PAPER IS NOT A DRAG

To the *Bag*:

There are few things more pathetic than a librarian trying to defend old-fashioned paper books. We do have our fans among the lay public, who fancy themselves curmudgeonly and "luddite," and therefore capable of identifying with desperate law librarians who are striving to defend their livelihoods. Indeed, while I do find myself self-conscious about arguing for print as a viable media in the future, I do not do so as a curmudgeon, or as a luddite. I do so as a librarian, as a pragmatist dedicated to saving the information of today and yesterday for the scholars of tomorrow.

I just finished reading Bob Berring's wonderful essay in the current issue of the *Green Bag*, "Losing the Law." 10 GREEN BAG 2D 279. It's worth the read.

Bob does an excellent job of pointing out a crisis that's occurring right now in our system of legal information. In a nutshell, he explains that a recent AALL survey has shown that states, in their rush to digitize everything imaginable, (because, as he says, "Print is a drag") have failed to preserve the law. States are so excited about not having to print anything, they are ditching it right and left. But no state is preserving its laws for researchers, much less for posterity.

In passing, his essay pays homage to the value and role of print in our legal history. For all its faults (he doesn't say what those faults are), print was, in the past, a terrific, reliable way to preserve legal information. He then describes a conference held in Illinois and sponsored by AALL, at which a group of state administrators, judges and law librarians discussed the problem. Their conclusion? More, better digital information! Apparently, the conclusion is that the military-industrial complex (for all its faults) has, in the wake of 9/11, given us a way to "digitally preserve" information more efficiently.

There are two significant problems with the conclusion that this conference apparently reached. First, one of the most significant attributes of digital information is its ability to be manipulated. Period. It is, by its very nature, malleable, pliable and flexible. That's the cool thing about it: with it, we can search vast bodies of information by letter or punctuation mark if we want to; it can be distributed to billions of people with the click of a button. For free. It can be cut and pasted.

Will digitizing it with extra layers of encryption developed by the Pentagon or Silicon Valley make it more permanent and useful? Sheesh. That's the point. Anything that can be put on a computer or the 'net can be changed, shared and manipulated. No matter how encrypted it is. It's almost as if there's no "there" there. The only way to permanently preserve it would be to burn it on a disc or in some other format that is write-only. And then you have the problem of the availability of the technology to read that format. Has any one ever heard of "micro-cards," "ultra-fiche" or DOS?

All this brings to mind the observation that Bob makes near the beginning of the essay: that we have taken paper for granted. It preserves the information printed on it and just sits there. (Efficiently, I might add.) But, "Paper is a drag."

So what do we do if we want to preserve legal information? Cross our fingers and hope that computer scientists can come up with something as good as paper to preserve our legal history? That's apparently the conclusion that the experts at the conference in Schaumberg, IL, reached. The baffling thing is, if paper is such a good medium for preserving information, why all the hassle of creating an electronic version of digital information that's "as good as paper"? Sounds like paper is the paradigm . . . . Oh yeah, paper is a drag.

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