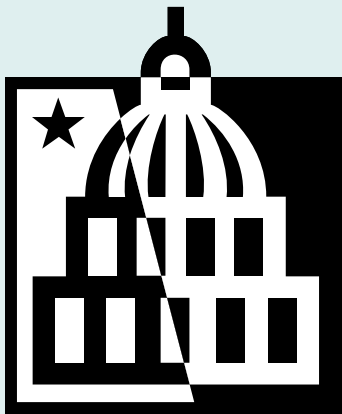


LIBRARY OF CONGRESS



VERSUS SUPREME COURT

Some Thoughts on Law Librarianship's Dual Nature

by G. LeGrande Fletcher

Which building would you visit first: the Library of Congress or the U.S. Supreme Court? Why? I faced such a choice recently while attending the Federal Depository Library Conference (FDLP) in D.C. in April. I discovered that an individual law librarian's choice of Supreme Court or Library of Congress reveals a great deal about his or her approach to law librarianship. Further reflection on the question tells much about our profession's dual nature as well.

As will many law librarians attending next summer's AALL conference in Washington, D.C., I thought I should visit these two institutions of my profession. At an unexpected break in the FDLP conference, I took the Metro subway train to the Capitol South station, walked up the hill behind the U.S. Capitol building, and suddenly realized the two buildings are literally side by side. I stood on the street corners between them for a short while, trying to decide which one I would visit first.

AALL

My own ambivalence at that moment typifies the historical tensions between law and librarianship in our profession. For example, AALL originally met jointly with the American Library Association due to common interests with other librarians. Later, however, it was decided to meet instead with the American Bar Association as many law librarians felt a greater affinity for lawyers. Articles and law-lib postings periodically continue the debate on the primacy of library or legal training for law librarians. Janet Reinke wrote in *AALL Spectrum* (6/97:12-13) that an MLS degree (or some library training) is beneficial for law librarians. James Hambleton wondered, "Does a Law Librarian Need a Law Degree?" in *The Spirit of Law Librarianship* (Roy M. Mersky and Richard A. Leiter, compilers, pp. 37-43). These debates seem endemic to law librarianship, given the dual nature of the profession.

Law Firsters vs. Library Firsters

As I stood before the two symbols of my profession in the nation's capital, I wondered, "If I choose law (Supreme Court) or library (Library of Congress) first, what will the choice say about me and my perspective on law librarianship?" I have heard the terms *law firster* and *library firster* from conversations with Curt E. Conklin and the writings of Christine A. Brock, and I'm aware of the distinct stereotypes of dual degree law librarians. Specifically, "law firsters," who obtained their law degrees before their library degrees (or earned only a law degree), generally are more interested in reference work and administration than "library firsters." Legal research, the *American Digest* system of organizing law, and the abstract issues of law librarianship seem to attract law firsters. These law librarians place a priority on information in any format and think about law libraries "like a lawyer."

At the same time, "library firsters," the law librarians who earned their law degrees *after* their library degrees (or never obtained a law degree), often seem to occupy the pragmatic technical services realm of law librarianship as catalogers or acquisitions or serial librarians. The MARC format, book preservation, and the Library of Congress system of organizing law books are library firsters' areas of interest. Library firsters are often more interested in "the book" as an artifact, not necessarily in its informational content, and they think of law librarianship "as a librarian."

Most law librarians are drawn to either the law or librarianship aspects of the profession, while retaining an interest in the "other side," even though only a minority of U.S. law librarians are dual-degree professionals according to the 1997 *AALL Salary Survey* (p. viii). Even the two buildings in D.C.—the Library of Congress Jefferson Building and the U.S. Supreme Court—contain symbols of both traditions. The Jefferson Building includes

numerous quotes, statues, and murals (and books) on the subject of law. The frieze over the Supreme Court Building's west portico includes Justices Marshall and Taft doing legal research in books, each of the statues guarding the entrance holds a lawbook or tablet, and two of the cherubs around the building's outside fountains hold open books. And, of course, both institutions contain law libraries.

Hybrid Organizations

I learned later that the *identity question* for law librarians of "Supreme Court versus Library of Congress" is symptomatic of every hybrid profession, those businesses or organizations integrating two single-focus disciplines. Single-focus institutions—such as a business, family, school, library or law firm—normally concern themselves only with the questions of "How do we do our business? What business are we in? and/or Why are we in business?" Hybrid organizations—a family business, a church school, a law library—on the other hand, have to face difficult identity questions often: "Are we a business or are we a family?"

The classic example from organizational behavior theory on hybrid organizations is the family business trying to deal with alcoholic Aunt Shirley: "Are we a family, and do we then keep her on despite her driving away customers? Or, are we a business and fire her despite the family ties?" Since I work in a private religious university, I see similar issues on a number of levels. Law librarianship runs into the same identity questions.

The fact that law librarians have to periodically ask ourselves, "Who are we?" is part of our profession. Law librarians are constantly having to re-evaluate whether we are librarians or lawyers or legal researchers or legal materials instructors or whatever. Are we paralegals, law clerks, WESTLAW/LEXIS experts, legal publishers, law school faculty, or legal information socialists? What are the core principles and outer boundaries of our profession?

My Choice

Since I possess a *joint* JD/MLIS degree, I have always been interested in the

continued on page 34

“librarian or lawyer” and “what is law librarianship” questions. Am I a law firster or a library firster? This question rose for me again during my pilgrimage to the U.S. temples of law and librarianship. I did not wait too long, and chose the Supreme Court building first. I based my decision on pragmatics (in keeping with my technical-services orientation), based on my knowledge that the Library of Congress is open all afternoon, but I did not know how restrictive tours and times might be at the Supreme Court.

Am I a library firster or a law firster? Despite my choice in D.C., I still have not decided if one tradition calls more loudly to me than the other. I enjoy both aspects of law librarianship, just as I very much enjoyed touring both the Library of Congress and the Supreme Court buildings. Both buildings, especially the Supreme Court’s oral argument room and the Library of Congress Reading Room, represent the highest aspirations of two dominant aspects of American society and culture. I think all U.S. law librarians should visit both.

I will continue to ponder on the dual nature of law librarianship and my own place in the profession during the coming months as I plan my return to Washington, D. C., for the July 1999 AALL conference. Two locations I did not visit were the Supreme Court Law Library (closed to the public) and the Law Library of Congress (in another building). Both law libraries are devoted to more than law or librarianship, as they are hybrid organizations taking in the best of both books and law. I will plan ahead a little better and make the time to tour them. Now I wonder, which one of those two places will I visit first?

G. LeGrande Fletcher (*legrande_fletcher@byu.edu*) is Government Documents/Microforms Librarian at Brigham Young University Howard W. Hunter Law Library in Provo, Utah.