

LIBRARY PROMOTION COMMITTEE OF TASMANIA

OPENING OF AUSTRALIAN LIBRARY WEEK

HOBART, 20 SEPTEMBER 1985

LIBRARIES AND THE END OF THE NEW FEUDALISM

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The Hon. Justice M.D. Kirby, CMG*

LIBRARIES IN THE AGE OF SCIENCE:

The theme of my address is that libraries, like the law and other institutions of our society must adapt to times of rapid change. The watch word of our time is change. How could it be otherwise? It is the fate of this generation to live at a moment of history when great social changes coincide with (and are stimulated by) mighty technological developments. Most generations can boast of one great technological innovation - the invention of the long bow, the development of the musket, the advance of the steam engine, the discovery of electricity, the first flight. But it is the fate of this generation to experience, at once, three scientific and technological changes of the greatest importance. I refer, of course, to nuclear fission, biotechnology and the microchip - informatics, robotics, laser technology, computers and artificial intelligence.

These social and technological changes interact with each other. They create enormous challenges, including for our supply of information services. They will revolutionise the role and function of libraries. Indeed, the revolution has already begun, including here in Tasmania.

Everyone who has grown up in the world of books (as we all have) will know how important it is to see the future in the setting of the past. It is vital to consider the changes that lie ahead (and the adaptation that will be needed to cope with them) against the background of our history. If the bicentennial can lift itself above trivial pursuits - the concern with golden handshakes, personality clashes and a few circuses for the masses - it will focus our national attention on our early history. In the remarkable tale of the achievements of the early settlers, we can find inspiration and courage so that this generation can confront with equanimity and optimism the challenges that are before us. In comparison with the ordeal of establishing a colonial system and transplanting a European people on the far side of the world, our difficulties, great as they are, pale into tolerable proportion.

ESTABLISHMENT OF THE PUBLIC LIBRARY IN TASMANIA

Take the history of public libraries in this State. The Tasmanian Public Library has a history described in the Binns Report as "varied and disappointing".¹ The library was founded in 1849 as a subscription library. It received the patronage of Sir William Denison who placed the munificent sum of 100 pounds in the Estimates for the purchase of books. Doubtless those books are still there, lovingly tended. It was not until ten years later that the public was allowed free access to the library and this was the result of a parliamentary subsidy. Thus began the parliamentary concern with access by the people to information. The parliamentary subsidy was later increased but in 1864 it was totally withdrawn. And the library closed in 1867.

In 1870 the Hobart City Council took steps to have the

library reopened. It was at first housed in the new Town Hall building. An Act was passed in 1870 vesting the control of the Library in eight trustees. Four of them were to be elected by the Governor in Council. Four were to be elected by the municipal council.

In 1907 the library was removed to a building donated by the Carnegie Gift. By the time of the Binns Report, in 1943, the dual responsibility for the library was still in place. The Government subsidy was 1,000 pounds and that of the Hobart City Council 1,150 pounds. But the dual control sometimes inhibited that firm policy making which is necessary for institutions to flourish. Just as the dual monarchy papered over (but could not long hide) the fundamental flaws of the Austro-Hungarian association, so the dual responsibility for the library led to inadequacies which were exposed in the Munn-Pitt survey of 1934. That survey declared that, "for a city the size of Hobart, the library is the poorest in Australia and New Zealand."²

Perhaps because of these disabilities, a Free Library Movement grew up in Tasmania patterned, at least at the start, on the Free Library Movement established in New South Wales in 1936. A public meeting in Hobart on 28 February, 1939 commenced the spread of a vigorous propaganda campaign to make Parliament, the municipalities and the people, library minded. The effort was assisted by the Rotary Clubs of Tasmania. A plan for a proposed free library service for Tasmania was circulated and the Government sought the advice of the free library movement. A modified plan was ultimately submitted proposing the establishment of libraries in the municipalities and suggesting the funding of these libraries, in part, by a rate levy.

However, just as the earlier dualism between the Government and the Council had led to problems in the Tasmanian Public Library, so a new dualism sprang up. This time it was between the Tasmanian Public Library and the Free Library Movement. Mr. Binns in his report indicated a desire to avoid the allocation of blame. It is perhaps difficult, at this remove, to understand the passions that were stirred. Given the common object of improving the free library services for the State, the clash was perhaps surprising. But to an outsider, looking at the history of library services in Tasmania, it is remarkable to observe the record of conflict and high passion. No doubt these have been the product of strong minded personalities - all of them, without doubt, devoted to a similar goal but differing sharply about the ways in which that goal could be achieved.

THE PUBLIC LIBRARY TO-DAY

The latest dualism is recorded in the report "A Decade of the State Library of Tasmania" presented as a paper to the Library Association of Tasmania in February, 1984 by the State Librarian, Mr. Laurie Brown. This tells the story, interesting in itself, of the clash between the State Librarian and the Tasmanian Library Board. It is a dangerous thing, for a speaker from another State, to tread upon ice and to venture upon the clash recorded in this report.³ Like a true judicial angel, I shall fear to tread. But the report makes it plain that deficiencies had emerged in the operation of the old Libraries Act and in its interaction with the Public Service Act, both of which statutes involve reference to and powers and responsibilities of the State Librarian. It seems that the State Librarian disputed the level of detail in which the Board

interested itself in the operations of the Library. The Board, doubtless asserting responsibilities and functions from an earlier time (and encouraged by some of the language of its statute) at first insisted. The then Minister (Mr. Neil Batt) in what is described, with classic librarian understatement, as "a fairly dramatic fashion" moved on two fronts. First he had the Solicitor-General prepare an extension of the duties of the State Librarian under the Public Service Act in the form of an Order in Council. This virtually gave the State Librarian the powers of the Board but under the Public Service Act. Secondly, he established a committee to review library and archives legislation with a view, it seems, to reconsidering the "anachronistic" powers of the Board. The result is the Archives Act of 1983, the Library Act, 1984 and a new relationship between the State Librarian and the Board.

REVISING LIBRARY LEGISLATION: ROLE OF THE BOARD

These historical conflicts are partly the tale of strong willed individuals. But they also reflect the important policy concerns which revolve around the supply of information services to the community. From them, a number of lessons can be drawn. The first of these is related to the design of the legislation establishing library boards throughout Australia. This legislation was generally designed decades ago and needs reconsideration, in many parts of the country, with at least three objects in mind -

The first, is to review the relationship between the State Librarian and the Board or Council established to provide general superintendence of library services in the State. It is natural that some librarians will be impatient with the group of

worthy citizens who make up bodies such as a Library Board or the State Library Council. Naturally, the State Librarian, as the professional most closely related to the day to day problems of supplying library services, will feel irritated and impatient with the group of citizens, many of them amateurs, who make up the Board. But the genius of the form of Government we have inherited from England lies, in part at least, in the interaction between the professional and the amateur. We see it at so many levels and in so many institutions. We see it in the relationship between the amateur politician Minister and the professional public servant. We see it in the relationship between the amateur jury and the professional judge. We see it also in the relationship between the amateur library board and the professional librarian. Each is a check on the other. The amateurs are the democratising element in what would otherwise be an opinionated elite. A Library Council, properly operating, can provide a voice of the citizenry to the expert who might get carried away with his or her obsession with serials or new technology, so as to be remote from the concerns of ordinary library users. The lesson of the clash of recent years in Tasmania - which clash has been rather more strident and public than in any other part of our Commonwealth - is not that we should suppress strong personalities or try to keep them out of libraries. People of books tend sometimes to have strong opinions. But the lesson is that we should recognise the destructive and diversionary nature of battles of this kind. It behoves the professional librarian to realise the value of citizen opinion. Especially at a time of rapid technological change, it behoves the citizen members of the Library Councils

and Boards to recognise and respect the expertise of the professional librarian - whilst keeping a healthy scepticism and never hesitating to correct that which is perceived to be erroneous. This, certainly, is the function assumed by the Library Council of New South Wales - with, I should say, the strong support of the State Librarian, Mr. Doust. Perhaps it is a reflection of the pallid personalities of my State that we appear to have escaped most of the battles waged in the world of libraries in Tasmania over the past century.

REVISING LIBRARY LEGISLATION: REFERENCE TO BOOKS

The second lesson for the legislation is the possible need to update the legislative mandate of the Library Council or Board and of the State Librarian. Libraries of the past were places of books. Libraries of the future will be places of informatics - the linkage of computers and telecommunications. In the future, information will be supplied and reticulated to regional outposts not so much by the exchange of hard cover books but by access to computer terminals. Indeed, this is already happening. A report in the Australian last month records that the Victorian public libraries are already taking advantage of the new technology acquired by a forward thinking cooperative library services. The service, Technilib involves use of an IBM computer and library management software in 22 of Victoria's 60 municipal public library services. The system has been set up with funding from the Library Council of Victoria and actually began in the mid 1970s. It has become Australia's only voluntary self supporting cooperative capable of providing a wide range of library support services.⁴ Until recently, Technilib has relied on a computer bureau for data processing in cataloguing,

labelling and adding circulation stationery and plastic jackets to titles. The systems catalogue keeps member libraries informed of all holdings in the network. It centralises the tedious task of preparing and processing books for circulation, releasing valuable space set aside for this purpose in the libraries and leaving library staff free to deal with borrowers and provide services to individuals. Libraries have estimated a saving of 40% in the cost of preparing books for circulation, and similar savings in the purchase of new stock. Obviously this is but a first step in the use of computers in libraries. Although at present the costs are prohibitive, the likely future development of libraries is towards the new information technology. It is unlikely, in our lifetime, that this will see the replacement of hard cover books. But there is no doubt that increasingly libraries will have to provide cost effective information through the new technology. Such services have already begun, at least in the largest libraries and we are only now seeing the beginning of it. My present point is that many of the statutes establishing libraries remain expressed in terms of "books". This was natural enough, given that from ancient times the business of libraries centered upon the collection of and provision of access to books. Typical is the New South Wales legislation which repeatedly refers to books and provides a definition designed to expand the meaning of the term. The time has come, as it seems to me, for a fresh look at our library legislation so that the future charter of libraries is clearly spelt out as a facility for the supply of information services. Books will remain an important medium for these services. But they will not be the only medium. And their importance will diminish as we approach the turn of the century.

It will be vital that we should reflect the changing technology and new responsibilities of libraries and librarians in the language of our legislation. Such a change will signal the acceptance by Governments of the responsibility to move with the times and with the technology. It would be thoroughly unsatisfactory for libraries to be left in the wake of the retreating tide of informatics. The legislation should be reviewed to signal the changing role of libraries. That changing role will affect the type of people to be appointed as librarians and the type of people suitable for appointment to library boards and councils.

REVISING LIBRARY LEGISLATION: USER PAYS?

A third development I must approach gingerly. It relates to charges for library services. I realise that in different parts of Australia different rules obtain for funding of libraries, particularly regional libraries. Whereas in most parts of the country, and certainly New South Wales, local Government has a major involvement in the funding of local libraries (under a general superintendence of the Library Council of the State) in Tasmania, for historical reasons, the funding has been concentrated, very largely, in the State Government. This has certain disadvantages, in terms of decentralisation, flexibility and local variation. But given the size of Tasmania, these disadvantages are probably outweighed by the opportunity which the central system of funding provides for firm management, creative change and resolute adaptation to the new technology. Whatever the advantages and disadvantages, you live with the system you have and it is imperative to make the most of it. But should there be any facility for charging for library and

information services? During the apogee of the Free Library Movement, great emphasis was rightly placed upon the entitlement of citizens to have access to library facilities free of charge. It is something that comes with citizenship for, especially amongst the young, it is unreasonable to attach the entitlement to library services to wealth or the opinion of rate payers about the level and kind of library facility that should be available. Such rate payers may show scant interest in the special needs of the young, or of non-English speaking library users or other groups within the community with special needs.⁵ In Sydney a move within one local authority to impose a system of charges for the use of library services was defeated after a noisy campaign. In Tasmania, The Libraries Act, 1984 provides s 6(1)(a) that the first function of the State Library is to provide free library services in the State. I am as strong a supporter of free library facilities as the next person. But, if libraries are to expand into the new technology and if they are to provide special services, over and above the basic, for particular user groups who could afford to pay, there may be an argument in favour of permitting charges to be levied for particular services. I recognise that care would need to be taken to ensure that the exception does not become the rule. I also realise that care would be necessary to prevent public libraries being distorted, by the facility of funds, into devoting the time and resources of staff for specialist services just because the market was able to pay for such services. But the risk in hard economic times is the contraction of library services, or the adherence of public libraries to the old technology of books, whilst the new technology of informatics could then spring up available to a few

in inaccessible places. Thought should therefore be given to the possibility of an equitable system of levying charges that will nonetheless preserve the principle of free public libraries and yet ensure the availability of "super services" at a reasonable charge. By "super services" I mean those services which go over and above the basic standard facility which it is appropriate to insist as a "core" entitlement of the citizen, in whatever technical form, simply because of the rights of citizenship.

One of the risks we run, unless we contemplate the possibility of levying a charge for "super services" is that the new facilities, particularly in the new technology, will not be available in public libraries at all. Another possible outcome, equally to be resisted, is that books will remain free but access to terminals will have to be paid for. What we ought to be doing is searching for a new principle. The principle is plain enough to state. It is that basic "core" information should be available to the citizen, whether in books or in the form of new information technology, free of charge. Drawing the dividing line between the "core" and the optional is difficult. So much easier to draw the line between books and the new information technology. But that line will be fundamentally erroneous, in my view and should be resisted at all costs. An important challenge before library boards and councils in the future is likely to be to determine, by a new concept, that basic information facilities that should be free of charge to all citizens regardless of means. Once that is determined, it will be possible to contemplate, under rigorous conditions, the levying of charges for access to information over and above the core but provided in public information centres.

We should not be shocked or horrified by that notion. After all, freedom of information legislation permits charges to be made for the provision of information in the public sector, simply because gathering the information and copying it costs the community time and money. Of course, the charge can be waived and often is. The costs of freedom of information are themselves the subject of debate and controversy at present. Regulations to increase the charge are before the Senate of the Australian Parliament. There are at least some observers who contend that the proposed increase, by regulation, is designed to discourage the use of the Freedom of Information Act. My present point is a simple one. Infatuation with free library services is commendable. But if it means a shrinkage of the provision of information to the citizenry, and in particular if it means that public libraries are locked into the technology of books and do not adequately embrace the new informatics - the price will be too high to pay. Our public libraries will wither on the vine. The information explosion that accompanies the new informatics technology will leave them behind. That would be a tragedy for the public library movement which would leave the earlier battles of the Public Library of Tasmania looking insignificant and trivial by comparison.⁶

REVISIONS NEEDED

I sum up what I have said so far. In every State of Australia, State Library Boards and Councils are established by legislation. Working out their relationship with their State Librarian is a matter requiring sensitivity as the history of the Library in Tasmania demonstrates. The new information technology, which will revolutionise libraries of the future - so that they

are centres of information supplied in whatever form - will require changes, including in the legislation. There will be a need to change the composition of Library Boards and Councils so that a growing number of personnel appointed to them are aware of the explosion of information technology. There will be a need to reconsider the references to "books" in library statutes, given that the genus with which we are dealing is information, in whatever form it is presented, books, films, micro form and electronic form. Finally, there will be a need to reconsider legislation designed to protect the free library principle. That legislation must avoid the superficialities of what the State Librarian of Tasmania has described as the "mad monetarist Friedmanite policies" which are sometimes in vogue.⁷ But, without embracing entirely the notion of "user pays", this is fundamentally incompatible with the right to information preserved by the free library movement, there may well be special areas where a healthy and growing public information service may properly wish to levy reasonable charges. The point to be made is that if charges are to be permitted, radical changes in the legislation will be required in most parts of Australia and, if the principle of free library services are to be preserved, that will oblige us to redefine the basic facility which we guarantee to all of our citizens free of charge, simply because they are citizens. In practice that facility varies from State to State and from region to region. Our objective should be to improve the facility, even if it means some concession to the Friedmanites.

THE AGE OF LEISURE

Speaking of Milton Friedman reminds me that, so far, I have been looking at the future of libraries from the viewpoint

of the supply of library services. But what about the demand for library services? How will the new information technology affect the demand of our citizens for access to information in the decades ahead? Because I am convinced that the information revolution is working a profound change in the employment patterns of our society, I am convinced that the future of the average citizen is going to involve much less work time and much more time for leisure. This is both a challenge to and opportunity for libraries and those who in the future will provide information to our citizens.

It is important to see the information age as but the latest of the great economic periods of the modern era. The agricultural revolution saw the transition of man from a nomadic pastoral life to the systematic production of food. This revolution occurred in Western Asia and Europe between 8,000 BC and 3,000 BC.

The Industrial Revolution, based on coal, iron and steel began in Britain just 200 hundred years ago. The third revolution was that produced by the harnessing of electricity in the late 19th century. This had a dramatic impact on lighting, transport, communication and heating.⁸ Now we enter the fourth great economic revolution - the information revolution. It involves computing, micro electronics, laser technology, robotics, nuclear power and biotechnology. By 1981 the information labour force already accounted for more than 30% of the economically active in the United States, Japan, West Germany, United Kingdom, Australia, New Zealand and the other advanced countries of the OECD world. For some reason the growth in English speaking countries has been even greater so that about 40% of the work

force can be ascribed to various jobs associated with the supply of information.

According to the Federal Science Minister, Mr. Barry Jones, the information revolution raises basic issues about our society. Yet very few governments, and institutions in society are systematically addressing these issues. The issues include

- * If routine process work is substantially reduced, what implications will this have for institutions such as trade unions?
- * Will artificial intelligence pose threats to natural intelligence? What becomes of people at the lower end of the skill range whose work whose work can be carried out more cheaply and efficiently by "smart" machines?
- * If work does contract overall, what will fill the time gap? For many people, perhaps even a majority, work is the most important factor in self determination - even more important than family life. Work in most OECD countries accounts for between 1/6th and 1/7th of a lifetime. If this proportions falls, what then? There is, accordingly to Mr. Jones, an urgent social need to encourage people to develop a philosophy of "time-use value". The new technology with its capacity to eliminate boring, exhausting and dangerous work can open up a vast range of human opportunities. But Mr. Jones asks whether we will have the courage and imagination to grasp these

opportunities.

Barry Jones keeps nagging away. Perhaps someone will listen. His principal point is that fewer and fewer people are making things, simply because of the growing capacity of machines. The decline is employment in the manufacturing sector, which many politicians hope is just a temporary apparation, is, according to Minister Jones a permanent restructuring of the economy. It is an historic shift unlike any since the first industrial revolution. It releases our people from spending most of their time, effort and income on producing necessities. Instead our society becomes dominated by increasingly marginal, discretionary and interdependent services. The first of these Jones names as the supply of information, followed by eating out, beauty care, entertainment, leisure activities, tourism and - bottom of the list - bureaucracy. All of this is reflected by his figure that, in Australia, barely 15% of the active population is employed in the production of necessities. The remaining 85% work in producing services and commodities which we choose to have to improve the amenity of life but which we could go without or postpone acquiring if need be.⁹

Barry Jones is right, in my opinion, to call attention to this radical change in work patterns. It is a change which will both harness and necessitate different information needs and services. As the amount of time spent in work hours, and as the number of years spent in work inevitably decrease, workaholics like me will doubtless suffer severe anxiety symptoms. Perhaps there will be a need for a kind of methodone treatment for the confirmed workaholic. We should surely not be obliged to do "cold turkey". However that may be, the increase in leisure time, the

changing use of leisure and the changing use of information in work hours will impose new demands upon public library facilities. Moreover, the libraries themselves will have to adapt to ensure that they maximise their usefulness to a society with much more time on its hands. In the electronic age, that does not necessarily mean buying in more books, though that will doubtless be required. It means more than this. It means an expansion in the notion of the role and function of the public library as a centre for information and as itself a stimulus to new and creative ways to use leisure.

The result of this analysis is simple. Our society is changing. Its work and leisure patterns are changing. Those changes are themselves, in very large part, the product of information technology. The technology will create enormous challenges and opportunities for libraries and all those concerned in the distribution and supply of information. The fundamental question is: will we be equal to the challenge and will we be flexible enough in our personnel and institutions to meet it?

CONCLUSIONS: OUT OF THE MODERN FEUDALISM

I recapitulate the simple themes of this address for Library Week. We will need a review of the legislation establishing library boards and councils throughout Australia. We will need new and different people as members of those boards and councils - people knowledgeable about and alert to the possibilities of informatics. Librarians of the future will need new skills. The age of the librarian in electronics has dawned. We will need to review our legislation so that it does not confine the libraries of the future to books alone. The medium is

no longer paper only. It is important that this reality should be recognised in our legislation. Otherwise our public libraries will be the captives of the past. We will need to reconsider the "free library" concept. Certainly, we must preserve and defend the right to access to a core of basic information, whether in books or electronic form. But the notion of payment for "super services" is not one we should reject out of hand. If the libraries of the future are to flourish, in harder economic times, it may be important to acknowledge a legitimate role for the user pays principle, at least in the provision of access to specialist or additional services. Otherwise, libraries may wither on the vine for want of funds to provide services of this kind. Finally, we must realise the vacuum to be filled as work consumes less time and a smaller proportion of the ordinary life. In part, that vacuum will be filled by access to information services. And our public libraries must be ready to meet the new demands.

These are very significant challenges before the library world. But in a sense, we are simply reaching the end of the modern feudal era. The first feudal era ended when the serfs were freed from the land. Their liberation led to the first industrial revolution as the former agricultural workers congregated in the cities. But in the cities they became new serfs, tied to manufacturing industry. The ideal of life became long hours of toil - captive to the new barons. Now, we face the prospect of a new liberation more fundamental than in the past. It is one which is causing heartburn amongst those who cling to the old protestant work ethic. There will undoubtedly be an uncomfortable period of readjustment in our social models. But the prospect of

more leisure provides an enormous opportunity to libraries and all associated with them. We must make it our business to ensure that they have the resources and the imagination to respond to the new opportunities.

FOOTNOTES

- * Personal views only. President of the Court of Appeal, Supreme Court Sydney. Former Chairman of the Australian Law Reform Commission. Member of the Library Council of New South Wales 1978-85.
1. Kenneth Binns, Library Services in Tasmania, Tasmania, Government Printer, 1943, 7.
 2. R. Munn & E.R. Pitt, Australian Libraries, Melbourne, 1935, 84.
 3. W.L. Brown, A Decade in the State Library of Tasmania, Paper for the Library Association of Australia (Tasmanian Branch), University of Tasmania, February, 1984, Hobart, 6 ff.
 4. The Australian, 20 August, 1985, 42.
 5. See eg M. Jackson, Public Library Services to People of Non-English Speaking Background in New South Wales, State of the Art Survey, State Library of New South Wales, 1984.
 6. See also NCLIS Study on Library & Information Fees in 17 Information Hot Line (September, 1985) 1, 10. This reviews the debate on fees in the U.S.A.
 7. Brown, 37.
 8. B.O. Jones, The Information Revolution and Its Implications for Job Creation, Address to the International Conference on Technological Innovation and Job Creation, Venice, 10 April, 1985.
 9. B.O. Jones, "Poverty, Employment and the Future of Work", Address to the Jagajaga Federal Electorate Council, Australian Labor Party, 30 June, 1985, 7.