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Charley's Corner:

The Queen of Chula Vista and other Tales

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Nothing in this column represents the view of my Library or its Board of Trustees. These are just my personal opinions.

Epistemology is the study of knowledge, one of the fields of study of philosophy professors, occasionally of psychology professors, rarely, but once in a while, of library science professors, and even more rarely of practicing librarians. By *study of knowledge*, I mean the study of how we come to know that which we claim to know. Dictionaries refer to epistemology as the division of philosophy that studies the nature of knowledge. But most writers in the field spend a considerable amount of time studying the “knower,” as well as the “known.”

Truth is a big issue in this field. How do we know what is true? How do we know that what is true is true, or rather that what we believe to be true is true? There are, of course, different kinds of truth: scientific truth, religious truth, and so on.

Librarians, bless their hearts, make epistemological decisions every day. As we collect the “right” materials for our libraries, collection development (also known as *advance selection*, because it anticipates the needs of the user) becomes the manifestation of collective decisions about the supposed truth of the works. We use such things as the original of the material, such as primary sources in law or respectable publishers, an assessment of the author, and an assessment of the topic. We also make such decisions when giving reference service, or *immediate selection*. We help patrons decide what is the good stuff and what is not.

Those few library science professors who write about epistemology tend to fall into or abide with or congregate around the group of philosophers known as social epistemologists. Social epistemologists, as the name implies, infuse their theories on how knowledge is developed and truth comes to be known through theories of social interaction.

Truth, as best as humans can construct it, requires a framework within which one comes to know it, and the framework is predominately cultural in origin. Without language, it is hard to express truth. Animals have certain truths they come to know, but only in limited amounts. (How one bee can, through odors and body movements, tell another bee where the flowers are on the other side of the hill is an interesting phenomenon, but I digress.) Humans can express vast amounts of knowledge, so long as the cultural context is adequately understood by both speaker and listener. And that is how we gain so much more knowledge than our paltry existences would otherwise allow us time for.

I submit that librarians, and in particular public law librarians, should become students of epistemology, as we have within our midst a wondrous laboratory within which to observe and

put our theories to test.

Paul Healey's recent call for humorous anecdotes about law library patrons reminded me of the Queen of Chula Vista. Chula Vista is a large suburb, an incorporated city of some 110,000 south of San Diego, California, near the Mexican border. One of the patrons we used to see at the San Diego County Public Law Library was a woman who claimed to be the Queen of Chula Vista. This "Queen" was one of your typical "urban irregulars." She was probably not homeless or had access to a good shelter, as she had relatively good hygiene, but she had very peculiar taste in clothes and unusual patterns of expression. She was, of course, somewhat deluded, someone who would probably be diagnosed as an obsessive schizophrenic. (She is not to be confused with the present mayor of Chula Vista, who is female, well thought of by many, but undoubtedly called a "queen" pejoratively by her detractors.)

The Queen of Chula Vista spent many hours trying to prove her case, so that she could reap the benefits of her sovereignty over the "Kingdom of Chula Vista." It occurred to me then that, if one truly believed she were the queen of a particular territory, the written laws of the state that then occupied the land, i.e., California, were not relevant. As queen, she should simply reassert her sovereignty, muster her troops, and recapture her entitled possessions. How would it be possible to obtain recognition as queen using laws that flat out don't recognize any royalty at all?

But all of us require some bit of cultural knowledge, to which we add our delusions, in order to construct our personal realities. We, all of us, exist along a continuum or spectrum of people whose personal realities are closer or farther away from the societally accepted truths. I know several musicians, who, in spite of the law, believe that marijuana is less harmful than alcohol. They know better than to smoke it in front of policemen though. They are close enough to the societally accepted truth to be able to get by.

Then you have the spouse abuser who proclaims, "The bitch made me do it." He proclaims that words she utters somehow cause him to strike blows, often when she says nothing at all. Subconsciously, he transfers blame to his wife for his misfortunes and his powerlessness. He strikes her out of anger because he cannot strike at "those" who really cause his problem. What has really happened is that he has accepted a portion of societally imposed truth that says he is a "nothing" because of his lack of success. He accepts that portion of culture that allows bad acts by supposed victims, while failing to accept that portion of culture that says that good, brave men do not hit innocent people, especially loved ones they are supposed to protect.

I was once kicked off a jury panel because memories of my own stepdaughter's abusive situation rendered me incapable of giving an impartial ear to testimony in a spouse abuse case. I also have a reality disconnect with the notion of a "death qualified jury," i.e., one wherein the members are capable of giving the defendant the death penalty. If some members of society are opposed to the death penalty per se, how does one get a jury of his peers when they are excluded? That is because, in the pragmatic world of law, it is a requirement that the jury conform to the societally accepted rule created through legislation and upheld by the courts. My own disgust with the death penalty would undoubtedly get me kicked off a jury, too, but it does not hamper my ability to be a law librarian.

That is because, unlike scientific truth or even the truth of social science, the “truth” of law is, as applied, uniquely and totally a human construct. We can include science in making the choices, but the need to apply the law requires that a decision be made, even when science or facts are in doubt. So, is it the job of law librarians to help their patrons find the truth? Actually, no. Not the true truth, just the legal truth—that truth that will be applied in the patron’s case. We need to train our patrons to become pragmatists, to accept the legal truth once they find it and to conduct themselves accordingly so they can achieve, as close as they can, the results they want.

Law is the ultimate example of social epistemology. When library science professors look for that special case, that case wherein all the pesky variables are removed so that one can get to the core of a theory, they should look at law libraries. It is all our little human constructs, our additions to the knowledge of the senses, in other words, our *laws*, they are the determinate of the social reality that our patrons must learn.

These professors should study us. They should study how law librarians come to make a patron understand not only what the law is, but that there is, and certainly always will be, a certain amount of disconnect between that reality and the patron’s own personal reality.

I remember a pro se litigant who refused to pay a bill for Lexis research because our reference librarian could not find any cases that were decided in a way that would help her own case. I stood firm behind my reference librarian. Her search strategy was good. She had to pay the bill, I said. I gave her the example of the Queen of Chula Vista, saying that we all can be deluded to some degree. The law was just not in her favor. I don’t know if she really understood the analogy to her own situation, but she eventually did pay the bill. After all, she had to do more research to figure out what to do next. It’s funny how things like money and liberty can bring out the pragmatist in all of us.

On another note: While writing this column, I just found out that I had been elected as your new Vice Chair - Chair Elect. While running unopposed, I wish to thank all who voted for me. I did not hear what the tally was for write-ins, but I still thank you for your confidence in me. So, having just read my column, if you don’t want just a bunch of very esoteric (shall we say weird?) program ideas for the 2003 AALL Meeting, you had better send in to me some good ideas yourself. cdyer@sdcll.org