

Why Ever Should Anyone Need a Law Librarian?

Abstract: In this short article, David Ibbetson, the Regius Professor of Civil Law at the University of Cambridge, writes about the value of the law librarian in the academic context. His wide-ranging interests cover English and European legal history and, in particular, the historical relationship between English Common Law and the legal systems and legal thought of the rest of Europe. His experiences of using law libraries and receiving assistance from academic-based law librarians has led him to acknowledge the true value of the profession.

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Why ever should anyone need a law librarian? Why should anyone need a librarian at all? Surely, anyone with a modicum of education can put books on shelves more or less accurately. Maybe there is some skill needed in cataloguing, as not every book about dogs has the word ‘dogs’ in the title, but cataloguing is still not rocket science. And anyway, law books do normally tell us quite a lot about their subject matter on the title page. ‘Introduction to the Law of Contract’ is unlikely to be about anything other than contract law.

Let’s concede that some areas of knowledge do raise problems for librarians, such that a degree of specialised knowledge is needed. We can hardly imagine a librarian in charge of a library of Greek and Roman literature who cannot read the Greek alphabet or distinguish between the author of a Latin play and its title, but law is hardly like that. Why ever should anyone need a law librarian?

Well, I do. And I probably need more than one. I have been working more or less continuously in academic law libraries since I was a PhD student in the 1970s. I know, more or less, what I am doing, and in my own field I no doubt have more than enough specialised knowledge to find what I need in any well-stocked and properly catalogued library. But, once I get outside that narrow field I will have to feel my way into sometimes unfamiliar territory, and then I need help.

As a PhD student, I had little specialised knowledge of anything, and I soon learnt the value of dropping into the pub where the then librarian would occasionally drink after work. Somehow, getting on well with the librarian made it easier to ask for advice about things which I’m sure I ought to have known but I’m equally sure I didn’t. Most straightforward were questions about where I could find things; literally, which room or region of shelves should I go to in the hope of laying my fingers on something that would help me. Sometimes he would tell me exactly what book I needed, more often he would

tell me where to look for whatever there might be on the subject in the library. I would not have succeeded so easily without him.

These were the days before online catalogues, let alone internet resources, and there was a complexity in cataloguing large collections of books on more or less the same subject that has to some extent disappeared, but only to some extent. Forty years later, I still need librarians to tell me where books on some subject might be, and they could hardly answer those questions without at least some understanding of the field. If I am in a strange library and want the Roman law section, I am unlikely to be content just to be sent to the sections covering modern Italy, nor even the small section of a shelf where I might optimistically look for something on medieval Italian city states or the doctrine of the Catholic church.

One of the most valuable resources I have found in any law library is the librarian who has worked there so long that he or she knows where some of the more obscure titles or genres can be found, not only where to find the major categories. Perhaps my favourite example of how a librarian’s knowledge, or skill, helped me fairly recently was when I was looking for a series of reports of which I had an abbreviated title and which I could not identify. The librarian soon identified them as first-instance reports from colonial Basutoland (!), and brought some decidedly dusty unbound books to my desk. And that is only my favourite example; I could give more.

Early on in my studies I was unsure where to find statutory instruments. That was not too hard. Rather later I wanted to find private Acts of Parliament, and that was rather harder. Later still, I need eighteenth-century private Acts of Parliament; that stumped even the specialised librarians I then had access to. I think it is perhaps the only time that that happened.

Back in the 1980s I was following some very obscure footnotes in a nineteenth century German book. All I had was the name of the author - no Christian name or initial - and I asked the law librarian in the library where I was working if she could identify it and lay her hands on a copy. Three or four days later a small paperbound thesis from the University of Jena landed on my desk. I suspect that even today, with all the electronic resources we now have, it might still be quite difficult to find it and I have no inkling how the librarian in the 1980s managed it. Of course I did not **need** to see it, but research does sometimes lead a scholar along blind alleys. Within the last fifteen years, I have spent days trying to trace something (not a law book, I should say), only to find that there were several copies in one of our major university libraries, all catalogued under a different author from the one that the eighteenth-century writer I was working on had used. It is not just law librarians we need but librarians with specialised understanding of all types of literature.

It is when one needs to look at foreign law that the librarian's expertise really comes to the fore. I once had a problem that required me to look at some Swiss law which had since been amended. I had not a clue where to look, but it took the well-trained, and immensely helpful, librarian only a matter of minutes to identify the right loose-leaf encyclopaedia (I could, I suppose, have done that myself if I had tried) and bring to me that carefully preserved out-of-date pages which had been replaced twenty or thirty years previously. I needed to

look at this not just to satisfy my academic curiosity but to give advice to someone who had become embroiled in a real-life problem with immigration authorities. Modern law is immensely complex, and access to relevant legal information is an aspect of access to justice, and access to justice is one of the central aspects of the Rule of Law.

Of course, things are changing as we get used to living in the twenty-first century. Increasingly we find what we want on-line, and most of the time that means on Lexis, Westlaw and BAILII (British and Irish Legal Information Institute). Beyond these, many of us are insufficiently knowledgeable to find what we need without wasting a good deal of time. The law librarian of today and tomorrow has to be increasingly an expert in the use of databases and in their contents. The high-quality law library will need its list of available databases, and the high-quality law librarian will know which ones need to be subscribed to as well as what is in them. This is especially important when it comes to foreign law which academics and practitioners may occasionally have to dip their fingers into without having sophisticated knowledge of the literature of that system. Law will only become more globalised as the years progress, and those of us who have to work within these increasingly complex structures of knowledge will need increasingly specialised and knowledgeable help.

The law librarian does a great deal more than one might expect; certainly more than just putting books on shelves!

Biography

Professor David Ibbetson, FBA is a legal history scholar. He has been the Regius Professor of Civil Law at the University of Cambridge since 2000, and President of Clare Hall, Cambridge since 2013. From 2009 until 2012 he was the chairman of the Faculty of Law, Cambridge. He is a Roman lawyer, but his research also covers the history of English law and European law.