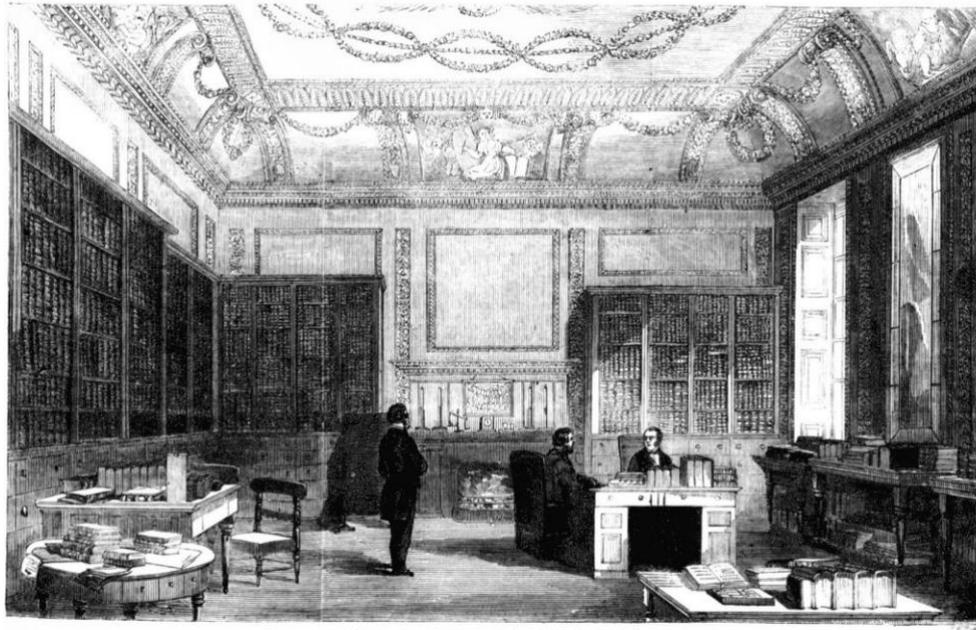
<sup>163</sup> ‘The most humble and the most lofty are chronicled alike the parchment indexes of that great counting-house, – the unwelcome offspring of the pauper, and the cambric-clad heir of the peer’ (Hunt 1850, p.235).

In this brief sketch of the Registrar General's office, the General Register Office is positioned as the 'centre' of a spatial machinery which joins together administrative places. But whilst Hunt provides an overview of these mechanics, he offers only a brief sketch of the registration space. There was, however, a clear desire to engage the Victorian public in the activities of the General Register Office.<sup>164</sup> In a similar report of a visit to the Registrar-General, the author notes that Major Graham was, 'anxious to afford any useful information in connection with [the General Register Office] to the public' (Illustrated Times, 1861, 13 April 1861, p.239). In the previous chapter, I discussed how the parish registers formed a literary fabric which weaved together a narrative of everyday life. As Hunt's piece demonstrates, following the establishment of the General Register Office, the popular press acted upon the Registrar General's concern by encouraging readers to step inside the registration space with rich descriptions of the building.<sup>165</sup>

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<sup>164</sup> It appears that Hunt's concern to make registration more accessible to the public was shared by his contemporaries. In a paper critiquing the Registrar-General's annual report, William Sargant states: 'the form of registration is such that it is impossible for anyone outside of Somerset House to get at the results.' He recalls an incident in which a lawyer, accountant and editor were 'baffled' as they sought to ascertain the mortality rate for a local borough and asks: 'If the registers are sealed books to such men, what must they be to people generally?' (Sargant 1864, p.188).

<sup>165</sup> See Chapter Five for a similar approach to the Beaney's registration space – as I draw upon narrative and movement to explore the mezzanine floor of the library where births and deaths are registered.



**Image 3. The Registrar General at Somerset House**

Source: Illustrated Times, 1861, ‘The Census: The Office of the Registrar-General, Somerset House’, 13 April 1861

These accounts reveal unlikely parallels between Somerset House and the Beaney. The eighteenth-century London building was originally designed to accommodate royal societies, including the Royal Academy of Arts (RA), Royal Society, and the Society of Antiquaries (Nissel, 1987).<sup>166</sup> Although the RA moved premises in 1837, with its rooms being allocated to the General Register Office, the registration space was permeated with this rich history. The entrance reminded visitors of occasions when the RA showcased its work (Illustrated Times, 1861, ‘The Census: The Office of the Registrar-General, Somerset House’, 13 April 1861);<sup>167</sup> an old exhibition print hung above the mantelpiece of the Registrar General’s office (Illustrated Times, 1861, ‘The Census: The Office of the Registrar-General, Somerset House’, 13 April 1861); and the coffered ceiling of an adjacent room was once the site of Reynolds’s ‘Theory’. This painting

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<sup>166</sup> Following the inauguration of civil registration in 1837, the RA moved premises and the rooms were allocated to the General Register Office (Nissel, 1987).

<sup>167</sup> ‘Many will remember this doorway in the times when the Royal Academy of Arts held its exhibitions here, and when the Royal Society of Antiquaries was wont to assemble in this portion of the building’ (The Census 1861, p.239).

featured a woman with a scroll inscribed with the words, ‘Theory is the knowledge of what is truly nature’ – a motto which was regarded as ‘not altogether inapplicable to the uses to which the rooms are now used’ (*Illustrated Times*, 1890, ‘The General Register Office: Somerset House’, p.214). Whilst the modern experience of registering life events in the Beaney—a museum, gallery, and library—appears unusual, the state’s tessellating use of artistic and civic spaces can, however, be traced back to the inauguration of civil registration.<sup>168</sup>

The apartment adjacent to the Registrar-General’s office held the statistical branch of the General Register Office. As described in the *Illustrated Times*, the registration space was once occupied by the Royal Antiquarian Society, whose monogram upon the ceiling left a physical imprint of their former presence:

Adjoining this is another apartment, which is also well ornamented, and in compartments of the ceiling of which are monograms of the Royal Antiquarian Society... Often have those walls resounded with the strife of words uttered by learned and angry antiquaries on cunning inscriptions and other old-world matters; what talk here has been about ancient rolls and manuscripts, armour, implements, ancient graves, pottery, rings, coins, and other “nick-nacks”. These have, however, given place to discourses on matters connected with the present health and numbers of the people; and where so many ancient curiosities have been exhibited is now to be seen the marvellous calculating-machine, the invention of a couple of Swiss mathematicians.

(*Illustrated Times* 1861, ‘The Census: The Office of the Registrar-General, Somerset House’, 13 April 1861, p.240)

In this passage, there is a layering of discourses in space. The echoes of historians inspecting worldly artefacts is neatly contrasted with those of statisticians who are concerned with measuring the present health of the nation (see previous discussion). Similarly, the material objects of the room are also in contrast. The ‘ancient curiosities’ are replaced with modern technology such as the ‘marvellous Swiss calculating machine’ – an object which exemplified the ‘machinery’ of registration. But was it such a neat contrast between the previous use of the room as a space for studying ‘things’ and the General Register Office’s activities of measuring the nation?

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<sup>168</sup> See Chapter One for a contextual overview of civic space in the Victorian era which briefly outlined the origins of publicly funded museums and libraries.

The Swiss calculating machine exemplified the work performed by the General Register Office and its ‘intellectual project’ (see further Goldman, 1991). The object arrived at Somerset House in 1857 and was briefly exhibited in one of the apartments belonging to the Royal Society (F.J. Williams 1866). However, William Farr wanted to demonstrate that the calculating machine was not ‘a mere philosophical curiosity’ but an instrument of ‘practical utility’ (F.J. Williams 1866, p.7-8) and recommended the government to order a new and superior machine for the purpose of calculating the lifetables. The machine was constructed and resulted in the production of a ‘valuable and elaborate volume of life-tables for single and joint lives, based on the observations of births and deaths registered in seventeen years’ (F.J. Williams 1866, p.8).

The first adaptation of this machine to the computation of life-tables was made by Dr Farr in the construction of a life-table of the healthy districts of England.<sup>169</sup> As previously discussed, the registration districts were integral to the ‘spatial machinery’ of civil registration and mapped onto the boundaries of the Poor Law union. The General Register Office used these administrative districts tactfully by sparking an atmosphere of competition and rivalry between local authorities thereby creating a national forum of informed public opinion on the prevalence of disease in Victorian society (Szreter, 1991b, p.438). The ‘healthy district’ was an ‘ingenious rhetorical invention’ (1991b: 439), which provided an incentive to drive up public health standards for the ‘competitive and practical-minded Victorians’ (Szreter, 1991b, p.439).<sup>170</sup>

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<sup>169</sup> In 1841, the General Register Office acquired responsibility for taking the census. According to Szreter, the combination of control over both the census and registration enabled the General Register Office to construct its series of life-tables – it ‘provided rigorously constructed sources of evidence as to the state of the nation’s health and therefore placed the Office in a position of unassailable authority in the field’ (Szreter, 1991a).

<sup>170</sup> See also Hunt (1850), ‘The Registrar-General on ‘Life’ in London’, for a journalistic piece which provided a narrative comparison of the morality rates of registration districts and mapped them onto the passage of the River Thames.

## Searching the Registers

The General Register Office's search room was a space in which the public were invited to journey and inspect the registers.<sup>171</sup> As Hunt described it in his narrative account of the General Register Office:

Any one of our readers who may feel inclined to see the place itself, and to test the completeness of the records we have attempted to describe, should visit the public room of the establishment. It is called the Search Room; and there, for a small fee, the curious may gain, in a few minutes, a certificate of any marriage, birth, or death that has occurred since the establishment of this public office; and he will get a glimpse into the bargain of the iron safes, with their tall narrow doors, where the parchment Indexes are kept, and may witness for himself the rapidity with which the practised clerks search out a name. The certified registers are too bulky to be held in any one apartment. In all the odorous dignity of bindings in Russia leather, they line shelf after shelf in the basement story – a portly and important library – in their way a truly wonderful national record and national work – the great muster-roll, in truth, of the people of Old England.

(Hunt 1850, p.240)

In a similar account of a visit to the General Register Office, the connection between state documentation and narrative is made explicit. The author establishes a linear chronology for registration before pausing to make a passing comment on the impact of the legislation:

The only person really seriously injured by the passing of the Registration Act was the novel-writer whose plots turn upon missing heirs, doubtful marriages, and concealed deaths. Happily, the novelist, even now, rises superior to the prosaic intentions of an Act of Parliament, and, as has been more than once pointed out by the critic in these columns, men and women are sent careering over the country, spending their last five pounds, and delaying the *dénouements* of the plot because they had not sense to consult the well-kept indexes of the Registrar-General, and, by the payment of three shillings and sevenpence, to obtain the certificate by which the villain's plot would be baffled. Writers of fiction who deal with modern life and disputed inheritances should bear in mind the date of the passing of the Registration Act of 1836.

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<sup>171</sup> See also Alain Pottage (1995) for a discussion of personal searches in relation to conveyancing records and title registration.

(Illustrated Times, 1890, 'The General Register Office, Somerset House',  
15 February 1890, p.214)

In this brief interlude, civil registration is described as a landmark moment for an unlikely group of professionals – the novelists.<sup>172</sup> But whilst Hunt engaged with the literary fabric of state documentation to produce a journalistic narrative of the journey to and through the General Register Office, civil registration is portrayed here as providing a measure of certainty in which narrative is 'flattened' out (see also McCandless 2017). The author, in doing so, draws a sharp contrast between the undulating plotlines of fictional work and the mundane reality invoked by a visit to the General Register Office's 'well-kept indexes' (Illustrated Times, 1890, 'The General Register Office, Somerset House', 15 February 1890, p.214).

The journeying of citizens to and through the General Register Office was bound in the spatio-legal politics of Victorian society. In drawing the description of the search room to a close, the authors give an indication of the reasons for visiting the search room. The majority of applicants were described as 'either the wives and widows of seamen who require the documents necessary to prove their claims to their husbands' wages or pensions' (Illustrated Times, 1890, 'The General Register Office, Somerset House', 15 February 1890, p.214). However, the account also notes that occasionally 'a young woman who has found herself deserted, will apply for 'her marriages lines' and 'from time to time disappointed litigants of the type of 'Miss Flight' who are possessed with the belief that something is being kept back from them with is the corner-stone of their claim' (Illustrated Times, 1890, 'The General Register Office, Somerset House', 15 February 1890, p.214).

These gendered narratives were animated with sketches from inside the search room.<sup>173</sup> The text is scattered with twelve sketches of the General Register Office

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<sup>172</sup> See Chapter Two where I discussed the journeying invoked by registration as officials were set in motion to search the parish registers in disputes over legal settlement.

<sup>173</sup> See Barlow (2016) for a discussion of gender and courtroom sketches.

which reveal a significant contrast between men and women in their material engagement with the registers:

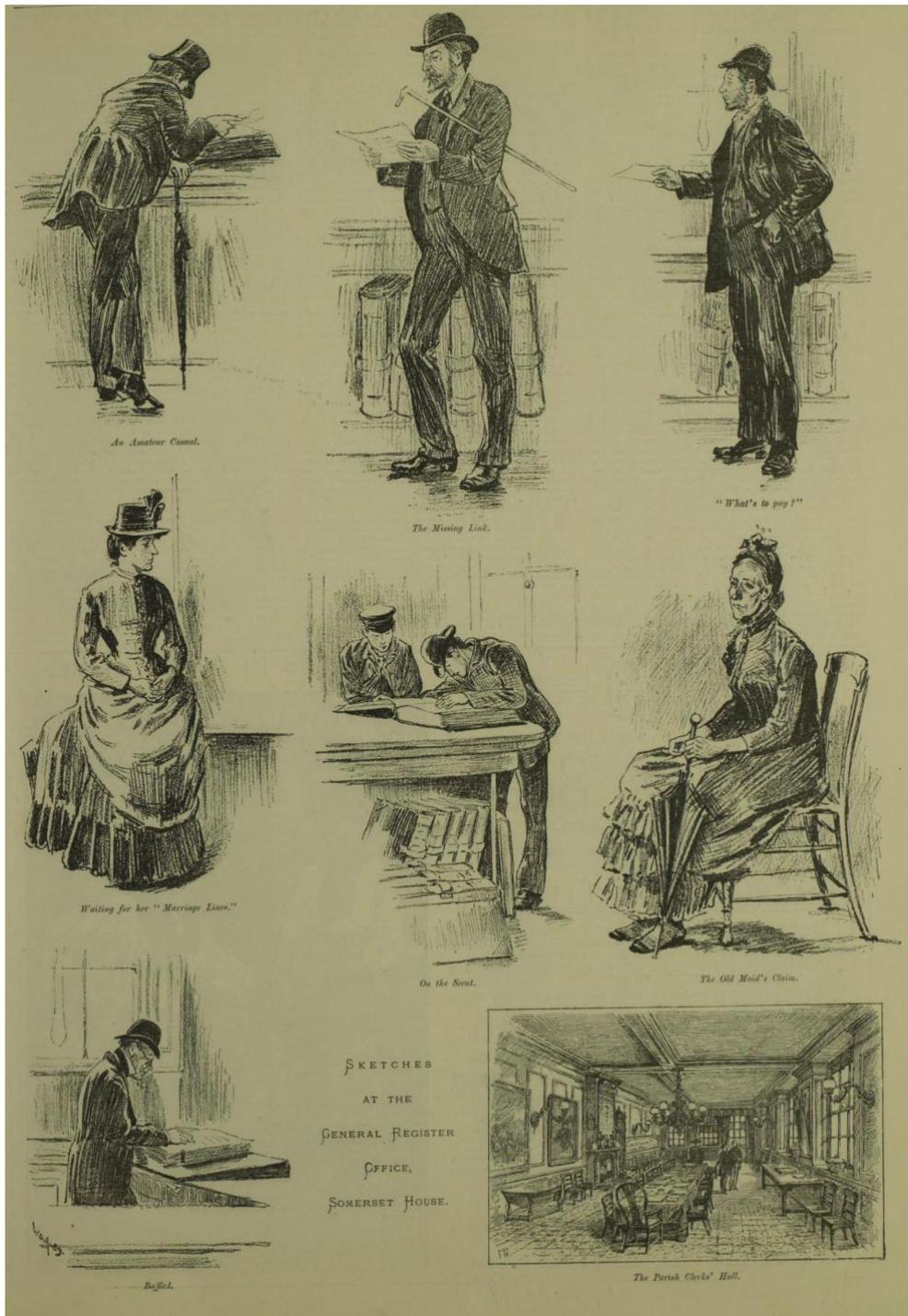


Image 4. Sketching the General Register Office's Public Search Room

Source: Illustrated Times, 1890, 'The General Register Office, Somerset House', 15 February 1890, p.214

As we see in the above extract, there is a significant contrast between how men and women were portrayed in the General Register Office's search room.<sup>174</sup> In each sketch, men are depicted as having a material and intellectual engagement with the registers. The men are either standing or perched over the registers, with the heavy volumes noticeably in the foreground, and shown to be actively engaging with the registers. The men's hands are placed upon the pages, examining them with close attention, and reading the material. The captions reinforce this material engagement with the registers: 'From the Inquiry Office', 'An Amateur Casual', 'The Missing Link' 'On the Scent' – the men are seen to peruse the registers for intellectual engagement rather than material necessity.

Women, however, are sketched sitting on chairs and perched on benches. This is a depiction of body language which 'fixes' their movement and signifies a passive engagement with registration space.<sup>175</sup> The women are waiting, with sad expressions, and the registers disappeared from sight.<sup>176</sup> The captions, once again, reinforce this portrayal: 'The Widow's Pension', 'The Girl He Left Behind Him', 'Waiting for her 'Marriage Lines', 'The Old Maid's Claim'. The women are pictured waiting, having no direct engagement with the registers, and certainly no intellectual interest in them. The sketches reinforce the 'placing' of women in the domestic sphere – even when in the public space of the General Register Office's search room.

## **Conclusion**

This chapter has continued to trace the historical lines of registration space from the documentation of the Christian soul to the registration of the medico-legal body. It began by outlining three central themes in the passage of civil registration – property and kinship, religious diversity, and statistical governance. The chapter then turned to the spatial mechanics of civil registration, and

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<sup>174</sup> In Chapter Six, I will return to this critical account of movement as I briefly explore gender in relation to pilgrimage.

<sup>175</sup> See also Henry (2016) for a discussion of 'women searchers of the dead' during the eighteenth and nineteenth centuries and the transition from parish registration to civil registration which replaced women searchers with medical men.

<sup>176</sup> See Chapter Five for a discussion of waiting in registration space.

highlighted the vital role of movement and administrative place as registrars and citizens were set in motion to secure a centralised system of record-keeping. The chapter ended with a discussion of the bureaucratic space at the centre of this new system, the General Register Office, which was symbolic of the centralising force of civil registration. Accordingly, this chapter has outlined the shift from parish to civil registration with a focus on the thesis' central theme of movement and place.

The broader point of Chapter Three is that the spatial machinery of civil registration replaced the community practice of registration and its ritual performance within sacred space with a bureaucratic system of centralised records. This conceptual shift maps onto a parallel argument, made by critical legal scholars, that the development of title registration flattened out the multiplicity of relationships between people, place, and land by reducing them to lines drawn upon paper. The central argument of this thesis, however, is that shifting attention away from the surface of the certificate and towards its space of production reveals spatio-legal matter that otherwise goes unnoticed. In the following two chapters which compose Part II of the thesis, then, I trace historical (dis)continuities through the current legislative framework for civil registration with a focus on movement, place, and the everyday civic space of community. This spatio-legal reading sets the tone for Part III of the thesis, *People and Places*, which introduces the concepts of pilgrimage and the sacred/secular to rupture the historical lines traced here and illustrate the continuing relevance of ritual, community, and narrative.

### **Orientation Point: Welcoming Ceremony**

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The Beane Institute for Working Men, as it was originally known, opened its doors to the public on Monday 11 September 1899. The excitement of residents was evident on the 'long looked-for day', as the Whitstable Times and Herne Bay Herald (1899) reported, 'an enormous concourse of people assembling in the Institute long before the hour appointed'. Making the short journey from the Guildhall to the Beane, the Mayor 'marched in procession' along the High Street, together with a few members of the city's Corporation. Arriving at precisely three p.m., Alderman Mason (Chairman of the Beane Bequest Committee) asked the Mayor to declare the museum open.

Such was the excitement of the local people, the Beane Institute had to be declared open twice. Upstairs in the Royal Museum, the Chairman explained that 'as so very few heard what the Mayor said downstairs owing to the great numbers present he would once again ask his Worship to declare the building open' (Whitstable Times and Herne Bay Herald, 1899) and the Mayor dutifully obliged. With the building officially opened, Archdeacon Smith offered a prayer and the speeches began. Describing the Institute as a 'monument to his memory for all time', the Deputy Mayor speculated that Dr Beane would have been satisfied with all that his 'magnificent bequest' had achieved. Adding his voice to the celebrations, Mr J. Henniker Heaton MP said 'he was sure that the life of Dr Beane would be an example to stimulate the young men of Canterbury to follow in his footsteps and go out and seek their fortune' (Whitstable Times and Herne Bay Herald, 1899).

## Part II. Mezzanine

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## Chapter Four. Bureaucratic Journeying

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It seems that what modern thought has done to place—fixing it to spatial locations—it has also done to people, wrapping their lives into temporal moments.

(Ingold, 2007, p.3)

### Introduction

In the previous chapter, I discussed how the early Victorian era saw the development of a spatial machinery for civil registration which mapped its administration onto the infrastructure of the Poor Law. This historical ‘sense of place’ (Massey, 1994) continues to permeate the legislative framework for civil registration, as I will outline in this chapter, with births and deaths being documented in local administrative districts before copies are sent to be archived at the General Register Office. My argument, then, is that the registration process is marked by a sense of ‘bureaucratic journeying’ whereby bodies are set in motion to receive the state’s documentation of the life course. This argument sets the tone for Part III of the thesis, Chapters Six and Seven, where I argue that attention to the place-making activities of registration draws out affective and sensory dimensions which might otherwise go unnoticed.

This chapter, then, provides a spatio-legal reading of the current legislative framework for the registration of births and deaths.<sup>177</sup> I draw from Andreas Philippopoulos-Mihalopoulos’ (2015) understanding of law and space which details how law and space are continuously ‘folded’ into one another (as expressed by the term ‘lawscape’).<sup>178</sup> The lawscape is a particularly useful approach for registration which has a history of being conceptualised in terms of its written or textual quality. As I discussed in *The Study*, the shift from parish to civil registration maps onto a parallel argument, made by critical legal scholars,

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<sup>177</sup> I am referring here to the Births and Deaths Registration Act 1953. The registration process in England and Wales was, however, severely impacted by COVID-19 since, as I will discuss further in this chapter, births and deaths must be registered in-person. The registration of deaths and still-births was amended by emergency legislation (sch 13 of the Coronavirus Act 2020) to allow for the process to be conducted via telephone whilst birth registration appointments were suspended for a period of three to four months (see for discussion Smith, 2020a). I will return to the impact of COVID-19 on registration space in Chapter Eight.

<sup>178</sup> See Nicole Graham (2011) for an alternative use of the term ‘lawscape’ which develops the neologism to consider the relationship between property rights, environmental law, and land usage.

that registration is a blunt tool of governance (see for example, Pottage, 1994). Yet, as I will return to in *People and Places*, the lines of registration are also points of connection which can be traced back from the text of the certificate to its ‘space of production’ (Lefebvre 1991).<sup>179</sup> In the following two chapters which compose Part II of the thesis, then, I follow this journey to and through the mezzanine floor of the Beaney’s library, as I explore the ‘bureaucratic journeying’ of state documentation.

The chapter begins with the locality requirement. In this section, I discuss how the provision to register births and deaths in local administrative districts imbues the legislation with a sense of place. The chapter then turns to the legislative requirement that the registration process must be conducted in-person which, I argue, sets bodies in motion to receive state documentation. My argument illustrates the movement of both human and non-human material as I explore the intertwining pathways of legal footprints and paper trails. The chapter ends with a discussion of state documentation as an act of ‘placing’ which does not simply ‘fix’ a legal identity to the body but ‘fixes’ the individual to legal (or administrative) place. This chapter develops the thesis’ central theme of movement and place, then, as I argue that multiple lines of movement unfold from the state’s documentation of the life course – lines which both set the body in motion and, yet, fix the ‘journeying’ of legal identity.

### **Locality Requirement**

The basic premise for a spatio-legal reading of the legislation is the locality requirement. As section 1(1) of the Births and Deaths Registration Act 1953 states:

the birth of every child born in England and Wales shall be registered by the registrar of births and deaths for the sub–district in which the child was born by entering in a register kept for that sub-district such particulars concerning the birth as may be prescribed

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<sup>179</sup> See Smith (2020b) for a further discussion of ‘tracing lines’ to and through administrative place.

As we see above, the locality requirement has two components.<sup>180</sup> The system of civil registration requires individual registers to be kept for each administrative locality and for these records to be managed by bureaucratic officers with responsibility for the area.<sup>181</sup> As such, both the *process* of registration and the *record* which is produced must be managed in sub-districts. The locality requirement is also contained in Part II of the Births and Deaths Registration Act 1953 which sets out the legislative provisions for the registration of deaths. According to section 15 of the Births and Deaths Registration Act 1953,

the death of every person dying in England or Wales and the cause thereof shall be registered by the registrar of births and deaths for the subdistrict in which the death occurred by entering in a register kept for that sub-district such particulars concerning the death as may be prescribed

This wording largely mirrors that of section 1(1) which, as discussed above, requires births to be registered in the relevant sub-district. However, there are further provisions which apply solely to the registration of deaths.<sup>182</sup> Section 15 of the Births and Deaths Registration Act 1953 continues by noting, ‘where a dead body is found and no information as to the place of death is available, the death will be registered where the body has been found’. In other words, deaths must be recorded in the administrative district where either the person has died, or, where the body has been found.<sup>183</sup> The broader significance of this being that legal identity is mapped onto the *location* of the body at the time of birth or death – a bureaucratic enmeshment of people and place which foregrounds the

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<sup>180</sup> As the historian, Edward Higgs (2018) notes, it is important to recognise there is a distinction to be made between the certificates of registration and the data system which operates in the background.

<sup>181</sup> As I discussed in Chapter Two, this system of administration dates back to the Reformation era when the ‘paper parish’ (Gordon 2018) was established by Cromwell’s injunction.

<sup>182</sup> Section 1(1) of the Births and Deaths Registration Act 1953 also states that ‘different registers shall be kept and different particulars may be prescribed for live-births and still-births respectively’.

<sup>183</sup> This is also the case for still-born children. As section 1(1) of the Births and Deaths Registration Act 1953 states, ‘where a still-born child is found exposed and no information as to the place of birth is available, the birth shall be registered by the registrar of births and deaths for the sub-district in which the child is found’.

meaning scripted into the *where* of the process.<sup>184</sup> Accordingly, shifting attention away from the information recorded on the document and towards the space in which it is produced reveals the inherent spatiality of the state's documentation of the life course.

The locality requirement has further significance for the notification of deaths. The legislative framework sets out separate conditions for informing the registrar dependent upon whether the death has occurred in a 'house' (section 16 of the Births and Deaths Registration Act 1953) or 'elsewhere' (section 17 of the Births and Deaths Registration Act 1953).<sup>185</sup> These lists are largely identical to one another, with the primary duty to notify the registrar falling upon the relatives of the deceased, and then to those present at the death.<sup>186</sup> But where the death occurs in the house, the duty then falls to any other relative who resides or is otherwise present in the sub-district where the death occurred which, again, emphasises the significance of locality in the process of documenting the life course (section 16(b) of the Births and Deaths Registration Act 1953).<sup>187</sup> The concept of 'place'—in its simplest sense as meaning a definable location or

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<sup>184</sup> The significance of 'place' that is drawn out here reflects the discussion of locality and community in the history of title registration. In the medieval ages, title to land was marked by the performance of public ritual designed to evoke the local collective memory and, as such, 'the scales of measurement were themselves the product of a local sense of space and time' (1994, p.366). Adding to this, Sarah Keenan notes, that the emphasis prior to title registration was on 'local, as opposed to universal, understandings of time and space to the content of title' and, as such, 'relative title depended on and was defined by local understandings of and relationships with land' (2017, p.90).

<sup>185</sup> In this legislative context, 'house' includes a public institution and an 'occupier' subsequently means 'governor, keeper, master, matron, superintendent, or other chief resident officer' (section 41 of the Births and Deaths Registration Act 1953).

<sup>186</sup> The main distinction being that an 'occupier' or 'inmate' is considered to be qualified where the death occurs in a 'house' (section 16 of the Births and Deaths Registration Act 1953) whilst if the death occurs 'elsewhere' then this is replaced by any person who finds, takes charge, or disposes of the body (section 17 of the Births and Deaths Registration Act 1953).

<sup>187</sup> See Chapter Three for further discussion on the history of registering kin. As I noted then, in 1874 the responsibility to register a death was transferred to kin because of the mistakes which had been made in recording surnames, age, occupation, and cause of death (Farr 1885, p.527).

address (Agnew, 2011, p.318)—is invoked by the law to create distinct lists of those considered sufficiently ‘qualified’ to provide information.<sup>188</sup>

The concept of ‘locality’ is embedded within the administration of civil registration.<sup>189</sup> The legislative framework, as detailed above, establishes an intricate set of mechanisms which draw upon the concept of ‘place’. Regional actors produce local records in sub-districts which are subsequently networked when certified copies are sent for archiving at the General Register Office (to be discussed in further detail below).<sup>190</sup> This ‘web of administration’ (Cooper and Renz, 2016) is premised upon a particular view of space. The ‘bureaucratic logic’ (Trabsky, 2016) which occupies the background of the legislative framework relies upon, produces, and sustains a conceptualisation of social space as ‘immaterial, universal and abstract’ (Philippopoulos-Mihalopoulos, 2010, p.190) which must then be ‘parcelled’ into administrative localities.<sup>191</sup> More particularly, civil registration follows a ‘law of place’ (Layard, 2010), which relies upon a spatial distinction between space and place to divide the abstract social realm into spatial units of administration inscribed with locality. Importantly, administrative place is a form of ‘bureaucratic logic’ which orders the social according to the spatial (Butler, 2012).<sup>192</sup>

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<sup>188</sup> The definition of ‘qualified informant’ provided by the legislation is somewhat cyclical, such that, a qualified informant means any person who is required, or stated to be qualified, to give information (section 41 of the Births and Deaths Registration Act 1953).

<sup>189</sup> See also the statistical bulletins produced by the Office for National Statistics (2020) during the COVID-19 pandemic which reflect the significance of locality in the administration of civil registration.

<sup>190</sup> See Chapter Three.

<sup>191</sup> This spatial analysis is more readily apparent in title registration – which maps onto the physical space of land. In describing the conceptual shift to ‘property’ brought about by the Torrens system of title registration, Sarah Keenan notes, that ‘Each parcel of land was listed in the registry, given a unique number, a description, preferably though not necessarily a map, and a record of any mortgages or other interests affecting the title’ (Keenan, 2019).

<sup>192</sup> To put it more simply, then, the ‘bureaucratic logic’ of registration which categorises the relationships it records, coincides with a conceptualisation of space which likewise believes that space can be bounded into concrete realms.

The state's documentation of the life course foregrounds a sense of place by recording births and deaths in administrative localities and keeping a record of the location of the body at the time of birth or death.<sup>193</sup> Although civil registration is typically framed in the language of universalism (Hunter and Brill, 2016; Hunter and Sugiyama, 2018; Szreter, 2007), a spatio-legal reading of the legislation reveals the significance of 'place' to the functioning of the system.<sup>194</sup> As such, registration follows the laws of geography, in which 'the *where* of law [is] inextricably implicated in *how* law happens' (Braverman et al., 2014, p.1). Yet, legal place is not static – it is made and unmade in the movement of bodies across space and time (Barr, 2016).

### **Legal Footprints and Paper Trails**

If the law of registration is embedded with a sense of place, then, as a 'place-making' activity (Barr, 2016, p.3), what might be the role of movement? The answer lies in the conjunction between the locality requirement and the in-person provision – a spatio-temporal mechanism which compels personal attendance at local registration offices.<sup>195</sup> As discussed above, the legislative framework for civil registration places a duty upon 'qualified informants' to provide 'prescribed details' relating to a birth or death.<sup>196</sup> In addition, the legislation states that this obligation must be discharged within 42 days of birth or 5 days of death. As it relates to the registration of deaths, the statutory limit is simply contained within the lists of those considered to be a qualified

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<sup>193</sup> It should be noted that the legislative framework contains an exception to the requirement to attend an in-person meeting at a registration office in the relevant sub-district. This is the procedure known as 'registration by declaration' (section 9(1) of the Births and Deaths Registration Act 1953). However, the 'qualified informant' must still attend a meeting with a registrar to provide the requisite information and sign a declaration as to the particulars to be registered. These details are subsequently passed onto the relevant sub-district for certification.

<sup>194</sup> Although, in these literatures from global policy and development studies, 'universality' applies to the desire for registration to be performed as a human right for all individuals, rather than a necessarily 'spatial' meaning of the term.

<sup>195</sup> See Grabham (2010) for the persistence of 'temporal mechanisms' within the bureaucratic governance of gender identity and time-limits more generally (Grabham, 2016b).

<sup>196</sup> The details which must be recorded are those contained in the 'prescribed forms' listed under Schedule 2 of the Births and Deaths Regulations 1987.

informant (sections 16 and 17 of the Births and Deaths Registration Act 1953).<sup>197</sup> In contrast, Part I of the legislation explicitly sets out the time limit in a provision labelled, ‘Information concerning birth to be given to registrar within forty–two days’ (Section 2(1) of the Births and Deaths Registration Act 1953). This provision announces the time limit as follows:

In the case of every birth it shall be the duty (a) of the father and mother of the child; and (b) in the case of the death or inability of the father and mother, of each other qualified informant to give to the registrar, before the expiration of a period of forty–two days from the date of the birth, information of the particulars required to be registered concerning the birth, and in the presence of the registrar to sign the register

As we see above, the legislative framework for birth registration places an obligation upon the parents to provide information within a statutory time limit. But whilst the significance of temporality is immediately apparent from the wording of section 2(1) of the Births and Deaths Registration Act 1953, a spatio-legal reading draws out the continuing relevance of administrative place.<sup>198</sup> Importantly, the legislative duty to provide information is accompanied by an obligation to sign the register of births (or deaths) held by the administrative sub-district.<sup>199</sup> As I will discuss further in Chapter Six, the legislative requirement to register births and deaths in-person, sets bodies in motion to receive state documentation. Accordingly, the textual materiality of registration produces its spatial dynamics.<sup>200</sup> In other words, it is precisely *because* registration is a form of

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<sup>197</sup> Sections 16 and 17 of the Births and Deaths Registration Act 1953 both include the statement, ‘It shall be the duty...to give to the registrar, before the expiration of five days from the date of the death, information to the best of his knowledge and belief of the particulars required to be registered concerning the death, and in the presence of the registrar to sign the register.’

<sup>198</sup> In relation to the registration of title to land, Sarah Keenan (Keenan, 2019) draws more extensively from legal and social anthropology accounts of temporality to emphasise the manner in which registration produces an account of property to restrict and enable claims upon land. See Chapter Three.

<sup>199</sup> However, see sch13 clause 3 of the Coronavirus Act 2020 which made provision for registering a death or still-birth via telephone. The emergency legislation dispensed with the requirement to sign the register by employing a legal fiction in which a procedure which involves no signature ‘is to be treated as an entry signed by a qualified informant for the purposes of the 1953 Act.’

<sup>200</sup> As Carol Greenhouse notes, ‘The idea that mortality ‘lineates’ time by dissociating the moment of an individual’s birth from the moment of death, has interesting parallels in

‘governing through paper’ (Hull, 2012b)—with its certificates, records, and signatures—that a social space of registration is produced.<sup>201</sup> Further, the law of place which civil registration invokes means that the governance through paper does not simply produce a social space, but also, administrative place.

Civil registration governs through ‘legal footprints’ (Barr, 2017). The signature which is required to discharge the legislative duty to provide information concerning a birth or death must be performed within the *presence* of the registrar. As such, whilst the statutory time limit focuses our attention upon the temporality of registration, the in-person provision is a spatio-temporal mechanism. The space which is produced through the legislative emphasis on presence is constituted by the intertwining of time and space.<sup>202</sup> The statutory time limit, in other words, intertwines time with space, thereby ‘calling’ citizens to attend a registration office within their local administrative district.<sup>203</sup> In conjunction with the locality requirement, then, the legislative emphasis upon presence compels the movement towards place.<sup>204</sup> The significance of a spatio-legal reading of the legislation is that it fleshes out the conceptualisation of registration as the ‘act of producing a written record’ (Szreter and Breckenridge,

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anthropological and other interpretations of the significance of literacy. The invention of writing is credited with giving humans the technological capacity for fixing texts (that is, anchoring them in the moment of their creation), and with giving them the *desire* to do so, though literacy never functions alone in this regard. From this perspective, literacy is said to differ from orality as a technology of communication by fixing a “base point” from which questions of history (and science) can be posed’ (1996, p.50)

<sup>201</sup> See further for the relationship between documents, bureaucracy, and state governance (Hull, 2012a; Lund, 2001; Hull, 2008; Chelcea, 2016; Allard and Walker, 2016; Kingwill, 2014).

<sup>202</sup> See Mariana Valverde’s (2015) work on ‘chronotopes’ of law for a more complete understanding of the ‘spatiotemporal dynamics’ (Valverde, 2014) of law and governance.

<sup>203</sup> See Chapter Six for a discussion of the ‘call’ to place. For a much more detailed consideration of ‘calling’ see James Martel’s *The Misinterpellated Subject* (2017) which explores the potential for radical subversion when individuals respond to perceived calls which are not for them. See also Shaun McVeigh and Shaunnaugh Dorsett (2012) for the broader concept of ‘jurisdiction’ as the ability of law to speak.

<sup>204</sup> In a related manner, see Alain Pottage’s (1995) account of ‘personal searches’ in the conduct of conveyancing prior to the adoption of title registration. According to Pottage, the solicitor’s clerk would attend the Land Registry to carry out a personal search of the record and telephone the result to confirm that there had been no additional interests registered following exchange of contracts. See Chapter Two for a parallel discussion on personal searches of the parish registers in the administration of Poor Law.

2012a), to note that this is the act of *bringing the state and citizen together* in a prescribed moment to produce the written record.<sup>205</sup>

But it is not simply the individual which is set in motion. As Andreas Philippopoulos-Mihalopoulos notes, ‘when a human body moves, a whole assemblage of material and immaterial bodies moves along’ (2015, p.5). As such, to recognise movement within the legislative framework requires a closer inspection of non-human material, and consequently, the paper trails which unfold in the process (Yngvesson and Coutin, 2006).

The first direction of travel is one of ‘centralisation’ (Pottage, 1995).<sup>206</sup> As outlined in section 27(1) of the Births and Deaths Registration Act 1953, superintendent registrars must send to the Registrar General all certified copies entries in the local registers which have been made in the three months prior.<sup>207</sup> This system of quarterly returns is to be performed by either sending all the certified copies of entries made in the local registers (section 27(1)(a) of the Births and Deaths Registration Act 1953) or by sending the information contained in those entries in an electronic form (section 27(1)(b) of the Births and Deaths Registration Act 1953).<sup>208</sup> The process of centralisation is then used to create an index of records which is accessible to the public for the purposes of searching (section 30 of the Births and Deaths Registration Act 1953).<sup>209</sup> The

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<sup>205</sup> See Chapter Six where I briefly discuss online registration and, using the example of birth registration in British Columbia, note that even in jurisdictions where registration is a digital experience, a sense of place and concern for ‘presence’ imbues the administrative process.

<sup>206</sup> See Chapter Three for a parallel discussion on centralising the records of civil registration and the conduct of personal searches at the General Register Office.

<sup>207</sup> It should be noted that section 27(1)(b) of the Births and Deaths Registration Act 1953 allows for the information contained in those entries to be sent in an electronic form.

<sup>208</sup> The electronic method of quarterly returns was a much later development to the original legislation and was inserted by the Registration of Births and Deaths (Electronic Communications and Electronic Storage) Order 2006 (S.I. 2006/2809).

<sup>209</sup> As outlined in Part I of the thesis, the process of ‘centralisation’ was physically materialised in the early Victorian era, since the records were archived at Somerset House, London. During this time, the public were able to visit the General Register Office to perform a personal search of the records. As such, the process of ‘centralisation’ involved not only the movement of paper but also that of the person. Today, the public are able to apply for a search of the index through the General Register Office’s ‘online ordering service’ (see: <https://www.GeneralRegisterOffice.gov.uk/GeneralRegisterOffice/content/certificates/>) (Accessed 5 May 2020).

insistence upon administrative place results in paper trails which lead from local administrative districts to a central archive maintained by the General Register Office.<sup>210</sup>

This centralising motion is reversed, however, when the state's documentation is taken away from the local registration office by qualified informants who have attended the meeting. A number of souvenirs are taken away from the local registration hub by the qualified informants involved in the registration process (see chapters five and seven).<sup>211</sup> Although such movement is not prescribed or controlled by the legislation, these documents are likely to travel as they enter the intimacy of the familial home.<sup>212</sup> As such, the state's process of centralisation is accompanied by a paper trail which enacts a personal archive of the life course.

This personal archive of state documentation may engender further movement. As the legal anthropologists Barbara Yngvesson and Susan Bibler Coutin write, 'instead of only trailing into the past, papers jut out into the future, requiring the selves who are authenticated by these documents to chart new and sometimes unanticipated courses' (2006, p.184). In other words, the state's documentation of the life course does more than simply record a historical moment of recognition or legal identity.<sup>213</sup> As such, the very act of registration may produce further movement, beyond the initial meeting, as those who are interested may use the index to trace their genealogy (Edwards, 2018), perform a 'roots trip'

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<sup>210</sup> See Chapter Three for a discussion of 'centralising' the records at the General Register Office.

<sup>211</sup> As section 12 of the Births and Deaths Registration Act 1953 states, 'at the time of registering the birth of any child, the registrar shall, if so required by the informant of the birth...give to the informant a certificate under his hand in the prescribed form that he has registered the birth.' A similar provision is in place for the registration of deaths with the distinction that the registrar is obliged to provide a certificate of registration to the qualified informant (section 24 of the Births and Deaths Registration Act 1953).

<sup>212</sup> The state's documentation of the life course is often required to access public services, prove legal identity, or to perform administrative tasks related to birth or death. As Wendy Hunter and Robert Brill note (2016, p.191), 'In many countries, a birth certificate is necessary to attend school, receive health care, inherit property, open a bank account, gain access to credit, obtain other forms of identification, vote, and receive a death certificate.' See Chapter Seven for discussion.

<sup>213</sup> The point that I am making here is that the 'registered moment' is not simply a fixing of historical or present time but also gestures towards future movements and trails. In this sense, the spatio-temporal dynamics of registration share something in common with Massey's (2005) description of space, place, and time.

(Yngvesson and Coutin, 2006) or find the details of their birth parents (Clapton, 2014).<sup>214</sup>

In this sense, the movement compelled by state documentation intertwines bodies and paper to mediate spatial boundaries of private/public, state/individual, and, family/community. The in-person provision, as such, is a tightly woven fabric of governance. This section of the legislation involves four mechanisms: the imposition of a duty to register and ‘care for the dead’ (or the newly-born)<sup>215</sup>; textual materiality (the significance of written signatures); the interweaving of space and time (spatio-temporal mechanisms, presence) and the authority of the law to ‘call’ subjects to attendance.<sup>216</sup> A spatio-legal reading of the legislation, then, brings space to the foreground.

### **To Be Placed**

The papered movement outlined above leads to the figurative ‘journeying’ of registration. As state-authored biographies, identity documents record basic particulars: names, dates, address, sex/gender markers, parental details, occupations, and local districts – weaving together a bureaucratic portrait of legal identity (sch 2 of the Registration of Births and Deaths Regulations 1987). But state documentation does not simply reflect an existing or ‘natural’ state of being, rather, it is through registration that a relational framework of legal identity is performatively enacted (Spade, 2015). As Yngvesson and Coutin eloquently phrase it, ‘papers literally enliven and extinguish persons’ (2006, p.179).

During the documentation of the life course, then, a transitional sense of journeying arises, as citizens move from having no official status to receiving the recognition of the state (Lund, 2001). Yet, this journeying is prescriptive, linear,

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<sup>214</sup> See also the depiction of these processes in fictional literature. See for example, Jackie Kay’s poem ‘The Original Birth Certificate’ (1991) which she foregrounds a sense of place as she narrates a visit to an administrative office in search of her state documentation. As she reveals the ‘slow torture’ of a ‘man at the desk’ revealing ‘bit by bit my mother’s name, my original name, the hospital I was born in, the time I came’ the poem then inscribes this information with place as she steps ‘outside’ and ‘Edinburgh is soaked in sunshine’ and she talks to herself ‘walking past the castle’, and says, ‘so, so, so, I was a midnight baby after all’.

<sup>215</sup> See Olivia Barr (2016) for a discussion of law, movement, place, and ‘caring for the dead’.

<sup>216</sup> See also the experience of being ‘called’ to summons as an experience read through the landscape (Philippopoulos-Mihalopoulos, 2019).

and stabilising.<sup>217</sup> Since the act of registration produces written records which are ‘fixed in time, but which must be used throughout the life-course’ (McCandless, 2017, p.54).<sup>218</sup> As such, this bureaucratic act of governance has a placing effect, in which, bodies are set in motion to fix legal identities upon paper.<sup>219</sup>

Elsewhere, in the context of an American mental health court, the ‘spatio-temporal mechanism’, whereby the state governs through a system of appointments, has been read as an exercise of jurisdiction, which invokes and suspends movement by attempting to fix people in time and space (Cooper, 2018). Although state documentation is produced in a singular meeting, this particular moment is also an act of ‘placement’. As Lund notes, ‘by coming to the registry as required within the time frame allowed, parents comply with a standardisation of their child’s place in the community’ (2001, p.12). At the Beaney, as I will discuss in the following chapter, this ‘placing’ is materialised in bureaucratic space, as citizens are required to record life events in a community hub.

## Conclusion

In this chapter, I have provided a spatio-legal reading of the current legislative framework for civil registration in England and Wales. The chapter began by identifying the locality requirement as the premise of bureaucratic journeying. As I discussed then, the documentation of births and deaths in local administrative districts imbues the legislation with a sense of place and draws attention to the meaning scripted into the *where* of the process. Following this, I

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<sup>217</sup> See for example, the diverse experiences of transgender, non-binary, and gender non-conforming individuals whose journeying is constrained by a bureaucratic act of governance which assigns a legal gender at birth (Grabham, 2016c; Cooper and Renz, 2016).

<sup>218</sup> See Annelise Riles (2006) for a parallel argument in relation to title registration where she notes that the Torrens’ model replaced the tracing of historical lines with a system that privileged the significance of the registered ‘moment’. In other words, what mattered was not your ability to evidence a claim to title by tracing lines back but your ability to show that you had registered the property. As she puts it, the Torrens system ‘fixes a moment in time at which all begins – the moment at which the first Crown title is issued’ (p.59). As she explains, whilst the American system emphasises the historicity of a chain of ownership, in the Torrens system, the document at the registry is the thing.

<sup>219</sup> See Chapter Six where I briefly discuss placing in relation to pilgrimage.

turned to the in-person provision which establishes the space of registration and sets bodies in motion, since qualified informants are ‘called’ by the law to attend a meeting in their local administrative district. The chapter ended with a brief discussion of registration as an act of ‘placing’ which both sets bodies in motion and yet fixes the journeying of legal identity in the production of the certificate. The current legislative framework for civil registration, then, remains premised upon the spatial machinery which developed in the Victorian era (see Chapter Three). In the following chapter, I develop ‘bureaucratic journeying’ further as I turn to explore the material fabric of the Beaney’s registration space on the mezzanine floor of the library.

### Introduction

The previous chapter provided a spatio-legal reading of the current legislative framework for civil registration which mapped out the bureaucratic journeying of registration. In this chapter, I develop my spatio-legal account of registration further by tracing the lines which unfold from the state's documentation of the life course along the mezzanine floor of the Beaney's library. The shift from parish to civil registration, I have previously argued, saw the development of a spatial machinery for civil registration which replaced community knowledge, ritual performance, and local memory with the bureaucratic mechanics of state governance. As I will explore in this chapter, however, the Beaney's mezzanine floor indicates the continuing significance of locality, community, and ritual to the performance of registration.

This chapter develops the thesis' central argument about the significance of registration space by drawing attention not to the textual materiality of the certificate, but, to the 'archi-texture' (Ingold, 2010) of the physical space in which the bureaucratic process is conducted.<sup>220</sup> The lawscape approach that I adopt (see Chapter One) invokes the sense of registration as a form of list-making to produce a detailed account of the bureaucratic space.<sup>221</sup> As I develop this spatio-legal account, I draw upon a range of materials including architectural plans, council documents, and my own sensory experience of the Beaney. In doing so, I explore the boundaries, materials, and 'things' on display in the Beaney's registration space to trace the historical (dis)continuities outlined in *The Study*.<sup>222</sup>

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<sup>220</sup> See also Puwar (2010) for a discussion of the archi-texture of parliamentary spaces.

<sup>221</sup> See Andreas Philippopoulos-Mihalopoulos (2019) for a listing approach to the lawscape.

<sup>222</sup> I use the term 'things' here to refer to the signs, library books, leaflets, magazines, family trees and which are scattered about the registration space on the Beaney's mezzanine floor. My intention is to recognise these materials as one element of the lawscape which unfolds, however, my analysis does not seek to develop a 'thing' or Actor Network Theory style approach. See Cloatre and Cowan (2019) for a brief discussion on the relationship between legal materiality, bureaucracy, and the document.

The listing approach of Chapter Five unfolds by journeying the various zones of the mezzanine's open plan design. The list begins with the symbolic force of the Beaney's original and modern entrances before outlining how the mezzanine floor was conceived and produced by planners. The chapter continues by journeying the three main zones of registration at the Beaney: reception, waiting room, and registration cubicle. In these sections, I provide a detailed account of the archi-texture of the registration space which illustrates how the space is staged for the bureaucratic process. The chapter draws to a close with a brief discussion of the sensory dynamics of the everyday civic space of community which have arisen from the Beaney's open plan design.

### 1. Entrance/Façade

At first glance, the Beaney appears an unlikely place to find the registration of births and deaths.<sup>223</sup> The building maintains a distinctive presence in the city centre as it rises high above its neighbouring shops.<sup>224</sup> The original Victorian entrance, accessible via the High Street, features a striking Tudor-style façade—'a *tour de force* of archaising architectural styles' (Miller and Gibson, 2008, section 2.1)—embellished with terracotta mosaic panels, and a leaded bay window at its centre.<sup>225</sup> A wooden sign hangs above the entrance inscribed with the words 'Royal Museum and Free Library (founded 1858)'<sup>226</sup> whilst a stone inserted into the brickwork marks the construction of the building in 1897 – a nod to the 'palimpsestial' (Kinnard, 2014a) quality of the building which, as the *Whitstable*

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<sup>223</sup> In the sense that, as a bureaucratic act of governance, registration is typically associated with efficiency and the 'cold' affect of the state (Satkunanandan, 2019) rather than the 'warmer' affects engendered by the elaborate design of the Beaney's façade.

<sup>224</sup> Although the Beaney was designed to 'rebalance the city with culture in the old end of the city', the scale has the effect of 'dwarfing the historic streets and making them seem even more like a stage set' (Young, 2012).

<sup>225</sup> As of the time of writing, the original entrance off the High Street is covered in scaffolding and sheeting due to an issue with the mosaic tiling. See: <https://www.canterburyjournal.co.uk/video-ever-feel-like-you-live-in-a-building-site/>; <https://www.kentonline.co.uk/canterbury/news/taxpayers-230k-repair-bill-for-museum-206620/> (Accessed 4 December 2019).

<sup>226</sup> The Beaney was one of the first public libraries to be built in England and Wales following an Act of Parliament in 1858. The library received royal status in 1899. See <https://canterburymuseums.co.uk/laying-the-first-beaney-stone/> (Accessed 8 September 2020).

*Times and Herne Bay Herald* (1899) reported, was designed to be a ‘monument to [Dr Beaney’s] memory for all time’ (see Chapter One).<sup>227</sup> The ornate structure imposes a sense of significance with its elaborate decoration and markers of the otherworldly – gargoyles jut out from below the roof, hand-carved griffins guard the entrance, and cherubs grace the original Victorian signage. Certainly, the building’s outward appearance leaves no visible trace of the bureaucratic space hidden inside.<sup>228</sup>



**Image 5. The Beaney's Victorian entrance on the High Street**

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<sup>227</sup> In a sense, the foundational stone marks the human impulse to inscribe one’s name into the material fabric of the community. This was also a theme within the history of parish registration as parish clerks and churchwardens would annotate the registers with their personal reflections (Gordon, 2018). See Chapter Two for discussion.

<sup>228</sup> The source of the photograph below (image 5) is: user:geni, CC BY-SA 4.0, <https://commons.wikimedia.org/w/index.php?curid=45646316>.

Turning the High Street corner, onto the entrance off Best Lane, the structure flattens out and assumes the utilitarian appearance of an urban warehouse. A minimalist aesthetic is in place here with a block structure that, as one review of the architecture puts it, ‘is cumbersome with no acknowledgement of the texture of the side street in this oldest area of Canterbury in its materiality or fenestration’ (Young, 2012).<sup>229</sup> The extension incorporates three Victorian villas previously stood in its place with red local brick construction, hipped roofs, and ‘tripartite articulation of the frontage to reflect the three plots which the Villas occupied’ (Miller and Gibson, 2008, section 5.4). The design proved controversial during the planning stages of the Beaney’s refurbishment. As representatives from the Victorian Society (2008) put it, the proposed extension was considered to be ‘crude and bulky’, whilst English Heritage (2008) also raised concerns with the ‘visual dominance and apparent bulk of the building’.<sup>230</sup> With the addition of a modern extension, the Beaney adjoined two polarising styles, with the minimal lines of the Best Lane entrance standing in stark contrast to the eccentricity of the original on the High Street.

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<sup>229</sup> The area surrounding Best Lane was home to the medieval Jewish quarter of Canterbury (see Chapter Seven). See for further information <http://www.jtrails.org.uk/trails/canterbury/places-of-interest> (Accessed 8 September 2020).

<sup>230</sup> See also Boyle (2009) for a discussion of the Beaney’s façade which notes, in relation to the original Victorian entrance, that ‘to the ordinary person, the building seems unpleasantly overbearing, completely out-of-scale with its neighbours, and foreign to the quiet, urbane character of Canterbury’s better buildings’ (p.1).



**Image 6. The Beaneys's entrance on Best Lane**

Source: <https://www.architecture.com/find-an-architect/southstudio/london/the-beaney-house-of-art-knowledge>

Inside the building, these polarising styles continue. The original Victorian entrance leads into a hallway with tall archways and glazed doors which bear the arms of the city. The interior is filled with intricate elements that distinguish it as a Victorian building, featuring stained glass windows, heavy mouldings, patterned tiles and extensive use of wood panelling. The Best Lane entrance, in contrast, was designed as the ‘accessible route’ and ‘hub which connects all the spaces and services’ (Miller and Gibson, 2008, section 7.2).<sup>231</sup> Accordingly, the modern extension leads into a bright, white, modern atrium which create an atmosphere of openness.<sup>232</sup> In this space, ‘the axes old and new intersect in the new lobby where the heart of the circulation lies’ (Young, 2012) with an elongated staircase and platform lift which then connect to the original museum

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<sup>231</sup> The Beaneys’s original Victorian entrance did not meet the legal requirements for accessibility under the Disability Discrimination Act 1995 and was one of the reasons for the extension. See Miller and Gibson, 2008, section 4.1.

<sup>232</sup> The architects were also responsible for the design of the Tate Britain which features a similar entrance (Young, 2012). See Chapter Three for a brief reflection on the historical association between civic and artistic spaces in the performance of registration.

and library. The building, then, is a tale of two halves that fit together to create an eclectic mix of styles.

### 1a. Civic Presence

In their discussion of the legal architecture of courtrooms, Linda Mulcahy and Emma Rowden (2019) draw attention to the role of the façade (or ‘building wrapper’ to use their term). As they explain,

It has been argued that it is the traditional privilege of the architect to give expression to prevailing culture through buildings that outwardly solemnise its central institutions (Kostoff, 1995) and the façades and entrance halls of courthouses referred to here as its ‘wrapper’ have long attracted discussion and critique. There is certainly no doubt of the aspirations of the authors of the design guides to ensure that courthouses formed a significant outward looking presence in the civic sphere. Size, massing and ornamentation have all been identified as critical in creating the sense that courthouses are important and serious public buildings in which the rights of the populace can be asserted and obligations to others enforced. In a section which first appeared in the 2004 design guide, it is suggested that: “There is a requirement for the public to recognise the presence of the law court in the town, as a reflection of the importance of law in society. This means that the building must have a civic presence, and the law court function must visually dominate any other function within the building.” As the most visible representation of the legal system in the civic sphere, the exteriors of courthouses have often been called upon to do the job of symbolising justice for those who enter as well as for those who do not and never will.

(Mulcahy and Rowden, 2019, p.79)

As we see above, the façade is integral to the design of legal architecture.<sup>233</sup> The building’s outward appearance acts as a ‘visual storyteller’ (Barr, 2019) which establishes a civic presence, physically materialises the appearance of law, and symbolises a legal ethos or vision of legal norms such as justice.<sup>234</sup> What, then, is the ‘law story’ (Barr, 2019) which is materialised in the Beaney’s architectural

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<sup>233</sup> See also Vos and Stolk (2020) who use the term ‘business card’ to describe the façades of institutional buildings such as the International Criminal Court in The Hague and the European Union architecture in Brussels.

<sup>234</sup> I note here that Olivia Barr makes this point in relation to murals, however, her argument about the visual communication of a city’s ‘sense of place’ (Massey, 1994) applies more broadly to the physical materialisation of laws in the built environment.

fabric? In a similar vein to the courthouses which are discussed above, the Beaney's façade establishes a physical presence upon Canterbury's city centre with its size, massing, and ornamentation.<sup>235</sup> Yet, to recall the historical account of the General Register Office provided in Chapter Three, it seems unlikely that the public would be aware of the presence of law or bureaucratic process on the mezzanine floor of the Beaney's library.<sup>236</sup>

In the context of a civil registration office in Cuzco, Peru, the anthropologist Sarah Lund (2001) describes the sense of state surveillance which permeates bureaucratic space:

To reach [the civil registration office] from the Plaza Regocijo, the public needs to climb the steps to the sweeping arcade and pass the heavily guarded trapezoidal portal of the massive Inca entry. All state and municipal offices in Peru are defined as security zones, which means that heavily armed police guard the palace; one can be asked to identify oneself at any time and be searched if necessary. Besides the weighty aspect of the Incan stone façade, the sense of surveillance is tangible.

(2001, p.9)

At the Beaney, however, there are no visible markers of the state and patterns of surveillance and enforcement are replaced with a tone of community. The comparison between courtrooms and registration spaces, however, must take into account the level of design and standardisation involved in these distinct legal spaces. As Linda Mulcahy (2010) explains, the legal architecture of the courtroom was dependent on local conditions such that the 'wealth of a community determined the state of justice facilities' until the production of a 'centralised design guide' in the 1970s which 'flattened out the ornate design' (2010, p.159). The spatial machinery for civil registration, however, mapped onto the existing infrastructure of the Poor Law and, as such, places for the state's documentation of the life course developed organically (see Chapter Three). The

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<sup>235</sup> As noted by the architects responsible for refurbishing the Beaney, the 'scale of the original rooms in the Beaney, are of generous proportion reflecting the civic status of the building itself' (Miller and Gibson, 2008, section 2.3.) The grand size of the Beaney was also commented upon during the opening of the building, as the *Whitstable Times and Herne Bay Herald* outlined the 'spacious' rooms by providing physical dimensions and measurements of the square footage (see 'The Welcoming Ceremony').

<sup>236</sup> See Chapter Three.

buildings which are host to registration space have not, as such, been subject to the same level of design or standardisation as courtrooms.<sup>237</sup>

## 2. Mezzanine

During the Beaney's refurbishment and extension works, Kent County Council merged the provision of its services to create the Libraries, Registration and Archives department. As I will discuss further below, the decision was motivated by a desire to maximise the use of council buildings by creating 'community hubs' (Stephens, 2017) where public services are brought under one roof (Kent County Council, 2018).<sup>238</sup> When the Beaney reopened in 2012, the registration of births and deaths had moved from its old home at Wellington House (a ceremonial office on the outskirts of the city where marriages and civil partnerships are still conducted) to the mezzanine floor of the Beaney's library.

At the Beaney, the merge of library, registration, and archive services is materialised in the architectural design of the mezzanine. As the plans for the refurbishment explain,

The library areas will be located within the new build and the rear of the existing building and will enhance and celebrate the heritage of the collections, the building and the surrounding city. The library is housed on the ground and mezzanine floors...The planning of the new functions allows for the ground floor to be an active area with majority of the lending functions and the children's library with the mezzanine floor being for quieter study and research...The ground floor of the existing building will be used for adult fiction, public computer use and a teens area, with the mezzanine level being used as the non-fiction reference and lending library. The new wing of the building extending toward Best Lane will house the new library functions on both ground and mezzanine floors. The mezzanine level is connected to the ground floor through a series of voids in the floor, around which are work spaces. The ground level of the new wing houses the

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<sup>237</sup> The 1836 Registration Act did indicate, however, that registration offices would be created 'according to a Plan to be approved by the Registrar General' (6 and 7 Will. IV, c.86, clause 9). The index of the National Archives indicates that there is correspondence 'relating to the creation of the original registration districts and dealing with matters such as the appointment of registration officers, registration schemes, boundary changes and the provision of accommodation for registration purposes' (RG 21) which may reveal a level of central design for registration space. See also Chapter Three for a discussion of fixing the movement of registrars at stations and dwelling-houses.

<sup>238</sup> See Chapter One for further discussion.

toy library and children's library (with a view out to Best Lane), the quickpick paper back selection, the new items display, the audio visual library and the self service check out. The mezzanine floor houses the local studies collection, the reference library and a study area for seminars and discussion groups.

(Miller and Gibson, 2008, section 7.3.3)

As we see above, the Beaney's library incorporates a range of materials and services for a diverse audience. The mezzanine was designed as a quiet space for study and research with non-fiction, local studies, and a study area; whilst the ground floor hosts the social functions of the library with sections for children, teenagers, and adults. Yet, as indicated by its absence from the architectural drawings and project vision, the Beaney's registration space was not included in the original plans for the refurbishment.<sup>239</sup>

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<sup>239</sup> This was because the decision to merge Kent County Council's services was not made until after the plans had been approved and the refurbishment work had begun (informal correspondence with library staff, February 2018).

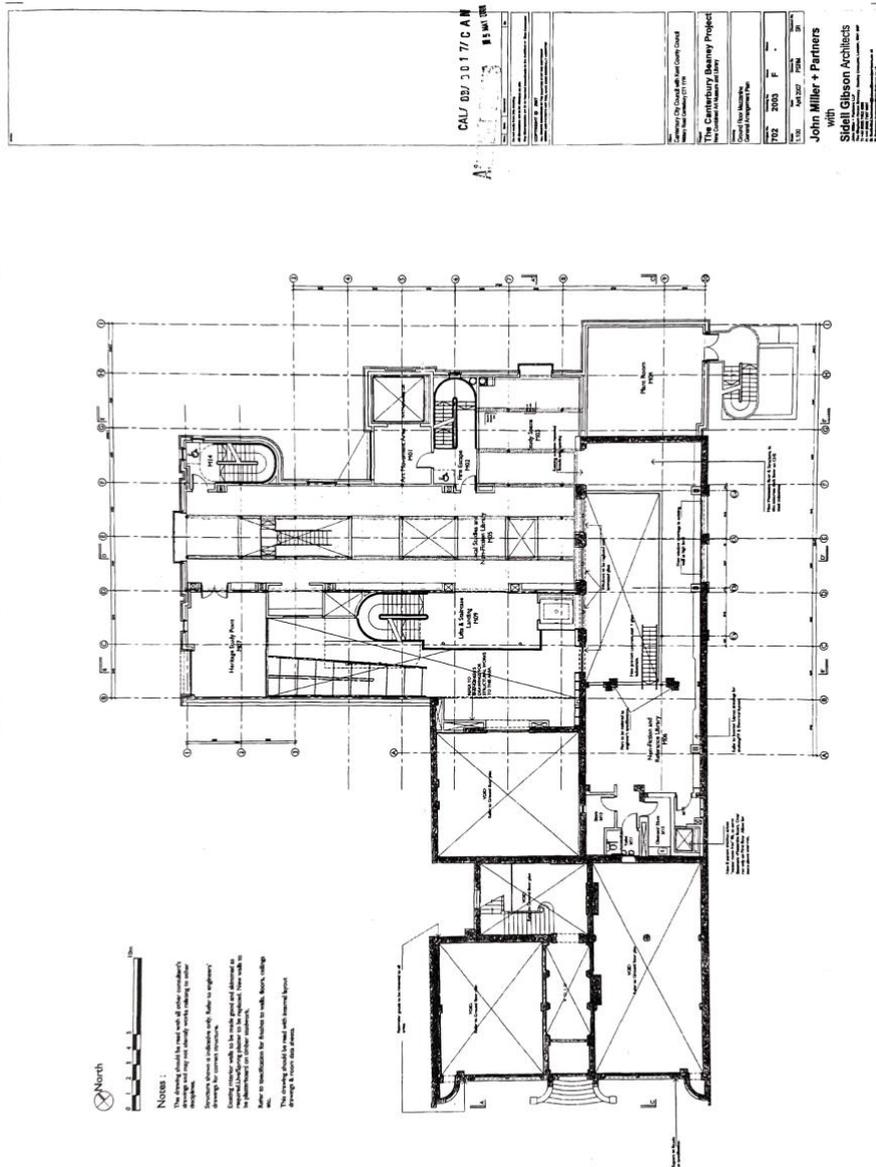


Image 7. Architect's vision of the Beaney's mezzanine floor

Source: Canterbury City Council Planning Department Online

Today, the Beaney's registration service is enmeshed within the everyday activity of the library. The facilities are situated along a stretched-out section of the mezzanine floor with an open plan waiting area, two frosted glass cubicles, and a reception desk cluttered with council-printed leaflets – as I will explore in the following sections. In the quiet hum of the library, the echoes of chit-chat, the smell of coffee, and the 'ping' of a book being checked out intermingle with the faint noise of registration – the meeting's call-and-response punctuated by the staccato clicks of a keyboard.<sup>240</sup> The mezzanine is an unbounded space with no clear distinction between the bureaucratic and the social. Indeed, one of the few spatial demarcations is provided in the form of an A4 piece of paper, permanently attached to one of the glass cubicles, which announces to those nearby – 'registration in progress: do not disturb' (see further below).

## **2a. Signposting**

The explanation for the merge can be found in the council's policy documents. Introducing Libraries, Registration and Archives' draft strategy for the coming years, Kent County Council outlines the 'challenges of the financial climate' and the need to 'ensure these key public buildings are being used to their full potential' (Kent County Council 2018, p.4). It appears, as such, that the decision to merge the services has been made on economic grounds, and rather than being a product of design, the unlikely cohabitation of the mezzanine reflects a broader programme of cuts to public services (see for example, Freeman and Blomley, 2019; Robinson and Sheldon, 2019). This market logic reappears as the council describes the benefits of local registration – 'a fully integrated service which allows people using [it] to choose their most convenient location' (Kent County Council 2018, p.20). Thus, Kent County Council presents the compact use of space as a matter of pragmatism, which facilitates registration for local residents by offering a wider range of choice.

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<sup>240</sup> Observed during fieldwork visits to the Beaney between 2016-2018. I have kept a copy of my notes on file.

But in the following passage, the Beaney's unlikely space of registration appears to be more than simply the accidental by-product of austerity governance:

The role of the LRA service is to deliver Library, Registration and Archive services that support local people and businesses throughout their lives. Our services are open to everyone, but also targeted to help those who most need the offer. Through these services, people can improve their literacy and foster a lifelong love of reading; are supported in finding information, developing the skills to use online channels and becoming more active citizens; register key points in their lives and the lives of their families; and come together to form strong community ties

(Kent County Council, n.d., p.4)

When this 'passioned' (Satkunanandan, 2019) sketch of the council's services is mapped onto the mezzanine, the affective tension of bureaucratic journeying becomes apparent. As I will discuss in the following chapters, the classic paradigm of Christian pilgrimage is outlined by Victor and Edith Turner (1978), who describe pilgrims as wilfully removing themselves from the structures of secular society, to enter the 'betwixt and between' (Turner, 1969, p.95) of liminal space. In this extraordinary setting, pilgrims experience 'communitas' – a human bond of togetherness without the constraints of hierarchy or social structure (Turner, 1969, pp.96–97). This 'ritualised' understanding of 'journeying' is embodied in the Beaney's architecture, where registration is performed on the mezzanine – a 'liminal' space suspended above the library and below the art galleries. As the Beaney's registration area is unbounded, this liminality has a material impact, for whilst the scattering of semi-colons suggests that the facilities have distinctive roles to play, the specification clearly places registration within a framework of locality, community, and citizenship. In a similar vein to those who gather in the liminal space that the Turners describe, 'bureaucracy is also a way our lives are brought under a common structure' (Satkunanandan, 2019, p.25).

Elsewhere, the language of 'journeying' emerges as Kent County Council outline how their approach to registration will achieve the council's stated ambition of 'enriching people's lives'. Under the sub-heading of 'community activities', Kent County Council write: 'Supporting lifelong and family learning remains a priority. From the very beginning at birth registration we will signpost to LRA

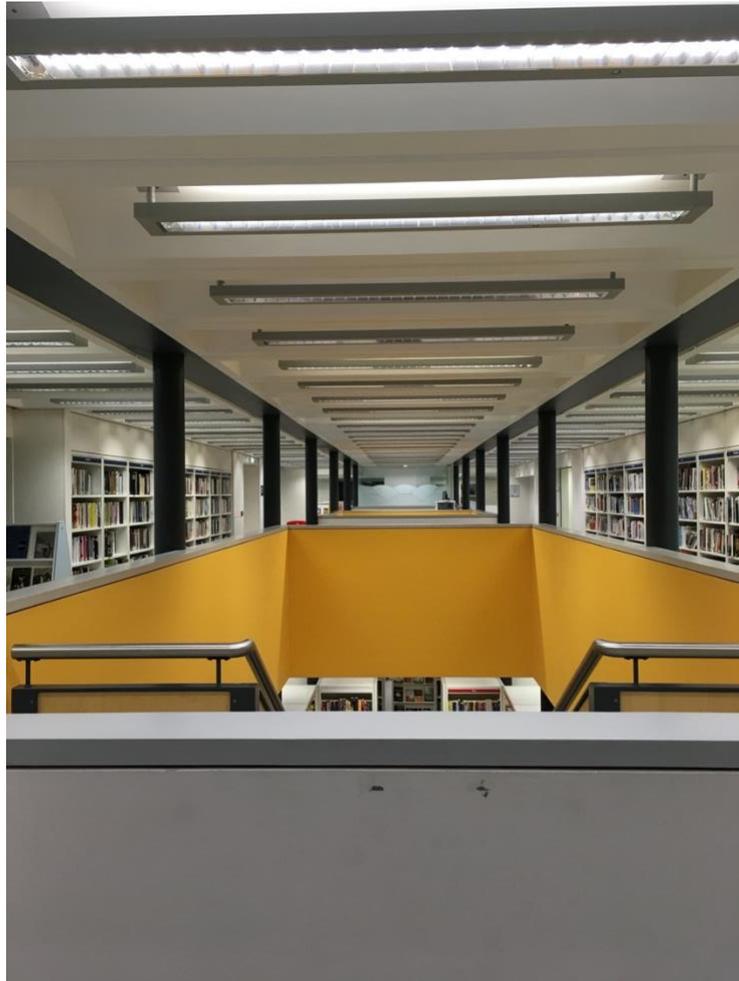
and other services to support new parents and families' (Kent County Council 2018, p.20-21). As such, registration is positioned as a 'legal origin' which sets in motion a lifelong bureaucratic 'journey', with the council 'signposting' a linear pathway through the services of local government. The centrality of the library, as an everyday institution of civic space, also arises in Kent County Council's description of its services.

## **2b. Cold Affect**

Yet, for all the warmth of Kent County Council's bureaucratic journeying, the mezzanine feels like a harsh space. The monotone colour scheme adopted for the library—with a splash of authoritative council red to mark the registration space—stands in stark contrast to the more colourful rooms of the museum and galleries. The monotone extends from the speckled grey of the tiled floor to the blank white ceiling and walls whilst heavy, blacked-out, rounded beams are aligned on both sides of the mezzanine. The ceiling is dominated by continuous rows of strip lighting which are lined up in geometrical order and create a harsh glare effect as the light reflects back against the white walls of the room.<sup>241</sup> The stark monotone white, silver and black colour scheme of the mezzanine gives it the character of non-place, and embodies the abstractness of legal space when law, on a positivist account, is intended to apply without specification (Philippopoulos-Mihalopoulos, 2010).

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<sup>241</sup> See Gregory (2011) for a discussion of these 'things' in relation to non-place.



**Image 8. Lines on the mezzanine floor**

In the urban streetscape, the mezzanine has been described as a liminal space where binary understandings of top-down power and bottom-up resistance are disrupted (Shapiro, 2016).<sup>242</sup> As Shapiro (2016) explains, the history of urban planning and design separates the figure of the planner, with a privileged visibility from above, with that of the flaneur, who experiences the city and senses its place on the ground.<sup>243</sup> The mezzanine refers to ‘the strata located just above our heads but far below the tops of the skyscraper; an immediate vertical zone where top-down and bottom-up spatializations are mediated’ (Shapiro, 2016, p.297). The contents of which, in concentrated urban areas, include: ‘a mangle of wires, utility poles, and lamps; street signs, traffic lights, and

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<sup>242</sup> See Chapter Seven where I explore the Beaney’s surrounding streetscape.

<sup>243</sup> See Hull (2012b) and Lund (2001) for discussions of bureaucratic space in relation to urban design.

billboards; surveillance cameras and third-story “kibitzers” (Shapiro, 2016, 293). The mezzanine hosts infrastructure that: connects individuals and households to energy sources, mass media outlets and each other; regulates movement on the street; identifies space and forms a network of surveillance practices. As a space of connectivity, mobility, navigation and surveillance, the mezzanine is a malleable, in-between zone of power in which the interests of the government, pedestrians, city-dwellers and others play out.<sup>244</sup>

The mezzanine of the Beane can also be understood as a liminal space in which different models of governance play out.<sup>245</sup> In this context, the mezzanine refers not to the space between the street level and the skyline where urban infrastructure is located, but rather, it appears as an area of embodied movement suspended in the intermediate space between the art galleries and atrium entrance. In the Beane, the material structures of the mezzanine characterise the registration space as one of linear order and authority. The mezzanine is open plan and monotone – embodying in its materiality the ‘cold monster’ characterisation of the state (see for discussion Satkunanandan, 2019). The rows of lighting, shelves of books, and patterned alignment of beams characterise the bureaucratic space as one of linear order and the placement of these material things, in the narrow space of the mezzanine, restricts the free movement of bodies. Yet, the cold affect of the Beane’s mezzanine is contrasted by the tone of community which permeates the library and, given the open plan design, the registration space.

### **2c. The Body as Library**

At the bottom of one of the staircases leading from the ground floor of the library to the mezzanine floor, the following verses are imprinted on the walls:

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<sup>244</sup> See also Blomley (2011) for an account of law, movement, and place on the sidewalk.

<sup>245</sup> See Chapter Six for a discussion of liminal space in the context of ritual and pilgrimage.

A library made from simple curiosity  
the books that have read me, the words  
you have given in service

I am made of everything,  
of everything spoken and unspoken,  
the undefinability of the tongue

What have I learned in my days under the sun.  
What have I learned about the rain of words.

Contribute a word, a verse,  
To aid our growing ripe in silence.

By John Siddique (2012)<sup>246</sup>

The verses are extracts from a poem written entitled ‘The Body as Library’ which was developed for the Beaney, installed as an artist’s book, and projected onto the inner walls of the library so that ‘people could take in the poem in an easy way by it merely being there for them to partake of without worrying about it being poetry’ (Siddique, 2012).<sup>247</sup> The poem expresses a passion for the library as an everyday institution of civic space – a place for learning, reading, writing, and experiencing the ‘spoken and unspoken’ (a theme I will return to in Chapter Seven).<sup>248</sup> In the space of the library, the human and non-human are entangled with one another other such that the body becomes the narrative.<sup>249</sup>

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<sup>246</sup> Each of these verses are imprinted on a separate wall and, as such, do not appear in the linear form I have established for the purposes of this chapter.

<sup>247</sup> Artist’s book produced by Andy Malone in collaboration with John Siddique (2012). See <https://research.uca.ac.uk/2331/> (Accessed 9 September 2020).

<sup>248</sup> See Chapter Two for a brief discussion of the parish registers as a source of literary inspiration as an everyday institution comparable to the library.

<sup>249</sup> See Chapter Three for a parallel discussion where the General Register Office becomes the records which it maintains in the central archive.

### 3. Reception

At the edge of the archwayed entrance to the Beaney's mezzanine, the registration appointments desk is immediately apparent. The desk is relatively small and covered in an array of materials. The leaflets and signs which are littered upon it signpost the public to digital collections such as the 'free daily eNewspapers' which can be accessed through Kent County Council's website. Newspapers are scattered upon the desk with a binder labelled 'local events'. A sign reads 'Bringing the Library to You' and reminds visitors that the library is able to deliver books to those who are unable to visit the building. To the left of the sign, a job advert has been placed on the desk for a 'Celebratory Officer' to assist Kent County Council with conducting and registering their civil ceremonies.<sup>250</sup>



Image 9. Registration Appointments Desk

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<sup>250</sup> Field visit, 22 February 2018.

If the building's façade is a 'visual storyteller' (Barr, 2019) which signifies the presence of law in the everyday of civic space (see above) then the reception desk performs a similar function. The desk marks the 'invisibilised' (Philippopoulos-Mihalopoulos, 2015) boundaries of the Beaney's registration space and, in doing so, conveys a message of welcome to those who enter (whether for the purpose of registering or otherwise).<sup>251</sup> Elsewhere, the entrance to registration space has been marked by a sense of surveillance and authority (Lund, 2001). Yet, at the Beaney, the materials which litter the registration desk convey a message of locality, community, and ritual – the red of the Kent County Council, binder of local events, and reminder of digital resources permeate the bureaucratic space of the mezzanine with the everyday civic sociality of the library.

#### **4. Waiting Room**

A section of the mezzanine has been designated as the waiting room for those who arrive at the Beaney to register a birth or death. It is positioned to the right of the archway entrance to the library – adjacent to the reception desk. A plastic grey chair has been provided at the far wall, just outside the secondary registration cubicle, alongside a small table that props up a selection of leaflets including an advertisement for a local solicitor's wills and estate planning services.<sup>252</sup> The advertisement obscures a poster on the table which displays a man and woman holding a baby alongside the text 'Did you know? If you register your baby's birth together, it will ensure you both have parental responsibility'.<sup>253</sup> The local history section of the library's collection is visible through a cut-out section of the waiting room. A purple bench seat is tucked into the recess of

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<sup>251</sup> See Hull (2012b) for an extended discussion on the use of reception rooms in bureaucratic spaces of governance.

<sup>252</sup> Additional leaflets include a reminder about e-newspapers, printouts of the job advertisement for a Celebratory Officer, a privacy notice, and an explanation of the registration process.

<sup>253</sup> As Julie McCandless explains, 'the 1874 Act introduced provisions to record the father's name if he attended to register the birth with the mother. In the 1953 Act, this extended to also being recorded without attending in person, so long as some form of legal paperwork – such as a statutory declaration and, later, a parental responsibility agreement or order under the Children Act 1989 – was submitted by the mother' (2017, p.55). See also Wallbank (2009) for extended discussion on gender, class, and joint registration.

another wall. The seating is accompanied by a framed paper sign which announces, in bold typeface and with a council logo, that ‘this area is reserved for those waiting to see the registrar’ alongside a notice directed ‘to persons wishing to register a birth or death’ which explains the registration process.



**Image 10. Waiting area**

#### **4a. Collective Wait**

The waiting room is a significant space of interaction during encounters with the state. Discussing the cultural anthropology of time, Nancy Munn explains, ‘control over time is not just a strategy of interaction; it is also a medium of hierarchic power and governance’ (1992, p.109).<sup>254</sup> This understanding of time is prevalent within anthropological discussions of bureaucratic or institutional

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<sup>254</sup> See Grabham (2016a) on the relationship between law, time, and the material.

space. A useful example of which is provided by Matthew Hull in his ethnographic account of state documentation:

There is the arrangement of chairs, desks and couches within offices, which is essential to the form that interactions between officers and visitors take. Officers admit any number of visitors at once, seat them, and give audience to all of them simultaneously. Requiring visitors to wait while the officer sees them serially would imply an individual status distinction between those waiting and those being seen by the officer. As one private architect who regularly visited the CDA told, “It is a matter of pride to be admitted, and no one wants to wait.” In this milieu, the priority of arrival is not a principle strong enough to overcome the sense that visitors should be seen in accordance with their status.

(2012b, p.74)

As Hull argues, then, the materiality of bureaucratic space frames and conditions the face-to-face interaction which subsequently takes place between state and citizen.<sup>255</sup> The waiting room is a space of delay and suspended movement in which expectations begin to form with the stillness of time and symbolic meanings of status begin to accumulate. In other words, it is a liminal space where bodies are caught ‘betwixt-and-between’ (Turner, 1969, p.95) in the performance of bureaucratic ritual (Sutton et al., 2011) – a point I will return to in the following chapter which draws upon Turner’s ritualistic account of pilgrimage.

In the Beaney, however, the anthropological understanding of waiting as a form of temporal governance infused with hierarchical power relations is disrupted. Turning to the layout of the seating, bodies who wait to register are invited to sit together in close proximity, upon the bench recessed into the wall, lined up neatly in a row (or given the option to sit alone on the single grey plastic chair).<sup>256</sup> The layout of the seating appears unusual as one might expect the waiting room of a civil registration office to encourage the privacy afforded by individual chairs. The suggestion which is made by the materiality of the bureaucratic space

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<sup>255</sup> See also Lund (2001) for an account of how bodies themselves materialise the wait as a form of temporal governance when they stand in queue outside institutional or bureaucratic settings.

<sup>256</sup> See Doughty (2017) for an ethnographic account of waiting in postgenocide Rwanda which found an inherent sociality to the space provided by the legal architecture.

is that of a collective wait which complicates the understanding that registration is either a private event or individual act – as I will continue to discuss throughout this chapter.<sup>257</sup>

The collective wait develops a further sense of sociality when taking into account the open plan design of the Beaney's mezzanine floor. Although I have described the space as a waiting 'room', the space appears as more of a visual continuum of the library with few physical structures to define its boundaries. The open plan design creates a visual bareness in which the waiting room blends inconspicuously into the mezzanine and thus into the everyday activity of those using the services provided by the library. There is only one wall to separate the waiting room from the rest of the library and this features a cut-out internal window, which ensures that the room is seen from both sections of the mezzanine. The architectural design turns the performance of registration into a visible act of governance in which those waiting to see the registrar are rendered subject to the public gaze.

#### **4b. Paper Boundaries**

Although the Beaney's mezzanine floor is open plan, there is a tangible feeling that the waiting room is a separate sphere, zoned-off from the everyday activity of the library and its architecture of 'openness' (Mickiewicz, 2016).<sup>258</sup> This affective boundary is enacted through the jurisdictional force of the paper signs on the wall.<sup>259</sup> As visual material, the signs indicate the authoritative presence of law, conditioning and signifying the room as a legal space. In this sense, they are jurisdictional devices (Dorsett and McVeigh, 2012), signalling the space as one embedded with legal authority, distinguishing and segregating the waiting room

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<sup>257</sup> Importantly, my argument is not that the registration space is used in this way, since this is not an ethnographic exercise (see Chapter One for discussion), but rather, that the space gives the impression of being designed and conceived in such a way as to symbolise an inherent sociality to the registration process.

<sup>258</sup> See Chapter One for a discussion of the ethics of 'lawscaping' the Beaney's registration space and its public/private spatial dynamics.

<sup>259</sup> See Andreas Philippopoulos-Mihalopoulos (2015) who argues that when legal matter is 'invisibilised', law is then experienced as 'atmosphere', such as in shopping malls, airport duty-free shops, or neighbourhood cafés.

from the mezzanine.<sup>260</sup> As Irus Braverman observes, ‘in order to be effective, law must be asserted in the world; it must be acknowledged; and, most importantly, it must be visually seen’ (2010, p.173). The signs on the wall are symbolic of the visual force of law – they bind the space, enact the authority of law, and regulate movement within the zone.

The sign which reads ‘this area is reserved for those waiting to see the registrar’, for example, is directed toward passers-by and those seeking to enter the room. Its placement at the boundaries of the waiting room indicates the anticipation of the public, warning them from entering unless they have authorisation.<sup>261</sup> The paper boundary speaks to those outside the room, addressing the visibility of the waiting room and acknowledging the public gaze. In the absence of physical boundaries, it is the jurisdictional force of the legal signage which enforces the zoning of the space. As Blandy and Sibley comment, ‘enclosing boundaries simultaneously creates a separate legal identity for that particular enclosed space, and exerts a powerful force for inclusion on those within it’ (2010, p.280). In this sense, the paper signs enact the authority of the law by conditioning entry within its space and characterising it as a place of inclusion/exclusion: you are either allowed to enter, or not, depending on your status as a qualified informant (see Chapter Four).

Yet, the signs have been printed onto paper. Drawing on Cook’s (2015) account of the materiality of street signage, this could be read as an indication of the temporality of communication, since ‘the force of the meaning of the sign clearly depends on the material it is written on and the tool it is written with’ (2015, p.87). In one sense, the paper of the legal signs could be read as a sign of vulnerability since paper is a fragile material which lacks the force of durability. Yet, it is precisely the paper form of legal signage that signals the authority of law. The paper materiality of legal signage is a measure of its ability to be replicated and repeated. As Andreas Philippopoulos-Mihalopoulos puts it, ‘the

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<sup>260</sup> See Barr (2015) for an account of law, movement, and jurisdiction in relation to the materiality of roads and road signs.

<sup>261</sup> See also Silbey and Ewick (2006) who make similar points on regulatory signage and the public/private in relation to scientific laboratories.

lawscape's temporality is also fractal: the lawscape is based on repetition' (2019, p.482). The printed materiality of law signals its replicability on mass, internal consistency, and coherence as a visual form; and in the registration cubicle, these legal signs (the privacy notice, information about the registration process, the sign keeping the public out) will be repeated once again.

#### **4c. Shelf-Help**

A magazine rack and bookshelf have been placed at the boundary between the library and the waiting room. The wire-mesh rack provides information on 'how to order certificates in Kent and Bexley' which signposts visitors to Kent County Council's website. There is also a guide on 'what to do when someone dies' and several copies of *A Kentish Ceremony* which is dedicated to wedding ceremonies and civil partnerships.<sup>262</sup> The cover of the glossy magazine features a bride and groom set against a rural background with vast green fields accompanied by a headline story of bridal fashion and accessories displayed in sparkly gold calligraphic typeface. The adjacent bookcase contains a mix of parenting manuals, mental health advice, and guidance on how to cope with grief.

In an early visit to the Beaney, I am struck by the contrast between two books on the 'shelf-help'<sup>263</sup> bookcase - *Battle Hymn of the Tiger Mother* and *Help! I'm a Dad*.<sup>264</sup> The covers seem to reproduce the binary gendered language of parenthood not only in the terms depicted but also in the modern stereotype of the tireless, do-it-all mother and the well-intentioned yet slightly baffled father. Across several visits, I pay attention to the rotating display, and make a note of the books which display the range of emotions anticipated in the registration space:

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<sup>262</sup> Field visit, 11 March 2017.

<sup>263</sup> Poster in the library 'find shelf help in your local library'. Field visit to the Beaney, 11 March 2017.

<sup>264</sup> Field visit, 11 March 2017.

4 November 2017 – Mindful Pregnancy and Birth; The Best Recipes for Babies and Toddlers; You're So Mummy, Overcoming Loss; The Death of a Child.

31 January 2018 – Knowledge is Beautiful; 50 Tips to Help you Stay Positive; Ideas Are Your Only Currency; Lagom: The Swedish Secret of Living Well; The Book of Hygge: The Danish Art of Living Well; Blue Nights (a memoir on grief and loss); Gold from the Stone (a book of poetry by Lemn Sissay, the city's poet laureate); Empathy: Why it Matters and How to Get It; Touch: The Science of the Sense that Makes Us Human; Emotional Agility.

16 March 2018 – Ideas Are Your Only Currency; Knowledge is Beautiful; The Picador Book of Wedding Poems; The Little Book of Hygge: The Danish Way to Live Well; A Grief Observed; Emotional Agility; We Need to Talk about Grief; Empathy: Why it Matters and How to Get It; Touch: The Science of the Sense that Makes Us Human; The Grief Survival Guide.

In the course of writing the list, my research project expands beyond its original focal point of gender, kinship, and birth registration.<sup>265</sup> As I explore the literal and figurative pathways which unfold from the state's documentation of the life course, my attention turns towards the way the 'journeying' of registration is represented in the shelf-help bookcase.<sup>266</sup> The selection of books (or at least the title and cover)<sup>267</sup> seem to capture the range of affect which accompanies the registration of births and deaths which, as Kent County Council note, are 'critical times' for those who receive the state's documentation (Kent County Council, 2012).<sup>268</sup> If the selection of materials and display of artefacts in the Beaney's museum and gallery space is an act of curation, I wonder whether the bookcase can also be seen in this way.<sup>269</sup> To draw upon Henri Lefebvre's (1991) account

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<sup>265</sup> See Chapter Eight.

<sup>266</sup> As I noted in Chapter Three, the original registers during the Victorian era were produced with covers which used the semiotics of colour to convey the message of what the books contained.

<sup>267</sup> See Kratz (1994) for anthropological discussion on the meaning conveyed by book covers.

<sup>268</sup> See Chapter Seven where I develop the sacred/secular as lens to explore the 'affective' registers of state documentation.

<sup>269</sup> In this thesis, I do not develop the comparison between registration and curation any further, see however Irus Braverman's (2012, pp.125–126) discussion of zoo registrars, where she draws

of representational space, the bookcase leaves a trace or suggestion of how the registration space is conceived according to the library staff who are responsible for its daily maintenance. In this sense, the shelf-help bookcase gestures towards a community-focused approach to registration which recognises that bureaucracy does not simply produce ‘cold affects’ (Satkunanandan, 2019), but rather, provides a point of connection between people and place – as I will discuss in the following two chapters.

## **5. Registration Cubicle**

There are two registration cubicles on the mezzanine level. The first is positioned at the edge of the waiting room at the intersection of the ‘L’ shaped floorplan (see above). It is a relatively small and square glass cubicle situated alongside the rows of public computers and the pop-up visa and citizenship service point (which arrived in the aftermath of Brexit). The second registration cubicle can be found to the left of the archwayed entrance alongside a row of bookshelves host to the sociology, politics, economics and law books. It is made of the same glass material as the other registration cubicle yet takes a more spacious, rectangular form. The view into the main body of the cubicle is restricted by a panel which covers the lower half of the glass wall. The panel, however, features a decorative wave motif which allows a glimpse into the cubicle through the fractured visibility whilst each section of glass is punctuated with an envelope sized cut-out. A sign permanently resides on the outside of the cubicle which reads ‘registration in progress: do not disturb’.

### **5a. Registration in Progress: Do Not Disturb**

The re-opening of the Beaney was marked with a press release which announced that ‘customers who need to register a birth or death will be able to do so within a private room in the library and staff will be able to help them access information and other support at these critical times in their lives’ (Canterbury City Council and Kent County Council 2012). But whilst the registration cubicle is boxed-off and contained, creating a physical barrier between the public and

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comparison with bureaucratic actors in the museum through the shared desire for classification and taxonomical order.

those inside, the glass composition of the cubicle makes the space visually accessible. The glass materiality of the registration cubicle invokes a rhetoric of openness and accountability which invites the public to view within the parameters of the ‘shallow’ visitor zone – a place they inhabit but cannot enter (Mulcahy and Rowden, 2019, p.87).<sup>270</sup>

The poster permanently attached to the glass door announcing that ‘registration is in progress’ is a message designed to speak directly to the public, addressing the visibility of the office and anticipating the gaze. This sense of embeddedness is achieved audibly as well as visibly with the mechanical click of the registrar typing and the murmured responses of the registrants circulating through the mezzanine floor via the small cut-outs at the top of the glass panelling.<sup>271</sup> The registration cubicle is both a separate legal sphere, contained and separated from the open plan of the mezzanine, and visibly/audibly enmeshed with the everyday activity of the library. The message of this legal architecture seems to suggest that the public are able to see this space as one of registration, framed as an everyday civic act, but must not enter the space or disturb the activity.

### **5b. Statecraft**

The glass door slides open to reveal a selection of materials pinned to the wall.<sup>272</sup> There are two certificates, in shades of blue and pink, a family tree poster and, further along the wall, a framed paper notice outlining the registration process. The notice explains that the registrar will ask questions to ensure you are a qualified informant (see Chapter Four), draws attention to the personal data which will be collected in the process, advises the informant to check the accuracy of the information before signing, and warns that anyone who refuses

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<sup>270</sup> See, however, Mulcahy (2010) for a critique of glass as a symbol of democracy in the context of courtroom design.

<sup>271</sup> Field visit, 18 May 2017.

<sup>272</sup> Field visit, 22 February 2018. See Chapter One for a discussion outlining the ethics of my visit to the Beaney’s registration office.

to provide the requisite details (or provides false information) is liable to prosecution.<sup>273</sup>

Printouts have also been attached to the inside of the glass wall. These materials include information on changing your child's forename, a table of fees, and a privacy notice which explains that the data collected in the registration process is sent to the General Register Office so that 'a central record of all registrations can be maintained' (see Chapter Three). The privacy notice explains that these are public records, that a copy of any register will be provided to any applicant, and that the General Register Office and local register office also compile indexes which are publicly available (see Chapter Four). The registration cubicle repeats the jurisdictional devices of the waiting room which signal the presence of law and the authority of those who act in its name.

The interior of the cubicle is sparse with the main feature being a white desk with two plastic chairs for visitors and an executive chair for the registrar. A lone chair is placed at the back of the room. The desk is host to a range of bureaucratic essentials: computer, printer, telephone, cash register and chip and pin device.<sup>274</sup> A laminate notice is placed on the desk facing the visitor chairs and states that: 'During the registration you will be asked to check and sign that the information you have given the registrar has been recorded correctly. It is **your** responsibility to ensure that there are no mistakes – this includes spelling mistakes. The register page is a legal document and therefore it is important that it is accurate' (bold in original).

If the waiting room is a space of suspended movement then the registration cubicle is one of 'production' (Lefebvre, 1991). As Yngvesson and Coutin put it, 'the birth certificate returns to birth, retroactively defining a particular birth as legally cognizable, as an event that produces a particular legal person and

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<sup>273</sup> The notice explains that additional information is collected which 'relates to the parent(s) of the child or to the status of the deceased, and will not be recorded in the register' and is used for 'the purposes of the preparation and supply of statistics by the UK Statistics Authority' (see Chapter Three for a discussion of registration and statistics).

<sup>274</sup> In addition to a bottle of hand sanitiser which, as I return to the photos I took during my visit in February 2018, takes on a different significance following the events of COVID-19 (see Chapter Eight).

establishes legal parentage (and, in many countries, citizenship)' (2006, p.78).<sup>275</sup> In other words, the birth certificate is a legal fiction which makes the moment of registration more significant than the event of birth itself – and it is in the registration cubicle where this registered moment takes place. Accordingly, the registration cubicle is a room of statecraft: a space in which the person-making and place-making activities of registration occur (see Chapter Four).<sup>276</sup> But what is suggested by the design of the interior?

In his ethnographic account of 'government by paper', Matthew Hull (2012b) outlines the manner in which material 'things' mediate the sociality of bureaucratic encounters. As he explains, 'face-to-face meetings, the paragon within social science of the unmediated encounter are shaped by the layouts of offices, chairs, desks, buzzers, and teacups, the things that form the material infrastructure of the social relationships in the bureaucratic arena' (Hull, 2012b, p.66). In the Beaney's registration cubicle, the interior promotes a sense of mutual co-operation in the craft of state documentation. The layout of the chairs creates the expectation of joint registration, reinforcing the manner in which it has been used as a tool of governance (see for discussion Wallbank, 2009), whilst the notices reinforce the fact that the certificate is produced through the interaction between registrar and qualified informant. The birth registration process is spatially conceived as one of exchange in which the child receives a legal identity and the protection of the state in return for the data provided by the parents (or qualified informants) – a point I will return to in the following chapters.

But whilst the layout suggests a space of co-operation, the jurisdictional devices also infuse the cubicle with the textual materiality of law and its hierarchical dynamics of governance.<sup>277</sup> The most prominent example of which is a yellow

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<sup>275</sup> See chapters four and seven for further discussion on the production of the certificate.

<sup>276</sup> See Dayan (2011) on the 'making and unmaking' of persons through legal ritual (Yngvesson and Coutin, 2006) and Barr (2016) on place-making.

<sup>277</sup> See also Silbey and Ewick (2006) for a discussion of the 'architecture of authority' in the context of regulating a scientific laboratory who make similar points in relation to warning signs.

A5 sign, placed at the right-hand corner of the desk, which is orientated in the direction of those who visit to register:

**WARNING**  
ANY PERSON WHO KNOWINGLY AND WILFULLY  
**GIVES FALSE INFORMATION**  
TO A REGISTRAR FOR INSERTION IN A BIRTH, DEATH,  
MARRIAGE OR CIVIL PARTNERSHIP REGISTER, OR  
**MAKES A FALSE DECLARATION**  
FOR THE PURPOSE OF THE REGISTRATION OF  
A BIRTH OR DEATH, OR TO PROCURE A MARRIAGE  
OR A CIVIL PARTNERSHIP  
**IS LIABLE TO PROSECUTION FOR**  
**PERJURY**

### 5c. Takeaway Tokens

The commemorative certificates and family tree poster which decorate the registration cubicle bring a playful tone to an otherwise monotone bureaucratic space. The certificates are typed with a decorative border and celebrate the births with details of the weight, time, and place as well as the names of the parents. The blue belongs to Felix and the pink to Rosa. The certificates are advertised for purchase below a family tree poster which provides a number of small blank spaces within which to write the names of kin. The poster adopts a child-friendly form with various cartoon images of wildlife. The floor is covered with mushrooms, flowers and grass; dragonflies, birds and butterflies buzz around the page and the words 'my family tree' have been illustrated in rainbow typography. Two owls are perched at the base of the tree sitting next to each other. The blank white circles are arranged in the green mass of the tree with rainbow lines to connect them. There is one circle at the base of this green mass, connected to the trunk, which branches off into two circles, spread far apart, from which lines lead all the way up to the top and connect pairs of circles.

The poster is an affectively charged image. The family tree is a visual reference to reproduction, genealogy, and ancestry with significance for both religious and

scientific branches of knowledge (see for discussion Bouquet, 1994).<sup>278</sup> In his discussion of the classification of disease and embodiment, Foucault uses the family tree as an analogy to the taxonomical work of medical knowledge, noting that the genealogical chart ‘presupposes a space in which kinship is formalizable’ (1973, p.4). The tree is a visual imperative which maps out the nuclear family model in which kinship is orientated towards reproducing children, sustaining the notion that relationships can be easily traced and defined in the linear fashion that the circles and connecting lines suggest. In his anthropological study of lines, Tim Ingold notes,

The cognitive task of the reader, as we have already seen in the case of the printed text, is not to find a way through the landscape of memory but to assemble into a coherent structure the fragments distributed over the surface of the blank page. These fragments are conventionally indicated by little triangles and circles, standing symbolically for males and females respectively. But far from picking up a story from ancestors and carrying it onwards to descendants, each of the persons signified by these marks is immobilized on one spot, their entire life compressed into a single position within the genealogical grid, from which there is no escape.

(2007, p.113)

As we see above, the family tree is a depiction of kinship that reduces the breadth of human experience into a dot on a grid. In the Beaney’s registration cubicle, the family tree brings these messages of kinship into the space of production. The poster takes the form of a template, with a pre-determined number of circles in which to write names, and a selection of lines that already depict the relations between them – a portrait of family fixed in the stillness of time. The family tree, in other words, has a static temporality: offering itself only in its prescribed form, there is no room to complicate that which is assumed. In this sense, the family tree visualises the arguments of critical legal scholars, outlined in *The Study*, that

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<sup>278</sup> Today, the image has become so synonymous with the practice of genealogy that the term ‘family tree-ers’ has arisen to describe the everyday activities of the public who use state documentation to trace their ancestry (Edwards, 2018).

registration is a blunt tool of governance which reduces the natural and material world to a series of lines drawn upon paper (Pottage, 1994).<sup>279</sup>

The family tree takes on particular significance within bureaucratic settings where kinship is ‘simultaneously symbolic and a form of statecraft’ (Chelcea, 2016, p.295). In her ethnographic account of state documentation, Chelcea (2016) observes how genealogical charts are used by bureaucratic and legal actors to reach decisions about the flow of inheritance rights. The process of determining inheritance, she explains, begins with collecting the memories of relatives and circulating state documentation which is then simplified using the metaphorical language of the family tree to produce an image of kinship that renders a complex web of social relations into a position that can be articulated and acted upon. As Chelsea notes, ‘the committee sought to identify the legitimate heir while reading [the letter], calculating (and reducing) the existence of kinship ties by taking into account only the evidence of dates of birth and death...the charts simplify individuals to dots that unite with other dots’ (2016, pp.303–304). In a similar vein to the production of the birth certificate, the family tree operates as a technology of translation in which an oral account of kinship is fixed into a static image by the state and its bureaucratic actors.

In the Beaney’s registration cubicle, the family tree brings these messages of kinship into the space of production. Although the birth certificate is a legal document which provides the child with an official identity—a message reinforced by the textual materiality of the registration cubicle—the encounter with the state is one which forms part of the collection of family memories (see for discussion Yngvesson and Coutin, 2006).<sup>280</sup> Importantly, the family tree poster is not simply a repetition of circles and lines but has a friendly, playful aesthetic that would not look out of place if it was displayed in the family home. In the Beaney’s space of statecraft, the bureaucratic concern with accuracy and

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<sup>279</sup> As I discussed in chapters two and three, the state’s documentation of the life course was motivated by the desire to secular the linear descent of property by intertwining it with the lines of genealogy.

<sup>280</sup> See, for example, Heimer’s ethnographic discussion of case reports in neonatal intensive care units where she observes that ‘parents create and appropriate documents to construct and sustain biography and the continuity of human relationships, while medical care providers create and appropriate documents to construct and sustain a medical case’ (2006, p.103).

the production of legal ‘truth’ is contrasted with a playful engagement displaying kinship and the modelling of registration as a secular ritual to be commemorated with celebratory certificates.<sup>281</sup> The placement of the family tree in the Beaney’s registration cubicle blurs the lines between the official narrative of identity which is constructed in the textual materiality of the jurisdictional devices and the intimacy of familial biography. Accordingly, the Beaney’s takeaway tokens gesture towards a bureaucratic space in which state documentation adopts a more affective register than its official lines suggest – a point I will return to in the chapters.

## **6. Community Room**

The Community Room is adjacent to the main registration cubicle and provides a quiet space for study and reading (as suggested by the sign on the wall).<sup>282</sup> The evening of my official visit to the Beaney’s registration cubicles, a seminar is drawing to a close in the Community Room.<sup>283</sup> The poster describes it as a ‘monthly event celebrating local voices’ and this month is dedicated to female voices. As the poster on the wall outside puts it, ‘Help us celebrate female strength – hear their voices, drink our tea’.

### **6a. Library Card**

After a year or so of fieldwork visits to the Beaney, I decide to get a library card.<sup>284</sup> As I hover in the local history aisle, I feel the rhythms of the activity below me. Orange-jumpered librarians welcome and help people. Plain-shirted, council-lanyarded people pace about the lower floor. A man browses material in the archive, crunching his way through a packet of crisps. The machine goes ‘ping!’ as a book is checked out. A baby chuckles. I am unsure exactly what one needs to acquire a library card. However, I decide that it would be nice to feel a part of the community and make my way downstairs to the welcome desk.

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<sup>281</sup> See Finch (2007) for discussion on the ‘display’ (as opposed to the ‘doing’) of kinship.

<sup>282</sup> Labelled as ‘Heritage Study Point’ on original architectural plans. See Image 7.

<sup>283</sup> Field visit, 22 February 2018.

<sup>284</sup> Field visit, 9 March 2018.

When I arrive, two lively women are already there, holding down a sprawling, three-way conversation with each other, the children and the librarians. After some questions about teenage book clubs (there are none) and library catalogues (it is working after all), the women say goodbye to one another, wheeling their pushchairs away and dashing after their children. ‘Can I help you?’ asks the librarian. I take a small step forward and ask, ‘How do I go about getting a library card, please?’

She asks for I.D. and I hand her my driving license. She clicks away on her keyboard before handing it back. She asks me if I have a card for another library. It seems a simple question, but I am unsure whether she wants me to get into the bibliographical details of it all. The simple answer is ‘no’, so in the end, those are the words I settle for.

I am presented with a library card and some details on how to use it. ‘Next time you come, if you bring something with your address on, you will be able to loan more things.’ The librarian reels off an impressive list of things that can be loaned: books, DVDs, magazines, eBooks, audiobooks, and newspapers. Intrigued, I ask her how many I can currently loan. ‘Three.’ (*Three?!!*) In my mind, I rake through any correspondence which might have with an address.<sup>285</sup>

Slipping the card into my wallet, I thank her for her help before turning to leave. On my way out, I take a moment to stand amongst the pinging machines, book browsers and toddling children – the same place I watched from above.

## **6b. Soundscape**

The open plan design of the library allows sound to travel from the ground floor to the mezzanine and audibly blends the everyday activity of the public space with the bureaucratic space. According to Lefebvre (2013), noise is fundamental to understanding the relationship between space, time and everyday life.<sup>286</sup> The

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<sup>285</sup> See Jessica Cooper (2018) for a brief discussion on the relationship between address and jurisdiction.

<sup>286</sup> See Chapter Seven for an account of the Beaneys’ streetscape which draws attention to the sensory dimensions of everyday civic space and its relationship to legal place.

rhythmic pattern of noise in social spaces, Lefebvre argues, gives an indication of everyday spatial practices:

Noise. Noises. Murmurs. When lives are lived and hence mixed together, they distinguish themselves badly from one another. Noise, chaotic, has no rhythm. However, the attentive ear begins to separate out, to distinguish the sources, to bring them back together by perceiving interactions.

(2013, p.27)

Rhythmanalysis is both a conceptual lens through which to understand space-time and a methodology to be deployed. Tuning oneself into the soundscape of the Beaney's mezzanine floor reveals the way in which the noise and rhythm of community seeps into the bureaucratic space of state documentation. Standing near a staircase that leads up from the library, you will hear the clang of the café serving customers, the laughter of children playing below, parents trading stories about their families and people seeking advice on where to find books. It is not the sound of authority which percolates the mezzanine floor of the Beaney, but rather, the echoes of community and its everyday spatial practice.<sup>287</sup>

## **Conclusion**

This chapter has provided a spatio-legal analysis of the Beaney's registration space on the mezzanine floor of the library. Adopting a lawscape approach, the chapter engaged with architectural plans, council policy documents, and my own sensory experience to produce a catalogue of registration space. The list which developed during the chapter's journey detailed the Beaney's original and modern facades and the open plan design of the mezzanine before turning to three zones of registration: reception, waiting room, and registration cubicle. The chapter ended with a brief discussion of the sensory dimensions of the Beaney's mezzanine floor which infused the registration space with a sense of community. The chapters which have composed Part II of the thesis have traced the lines back from the surface of the certificate to its space of production to explore the inherent spatiality of the state's documentation of the life course.

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<sup>287</sup> In her account of the civil registry in Cuzco, Peru, Sarah Lund observes the sound of security guards giving directions to the public, the 'muffled rhythm of stamping receipts', and the aggression of a bureaucratic officer who shouts at a visitor (2001, p. 9-10).

My focus in this chapter has been on the theme of everyday civic space. As I explored this theme, I illustrated the competing technologies which arise in the Beaney's registration space between, on the one hand, the bureaucratic mechanics of registration and, on the other, its affective and sensory aspects. This chapter has continued to trace the historical lines outlined in *The Study* by highlighting where the bureaucratic mechanics of registration continue to permeate the Beaney's mezzanine floor and, in contrast, where the performance of registration has evolved into a place-infused act of governance with a space for community, locality, and ritual. In the following two chapters, I develop these conceptual lines further, as I introduce the concepts of pilgrimage and sacred space to explore themes of community, ritual, and local narrative.

### Part III. People and Places

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## Orientation Point: Visitors Book

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It was a bit like coming home again!? Being here was just what I really needed to reconnect with myself and help me to move on from where I might have been just recently lost and not alone ^ so grateful/greatfull from love kindness and support from my wife and anybody else friends and family and extended extensions

(Comment signed with Canterbury postcode in a visitor book)<sup>288</sup>

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<sup>288</sup> The comment was dated 28 September 2017 and observed during a fieldwork visit to the Beaney dated 4 November 2017. I have kept a copy on file.

## Chapter Six. Drawing Lines: Registration/Pilgrimage

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Then people long to go on pilgrimages  
And palmers long to seek the stranger strands  
Of far-off saints, hallowed in sundry lands  
And specially, from very shire's end  
Of England, down to Canterbury they wend  
To seek the holy blissful martyr  
Quick to give his help to them when they were sick.  
(Geoffrey Chaucer, *The Canterbury Tales*, 12-18)

### Introduction

The previous two chapters provided a spatio-legal reading of registration which travelled from the text of the legislative framework to the mezzanine floor of the Beaney's library where births and deaths are documented. Chapters Four and Five, in doing so, explored historical (dis)continuities in the performance of registration. In the following two chapters, I develop these lines further, as I introduce the concepts of pilgrimage and the sacred/secular to explore registration as an act of journeying which connects people to place. The chapters in Part III, then, provide a form of rupture to the shift outlined in *The Study* from parish to civil registration and its resulting spatial transitions from soul to body, sacred to secular, and community narrative to central record.

Chapter Six develops the thesis' conceptual account of movement and place by reading the journeying of registration through the lens of traditional Christian pilgrimage theory. This conceptual account draws upon the pilgrimage display of the *People and Places* gallery to journey the line of the sacred/secular. Accordingly, the argument which develops in Part III explore the lines which unfold from the state's documentation of the life course along both material *and* imaginative paths. The account of journeying which develops in *People and Places* shares parallels with the argument of critical legal scholars that registration is a legal fiction which removes pre-existing connections between people and place which, in turn, facilitates the temporal journeying of those *with* property and fixes the movement of those *without* (see further, Keenan 2019).<sup>289</sup> The spatio-legal

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<sup>289</sup> See Keenan (2015) for a more thorough consideration of property as a 'spatially contingent relation of belonging' where she argues that identity categories can be usefully thought of as a type of 'property' which are 'produced' and 'held up' in space. It is in this context that I refer to

understanding of registration I develop here, however, complicates this critical narrative by locating imaginative potential in the lines drawn by registration as points of connection.

The chapter is in three parts. It begins with a brief sketch of an oil painting, displayed in the *People and Places* gallery, which depicts a violent episode of line-drawing (Philippopoulos-Mihalopoulos, 2015) – the assassination of Thomas Becket. The chapter draws upon this landmark moment of division and violence to illustrate the lines of movement which unfold from the state’s documentation of the life course. After this brief sketch, the chapter continues by outlining the conceptual approach which I develop in Part III of the thesis. The chapter draws to a close with a discussion of registration/pilgrimage which journeys the pilgrimage display of the Beane’s *People and Places* gallery.

### **Violent Lines**

In the far-left corner of the *People and Places* gallery, an oil painting captures the last few moments of Thomas Becket’s life. The Archbishop of Canterbury is depicted fallen to his knees, with one arm reaching out helplessly, as he is pinned down by figures emerging from the shadows – a knight stands tall above Becket, eyes fixed on his target, as he prepares to deliver the fatal strike. The artwork evokes the ‘landmark’ conflict (Darian-Smith, 2010) between Church and state which played out in the early twelfth century (see for discussion Loxton, 1978, pp.36–59). To recall the familiar narrative, after a series of rifts concerning the ‘rightful’ place of divine law, the Archbishop of Canterbury openly defied Henry II, as he argued that members of the clergy should not be tried in secular courts (Loxton, 1978). Soon after his public display of defiance, Becket fled the country in self-imposed exile. After receiving news of Becket’s return, the King cried out in frustration, ‘Will no one free me of this wretched priest?’, four knights overheard and took matters into their own hands, acting in the mistaken belief that the King had spoken literally (Loxton, 1978, p.64).

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the ‘property’ of registration. As I discussed in chapters two and three, registration was used to transmit the linear passage of property through knots of kinship and was also a ‘quasi-property’ (Szreter 2012) which privileged the rich, men, and Anglicans whilst fixing the social mobility of ‘the poor’, women, and non-Anglicans.

The aftermath of the brutal event unfolds in the display which stretches along the far wall of the gallery. In a selection of paintings, medieval pilgrims are depicted making their way to Becket's shrine whilst Chaucer's work is celebrated in the ceramics, pottery, and coins shelved in the accompanying glass case. As the prologue to *Canterbury Tales* suggests, pilgrims were drawn to the Cathedral in search of the miraculous. Becket's shrine was considered a sacred space where the sick could be healed – a physical means of accessing the divine through the medium of touch (Josipovici, 1996, pp.68–69).<sup>290</sup> Pilgrimage to Canterbury Cathedral continued for centuries until Henry VIII destroyed the shrine during the Reformation era (Boyle, 2009).<sup>291</sup> However, the Church of England never officially condemned the practice and it has since been revived in the Anglican faith (Coleman, 2004; Hedges, 2014; Irvine, 2015; Swatos Jr., 2002). Today, a single candle burns in memory of the shrine and the Cathedral attracts thousands of visitors who may be regarded not simply as tourists but also as modern day pilgrims (Irvine, 2015; Turner and Turner, 1978).<sup>292</sup>

The figure of Thomas Becket, in one sense, symbolises the 'violence of drawing lines' (Philippopoulos-Mihalopoulos, 2015, p.34). As Andreas Philippopoulos-Mihalopoulos explains,

Space embodies the violence of being lost, of being uncertain about one's direction, orientation, decision, judgment, crisis. In this space of contingency and unpredictability, the violence of drawing lines, of *horizēin* (of delimiting the horizon, of judging) takes place, and for this reason is all the more violent. The act of judgment is the act of line-drawing that separates while bringing together.

(2015, p.34)

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<sup>290</sup> In the following chapter, I will provide a deeper discussion of the 'sensory' aspects of the sacred and, in my discussion of the medieval pilgrim badges on display in *People and Places*, I will also return to Becket's shrine.

<sup>291</sup> See Chapter Two for a brief discussion of the turbulence of the Reformation era and the imposition of Cromwell's injunction to formally document Christian rites of passage.

<sup>292</sup> As the Turners write, 'a tourist is half a pilgrim, if a pilgrim is half a tourist' (1978, p.20) – a claim that is made on the basis of both 'figures of mobility' (Feldman 2017) seeking an escape from the routine structures of the everyday. See, however, the following chapter where I draw upon secular pilgrimage and the claim that the sacred is located in the secular plane of the everyday.

As I discussed in Chapter Two, the formal documentation of Christian rites of passage began during the violence of the Reformation era. In the turbulence of an unsettled landscape, the parish registers emerged as a community space within which to set down the ‘linear temporality’ (Greenhouse, 1996) of the Christian soul and fix it to administrative place. The ‘paper parish’ (Gordon, 2018) was an exercise of ‘line-drawing’ which both connected and divided.<sup>293</sup> In other words, Cromwell’s injunction was designed to secure the linear transmission of property by intertwining it with knots of kinship which, in turn, enacted its own violence in the exclusion of non-Anglicans, the regulation of the ‘poor’, and, in the early Victorian era, the statistical gaze upon women.

Yet, in the *People and Places* gallery, it was a violent episode of line-drawing—between law/religion, church/state, and the sacred/secular—which set pilgrims in motion to visit Becket’s shrine for therapeutic purposes. The broader point being that the lines drawn in law and space are also points of connection. If registration is a bureaucratic act of governance which reduces the natural and material world to a series of lines drawn upon paper, might these lines be ‘traced back’ from the surface of the certificate to the vibrancy of community and local narrative? In the following section, I explore this suggestion further, as I argue that the conceptual lines which unfold movement from the state’s documentation of the life course set the tone for a more ‘promising’ (Cooper, 2014) exercise of line-drawing to be unpacked on the mezzanine floor of the Beaney’s library.

### **Concepts in Motion**

At first glance, registration and pilgrimage seem to occupy such contrasting realms—the bureaucratic and spiritual—that it might be questioned whether they can be read together (Lund, 2001).<sup>294</sup> Yet, as pilgrims travel to Canterbury Cathedral, they are remembering Becket’s martyrdom – an assassination that was intimately connected with the ‘shape’ of law and the lines drawn in tessellating

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<sup>293</sup> See Ingold (2007) for the argument that writing is a linear technology.

<sup>294</sup> See also my discussion of the paper parish in Chapter Two.

space.<sup>295</sup> Moreover, at their most basic, the concepts share an underlying concern with the movement to place.<sup>296</sup> As I will outline in further detail in this chapter's journey of the *People and Places* gallery, traditional Christian pilgrimage refers to 'the journey to a distant sacred goal' (Barber, 1991, p.1), whilst civil registration compels citizens to travel in search of certification and, ultimately, legal recognition (Szreter, 2007).<sup>297</sup>

But more significantly, whether the journey is to register a life event or to reach a sacred space, both experiences involve fundamental questions of identity.<sup>298</sup> Whatever personal significance we attach to our documents—and this will of course be varied—registration is concerned with the existential matter of life and death.<sup>299</sup> In recording details of the life course, there is a metaphorical sense of journeying for both the infant who is officially recognised and for the parent(s) who forms legal kinship bonds with their child.<sup>300</sup> Pilgrimage is an inner journey

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<sup>295</sup> See Chapter One for a discussion of 'tessellating space'. In using the term 'shape of law', I am referring loosely here to the 'spirit of law' (Dayan, 2011) which resided in the conflict played out between the realm of the divine and the law courts.

<sup>296</sup> Although, this chapter builds from the understanding that place is an important aspect of journeying, the word from which 'pilgrimage' derives is *perigrinatio*. As Irvine (2015, p.422) explains, the Latin term referred to a sense of wandering rather than a mapped-out journey to a particular destination. This sense of 'wandering' is central to Celtic Christianity which emphasises the importance of a 'life-long pilgrimage of asceticism and service' (Maddrell and Scriven, 2016, p.305). See Irvine (2015) and Sheldrake (1995) for more on the distinctiveness of Celtic pilgrimage.

<sup>297</sup> C. Bawa Yamba (1995) provides an interesting discussion of the complicated relationship between journeying and place. Across Sudan, he observes West African Muslims who consider themselves to be on the journey to Mecca, and yet, find themselves permanently inhabiting villages designated for pilgrims. For these religious observers, pilgrimage is redefined such that it is a state of mind rather than a physical achievement.

<sup>298</sup> See Bauman (1996) for a discussion of identity and pilgrimage in relation to 'liquid modernity' which contrasts the figure of the 'pilgrim' with the 'tourist' (Feldman, 2017) – a key debate within pilgrimage studies (Warkentin, 2018; Collins-Kreiner, 2018; Lois-González and Santos, 2015; Auckland, 2017; Collins-Kreiner, 2007). In the following chapter, I explore the 'identity' of pilgrimage and registration in further detail as I draw upon the concept of 'secular pilgrimage' (Morinis, 1992).

<sup>299</sup> Whilst the details recorded during the process appear mundane, they arguably have a deeper meaning and are made to appear mundane or bureaucratic through the process of their continual and universal registration (Spade, 2015).

<sup>300</sup> My use of the term journeying here is linked to Christian spirituality which frames life itself as a pilgrimage – with the ultimate destination being a world beyond (Aiken, 2010; Hume, 1984). In adopting this metaphor, I am seeking to illustrate that legal identity is not fixed but similarly unfolds during the documentation of a life course.

made outwards: a search for meaning beyond oneself that is grounded in the landscape; and, as a metaphor, it captures the mind-body dualism suggested by the term journeying (c.f. Basu, 2004; Margry, 2008a; Morinis, 1992). The concept of pilgrimage, then, provides a useful, albeit unlikely framework to explore the spatial dynamics of registration – an approach which captures both the literal movement of citizens and the figurative journeying of identity.

In her exploration of ‘everyday utopias’, Davina Cooper develops a conceptual methodology underpinned by the ‘unexpected’ as she follows concepts along ‘queer lines’ (2014, p.13). These ‘are the lines that emerge when particular sites are considered in relation to unexpected concepts’ (2014, p.13). Yet, ‘they are also the lines that emerge when actualization and imagining don’t do what is expected, producing complex relationships of nonresemblance’ (2014, p.13). Importantly, ‘concepts are not ideas or mental constructs through which social life appears but the oscillating movement between imagining and actualization’ (2014, p.11). The value of exploring these pathways, she argues, is that ‘such lines illuminate the sites in question in new, valuable ways...[fleshing] out aspects of the site that remain less familiar despite a cluster of writing’ (Cooper, 2014, p.14).

The spatial-conceptual approach offers the ability to provide a ‘fresh’ analysis of a bureaucratic act of governance which is typically framed in terms of its written quality. As the social historians Simon Szreter and Keith Breckenridge note in their global history of registration and recognition, ‘Registration, in its most basic form, is the act of producing a written record’ (Szreter and Breckenridge, 2012a, p.3).<sup>301</sup> Accordingly, following registration along the ‘queer lines’ that Cooper suggests, and reading it through the concept of pilgrimage, draws out the spatio-legal dimensions which are otherwise overlooked.

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<sup>301</sup> See Chapter One for a more detailed discussion of this argument.

The concept of pilgrimage is useful because it resists the binary form of the line which—in the violence of judgment—both ‘separates while bringing together’ (Philippopoulos-Mihalopoulos, 2015, p.34).<sup>302</sup> Pilgrimage is both mind *and* body, material *and* imagination, people *and* place, individual *and* community, and, as I will discuss further in the following chapter, it is both sacred *and* secular. Accordingly, pilgrimage is a useful starting point from which to develop a ‘spatial practice’ (de Certeau, 1988) which can challenge the critical understanding of registration.<sup>303</sup> In the following discussion, I draw lines between registration/pilgrimage to ‘journey’ the sacred/secular—as the chapters in *People and Place* provide a conceptual ‘pivot’ between the historical lines already traced and the lines drawn on the mezzanine floor of the Beaney’s registration space.

### **Registration/Pilgrimage**

In their seminal text, *Image and Pilgrimage in the Christian Culture*, Victor and Edith Turner (1978) frame sacred journeying as a subversive practice providing escape from the routine structures of everyday life. The Turners build upon earlier anthropological scholarship which divides ritual into three distinct phases: separating from society, entering liminal space, and returning to the group (Turner, 1969; van Gennep, 1960).<sup>304</sup> Adopting this ritual language, the Turners describe pilgrims as making voluntary journeys to the margins of their society and entering the ‘betwixt and between’ (Turner, 1969, p.95) of liminal space. Removed from the structures of secular society, pilgrims experience ‘communitas’ – a human bond of togetherness without hierarchy or social

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<sup>302</sup> In the context of gender, there is an extensive body of literature on the ‘binary’ lines drawn by state documentation (see for example Cowan, 2009; Westbrook and Schilt, 2014; Meadow, 2010; Spade, 2015; Currah and Moore, 2009).

<sup>303</sup> This discussion of pilgrimage resonates with Olivia Barr’s account of ‘walking’ (2016) and legal ‘footprints’ (2017) – as noted in Part II.

<sup>304</sup> Scholars have expressed concern that ritual theory fails to capture the complexity of pilgrimage. For example, Alan Morinis argues, ‘It is unfortunate that [Victor Turner] has adopted the terminology of the rite of passage to describe the structure of pilgrimage because there is no necessary parallel between the two processes. Pilgrimage is frequently not initiatory and does not necessarily mark a change in the social status (prestige or situation) of the pilgrim’ (1984, p.259). The Turners acknowledge that there is a distinction between pilgrimage and rites of passage. However, they find it useful to build their theory of pilgrimage from ritual theory because of, what they describe as, the ‘initiatory’ quality of pilgrimage and the approximation ritual’s three stages (see further, 1978: 3-9).

structure (Turner, 1969, pp.96–97). The text has had an enduring impact – setting the tone for the development of pilgrimage studies since (Coleman, 2002; Coleman and Eade, 2004).

In the following discussion, I draw on the Turners' classic model to develop a 'spatial practice' of bureaucratic journeying which explores the registration process. As we will see, the motivations and physical movement of legal subjects appear very different to those of pilgrims. For the Turners, Christian pilgrimage is voluntary, social, and requires arduous journeys to peripheral location; by contrast, registration is an intimate experience which involves local travel – whether it is performed online or in-person. But most significantly, registration is a legal requirement in which movement is compelled by the state: rather than providing escape from social structure, the documentation of births actively brings individuals further in. There is a key distinction, then, between the Turners' depiction of Christian pilgrimage as radical and the apparent obligation which characterises registration. However, the classic Turnerian model of Christian pilgrimage is somewhat limited – as many pilgrimage scholars recognise (see for example, Coleman, 2002; Kinnard, 2014a; Morinis, 1992).<sup>305</sup> In recognition of this, the following discussion draws on a wider range of contemporary and historical examples; and as we journey through the sacred, an account of pilgrimage evolves which recognises the breadth of experience in the Christian culture alone.<sup>306</sup>

### **The Pull to Place**

According to the Turners, the voluntary nature of Christian pilgrimage is one of its defining features. As they claim, it is the pilgrim alone who makes the initial decision to set out and the finer details of when, where, and for how long. The

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<sup>305</sup> As Yamba (1995, p.9) notes, there is a tendency within pilgrimage scholarship to critique the Turners' framework whilst still relying upon it as the starting point from which ethnography is built, and as such, theory remains tied to the Turners' understanding. This is an obvious limitation of my work. However, it is beyond the focus of this chapter to rework pilgrimage theory. Rather, as I read registration and pilgrimage together, my intention is simply to draw attention to the wider scholarship beyond the Turners and the diversity of pilgrimage experiences.

<sup>306</sup> Given my focus on pilgrimage to Canterbury, the chapter builds an understanding from sacred journeys within Christianity. However, the concept of journeying is common to all the major world religions (see Barber, 1991 for a comparative approach).

pilgrim, in doing so, is exercising absolute freedom of choice – ‘the quintessence of voluntary liminality’ (Turner and Turner, 1978, p.9). The Turners place great emphasis on the implications of making such a decision. As they write, the ‘freedom of choice *in itself* negates the obligatoriness of a life embedded in social culture’ (emphasis added, 1978, p.8). The ability to wilfully remove oneself from the everyday and travel to the ‘margins of society’ seems quite opposed to the sense of obligation which characterises traditional forms of Christianity. As they put it, ‘there is something inveterately populist, anarchical, even anticlerical, about pilgrimages in their very essence’ (Turner and Turner, 1978, p.32).

The Turnerian model of pilgrimage as radical spiritual movement reflects Christian theological writings during the Anglo-Saxon period. As increasing numbers were moved to travel, the early Church became critical of the practice and the potential for ‘abuse’ (as they saw it). The Christian hierarchy considered the dynamic movement invoked by pilgrimage to contradict the monastic ideal of stability – mindfulness practiced through the stillness of the body (Webb, 2001, p.13). Early pilgrims were aware that religious authorities were critical of the spiritual practice. Seeking advice as to whether to undertake her journey, an Anglo-Saxon abbess writes: ‘we are aware that there are many who disapprove of this ambition and disparage this form of devotion’; and she repeats the theological justification: ‘everyone shall remain where he has been placed, and where he has taken his vows, there he shall fulfil them before God’ (Webb, 2001, p.13).<sup>307</sup>

Religious authorities expressed particular concern over the appropriateness of pilgrimage undertaken by female believers.<sup>308</sup> The body in motion was viewed with suspicion – especially if it belonged to a woman. As Diana Webb explains:

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<sup>307</sup> See Chapter Four for a discussion of being ‘placed’ by the state’s documentation of the life course as I explore the current legislative framework for civil registration.

<sup>308</sup> See also Chapter Three where I discussed the fixing of movement in relation to gendered bodies. As I argued in my discussion of the General Register Office, the journeying of women was fixed in their engagement with registration.

In vowing herself to God, a woman was making what many regarded as an especially superhuman effort to overcome the specific frailties of her nature. That she was, if let loose, a danger both to herself and to others was axiomatic.

(Webb, 2001, p.13)

Whilst (elite) women did frequently set out on pilgrimage, the literature of the time reveals the highly gendered nature in which their journeys were understood. Focusing on earlier journeys in Late Antiquity, Rebecca Falcastanos (2017) draws attention to the gendered rhetoric contained in these writings. Women's experiences were understood in feminised and materially orientated ways, as they were described as touching relics, having visions of the biblical past, and, above all, seeking physical contact with the divine. Yet, the same journeys undertaken by men were considered a solely intellectual occupation framed around preaching, studying, seeking instruction and writing about the sensory encounters of others (Falcastanos, 2017, p.109).<sup>309</sup> Against this historical and theological background, the decision to set forth on a sacred journey appears to have the subversive connotations that the Turners attach such significance to. Indeed, medieval pilgrimage to Canterbury appears to resonate strongly with this sentiment – being that it was conducted in the name of Thomas Becket (a figure who made such a forceful stand against secular law).<sup>310</sup>

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<sup>309</sup> See also Chapter Three where I explore this contrast between men and women in the journeying of registration.

<sup>310</sup> The Magna Carta barons were originally designed for the Palace of Westminster when it was being rebuilt after the fire of 1834. The statutes were placed in the House of Lords (where they remain today) but public access was limited and the positioning of the figures made them difficult to see. In response to public demand, the artists' plaster models were displayed in the showrooms of the makers in Birmingham. The figures were acquired by Canterbury's Mayor in 1906 and three of the conserved sculptures now stand in the People and Places gallery. Information taken from the Beaneys' website: <https://canterburymuseums.co.uk/beaneys/explore/people-places/sculptures-of-the-magna-carta-barons/> (Accessed 17 September 2018).



**Image 11. In the shadow of Thomas Becket's assassination**

There is an obvious contradiction between the subversive qualities the Turners describe and the pilgrimage of registration. As a bureaucratic act of governance, state documentation does not provide an escape from the structures of society – it actively brings legal subjects further ‘in’.<sup>311</sup> However, there have been sacred journeys throughout Christian culture which have been used as a means of enacting authority. Penitential pilgrimages were prevalent throughout the medieval West and served as a tool of punishment for both ecclesiastical and secular authorities (Webb, 2001, p.51).<sup>312</sup> Returning to the example of Canterbury, King Henry II performed such a pilgrimage, in the years following Becket’s death, when he rode horseback along Pilgrims’ Way – before dismounting on sight of the Cathedral towers (Adair, 1978, p.37). At St

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<sup>311</sup> My argument that the journeying of registration draws legal subjects further ‘in’ to the structures of society is intended to have both a metaphorical and literal sense. The figurative use of moving ‘in’ refers to the material consequences of state documentation which acts as an essential gateway to the benefits (and burdens) of the state – see for example the discussion of registration in development studies (Hunter and Sugiyama, 2018; Hunter and Brill, 2016). However, it also characterises the literal movement of legal subjects who must travel ‘inward’ across their local sphere to attend a registration office (see Chapter Four).

<sup>312</sup> See Colin Dayan (2011) for a discussion of legal ritual which delves into the realm of the penitential as she explores the ‘spirit of law’ in relation to the bodies it marks as ‘marginal entities’. As she writes, ‘in our ‘secular’, ‘progressive’ times, comprehensive forms of expiation function as the backdrop to civil community. Rituals of expulsion remain intact to intimidate and control’ (p.22).

Dunstan's, he changed into clothing which would publicly identify the purpose of his journey and walked barefoot through the streets of Canterbury to Becket's shrine (Adair, 1978, p.37).<sup>313</sup>

The Turners' characterisation of pilgrimage as entirely voluntary, however, overlooks the complicated feelings which accompany the decision to go. It is, of course, both difficult and undesirable to generalise motivations to set forth on pilgrimage. However, there is often a curious feeling of being 'called' to sacred place. Lesley Harman (2017) provides a useful illustration of this concept, as she describes an annual pilgrimage of Canadian women as they return to their homes in the Thousand Islands. Referring to the deep connection these women feel with the St. Lawrence River, Harman draws attention to the innate spirituality of 'journeying home'.<sup>314</sup> As she describes it, these pilgrims feel strongly 'the 'deep calling' of the land and the water [and] the earthy and watery depths of meaning, family, history, creation and eternity' (Harman, 2017, p.29).<sup>315</sup> Rather than simply *choosing* to set forth on a sacred journey, the pilgrim is *responding* to a 'call' – a mystical force which becomes internalised and felt within the body.<sup>316</sup> Thus, the concept of calling allows for a more complicated relationship with sacred space than that which is suggested by the Turner's emphasis on (anti-) structure.<sup>317</sup>

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<sup>313</sup> In this sense, traditional Christian pilgrimage shares another parallel with registration in that both are 'spatial practices' which are seen as having a 'universal' quality which cuts across 'class' divisions. See for example, Chapter Three where I provided a discussion of this in relation to the Poor Law. As Frederick Hunt put it, in his narrative account of the General Register Office, 'The most humble and the most lofty are chronicled alike the parchment indexes of that great counting-house, – the unwelcome offspring of the pauper, and the cambric-clad heir of the peer' (Hunt 1850, p.235).

<sup>314</sup> For Harman, earthly spirituality is associated with an 'archetypal feminine' and, as such, she uses the notion of 'journeying home' to develop a feminist perspective on contemporary pilgrimage. Of course, this association may be problematic for those feminists who would consider placing women in the domestic sphere to have more negative connotations.

<sup>315</sup> See Chapter Three where I discussed a narrative account of registration which, in describing the General Register Office, invoked 'domestic' imagery and intertwined it with the inherent spirituality of water (Hunt 1850).

<sup>316</sup> See Chapter Four for a further discussion of 'calling' in relation to the current legislative framework for civil registration.

<sup>317</sup> Although Harman does not engage with the Turners, her concept of 'journeying home' neatly illustrates the limitations of their theory. Clearly, the pilgrims she describes are not seeking to evade the structures of society: they are returning 'home' and, in doing so, they are explicitly seeking social structure (which may be read as actively confining women).

Depending on the strength of this inner/outer bodily feeling, the ‘call’ of pilgrimage might also be described as the ‘pull to place’. Describing the ‘power of a pilgrimage shrine to attract devotees’ (1992, p.33), James Preston develops the concept of ‘spiritual magnetism’. Whilst pilgrims may imbue sacred space with a mystical force, Preston argues that the attraction develops because of ‘human concepts and values, via historical, geographical, social, and other forces that coalesce in a sacred centre’ (1992, p.33).<sup>318</sup> But the emphasis here on human action is of further importance. Pilgrimage within Christian culture is often a social experience: as pilgrims travel together in groups and gather in sacred space (an obvious example being the pilgrimage depicted in *Canterbury Tales*). Rather than solely being the voluntarily decision of an independent individual, the decision to go on pilgrimage may be the result of social concerns (or pressure), such as wanting to belong to a group or to improve one’s social status.<sup>319</sup> Whilst in the Christian culture, pilgrimage is not characterised as a duty or obligation (in the sense of being a key tenant of the faith), it is equally problematic to describe those who perform sacred journeys as exercising the ‘quintessence of voluntary liminality’ (1978, p.9).<sup>320</sup>

In a similar vein, the state’s compulsion of movement is more complex than it might first appear. As I discussed in Chapter Four, a legal obligation is placed upon particular individuals (so-called ‘informants’) to attend a registration office in their administrative district – a remnant of the spatial machinery which developed in the Victorian era (see Chapter Three).<sup>321</sup> However, informants are

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<sup>318</sup> In the following chapter, I will explore the human construction of the sacred in much greater detail.

<sup>319</sup> If socio-economic factors *prevent* pilgrims from reaching their destination (Yamba, 1995), it would follow that such considerations might also *encourage* those who set forth on sacred journeys – religious performances are not detached from wider forces.

<sup>320</sup> This is one of the key distinctions between pilgrimage in Islam and Christianity. As one of the five pillars of Islam, every Muslim, who is able to, must perform the hajj by journeying to Mecca at least once in their lives. For a comparative reflection on this distinction, see Taylor (2011) and Sarumi (2018).

<sup>321</sup> Section 1(2) of the Births and Deaths Registration Act 1953 (the Births and Deaths Registration Act 1953) lists the following persons as qualified to give information regarding a birth: parents; occupier of the house where a child was born; any person present at birth and any person in charge of the child.

given eight weeks to make an appointment at their convenience.<sup>322</sup> It is only after this point that a registrar can enforce the obligation to attend.<sup>323</sup> In itself, this statutory provision introduces an element of voluntariness to an otherwise prescriptive form of movement. It is unlikely, however, that individuals who attend a registration office would describe themselves as going on a pilgrimage.<sup>324</sup> Nevertheless, in deciding to respond to a legal obligation to attend a registration office, they are making a voluntary decision to travel. As they respond to this ‘call’, their movement may be interpreted as a ‘pull to place’ – similar to those who set forth on sacred journeys.<sup>325</sup>

### **Travelling the Local**

Turning to the physical journeying of pilgrimage, the movement of legal subjects and pilgrims appear to diverge significantly. Barber (1991) describes spiritual travel as ‘the journey to a *distant* sacred goal’ (emphasis added) – revealing a concern for distance common within the scholarship. Indeed, Edith Turner similarly describes feeling ‘the call of some *distant* holy place renowned for miracles and the revivification of faith’ (emphasis added, Turner, 2005, p.328). The distance of the journey, for the Turners, carries a spiritual connotation with it – the location of the sacred shrine at the literal ‘margins of society’ symbolises the far-removed, exceptional status of pilgrimage.<sup>326</sup>

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<sup>322</sup> Section 2 of the Births and Deaths Registration Act 1953 establishes a duty for the parent(s) of the child (or in case of their death, another qualified informant) to give information concerning a birth to the registrar and sign the register within forty-two days of the event.

<sup>323</sup> Section 4 of the Births and Deaths Registration Act 1953 states that if the child has not been registered after forty-two days, the registrar may write to any qualified informant and compel them to attend personally at the registrar’s office to give information and sign the register.

<sup>324</sup> The lack of empirical data about subjective experiences of the registration process is an area for further research – see Chapter Eight.

<sup>325</sup> Early theological writings rejected the notion of ‘holy’ place due to the common belief that the divine could not be restricted to the location of a physical site (Inge, 2003). Robert Markus (1994) argues that place became significant to Christians during the fourth century owing to the veneration of saints and the belief that their relics imbued space with the sacred.

<sup>326</sup> Of course, whether a place is situated at the margins is relational to where one is situated and, as such, the association of the holy with the peripheral may be considered problematic.

Certainly, there are sacred journeys which seem to only acquire spiritual meaning if the pilgrim traverses across a landscape.<sup>327</sup> A strong example is the Camino de Santiago which takes place across a sprawling network of ancient Northern European routes and leads to the Cathedral of Santiago de Compostela – where the relics of St. James are believed to be buried (Warkentin, 2018).<sup>328</sup> Along these pathways, travellers are said to walk for hundreds of miles as they trace the footsteps of medieval pilgrims (Lois-González, 2013; Lois-González and Santos, 2015).<sup>329</sup> As Nancy Frey found in her ethnographic study of the Camino (1998), the emphasis on movement often renders arrival at the Cathedral entirely secondary. The preference for journeying over place is reflected in *People and Places* where three marble capitals represent the only illustration of Canterbury pilgrims' sacred destination. Sitting at the foot of the large oil painting depicting the assassination, the intricately carved stones are believed to be one of the few surviving remnants of Becket's tomb – with the rare rose-pink material chosen to symbolise the blood he shed.

Pilgrimage is not simply a matter of distance either – as great significance is often attached to the physical means of travel. There is a belief amongst some who perform sacred journeys that the spiritual virtues can only be achieved if undertaken by foot (Frey, 1998).<sup>330</sup> Walking is seen as the most authentic method as it encourages pilgrims to connect with the earth, sense the rhythms of their footsteps, and to feel emotionally and physically 'grounded' (Maddrell, 2013;

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<sup>327</sup> This is also true of the Hajj (Yamba, 1995).

<sup>328</sup> In the following chapter, I will return to a discussion of relics as I draw upon the Beane's medieval pilgrim badges to explore the sacred/secular of the movement to and through administrative place.

<sup>329</sup> The Catholic Church regulates the Camino and stipulates that a person's journey must be at least 100 kilometres in length to be considered a pilgrimage. Those seeking to make a sacred journey seek out stamps for the passport they are issued which verifies they have gone the requisite distance. If they have sufficient marks in their document, they arrive at the Cathedral as official pilgrims and are entitled to a certificate of accomplishment. See further Nilsson (2018).

<sup>330</sup> Although this is somewhat restrictive as it suggests a normative, 'able-bodied' understanding of movement. For an alternative account of walking as spiritual movement, see *I'll Push You* (2017), an autobiographical account written from the perspective of two lifelong friends who journey the Camino together. For an academic discussion of pilgrimage as it relates to disability, movement and vulnerability, see Watson and Bolt's (2017) analysis of their story.

Slavin, 2003; Warfield et al., 2014).<sup>331</sup> Indeed, on certain routes (such as the Camino) the mode of travel can be the defining line between being welcomed as a fellow pilgrim or disregarded as a tourist (Frey, 1998).



**Image 12. Chaucer's pilgrims riding to Canterbury**

The image of pilgrims walking for hundreds of miles to reach a sacred site contrasts significantly with the journey's legal subjects take. As I discussed in Chapter Four, the locality requirement, which was developed in the early Victorian era, obliges citizens to record births in the registration district where the child is born.<sup>332</sup> Unlike the pilgrim on a sacred journey, legal subjects are travelling within their local sphere. And in today's society, those who travel to register a life event are likely to take some form of motorised transport. Of course, a physical journey may not be undertaken at all: where registration takes place online, travel will only have a figurative meaning. The local and motorised (sometimes virtual) movement does not pair with the traditional image of the pilgrim traversing across a landscape.<sup>333</sup>

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<sup>331</sup> See Olivia Barr's (2017, 2019, 2013, 2016) work on law, movement, and place for the significance of 'walking' – as opposed to the journeying I discuss here – in the sense of 'carrying' law in 'footprints' – this is a claim which is made particularly well in relation to colonialism, although, the privileging of 'walking' as opposed to a 'looser' form of journeying can be problematic from a disability perspective.

<sup>332</sup> Section 1 of the Registration Act 1953.

<sup>333</sup> I will return to the subject of 'virtual' or online journeying in Chapter Eight – as I briefly explore the impact of COVID-19 on the registration process (see also Smith, 2020a).

A useful framework for understanding sacred travel within localities is provided by Simon Coleman (2000), as he explores Anglo-Catholic pilgrimage to Walsingham – a small village in North Norfolk which appears as the ‘epitome of unspoilt English rurality’ (2000, p.155).<sup>334</sup> Most pilgrims arrive at the village by car whilst it is also common to see large buses carrying groups from their home parishes. Coleman notes the obvious distinction between modern day pilgrims and their medieval counterparts, as he acknowledges that ‘the journey from home to shrine tends to occur swiftly and without great exertion’ (2000, p.161). Many of the visitors return every year and experience the sacred site as a ‘second home’ (Coleman, 2000, p.156). The observation that a destination can feel so familiar contrasts significantly with the Turnerian paradigm of pilgrimage as exceptional and distant:

For the pilgrims, their regular visits to Walsingham’s sacred spots constitute a predictable and, for some, semi-obligatory part of the liturgical calendar. For some pilgrims, they go so often it becomes like a second home. This confounds or at least complicates the Turnerian image of pilgrimage as anti-structural initiation into set-apart, liminal/liminoid space and time. For people at Walsingham, there is a very real sense in which it derives its meaning from being both exceptional and the embodiment of the familiar.

(Coleman, 2000, p.155)

Legal subjects are unlikely to experience registration space in quite as domestic terms as these pilgrims to North Norfolk. Yet, there is an element of repeat travel as citizens are called to register throughout their life course. As Sarah Lund notes in her ethnographic study of state documentation in Cuzco, Peru, ‘at some point in the applicant’s unremembered past, parents and witnesses have gathered in these very rooms to register their birth’ (Lund, 2001). In modern Western society, people tend to move away with more frequency and may not return to the same legal space each time. And yet, returning to the example of the Beaney, although those who are registering a birth may not have attended the *legal* space

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<sup>334</sup> The ‘Shrine of Our Lady’ at Walsingham was established in 1061 when a medieval believer experienced a vision of Virgin Mary. The believer was led, in spirit, to Nazareth and the Virgin Mary asked her to replicate the house where the Annunciation occurred as a perpetual memorial. Walsingham, described as ‘England’s Nazareth’, became one of the greatest shrines in medieval Christendom. See <http://www.walsingham.org.uk/a-brief-history> (Accessed 17 September 2018).

before, they may have visited the museum, library, gallery, café or tourist information hub.<sup>335</sup> As such, the ‘locality requirement’ suggests an element of familiarity and community.

For the Turners, the distant location of the sacred shrine symbolises the subversive nature of pilgrimage. By contrast, the performance of registration within administrative districts adds to the formation of legal identity – as it ensures that legal subjects move *inward* to the centre of their local sphere. Of course, to the person who registers a birth, the space only has this significance for one day (if at all). However, as I discussed in the previous chapter, the recent trend has been to combine registration spaces with libraries to create community hubs – places where residents come together to access the services of local government (see also Freeman and Blomley, 2019).<sup>336</sup> Legal subjects are being called to spaces which are *intended* (if not actualised) to be central places for the community. In this modern era of governance, the locality requirement is more than the historic remnants of Victorian civil registration (see Chapter Three). The dynamic movement of citizens across their local sphere is a key means by which legal identity is established.

### Virtual Journeys

Even where registration is performed online, there is an element of travel across the local sphere.<sup>337</sup> The province of British Columbia, Canada provides a useful example because its online form is widely accessible.<sup>338</sup> The website engenders a sense of travel as users must navigate their way through the click-through system: providing basic legal information, certifying the presence of those being

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<sup>335</sup> See Chapter One and Chapter Seven for discussion of the Beaney’s ‘tessellating’ spaces.

<sup>336</sup> Kent County Council provides twenty-eight registration spaces: twenty-three are libraries, four are ‘gateways’ and one is a stately home that caters towards civil ceremonies. See: <https://www.kent.gov.uk/births-ceremonies-and-deaths/Births/register-a-birth#tab-2> (Accessed 17 September 2018).

<sup>337</sup> I have included this cross-jurisdictional discussion since, although my thesis is motivated by a concern with the Beaney’s ‘tessellating’ spaces, and the performance of registration within ‘local’ spaces, ‘when it comes to walking, the global is always local’ (Barr, 2017, p.220). See also Eslava (2015) for a more thorough discussion of the local/global.

<sup>338</sup> See: <https://ebr.vs.gov.bc.ca/> (Accessed 17 September 2018).

registered and, finally, ordering certificates of the process. After entering a chosen name for the child, the identity then appears at the top of the website – an interactive element which appears to mimic the experience of an in-person meeting.<sup>339</sup> Given that it lacks a sense of materiality, the online form might be seen as a ‘non-place’.<sup>340</sup> Yet, even in this virtual arena, the process is stamped with geography. From British Columbia’s provincial symbol of the rising sun, embossed in the top-left corner, to the background image of a snow-capped stretch of the Rocky Mountains – locality is ever present.



**Image 13. British Columbia's online registration form**

The journeying of an Internet user navigating an online form appears even further removed from the image of the pilgrim making a lengthy and arduous trip. Yet, with the development of new media and internet technologies, pilgrimage has ‘gone virtual’ (Helland, 2013). Seeking to connect with an increasingly global audience, the Catholic Church has published videos and images of sacred sites – to spark believers’ imagination and replicate a feeling of travel (Golan and Martini, 2018). Elsewhere, modern technology has emerged not simply as a means to *recreate* sacred sites but to *become* the experience itself. ‘Cyberpilgrimage’ refers to an interactive encounter in which pilgrims use the Internet to undertake sacred journeys (Hill-Smith, 2011). Embellished with an array of colourful maps, photographic slideshows and immersive videos, digital pilgrims move through sacred space using click-through arrows or 360° mouse

<sup>339</sup> See Chapter One for a discussion of methodology.

<sup>340</sup> See Part II where I gestured towards the argument that the materiality of registration—the fact of requiring a certificate which is typed, printed, signed—creates the space in which movement through place occurs.

manipulation (Williams, 2013).<sup>341</sup> Whilst virtual pilgrimage cannot compare to a corporeal experience, the dualistic nature of journeying remains largely the same – whether movement is imagined or actualised.

### **Bureaucratic Bonds**

According to the Turners, the freedom and distance of the journey creates a liminal space where pilgrims experience ‘communitas’.<sup>342</sup> The Latin is chosen in preference to ‘community’—its modern English equivalent—because it refers to something more than ‘an area of common living’ (Turner, 1969, p.96). Communitas is ‘a spontaneously generated relationship between levelled and equal total and individuated human beings, stripped of structural attributes’ (Turner, 1973, p.216). In other words, a human bond of togetherness experienced without social hierarchy. Importantly, communitas evolves from the recognition of a liminal space outside the social structures which typically govern relationships. The feeling is akin to the broader Christian understanding of love and refers to spiritual kinship where, in the words of Victor Turner, ‘the ‘other’ becomes a ‘brother’” (1973, p.207). As pilgrims exit the structures of secular society, they experience the warmth of friendship both along the road and as they gather at the shrine.<sup>343</sup>

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<sup>341</sup> As Mark MacWilliam explains, the Internet has been framed as a sacred space with its conceptual roots in religion: ‘Some have argued that, despite the fact that cyberspace is a technological byproduct of the new physics, it has its conceptual roots in religion, particularly in a Christian spatial dualism that conceived of a ‘soul space’ of heaven and purgatory that were non-physical spaces that existed ‘outside’ the material world’ (2002, p.316).

<sup>342</sup> See Chapter Five where I discuss the idea of the mezzanine as the physical embodiment or materialisation of liminal space.

<sup>343</sup> The spoons depicted below have been inscribed with the social roles they played. For example, ‘the knight’, ‘the wife of Bath’, ‘the second nun’, ‘the cook’ etc.



**Image 14. Carved spoons representing each of Chaucer's pilgrims**

Although Victor Turner defines *communitas* in the gendered terms of brotherhood, the more interesting applications arise in feminist literature. Discussing her journey to Chimayo, New Mexico with Native American and Hispanic Catholic pilgrims, Paula Holmes-Rodman (2004) describes the profound effect of her fieldwork. From the initial invitation to join the women, to letters of support and advice in preparation for the anticipated hardship, and finally, the acceptance of her status as an anthropologist ‘outsider’ – “there are different kinds of journeys Paula, you don’t have to walk to be with us” (2004, p.38) – Holmes-Rodman describes the love, care, and kinship of sacred journeying. Similar experiences of *communitas* are recalled both by difference feminists, who link pilgrimage to the earthly spirituality of home, family and history (Harman, 2017) and queer anthropologists, who describe the bonds of identity forged during trips to San Francisco in the 1990s (Howe, 2001). The social nature of pilgrimage is a significant element of sacred journeying – expressed both in the physical movement of travel and in the symbolic image of bodies gathered at the shrine.

The concept of ‘communitas’ has, however, been criticised for the idealistic impression it gives of sacred sites as places without hierarchy or division.<sup>344</sup> Introducing their edited collection, *Contesting the Sacred*, John Eade and Michael Sallnow (1991) critique the concept and seek to establish a new agenda for pilgrimage studies, arguing that:

pilgrimage is above all an arena for competing religious and secular discourses, for both the official-optation and the non-official recovery of religious meanings, for conflict between orthodoxies, sects, and confessional groups, for drives towards consensus and communitas, *and* for counter-movements towards separateness and division

(Eade and Sallnow, 1991, p. 2)

The social nature of pilgrimage is thus more complex than the Turners would suggest.<sup>345</sup> As I will discuss further in the following chapter, sacred space is ultimately a place of deep meaning to individuals – encompassing both ‘communitas’ and ‘contested discourse’. Trips to the Holy Land provide a more nuanced example of this sociality. Focusing on Christian travel to Jerusalem, both Jackie Feldman (2007) and Vida Bajc (2007) describe Jewish Israeli guides and Protestant leaders combining in a co-constructed reading of the landscape, which ‘transforms the often-contested terrain of Israel Palestine into Bible Land’ (Feldman, 2007, p.351). The social nature of pilgrimage may be complicated, but it is clear that the gathering of bodies at the shrine and along the road is considered a vital element of sacred journeying.

At first glance, there is a key distinction to be made between the ‘bonding’ force of pilgrimage and the individualistic experience of registration. Rather than being performed in groups, or shared in discussion with others, registration is a bureaucratic process: an intimate experience, conducted between individuals and held in quiet settings. As I discussed in Chapter Five, this is true of the registration space at the Beaney, which has been explicitly designed to give

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<sup>344</sup> In a sense, a similar critique could be made of registration – that although it appears as a universal act of governance it has uneven effects upon certain subjects or bodies.

<sup>345</sup> See Jacob Kinnard (2014a, pp.6–13) for a considered critique of the Turnerian model which also acknowledges its continuing relevance for pilgrimage studies.

citizens a feeling of privacy.<sup>346</sup> Further, as they are obliged to make an appointment before attending, individuals who register life events do not ‘gather’ in registration space – they are ‘processed’ through it.<sup>347</sup> This appears at odds with the social experience of pilgrims, who frequently travel together in large groups and generate a feeling of *communitas* both along the road and at the holy place. In framing registration as a pilgrimage, the inherently ‘social’ nature of sacred journeying may appear problematic.

But whilst it may appear absent at first, a more nuanced understanding of ‘*communitas*’ can be identified in the registration process. Of continuing significance here is the recent trend of combining registration and library services to create ‘community hubs’. For whilst the process is intended to be an intimate experience, the registration cubicles are made from glass and enmeshed within the everyday activity of the library – a space where there is a high degree of social interaction (see Chapter Five).<sup>348</sup> Of course, Victor Turner would argue that ‘*communitas*’ refers to something more than ‘community’, however, these hubs have been actively designed to bring residents together as they access the services of local government (see Chapter Five). As such, there is an inherently social aspect to the Beaney’s registration space.

Equally, one of the essential features of birth registration is that citizens are required to attend a meeting in-person to give details of the event. This is significant as the meeting provides an opportunity for the co-construction of identity: where the registrars ask pre-determined questions and the informant(s) provides the requisite information. Given the standardised form that birth registration takes, the call-and-response interaction is likely to be fairly typical. However, where the legal subject wishes to provide more nuanced details

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<sup>346</sup> A press release from the opening of the Beaney in September 2012 notes, ‘customers who need to register a birth or death will be able to do so within a private room in the library and staff will be able to help them access information and other support at these critical times in their lives.’ See <http://mediafiles.thedms.co.uk/Publication/TK-Cant/cms/pdf/Beaney-Art-Museum-And-Library-Set-To-Open.pdf> (Accessed 17 September 2018).

<sup>347</sup> See also Chapter Three which outlined how the transition from parish to civil registration was also a shift from documenting the soul in the spiritual community to the bureaucratic governance of registering individuals.

<sup>348</sup> See Chapter Five where I explored the significance of this private/public dynamic.

(perhaps in relation to their occupation or desired parenting term), there is an opportunity to discuss significant elements of legal identity.<sup>349</sup>

## Conclusion

In this chapter, I have introduced the concept of pilgrimage to explore the inherent movement invoked by the state's documentation of the life course. The chapter began with a discussion of the violence of line-drawing by intersecting the lines which unfold from the state's documentation of the life course with the traces of pilgrims who were set in motion to visit Thomas Becket's shrine following his assassination. After this initial sketch, the chapter then outlined the conceptual lines I develop in Part III of the thesis which, I argue, set the tone for blurring the historical lines which have been traced so far. The final part of the chapter introduced the concept of registration/pilgrimage by journeying the pilgrimage display of the Beaney's *People and Places* gallery.

The chapter has contributed to the thesis' central argument, then, by developing a spatially embedded concept of journeying to trace the lines which unfold from the state's documentation of the life course along both material *and* imaginative paths. The concept of pilgrimage, I have argued, is useful because it resists the binary form of the line, being both mind *and* body, material *and* imagination, soul *and* body, people *and* place, individual *and* community, and, as I will discuss further in the following chapter, it is both sacred *and* secular. Pilgrimage can, therefore, be developed as a conceptual tool to blur the spatial transitions which I outlined in *The Study*. The conceptual approach I am developing in *People and Places* resists the critical narrative of registration. Yet, as I have argued in this chapter, the concept of pilgrimage is useful because it offers an approach which recognises the connection between people and place; and in the following chapter, I develop this argument further, as I 'journey' the line of the sacred/secular.

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<sup>349</sup> In *R (on the application of JK) v the Registrar General for England and Wales* [2015] EWHC 990 (Admin), the claimant (known as JK) gave evidence of her experience registering a birth as a transgender woman with a biological connection to her child. Attending a registration office with her wife, JK expressed to her desire to be registered as 'parent' or 'father/parent'. The Superintendent Registrar stated this was not possible and then suggested her previous name be recorded to create a link with her the child's sibling. Feeling that this was inappropriate, JK rejected the suggestion and was ultimately recorded in her desired name as the 'father'.

## Orientation Point: Senses of Registration

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### Register, n.1

#### I. Senses relating to documentation and records

1. A book or volume in which important items of information of a particular kind are regularly and accurately recorded; a collection of entries so created; a written record or account; a catalogue
2. (A name given to) the epistles of Gregory the Great
3. Scottish. Any of various records or collections of records of a legal, parliamentary, or public nature
4. An entry in an official book of record
5. Any of various records or books of record listing and giving details of names, events, etc., esp. any of various official or authoritative records or books of record having some public or commercial importance
6. Registration; the action of registering
7. A certificate issued by the official who registers the details of a vessel, esp. as evidence of its nationality

#### II. Other Senses

- 9b. The range of a voice or instrument; *spec.* the particular range of tones which can be produced in the same way and with the same quality
- c. Linguistics. In language: a variety or level of usage, esp. as determined by social context and characterized by the range of vocabulary, pronunciation, syntax, etc., used by a speaker or writer in particular circumstances

### Register, v.

- 1a. To record; to set down (facts, names, etc). in writing, esp. accurately or officially
- 1c. To identify (a person) as being something; to consider as; to take a person for
- 1e. To record in one's mind, heart, or memory; to become aware of, to notice properly
- 4d. d. transitive. Of a person, his or her facial expression, etc.: to indicate or convey (a feeling or emotion).

## Chapter Seven. Registering the Sacred/Secular

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It seems that the specter of the sacred always haunts the law, even in the most resolute of contemporary secular democracies.

(Sarat et al, 2007, p.1)

### Introduction

In the previous chapter, I introduced the concept of pilgrimage to explore the inherent movement invoked by the state's documentation of the life course. Chapter Six, in doing so, developed the concept of registration/pilgrimage which relied upon the model of traditional Christian pilgrimage illustrated in the *People and Places* gallery. The value of registration/pilgrimage, I argue, is that it sets the concept of registration in motion by engaging with an exercise of line-drawing which pivots between its violence (Philippopoulos-Mihalopoulos, 2015) and its promise (Cooper, 2014). The chapters in Part III develop a spatially embedded conceptual approach to registration.

This chapter develops the conceptual understanding of registration/pilgrimage further by journeying the line of the sacred/secular. As I continue to explore pilgrimage, however, I draw on another resonance to registration which drifts away from the text of the certificate. Chapter Seven, as such, attempts to expand conceptual thinking around registration from its dominant meaning as a prescriptive practice of list-making, record-keeping, or official documentation. Instead, this chapter explores the affective resonance of state documentation by drawing upon the concept of registration as a mode of sensing, acknowledging, or paying 'attention' (see 'Senses of Registration').<sup>350</sup> Drawing upon the meaning of registration as an activity, not simply of list-making, but of *recognising*, I ask: what is seen when registering the sacred?

Importantly, my argument is not that registration *is* sacred or *is* a pilgrimage, but, in drawing comparison between these 'unexpected concepts' (Cooper, 2014), my aim is to use the spiritual origins of civil registration to draw out the various

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<sup>350</sup> See Szreter and Breckenridge (2012a) for a discussion of registration and its interplay with recognition.

registers of state documentation.<sup>351</sup> I want to explore the affective resonances of documenting the life course or, as Davina Cooper puts it, ‘the ineffable, of what cannot or simply is not said, and so is expressed, experienced, and known in other ways’ (2014, p.40).<sup>352</sup> Accordingly, the spatial practice which I develop in Chapter Seven, draws upon the layers of movement which have unfolded so far: the conceptual movement between registration/pilgrimage, the figurative journeying of legal identity, the literal movement of registrars and citizens, and the paper trails which follow.

The chapter is divided into two substantive parts. It begins with outlining the theory on sacred/secular space which extends the previous discussion on registration/pilgrimage by journeying the line of the sacred/secular. This conceptual journey draws the ‘sacred’ out of its explicitly religious confines and into the ‘secular’ plane of the everyday. Accordingly, the chapter develops the comparison between registration and pilgrimage by arguing that the ‘sacred’ is located not in the distant ‘beyond’ but rooted in the connection people and place. This conceptual argument is explored through themes of ritual, secular pilgrimage, and the museum as a sacred-secular institution. The chapter then turns to three places where the sacred is registered – streetscape, gallery, and artefact. In these sections, I reflect upon my own journeys to the Beaney, read the *People and Places* gallery as legal fiction, and draw upon medieval souvenirs of pilgrimage.

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<sup>351</sup> I am referring to the ‘musical’ or ‘tonal’ definition of register. See Parker (2015) for an account of ‘acoustic jurisprudence’ which develops an understanding of law and the senses.

<sup>352</sup> See Chapter One for a brief discussion of affect and its role within the research methodology of this thesis.

## Journeying the Sacred/Secular

### Ritual and Belonging

The question of what makes place ‘sacred’ has a history as long as the study of religion itself.<sup>353</sup> Traditional accounts presume an essential character, as they premise the sacred upon ‘power’, the ‘holy’ or the ‘real’ (Chidester and Linenthal, 1995b, p.5). These substantial approaches are characterised by the belief that the sacred is naturally manifest and simply ‘shows itself’ to religious believers (Chidester and Linenthal, 1995b). Mircea Eliade’s (1959) account is archetypal, as he describes ‘a wholly different order, a reality that does not belong to our world’ (1959, p.12).<sup>354</sup> Applying this to the geography of American spirituality, Beldon Lane (2002) summarises Eliade’s account to define sacred space by the following characteristics: (a) waiting to be discovered (b) ordinary place made extraordinary by ritual (c) local as well as universal and (d) intimately connected to human consciousness. In other words, the sacred is definitive, extraordinary, and clearly set apart from the ‘profane’ (or secular).<sup>355</sup>

The idea that the sacred ‘irrupts’ the natural world may be useful in describing ‘traditional’ or ‘religious’ places (Goodnow and Bloom, 2017). As I alluded to in Chapter Two, for example, the ‘parish church’ is a sacred space which marks the architectural ‘threshold’ (Eliade, 1959) between the realm of the divine and the everyday (see for discussion, Zartaloudis, 2019). Yet, approaching the sacred as an otherworldly force simply waiting to be discovered overlooks the role of human action. As Jacob Kinnard (2014a) argues, pilgrimage sites are ‘places in motion’ which *become* sacred because of the meaning that individuals, culture, or society invest in them. The sacrality of the parish church was, for example, constructed by the performance of rites of passage such as baptisms, weddings, and funerals. If sacred space suggests a divine force to be worshipped, however,

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<sup>353</sup> See David Chidester and Edward Linenthal (1995b) for a useful overview of sacred space and Kim Knott (2005, pp.94–104) for an extensive theoretical engagement with religion, locality and space.

<sup>354</sup> See also Martha Umphrey and colleagues who draw upon this register of the sacred to explore the power accrued by law when it is imagined as ‘beyond the existent world’ (2007, p.2).

<sup>355</sup> The strict separation of sacred and secular echoes Durkheim’s earlier work which premised the theory of religion upon the division between the sacred and the ‘profane’.

there is an obvious limitation in adopting pilgrimage as a framework for registration. Although the bureaucratic process is important, these religious undertones risk placing too much emphasis on state documentation. But whilst feelings of awe and wonder can certainly arise in sacred space, must these be the only options available in recognising the sacred as an affective resonance?

Postmodern approaches can be useful here as sacred space is no longer considered to be a portal to that which lies *outside* the secular realm. As Conrad Ostwalt explains, ‘rather than mediating the divine Other, sacred places *are* the “other” – holiness is not contained *within* a sacred place, holiness *is* the otherness of place’ (emphasis added 2012, p.79). The broader point being that there is an affective resonance to sacrality which distinguishes sacred place from the everyday. For example, as the annotations upon the parish registers suggest, it was the performance of rites of passage which imbued the documentation of the soul with sacrality.<sup>356</sup> Those who take this situational viewpoint argue that Eliade’s approach ‘obscures the symbolic labour that goes into making space sacred’ (Chidester and Linenthal, 1995b, p.17) and instead highlight the vital role of human agency.<sup>357</sup> As Kim Knott (2005, p.101) notes, describing the influence of Jonathan Z Smith’s (1992, 1978) work in this area, ritual is ‘a central creative process by which people make a meaningful world that they can inhabit’ (see also Zartaloudis, 2019). Sacred space is not simply *waiting* to be discovered: it is the product of intentional human action.

When the role of individuals is recognised, the ‘poetics’ of the sacred is rewritten to emphasise its innate ‘politics’ (Chidester and Linenthal, 1995b, p.8). Sacred space is ultimately a political arena: dynamically charged, rich with symbolism and filled with interpretative possibilities (Chidester and Linenthal, 1995b, p.9). If the poetics and politics of the sacred are translated into the context of registration, then, the formal documentation of baptism or birth symbolises a

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<sup>356</sup> See Chapter Two.

<sup>357</sup> As Jacob Kinnard (2014a, p.xviii) puts it, ‘Sacred is a designation, an argument to be made. Individuals make places sacred.’

‘welcome’ into the community (see Chapter Two) or ‘recognition’ by the state (see Chapter Three).

But as the sacred is invested with deep meaning, its space is ultimately contested. The strive towards creating a meaningful place to inhabit and the multiple interpretations available leads to unlimited claims and counter-claims (Chidester and Linenthal, 1995b, p.18). As Chidester and Linenthal argue, ‘sacred space is not merely discovered, or founded, or constructed; it is claimed, owned, and operated by people advancing specific interests’ (1995b, p.15).<sup>358</sup> The sacrality of place takes on the character of a palimpsest ‘in which stories and myths and histories and building materials are layered one upon another—although, really, it is more dynamic than this, more of a tangle than a layering’ (Kinnard, 2014a, p.30).<sup>359</sup> As I explore in Part III, the affective resonance of the sacred allows us to register the ‘folding’ (Philippopoulos-Mihalopoulos, 2015) of space and time when the text of law is inscribed within space.

But more precisely, the politics of sacred space is a politics of property.<sup>360</sup> Explaining Van der Leeuw’s approach to the sacred, Chidester and Linenthal write:

A sacred place [is] not merely a meaningful place; it [is] a powerful place because it [is] appropriated, possessed and owned...the sacred character of a place can be asserted and maintained through claims and counter-claims on its ownership. The sacrality of place, therefore, can be directly related to a politics of property

(1995b, p.8)

As the process of sacralisation addresses what it means to inhabit the world meaningfully, the claims made are to more than just the ‘land’ of sacred space. It is the social property of ‘belonging’ which is engaged.<sup>361</sup> Sacred space is

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<sup>358</sup> I will return to the contested space of the sacred or meaningful space in Chapter Eight where I explore the contemporary debate surrounding registration (Cooper and Renz, 2016).

<sup>359</sup> See previous chapter where the historical traces of civil registration were located in the Beany’s architecture.

<sup>360</sup> See Chapter Two for a discussion of registration, property, and the sacred.

<sup>361</sup> See for discussion on the idea of ‘belonging’ as a social (and spatial) property: Keenan (2015); Cooper and Herman (2013); Cooper and Renz (Cooper and Renz, 2016).

ultimately a site of orientation where relationships are understood, structured and mediated. As Jacob Kinnard notes, ‘pilgrimages and pilgrimage places are intimately entwined with religious identity, both personal and collective’ (2014a, p.4).<sup>362</sup> But if space relies upon the meaning invested in it, and if there are multiple interpretations available, the sacred must be actively guarded. Therefore, Van der Leeuw suggests that the ‘politics of exclusion’ are integral: ‘the sanctity of the inside [is] certified by maintaining and reinforcing boundaries that [keep] certain persons outside’ (Chidester and Linenthal, 1995b, p.8).<sup>363</sup> As discussed in the previous chapters, the ‘violence’ (Philippopoulos-Mihalopoulos, 2015) of registration as an exercise of line-drawing was designed to fix the soul to place and, in so doing, fix the movement of non-Anglicans, the ‘poor’, and women.<sup>364</sup> In other words, the spatio-legal politics of property, belonging, and line-drawing are written into the landscape of both registration and sacred space. As I have outlined above, sacred spaces are ultimately sites of deep meaning and affective resonance. Accordingly, whilst the term ‘sacred’ has long been associated with romantic notions of the ‘otherworldly’, sacred spaces are composed of the spatio-politics which are equally resident in the secular plane of the everyday. As I ‘journey’ the line of the sacred/secular, then, it is precisely these socio-political undertones which are useful. If the sacred is explicitly associated with the divine, it has questionable relevance outside of traditional religion. But if sacred space is recognised as the product of intentional human action, designed to create a meaningful place to inhabit, the concept can usefully illustrate the affective qualities of state documentation whilst recognising its material consequences. If sacred space is not simply taken to be ‘religious space’

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<sup>362</sup> Although, it should be noted that Kinnard’s approach to the fluidity of pilgrimage sites would recognise that religious identity intersects with other fundamental aspects of being (for example, the intersection with race, nationhood and locality). See also Jill Dubisch (1995) for a gendered perspective.

<sup>363</sup> In his discussion of the memorial space of 9/11 and the proposal to build a mosque nearby, Jacob Kinnard (2014b) provides a powerful illustration of the sacred politics of property and exclusion.

<sup>364</sup> See Chapter Two for a brief discussion of Szreter’s argument that Cromwell’s injunction was *designed* to exclude non-Anglicans by reference to Cromwell’s explanation that registration would be useful to know whether a person was ‘our subject or no’—should be interpreted as ‘whether Catholic or not’ (2012, p.72).

then the historical lines of a shift between parish and civil registration can be blurred and the lingering presence of ritual explored further (on legal ritual, see Dayan, 2011). In the following section, I turn to the concept of secular pilgrimage as I explore how sacred journeying may be taken out of its explicitly religious confines to apply to the ‘secular’ plane of the everyday.

### **Secular Pilgrimage**

In the previous chapter, I relied upon a ritualistic account of traditional Christian pilgrimage to explore the inherent movement invoked by the state’s documentation of the life course. Since the 1980s, however, anthropologists have played with the nebulous qualities of the sacred to expand pilgrimage into apparently secular realms. Most clearly, this has been achieved by exploring affective visits to emotionally charged landscapes, such as: battlefields, disaster sites, cemeteries, and memorial space (Blasi, 2002; Hamrin-Dahl, 2010; Hyde and Harman, 2011; Seaton, 2002; Walter, 1993). In addition, the literature has identified the key role that communities play in *creating* sacred meaning. Accordingly, secular pilgrimage includes visits to: iconic sites in sporting history (Cusack and Digance, 2009; Davie, 1993; O’Connor, 2018); places associated with popular entertainment (Porter, 2004; Reader and Walter, 1993; Toy, 2017) and spaces of queer culture and heritage (Howe, 2001; Millward, 2007; Oram, 2011). The otherworldly character of everyday place has also been located in popular sites, such as Walt Disney World, which appear to have borrowed their spatial design from the concept of a threshold in ritual architecture (Moore, 1980).

In addition to locating the ‘sacred’ in everyday place, the concept of secular pilgrimage also draws attention to specific modes of relating to people – both along the road and upon arrival at the sacred site. Whilst the Catholic Church has typically identified saints as the focal point, the desire to set forth on pilgrimage may result from the veneration of popular or cultural figures, such as: Elvis Presley, Jim Morrison or Simone de Beauvoir (Brown, 2016; King, 1993; Margry, 2008c). Anthropologists have also ventured into the political realm by highlighting the veneration of national figures (Morinis, 1992), the actions of grassroots movements in establishing ‘cult’ heroes (Margry, 2008), and, more

broadly, the inscription of nationhood, identity, and belonging onto contested landscapes (Kinnard, 2014). Equally, something akin to *communitas* has been found in ‘quests of belonging’ such as roots-trips, ancestral searches and journeys of brotherhood (Basu, 2004; Dubisch, 2004; Ebron, 2002; Hamrin-Dahl, 2010; Maddrell et al., 2015).<sup>365</sup> Finally, an earthly spirituality has been named, outside of traditional religion, which recognises affective encounters with the natural world (Dubisch, 2004; Dubisch and Winkelman, 2005; Gilmore, 2005).<sup>366</sup>

These literatures cover a wide terrain of subject matter. However, they are united in the belief that pilgrimage can be a useful concept to explore the powerful connections people form with place. In the introduction to his edited collection, *Sacred Journeying*, Alan Morinis (1992) gestures towards a useful theory for secular pilgrimage as he brings together a wide range of case studies to build a definition of journeying as an existential search for meaning. As he explains, ‘pilgrimage is a paradigmatic and paradoxical human quest, both outward and inward, a movement towards ideal known but not achieved at home’ (1992, p.xi). In contrast to the Turner’s treatment of pilgrimage as something exceptional, Morinis’ definition emphasises the innate ‘humanness’ of the desire to seek deep meaning – as illustrated in the examples of secular pilgrimage listed above. In other words, rather than journeying *to* a site that religion identifies as sacred, secular pilgrimage is an existential search for meaning *within* the natural, social and material world. Accordingly, the sacred is rooted in the powerful connection between people and place, located not in some place beyond, but *within* the secular plane of the everyday.<sup>367</sup>

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<sup>365</sup> See definition of ‘*communitas*’ and further discussion in Chapter Six.

<sup>366</sup> See Chapter Six where I provide a brief discussion of this in relation to gender and ‘the pull to place’.

<sup>367</sup> As secular pilgrimage brings together seemingly polarised realms, anthropologists have expressed concern that it fundamentally alters the meaning of pilgrimage. Peter Jan Margry (2008b) has been one of the most vocal critics, as he considers the concept to be a ‘contradiction in terms’ (p.14) which fails to provide deeper insights into traditional pilgrimage and leads only to confusion as it becomes unclear what the constitutive elements actually are (p.20). See, however, the discussion of ‘concepts in motion’ in Chapter Six which outlines the value in reading unlikely concepts together.

The broader point is that unsettling the historical lines which have been traced so far—from parish to civil, soul to body, sacred to secular—does not necessarily require finding the lingering presence of ritual or sacrality in a religious sense. Instead, I am drawing upon secular pilgrimage to explore the idea that in addition to the affective resonances, deep meaning, and property politics that I have outlined above, to unsettle the historical lines which have been traced so far requires attention to movement and place and the identity which unfolds as law is carried along by the body set in motion (Smith, 2020b). The importance of the sacred is the connection between people and place and, in the following discussion, I turn to the sacred/secular of museums and the collective memory invoked by displays of narrative.

### **Curating the Sacred**

In modern Western society, the museum has been framed as the archetypal institution which embodies sacred meaning within the ‘secular’ plane of the everyday. Alain de Botton summarises the analogy neatly, as he writes, ‘our museums of art have become our new churches’ (2013, p.208). In other words, ‘if Western secular culture puts little faith in the sacred, ‘art’ is seen as carrying some of its intangible power’ (Curtis, 2003, p.28). The argument that museums are a sacred-secular institution is typically put forward on three grounds: museums feature grand architectural designs to emulate feelings of awe; the display of religious artwork and artefacts is a direct import of sacred matter; and visitors experience a feeling which takes them deep beyond themselves (Buggeln, 2012). However, Jacob Kinnard (2014a) argues that the taxonomical logic of curation erases the fluid identity of such objects. As he writes, sacred matter is ‘stripped of the ritual context that quite literally animates it’ (2014a, p.57). As such, the affective qualities of an artefact rely upon the relationship of the individual to it and the wider socio-cultural context of display (see also Curtis, 2003).

Museums are also powerful spaces for the performance of national and local identities. These are buildings which portray iconic figures as heroic, evoke the collective memory of historical events, and display the symbols of society and

culture (Watson, 2006).<sup>368</sup> But, as Edward Linenthal notes in his analysis of the United States Holocaust Memorial Museum, 'every place of memory is also a place of forgetting' (1995, p.221). As buildings with deep meaning for individuals, culture and society, museums embody the sacred but illustrate the constellation of affect that defines sacred space.

The constellation of affect which is produced by material objects, Curtis (2003) argues, can be illustrated by the Mari concept of *taonga* (roughly translated as 'treasure'). As he explains, the term shares some parallels with Western art, such as 'the beauty of an object, the quality of creativity it embodies, its history and its iconography' but also with the term 'heritage' in the way that *taonga* are 'passed down like heirlooms from one generation to the next' (2003, p.28). The significance of *taonga*, lies in the connection between ancestors and present – a sort of 'palimpsest' (Kinnard, 2014a) quality that I discussed previously in this chapter.

The 'sacrality' of the museum is produced by the relationship between people, place, land, and the objects which speak this narrative. As the archaeologist, Neil Curtis, explains:

If a consideration of the sacred enriches understandings of the material investigated by archaeologists and curated by museums, the practices of archaeology and museums can themselves also be considered to involve the sacred. Jack D. Elliot Jr has shown that although the language of the historic preservation movement is based on what claims to be an objective historiography, this is belied by the frequent use of the term 'significance': one which emphasises the power of places and objects 'to manifest a sense of something that is beyond and involves a very complex relationship between past events, specific places and conscious humans' (Elliott, 1994: 28). Discussing the work of Mircea Eliade, Elliot pointed out that 'the sacred is not absent in moderns but is only hidden and experienced in the form of "imaginary universes" which are the products of creative or artistic endeavors. Indeed, (Eliade) has seen our experience of history as perhaps the most important element in our hidden sense of the sacred' (Elliott, 2000: 7). It is perhaps noteworthy that the growth of museums in Western society from the 17th century to the present day parallels the development of the novel, also creating imaginary worlds that

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<sup>368</sup> See on the political underpinnings of museum curation: *The Politics of Display* (Macdonald, 1998) and *Exhibiting Culture* (Karp and Lavine, 1991).

can be seen as a pursuit of the sacred, and the fragmentation of formal religion as the provider of a shared, universal view of the sacred.

(Curtis, 2003, p.29)

As we see above, the sacrality of the museum lies in its role as a medium for narrative, imagination, and collective memory. The museum is both a space of taxonomy which displays items in a mode of curation (Kinnard, 2014a) and, in its public creation of narrative, a space of the imaginary imbued with historical traces of the past and its relationship with the present.<sup>369</sup> Similarly, as I discussed in Chapter Two, the paper parish was also a paradox caught between the space of collective memory and the space of bureaucratic order. The documentation of the soul, however, revealed the human impulse to create meaningful spaces and texts and, as the annotations upon the parish registers suggest, registration reflects the human impulse not simply to write and to fix but to remember.

### **Registers of the Sacred**

In my account of registration/pilgrimage, journeying the line of the sacred/secular provides another register from which to consider the state's documentation of the life course. The affective resonances of the sacred allow us to explore the traces of 'the ineffable, of what cannot or simply is not said, and so is expressed, experienced, and known in other ways' (Cooper, 2014, p.40). The significance of which, I argue, is that to explore what can be seen when registering the sacred is a means of challenging the legal fiction of registration which suppresses such forms of knowledge. In the following discussion, I flesh out the theoretical discussion of the sacred/secular with three registers of the sacred – journeying along the streetscape, reading the narrative of legal fiction in the *People and Places* gallery, and drawing comparison between state documentation and the Beaney's medieval pilgrimage artefacts.

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<sup>369</sup> See Braverman (2012a) for a comparison between the taxonomical order of registration and museum curation.

## The Streetscape

In a city steeped in its spiritual heritage, the footsteps of medieval pilgrims are easily traced. At a time when the sacred permeated everyday life, pilgrimage was strictly regulated by the canonical discipline of the medieval Church and conducted in a spirit of penitence and redemption (Tomasi, 2002). In a culture of saintly devotion, pilgrims were drawn to Canterbury in search of the miraculous. Thomas Becket's shrine was considered a sacred space where the sick could be healed – a physical means of accessing the divine through the medium of touch (Josipovici, 1996, pp.68–69).<sup>370</sup> As I discussed in Chapter Six, whilst traditional pilgrimage has been defined by 'the journey to a distant sacred goal' (Barber, 1991, p.1), registration compels citizens to travel in search of state documentation, and, ultimately, legal recognition (Szreter, 2007).<sup>371</sup> As such, when these imprints upon the city's streets are overlaid with my own journeys back and forth, it is the movement towards place which comes into view:

I'm making my way to the Beaney on a cold evening in late February. Whilst the registrars have headed home for the day, and the museum doors have long since shut, the library stays open until 8 p.m. on Thursdays. The council has kindly agreed to let me into the registration cubicles and I'm hoping that the gentle hush of activity will make the perfect time to take photographs.

The walk is no more than fifteen minutes from my home – just past the train tracks in an area known as St Stephens. Arriving at a busy roundabout which connects all four corners of the city, my hand brushes against iron railings affixed with the Canterbury Cross – a decorative embellishment that weaves Anglican Christianity into the fabric of the city.

As I pass by the remnants of the Blackfriars Priory, my attention is drawn to silhouetted shapes gathering in the soft glow of the Quakers' meeting house – a traditional cottage with a small garden that backs on to the River Stour. I remove my gloves to make a note, at the intersection where the theatre meets the river. As I do, the bells of the Cathedral ring out and blanket the city in a sustained, heavy din.

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<sup>370</sup> See Chapter Six for a brief sketch of Becket's assassination – a violent episode of line-drawing between Church and state which made Canterbury an enduring site of Christian pilgrimage.

<sup>371</sup> See Chapter Four where I discuss the role of movement and place in the current legislative framework for civil registration.

Turning on to Best Lane, I make the final steps of my brief journey. On the left of the street, Canterbury's famous saint proudly adorns the banner of the Thomas Becket pub. As the lane joins on to the High Street, a bronze statute depicts Chaucer as pilgrim standing on a plinth lined with local figures. The stooped figure is positioned just outside Eastbridge Hospital. Now a small tourist destination, the hospital was initially a resting place for medieval pilgrims as they journeyed towards the shrine of their martyr.

(Fieldwork notes, 22 February 2018)

In this brief walk through the city, the physical contrasts between secular journeying and medieval pilgrimage are readily apparent. The enduring image provided by *Canterbury Tales*, as illustrated in the *People and Places* gallery, is one of pilgrims travelling together in large groups, riding for miles on horseback, and telling stories along the way (Tomasi, 2002). Yet, as I discussed in Chapter Six, for those who come to the Beaney, whether to conduct fieldwork or to register a life event, the travel is performed with ease and takes place within the locality. As I have outlined in this chapter, however, traditional pilgrimage has been subject to an everyday reframing in which the 'sacred' no longer appears as an otherworldly force embodied in the distant 'beyond' of holy place.

It is this 'ever-constant' blurring of the sacred/secular which arises in journeying towards the Beaney's registration space. As my fieldnotes illustrate, 'religious affect' is stamped across every nook of Canterbury.<sup>372</sup> It is alluded to in the residential districts bearing the names of famous saints, woven into the daily infrastructure, kept alive as local residents gather in the community, and evades public space in all its sensory forms. The tension between sacred/secular space is written into the materiality of everyday affective moments in the city (Knott, Krech, and Meyer, 2016).<sup>373</sup> This 'religious affect' is central to Canterbury's sense of place: it is how the council attracts its tourists, celebrates its heritage, and performs its collective memory.<sup>374</sup> And as Olivia Barr (2017) reminds us, sacred

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<sup>372</sup> The religious affect I am referring to, here, is a combination of the 'sacred' outlined above and Kathleen Stewart's account of 'ordinary affects' (2007). See Chapter One for a discussion of the role affect and writing play in this thesis.

<sup>373</sup> See Chapter One for an illustration of this point.

<sup>374</sup> Although my field notes capture a distinctly Christian affect, the medieval Jewish quarter was located directly opposite the Beaney and continued along Best Lane, where many prominent

matter is also embodied in the movement across the ‘lawscape’ (Philippopoulos-Mihalopoulos, 2015):

Even for those not overtly carrying a religious form of law themselves, the act of walking past churches, cemeteries or other religious architectural emblems also potentially leaks into the layers of legal footprints triggered, and left behind, in a kaleidoscope of bricked memories and multiple layers of bricked laws.

(2017, p.225)

Tracing the imprints upon the city’s streets is not to suggest that all those who register a life event must experience a sensory encounter with the ‘sacred’.<sup>375</sup> But rather, my fieldnotes illustrate that an essential component of ‘place’ is religious affect, which is resident in the everyday of public space, and not solely the sites of pilgrimage which acquire mythical force. As Henri Lefebvre writes,

The historical and its consequences, the ‘diachronic’, the ‘etymology’ of locations in the sense of what happened at a particular spot or place and thereby changed it – all of this becomes inscribed in space. The past leaves it traces; time has its own script.

(1991, p.37)

This is significant because the ‘sacred’ has symbolic meaning. As previously noted in this chapter, sacred space is ‘rarely about what we conventionally call religion’ (Kinnard, 2014a, p.4), but rather, functions as an ‘index’ of identity and belonging (see for example, the contested sacrality of 9/11 memorial space). Accordingly, the movement invoked by the state’s documentation of the life course sets bodies in motion through a ‘lawscape’ which is rich in ‘sacred’ meaning.<sup>376</sup>

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members of the community lived. For a virtual trail of this history, see: <http://www.jtrails.org.uk/trails/canterbury> (Accessed 23 November 2020). The Anglo-Jewish aspect of Canterbury’s heritage tends to be forgotten and receives little attention in either the tourist material or the Beaney’s *People and Places* gallery.

<sup>375</sup> It should be noted that there is as much a distinction in the sensory perception of space as there are physical differences in movement which, I would argue, also blurs the relationship between the ‘real-and-imagined’ (Soja, 1996) of place (Judge, 2018). See Chapter One for discussion.

<sup>376</sup> See Part II for a discussion of lawscape.



Image 15. Leaflets from the Beaney's tourist information desk

What, then, is seen when the sacred is registered? The broader point I am seeking to make is that ‘registration’—as a mode of recognition rather than an act of list-making—draws attention to the ‘streetscape’ (Young, 2014). As I argued in Chapter Three, the passage from parish to civil registration was notable for the creation of a spatial machinery which regulated the movement of bodies to and through administrative place (see Chapter Four). The register of the streetscape, I argue, imbues the performance of registration within local districts with the rich meaning of ‘place’ (see for example Barr, 2019). Accordingly, the concept of registration/pilgrimage not only re-connects paper with land and state-authored biography with personal narrative, but, in doing so, draws attention to the inherent affect of our journeys through law and space – an understanding which can challenge, I argue, the critical narrative that registration is a blunt tool of governance. In the following section, I develop the register of place further as I turn to the legal fiction and narrative encountered as the *People and Places* gallery depicts the ‘sense of place’ (Massey, 1994).

### A Gallery of Legal fiction

In the previous section, I provided an excerpt from my fieldnotes to reflect upon the streetscape leading to the Beaney. My account of journeying sought to flesh out the sensory realm of movement to place which, in Part II, arose in the

context of registration and the lawscape. Yet, the concept of ‘place’ is not simply a material, physical, or sensory experience – it is also a matter of illustration. As Olivia Barr (2019) argues, in her discussion of the ‘40,000 Years’ mural in Redfern, Australia, ‘law stories’ are woven into art which publicly displays a city’s ‘sense of place’ (Massey 1994). As she puts it, ‘the mural is a visual storyteller sharing a public collection of Redfern histories, activities, and law stories’ (2019, p.28). These ‘visual narratives’ are informed by the interaction between multiple laws – local, national, global, Aboriginal and colonial – to name a just few (2019, p.9-11). As Barr explains, ‘fractal patterns of different types of laws criss-cross the physical landscape’ – a concept she illustrates as ‘kaleidoscopic legal place’ (2019, p.6). In other words, if ‘place’ is multiple (Massey 1994) then so must be the law which governs it. The broader point of which, to relate this back to registration, is to read the ‘sense of place’ which is illustrated in the Beaney’s *People and Places* gallery as a visual storyteller of the multiple laws’ which ‘criss-cross’ the physical landscape. In the following brief sketch of the gallery, I offer a brief account of the narrative which is on display:

Lined with paintings of the Cathedral and portraits of sixteenth century nobility, *People and Places* tells the story of Canterbury’s rich heritage. The gallery gives the impression of gentle grandeur with its light blue interior, zigzag parquet flooring and a skylight that stretches the length of the ceiling. To the right of the archwayed entrance, the ‘wall of fame’ aligns portraits of ruff-collared peers, capturing their gaze in thick, gilded frames. Alongside them, stately homes are painted in the far-off distance, fenced by acres of land and grazing cattle. As a physical reminder of Kent’s agricultural past, wooden tools from a retired farm have been bolted to the far end of the room. Underneath the heavy instruments, women and children pick the hops – faces cast down as they work the field.

The opposite side of the gallery is dedicated to Canterbury and its surrounding locality. Distinctive features of the Kentish countryside – oast houses, fields and coastline cliffs – form the subject matter of the display. A section of the wall honours the Cathedral, as the Bell Harry Tower looms over the city’s pastoral outskirts. Contemporary artworks have been scattered amongst these more traditional depictions of the area: a portrait of fair-haired twins sitting side-by-side; a painting of three children playing with string-puppets, a ukulele and a discarded comic book; and a photograph which captures the faded charm of coastal life. In this piece, entitled ‘My Man’, a young woman sits

alone on a bench against the backdrop of a painted seaside scene; and an accompanying hand-written note tells of her complicated feelings towards the ups-and-downs of life with her boyfriend.

In the centre of the room, a pair of glass cabinets evoke the power of nostalgia. The shelves are packed with childhood toys and characters from the stories of artists who share connections with Canterbury. In the right-hand cabinet, the original Bagpuss (a stripy, rather plump, pink-and-white cat of '70s television fame) sits on a cushion as he presides over the pink mousey members of the Clangers family (of similar notoriety). The adjacent display hosts Rupert the Bear memorabilia: a collection of books, decorative plates, figurines and a pair of little red slippers. A Victorian Noah's Ark floats on the plastic shelf above, and a handful of miniature animals are lined up outside – as they wait to board.

(Reflections on the gallery, August 2018)<sup>377</sup>

As we see above, the Beaney's *People and Places* gallery evokes the 'storied place' of a sacred landscape (Lane, 2002).<sup>378</sup> Each painting displays the 'placing' of people: the hop-pickers who work the fields, the nobility who own the land, and the pilgrims who journey through the landscape.<sup>379</sup> The gallery also tells a story of kinship. This is most apparent in those local artists who are inspired to paint their loved ones: the fair-haired twins who sit side-by-side, the children who play together and the Victorian girl, dressed in black, who lingers at the door. Beyond these 'traditional' depictions of family, the memorabilia donated by Kent's Operatic Society recalls the kinship of a local community (or 'communitas') brought together by their shared interests.<sup>380</sup> In addition, the nostalgic showcasing of childhood toys captures the sense in which sentimental

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<sup>377</sup> See Chapter One for a discussion of methodology.

<sup>378</sup> Whilst I do not agree with Beldon Lane's romantic description of the otherworldly, his notion of 'storied place' can be useful if it is recognised that the sacred narrative is socially constructed. As he draws on utopian thought to blur the sacred and secular, Conrad Ostwalt (2012) provides an interesting illustration of this point. Ostwalt builds his definition of sacred space from 'storied place', but also emphasises the role intentional communities play in constructing, enforcing and imbuing their space with deep meaning.

<sup>379</sup> See chapters four and six.

<sup>380</sup> See Chapter Six where I discuss 'communitas' and also, in relation to registration and the landscape (Holder and McGillivray, 2020)

attachment to place evolves over time. The displays weave together a narrative which illustrates the powerful connection between people and place.<sup>381</sup>



**Image 16. Storied place**

But this is not a romantic narrative of the otherworldly. Amongst these celebrations of locality, the teenage girl who sits alone, against the backdrop of a painted seaside scene, tells of a more complicated relationship with place. Meanwhile, the oast houses and golden fields position Kent as the ‘Garden of England’ – an image which celebrates the rural yet simultaneously implicates wider understandings of locality, race and nationhood (Darian-Smith, 1999). Similarly, the Cathedral is given a prominent role as the Church of England’s architectural centrepiece and the defining landmark of Canterbury’s spiritual heritage.<sup>382</sup> Yet, to recall Edward Linenthal, ‘...every place of memory is also a place of forgetting’ (1995, p.221). Whilst the medieval folk who passed through the city play an important role in the collective memory, the pilgrims’ Jewish contemporaries—forcibly removed from their homes in Canterbury’s thriving

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<sup>381</sup> See Chapter Two where I outlined the role that the parish registers played in weaving together a narrative of everyday life.

<sup>382</sup> See Image 15.

medieval Anglo-Jewish community—are overlooked.<sup>383</sup> As I discussed when journeying the line of the sacred/secular, the dynamics of class, gender, race, and religion permeate the creation of a meaningful space to inhabit.

The Beaney's *People and Places* gallery displays a narrative which interweaves kinship with locality, prompting the significant question of what it means to belong to a place (see also Chapter Four).<sup>384</sup> I offer this illustration of the gallery to draw attention to the 'deep meaning' which is at the heart of sacred space: with all the 'poetics' and 'politics' that this entails. The broader point of which is that the basic subject matter of the gallery is also 'spatio-legal' material: all the 'things' on display – the relationships, concepts and affects – are things that would be documented, recorded and registered.<sup>385</sup> The paintings provide aesthetic representations of families, hop-pickers, landowners and landscapes, and whilst the basic details of the life course are presented as objective and neutral 'facts', state documentation provides its own textually-mediated biography of names, dates, addresses, occupations, gender markers, parental details and registration districts – seemingly mundane bureaucratic details which weave together their own narrative of the connection between people and place (see Chapter Four).

The Beaney's illustration of kinship and locality, I argue, sets the tone for 'registering' the affective resonances of state documentation. In the introduction to her material analysis of the aesthetics of medieval documents, Jessica Berenbeim (2015) discusses the preservation of the founding texts in the U.S. National Archives: 'an aesthetic and spiritual place, part museum and part temple, for admiration of the documents themselves as well as their reception in

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<sup>383</sup> The medieval Jewish quarter was located directly opposite the Beaney on the other side of the High Street. For more detail on this history and a virtual heritage trail of Jewish places of interest in Canterbury, see <http://www.jtrails.org.uk/trails/canterbury> (Accessed 13 October 2018).

<sup>384</sup> See Chapter Two and Chapter Three for a historical account of administrative place.

<sup>385</sup> I am referring here to the 'meanings and significance of space and those related concepts that compose and comprise the inherent *spatiality of human life*: place, location, locality, landscape, environment, home, city, region, territory, and geography' (Soja, 1996, p.1).

architecture and painting' (2015, p.3).<sup>386</sup> From the birth certificate to the Bill of Rights, Berenbeim summarises, 'documents are part of political and social life, and also part of material culture, in both their primary existence and their cultural reception' (2015, p.3). Similarly, as I discussed in Chapter Two, the parish registers were also a form of 'material culture' which provided a space for the local community to weave together a narrative of everyday life. The broader significance of which, I argue, is that this register of sacred place provides an illustration of the legal fiction of registration. The lines drawn upon the surface of the certificate can be traced back to place, and in doing so, the vibrancy of the community which is recorded can be recognised.

### **Souvenir and Artefact**

In the aftermath of Becket's martyrdom, a new craft was developed to provide souvenirs for the thousands of pilgrims travelling to Canterbury Cathedral.<sup>387</sup> Until the thirteenth century, the tokens were exclusively designed as ampullae – miniature vessels which were decorated with images and suspended from the neck (Lee, 2009). Since medieval folk believed Becket's blood could heal the sick, the material was carefully collected and diluted for future generations (Lee, 2009). The ampullae were considered sacred because they held tiny portions of this 'Canterbury Water' (Lee, 2009). After the vessels were phased out, badges that could be attached to the pilgrim's clothing became fashionable (Lee, 2009). The tokens earned those who wore them special privileges and spiritual protection along the road, whilst they also advertised the shrine, and how far the pilgrim had travelled (Lee, 2009). In a society where faith and superstition prevailed, the souvenir trade provided significant revenue for the medieval Church, which sought to establish monopolies wherever a shrine was located (Webb, 2001). As such, the pilgrim souvenirs blur the lines between sacred relic and token commodity.

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<sup>386</sup> See also Stacy Douglas (2017) for an account of the relationship between museums, constitutions, and community.

<sup>387</sup> See Chapter Six.



**Image 17. Medieval pilgrim badges of Becket and his tomb**

A selection of pilgrim badges, dating from the twelfth to fifteenth centuries, are on display in the Beaney's *People and Places* gallery. Adjacent to the large oil painting depicting the assassination (see Chapter Six), a small glass cabinet contains badges of Becket's head, his episcopal gloves, and a minimalist impression of the tomb. A wider range of souvenirs were also available at the shrine: badges depicting Becket on horseback giving a blessing, Canterbury bells, and ampullae – some of which were inscribed with the legend 'Thomas is the best physician for good people that are sick' (Loxton, 1978, p.189). Today, the tradition is kept alive as visitors to Canterbury Cathedral can purchase replica badges from the neighbouring gift shop. But if registration is a form of bureaucratic journeying, as discussed in Chapter Four, can state documentation be understood as a 'takeaway token' of place?

In a similar vein to pilgrims who reach a sacred site, citizens who register a life event can take a variety of material away with them. In the registration process, the bureaucratic information is processed electronically, and those present are invited to purchase a copy of the certificate, in short and/or long form, at a minimal cost (see Gov.UK, 2019). As part of the charity initiative 'Bookstart', those who register a birth in England and Wales will also be given a book pack, which is designed to encourage reading from an early age (see Gov.UK, 2019).

As discussed in Chapter Five, blue/pink commemorative versions of the birth certificate and family trees are also available to purchase at the Beaney.<sup>388</sup> Accordingly, the souvenirs of registration are the reading packs, family trees, commemorative certificates, and legal forms which may be taken away as a reminder of the process.<sup>389</sup>

There is, of course, a distinction to be made between the materials which have been designed as keepsakes and the official documentation. As Wendy Hunter and Robert Brill note, ‘in many countries, a birth certificate is necessary to attend school, receive health care, inherit property, open a bank account, gain access to credit, obtain other forms of identification, vote, and receive a death certificate’ (2016, p.191). Clearly, there are material consequences to having (or not having) state documentation – which may be overlooked by using the language of ‘token’. And yet, souvenirs and legal papers are both products of exchange. When individuals purchase a birth certificate, they ‘buy’ into the legal system, with the document acting as a ‘receipt’ of transaction (see Chapter Five).<sup>390</sup> Whilst the language of ‘souvenir’ displaces the certificate’s legal form, then, the term’s market associations may be used to illustrate the ‘currency’ of official papers.

As kitsch items which trade solely in the currency of sentiment, souvenirs appear to reflect a touristic consumption of place (Kaell, 2012). Indeed, the sale of mementoes in the proximity of 9/11’s memorial space has proved controversial – with some critics portraying the market as a ‘Disneyfication’ of tragedy which

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<sup>388</sup> As I briefly discussed in Chapter Six, the province of British Columbia, Canada, provides a useful example of how a sense of place imbues the online registration process. In a similar vein to the Beaney, the registration process offers the opportunity to purchase commemorative certificates with 42 styles to choose from; 36 of which are ‘stylized regional scenes of B.C. from Carol Christianson’s mural “Splendid Diversity - 36 More Wonders of the World”’. See for further: <https://www2.gov.bc.ca/gov/content/life-events/birth-adoption/births/birth-certificates/commemorative-birth-certificates> (Accessed 21 August 2020).

<sup>389</sup> As Gary Clapton writes, ‘adoption demonstrates the powerful, talismanic qualities of the birth certificate’ (2014, p.216).

<sup>390</sup> See also Chapter One for an overview of the Libraries, Registration, and Archive service which explains why births and deaths came to be registered on the mezzanine floor of the Beaney’s library.

offends the sanctity of the site (Sather-Wagstaff, 2011).<sup>391</sup> But whilst media discourse frames the souvenir trade as a particularly modern controversy, the Beaney's medieval artefacts are testament to the enduring friction between the sacralisation of space and touristic acts of remembrance. The pilgrim souvenirs were manufactured for considerable profit (Webb 2001). However, they were deeply intertwined with place and forged a powerful bond between pilgrims and the otherworldly, evoking tactile questions of place, movement, and memory.

As I discussed in Chapter Two, the parish registers were also a public forum for communal memory, local narrative, and recording everyday life, and as such, the Beaney's medieval artefacts are useful to illustrate the affective resonances of state documentation. During the Middle Ages, it was a remarkable experience to leave one's home behind, and to travel afar, in the hope of encountering the divine (Tomasi, 2002). The souvenirs were ethereal markers of place which provided tangible reminders of the journey and conjured a feeling of perpetual return to the shrine. More precisely, the tokens were considered 'metonymic signs' – the pilgrim symbolically appropriated the sacred matter by owning a small portion (Blick, 2005). This was particularly true of ampullae whilst badges were considered to be 'touch relics' which became imbued with the otherworldly when they were pressed against the shrine (Lee, 2009).<sup>392</sup> The tokens were revered, not because of any intrinsic worth, but because of their intimate connection with the sacred space they depicted.

Similarly, state documentation is inherently connected to the space it is produced in. As I have discussed throughout this thesis, registration relies upon legal fiction in the sense that it shapes the natural and material world as a 'blank surface' upon which lines can be drawn (Pottage, 1995).<sup>393</sup> In relation to the documentation of births, Yngvesson and Coutin explain, 'the birth certificate *returns* to birth, retroactively defining a particular birth as legally cognizable, as

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<sup>391</sup> As I argued earlier in this chapter, then, the poetics of the 'sacred' are imbued with the spatio-legal politics of the everyday. See Kinnard (2014b, 2011) for further on the 'sacrality' of 9/11 memorial space.

<sup>392</sup> See Cooper (2011) for a discussion of touch and governance.

<sup>393</sup> See Chapter Six for discussion.

an event that produces a particular legal person and establishes legal parentage...through such returns, persons are made and unmade' (Yngvesson and Coutin, 2006).<sup>394</sup> Yet, as they argue, this 'return' is self-referential, since the certificate 'cannot lead back to birth but only to birth as a legally cognizable event' (Yngvesson and Coutin, 2006). In other words, it is not the birth (or death) which is authenticated by state documentation, but rather, the moment of recognition itself – registration is premised upon a 'legal fiction' (Pottage, 1995). As 'fragments' of governance, then, official papers are 'metonymic signs' which manifest bureaucratic space and mediate a 'propertied' relationship with the state.<sup>395</sup> In addition to its legal form, the birth certificate is a papered marker of registration space which records the connection between people and place and bears witness to the bureaucratic journeying of registration (Chapter Four).

Interestingly, medieval pilgrim badges may have been crafted from lead to intentionally invoke the symbolism of documentation. When the impressionable material was affixed to correspondence, the seal became a physical embodiment of the noble person's authority – testifying the document's authenticity and certifying the sender's enduring 'presence' (Lee, 2009).<sup>396</sup> Drawing on this imagery, medieval folk summoned the appearance of their martyr when they pinned the badges to their clothing. As Jennifer Lee notes, 'the badge was an approximation of the saint having stamped his seal onto the body of the pilgrim' (2009, p.166). Although it is not physically attached, state documentation acts like the seal upon the letter or the badge upon the pilgrim – it maps legal identity onto the body and 'seals' it with the authority of the state.<sup>397</sup> As a souvenir of

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<sup>394</sup> See also Dayan (2011) for an account of legal fiction and how 'legal rituals' both 'make and unmake persons'.

<sup>395</sup> See Ingold (2007) on the 'fragment' of lines.

<sup>396</sup> As I discussed in Chapter Two, the 'authenticity' of the document has been a legal and civic concern since the Reformation era which has been regulated by requiring 'presence' in the signing of the register. See Chapter Four where I relate the legislative requirement of 'presence' to movement and place.

<sup>397</sup> See Thomas Giddens (2020) for a parallel argument in relation to the 'registration marks' of vehicle license plates. As he writes, noting that license plates are 'materially affixed' to the vehicle, '[license plates] are the mark of the law stamped upon the vehicle to give it legal identity, a form of legal name that makes it institutionally perceptible and thus able to be regulated in a practical rather than just a conceptual sense' (p.93). See also Sarah Marusek (2016), who argues that licence

registration, the certificate invokes a perpetual return to the moment of recognition experienced during the meeting (Yngvesson and Coutin, 2006).<sup>398</sup> Accordingly, the journeying of registration performatively enacts legal identity by fixing it in bureaucratic space, and as I discussed also in Chapter Four, people are ‘placed’ by the documentation they receive.

## Conclusion

In this chapter, I have journeyed the line of the sacred/secular to explore the question, what is seen when registering the sacred? The chapter began by outlining the conceptual framework to argue that the sacred can be taken out of its explicitly religious confines and, instead, embedded in points of connection. The ‘sacrality’ of the everyday, I argued, resides in the connection between people and place. The chapter turned, in the second part, to explore three registers of the sacred: the streetscape, gallery, and artefact. In these sections, I illustrated the thesis’ central themes of sacred space and ritual; movement and place; legal fiction and narrative; and the everyday civic space of community.

This chapter has developed the thesis’ overarching argument that shifting attention away from the surface of the certificate and towards its space of production brings important spatio-legal factors into view by outlining the affective resonances that are imbued in our journeys through law and space. The chapters in *People and Places* have provided a conceptual pivot between the historical lines which were traced in *The Study* and the *Mezzanine* to argue that the lines of registration can be traced *back* from the surface of the certificate to the natural and material world these lines are imposed upon. If seeing comes before knowing, to draw loosely upon John Berger (2008), expanding our understanding of registration to explore different registers of recognition, I argue, broadens what can be set down. In the final chapter of the thesis, I

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plates ‘act as displays of legal belonging’ (p.567), particularly those which can be customised, and draws attention to the ‘politics of religion keenly [which] contribute to the arena of specialty plating’ (p.572).

<sup>398</sup> See Clapton (2014) for an overview of research into parental experiences of registration. In one study, parents used terms such as ‘so he is someone’ and so she is ‘in the world’ and terms like ‘heritage’ when describing the significance of registration whilst also providing a secular ritual to confirm their identity as parents (citing Graham et al. 2007).

develop this argument further, as I turn to explore the current debate surrounding the future of registration and how its spatial dynamics might unfold following the events of COVID-19.

## Orientation Point: An Activity for Children

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Can you make yourself  
look important or wealthy,  
glamorous or poor?<sup>399</sup>

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<sup>399</sup> In the *People and Places* gallery, a mirror has been placed in the centre aisle alongside a box of costumes, and a suggested activity for children which asks, as above, 'Can you make yourself look important, wealthy, glamorous or poor?'. Fieldwork note, 10 July 2019. The text has been rearranged into haiku form.

## Part IV. Front Room

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## Chapter Eight. A Journey of Return

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“Return” is central to the production of legal knowledge and to linking the “as if” world of law to an allegedly exterior or prior world (the natural? the social? the real?) on which law acts and from which law derives truth (Collier et al. 1995; Riles 2000). Consider, for example, the production of a birth certificate. The birth certificate *returns* to birth, retroactively defining a particular birth as legally cognizable, as an event that produces a particular legal person and establishes legal parentage (and, in many countries, citizenship).

(Yngvesson and Coutin, 2006, p.178)

This thesis has provided a room-by-room journey through the Beaney’s tessellating spaces to explore the spatial dynamics of civil registration. The spatial narrative began in *The Study* with historical analysis which mapped out the shift from documenting the soul to registering the medico-legal body. I continued to trace these historical lines through the liminal space of the *Mezzanine* where the Beaney’s lawscape was registered. The thesis, in doing so, identified the competing technologies of registration as, on the one hand, a bureaucratic tool concerned with identifying the individual, and, on the other, a place-infused performance of secular ritual. This narrative continued to unfold in the *People and Places* gallery where I journeyed the line of the sacred/secular to explore the affective and emotional ‘registers’ of state documentation. This room-by-room journey has developed the concept of registration as a process of ‘journeying’ which invokes multiple lines of movement – the literal pathways of registrars and citizens, the figurative journeying of legal identity, and the paper trails which follow.

The main contribution of this thesis has been the development of a conceptual framework for civil registration which shifts attention away from the surface of the certificate and towards the spatio-legal matter which occupies the background. The concept of registration as ‘journeying’ weaves together the human and non-human, the soul and body, the sacred and secular, to develop a more nuanced understanding of registration which explores both the material *and* imaginative realm of law and space. The thesis has, in doing so, shifted the terms of the conversation from the bio-political certification of the individual to explore registration as the connection between people and place. This

conceptual journey brings to the foreground the continuing significance of community, place, and secular ritual. But how might this spatio-legal understanding of registration ‘hold-up’ in the ever-changing landscape of COVID-19 (and beyond)? In this final chapter, I now turn to socio-legal debate surrounding registration by providing a ‘journey of return’ to the surface of the certificate, and, following the events of COVID-19, I also reflect on how this place-infused act of governance might evolve in the future.

### **Registration, Imagination, and the Everyday**

This thesis has sought to provide a spatial narrative of registration. It began, however, as a research project relating to the binary lines of gender and kinship which are drawn in the textual practice of state documentation.<sup>400</sup> My concern, at that time, was with legal discourse presented in a judicial review of the Registrar General’s decision that a transgender woman (known as ‘JK’) must be registered as the ‘father’ (and not ‘parent’ or ‘father/parent’) on the birth certificates of her two ‘biological’ children.<sup>401</sup> The case was argued on the grounds that registering JK in this gendered terminology would reveal her transgender identity which, in turn, would constitute a breach of JK and her children’s right to private and family life under Article 8 of the European Convention on Human Rights.<sup>402</sup> The application was rejected in the High Court, however, on the basis that the state had a legitimate interest in having a civil registration system, the intrusion of privacy was proportional, and finally, JK’s children had a right to know their genetic origins (and for this information to be recorded upon the certificate).<sup>403</sup>

My interest in civil registration was animated by the medico-legal discourse concerning birth documentation. I was drawn, in particular, to the words of the psychiatrist expert who noted that ‘if the claim was successful, it would not be

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<sup>400</sup> See for discussion Cooper and Renz (2016), Spade (2015), and Currah and Moore (2009).

<sup>401</sup> *R (on behalf of JK) v Registrar General for England and Wales* [2015] EWHC 990 (Admin).

<sup>402</sup> See for discussion McCandless (2017).

<sup>403</sup> See also *In the matter of TT and YY* [2019] EWHC 2384 (Fam) for a parallel, and much lengthier, discussion on the rights of a transgender man to not be recorded as ‘mother’ on his child’s birth certificate.

apparent from their birth certificates that the children had ever had other than two female parents' (*R (on behalf of JK) v Registrar General for England and Wales*, para 113). This statement alone suggested, to me, a narrow view of the state's documentation as a 'gatekeeper' of legal reality. Indeed, whilst the expert acknowledged that the parents (or grandparents if they became unable to) would 'inform the children at an appropriate stage', he continued his evidence by warning that, 'whatever mechanics are put in place in an individual case, there is a risk that the children will in the event be denied the important information' (para 113). The expert view positioned the birth certificate as a self-contained narrative which authenticates kinship and provides a measure of 'proof' to an identity configured as the essence of biological matter. In this sense, whilst the case had been framed as a matter of privacy, it read to me as a decision about the intimacy of familial narrative and the power to script it. But is registration simply a blunt tool of governance which 'flattens' autobiography into binary lines mapped out by the state?

The answer, I would suggest, lies in the multiplicity of law when it is placed in the everyday. In the cases which have illustrated the binary lines drawn by registration, the document is viewed in isolation, as a reality composed solely by the fabric of law.<sup>404</sup> Yet, the document is intimately connected to a 'spatial practice' (de Certeau, 1988) of everyday journeying. As I have discussed throughout this thesis, the act of registration is a 'legal fiction' which relies upon and yet masks the social fabric it draws upon.<sup>405</sup> In the words of Yngvesson and Coutin, 'A birth certificate retroactively instantiates a particular history from among multiple (often incompatible) possibilities, selecting this history as the particular past that produced a seemingly subsequent present. Through such returns, persons are made and unmade' (2006, p.178). The birth certificate, viewed through this journeying lens, registers a moment – a 'splice' (Blomley,

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<sup>404</sup> The case of *TT* provided a more nuanced understanding of the birth certificate which, nevertheless, contrasted the legal documentation of parenthood with its day-to-day 'social reality' (see for discussion Welstead, 2019).

<sup>405</sup> See also Cooper (2020) for a brief discussion on legal fiction, binary gender, and the 'as-if'.

1994) of space and time from which multiple narratives unfold. The following section provides a detailed outline of the ‘journeying’ undertaken in this thesis.

### **Journeying the Beaney**

The spatial account of ‘journeying’ which has developed in the Beaney’s tessellating spaces has sought to recognise the multiplicity of narrative which exists in the everyday civic space of community. It is an account of registration which shifts attention away from the surface of the certificate and towards its space of production. The basic premise for this ‘bureaucratic journeying’, as discussed in Chapter Four, is the legislative framework for civil registration which sets bodies in motion to ‘fix’ legal identity upon the certificate (see also Smith, 2020). My argument is that registration is imbued with a sense of place which is grounded in the ‘locality requirement’ – the legislative provision that births and deaths must be recorded in person at local administrative districts. Accordingly, the thesis has developed a place-infused framework for civil registration which, in contrast to bio-political accounts, argues that the legal identity is more than just mapped onto the body, but rather, that the ‘soul’ (or the ineffable) is fixed to legal place (see Chapter Two).

One of the main contributions this thesis makes is to the understanding of registration not only as a process of list-making but as a process of ‘journeying’ (see Chapter One for discussion). In the previous chapters, I outlined the multiple lines of movement which unfold from the state’s documentation of the life course. This account of registration was illustrated, for example, by the Beaney’s medieval pilgrimage badges. These sacred tokens, as I discussed in Chapter Seven, were imbued with the sacrality of place and materialised a continual journey of return to Becket’s shrine. In a similar vein, I argued, that the state’s documentation of the life course documents a moment which is registered and, in turn, produces multiple lines of ‘journeying’ (see also Yngvesson and Coutin, 2006).

The concept of registration as ‘journeying’ is a historically contingent account of state documentation which resists a linear narrative of secularisation and progress (see also Dayan, 2011). The spatial account of registration began, in Chapter Two, with a brief sketch of the sacred space in which the state’s

documentation of the life course was originally performed. This early form of registration mapped onto the spiritual journeying of the Christian soul and provided a public forum for the local community to document the spatial matter of everyday life. The role of the community faded, however, as a ‘spatial machinery’ developed in the early Victorian era which gradually fixed the movement of registrars and citizens to private spaces of registration (see Chapter Three). This bureaucratic logic, in turn, ‘centralised’ the records in the General Register Office (see Chapter Three). But whilst my spatio-legal reading of the legislation is informed by this historical ‘shift’, I have been careful of demarcating a ‘clean break’ between sacred and secular forms of documentation. The registration of the Beane’s lawscape, for example, illustrated how registration is a bureaucratic act of governance which ‘fixes’ identity and yet provides a symbolic space for the performance of secular ritual (see Chapter Five).

The significance of registration as a process of journeying, rather than just a written technology of governance, is that it can be used to illustrate a range of affective and emotional registers which are otherwise suppressed. The concept of journeying, in this context, intertwines the lines of movement which unfold from the state’s documentation of the life course along places both ‘real- and-imagined’ (Soja, 1996). The chapters set in the *People and Places* gallery, for example, explored registration through the physical movement along the Beane’s surrounding streetscape as well as in the aesthetic representation of legal place. The discussion of pilgrimage in Chapter Six and Chapter Seven engaged with a spiritual and ritual account of movement to argue that the sacred is located not in the distant ‘beyond’, but rather, in the connections people form with place.

What might this spatial approach to registration contribute to a broader discussion on the textual practice of certification? To return to the binary documentation of gender and kinship, the understanding of registration as a process of journeying would locate imaginative potential in the state’s documentation. The ‘journeying’ of registration would, in other words, see the birth certificate not as the *ending*—a culmination of ‘facts’ just waiting to be put down—but as marking the *beginning* of a narrative to unfold. As an alternative to a bio-political account in which legal identity is mapped onto the body, this

historically contingent account of registration would recognise that registration fixes the ‘soul’ (or the ineffable matter of legal identity) to place, and as such, the document is not necessarily about authenticating kinship or tracing one’s genetic origins. The ‘journeying’ of registration regards the document as a ‘palimpsest’ – a script upon which lines have been traced and which ‘jut out into the future’ (Yngvesson and Coutin, 2006, p.184).

This spatial methodology of ‘journeying’ has been grounded in the Beaney’s tessellating spaces. I have used the Beaney as a framing device to ground the lines of registration which circulate the building. The purpose of which, as discussed in Chapter One, was to embed space within the fabric of my discussion and to make ‘tangible and material’ (Perry-Kessaris, 2017) that which was largely unavailable to the senses. The journeying methodology was an attempt to work with space in a manner which did not impose ideas upon it but which aimed to become ‘entangled’ with the feel and shape of the building as a ‘lawscape’ (Philippopoulos-Mihalopoulos, 2015). The thesis mapped onto a floorplan which engaged with the museum, gallery, and library spaces of the Beaney whilst also using the idea of ‘orientation points’ to connect these spaces together. Yet, the room-by-room journey has also travelled beyond the frame of the building to explore the surrounding streetscape, the historical spaces of registration, and the online sphere. The point of which was to recreate (or re-curate) the ‘atmosphere’ of the Beaney, a term which I draw upon here, to recognise the law that constantly permeates space – even when it is subject to processes of ‘invisibilisation’ (Philippopoulos-Mihalopoulos, 2015).

The use of the Beaney as a framing device offers a methodological contribution to a broad set of literature drawn together which I have termed ‘spatial approaches to law’ (see Chapter One). The thesis has offered an understanding of law, space, and movement which draws upon the use of narrative to bind together text and space and, in doing so, develops a ‘spatially-embedded’ approach which materialises concepts through its construction. The discussion of the Beaney’s mezzanine floor, for example, was written in a list-making style which sought to reflect on the idea of registration as the process of producing a written record (see Chapter Five). This list-making approach to registration was contrasted, in Chapter Seven, with an approach which sought to flesh out the

affective and emotional ‘registers’ to state documentation by connecting the Beaney to its surrounding spaces. I have sought to challenge the critical account of registration as a legal fiction with reductive capacities and, instead, illustrate how registration can also be a legal fiction in a more literal sense (see Chapter Two). But, how might this ‘storytelling’ account of registration address the documentation of non-human material or the physical landscape? Is this an account of registration which is restricted to the state’s documentation of the life course or might it have broader implications for the concept of registration?

### **Future Paths**

This thesis has been about the spatio-legal matter which occupies the background of civil registration – the spaces, places, and buildings where it is (and has been) performed. My interest in taking this forward gestures towards the people who have been conspicuously absent from a project about the ‘bookmarking’ of human existence.<sup>406</sup> The growing body of literature on registration frames it as an official activity of list-making where its purpose is to identify and to fix details upon paper (see Chapter One). Yet, as I discussed in Chapter Seven, the ‘register’ takes on a variety of meanings beyond the written record which may be useful in exploring the concept as a sensory mode of attention. Importantly, not all forms of registration can or should be considered in this way. But how might socio-legal studies begin to explore these alternative ‘registers’ of documentation?

The everyday, I would argue, suggests one pathway. The spatial narrative which has unfolded began by tracing civil registration back to the formal documentation of Christian rites of passage in the Reformation era (see Chapter Two). This early form of registration took place within the sacred space of the parish church where the registers provided a public forum for the local community to weave together a narrative of everyday life. The ‘paper parish’ (Gordon, 2018) was not solely concerned with producing authoritative lists, although it was established for legal and civic purposes, but also involved these

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<sup>406</sup> As the expert stated in *TT and YY*, ‘The human existence is marked by birth at the first moment of life, and death at the last. The importance of a modern society having a reliable and consistent system of registration of each of these two events is clear’ (*In the matter of TT and YY* [2019] EWHC 2384 (Fam), para 266).

alternative registers. The church administrators wove the natural and material world into the pages of their registers and, in doing so, provided a rich account of a bureaucratic act of governance which is typically seen as reducing the vibrancy of narrative into linear order. The parish registers, I argue, reveal a human impulse to document the everyday – registration is a secular ritual act which creates a meaningful space to inhabit (see Chapter Seven).

My hypothesis, as such, is that everyday people are engaging with the registration process in a manner which goes beyond that which is currently captured by the bio-political focus upon the certificate. A notable example, as briefly noted in Chapter Four, would be those who draw upon state documentation to perform ‘roots-trips’ (Yngvesson and Coutin, 2006) or to trace their genealogical lines (Edwards, 2018). Indeed, as I discussed in Chapter Three, the practice of ‘journeying’ the registers can be traced back to the early Victorian era, when members of the public would travel to the General Register Office’s search room. The argument of critical legal scholars that registration is a legal fiction (see for example, Bhandar 2018; Keenan, 2019; Pottage, 1995) has been explored through a different lens. The concept of ‘legal fiction’, in a strict sense, refers to the use of metaphor in a legal system which points to the distinction between legal and social reality (see for brief discussion Cooper, 2020). In the room-by-room journey through the Beaney, however, I have explored the legal fiction of registration in a more literal sense—as a point of narrative—demonstrating where registration has taken on a more literary and imaginative fabric to weave together narratives of everyday life.

My spatial account of registration as ‘journeying’ weaves together the human and non-human material in a meshwork of lines which, I would argue, has significance beyond civil registration. In the context of land and title, for example, the development of registration systems has been traced back to the shipping registers (see for discussion Bhandar, 2018; Keenan 2019). As Keenan (2019) explains, the registration of ships ‘involved a national registry, with each ship having its own page listing its name, description, owner and any charges against or other financial interests in the ship’ (p.289). The shipping registers were designed to create a ‘factual and conclusive’ (p.289) system of record which would facilitate commercial transactions during the Industrial Revolution. In the

‘culture of registration’ (Pottage, 1995, p.361) list-making evolved to facilitate the transmission of property (see Chapter Three). But whilst the shipping registers were concerned with non-human material these ships were, of course, sailed by human actors. The shipping registers were, then, also bound in processes of ‘journeying’ and storytelling – as I discovered following a ‘journey of return’ back to my own place of origin.

At the front door of the Harbour Inn, Southwold, a map has been pinned to the wall. The chart of wreck dates back to 1868 and was compiled from the registers belonging to the Board of Trade. In a similar vein to the Beaney’s family tree (see Chapter Five), the ‘Wreck Chart of the British Isles’ deploys a cartographic logic which maps out a series of dots to represent the loss of life in the seas alongside a set of figures which illustrate the nearest life-boat stations. The rows of dots along the Suffolk coastline, where this map was positioned, are so extensive that they jut out beyond the borderlines of the page. In a palimpsestical space, where the flood line of 1953 is painted on the outside of the Inn to mark the traces of the River Blyth, the map demonstrates the sense of place imbued in acts of registration. The data from the shipping registers is visualised with a cartographic logic that, in the local pub, acts as a visual storyteller – like the mural, or the Beaney, or other legal aesthetics for example – to tell its own narrative of everyday life and community – animating the ‘forgotten place’ of the sea. The appearance of the map visualises the curious interaction between the ‘real-and-imagined’ (Soja, 1996) places of registration.

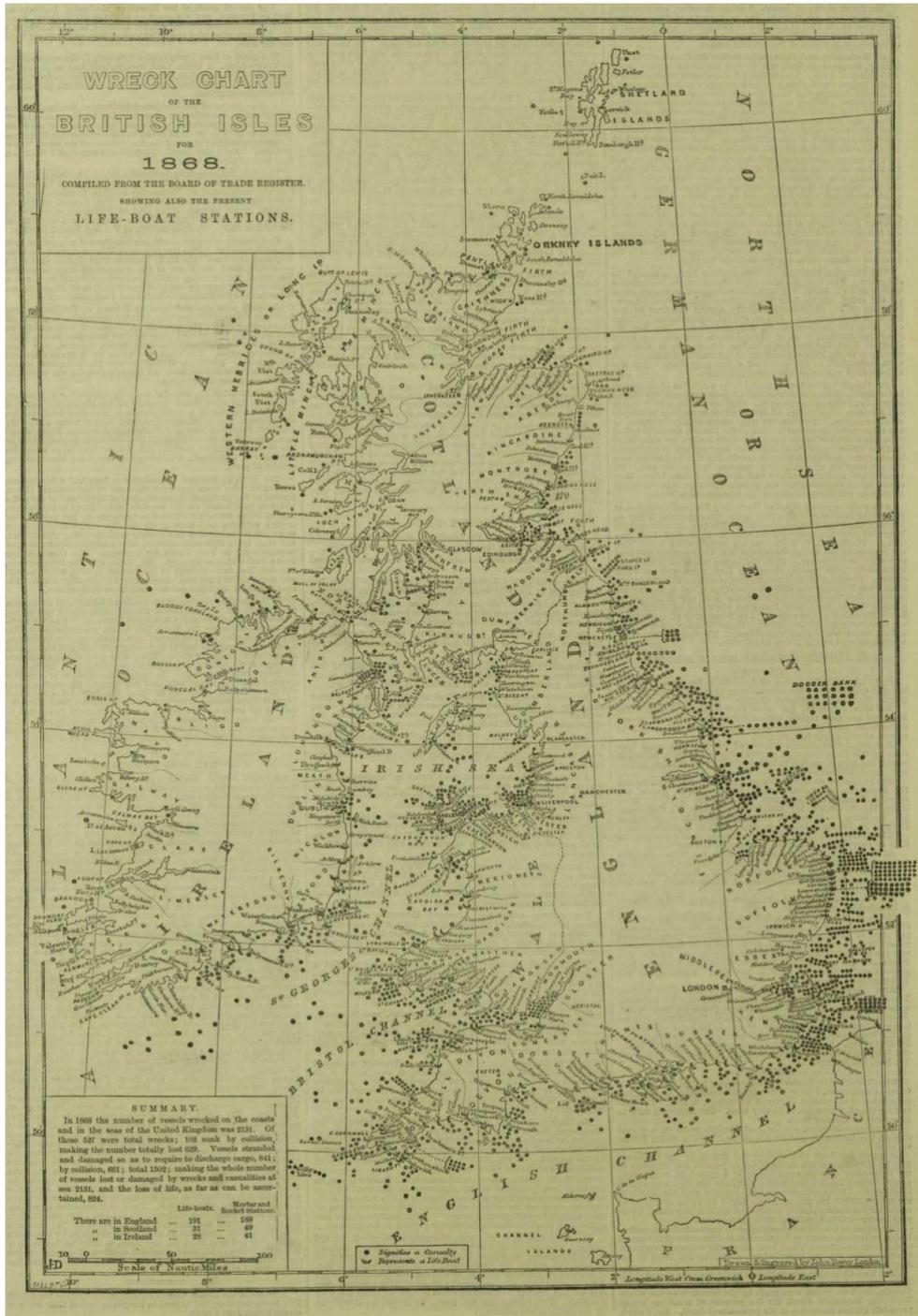


Image 18. Registering people and place

My suggestion for the future direction of registration is that it could come to be regarded as a process of journeying which involves a range of everyday actors (rather than solely 'the state' and its citizens) who do not share a unified vision of registration and, accordingly, produce a more nuanced understanding than that which legal and judicial discourse currently allows. This spatio-legal

approach would start not from the premise of a state-imposed system which ‘minority’ groups are unable to fit into (see for discussion Cooper and Renz, 2016) but, rather, from the viewpoint of community (or ‘*communitas*’, as discussed in Chapter Six). Accordingly, a spatio-legal approach to registration may begin to draw out the use of these documents as points of everyday recording and archiving – which take on journeys of their own outside of their official use. The concept of registration as ‘journeying’ may then be able to explore the idea of registration as a ‘legal fiction’ in a way which does not only contrast social and legal reality but explores how these two forms of knowledge come together in the imaginative realm of law and space.

The ‘lawscape’ approach underlying this thesis is particularly useful because it draws attention to the law of the background – whether that be the background of space, place, movement, and archi-texture as in this thesis or the background of people’s consciousness or actions. In Chapter Two, for example, I discussed how the micro-scale provided by historians of material culture was useful because it examined the ‘blank pages and wide margins’ (Hobbs, 2008, p.96) where an alternative narrative of registration unfolded. This historical lens shifted attention from how the government intended to use these documents to how the local community used them, revealing a more intimate connection with narrative, text, and space. In other words, I would like to see registration explored not just as legal form but as everyday narrative.

This everyday focus, I suggest, would be more likely to evolve into long-term change in the use of registration as a mechanism of governance rather than more piecemeal reforms that target particular aspects of registration such as the binary documentation of gender, or the listing of parenthood. In the COVID-19 landscape, where the data stripped from death registers is broadcast to the nation and, yet, at the same time, people are drawn to documenting and registering their daily experience of coping with the pandemic, these questions take on deeper significance. It might be more productive not to think of civil registration as ‘bookmarking’ the beginnings and ends of existence, but, as the daily practice of registering the everyday – as I explore in the following section.

## **Ruptured Lines**

The Beaney closed its doors on 17<sup>th</sup> March 2020 as a pandemic swept across the world. The concept of ‘bureaucratic journeying’, as I discussed in Chapter Four, begins with the legislative requirement that births and deaths must be registered by qualified informants who attend meetings in their local administrative district. The pandemic meant, however, that birth registration had to be suspended across England and Wales which, in turn, resulted in a significant backlog of new-borns without birth certificates (see for discussion Smith 2020b). How might the bureaucratic issues caused by coronavirus effect the ongoing performance of a centuries-old secular ritual?

The emergency legislation passed in the wake of the lockdown contained provisions to temporarily alter the registration of deaths and still-births. The Coronavirus Act 2020 removed face-to-face meetings for these procedures and, instead, relatives and hospital staff gave details over the phone. Interestingly, for a bureaucratic act of governance which has been critiqued as relying upon and producing legal fiction, the legislation further embedded it, with a series of ‘as-ifs’ that outlined how no signature would be taken to be a signature for the purposes of the legislation. The legal fiction will, in years to come, be a visible marker of the effect of COVID-19 beyond the information recorded in the process, as was the case during the sixteenth century when the parish registers revealed the impact of the plague because of the endless listing of deaths (Gordon, 2018).

Could this also be done for birth registration? As I briefly discussed in Chapter Six, there are jurisdictions in which the ‘journeying’ of registration is entirely virtual. In the province of British Columbia, Canada, for example, parents are able to register the birth of their child online by verifying their presence and inputting the details themselves in an online form. Yet, even this ‘virtual sphere’ is infused with a sense of place. Similarly, across North America, birth data is sent to the state by parents, doctors, midwives and hospitals via paper forms, and a birth certificate is sent back via the post (see for discussion Collaboratory,

2018).<sup>407</sup> If the government wanted to simplify registration for England and Wales, this seems a useful approach.<sup>408</sup>

There is ongoing research to be done, however, as to the continuing significance of face-to-face meetings. Do those who take part in the registration process find it an emotive or affective journey, as I explored in the *People and Places* gallery? This question cannot, unfortunately, be answered without direct empirical evidence from surveys, interviews, or observations, yet, remains unlikely given the private nature of the registration process. This thesis suggests, however, that it would be a shame if COVID-19 meant we lost this dimension entirely. The Beaney illustrates the performance of law in everyday community spaces – the importance of which should not be readily forgotten. In the Beaney, parents register births alongside tourists, visitors and local residents who come to the building in search of a range of experiences. The law provides a space in which the bureaucratic act of registration can take on a deeper meaning. Places like the Beaney show parents that there are local services available to them as their child grows up. And they tell the child not only that they simply ‘exist’, but that they are also part of a community.

When the Beaney reopened, in July 2020, it did so with a new one-way system, floor markings for social distancing, and an accompanying ‘safety orientation’ video.<sup>409</sup> This was in stark contrast to the ‘wanderlust’ approach of the Beaney’s redesign which saw the thematic ordering of the rooms around the ideas of ‘people, places, stories’ to encourage visitors to ‘find their own way’ through the collections (Heritage Lottery Fund 2015, p.7).<sup>410</sup> In a sense, the one-way circulatory system acted in a manner comparable to critiques of registration – flattening out the multiple lines drawn through the building as people wandered

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<sup>407</sup> The postal system was initially suggested during the passage of civil registration in the early Victorian era (see Chapter Three).

<sup>408</sup> See also the Law Commission’s (2020) plans for the digital registration of marriages and civil partnerships – a bureaucratic act of documenting the life course which has also been severely impacted by COVID-19.

<sup>409</sup> See Chapter One for discussion of how civic space was segregated along lines of gender and class in the Victorian era.

<sup>410</sup> See Chapter One.

freely between the rooms, leaving their own trails and lines of movement (see Ingold, 2010).

The Beaney re-opened, however, with an artistic flourish. When the Beaney opened its doors again on Tuesday 21 July, it did so in a way which wrapped narrative around the architecture of the building. The Beaney had set up ‘a diary to document the experiences of people living, working and studying in the district under the government-imposed restrictions’ which resulted in contributions ‘from all walks of life’ (Canterbury Museums and Galleries, 2020b). The entries were then turned into a poem and, instead of the usual distance markers, the poem was ‘interpreted by a visual artist to turn it into social distancing waymarkers that guide people around the museum’ (Canterbury Museums and Galleries, 2020b). As the Beaney explain, ‘the words and visuals track the highs and lows of lockdown as visitors move through the city’s collection of art and artefacts’ (Canterbury Museums and Galleries, 2020b) – a similar sort of interweaving of the ‘real-and-imagined’ pathways this thesis takes. In a similar vein to the documents of registration, ‘Both the diary and poem will become part of the city’s social history collection at the museum to be preserved for future generations’ (Canterbury Museums and Galleries, 2020b).

The broader point is that museums do not simply catalogue or curate a series of artefacts, but rather, they provide everyday civic spaces of community. It is in these spaces, as we see at the Beaney, that multiple lines of movement are braided together in a meshwork of lines that move along pathways both real and imagined. The calls for online registration are a pragmatic response to a global health crisis which must be taken seriously. Yet, it is often in the imaginative realm where the un-cope-able becomes cope-able. If online registration symbolises the bureaucratic streamlining of civil registration in the name of ‘efficiency’, we must be careful, I would suggest, of flattening out the vibrancy of an act of governance which connects people and place.

The performance artist, Joshua Soefar, suggests how cataloguing and registration can be conducted as acts of imagination and narrative. In *Perform Every Day*, Sofer (2008) provides an artistic reflection on how life might be lived differently if the mundanity of daily routine were treated as if it were a work of performance

art. As one review puts it, ‘classification systems are suggested as the means to re-organise the day-to-day confusion that we habitually inhabit; fictional scenarios present the possibility of invigorating stale routines [and] tips are given for introducing moments of unexpected intimacy with strangers’ (Cocker, 2008). The book adopts Sofaer’s autobiography as a framing device with 33 entries, notes, and images each corresponding to the author’s lifespan. The contents of which are curated into three substantive sections: photos depicting everyday objects and the people who animate them, instructions to encourage the reader’s performance, and autobiographical reflections on everyday moments lived so far.

The first entry to be catalogued in the artist’s book is a faded birth certificate. The slip of paper, dated 1872, provides a typed notice that the birth of Albert Edward Jones has been registered and witnessed by the registrar of the sub-district.<sup>411</sup> The image corresponds to the reader’s first instruction to ‘Imagine how your life would have been lived if you had been called something completely different instead’. The entries correlate in turn, to an autobiographical reflection upon the artist’s name which illustrates how this performance of the everyday might unfold:

When he was born he was given a name. In fact, it may well have been given before he was born; almost certainly it was discussed, tested and considered. His family name was established as that of his father (and his father’s father) and his ‘first’ name was chosen by his parents together. His name was a kind of narrative. If his name were the same as that of the author of this little book, it would be Joshua Sofaer. But after all, that is a big if. He lives his name, as we all live our names, not knowing what our lives would have been like, if we had been called something completely different instead.

(Sofaer 2008)

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<sup>411</sup> It was not until the Registration Act 1874 that parents were able to purchase a ‘statement’, as it was known then, ‘recording name and date of birth’, however, this was ‘not evidence in a court of law’ (see Farr 1885, p.528).

The artist, then, maps out an autobiographical journey which locates imaginative potential and agentic force in our names and legal identities. This journey of imagination, in turn, suggests that registration can also be shaped beyond the lens of medico-legal discourse to become an everyday act of governance in which multiple narratives unfold. The state's documentation of the life course may 'bookmark' the beginnings and ends of life, yet, the act of registering the everyday can also offer a path of narrative journeying betwixt-and-between these biopolitical measurements.

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