
**LAW LIBRARIANSHIP AND LEGAL
RESEARCH
IN THE DIGITAL AGE**

Maiden Valedictory Lecture

**LAW LIBRARIANSHIP AND LEGAL RESEARCH
IN THE DIGITAL AGE**

By

Theophilus Olakunle Dada
Institute Librarian



**Nigerian Institute of Advanced Legal Studies,
Lagos**

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DEDICATION

This Lecture is dedicated to the greater Glory of God and to honour my father, Late Chief Timothy Dada Amao (1911 –

1985). The Balogun of Iloro – Ekiti, the Baale of Olorunsogo, Ede and the Founder of Dada Estate, Ede – Road, Oshogbo, Osun State. It was through his resourcefulness, assiduity and business ingenuity that he contributed to the development of the Nigerian Commercial Law through that “*locus classicus*,” *ATERE v. DADA* (1957 – WRNLR 176) which radically transformed the theory and practice of Hire Purchase in this country.

LAW LIBRARIANSHIP AND LEGAL RESEARCH IN THE DIGITAL AGE

By

Theophilus Olakunle Dada*

The future for law librarianship is highly challenging and exciting, pregnant with the seeds of great changes. We, as law librarians, must anticipate these changes and plan for them, rather than fear them. We must influence the direction of their course, lest they overwhelm us and pass us by.¹

*I*ntroduction

*D*irector-General Sir,

I feel personally honoured, satisfied and highly fulfilled for the great privilege given me to deliver this unique *Maiden Valedictory Lecture* at this great citadel of legal research. I actually joined the services of the Nigerian Institute of Advanced Legal Studies on 3rd March 1980 after a 6 year stint with the University of Lagos Library as a Senior Librarian. I was actually among those attracted to the then Institute of Advanced Legal Studies from the University of Lagos in its formative years. Then came the Nigerian Institute of Advanced

*. T. O. Dada. Institute Librarian (2001 -2011). Nigerian Institute of Advanced Legal Studies, University of Lagos, Campus Akoka, Lagos.

1. Julius J. Marke: "The Glorious Uncertainty of Law Librarianship" *Law Library Journal* Vol. 57, 1964, pp. 1-7 @ p.1 .

Legal Studies Decree No. 18 1984, (as amended by Decree No. 6, 1995) now Cap. N112 Laws of the Federation of Nigeria 2004, which granted autonomy to the Institute (hereinafter called the NIALS). I hereby formally confirm the assertion earlier made by Professor Bolaji Owasanoye, NIALS' Director of Research to the effect that he had been part of the Institutional memory of the Institute "*next to the Institute Librarian, Chief T. O. Dada, who is a founding staff.*"² It is a stark fact that I have had the rare and uncommon privilege of having successfully served all the five Director-Generals which this Institute has had thus far. These include, the founding Director-General, Late Hon. Justice Dr. Timothy Akinola Aguda OFR, NNMA, (1978 – 1988), Professor Michael Ayo Ajomo (1988-1995), Professor Ignatius Ayua, SAN, OFR, (1995-2003), Professor D. Ameze Guobadia (2003 – 2009) and the incumbent Director-General Professor, (Chief) Epiphany Azinge SAN (2009 – Till date). Not many public servants could have been that lucky, though I am not trying to suggest that I am "*a Cat with the proverbial nine lives*". It is just a manifestation and proclamation of the Grace of God.

When towards the end of the year 2010, Professor Epiphany Azinge SAN, the young ebullient and highly resourceful Director-General informed me that the Institute would welcome a Valedictory Lecture from me before exiting, I was elated and highly appreciative of such a unique honour. I immediately resolved to focus on that vocation that had kept me on the University of Lagos Campus for the past 35 unbroken years. This situation has thus informed the choice of the topic "*Law Librarianship and Legal Research in the Digital Age*".

2. Bolaji Owasanoye Prof.: *Law and Nigeria's External Borrowing: Diagnosing the Past, Prognosing the Future*. Being the text of a NIALS' Maiden Inaugural Lecture delivered on 30th September 2010. 68 p @ p-2.

For all intents and purposes, this topic is an interwoven “three- in -one” combination that would require some preliminary definitive summary of the main operative terms. This will assist in eliciting details about the scope and the direction of the discourse which the central theme is to simply attempt to do a prognosis of the Law Library of the future:

- ❖ ***LAW LIBRARIANSHIP*** – Librarianship is global in context and perspectives. It is one of the earliest professions that evolved with the discovery writing and paper. The introduction of printing in 1450 A.D. by Joan Gotenburg specifically accelerated the pace of library development. Law Librarianship is a hybrid of the profession of Librarianship. Law itself is a profession that thrives extensively on information hence, the age-long symbiotic relationship that had existed between Law Librarianship and the Legal Profession.
- ❖ ***LEGAL RESEARCH*** - It involves periscoping into hitherto obscure and unknown entities in the field of law. Research involves exploitation of hidden information resources that could impact on the people. Existing known facts may also be researched on so as to discover newer and better facts. Legal research is a continuum as it entails the art and science of finding the Law.
- ❖ ***DIGITAL AGE*** is synonymous with the unfolding developmental mysteries unleashed on the world by science and technology. This is exemplified by the wonderful innovations being daily witnessed on the internet and its facilities. The Information Communication Technology (ICT) is the vogue that is now pervading the study, teaching and research into Law. It is an age that is characterized by the processing and conversion of information from the

known conventional formats to electronic and digital formats hence, the consequences and challenges are expectedly high.

Librarianship in Global Perspectives

Librarianship is indisputably one of the world's earliest professions ranking on the same pedestal as with Priesthood, Medicine, Law and Accountancy. The vocation is indeed a full fledged profession properly so-called having passed the standard acid tests and consequently possessing the following universally recognized attributes:

- *A body of knowledge commonly held
- *Education and training processes
- *Professional qualification for admission
- *Acceptance of recognition and status, and
- *Organization into a professional group

Law Librarianship has also come of age as a special hybrid of the profession of Librarianship dedicated to the service of the legal profession which, on its own part thrives on information. The legal profession and Law Librarianship have ever since maintained a symbiotic relationship with each other. Law Librarianship is particularly in a great ferment and the profession is daily undergoing various changes and fundamental transformations. Like the legal profession which the law librarianship is designed to complement or service, the profession is dynamic and ever changing in the face of obvious challenges. The indispensability of a law library to the effective practice of law has been universally acknowledged. As far back as 1908 for instance, Gilbert³ had opined that:

3. Frank B. Gilbert: "The Law Library" *L.L.J.* Vols. 1-5 (1908 – 1913) pp. 6 – 10 @ 6A

There is no class of men, professional or otherwise so dependent upon books as the lawyers. There is no library of whatsoever kind or nature which so directly pertains to the interests which it is designed to serve as the law library. I am speaking with authority when I say the lawyer's books are his tools without which he would be unable to provide for himself and his family.

This points to the fact that the law library is central to and it is in fact the laboratory for the legal profession. As the legal profession expands, so are the law library facilities growing correspondingly by leaps and bounds. On the local scene, our own Late Hon. Justice Ekundayo (Rtd)⁴ strongly reinforced the assertion of the indispensability of the law library to the successful practice, teaching and researching into law. Listen to the erudite Judge:

What is anyone looking for in the legal profession anyway, if he does not intend keeping a good library. A lawyer is better off without a wig and a gown; he may still make a living as a Solicitor, Legal Executive or as an Advocate appearing before those courts that carry on happily without robes. But with no library he would be sharing the fate of a blind man holding a driver's licence.

Directions of Law Librarianship and the Concept of Service

4. Hon. Justice Anthony Ekundayo. Quoted by J. K. Jegede, the Director, Nigerian Law School, NALL Conference 1994. Welcome Address, on pp 3 and 4.

The traditional role of a librarian had been the provision of services to the clientele. Law librarianship is not an exception. This age-long emphasis on the doctrine of service has meant that librarianship was destined to meet the needs of or perform any of the functions that would reinforce the main function. Hence, it could be said that law librarianship, for instance, was designed to provide for the needs of the legal profession. The concept of service ordinarily encompasses the collection of materials and the organization of the materials for effective use. In another breath, the idea of service is capable of being given different interpretations to meet different situations. Donna Switzer⁵ for instance, has identified the term “service” as one of those “nebulous words which imply a lot but have different meanings to different people”. According to her, it could mean an ethical commitment to do the best you can or do as much as you can to help anyone who needs your expertise among other things.

If the concept of service is the pivot upon which librarianship and most importantly law librarianship is hinged, it then stands to reason to regard the provision of services as one of the most important professional responsibilities of a law librarian. Service in a law library setting is synonymous with skill and professional competence. The law librarian in the discharge of his responsibilities should be a master of his collection. He should possess adequate knowledge of the basic legal source, and the salient components of his collection in order to be able to foster autonomy and confidence, both of which are essential attributes of a given profession.

There is no doubt that law librarianship is a more demanding and a most technical hybrid of librarianship. It is so

5. Donna Switzer (Dr.): “The Service Concept in Law Librarianship” Paper delivered at the Course in Law Library Service. “NIALS” July 11th – 22nd, 1988, p. 1.

mainly because law is not static and varies from culture to culture. There is thus the need always to keep abreast of not only the trends in the nation's laws but also the various changes and modifications in the international spheres. The legal reference librarian therefore, has no less an arduous task in ensuring professional competence in the process of rendering information and services if the concept of service is to have any impact, meaning or expression especially in the minds of cynics who doubt the claim of law librarianship to full professional status.

Hallmarks of Professional Responsibility

The professional responsibility of the law librarian extends to the realm of teaching. Any law collection properly so-called possesses basic potentialities for teaching apart from the known traditional methods of lectures and seminars. The current methods in the various schools of law and other legal educational training institutions is the adoption of the tutorial system. The consequence of this evolving system is that students are compelled to resort to the use of the law libraries to augment their notes. The legal education authorities seem to have recognized the teaching function of the law library hence, the great emphasis placed upon the development of a standard legal collection as one of the major conditions for the accreditation of the schools of law in Nigeria. This acknowledges the teaching role of the law library and therefore places another vital professional responsibility on the law librarian; to teach.

A professional law librarian has a major responsibility not only of teaching but also conducting researches aimed at breaking new grounds in his area of interest. Law librarians in the schools of law and legal research institutes would be shirking one of their primary assignments if they are not part of

the teaching and research considerations of such outfits. Law librarians should be accorded due status as coordinate colleagues. Librarians in the various legal institutions should be able to teach such subjects as: the Use of the Library, Research and Legal Bibliography, Reading Guidance and Counselling, Legal Research and Legal Writing and other legal and non-legal subjects in which they might be interested. They should also, as a matter of routine, lead staff seminars, organize conferences and give instructions in their professed areas of academic competence. This is in addition to their traditional roles of offering reference services and performing technical services.

Education and Qualification for Law Librarianship

This reasoning logically leads to the issue of qualification for law librarianship. A professional law librarian, to be able to teach and conduct research needs, or course, to be academically qualified and with a good subject background, preferably in law. Even then, higher degrees at the masters and doctoral levels would be more apposite in the circumstance. This element is being suggested because in a legal academic setting, parity of status between a Lecturer and a Librarian demands a lot of corresponding and well-matched comparative basis. There must not be any discrepancy or imbalance in the status and quality of education. Both have to be on equal footing without anyone operating from a position of disability qualification-wise. Nothing at this point could be more apt than the views expressed by Edward S. Bade⁶ to the effect that:

In order to anticipate the trends and
development of the law and the teaching thereof

6. Edward S. Bade: "*Quo Vadimus*" 2 *Journal of Legal Education* 49 (1949)
Quoted in: Benita J. Davies, "The place of the Law Library: some facts and
some Reflections". *Law Lib Journal*, Vol. 46. P. 216.

the librarian should first of all be the most widely read on current developments. He who is shooting at a mark in the future needs both rear and front sight to hit the mark. To qualify himself for his task and keep himself qualified he must obviously have been and be a competent and assiduous scholar

There is therefore no gainsaying that appropriate and qualitative academic and professional qualifications are important factors which could facilitate the execution of professional responsibilities from a position of strength. Against the background of such requisite qualifications, the Law librarian would not only be able to meet or parley with other colleagues in the other various disciplines but would also be well placed at carrying out the obligation to publish. The products of research are better appreciated when published. Since a law librarian is able to teach and conduct research, he should publish such findings especially professional ones for the benefit of mankind. For instance, the Institute Library has published a great number of useful publications especially Bibliographies, namely, *Index to Nigerian Legal Periodicals, 1946 – 1981*; *The Nigerian Legal Bibliography, Elections 83*; *A Selected Bibliography of Materials on previous Elections in Nigeria*, among others. Another innovation by the Library to assist research is the indexing of the judgments of the superior Courts in Nigeria.

In the words of Donald J. Dun⁷, there is the need for the law librarian to contribute to public good by publishing “scholarly articles”. He however, sounded a strong note of advice that,

7. Donald J. Dun: “Law Librarian’s Obligation to Publish”. *Law Lib Journal* Vol. 75, No. 2 Spring 1982 pp. 225 – 231 @ 231.

“publication should not be seen as a means of survival but rather service to the profession”. Law Librarians especially Reference Law Librarians are expected to compile useful bibliographies, directories, manual and guides. They should also compile periodically lists of their accessions and holdings. In addition, they should readily be available to render assistance in the areas of editing, indexing and abstracting services and above all, it should be the responsibility of the law librarian to ensure that the works published by the institution being served by his collection should conform with recognized international styles and standards.

Strategic as the factor of good qualification is to the attainment of professional goals in law librarianship, one constraint still stands in its way. This is the element of provision and availability of facilities for professional training. In most places, especially in the developing countries, there are no deliberate efforts made at really training personnel for law librarianship”. The resultant effect is a “trial by error” approach to personnel matters in the various legal collections with expected adverse consequences on quality, output and dedication to a calling. Strong reliance has thus been placed upon experience and on-the-job training, a situation that has not fostered nor enhanced professional growth. Also related to this is the factor of attracting lawyers into law librarianship. This is however, a universal predicament. Qualified lawyers naturally prefer practice to taking up jobs in the law library even as Legal Bibliographers, not to mention a situation where such Librarians-in-training would have to return to classes for another spell of professional training in librarianship and law librarianship. This state of affairs has posed serious threat to the efficacy and full acceptability of the librarianship as a profession, a situation that has undermined the status of practitioners including those with law background. As a result

of this difficult problem, it has been suggested in certain circles that emphasis should be placed on the training of “The Law Librarian” rather than expecting lawyers to voluntarily opt to work in the law library no matter how lucrative.

The “Law Librarian” of the type being suggested may not necessarily be the one with a degree in law. He should be an hybrid or a product of an admixture of law and library science. There should be specifically a course in “Law Librarianship” in which students can graduate like in any other disciplines. The course content would be essentially law with a perfect blending of courses in Library Science. This practice has been tested at the College of Librarianship, Aberyswyth Wales with remarkable and encouraging success. This looks much more obtainable because not even the device of employing law graduates as “Legal Bibliographers” in the Library of Congress could have proven a more resounding success. “Legal Bibliographers” are only useful in the area of academic and research endeavours but are deficient in other arms of librarianship, having not been so trained in the art. All said and done, Law Librarianship should fall nothing short of a graduate profession because the quality and nature of its clientele definitely demands that it ought to be so.

The Contents of the Law Library

Law is a specialized and highly technical subject and this attribute has made it the preserve of a professional body of practitioners. This has made it to be “different” from any other disciplines in the Social Science group or other subject categories. The contents of a law library are broadly divided into two namely, “Primary Sources” and Secondary Sources”. Primary Sources consist of books that contain the law itself for example, Acts of Parliament, Gazettes, Reports of Cases, Digests, Indexes, Book of law rather than books on law.

Secondary sources include: treatises, commentaries, journals and other types of publications which are about law and are not in themselves sources of legal authority. Typical examples include textbooks, supplements, loose-leaf publications, Encyclopedias, Practice Books, Casebooks, Periodicals, Bibliographies, Indexes Reference Materials, Library Catalogues, Dictionaries, Directories and Handbooks.

Law Libraries without Legal Books⁸

Libraries are repositories of books and without books there would be no Libraries. This in effect means that the policy of acquiring materials into the library should be vigorously pursued. In the case of a standard legal collection the under-listed broad areas of concentration should be considered, *viz.*:

- (a) Major law reports and journals and other legal materials from developing countries, other Commonwealth jurisdictions and the USA, on selective basis;
- (b) Legal materials from other parts of the world;
- (c) Some non-legal materials that have bearing on legal research, the study and teaching of law (on selective basis) in furtherance of the interdisciplinary approach to the study of law;
- (d) Acquisition of standard reference materials including theses and dissertations.

These guidelines have been designed to take care of prevailing circumstances. The idea is that the type of routine acquisition processes to be adopted should be consistent and

8. See Generally, Jegede, Oluremi: *Law Libraries without Legal Books: a way out* Lagos, NIALS, 1992. 27p. (NIALS Occasional paper).

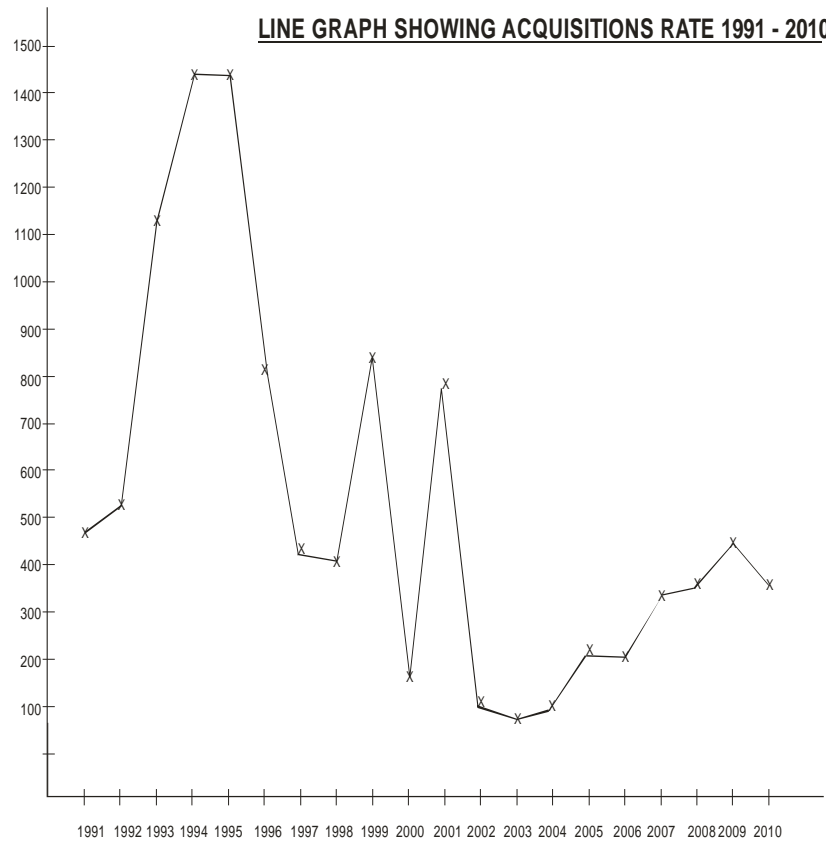
ascertainable depending, of course, on the quantum of funds available at any point.

There is a general book famine especially in the area of legal literature in Africa in particular. About 80% of the monographs, law reports and periodicals required for legal education and the administration of justice are of foreign origin. There is the raging factor of insufficient funding. Furthermore, the truth is that not many teachers of law have the flair or inclination for publishing the results of their research for obvious reasons of lack of opportunity and facilities for publishing. The general consequence is a global decrease in library acquisition processes as exemplified by the 20 – year acquisition rate analysis and the accompanying line graph of the Library of the Nigerian Institute of Advanced Legal Studies (NIALS).

ACQUISITIONS RATE FROM 1991 – 2010 AT THE NIALS

| YEAR | TITLES | YEAR | TITLES |
|-------------|---------------|-------------|---------------|
| 1991 | - 482 | 2001 | - 789 |
| 1992 | - 504 | 2002 | - 103 |
| 1993 | - 1110 | 2003 | - 71 |
| 1994 | - 1441 | 2004 | - 100 |
| 1995 | - 1441 | 2005 | - 217 |
| 1996 | - 808 | 2006 | - 207 |
| 1997 | - 423 | 2007 | - 347 |
| 1998 | - 401 | 2008 | - 363 |
| 1999 | - 849 | 2009 | - 448 |
| 2000 | - 182 | 2010 | - 365 |

Source: Acquisitions Department NIALS Library. January 2011



Impediments to Collection Development

As far back as 1977, Jegede⁹ had reiterated and espoused some of the fundamental limitations in the way of acquisition of materials and collection development in Nigeria.

9. Oluremi Jegede: "Problems of Acquisition of Library Materials in a Developing Country": The University of Lagos Library experience. *Int. Libr. Rev.* (1977) 9, 225 – 239.

Anyakoha (1979)¹⁰ Ejiko (1980),¹¹ Ehikhamenor (1983)¹² and Wilson (1983)¹³ pungently highlighted the various problems of collection development. These writers seem to share identical views on the common problems as follows:

- ❖ The multi-state nature of Nigeria, the Federal/State legislative structure and the attendant problem of information retrieval occasioned by the exponential growth in literature resulting in legal pluralism and its attendant problems;
- ❖ The amalgamation of various system of laws in Nigeria resulting in legal pluralism and its attendant problem. The blending of the Received Laws with the Customary law and Islamic law giving rise to occasional conflicts in powers and jurisdiction;
- ❖ The absence of viable local publishing industry in Nigeria coupled with the distance from book markets based in Europe and North America;
- ❖ Inadequate funding for libraries, a problem that had defied workable solution;
- ❖ The foreign exchange problem and the various Governmental fiscal measures e.g. the inclusion of books and library materials in Pre-shipment Inspection

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10. Anyakoha, M.W.: "Our Stars are to Blame: Persistent Problems of Collection Development at Nsukka. *Nigerian Libraries* vol. 29, no.1, 1979. Pp, 30 – 41.
 11. Ejiko, O.: "Collection Development in the Nigerian University Libraries: Problems and Prospects". *Nigerian Libraries*. Vol. 16, 1 – 2, 1980 p.61.
 12. Ehikhamenor, F.A. "Collection Development under constraint". *Nigerian Library & International Science Review*, Vol. 1., Nov. 1983, pp. 42 – 56.
 13. Wilson, A.: "Collection Development and Services in Recession". *IFLA Journal*, Vol. 9, No.1,1983. p. 66.

procedure as well as the imposition of taxes and duties on library and educational materials;

- ❖ Some internal administrative bottlenecks e.g. poor staffing and apathy on the part of the authorities to improve quality;
- ❖ The notorious “Due Process” formality is perhaps the latest most important and so awesomely cumbersome. To speak the truth, library book procurement should have been left out of the entire gamut.

The problems are raging on unabated and the search for alternative solutions is a continuing exercise among librarians, publishers and booksellers. There have been suggestions that libraries should resort to cooperative acquisition programmes and resource sharing in order to at least ameliorate the situation.

Deficiencies of Books

The “paperless society” is fast becoming a reality while the information super-highway is already being jam-packed with the attendant scramble for websites. In the developed nations of Europe and North America, there is a deliberate effort to de-emphasize the reliance on books and other printed matters as primary accessories to legal education. Peter Martin¹⁴ identified some often overlooked deficiencies of course books as follows:

- (a) Books are costly to manufacture, ship and store e.g. a CD-ROM can hold the contents of many law reports and text books;

14. Peter W. Martin: “Reducing the Cost of Improving the Quality of Course Materials through Technology” *Commonwealth Legal Education (News Letter)* No. 80, March 1999. Pgs 9 – 15.

- (b) Books are static and soon grow stale – law is dynamic and currency is the essence of its study and practice;
- (c) Being costly, books tend to be configured by their publishers to achieve economies of scale through market aggregation. Print publishers always want to maximize their profits using larger jurisdictions;
- (d) Books are inflexible. It is not easy to alter nor modify the contents of printed books;
- (e) The existence of “Home grown” teaching material locally prepared via mimeograph or more recently photocopy technology, simply underscores the dimensions of these drawbacks as law teachers often resort to self-publication or hand-outs.

In lending further support to the above observations, it could be said too that books are also cumbersome and sometimes too voluminous to use. They quickly get out-of-print and may not always be available on request. In some cases, printed matters may not be user-friendly and in most cases their contents reflect not only the author’s beliefs and opinions but also his biases. This may negate the cherished principle of objective and independent research.

Legal Research, Legal Education and the Legal Profession

The effective exploitation of information contained in any legal collection can always be attained by means of “legal research.” The ability to perform legal research is one of the basic skills of a lawyer. This means that the use of the law library and the information resource centre should be part of his training right from his undergraduate days at the Faculty of Law and the Law School. The American Bar Association Section on Legal Education and Admission to the Bar, Task Force on Lawyer

Competence Report, 1979 lent credence to this when it asserted that:

Lawyer competence in most if not in all areas of law practice demand a wide range of fundamental skills including the ability to:

- (a) Analyse legal problems (and)
- (b) Perform legal research...¹⁵

In analyzing legal problems and performing legal research, the Lawyer has no other workroom nor tool except the standard law library that is adequately stocked with the most current books, law reports, law periodicals and other research materials

The significance of legal research in the practice of law cannot be over emphasised. Experience has shown that most Lawyers lack adequate knowledge of the use of the library and the contents therein. They therefore have no choice but to rely on the Reference Librarian. The Reference librarian on his own is also handicapped by ethical consideration to limit his activities to the bounds of service provision which frowns at any unauthorized practice of law.¹⁶ It therefore becomes necessary that legal research instruction should be a mandatory part of the Law School curriculum as it is the case in most of the American Law School. This perhaps may be due to the graduate nature of United States legal education in which Law School is a three-year graduate programme. Of course, there are qualified, law-

15. A.B.A. Section of Legal Education and Admission to the Bar. Task Force on Lawyer Competency. Report of the Task force on Lawyer Competency. The Role of the Law Schools, 1979. See a review by Robert Oakly in : *Journal of Legal Education* Vol. 34, March 1984, No. 1. Pp. 139 – 141.

16. In Nigeria, Rule 37, of the “Rules of Professional Conduct in the Legal Profession” stipulates that “No Lawyer shall permit his professional services or his name to be used in and of, or to make possible the unauthorized practice of law by any law agency, personal or corporate”.

trained librarians placed in each United States Law School where even the smallest law schools have an average of five or more professional librarians, including a Library Director who is typically a member of the law school faculty with full faculty status. A very big challenge in the study of legal research in law school has been attributed to students who may have the tendency of overestimating their own legal research skills – a problem compounded by the one box search engines such as Google and Wikipedia.¹⁷

Essence of Legal Research in the Practice of Law

Generally, research in any form entails an investigation into the unknown. It is the frantic search for knowledge and understanding of a given phenomenon. The ultimate aim of research is to open the new frontiers of knowledge in any subject. However, its supposed in-ward looking and conservative nature notwithstanding, it least surprising to note that the discipline of law stands out clear among other subjects in the Social Sciences bracket as regards reliance of intensive research as means of breaking new grounds and enhancing the advancement of knowledge. Its main aspects are the universality of its application and the growing tendency nowadays to adopt a multi-disciplinary approach and classification to its study, teaching and practice. Oftentimes, professional Cataloguers are confronted with the problem of where to appropriately describe

17. Blair Kauffman: "Information Literacy in Law: Starting point for Improving Legal Research Competencies. "World Library and Information Congress: 76th IFLA General Conference and Assembly 10 – 15 August, 2010, Gothenburg Sweden. <http://www.ifla.org/en/ifla76>.

or classify such compound titles as “Law of Sociology” or Sociology of Law.¹⁸

Legal research and ability to “find the law” is a most useful weapon without which any given Lawyer could survive and thrive in such an adversarial judicial system as practised in Nigeria. Therefore in its simplest connotation, legal research is the search for authority and materials that are in the law books and publications stocked away in the various legal collections.

The legal profession invariably requires certain basic skills such as the power of expression, the effective use of language coupled with dexterity in the art of advocacy. However, these vital attributes may not be fully attained without a proven mastery of the use of the tools of the trade as represented by law books, law reports, journals and periodicals. This in effect means that all members of the legal profession including the law teachers, law School students, post-graduate students and most importantly members of the Bar and the Bench should be involved in legal research as a matter of routine. They should know how, and where to find the law with relative ease and minimum guidance from the Law Librarian.

The Nigerian Situation

The Nigerian situation presents an uninspiring picture. The relationship between the law librarian and his counterparts in the teaching sphere, the Bar and the Bench is that of “unacceptability and apathy.” This situation has no doubt brought the average Nigerian law librarian on to the threshold of

18. Obilade, A.: “Multi-disciplinary considerations in Law Library Collection Development” Paper delivered at the Course in Law Library Services. NIALS, July 11 – 22, 1988.

frustration and despondency. There is a crisis of confidence and to drive home this point, Ogbeide¹⁹ once commented:

Even the bulk of our library users, the lawyers and attorneys in Nigeria make comparatively less use of law libraries than their counterparts in Europe and the Americas. The effect of this is that the law library profession has not been easily accepted even by those who should know better. Many of our lawyers do not believe in scholarship and the need to do more reading to enhance their practice. Very few indeed indulge in serious reading. Quite a few of them are more business inclined than real practice of law. We exist for those who need our service, and members of the higher and lower benches have happily continued to heavily depend on our services. But the apathy could have been less felt if this section of the community for whom law library services are meant would show greater zeal and appreciation for such services.

The general outlook is that the library is just a mere repository of materials for occasional verification of facts and there is hardly any meaningful interface between the law librarian and the clientele whose interests they were trained and employed to serve. Of course, the consequence is the dearth of in-depth research findings, and scholarly expositions of value. Olaitan's²⁰ spirited attempt to explain off the unexpected apathy

19. Ogbeide M.A.: "Librarianship in Nigeria: History and Problems" *International Journal of Law Libraries*. Vol. 4, No.1, 1976. p. 26.

20. Olaitan M.O.: Law Librarianship in Nigeria: History and Problems: A Rejoinder. *IJLL*, Vol. 4. No. 3, 1976 Pgs. 202 -205.

on the part of the lawyers in terms of the fusion of the profession in this part of the world and the lack of time was not as convincing because the underlying fact is that most Nigerians have not imbibed the culture of continuous reading as a means of broadening existing knowledge. The result is that legal practice in Nigeria is starved of new ideas. Heavy reliance is placed on the rules of practice and procedure. Judges often-times also find it difficult to deviate from existing rule of interpretation and traditions. The consequence is that new precedents are rarely created. All these have therefore encouraged a restrictive rather than a progressive interpretation of law, hence the adverse effects on the dispensation of justice. As for the teachers of law and legal researchers, it stultified their capacity to publish local law textbooks, journals and reports thus aggravating the incidence of law book scarcity and adding to the catalogue of things that are “wrong with law in Nigeria”.²¹

Image, Status and Reputation of Law Librarians

Perhaps it would not be an overstatement to assert that the Librarians are the most sensitive sets of professionals when it comes to image, status and reputation. A lot of literature and opinions have been generated on this controversial subject. Virtually, all the authors and discussants maintain the common premise that the status of the profession is not only low but the image the practitioners present is very defective when compared to other professions like Law, Medicine and Accountancy. To all intents and purposes this anomaly has defied every attempt at rectification.

21. Jegede M.I. Prof. *What's wrong with the Law?* A lecture delivered at the Nigerian Institute of Advanced Legal Studies on 1st April, 1993 to commemorate the Institute Founder's Day, 1993 (NIALS Annual Lecture Series 12).

Possible causes of the persisting unwholesome situation have been attributed to lack of creativity and initiative on the part of the practitioners because of the strong element of “Service Concept” upon which the profession is grounded; lack of appropriate qualification, a situation that has adversely affected personnel recruitment management; lack of sufficient funding, a situation that has curtailed the extent of which the Law Library Manager can assert his independence and the extent to which the collection can grow. There is also the general lack of due recognition, a situation that has had immense negative effect on the honour and integrity of the practitioners. The overall effect is that Librarians in any given institutions are always taken for granted in the scheme of things as they present a harmless and often helpless image, a posture which Barfield²² aptly described as that of a “kindly and sometimes effeminate misfit.” Prins and Gier²³ shared the view that the profession is largely misunderstood hence, the rather poor image and low reputation, of the practitioners. Their lot is that of “a mission without an audience”.²⁴

What is Amiss?

If it is true that the Law Librarian is specially trained to facilitate the process of legal research; if there is no controversy as regards his mastery of the art and the exclusive nature of his knowledge of finding the law, digging out information and dissemination same, what then is the heart of the matter and

22. Berfield, Isaac R.: “Wanted: a new Approach to Law Librarianship” *LLJ*. Vol. 62, 1969. p. 279.

23. Hans Prins & Wilco de Gier: “Image, Status and Reputation of Librarianship and Information work” *IFLA Journal* Vol. 18. (1992) No.2. p. 83.

24. T.O. Dada: “Mission without an Audience: the Dilemma of the Nigerian Law Librarianship”. *Nigerian Current Legal Problems* Vol. 2 & 3. (1993-1995) p. 100.

why the unenviable status and very low reckoning in the scheme of things?

In trying to give appropriate answers to these searching questions, due cognisance should be made of some cogent factors like the attitude of the librarians themselves and the outlook of the policy-makers towards law library development and growth. Librarians' poor image is essentially their own making, especially as regards according them full faculty status and parity. Govan²⁵ objectively asserted that as professional librarians:

... we have shown great concern over the status and prestige of our profession. Most of our problems arise from our stressing the techniques we have developed rather than our knowledge of books, the truly unique contribution we can make to scholarship. There is an overwhelming evidence that any librarian whose position obviously demands scholarship proficiency or who as an individual contributes to the intellectual life of the institution desecrates his opportunity on Campus.

This situation, however, has been cashed upon by astute administrators and directors to look down on the library personnel, especially when it comes to programmes involving substantial capital investments and monetary outlay. There is no doubt an expected natural reason. It seemed to have crystallised into an in-built prejudice and often negative attitude amounting to hostility, discrimination, aggression and unnecessary

25. Govan, James F.: "This indeed is the Heart of the Matter" 23 *Coll & Res. Librs* 1962, 407.

psychological warfare. Some librarians are already capitulating by seriously suggesting a total change of name or a declaration of bankruptcy

The way-out of the Quagmire

The question that arises is: What should Librarians do in the present predicament? The prescriptions proffered by Deborah Jakub²⁶ readily comes to mind. According to her:

Librarianship is an intellectual enterprise involving people, physical resources and communication system. Publishing of serious scholarly works should continue to be the criterion for evaluating librarians. The change of attitude should start from the Library Schools where the curricular should be strengthened while at the same time modifying the admission policy to attract the best and brightest students.

To change the librarian's dented external image successfully will require the education of the faculty and the administrator, through direct communication because it is communication that will reveal the meaningfulness of library service. Librarians must work harder to become more relevant as individuals and as professionals. They would also need to

26. Deborah Jakubs In: Allen Veaner, 1985-1995: the next Decade in Academic Librarianship. Reactions to Parts 1 & 11. *Coll & Res Librs.* May 1985, Vol. 4. 6 No. 3, p. 309 – 319.

adjust to the ongoing technological advances in the field of information management and dissemination.

Law libraries are no doubt information service agencies. As centres specially designed to handle information activities, they should accept as part of their normal duties the conduct of research outside the institution. They should also go further to prepare the result of research for the users. The technological development currently pervading the society like Computers, Micro-computers, On-line database, telefax and CD-ROM offer a very good starting point of revolution centre. However, in order to be able to take maximum advantage of these innovations, Cuomo's²⁷ palliatives are persuasive alternatives worth exploring. This is to the effect that:

- (a) The new law librarian must be aware of developments in the electronics, and other technological gadgets in order to find himself in a better reference task position;
- (b) The law librarian should be well trained in computer service to allow him to understand the way of thinking and acting of the Systems Analyst himself and;
- (c) The necessity for law librarians to be lawyers or at least receive good legal training. The combinations of both the capabilities of a Lawyer and Systems Analyst affords the Librarian the opportunity to create new legal database.

All these antidotes are expectations worth considering, in that, "the new librarian of the 1990's or 2000's and beyond may be paperless, notwithstanding the reality that even the most enthusiastic advocates of new technology concede that books

27. Cuomo, E.I.: "The Law Library in Israel: Problems of Legal Research in a Mixed Jurisdiction In: *Libraries and Law-International*. Festschrift, Ralph Lanksy Hamburg, 1991 P. 13-24.

and other printed media still have a place in the future dispensation, thus allaying the fear of massive job-losses.

Objectives of Information Technology (IT)

The question that readily comes to mind is what should be the main objectives of Information Technology (IT). It is considered that this should be among others:

- (a) To facilitate the storage, retrieval and dissemination of vital legal information for the successful pursuit of legal research and study;
- (b) To facilitate the performance of routine processes like the amendment of law (Noter-up) indexing and abstracting services;
- (c) To serve as a link among the various legal education institutions as well as foster necessary cooperation and working relationship among them. This would also facilitate intellectual resource garnering and sharing;
- (d) To assist in the formulation of legal studies syllabi that would have universal acceptability and applicability;
- (e) To support learning and teaching in specialized area of video conferencing, teleconferencing, group discussions, questions and answers sessions, and moot court trials;
- (f) To assist in the publication of research findings, law books, law reports, law journal and other valuable technical reports;
- (g) To generally permit instant access to current information on an extensive scale;
- (h) To stimulate an effective networking of various legal training institutions for the purpose of cross-fertilizing knowledge in various legal discipline;
- (i) To enable large number of students and researchers to have ready access “to case law and other legal

- materials more efficiently than having them queue up for access to a limited number of books in the library;
- (j) To facilitate effective communication between teacher and student particularly in distance learning and continuing education programmes.

Constraints to Maximal Effects in Information Technology

A lot of obstacles face the attainment of maximum goal of information technology in the developing world. These are the universally acknowledged problems of infrastructure like electricity and telephone facilities, coupled with the low level of awareness and education in information technology. Computer literacy is still essentially at its rudimentary stage. It is also urban-oriented, very elitist and highly restricted in scope. Priority is given to commercial and profit-yielding ventures over educational and other public-oriented social programmes.²⁸

Funding as we shall soon discover, is the crux of the matter. The bulk of resources available to legal education and the judicial institutions are from the various tiers of government. The effect is that legal training institutions and the entire spectrum of the judiciary have to scramble for available meager resources with other departments of the government. The legal education institutions and the judiciary are the worst for it since they are not designed as revenue-generating units. There have been spirited clamour for a much improved funding for legal education and training institutions and this would foster a sustainable information technology environment for better performance. However, alternative sources of funds to complement the subventions from governments are being advocated, as we shall later on see.

28. Oluremi Jegede: "Libraries and Technology: Twin Pillars of Information Processing for National Development" *Nigeria Current Law Review* ,_1995. pp 171-190 @ pp. 185-186.

Funding as a Recurring Pestilence

Adequate funding has always been at the centre of any idea of establishing a legal collection or any other library properly so called. As far back as the 1960s, the Parry Committee on the University Libraries recommended a statutory allocation of 5% of Universities budgetary estimates per annum, to the University Library for its exclusive use. Ever since, there have been series of clamours for the maintenance of the libraries of all law-related institutions. Many reputable Associations like the British and Irish Association of Law Libraries (BIALL) and the Society of Public Teachers of Law (SPTL) have striven to establish minimum standards of holding adequate for any legal collections worthy of its name. Such statements of standards have invariably had tremendous implications in terms of financing the sustained growth of the collection. For instance, the latest in the series of such standards of Law Libraries was published in 1997 by the Society of Public Teachers of Law (SPTL) England. The statement covered such wide areas of policy management and staffing services, space and physical facilities as well as the collection itself. The extent to which a given institution could go would be largely determined by the amount of financial resources that can be accessed by the Law Library. This by itself would be informed by the buoyancy of the organization or the financing body.

Minimum holdings and standard of adequacy by themselves are phenomena that cannot be meaningfully considered nor understood without giving due cognizance to the currency of the holdings. An outdated Law Library is a serious impediment to a successful legal practice or legal research. The need to regularly check on and maintain the currency and up-to-datedness of the materials, and emphasis on the access to adequate funding is the major slant upon which the document is premised. Editions of

monographs have to be acquired alongside other new titles on various legal subjects. Furthermore, the law reports have to be up-dated as and when published as bound volumes or in parts. Subscriptions for the law journals have to be serviced copiously in order to avoid unnecessary gaps that may hinder legal research. Obsolete equipment have to be replaced while newer and medium brands should also be procured to keep the services of the library going. These too have their funding implications.

Where revolution sets in like the current wave in computer technology as they relate to library, archives and information, no institution, could afford to be by-passed. Automating the processes and services of a legal collection is obviously cost intensive. It requires careful planning and access to reasonable sources of funding. Availability of sufficient funds is always a major condition for success in such kind of exercise. Post automation era surely requires maintenance, the training of personnel and the clientele and the regular up-grading of the ever-changing models of the hardware and software gadgets. All these require substantial financial input that is not erratic and always available.

Sources of Funds

It may be true to certain extent to say that all major and serious funding of institutional law collection is derivable from governments. Such categories of Law Libraries include Court Libraries, Ministries of Justice Libraries, University Law Libraries, Faculties of Law Libraries and Research Institutes' Law Libraries. The parent organizations are financed by the Federal or State governments hence their being tied to the umbilical cords of their parents in terms of funding. As for the Ministries' Libraries and those of the Courts, it is understandable that the phenomenon of bureaucracy and the

conservative nature of the Courts especially, must have been accountable largely for their financial predicament.

One would have thought that such cadres of Law Libraries as the law collections of the universities would be spared of the problem. The problem there, of course is that the Law Library, as a single component of the entire University library system has to compete for the available funds with other disciplines in the Humanities, the Sciences, Medicine, Engineering and other numerous professional subjects all yearning to be satisfied. Where spirited attempts have been made to establish a Faculty of Law Library, inadequate funds or physical facilities have always frustrated such efforts. Many of the Deans of the Faculties of Law have not had the benefit of total cooperation from most of the Vice-Chancellors when the faculty of law library is to be established and stocked with standard legal materials. Surprisingly too, some University Librarians have been known to vehemently oppose any idea of severing the Faculty of Law Library from their university library system. A lot of thanks however, should go to the Council of Legal Education for the stringent conditions it has enunciated for the purpose of accrediting the Nigerian Law Faculties, which amongst others include:

- (a) Quantity and quality of the content of the library;
- (b) Average amount expended annually on additions, binding and reports;
- (c) Adequacy of physical facilities, reading tables and lighting;
- (d) Cataloguing and classification system;
- (e) Administration of the library?
- (i) Training, experience and effectiveness of the librarians and
- (ii) Size and training of the library staff;

- (iii) Average amount spent on the administration of the library;
- (iv) Degree of autonomy;
- (f) Students' use of the library – Opening hours;
- (g) Other library facilities of the university or other libraries within the location.

Exploring Other Avenues

Private individuals and organizations in Nigeria have not been forthcoming as regards the funding of legal collections in Nigeria. Such phenomena as endowments foundations and charities which are the common things in Europe and the United States have not made their impact felt in any remarkable way.

Where foreign assistance has been procured for law library's funding in Nigeria, such have invariably come in kind and indirectly through organizations like the British Council, United States Information Services (USIS) and the Overseas Development Association (O.D.A.). All these measures are mere palliatives to a raging problem. The last World Bank Assisted Book Package to the Federal Universities, though well-meaning in conception, only affected the legal collections of the institutions concerned minimally. Legal materials are not amenable to such "Fire-Brigade" tactics of collection, funding and development.

What is wrong with available Funds?

We may at this juncture outline some of the constraints to the provision of adequate funds for the sustenance of Law Libraries in Nigeria. Some appear rather artificial or self-inflicted:

- (a) The nosediving of the national economy, a situation that has made the various governments to re-appraise and prioritize their programmes. The consequence is the drastic cut in governmental subventions to institutions.

- (b) The lack of interest in the sustained growth and currency of the legal collection by some of the Chief Executive (major reason being lack of sufficient funds from the parent organization). In reality the prices of legal materials (books and periodicals) may be too scaring to the many non-lawyer Chief Executives.
- (c) The rapid rate at which law books become outdated due to the dynamic nature of law that often occasion frequent changes of statutes, doctrines and principles in line with changing circumstances. This would also entail providing for unscheduled financial outlay for particular titles and materials.
- (d) Some internal constraints always exist that may be peculiar to given situations. For instance, where an institution, by act of omission or commission, fails to accord the “Book Vote” the status of a capital vote in its budgetary allocation, there might arise some intractable complications as regards the funding of the legal collection.
- (e) Timely payment of foreign bills for law materials acquired is another vital constraint especially as the prevailing situation suggests. Where bulk money transfer to overseas dealers and subscription agents could not be affected, the legal collection would be at a stand still and wither away.

What can be done in the CIRCUMSTANCE?

The problem of funding has been sufficiently belaboured. It has arisen and has so journeyed with us. There are now “law libraries without law books”²⁹ littering the whole place. The

29. Jegede, Oluremi: *Law Libraries without Law Books: a way out*” NIALS, 1992 *op. cit*

legal profession and most especially legal educational programmes have been hard hit as legal materials are out-dated. Repealed statutes filled the pages of the law books for legal practitioners to cite and subsequently mislead themselves, the Courts and their clients. Jegede, seems to have been very optimistic that solutions could be found to the continuous scourge of law books scarcity in Nigeria. In her trite opinion:

It is not an overstatement to say that the availability or non-availability of legal books in Nigeria is tied to her economic policy”...And the irony of it is that legal books are useful instruments to being health and vitality to the ailing Nigeria economy....The academic communities, especially the legal authors, publishers and the governments should join hands together so as to make law books available. It is only when this is done that the country will be able to cope with the global issues of the 21st century.³⁰

Perhaps we should consider the positive sentiments and expectations that the national economy would one day bounce back against the background of what in reality we can do as practitioners of law librarianship in our different settings. In reality it is only when funds are available that published law books could be procured to fill our shelves with relative ease. Such a down-to-earth re-evaluation would facilitate a more meaningful recourse to that instructive principle of making the

30. Oluremi Jegede: “Book Scarcity, Law Libraries and the Legal Profession” *International Information and Library Review* (1983), 25, 141 – 164 at 164.

best use of a bad situation. Egor,³¹ was forthcoming in pontificating that as practitioners we should look further beyond the traditional or conventional sources of fund, that is, the federal and states governments. In his view, we should be able to market our services to the clientele, commercialize our printing and bindery services, establish Library Bookshop, engage in reprographic services, take consultancy services on library related projects and attract foreign aids (where possible and of course, within the limits allowed by the nation's laws).

Conclusions and Recommendations

The professional law librarian of Nigeria's tomorrow is ideally a lawyer-librarian. A very good first degree in law should be a basic qualification. This would enable him stand head-tall and shoulder-high with his contemporaries in the academic sub-professional groupings. To have anything less is to suffer an initial disability and to become apologetic in any ensuing melodrama.

The Nigerian law librarian should not be a routine information processing Librarian in keeping with rigid adherence to the traditional concept of service of librarians the world over. He should be able to explore and exploit the resources at his disposal and pontificate with absolute confidence in his chosen area of authority. He should be computer literate by every standard. The fact is that a profession is great when the practitioners make it so and greatly pursue it.

A profession properly so-called needs a virile association to articulate its cause. It is heartening that the Nigerian Association of Law Librarians (NALL) which was inaugurated in 1975 with pomp and pageantry. This augurs well for the practitioners of

31. Egor, F. O.: "Exploring Alternative Sources of Funding Public Libraries". Paper delivered at the 35th National Conference of the Nigerian Library Association, Kaduna, 5th – 9th May 1997.

law librarianship in the country as an umbrella body. The NALL has since then exhibited great leadership potentials. For example, it published in 2006 a compendium of professional and academic writings titled *Readings in Law Librarianship 1994 – 1999*. It has also organized and hosted many conferences and workshops on the various aspects of the profession. The Nigerian Law School, the Nigerian Institute of Advanced Legal Studies, the National Judicial Institute, the Nigerian Bar Association and other similar institutions of legal study, research and practice should keep the Association afloat.

The Nigerian Library Schools should also brace up and effect fundamental changes in their curricula. At present, none of the Schools offer any course in Law Librarianship. This is a serious lapse that requires urgent attention considering the widening spectrum of the legal profession and related institutions as well as the acknowledged indispensability of supportive information which only well trained librarians can provide. Education for law librarianship could be nothing less than at the post-graduate level in Nigeria as is the case in the developed countries of the world.

As for those practitioners who enjoy academic status within their institutions by virtue of the “provisions of the enabling legislation of their Institutions,”³² it is pertinent that they continue to place greater emphasis on:

- (i) The writing of high quality scholarship publications;
- (ii) Broad involvement in academic planning and institutional governance;

32. See for example: University of Lagos Act Cap. U9 LFN. 2004. Section 12(9) of the FOURTH SCHEDULE that, “All appointments to Senior Library posts shall be made in the same way as equivalent appointments in the academic staff; and for all such posts, other than that of Librarian, the Librarian shall be a member of the selection board.

- (iii) Participating in the work of learned societies and professional organizations;
- (iv) Collaborating with the research staff as expert intermediaries in the research process; and
- (v) Being involved in the educational programme of bibliographic compilations and instructions.

There is no doubt that, as keepers of mankind's collective mind and memory, stimulators of thought, linkers of concepts or amplifiers of ideas, Law Librarians would be needed in Nigeria more than ever as we move towards the 21st century. Obviously, there would then be new demands for larger collections of specialized materials to cope with the expanding needs. The practitioners of law librarianship shall then assume new roles which would offer greater challenges to their professional training, and subject specialization. They would also be compensated by improved status, enhanced image and of course, better salaries. In the consoling words of Julius Marke,³³ "... since there will be fewer Librarians than available positions, those who are attracted to the field will have to be educated and trained in greater depth than ever before ... of course, increased status and income will follow as day follows night."

The long awaited information highway is already here while the ultimate goal of the "paperless society" is on the brink of finally exploding. The apt words of Messrs Odade Consulting Firm³⁴ (which apparently corroborates the prophetic alert and warning of Professor Julius Marke) summarise the stage at which the entire world is today:

33. Julius J. Marke. *op. cit.* p.4.

34. Odade Consulting. A training proposal on Digitalization, E-Research and the Virtual Library environment presented to the Nigerian Institute of Advanced Legal Studies. 2009@p.4.

Giant strides in technological advancement have swept across the world in a manner that leave every nation that is not carried along in perpetual darkness. A firm grasp of the development and the ability to keep up with the subsequent improvements is the only way to stay relevant in this century.

There is no doubt that all along in the professions including our own librarianship, the traditional/conventional methods are giving way to electronically propelled systems of service delivery. In the realm of acquisitions, it is now possible to select, order and pay for books and serials on-line (e.g. Heins Periodicals). The era of manual cataloguing and classification techniques are now fading away. There is a transformation to a vista of *automated generation of card catalogues*³⁵ using Microsoft Word. Book indexes can also now be prepared with relative ease using special computer software packages.

With the series of prophetic admonitions and warnings given out by the forerunners of the profession, there is no doubt that the time really has come for us as practitioners to guard our loins, put on the right thinking caps and face the formidable challenges ahead. In the real sense of the word, the actual housekeeping exercises must start from the various departments namely, acquisitions, cataloguing and classification and readers services sections of the libraries. The preliminary steps would invaluablely include, among others, the following:

35. See Rita-John Okeke: Automated Generation of Card Catalogues: Experiences of the NIALS Library. *Library. Hi-Tech News* No. 1 2008 pp. 16-18.

- # The adoption and uninhibited progress to a Virtual Library Environment (V.L.E.),
- # The selection and acquisition of current books and several titles electronically and on-line,
- # Gradual and systematic de-emphasis on the conventional/traditional methods of information sourcing and dissemination,
- # Training and re-training of personnel of the various services departments on any emerging new methods and techniques in ICT in order to enhance quality output,
- # Establishment of user-friendly and universally continent working environment for staff and the clientele,
- # A standard, very fast and highly efficient internet systems should be the basic and an all-encompassing hub of all the activities of the transformed environment, and of course,
- # Adequate and available access to funds is at the root of any initiative at the automation of any modern library, properly so called.

NIALS and the Transition to the Virtual Library Environment

The Institute Library is central to all research activities. Its transition to the desired objective of a full virtual or digitised legal collection is long overdue. Of course, it could be understood that the perennial and recurring problems and challenges associated with such moves were always there and not abating. These amongst incompatible others include, inadequate funds, lack of skilled personnel, incompatible software and hardware inadequate power supplies and practitioners' conservatism and amongst others. In line with the current managerial vibrancy in the Institute, there has emerged a ray of light in the tunnel, afterall. The Director-General has

given a full commitment to fund the purchase of new books and is working towards the initiative of a virtual library stated an authoritative statement which has immediately raised high hopes.³⁶ Pursuant to this assertion the Director-General, Professor Epiphany Azinge has since matched his words with action. His first step was the sponsorship of a 2-week study visit of the two most senior Lawyer Librarians (Mr. T. O. Dada and Mrs. U. Lamikanra) to the Institute of Advanced Legal Studies (IALS, London) spanning March 1st – 9th, 2010. The IALS, London, it needs be noted, is one of the best highly digitised legal collections in the world. The tempo should be sustained.

Recommendations

Mr. Director-General, Sir, I have for the past few minutes been discussing and trying to explain some of the salient features of law librarianship and legal research and what the digital age portends for the phenomena.

Time it is now for NIALS, if it wants to continue to lay claim to the foremost legal research Institution in Africa, to sit up and seize the bull by the horns. The time for trial by error of e-library packages has passed. There should be physical, intellectual and psychological re-orientation for men and materials.

With the advent of the much heralded digital age, it is trite to assume that nothing short of an electronically propelled library shall be suitable for such a collection as NIALS that was established to spear-head legal research. The collection should be a national research collection for law that is rich and current in the Laws of Nigeria, Africa, European, United States, Asian and Commonwealth jurisdictions.

36. See generally, NIALS Programme for the Induction of Honourable Justice P. N. Bhagwati into the NIALS' Hall of Fame, April 21st, 2010, Transcorp Hilton, Abuja at p. 15.

The collection should consist of extensive range of law databases which should be accessible and available in the library. There should be appropriate information “finding tools” like bibliographies, indexes and abstracts of books and journals, digests, citators, multi-lingual dictionaries, hand books, directories and guides special law archival collection is also a desideratum.

The legal collection of the digital age should possess adequate computing services and highly networked personal computers providing internet access, wireless and cable connections to the internet should also be available for laptop users.

There should also be admissions and enquiry Desk formalities during opening hours. Telephone and E-mail enquiry service should be accorded due priority while photocopying services must be provided.

There should be subscription services for legal practitioners including services to chambers, legal departments of commercial organizations, government departments. Such facilities could be provided through personal access, telephone enquiry services, or Documents Delivery Service (D.D.S) or Selective Dissemination of Information (S.D.I.), if it becomes necessary, for a token.

There should be a collaborative Non-Government Organizations (NGO) partnership arrangement between the NIALS’ Library and the NGO’s private Law Firms Faculties of Law, the Law School and other Information Resource Centres for mutual transmission and exchange of information in soft and hard copy formats. This would form the basis of an effective networking and inter-library co-operation.

The NIALS’ website should be accessible to every researcher who does not have to be or travel to Lagos or Abuja

to use the collection as the services are available by e-mail or telephones.

There should be stronger collaboration with other similar Legal Research Institutes in the world especially the Institute of Advanced Legal Studies, London, Max Planck Institute in Germany, the Indian Law Institute and the Ghana Institute of Advanced Legal Studies (GIALS). The latter had recently taken a bold step by formalizing a Memorandum of Understanding with the IALS, London. NIALS should also take similar courageous step of honour to take its rightful position in the comity of highly digitised legal collections of the world.

Let me conclude this aspect of the recommendations by suggesting that the Institute's enabling Act be amended to make the Nigerian Institute of Advanced Legal Studies a Legal Depository for all law books published in Nigeria. In fact, this is long overdue and there had been long term advocacy for this.

My NIALS' Experience

The history of the NIALS Library cannot be accurately written without highlighting the activities of late Prof. Taslim Elias and subsequently, Professors A.B. Kasumu and Michael Iyiola Jegede, both in their capacities as Deans of Law of the University of Lagos. Mr. Jules Winterton, the current Associate Director of IALS, London obviously has tremendous goodwill for NIALS.

Late Muriel Anderson was the first librarian sent from IALS, London and he spent six months. Mr. Stephen Goddard, a staff from the London School of Economics, University of London also played a pioneering role in the preliminary organization of the Library. He was incharge for one year. Mrs. Fola Oduba was employed as a Principal Librarian from the Supreme Court of Nigeria Library to take over from Mr. Goddard. She took charge of the Readers Services. Then came

the late Dr. S. O. Olanlokun who was seconded from the UNILAG's Main Library to take charge of the Technical Services. Chief Mrs. Oluremi Jegede was employed as the NIALS' Deputy Librarian and subsequently became the first indigenous Lawyer – Institute Librarian. It was Mrs. Oluremi Jegede that encouraged the team of Mr. T.O. Dada, Mrs. Yinka Tuyo, Mr. T.A. Ibikunle and Mr. E.O. Solaja from the University's main Library to the Institute Library. As aforesaid, I assumed duties as a Senior Librarian on March 3rd 1980. I was promoted to the Deputy Institute Librarian Post in January 1991 and became the Institute Librarian in June 2001 under Prof. Ignatius Ayua with my friend Barrister J. D. Raji as the Institute Secretary.

There is no doubt that my NIALS experience spanning 1980-2011 has also been remarkable. I have always congratulated myself for being able to work with five successive Directors-General right from Dr. Aguda to Prof. Ajomo, Prof. Ayua, Prof. Guobadia and Prof. Azinge. They have been very accommodating of me and my mien. The current Director-General, Prof. Epiphany Azinge deserves my due appreciation by every standard. Right from the day we met he and his wife have exuded bountiful natural love, admiration and respect for me. I know this fact that he is really a "Great Thinker" (*Okailolo*) and that His Royal Majesty, the Asagba of Asaba has made a right choice of a visionary Chief for his kingdom. May the tenure of the *Okailolo* and the *Odoziaku* witness many more notable developments in Asaba Land.

The Institute Library itself, a purpose-built and well-designed department has creditably sustained the mission and lived up to expectation. The Law Librarians are professional and academic staff of the Institute. The professional academic staff, the para-professional staff and the non-professional staff always maintained their integrity and honour. The very nature

of its unique position as the core of all academic activities in the Institute has made it the focus of all programmes undertaken at the Institute. The staff work in unison for the attainment of the common purpose of the Institute and the tradition has endured so far. Right from the on set, the NIALS Management has always been mindful of the calibre and quality of the Library's staff. The Institute has the largest concentration of staff, by the volumes held, of library specialists in Nigeria and the largest in Africa. Current attention is on the development of a pedigree of "Scholar Law Librarians" going by the growing rate of doctoral candidates in the various library schools. Of course, the Institute plays a major role in the training of Law Librarians across the country through its *Biennial Courses in Law Library Services* thus helping to fill the gap that had existed in the area of law library personnel recruitment and training. The library has also in the most recent times been training research fellows in the art of publications indexing, aspects of legal research methods and the use of the library. The NIALS Library staff are always handy and have proven their mettle when it comes to executing special academic and intellectual projects and assignments for example, *the Laws of Nigeria Annotations and the Restatement of Customary Law Project*. They are all highly committed and jolly good fellows. I will definitely miss their company.

There are myriads of legal problems in the country which deserve the attention of a statutory legal "Think Tank" Institution as ours to routinely cater for. The new recruitment thrust in Institute reflects serious efforts at ensuring that the organization is adequately positioned to cope with any legal issue that the country might be faced with. There are now some twelve (12) Law Professors and Associate Professors in the NIALS, with wide range of experience in their various fields of legal studies. This is the largest single agglomeration of legal minds, law teachers and researchers in any faculty or legal

training Institution in Nigeria today; Infact, I personally see the development as re-echoing, consolidating and giving effect to the aspiration of the NIALS founding fathers, that is, the Nigerian Association of Law Teachers, Hon. Judge T. O. Elias and the other believers in the project. The NIALS now in consonance with its statutory mandate offers Post Graduate Degrees (Masters and Doctoral) in Legal Drafting. The Institute presently has acknowledged expertise in virtually all known branches of law such as Case Law and Litigation, Legal Education and Training Continuing Legal Education, Criminal Law, Public Law, Property Law, Company Law and Corporate Government, International Comparative Law, Legislative Drafting, Legal Skills and Legal Methods, Copyright and Intellectual Property Law, Environmental Law, Oil and Gas Law Customary and Islamic Law and Nuclear Law. The various Roundtables, Commemorative Lectures, Group Topical Discussions, Workshops and Conferences are also important spheres where the ever growing influence of the Institute is being felt by the public.

There is however, one particular point that had agitated my mind and for which I have always felt uneasy. This is the area of overall supervisory agency of this great Institute. The fact is that some people think (including myself) that the Institute might have fared better if it had been allowed to grow and blossom under the National Universities Commission (NUC) where it was originally conceived, proposed to be and apparently temporarily placed as it came to be during that period it was being mid-wifed through the University of Lagos

This lapse, it is believed, has been the root cause of the funding problem which has been identified as the 'Achilles Heel' and the persisting challenge of the Institute. This opinion is formed against the known facts that similar research Institutes like the IALS, London, have no such bureaucratic supervisory

overlords. The placing of the Institute under the Federal Ministry of Justice, has not been too beneficial in the circumstance. Let the truth be told that the nature of the Institute's mandate and responsibilities are not amenable to ministerial and/or bureaucratic regulatory processes as they presently are. For instance, the IALS London, is a Postgraduate Research Institute within the Schools of Advanced Study of the University of London while the Ghana Institute of Advanced Studies (GIALS) is established as a teaching and research academic institution based at the Faculty of Law of the Kwame Nkrumah University of Science and Technology, at Kumasi, Ghana. Furthermore, the Institute of Advanced Legal Studies (IALS) is a part of the University of London, sharing common facilities of the University College, King's College and the London School of Economics and Political Science (LSE). The Institute of Advanced Legal Studies (IALS) of the University of London is just one of the many other Departments of the University competing for available resources from the Senate. It however, has its strength in the uniqueness of its Law Library which is second to none in the supportive services it renders to legal researchers.

For the rather short period in the beginning, when the Institute was nurtured by the National Universities Commission (NUC) through the University of Lagos, the Institute was well accepted and better treated "as an academic colleague pursuing the goal of legal research and training". There is no doubt that the Institute, as at now, remains physically and psychologically "landlocked" in its Lagos setting. The dual location of its offices in Lagos and Abuja, where it is also a compulsive tenant of the Supreme Court of Nigeria, is also not helpful in any way. The consolation is however, that the present administration is making spirited efforts to firmly secure the land to establish its

permanent headquarters in Abuja, as soon as practicable. It really deserves a priority attention.

Acknowledgements

Director General Sir, my academic and professional career spanning services both at the University of Lagos and the Nigerian Institute of Advanced Legal Studies are worthy of some comments in retrospect. I have come to regard all the ups and downs that had come my way through life as pre-ordained by my God Almighty. God has been so kind to me in the circumstances of my birth, upbringing, education and journey through life. My father Chief (Balogun) Timothy (Amao) Dada of the old hire purchase fame and my mother, Madam Juliana Ibitayo Dada deserve great accolades for their unrelenting efforts and perseverance in moulding me. Dad had a very slight knowledge of English Language, but he was stupendously vast in business acumen. He was first, a professional Black smith turned Motor mechanic and then to a Motor dealer, transporter and finally became an estate developer. Mum was simply an illiterate. As a devout Christian, she remained hopeful and enrolled at the Union Baptist Church Adult Literacy Class in Oshogbo, Osun State, training herself as if only to be able to hold the pen to sign in the future. That auspicious moment finally came during the wedding of her eldest daughter, Evangelist Margaret Abike Alle (Miami, FL. US), in August 1984, to the consternation of the congregation when she actually signed the Marriage Register by herself instead of the expected thumb printing.

I cannot forget my old principal at the Anglican Grammar School Otan Aiyegbaju, Osun State, Late Revd. A.N.A. Adewoye who accepted me into the School and the Boarding House in 1960 on credit when my father's business ran aground. He was apparently paying back an earlier kind gesture extended

to his family on his Wedding day when my father, the then Motor Dealer and Transporter, delivered a brand new Opel Caravan car on the wedding day to save him and his bride from an embarrassing situation where a new couple would have trekked to and from the Church from a considerable distance.

Late Dr. (Engr) T.M. Aluko, the erudite Novelist, an intimate friend of my father was the God-sent counselor who advised my old man to send me to the Higher School Certificate (HSC) Class at the Oyemekun Grammar School, Akure, instead of taking up the Clerical Officer job which he was asking for at the Government Secretariat, Ibadan. This was the single decision that paved my way for admission into the University of Lagos in 1967. Other notable individuals who at one point in time intrinsically contributed to my being here on the podium today although are with their Creator, the Almighty God include: Dr. S.B. Aje, my Uncle and one-time National Librarian, Hon. Justice M.A. Borisade, another Uncle, and former President of the National Industrial Court, Chief M.A. Adeyeye of the Nigerian Educational Research Council (NERC), Professor Olu Ogboja, former Dean of Engineering, Unilag, Mr. E.B. Bankole, the first indigenous University Librarian, UNILAG, Chief S. Bodunde Bankole, Director of Unilag Press, Dr. M.A. Ogungbesan, formerly of the Igbobi Orthopaedic Hospital, Lagos, Professor (Mrs.) Jadesola Akande, formerly of UNILAG, NIALS and LASU, Prof. Jelili Omotola, Prof. Abiola Ojo of UNILAG and Dr. S.O. Olanlokun. They are hereby respectfully recognized posthumously.

My next-of-kin, my darling wife, Chief (Mrs.) Helen Abike Dada, the Yeye Balogun of Iloro–Ekiti is truly a great “Mother – in – Israel”. She has shown that my adventure into the “Jungle of Thousand Demons” to fetch her was not in vain. My children, Dr. Omolara Oyeyemi Abitoye, Mr. Oluwaseun Dada, Mr. Ayodeji Dada and Mr. Anuoluwapo Dada are wonderful gifts of

our good God. They were also privileged to traverse the rugged terrain of the University of Lagos environment from Crèche to the Undergraduate and Masters programmes before searching for greener pastures across the Seas.

My In-laws deserve recognition in many particular respects. By this, I am referring to Deacon and Evangelist Oluwole Alle, (U.S), Pastor and Mrs. Dele Adewuyi, Dr. (Chief) and Mrs. Adewunmi Abitoye, Late Deacon and Chief Mrs. Kolade (Iyalode of Osogbo Land) and the Ayodele family of Ijare, Ondo State. These wonderful families have always been there for me, providing the necessary support in all its ramifications, whether solicited or unsolicited.

These salutations would not be complete without mentioning my siblings in the Amao / Dada Descendants Family Tree of Iloro Ekiti. The “Bere” and Head of Family, Chief Mrs. Oluremi Sonubi (Nee Dada), The Yeye – Oba of Iloro – Ekiti and her Husband, Alhaji Lateef Sonubi deserve my great thanks. With her understanding, patience, perseverance and large – mindedness we of the Dada Dynasty of Osogbo, Osun State and Iloro-Ekiti, Ekiti, State have been able to show that afterall, those negative reverberations usually associated with the polygamous environment can be contained and managed to very minimum level.

The Kabiyesi, Oba of Iloro-Ekiti, His Royal Highness Oba Arowolo II deserves my special gratitude for the wonderful display of love by his bestowal of traditional titles on me as the **Balogun** and on my wife as the **Yeye-Balogun** respectively. His special love for the Dada Dynasty of Iloro-Ekiti was also witnessed by his earlier installation of my sister, Chief Mrs. Oluremi Sonubi (Nee Dada) as the **Yeye-Oba of Iloro-Ekiti Land**. We are immensely grateful for these recognitions and favours.

I am highly indebted to a particular respectable family during and outside of my sojourn at the University of Lagos and the NIALS. These are Professor and Chief (Mrs.) Iyiola Jegede who adopted me as part of their household. Professor Jegede, as the then Dean of Law, single-handedly admitted me into the Faculty of Law, Unilag while Chief Mrs. Jegede welcomed me as a toddler Assistant Librarian at the Main Library and subsequently brought me into the NIALS Library. I pray that God would continue to bless and enlarge their coast, preserve their lives and grant all their hearts' desires.

What in life could make me forget my childhood friends, classmates, old acquaintances and aunties. I have always found my solace in the innocence of my bevy of friends, admirers and well-wishers. God knows and remembers all of them. I have deliberately refrained from name calling so that I do not fall foul of any possible breach of protocol.

The entire Unilag Community had served as my constituency with my migration to NIALS, serving as a further reinforcement of goodwill. I am particularly grateful to the University of Lagos Senior Staff Club for really broadening my social status and orientation. I acknowledge the immense psychological acceptance and recognition by such groups as the Magna Tabla (Table One), Angle 90 members, Darts Group, House of Commons, Octagon 90' Club, Town and Gown Associates, Righteous Purse Associates and the Magodo Associates at the Unilag Magodo Estates where I have also been destined to spend the evening of my life amongst very cooperative and understanding colleagues. I am also grateful to the Federal Civil Service Club, Yaba for finding me worthy of their membership.

Immense thanks also go to my Church, the Baptist Church, Onitiri, Yaba for the in-depth spiritual satisfaction that I had imbibed in the congregation. The members of my Society, the

Baptist Progressive Union (BPU) are wonderful and highly committed Christians whose companionship I highly cherish.

Finally, Mr. Director-General, I reiterate my thanks to you for this rare opportunity and honour bestowed on me to give the maiden valedictory testimony in the Institute, thus providing a veritable platform for me to recapitulate on aspects of my life's story. With your kind permission I formally bow out of the Federal Public Service as a statutory retiree while consoling myself with the apt words of Apostle Paul that ..."*I have fought the good fight. I have finished the race. I have kept the faith*". (2 Tim. 4:7) So Help Me, O God. Amen

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