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A Legal Miscellanea: Volume 7, Number 2

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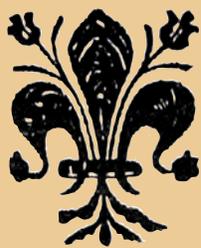


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A LEGAL MISCELLANEA

A NEWSLETTER FOR THE FRIENDS
OF THE JACOB BURNS LAW LIBRARY

VOLUME 7, NUMBER 2, AUTUMN, 2010 :: THE GEORGE WASHINGTON UNIVERSITY LAW SCHOOL

SPECIAL COLLECTIONS FOCUS:

Arbor Cōsanguinitatis (1500)

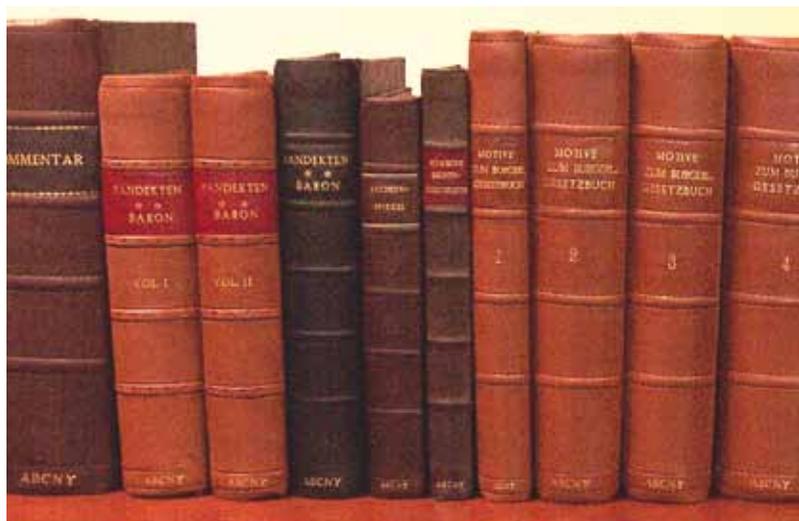
The brevity (ten leaves) of the Law Library's 120th incunabulum, Giovanni d'Andrea's *Arbor Cōsanguinitatis* (Vienna: Johann Winterburg, June 22, 1500), belies its significance as one of the early print exemplars of the canon law concept of consanguinity. Works in this genre traditionally included an image of a tree—the tree of consanguinity—appearing as a paradigm of a family with the universe of its possible members displayed as medallions. From the model, one could calculate the number of “degrees” separating one family member from another, and thus determine who legally could marry whom within the family group. “Consanguinity” refers to the blood relationship between persons descending from the same ancestor, whether directly, as from father to son to grandson (a lineal descent), or collaterally, as cousins descending from a common ancestor. Marriage was barred between lineally-related kin; collateral relatives, in order to marry each other legally, had to be separated by a certain number of degrees.

The tree: “*Hec est Arbor cōsanguinitatis.*” The rich symbolism of the Middle Ages featured the tree, which has appeared from ancient times as

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LATEST TRANSFER OF HISTORICAL FOREIGN LAW, ABCNY-GW LAW: THE GERMAN COLLECTION

Scott Pagel, Director of the Law Library and Professor of Law



Some restored volumes from ABCNY's German collection.

Courtesy of The Jacob Burns Law Library

In April of this year, 350 large boxes of German legal materials from the massive historical foreign law collection of the Association of the Bar of the City of New York (ABCNY) arrived at the Jacob Burns Law Library. This shipment is the latest in a series of transfers of the Bar's renowned collection of historical foreign works from its library in New York City to GW Law in Washington. Through a variety of avenues—its accession of large segments of the Bar's distinguished historical collections, gifts of books, and purchases in the antiquarian law book market—GW is making significant strides toward its goal of building one of the great research collections of law materials in the United States.

The New York City Bar's collection of German law, comprising mainly nineteenth- and early twentieth-century materials, is a champion lode of works printed during a critical period in German jurisprudence when discussions raged about the necessity of codification and the form

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a potent symbol in many cultures. Tree images were showcased in different contexts and assigned various meanings, from biblical to natural, philosophical to legal. The tree schema suited the medieval sensibility in the universe experienced by medieval man as a hierarchy, and it especially was appropriate for depicting the “classified” family. The tree of consanguinity found a place in some of the illuminated manuscripts of Gratian and in the Decretals of Pope Gregory IX, then in later printed canon law texts.

Portrayal of the trees varies; certain are stylized tree-shaped graphs, or images of intersecting Palladian-style arches, while in more elaborate versions the representation of the degrees of filial and collateral bonds came to appear as a tree in full leaf. Often, medallions appear on the branches, or as in our *Arbor Cōsanguinitatis*, on a grid in the foreground, branches behind, with leaves as garnish. Each medallion represents a person within the family group, labeled as to blood status and accompanied by a number indicating kinship degree, but not named personally: *pater/mater*, *filius/filia*, *frater*, *soror*, and so on. In many of these leafy/medallion depictions a human image connects to the trunk of the tree.

Characteristic is an overarching male figure, bare-headed, crowned, or in a bishop’s mitre, sometimes growing out of the trunk, surveying the tree and its branches below leaved with kinship degrees, in a benign, protective pose. Also typical, as in our exemplar, is a man’s visage limned in a medallion at the center of the tree, in the “ego” position (the “reference point” for the family chart): it is that person, unnamed and without assigned degree, from whom the relationships radiate. The tree of consanguinity paradigms “grow” top to bottom, rather than from the roots skyward, as in the growth pattern of a tree in nature; in the model, the most antique ancestor

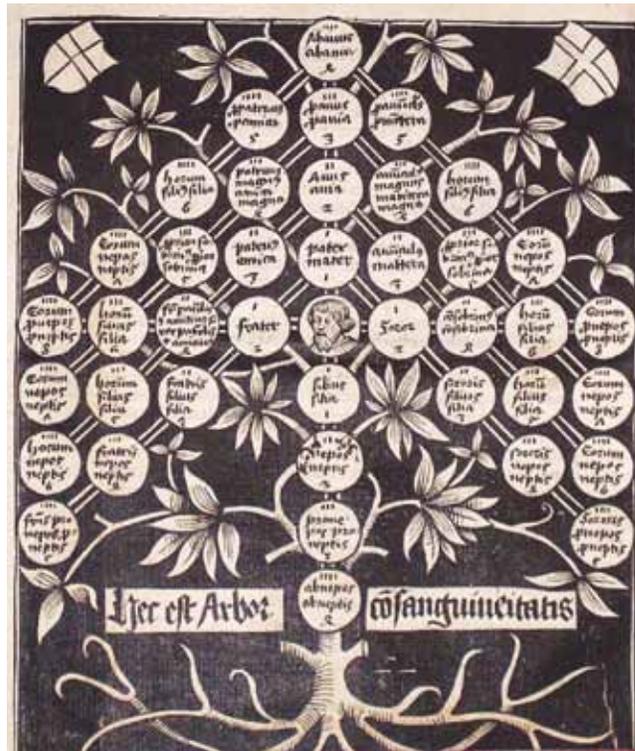
appears at the top of the tree’s trunk, with the youngest near the roots, consistent with “descent” but reflecting the reverse of a real tree’s direction of growth.

The canonist. Author Giovanni d’Andrea (ca. 1270-1348), known also as Johannes Andreae, is considered one of the last of the luminaries of the “classical age” of canon law (1140-1375). He was the illegitimate offspring of his father’s alliance with a concubine. His father Andreas soon entered the priesthood, but coached his son in theology as well as civil and canon law in preparation for study at the University of Bologna, the seat of canon and civil law studies, where d’Andrea would become

professor of decretals in 1301, and assume the chair in the *Decretum* in 1303. As a married layman (only the second known to become a professor of canon law), d’Andrea combined his teaching career with service to several popes, including Pope John XXII, as well as to the municipality of Bologna as a legal advisor. His talent as a commentator and synthesizer of the canon law tradition assured the lasting value of his works as a mirror of medieval thought and attitudes.

Among the prolific Giovanni d’Andrea’s writings are the glosses on the *Liber Sextus* and the Clementine constitutions,

his *Summa* on marriage, the commentary *Novella* on the *Liber extra*, and of course, his *Arbor Cōsanguinitatis*, which was issued not only as a discrete work under its own title, but also was appended to early collections of canon law, and early printings of French customary law, such as the *Coutumes de Normandie* (Paris: Jean du Pré, 1483), and *Le Grād Coustumier du Pays et Duché de Normandie* (Rouen: Francoys Regnault [1523]). Tree diagrams, not explicitly attributed to d’Andrea, appear in other works of French customary law, such as Jean Boutillier’s *La Grant Somme Rural* (Paris: Denys Janot, 1539), where one finds woodcuts of the trees of consan-



Woodcut tree schema from Giovanni d’Andrea’s *Arbor Cōsanguinitatis* (1500)

Courtesy of The Jacob Burns Law Library

(The German Collection from page 1)

it should take. The movement for a national code had been fueled in the eighteenth century by the Bavarian Code of 1756 and the Prussian Civil Code of 1794, but it was Napoleon's *Code Civil* of 1804, operative in much of western Germany during the nineteenth century, which provided an even greater stimulus. Despite the opposition to a national code by the German legal scholar Friedrich Karl von Savigny and proponents of his "historical school" of jurisprudence, who felt the law, as custom, needed to unfold naturally over time, the position of Heidelberg law professor A.F. J. Thibaut held sway, and a national code for Germany became a reality. Of particular value from the Bar's collection are works which provide insight into the drafting of the German civil code—the *Bürgerliches Gesetzbuch*—which entered into force January 1, 1900. The nineteenth century was also a period when legal scholars worked to trace the roots of German law to Roman law, and the Bar's collection features many works

by such giants of jurisprudence as Roman law scholar Georg Puchta and classical historian and jurist Theodor Mommsen.

A large part of the collection comprises gazettes and reporters from modern Germany, as well as from the states of the German Confederation created by the Congress of Vienna in 1815. Many of these series from political entities such as Prussia, Saxony, Hesse-Darmstadt, Bavaria, and Bremen date to the early nineteenth century, and are held by only a few libraries in the United States.

The Law Library is ensuring the preservation of the German works from ABCNY, as it has with the French historical materials acquired from the Bar in 2007, through rebinding or boxing them as necessary, using acid-free, archival-quality materials. As each title is cataloged, its bibliographic entry recorded in the OCLC database will ensure that researchers around the world will be able to find the book readily in its new home at GW. ✱

(*Arbor Cōsanguinitatis* from page 2)

guinity and affinity relating to laws of inheritance and succession. D'Andrea died of the plague in 1348.

Why the tree? And why exogamy? From the early Middle Ages, the Church had asserted its control over marriage and sexual behavior, and defined which marriages were acceptable. Both consanguinity and affinity (relationships spawned by marriage) played a role in identifying appropriate marriage partners under canon law, as did the "spiritual" relationships created through sacramental duties, such as the relationship of godparent to godchild, and legal relationships such as adoption. Medieval legal literature features trees for each of these sets of relationships (derived from the geometric Roman law kinship charts), and the Law Library's *Lectura Johannes Andreae*, an illustrated German manuscript dating from between 1464 and 1471, pictures all four relationship trees: *consanguinitatis*, *affinitatis*, *spiritualis*, and *legalis*.

The relationship rules were technical, and a practical solution to navigating the maze with confidence was to devise a visualization tool – *the arbor consanguinitatis* – to simplify and regularize the process of calculating blood degrees. It also is not inconceivable that, in addition to producing a useful chart, the Church favored issuing a graphic representation of the dominion of the canon law over this area of people's lives to serve as a reminder of its authority. Apart from issues of marriage, the trees also were useful in connection with the laws of inheritance and succession, especially in cases of intestacy, and also in questions of royal dynastic succession.

Early on, canon law had adopted from the Roman civil law the rule which forbade marital unions within four degrees of kinship, as well as its method of calculating blood degrees. In the ninth century, both the acceptable blood distance between prospective spouses changed—to seven degrees—as well as the method of calculation.

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FOR INFORMATION

on the topics covered in this newsletter, Special Collections, or the Friends, please contact the editor, Jennie C. Meade, Director of Special Collections, at jmeade@law.gwu.edu or (202) 994-6857.

This resulted in a vastly more restricted pool of potential spouses (especially in an era where many inhabitants of a region were likely to bear some blood relationship to each other), as well as the opportunity for more widespread enforcement of the canon law in the marital arena. Moreover, propertied noble families tended to seek marriages which consolidated land holdings, and this often meant choosing to marry within the family—a custom to which the Church was opposed. The policy of exogamy (the custom of marrying outside the family) promoted by the canon law seemed suited to allow the Church to thwart attempts by noble landowners to grow in political power as well as independence through their traditional practice of endogamy (the custom of marriage within a bounded kin or social group).

It also has been suggested that canon law favored exogamy as a tool to encourage unity, and thus a stable political environment, in the populace at large by soothing strife and friction through marital bonds, and also as a way to plant the seeds of faith in a broader landscape. The recognition that charity tended to fade outside the network of blood relationships prompted the Church to encourage marriage far afield from one's inner circle. This approach to "spreading the love" found a voice through St. Ivo, Bishop of Chartres (ca. 1040-1116), who cites a passage from St. Augustine's *City of God* (a passage which surfaced in Gratian's *Decretum* regarding incestuous marriages). The gist: it is desirable to marry outside the family circle because it helps spread the love among a greater number of human beings.

Did the canonists suspect endogamy as a culprit in genetic anomalies, such as high infant mortality and cognitive or physical abnormalities? It would be easy to speculate, bearing in mind that the science of genetics was centuries in the future, that perhaps they relied on their powers of observation and intuition to connect habitual endogamy with offspring deficiencies, and used this unspoken awareness to bolster their promotion of exogamy.

However helpful the policy of very restrictive exogamy was to the Church, the seven-degree rule eventually proved too limiting, as well as difficult to enforce, and in 1215, the Fourth Lateran Council elected to reinstate consanguinity as a diriment (nullifying) impediment to marriage at four degrees of kinship.

Arbor Cōsanguinitatis, Lectura Johannes Andreae, and other works of Giovanni d'Andrea, are in Special Collections and available for research. Also in Special Collections are other historical works which treat the concepts of consanguinity and affinity. Please consult the Library's online catalog, JACOB (<http://jacob.law.gwu.edu/>) for details regarding these materials.

Sources consulted:

Constance B. Bouchard, "Consanguinity and Noble Marriages in the Tenth and Eleventh Centuries," *Speculum* 56 (1981), 268-287.

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Gerhart B. Ladner, *Images and Ideas in the Middle Ages: Selected Studies in History and Art*. Storia e Letteratura 155. Rome: Edizioni di Storia et Letteratura, 1983.

Kenneth Pennington, "Learned Law, Droit Savant, Gelehrtes Recht: The Tyranny of a Concept," at <http://faculty.cua.edu/pennington/learned.htm/> Accessed 11/12/10.

John Witte, Jr., *From Sacrament to Contract: Marriage, Religion, and Law in the Western Tradition*. Louisville: Westminster John Knox Press, 1997.



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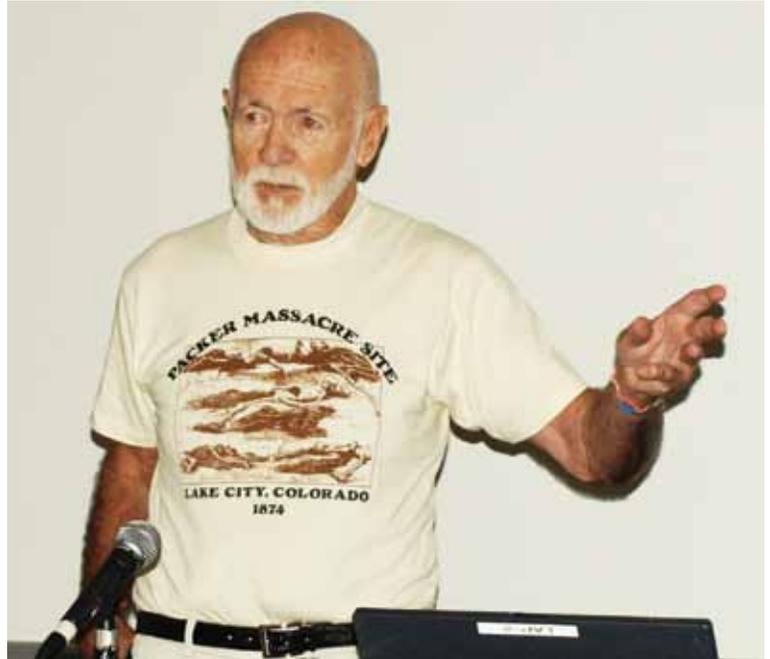
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SCHOLARSHIP, RESEARCH, GIFTS

GW Professor Emeritus of Law and Forensic Sciences James E. Starrs conducts his presentation, “Digging’ Colorado Legal History: Alfred Packer: The Man, The Myths, The Cannibal,” at the American Association of Law Libraries Annual Meeting in Denver, July 11, 2010, sponsored by the Legal History & Rare Books Special Interest Section.

For AALL 2011, Professor Starrs will present his work on the Meriwether Lewis case and his efforts under the Archaeological Resources Protection Act to secure the approval of the U.S. Park Service for the exhumation of Lewis’s remains. Forensic evidence could determine whether Lewis’s controversial death along Tennessee’s Natchez Trace was a suicide or murder.

“Digging’ Legal History in Philadelphia: The Meriwether Lewis Project” is scheduled at the AALL Annual Meeting on Monday, July 25, 2011, from 10:45-11:45 a.m. (Program F-5).



Courtesy of Mark Podvia



Courtesy of Lawrence S. Guthrie II

Donor Kathleen Kaspar-Paty (center) holds her gift to the Law Library, *Churfürstlicher Pfaltz bey Rhein erneuert und verbessertes Landrecht* (Heydelberg, 1657), a folio volume of laws of the German Palatinate. She is flanked by Jennie Meade, Director of Special Collections, and Larry Guthrie of Covington & Burling LLP.

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SCHOLARSHIP, RESEARCH, GIFTS



Courtesy of Mark Podvia

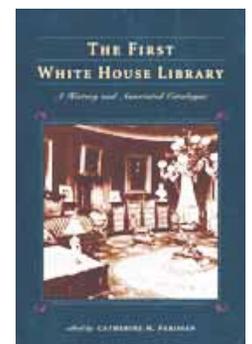
At the presentation of the Morris Cohen Student Essay Competition awards at the American Association of Law Libraries Annual Meeting in Denver, July 11, 2010: Ian Burke, runner-up; Justin Simard, winner; Jennie Meade, Chair, Morris Cohen Student Essay Competition; Stephen Wasserstein of Gale Cengage Learning, sponsor of the competition; and Stacy Etheredge, Chair, Legal History & Rare Books Special Interest Section.

Courtesy of The Jacob Burns Law Library



Donor Sean McCrohon made two recent gifts to the Law Library Archives: a photograph of the 1891 post-graduate law class at Columbian Law School (predecessor to GW), and the 1891 diploma of Judge Peyton Gordon (1869-1946), a native Washingtonian whose legal career culminated in an appointment to the U.S. District Court for the District of Columbia. Gordon was nominated by Calvin Coolidge in 1928 and confirmed by the U.S. Senate one month later. Judge Gordon was the father of Evelyn Peyton Gordon (1904-1984), the popular society columnist who began writing for *The Washington Post* in 1928, then moved to the *Washington Daily News*, where according to *Time*, she was read by “almost everyone from ambassador to upstairs maid.” With George Abell, she authored *Let Them Eat Caviar* (1936), a humorous chronicle of FDR-era Washington.

The First White House Library: A History and Annotated Catalogue (Pennsylvania State University Press, 2010) investigates the formation and contents of the first official White House library, established by Millard and Abigail Fillmore in 1850. In composing the catalogue of titles, editor Catherine Parisian used GW Law Library’s Special Collections to examine copies of law titles known to have existed in the first White House collection. In addition to the catalogue, the book contains essays by Dr. Parisian as well as noted Princeton historian Sean Wilentz and others, which provide valuable insight into the many aspects of building the collection, including intellectual and cultural factors, as well as purchasing and housing. More at www.psupress.org/books/titles/978-0-271-03713-4.html



PROFESSOR THOMAS BUERGENTHAL'S GIFT TO THE LAW LIBRARY



The Law Library has received forty boxes of books from the international law collection of Thomas Buergenthal, Lobbinger Professor of Comparative Law and Jurisprudence, and one of the world's leading human rights experts. This is the first tranche of a gift

of books to be completed in future years, and arrives concurrent with Professor Buergenthal's return to the Law School from the International Court of Justice in The Hague, Netherlands, where he served for a decade after his election as a member of the ICJ in 2000.

Professor Buergenthal has carved a dual career in legal academia and in international law and human rights which perhaps is unparalleled in modern times. On the academic side, he was dean of American University's Washington College of Law, and held professorships at several law schools, including the University of Texas and Emory University, before his appointment to the GW Law faculty in 1989. He has been a judge and president of the Inter-American Court of Human Rights, and a member of the UN Human Rights Committee and the UN Truth Commission for El Salvador. He is a member of the Ethics Commission of the International Olympic Committee, and served as the honorary president of the American Society of International Law from 2001 to 2009. His extensive and varied collection of international law materials reflects the scope of this prodigious career, ranging from treatises on human rights in South America (from his time on the Inter-American Court of Human Rights) to materials treating a broad spectrum of European and international legal issues (largely acquired during his recent years at The Hague).

Professor Buergenthal is author or co-author of more than a dozen books and numerous scholarly articles. Recently, he penned the personal book he had been pondering most of his life: *A Lucky Child: A Memoir of Surviving Auschwitz as a Young Boy* (2009). Introduced by fellow Holocaust survivor Elie Wiesel's foreword, the book chronicles Buergenthal's childhood years in Auschwitz and Sachsenhausen, and the extraordinary sequence of circumstances leading to his liberation. From his singular vantage, Buergenthal confirms the naissence of his lifelong dedication to the protection of human rights in his early experience in the German concentration camps.

The Law Library extends its deep gratitude to Professor Buergenthal for his generous gift, an exceptional addition to GW's collection of international legal materials, and an invaluable resource for scholars now and in the future.

Details of Thomas Buergenthal's remarkable background and career are recorded at the following websites:

www.law.gwu.edu/Faculty/profile.aspx?id=1758

www.icj-cij.org/court/index.php?p1=1&p2=2&p3=1&judge=11

www.law.nyu.edu/publications/magazine/issues/2008/index.htm



A section of the international law books donated to the Law Library by Professor Buergenthal.

Courtesy of The Jacob Burns Law Library

AMERICA'S
LAW LIBRARIAN

ROBERTA I. SHAFFER

The announcement in August, 2009, of Roberta I. Shaffer's appointment as Law Librarian of Congress was met with delight and approval from the nation's law library community. Certainly finding a more qualified candidate for the most important law library post in America would have been difficult. Ms. Shaffer may possess the richest and most varied resumé of any librarian extant. Equipped with a store of wide-ranging law and library experience, all pertinent to creating a background uncommonly suited as preparation for meeting the challenges she now faces, Roberta Shaffer has tackled her new responsibilities with a keen sense of purpose.

Ms. Shaffer never has been governed by someone else's notion of what a law librarian should be, should do, or should think about. Her approach has borne fruit. For starters, consider this sketch of her education and early professional years: *Vassar cum laude*, Emory M.L.S. with highest honors, Tulane J.D. *cum laude*. Appointed director in 1980 of the University of Houston Law Center's Legal Communications Program and associate director of its Law and Technology Program. Became the first person (1984) appointed to the position of Special Assistant to the Law Librarian in the Library of Congress.

In 1987, Ms. Shaffer traveled to the Tel Aviv University Faculty of Law as a Fulbright Senior Research Scholar, where she participated in a legal database development program sponsored by the Portuguese Institute for Science and Technology and Ministry of Justice. Returning to the United States, she assumed the post of acting director of The George Washington University Law Library during the director's sabbatical.

A long tenure as director of research services at Washington's venerable Covington & Burling LLP gave her insight into the workings of a top-drawer law firm, which she describes as akin to a "think tank" in its intellectual vivacity and collegiality.

Concurrent with her Covington years, Ms. Shaffer served as adjunct coordinator of the law librarianship program at The Catholic University of America's School of Library and Information Science, guiding the program as well as teaching. Her tenure as dean and professor at the Graduate School of Library and Information Science at the University of Texas at Austin, consulting work with the Special Libraries Association, and appointment as director of external relations and program development and professor at the University of Maryland's College of Information Studies round out Ms. Shaffer's medley of preparations for her current position.

Although her interests and professional positions have kept her at the cutting edge of library technology since the beginning of her career, Ms. Shaffer refuses to advocate jettisoning the word "library" in favor of "information science" in the names of library science schools and degrees. This stance may epitomize our new Law Librarian's approach to her job: embrace the future, respect and honor the foundations of our profession.

A Legal Miscellanea: You have been Law Librarian of Congress for about a year now. What short-term goals did you set for the first year of your tenure, and to what degree do you believe they have been achieved?



Law Librarian of Congress Roberta Shaffer in her office, with Shepard's Federal Citations cascading in the background.

Courtesy of Kevin Long

Roberta Shaffer: Yes, it is just over a year and the time has raced by. My initial goals were to get an in-depth understanding of where the Law Library was in terms of collection challenges and staffing needs. Then, I wanted to be able to map out a strategic direction for the Law Library, which would serve as my short- and long-term guide for setting priorities, managing funds, calibrating our staff expertise, and devising an effective organizational infrastructure.

At this point, I feel fairly comfortable that I am on schedule. But it never would have been possible if the Law Library staff were not entirely supportive, and if the Library's management were not behind me 100%.

I have been able to make some incredible hires within my leadership team and now the real work begins—actually implementing the vision.

In reading your resumé, it is easy to forget that it records the career of only one person! As a newly-minted law librarian, did you map out your professional path with specific goals in mind, or was its trajectory more evolutionary and serendipitous than charted?

RS: I think that, like so many librarians, I always dreamed of working at the Library of Congress. But once I had that chance fairly early in my career, I set my sights on eventually becoming the Law Librarian of Congress. It seemed like the ideal way for a person with my interests and background to make a difference for my country and my profession. So, when I left the Library after only a few years back in the late 1980s, I said I would return someday, and from that point on I sought opportunities that would prepare me to assume this position as the pinnacle of my work life. The road to this destination required not only gaining a deep understanding of law and librarianship, but also trying to gain management experience that would translate well at an institution as large and complex as the Library of Congress. I also needed to be able to work effectively with colleagues as diverse and multi-dimensional as the staff is at all levels of the Library.

What are the most critical issues today in law librarianship?

RS: I think there are a number of issues that challenge our information-based society, and these place particular burdens on librarians as the “keepers of knowledge.” Things that worry me the most on the macro level involve

the authenticity of information and the potential power of misinformation, or the lack of authoritative information, to cause serious harm to hundreds with the click of a mouse! I also worry about having access to information and understanding the information that is available. In law, the cultural context of legal issues that arise is so critical. Understanding that context requires language facility and the ability to bring to bear historical factors, and social and economic influences. As an aside, let me say that one of the reasons I love the law so much is that it is not an autonomous discipline—it is infused by and infuses knowledge across the spectrum. Law really epitomizes transdisciplinarity.

On a more micro level, I think we are challenged as law librarians to know what we need to acquire for today's needs, and then to organize information in ways that will assist the diverse needs at the varying levels of expertise of our clientele. Of course, we must preserve that information for future generations. While it is true that these are not new challenges, I believe that the nature of legal publishing and precedent, the changing nature of relevance and jurisdiction in a global society, and technological advances that render formats obsolete so quickly make our tasks much more profound today.

How would you compare the “traditional” and “evolving” roles of the Law Library of Congress? How are they different or similar, and which roles have been, are, and will be the most important? And what kind of leadership part should the Law Library play in responding to the issues you identify as most critical?

RS: The Law Library has a number of unique roles that it can and must assume. Many of these are “traditional” in the sense that America, through the Library of Congress, has had a long-standing commitment to collecting universal information, organizing it, making it accessible, and preserving it. In American society, the concept of “free” libraries goes hand-in-hand with our notions of democracy, opportunity, and openness. Recent economic and political circumstances within the US and around the world have increased reliance on the Library of Congress in all of the usual areas of library science. And there is a growing recognition that the Library of Congress contributes directly to the world's economic vitality, to increased respect for the “rule of law,” and to the creativity and inventiveness of the human mind.

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What has changed in very recent times is the fact that the Library of Congress and the Law Library of Congress may need to “go it alone” more. By this I mean that we had certain formal and informal partnerships in the past with other major American and worldwide research libraries. Now, due to the economic meltdown two years ago, these institutions are looking to LC to be the “sole source” for many research materials and staff expertise.

In addition, the Library of Congress can leverage its network of overseas offices, relationships with publishers worldwide, and exchange programs with governments to acquire unique and difficult-to-locate materials.

The Law Library is not only unique because of the depth of its collections, it is also unique in terms of its staff. The staffing structure brings together foreign-trained lawyers (called Legal Specialists), technologists, librarians, linguists, legislative historians, and collections curators. All of these experts work together every day to manage and use our research materials. Just a few steps away, we also draw upon all the expertise within the Library of Congress, which even includes bench scientists who do research on preservation.

You have been an educator in librarianship, including serving as dean at the Graduate School of Library and Information Science at the University of Texas at Austin. How would you assess the current direction of current library science graduate programs in general and as they relate to law librarianship? Do you believe these programs provide the necessary background for an aspiring library science professional, whatever path they choose to pursue? If not, how should they be altered, or should students pursue their own educational and experiential supplementation?

RS: I am very optimistic about the current state of library science education. However, I have always believed that this degree is not just a means to an end, but does have a great deal of intellectual substance. To me, library school is really a hybrid of graduate and professional education.

As such, it does require that students experience both theory and practice. This is why I welcome the model that most programs follow of requiring core or common courses, using adjuncts or practitioners for specialized or upper level classes, and offering credit for internships and individualized research. My only reservation about current educational trends is the movement away from requiring students to take a course in research methods and to undertake some original research.

I am a big supporter of keeping the word “library” in the names of our degrees and our schools. This word connotes many positive and relevant attributes, and we should exploit our brand rather than shun it.



Courtesy of The Law Library of Congress

One of LC's treasures: the illuminated manuscript of *Coastumes de Normandie*, ca. 1450-1470. For more treasures from the rare collections at the Law Library of Congress, visit [Rule of Law: World Treasures at www.loc.gov/exhibits/world/rule.html](http://www.loc.gov/exhibits/world/rule.html)

You have remarked that a librarian should change jobs, including organizations, throughout his or her career in order to learn new ways of thinking, experience different organizational cultures, and avoid staleness. How would you advise a law librarian to recognize when it is appropriate to move on?

RS: You are correct that I believe in changing jobs and even organizations throughout a career. This comes from my feeling that it is important to push oneself to pursue new challenges and stay just a tad “uncomfortable” all the time. It is difficult, but I think the best time to leave a job is when you are the happiest, most content in it. I also think it helps to come to every new position with a list of things that you want to accomplish. Once that list is complete, then you know the time is right to move on or at the very least expand your existing portfolio.

You had a long tenure as director of the library at the distinguished law firm Covington & Burling LLP in Washington, DC. What appealed to you most about that position?

RS: I loved the nearly nine years that I spent at C&B. The firm was a real “think tank,” where everyone shared the love of knowledge. The lawyers really respected the librarians because of this meeting of the minds on the knowledge plateau. They appreciated our expertise and

worked with us in an extremely collegial way. When I decided to leave because it was time, it was a very hard decision. I was so happy and comfortable. But, I did not have the sense that I was growing professionally. I think I had topped out. When I left I also knew that I would never want to work at another (any other) law firm—I'd been lucky to work at the best of breed.

The Law Library of Congress is known for its magnificent historical legal collections, including the largest collection of customary law outside France. What role do rare and historical legal works play in a law library, in law practice, and in society?

RS: We talked a bit about law being transdisciplinary, but the law is also ageless. So collections like the French *coutumes*, Roman law, and the like still are consulted today by both scholars and practitioners. Often it is necessary to go back to the roots of a modern law to see why it was first introduced into a society and then how it has evolved over time to meet changing social needs. In other instances, even in our highly sophisticated world, we may face an issue that seems to be of “first impression” only to find that the ancient Phoenicians addressed a maritime issue that might be relevant, for example, to an oil spill at sea. Centuries-old religious laws may give us great insight into how our current secular family and inheritance laws developed.

In 1984, you became the first incumbent in the position of Special Assistant to the Law Librarian of Congress. How did the insights gained in this position give you a leg up when you assumed your new position last year?

RS: I was especially fortunate to work as the very first Special Assistant to the Law Librarian, at that time Carleton Kenyon. I think so much success in a job depends on a boss, and Mr. Kenyon gave me the freedom to set my own priorities and solve problems as I saw fit. He trusted me in a very empowering way. We met every day but he rarely “directed” me to do something his way. He gave me both roots and wings. He always supported me. I have tried to be a mentor to my staff and students as he was to me.

Mr. Kenyon also gave me enormous opportunities to

serve on Library-wide committees. I suppose he was tired of all those meetings himself, but for someone new to an institution as large as LC is, this was an ideal way for me to network and meet colleagues across the enterprise. I have kept those professional connections to people throughout the years and I now draw upon them in my current position as I have in most of my previous jobs.

What role does the Law Library of Congress play in the international arena?

RS: Since the founding of the Library of Congress, historical, foreign and international law collections have been seen as a necessary national asset for America—initially, as a young nation sought to learn from its established sibling nation-states, and then as a world leader in the community of nations. The very fact that our Congress has continued to support the Library of Congress so that

today it is the greatest library of modern times says so much about the important role of libraries in the life of our nation’s collective mind. It sets an example for emerging nations and peoples who are seeking self-determination. The Law Library sends the message with a special emphasis on the importance of

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the rule of law.

In this shrinking world when diplomacy and business transactions move at the speed of light, the Law Library presents a “success story” in terms of its relevance and value over time. Now more than ever our universal collections are called into daily service by citizens everywhere.

What are your long-term goals as Law Librarian of Congress? At the conclusion of your tenure, how would you like to be remembered?

RS: I think I will have the great fortune to be serving as the Law Librarian of Congress when technology will enable us to conquer geography and time so that all collections will be accessible to everyone twenty-four hours a day. I hope that my legacy will be the successful transition from an institution defined by its consolidated physical collections to an institution that is defined by its ability to connect collections and people regardless of their location, language proficiency, or level of experience in research. ❁

Courtesy of Reginald Massie



Roberta I. Shaffer, the 22nd Law Librarian of Congress

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