

Values, Laws and Mandates: Public Library Goals and the Indiana Library Law of 1947

**N. Douglas Raber,
Former Reference Librarian,
Monroe County Public Library,
Bloomington, IN**

Positive law is a means by which social values are transformed into definitions of the public good and, therefore, serves as a public consensus about what ought to be. Policy may be more or less vigorously pursued as measured by financial commitment to declared values, but a government that fails to fund what by law it has pledged to do is politically vulnerable. Such a government could be called upon to honor its pledge and its policy or be turned from office.

Given the wide scope and variety of legal commitments of the modern state, it is not surprising that governments rarely fall because of a failure to honor any particular commitment. In addition, such failures rarely lead to a reconsideration of legal commitments. Public goods defined by law retain the legitimacy of their claim to public resources even when those resources fall short of what is needed or are completely withheld. This is due in part to the fact that what ought to be is not necessarily altered by what is, and values retain their strength even when they cannot be achieved.

The state of Indiana has perhaps demonstrated this contradiction in its policy toward public libraries. Al-

though public libraries have historically been rewarded a small share of state aid, they have nevertheless been supported since 1947 by a remarkably positive and strong state library policy;

It is hereby declared to be the policy of the state, as part of its provision for public education, to promote the establishment, maintenance, and development of public library service for each of its various subdivisions. Such public library service is to be provided by a library supported by public funds and operated for the benefit and free use of individuals and groups of all ages in the community in the meeting of their *educational*, informational, and recreational interests and needs. (emphasis added)¹

This is powerful language. There are no ambiguities. Public library service is declared to be part of a state and local responsibility to provide for education. The law further mandates the "dissemination of the knowledge" contained in books and other materials and declares that the State Library shall initiate plans for library development and conduct research that will contribute to those plans.²

Where did this foresighted language come from? It appears to have a number of sources: national post-war conditions and hopes, American

Library Association leadership, a strong Indiana Library Association tuned in to national and ALA developments, and a coherent set of ideas about the purpose of public libraries. Librarians and library supporters were responding to a positive crisis which required new legal and social structures for a postwar world. It was a time during which it was possible to think about what ought to be, and we have been left with a strong legacy upon which to build.

The nature and strength of a nation's system of education has profound implications for its economic and cultural welfare. It is for this reason that education has been generally recognized as a public responsibility. That responsibility has been institutionalized by laws that have created local school boards, state commissions and a federal department of education. In the United States there is a legally sanctioned tradition of local control of education, but the existence of institutions at higher levels of government which provide support in the form of knowledge and financial aid to that local control indicates the extent to which education is perceived as public good and a collective responsibility. It is recognized that no single tax base nor institution, in this case the local school and its district, can adequately provide for public education. In addition, American commitments to the values of equality demand that no individual suffer merely by the chance that he or she lives within the confines of a poor taxing district. This too has been recognized legally by various programs which transfer funds from national to state and state to local levels of government. The goal of these programs is to create at least the possibility of equal opportunity.

In recent years the nation has witnessed a growing concern that it might be failing to live up to its

responsibility. There have been talk of a crisis, a decline in public confidence in the system of education, and calls for reform. It is clear that a gap exists between demands of the workplace and the skills of workers.³ A special report in *Business Week* described the situation this way,

The skills gap poses a threat to American society that goes beyond simply the economy. Currently, labor shortages in New England and elsewhere are driving up wages for jobs in fast food eateries. If new workers don't become better qualified, this situation may change drastically as shortages move up the skills ladder. Many new job-seekers could wind up competing for a dwindling number of low skilled positions, while higher skilled jobs go begging for want of qualified workers. That would drive down wages for low-skilled workers, who can least afford it, and raise wages for skilled employees, who are already better paid,⁴

Although there is little consensus on what is to be done, there is little doubt that America is a nation at risk, and that public action concerning education is required.

The state of Indiana has recognized this problem and has begun to legislate some modest reforms. An A+ Program, currently in place, is a first step in this direction. Curiously, however, it neglects the fact that a system of education must involve a number of different institutions. The focus of the A+ Program is almost exclusively on primary and secondary schools. Higher education, vocational institutes and public libraries were generally left out of the legislation. This violates not only good sense, but also the state's own pre-existing policy, at least with regard to public libraries. Reform legislation under consideration by the Indiana General Assembly as of this writing also fails to address these institutions.

The Indiana Library Association (ILA) is not in the same position today

as it was in 1945. Our current crisis is defined as much by the problem of preserving gains as by the difficulties of advancing our cause. Still, the common question faced by librarians then and now is, what is to be done? The value of examining the past lies in its capability to persuade us that something can be done.

Patience and clear thinking were characteristic of Indiana librarians in their effort to secure passage of the Indiana library Law of 1947. The ILA developed the legislation over a period of several years in conjunction with other efforts to professionalize library service in Indiana. Before the war Indiana librarians were demonstrating an awareness of the significance of legislative action. Following the efforts of the American Library Association (ALA), the ILA recognized the relationship between organized lobbying, information activity and library development.⁵

As early as 1939, Ralph R. Shaw, then president of the ILA, had urged librarians to inform legislators about the benefits of public libraries. This activity eventually resulted in the passage of legislation that created a state certification board and allowed local library boards to establish retirement funds. Both actions helped to establish in the public consciousness the notion that librarianship was a profession that could and did contribute to the general welfare of the state.⁶ Given the political climate the ILA did not yet press for state aid for public libraries, but it was not deterred from pursuing its larger goal, a comprehensive plan for library development in Indiana.

By 1945, Indiana librarians realized that the law under which they operated had to be completely revised. It was a weak law of a permissive rather than a positive nature. Library objectives and state policy were not

well defined and the law made no provision for participating in emerging Federal programs to provide support to libraries from Army surplus materials.⁷ At that time about 23% of the population of Indiana had no library service and state law made no provision for its extension. Additionally, the ILA had determined that the average per capita spending for Indiana libraries was only 71 cents. ALA post-war standards had set \$1.00 per capita as the minimum. It was generally felt that an opportunity existed to create a strong library development program with goals in line with the new standards.⁸ This reveals the first clue as to the source of the language in the Library Law of 1947.

The American Library Association had been working hard to define the possibilities of a post-war world and the place of the public library in that world. Carleton Joeckel, Carl Milam, Amy Wilson, Lowell Martin and many others had been working on a national plan for public library service for some time. In *Post-War Standards for Public Libraries* the Committee on Post-War Planning under the chairmanship of Joeckel had written;

The basic objectives of the American public library may be codified by the use of five convenient word symbols: (1) education, (2) information, (3) aesthetic appreciation, (4) research, and (5) recreation. These terms are not mutually exclusive and likewise the categories of people who use public libraries cannot be sharply segregated . . .

The achievement of the goals of a democratic society depends in large measure on the enlightenment of the people and on the vitality of their social and cultural ideals. The complexity and rapid tempo of the modern world put a responsibility on the citizen to educate himself continuously, and on the government to provide the means for the citizen's self-education. The public library is an agency evolved by America to meet this need.⁹

The western democracies had just triumphed over a fascist threat to their existence, but national library planners realized that no victory could be permanent. The struggle to maintain democracy and achieve its possibilities would take on a new and peaceful form in the post-war world, but it would nevertheless continue. Neither peace nor democracy could be taken for granted. The language used by Joeckel and his colleagues may resonate with a certain naivete when heard today, but perhaps the problem is ours rather than theirs. Under the guise of modern pragmatism we may actually be sustaining a cynicism which is inimical to democracy and to the goals and hopes of the post-war planners.

In any case, Indiana librarians were not deaf to these words. J.J. Weadlock, citing the precedent of the Northwest Territory Ordinance of 1787, argued that a knowledgeable citizenry was necessary for good government. He feared that the public library might become perceived as a luxury rather than a necessity. In an address to the joint ILA/ILTA conference in October of 1944, he urged that librarians and trustees discover what was needed to train and re-educate the people for a new post-war way of living that would extend the wisdom gained from war and contribute to a lasting peace. His particular concern was preparing people, and especially returning veterans, for new roles in a new world that required adult education.¹⁰

Richard B. Sealock, then assistant librarian at Gary, argued that librarians, the ILA and the State Library must plan jointly and have ready for the fall 1946 meeting a unified position on a new library law to be introduced in the 1947 state legislature. He cited a number of important papers that had appeared in national library journals as guidelines for

thought and was eventually named chair of a study committee directed to draft a library development plan.¹²

As these developments were taking place, libraries around the state began to organize and experiment with new means of influencing legislators. At the Muncie Public Library, for example, a program was established to teach citizens how to share their opinions with government representatives, as it was noted that no machinery existed for the easy expression of these opinions.¹² At the same time, librarians themselves were learning how to play democratic politics. In an astute political move designed to involve people outside the library profession and create a basis for legislative alliances, Sealock planned to use consultants not directly identified with libraries to help prepare new legislation.¹³

It was also important for librarians to avoid making enemies of groups with similar interests. Since education was beginning to figure prominently in the new plans, it was necessary to clarify the particular roles of schools and libraries. Legislators had to be made to see that the new plan was not a duplication of what schools were doing, and teachers and school librarians had to be assured that public libraries were not trying to usurp their role in childhood education. During a dinner speech at the ILA conference in October 1945, Marian McFadden of the Indianapolis Public Library stressed that the prime focus of the public library was the life-long learning necessary for adult participation in the new post-war world. Schools and public libraries could threaten one another's turf only if there were "too many facilities for education, too many good books, and too many good readers."¹⁴ She argued that the school child was a joint responsibility of the home, the school and the library. Although she stated

that the ideal situation would be a full library in every school for formal education so that the public library could concentrate on the child's recreational and special interests, she accepted the notion of a public library role with regard to school assignments.

She presented a "life-cycle" model of public library use. Library work with pre-school children was actually a form of adult education as the librarian must work with the parents to reach the child. The goal of this work is to encourage and develop the reading and library habit and eventually to match adult library use with adult roles, including that of parent. At this point the cycle begins again. She closed by saying that democracy was endangered by ignorance, and that no individual institution could meet all of the public's educational goals and necessities.¹⁵

By late 1945, the revised library code written by Dr. Frank E. Horack and Herbert P. Kenney under the direction of Sealock's committee was ready and it was presented to the state's librarians for open discussion.¹⁶ The following spring it provided the focus for the ILA district meetings. The purpose of the district meetings that year was to explain the goals of the new law in preparation for seeking approval for it from the general membership of the ILA at the 1946 general conference. A consensus was rapidly building around the need to have "one law for the organization of public libraries in place of the accumulation of many varying and conflicting laws (then) in effect."¹⁷

In order to better provide Indiana librarians with an understanding of the national context within which their own plan had been developed, the summary sections of the *National Plan for Public Library Service* developed by the ALA were published in

the *Library Occurrant* issue of September 1946. The state aid which the ILA had forgone given the climate of opinion a few years earlier, had now taken its place alongside code revision as a primary legislative goal. It was believed that the information contained in the summaries could help Indiana librarians in their efforts to give the state Legislature reasons for the need for state aid.¹⁸ The combination of efforts at both national and state levels of government created a heady climate full of the possibilities of achievement. At the time, 50% of Indiana's 239 public libraries were operating on budgets of less than \$2500. Rather than discouragement, however, this condition seemed to serve as a spur to action.

In the same September 1946 issue, Mrs. Ralph I. Burris (sic), president of the ILTA (Indiana Library Trustees Association), urged library trustees to attend the upcoming ILA/ILTA conference in November in order to organize and build support for the new code and state aid in the 1947 State Legislature.²⁰ The objectives of the state aid plan were clear and simply stated. They included the extension of library service to those who were unserved; the merger or federation of smaller units of service into larger, more cost effective ones; interlibrary cooperation; permission for local libraries to retain local autonomy; and the means to meet the minimum financial standards recommended by the ALA.²¹

Sealock was again in a position of leadership during the detailed discussions of the code revision and state aid plans at the 1946 ILA/ILTA pre-conferences and conference. He argued that the state spent large sums on education up to the twelfth grade, but then stopped, not recognizing that education was a continuing process.²² Voting at the pre-conferences showed that most librarians and

many trustees favored some form of state aid, but agreement on specific plans was elusive. Consensus on state aid began to break down and at the 1946 Annual Conference two plans for state aid had to be presented.²³ Weakness was beginning to threaten the efforts of Indiana librarians to create and fund a new structure for public library service. The values and purposes of the public library expressed in the *Post-War Standards* and the *National Plan* were reiterated and received widespread support, as did the planned code revision, but the state aid plan eventually passed by the Conference stated that aid should be provided only to county libraries that would be newly created as a result of the revised code.²⁴

It is not surprising that a consensus for state aid was more difficult to reach than one for code revision. The political climate was not much different from the way it had been a few years earlier when the ILA decided not to even submit a state aid package to the Legislature. The administration of Republican governor Ralph F. Gates was determined to avoid a tax increase.²⁵ The Assembly, not without reason, felt itself to be under financial pressure. Even within the library community there was some hesitation about state aid. At the joint ILA/ILTA business meeting of the 1946 Annual Conference, arguments were made in favor of lowering the minimum tax rate. The ten cent minimum set in the proposed code revision struck some attendees as an unjustified benefit to cities with high assessed valuations. It was feared that such a condition would draw criticism from the legislature.²⁶ The ten cent minimum was approved, but on the final vote for state aid itself, 37 members voted no to 108 yes.²⁷

At a meeting of the Administrative Policy Committee in January of 1947, it was explained to the representa-

tives that the proposed \$300,000 in state aid was necessary to implement the development plan inherent in the new code revision. Resistance grew quickly and solidified to the point that it became apparent that further efforts to secure state aid could jeopardize the code revision bill and a new State Library bill. The ILA Legislative Committee called a meeting on February 6 and decided not to introduce the state aid bill.²⁸

The code revision ran into difficulties in the House anyway, as various amendments changed it completely to the detriment of libraries. It passed the House in this altered form and was immediately assigned to the wrong committee in the Senate. Action was postponed and this made it possible to reassign the bill to the Committee on Education. In the end the Committee restored the bill to its original form, and it passed the Senate with only minor revisions. This version also passed the House and was signed into law by Governor Gates on March 14, 1947, as was the State Library Bill.²⁹

The final outcome of the ILA/ILTA legislative program for 1947 was characterized by both victories and defeats. A new structure based on the realities of the post-war world had been created to provide a means of library development. That structure contained the values that have since become the basic principles of public library service in Indiana. The commitment to serving the educational, informational and recreational needs of the people of Indiana can be found in the goal statements of most libraries.

On the other hand, the money needed to advance library development was not granted. The process since has been a slow one. State aid finally did come to Indiana libraries, but its arrival was rather late and

increases remain difficult to get. Realistic funding to support the public library structure, goals and values that constitute the declared policy of the State of Indiana must now be the primary focus of ILA/ILTA legislative efforts. The effort required will be great. The current world is one marked by vague feelings of crisis rather than by hopes generated by a crisis survived. The ALA is more concerned with preserving the gains of the Library Services and Construction Act in the face of threats to eliminate or reduce it rather than boldly pushing for a new national plan. Indiana is a state still characterized by politics that express more concern for limiting taxation than for providing services. The passage of the Library Law of 1947, however, indicates that an organized library community with a clear idea of what it wants to achieve can make a difference. Alliances with other groups are possible and legislators kindly predisposed to library development can be found. The task, although difficult, can be simply stated. Librarians must see to it that the state enforces the law.

Endnotes

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25. *Ibid.* p. 578.

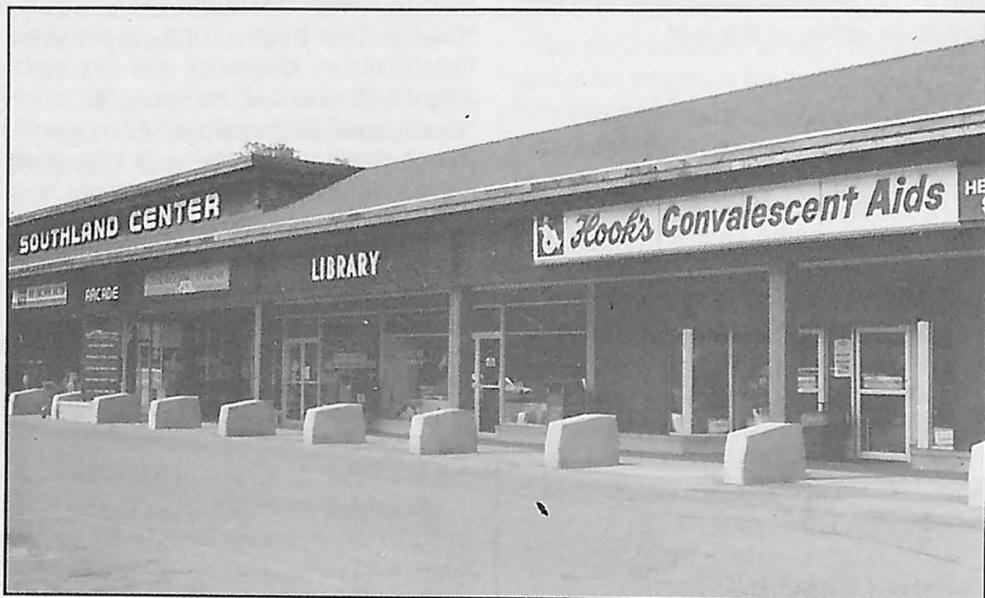
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29. "The Legislative Program" 1947 *op. cit.* p. 604-5.

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Outside view of the Southland Shopping Center with South Branch Library. Courtesy of the Vigo County Public Library, Communication Services, Char Minnette, Publicist.