TRACKING INDIANA LEGISLATION AS IT HAPPENS

With the second (and shortest) session of the 107th Indiana General Assembly just beginning we are already hearing news of significant bills being considered. But, following proposed legislation can be a challenge when news sources provide only scant information regarding the bill's number, author or complete subject. Don't despair! There are sources in our library that will provide access to the full text of bills no matter what shred of information that the media may eke out.

Most of you are aware that the Law Library receives the full text of all bills that are considered by the General Assembly as well as the various versions of the bill as it goes through the legislative process. These bills are filed by bill number and are kept on reserve at the Circulation Desk. At the conclusion of the 107th General Assembly these bills will be bound and shelved with other Indiana material on the 4th floor. There is no index accompanying these bills. In years past we were forced to rely solely on the Daily Legislative Service (also housed behind the Circulation Desk) to provide access to these bills. This is a useful tool, but far from elegant. This service is divided into several parts: 1) The Bill Digest section lists bills in numerical order followed by a brief abstract of the bill's content; 2) The Legislative Action Sheets report on the action taken by each committee and by both legislative chambers; 3) A Subject Listing of bills is available early in the session after all bills have been introduced; 4) Committee assignments are also listed in this source although a more complete directory of Indiana legislators can be found in the Reference section of the library at JK 5630 .J6 1991-92.

In recent months the Law Library began an online subscription to IndianaNet, a service provided by the Indiana Chamber of Commerce, which offers two legislative programs designed to let you access current legislative information: Legislative Services and Bill Text Search. Legislative Services allows you to view daily action of the General Assembly, track bills from their introduction to their final resolution, and find out the status of the bill. Bill Text Search allows you to search through the text of introduced bills and enrolled acts. Bills are available online within two hours of introduction. This database is available through the Law Library Reference Office and a Reference Librarian will gladly assist you with your search request.

A source that you may find more accessible and easily used is a new database called StateNet that has just been loaded through Westlaw. It uses standard Westlaw search strategy and is, of course, searchable by the end-user (you). StateNet differs from the other sources previously mentioned in that pending and recently passed legislation from all 50 states is covered and, at least for the time being, provides summaries of bills rather than the full-text of bills. West plans to include the full-text of bills from all states at a later date; eight states are already available although Indiana is not one of them. It would be easy to search this database to identify bills of interest then get the full-text of the bill at the Circulation Desk.

A similar resource, with similar advantages, is available through LEXIS. Like the Westlaw database, the INTRCK file provides the bill's synopsis, date of introduction, and a listing of action taken to date. Bills are searchable from 1/90 to the present. This file may be accessed through several libraries including CODES, IND, LEGIS, STATES, and STENV.

This description of sources should help you get started.
if you plan to monitor some particularly interesting Indiana bill in the short session of the General Assembly. At the end of the session I’ll tell you how to determine the legislative intent of enacted legislation.

NEW & NOTEWORTHY: Klanwatch

While some may view David Duke’s rise to prominence as a sudden regional phenomenon, others view the former KKK leader’s rise as evidence of America’s continuing, if not growing, racist attitudes. Four new books acquired by the Library document the rise and fall and, perhaps, rebirth of the Klan. Not surprising to students of American social history, Indiana has played a major role in the Klan’s history.

David Duke is certainly not the first regional leader of the Klan to gain national attention. One such Klan leader was David Curtis Stephenson, who rose to become the Grand Dragon of the Klan’s Indiana Realm. Under Stephenson, the Realm’s membership grew to more than 250,000 in the early 1920’s. Two histories of Stephenson’s rise and fall (he was convicted of second degree murder stemming from the abduction, rape and death of a Statehouse secretary in 1925) have recently been published:


Another new book dealing with the Klan in Indiana centers on the WKKK (Women of the Ku Klux Klan):


This title, which has received exceptional reviews for its groundbreaking research and content, includes interviews with surviving members of the Indiana WKKK. Blee, a sociologist and dean at the University of Kentucky dispels the myth that women are only inspired to political activism by ‘pacifism, equality, and justice’. Rather, she unveils the WKKK as a racist organization that, like its brother organization the KKK, appealed to the reactionary views on race, nationality and religion of the ordinary population.

Another new monograph documents the Klan’s more recent activities:


Stanton, the former director of the Klanwatch Project, recounts the events of the 1979 Klan attack on a Southern Christian Leadership Conference march through Decatur, Alabama, and the subsequent murder of 5 anti-Klan protestors in Greensboro, North Carolina. These Klan-led acts of violence prompted the Klanwatch Project to launch an unprecedented broad based attack on the Klan through the media, the public education system and the federal courts.

Dick Vaughan
Acquisitions & Serials Control Librarian

MY FAVORITE BOOKS


Having exhausted my list of favorite reference books in the Law Library, I would now like to turn to works from the Library’s regular circulating collection. There can be no better place to start, especially after the festive holiday season, than legal historian A.W.B. Simpson’s monumental work, Cannibalism and the Common Law. The author, who divides his teaching duties between the University of Chicago and the University of Kent at Canterbury, has carved out a niche for himself as one of the leading authorities on the history of common law.

The focus of Cannibalism and the Common Law is the infamous case, Regina v. Dudley and Stephens, 14 Q.B.D. 273 (1885), better known as the Case of the Mignonette. In the summer of 1884, Tom Dudley, a sailor of very limited experience, undertook to sail the yacht, Mignonette, from England to Australia, taking with him a crew of two other sailors and a cabin boy, Richard Parker. While in the South Atlantic, the yacht foundered and sank on July 3rd, and the four hapless voyagers took refuge in the yacht’s meager dinghy. The four men quickly exhausted what few rations were aboard the dinghy, and on or about July 24th, Dudley and his crew entered legal history by engaging in one of the darker practices of “the natural law of survival at sea” and decided to eat the cabin boy. Soon after the foul deed was perpetrated, the three remaining men on the dinghy were rescued by a passing ship and were eventually returned to England. Once word got out about how the men had dined on the hapless cabin boy, the three sailors were arrested and later tried for murder.
It is at this point, of course, that contemporary practices of the sea and the laws of land came into conflict, and as Simpson so masterfully points out, this was a conflict aggravated by the English Home Office’s fanatical desire to put an end to cannibalism on the high seas. Through detailed references to numerous other stories of calamities at sea, Simpson makes it quite clear that cannibalism in the name of survival was a well-established, though rarely-discussed, maritime practice. While not every tale of shipwrecked sailors ends with an organized lottery to see who will be diner and dined-upon (in fact, several of the stories end with vicious feeding-frenzies that would rival modern horror films), the author builds a strong case for the fact that both the public and veterans of sea-travel were aware of the painful necessities should food stores run out.

While Simpson’s primary intent is to chronicle the plight of Dudley and his crew and the “devious solicitors of the Home Office,” (although found guilty of murder and sentenced to hang, Dudley et al quickly received a pardon from the Queen, amidst a great outpouring of public sympathy), he also investigates every notable case where cannibal/survivors came before the bar in both England and America. Throughout his research on such cases as the Mignonette, the Euxine, and the Alfred Packer case, Simpson goes beyond the mere court decisions and legal briefs, and examines newspaper stories, shipping records and even contemporary ballads in order to get a feel for how Victorian society reacted to these graphic episodes of homicide. Then, as now, hard cases did not make good law, and the author does an excellent job of demonstrating that the common law was certainly not the vehicle for dealing with such extraordinary circumstances.

If you are looking for a juicy reading morsel that combines a good plot with eminent legal scholarship, you need search no farther than Cannibalism and the Common Law.

Keith Buckley, Reference Librarian

A Research Tip in International Law

There is nothing a librarian loves more than producing, as if by magic, some arcane source that contains exactly what the patron sought. We take a certain pleasure in that how-did-you-find-it look which appears on the patron’s face when he realizes that he can leave the library a lot sooner than he had hoped. Of course, our pleasure is derived partly from the fact that we can’t always work research magic. Sometimes the sources, or our knowledge, let us down.

Part of our job is not only to perform, but to help patrons to understand the research process. The key to this process is to take advantage of all the sources available. Many of them do not contain the answer you are looking for, but may refer you to some other source that does.

The Suggestion Box

(Each month in this space Associate Director Linda Fariss replies to suggestions received by the Library)

Suggestion: R.I.L. (Published suggestions). Linda Fariss should stop changing suggestions contributed by students. I was alarmed to see, in the most recent edition of R.I.L., that my own request had been rewritten. Embellishing my suggestion does make law students look like ‘a bunch of snivelling little brats.’ I distinctly remember listing only two papers. The Tribune and The Times. You listed nine publications, none of which were in my suggestion in order to make my request seem trivial. The credibility of R.I.L. has diminished greatly in my view. My tuition and tax dollars go to paying people to insult me. This episode confirms one thing: attuys are self serving sharks, and I am ashamed to be counted in your number.

c.c. Dean Fromm
Dean Aman

Response: I was surprised to see this suggestion because I always print the suggestions verbatim. Either the suggestion was not written by you or you have forgotten what you wrote. We did receive several suggestions about the Detroit Free Press and I simply chose one for my reply. I have the original suggestion in my office and I will be happy to share it with you if you would like to stop by. I am in Room 105B in the Reference Office. I hope this will restore your faith in Res Ipsa Loquitur.

Suggestion: Why on earth do you keep the Westlaw room locked. You can’t access without an ID# anyway. Keep it open.

Response: The major reason we keep the Lexis and Westlaw rooms, the PLC, and the Computer Center locked is as a security measure. There is a great deal of expensive equipment in each of these rooms and we do not want to risk losing it by making the equipment too accessible to anybody who happens to be in the Library. It also makes our reservation system easier to control by requiring students to pick up keys at the circulation desk in exchange for their student I.D. This allows law students to reserve a computer in advance and be sure it will be available when they are ready to use it. Thank you for your suggestion.
In the area of international law, bibliographies are a good example of this type of source. Many bibliographies are published in legal periodicals. They have the advantages of being up-to-date, detailed, and easily accessible through periodical indexes. They are a useful place to begin the research process, even though patrons do not usually think of periodical indexes as sources of bibliographic information. Here is a partial list of recent bibliographies, all located through searching LegalTrac. In the area of international organizations:


In the area of human rights:


In the area of international environmental law:

The international law of natural resources and the environment selected bibliography, 30 Nat. Resources J. 765 (1990).


Of general interest:


This list is only a sample to give you an idea of what’s out there to help you begin your research project. Many of the bibliographies published in law reviews are much more specific in their scope. To find others, I suggest a search of the Legal Resource Index on Westlaw or Lexis. Use a search such as this: “Title(guide or bibliography and international)”. You might want to use additional search terms to zero in on your specific topic. Happy hunting!

Ralph Gaebler,
Foreign & International Librarian

WORKING THE HALLS

Congratulations to Naomi Pardue and her husband, Randy, on their new baby girl, Shaina Elizabeth, born Sunday, December 8th. Naomi has resigned her position in the Library to become a full-time mom.

Welcome to New Staff!!

Ellen Ravens-Seger is the new Departmental Secretary in the Law Library.
Michele Bird is the new Bindery and Preservation Clerk.
Congratulations, too, to Ann Likes who has been promoted to the position of Serials Cataloging Technician.

New Faculty Publications:


Happy Birthday to All Those Born in January!!

Professor Lisa Bingham on January 4th;
Professor Lynne Henderson on the 13th;
Professor Roger Dworkin on the 19th;
Professor Alex Tanford on the 23rd; and
Library Director Colleen Pauwels on the 25th.

Hope you have a great day!!