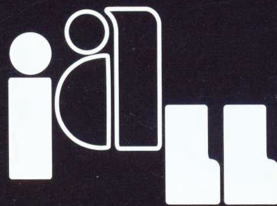


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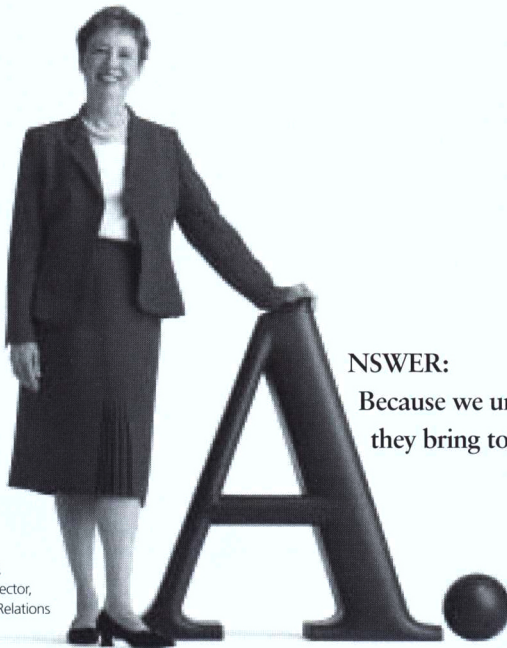
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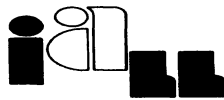
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EDITORIAL COMMENT ---

With each annual *IALL Course on International Law Librarianship* coming to a close, the general consensus among participants seems to be that the most recent one was the “best ever,” with the joyful expectation and conviction that the next one will be even better... The bar is constantly being raised. One of the reasons for the success of the Conferences is the authenticity and uniqueness of each experience, the total immersion in a new country and culture. Thanks to the caliber of our worldwide membership, the Board has been able to consciously target new cities, new countries, new Continents, where we hope to expand our professional contacts, to learn and to teach. These colleagues who, in close cooperation with an *IALL* Board liaison, offer their time, energy and local expertise are instrumental in developing programs which not only highlight the strength and uniqueness of the host country, but which also are of relevance to the *IALL* membership. Instead of using convention centers or hotels, the *IALL* settings are always distinctive and contribute significantly to the atmosphere, whether we meet in a 16th century palace, in a modern law school, or, as in 2003, in a former prison turned building for the Graduate Business School of the University of Cape Town, right on the Waterfront at the foot of the Table Mountain, not far from Cape Point, where the two Oceans meet.

What made the Cape Town Conference so extraordinary was the fact that the topic, “**New Rights – New Laws: Legal Information in a Changing World**,” was not presented from a theoretical and purely academic standpoint: we had the incredible opportunity to meet in person and listen to those who actually had taken part in peacefully changing the course of history in South Africa. The speakers all, in various ways, had played and were still playing important roles in attempting to transform their society from injustice and bigotry to equality and democracy. The immediacy and vibrancy of their presentations and experiences in using the law as an agent of change is what gave us in the audience the sense of being “present at the creation.”

The coordinators for the *Twenty-Second Course* were **Amanda Barratt**, Law Librarian of the *University of Cape Town School of Law*, chair of the Local Organizing Committee, and *IALL* Board liaison **Jules Winterton**, Librarian of the *Institute for Advanced Legal Studies* in London. They both deserve

tremendous credit and kudos for having organized an outstanding Conference, the Association's first on African soil. Jules' *Introduction* gives an in-depth description of the educational programs and excursions, with fond acknowledgements of the many colleagues and volunteers behind the scenes who contributed to making the meeting successful. Amanda's *Opening Remarks* serve as an excellent overview and summary of the purpose and content of the Course. Together with **Hugh Corder**, Dean of the *Cape Town University School of Law* and one of the Drafters of the first South African *Bill of Rights*, she was able to assemble a truly stellar faculty of those who, with legal means, were taking an active part in fundamentally reshaping South African society.

President **Holger Knudsen** frequently refers to our *Courses* as one of the "pillars", on which the Association rests, the other one being this *Journal*. It must then follow that the *Proceedings* constitute the link, that perfect arch, uniting these two pillars. They serve, no doubt, to document and preserve the Association's intellectual and educational achievements for posterity, but also, importantly, to be made accessible to the entire legal community, as part of the current dialogue. At a time in history when *democracy-building* is a concept, the efforts and lessons from South Africa's continuing struggle to build its democracy, with its *Public Participation Program* and initiatives in encouraging the general public to speak up, could serve well as a manual and inspiration for other nations.

Besides the papers and presentations, the *Proceedings* issue also reflects the various goals and achievements of the *IALL*. The reports by the two 2003 scholarship recipients, **Emily Alemika** from Nigeria and **Mondli Sibanda** from Zimbabwe, confirm that there is a healthy give and take: the meeting in Cape Town was a very positive experience and an eye-opener also for the ca 40 participating African law librarians, many of whom were able to meet each other for the first time. If the outcome of the meeting in Cape Town is an impetus for the creation of an *African Association of Law Libraries*, then an important *IALL* goal will have been fulfilled.

It is a privilege to present this substantive and substantial record of another unforgettable *IALL* Course.

Marie-Louise H. Bernal

PRESIDENT'S REPORT

This is my last report as President of the *International Association of Law Libraries*, and while I write this message, the election process for the officers and members of a new *IALL* Board is in full swing. The Nominating Committee has established a great list of candidates, and I am very confident that the 2004 – 2007 Board will be yet another outstanding one in the very best tradition of its predecessors.

I started my term at the beginning of July, 2001, just before the 20th *Annual Course in International Law Librarianship* in Lausanne, and I will step down by the end of August, 2004, just after the 23rd *Course* in Helsinki. This extension by two months is due to recent changes in the *IALL Constitution*, which have given me the great pleasure of presiding over four Courses, instead of over the normally three. A decision to seek re-election would have made me the longest serving President ever and that appeared to me to be quite inappropriate. It has not always been easy to run an association without proper headquarters and with members on five continents. Yet, in spite of the occasional difficulties, I have always found the task of serving our international community of law librarians to be a great experience and pleasure. I have tried to give it my best, but I leave it up to others to decide whether I have always succeeded.

It is now time to express my gratitude to a lot of people I have met in the course of the past years. First, the many colleagues and friends of the *Association* I have had a chance to meet personally at our Annual Meetings and Courses. What a great privilege it is to get to know so many interesting colleagues from all over the world! But this is what the *IALL* is for! Next, I want to extend my thanks to my fellow Board members **Jennefer Aston** (Ireland), **Joan Brathwaite** (Barbados), **James Butler** (Australia), **Richard Danner** (USA), **Halvor Kongshavn** (Norway), **Jarmila Looks** (Switzerland), **Lisbeth Rasmussen** (Denmark), and **Silke Sahl** (USA). Then I want to say, most wholeheartedly, “thank you” to my colleagues on the Executive Board, *IALL* officers **Jules Winterton** (U.K.), First Vice President; **Marie-Louise Bernal** (USA), Second Vice President, **Ann Morrison** (Canada), Secretary; and **Gloria Chao** (USA), Treasurer. It has been an immense pleasure and privilege

to work with and rely on the assistance of these thirteen colleagues. They all, without exception, embody the rare combination of being easy-going, yet very hard-working professionals. What a perfect experience it has been to cooperate with these individuals. Individuals all, in the best sense of the word, and yet also wonderful as a group! It is also time to acknowledge my gratitude to several colleagues who, without having ever been elected, have rendered invaluable services to the Association. To name but a few, and in strictly alphabetical order: **Debbie Bright** (Charlottesville, VA), the editorial assistant of the *Journal*, **Maria Custódio** (Hamburg, Germany), my secretary, who, loyally as ever, has written an endless number of President's letters, **Claire Germain** (Ithaca, NY), *IALL's* web manager, **Lyonette Louis-Jacques** (Chicago, IL), editor of the *Journal's* International Calendar column, **Heather Mitchell** (Camden, NJ), Gloria Chao's assistant for administering *IALL's* finances, **Sasha Skenderija** (Ithaca, NY), *IALL's* web master, and **Katherine Topoulos** (Durham, NC), this *Journal's* Book Review Editor.

An association that wants to have a future must go with the times. Thus, over the past years, quite a number of changes and improvements have been accomplished:

- *IALL's* partially outdated Constitution was adapted to new demands by vote of the membership
- *IALL's* webpage was created and permanently maintained at <http://www.iall.org>. Have a look!
- Two listservs (one for the membership, one for the Board of Directors) were introduced
- The decision-making process among Board members was much improved through the establishment of virtual Board meetings.
- A Web Award for noteworthy legal databases was introduced and granted at the Annual Membership Meetings, which always take place during the Courses
- Travel grants were created which every year enable two colleagues from different countries to attend our Courses, to gain insight into the international library co-operation, and to meet colleagues from all over the world.
- The cooperation with IFLA was intensified, and a Law Libraries Discussion Group was set up in conjunction with the American Association of Law Libraries. This Group offers the *IALL* the chance to gain a hearing among law librarians who are as yet not involved in international networking.

- A decision was made to locate the *IALL* archives at the *Institute of Advanced Legal Studies* in London in order to keep the Association's records, particularly from the early years, well and safe and, thus, to maintain *IALL*'s memory for the future.
- An *IALL* brochure was designed and printed thanks to the generosity of Thomson West.
- A *Cumulative Index to the International Journal of Legal Information* was produced.

All these improvements were only possible through the incessant efforts of a number of colleagues. I name only the main protagonists here – they know why: **James Butler**, **Dick Danner**, **Ann Morrison**, **Lisbeth Rasmussen**, **Sasha Skenderija**, **Larry Wenger**, and **Jules Winterton**. Thanks to all of you. My very special thanks go to Jules and Dick for being permanently good and reliable advisors. Sharing open questions with them made my life as President enormously easy.

IALL's financial situation continued to be sound and reassuring, owing to the great administrative work of **Gloria Chao**. Thank you, Gloria! In this context I should also want to thank the many sponsors *IALL* had the privilege to have over the past years. I want, in particular, to mention **Thomson West**, which not only has continued to publish and distribute the *Journal* since 1999, but which also generously sponsors our receptions, and now has designed our new brochure. We are also grateful to the **William S. Hein Company**, for supplying back orders of the *Journal* and for making it available on *Hein-Online*.

The *Journal* continues to be one of the pillars on which *IALL* rests, owing to the endless hours **Malo Bernal** has invested to make it a great and much acclaimed publication. Thank you, Malo!

I have not yet mentioned the other pillar on which *IALL* rests (resting on only one pillar could get a little shaky in turbulent times): The Courses! Unforgettable each of them! What a wonderful experience it has been to deal with the Board liaisons and the local committees! They all invested time, strength, and enthusiasm to make their Courses ours as well – and to make them great events. My thanks go to:

- **Jarka Looks** and her team for organizing “Lausanne 2001”
- **Blair Kauffman** and **Terry Martin** and their teams, as well as Board liaison **Silke Sahl**, for organizing “Yale and Harvard 2002”

- **Sari Pajula** and **Giina Kaskla** and their teams, as well as Board Liaison **Lisbeth Rasmussen**, for organizing “Helsinki and Tallinn 2004.”

This issue of the *International Journal of Legal Information* is dedicated to *IALL's 22nd Course* in Cape Town. Not only was it *IALL's* first *Course* ever on African soil, but it will also be remembered as one of the best *IALL Courses* ever. The captivating lectures and the inspiring speakers were simply great, and so was the human touch of the *Course*. Nobody will forget **Dr. Kathrada**, companion in distress of Nelson Mandela, and the fascinating lecture he gave us on Robben Island. My most sincere thanks go to the liaisons, **Jules Winterton** and **Susan Mansfield**, and to the Local Organizing Committee for their masterly achievement. When I met the members of the Local Organizing Committee for the first time, I met foreign colleagues. Very soon, however, they became good friends, very dear to me. My thanks go, again, in strictly alphabetical order, to my good friends **Amanda Barratt**, **Yvonne Beatty**, **Daphne Burger**, and **Olwyn Garrett**. Thank you for this great event!

I am looking back with thanks – I am looking forward with great expectations to many more great and fruitful years for the *International Association of Law Libraries*.

Holger Knudsen

IALL Professional Development Scholarships Reports by the 2003 Recipients

I. EMILY I. ALEMIKA Faculty of Law Library University of Jos Nigeria, West Africa

I am one of the two privileged persons awarded a year 2003 *IALL* scholarship. The grant of US \$1,500 assisted me in many respects financially, and benefitted me in other tangible ways, arising directly or indirectly from the bursary:

(1) The grant spurred me into action to look beyond my immediate environment. That is, but for the *IALL* Scholarship award, I might not have seen the immediate need to visit my closest neighbor country, let alone South Africa which is situated very far away. **Thus, the *IALL* grant was an eye opener for me.** It afforded me the privilege not only to attend the Conference, but it gave me also the opportunity to visit South Africa - the historic country which Nigeria, the most populous nation in Africa, and other peace-loving countries of the world, had joined in her fight to gain freedom from the Apartheid regime. This gave me great joy and fulfillment.

(2) Secondly, the grant gave me the rare opportunity to meet with interesting people of different background, color, race, and culture and of high professional standing. The opportunity to meet and mingle with these very highly qualified lawyers in the law library profession reassured me that I am in the right place, and that I need not worry about the question I am often posed by my learned colleagues in Nigeria, "what are you doing in the library?" To many of them, it is strange to find a licensed lawyer distributing books to readers in the library, instead of adjusting my wig and gown in the courtroom. Librarianship in Nigeria, whether in a general or in a law related organization; is essentially a job for people who major in Library Science. The Nigerian courts at various levels are hit worse, since ordinary clerks could be picked to be in charge of the High Courts' libraries. Although, this stage has gradually given way to licensed librarians, but certainly not to licensed lawyers. I am, for example, just one of few licensed lawyers working in law libraries in Nigeria. Thus, this grant has further provided

me with the freedom of mind to be where I choose to be professionally without feeling inferior; and it has given me the license to enlighten my learned colleagues who may want to get into law librarianship, as well as to encourage those already in the profession by sharing my experiences from the Conference with them.

(3) Thirdly, fortified by the *IALL* grant, I was able to persuade my colleague, a friend from the Court of Appeal in Abuja, Mrs. Antonia Haddison. When she did not get a grant from the *IALL*, I encouraged her to apply for sponsorship from her employer, the Federal Government. My goal was that, since I already had the scholarship, we would be able to support each other by pulling our resources together. To God be the glory, she was granted enough funds to even sponsor part of my air ticket from Lagos to Cape Town. Mrs. Haddison presented a beautiful report to her supervisor describing how the Courts of Appeal in the country could be reorganized based on her experiences. She also promised to organize a training seminar for her subordinate colleagues, inspired by what she had learned during the *IALL* Conference.

Intellectual Aspects

The topics chosen for the Conference were thought-provoking, all-embracing and intellectually sound. Among the numerous topics deliberated upon were:

1. Human Rights and democracy – a new global debate reflecting 10 years of South Africa's Constitutional Court;
2. Law and social change;
3. The South African legal system: an historical introduction;
4. The enforcement of social and economic rights;
5. Activism, law and libraries – the struggle for HIV/AIDS medicines;
6. Transforming and working with customary law;
7. Equality issues: legislative recognition of Muslim marriages;
8. Finalizing South Africa's Constitution;
9. Custodians of memory: The Truth and Reconciliation Commission;
10. Reparations for past wrongs: using the US Alien Torts Claims Acts to pursue South African claims; and
11. Challenges facing law librarians in Africa – A panel discussion which gave ample opportunities for the African librarians present

at the Conference to air their views. This was another meaningful event featured at the *IALL* Conference.

Although most of these topics less discussed professional library issues, they were, nevertheless, current and touched on every aspect of life in South Africa, especially from a political and socio-economic point of view.

The carefully selected speakers, mostly judges, legal practitioners and lecturers from universities, also did justice to all the topics. The presentations were not only gender balanced, but they also reflected and incorporated the minority views of what is happening in South Africa. Thus, through the well chosen topics, the Conference not only exposed us to the progress so far made and the challenges facing South Africa, but it also created a memorable and lasting impression, illuminating experiences in my life.

The Conference Proper

Words are inadequate to express my excitement and satisfaction over the overall activities of the Conference. It was well organized under the able hands of the Conference Organizer, Yvonne Beatty, coupled with the hospitality of the Local Arrangements Committee. I must congratulate the President, the Executive Board, and the various committees of *IALL* who worked very hard to make things happen.

First, the choice of Cape Town as a venue was very captivating with lots of exciting and historical places to visit. Activities were organized and carried out in such a way that, even if the Conference had continued for another week, one would hardly have noticed that time had passed so quickly. Of particular interest to me were the visits to Robben Island and the Peninsula – Cape Point, where the two great Oceans meet. Robben Island, where political prisoners were kept, was of a great value to me because of its historical relevance to my country Nigeria, which also had joined in the struggle for freedom from the Apartheid regime for its sister country. Therefore, it was a great joy for me to be able to see for myself that an island that was once a place of horror for freedom fighters now is a tourist centre, and, especially, the opportunity to see and listen to Mr. Ahmed Katharada, the 69 year old man, one of the political prisoners who is now in charge of the centre. The visit to Cape Point was another source of joy to me. In high school, I had been taught and seen pictures of the meeting point of the two great Oceans on the map, and the *IALL* Conference made it possible for me to be there to see it physically.

Conclusion

My overall experience and impression are that, *IALL* is an open association with a desire to reach out to the world to share resources at its disposal and to educate the general public around the world. The *Association* has achieved a great height in many respects and is aiming still higher. The attendance was put at about 93 participants from about 24 countries. Thus, one can safely conclude that *IALL* is truly becoming international and universal in nature.

I also wish to congratulate the Executive Board and its various Committees particularly for making it possible to allow African soil play the host for the *2003 Conference* for the first time in the *Association's* history. Individual members in attendance will agree with me that despite the enormous challenges, Africa is a beautiful place to be. It has rich culture, natural endowments with beautiful, friendly and hospitable people. I overheard members who had been attending *IALL* Conferences in the past that the South Africa was one of the best. I hope that one day my country, Nigeria, will host an *IALL* meeting. Such an opportunity would expose the great body of the *IALL* and its individual members to more of the hospitality, wealth and potentials of the Africa continent. On behalf of myself and my African colleagues, I wish to thank the *IALL* for giving us the opportunity to make a group presentation and the acceptance, in principle, of our proposal for the need for establishing a regional African law library association.

My profound gratitude first goes to the entire body of the *IALL*, a very warm group of people where color, race, age and professional standing of individuals posed no barrier for good interaction. To my mind, the excellent interaction was made possible under the capable hands of our President, Dr. Holger Knudsen, surrounded by fine Executive Board members. Secondly, my thanks go to the Scholarship Committee, chaired by Jules Winterton. The Committee must have worked really very hard to arrive at nominating Mr. Sibanda from Zimbabwe and myself from Nigeria, out of 18 applicants from over ten countries, including the USA.

Finally, I have these observations and suggestions to make:

First, I observed that the librarians did not participate much in the papers presentation at the Conference. I feel that we librarians need to participate more, just as we African librarians were given a slot for group presentation, which gave the general overview of what is happening to Law Librarianship in Africa. A general participation will help to update members of happenings in our chosen

profession and career globally and it will also help librarians from the developing world to learn and gain from the wealth of experiences of the developed world. This can be done by reducing the number of guest speakers and devoting at least one or two days of the Conference to opportunities to hear from and listen to one another within the profession.

Secondly, I appeal to the *Association* that it should not be long before one of the countries in Africa (probably, Nigeria) host a conference again, so as to strengthen the *Association* in Africa in order to break even and to close up the wide range of the gap between the practicing of librarianship in the developed world and the Africa continent.

By the grace of God, I am gathering momentum to put all my experiences from the Conference together for a formal presentation at the forthcoming annual conference of the *Nigerian Association of Law Libraries (NALL)*, which is usually held in the month of April.

Once more, I say thank you.

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Introduction/acknowledgements

The *IALL* Conference entitled “New Rights - New Laws: Legal Information in a Changing World” took place in South Africa’s *University of Cape Town - Breakwater Campus* and was preceded by a training workshop on legal resources of different jurisdictions, organized by the *ITN-Starr Foundation*. The *IALL* sponsored my five day long visit and I wish to express my profound gratitude for making my trip a success to:

- The *IALL* through its Executive Board - for its understanding of the needs of the *University of Zimbabwe Law Library* by generously sponsoring my attendance and subsistence during this Conference.
- Mrs Amanda Barratt - UCT Law Librarian, who took the burden of mobilizing other African law librarians for the training course, facilitated their invitations and made their trips a success. The

effort has helped enlighten and widen the horizon for African law librarians.

- The Conference organizing team which was instrumental in putting the documents together for the workshop and Conference and for making available to us the splendid venue and kindly providing the refreshments throughout the Conference.
- My employers, the *University of Zimbabwe* and Dr. B. Mbambo, my immediate supervisor, for granting me administrative leave to attend.

The report presents summaries of my experiences during this event and concludes with an assessment and value of the trip to my work.

Conference Objectives

It is my view that the Conference was held:

- a) to create an awareness of the crucial role of continuing education in the rapidly developing and changing profession of law librarianship;
- b) to equip participants within the region with the skills to design and carry out training or continuing education programs that relate to legal information literacy among clients in their own countries.
- c) to get the opportunity to meet and get to know other colleagues worldwide who are engaged in the same profession and hence share the enriching experiences.

The Conference consisted of presentations of papers by different speakers on various legal subjects, discussions and exchanges of views, ideas and experiences by the participants, and field visits to different renowned places in Cape Town.

Assessment of the Relevance and Value of the Conference

I felt very privileged and grateful to have participated in this *IALL* Conference. The documents were outstandingly precise, crisp and comprehensive, and it was clear that a great deal of reflection had gone into the preparation for this Conference. It is in the nature of law libraries to have

international connections and that those connections should be developed through members associating and maintaining contacts, so that such behavior contributes to the culture and character of institutions represented.

In my view, the Conference recognized four broad advantages for encouraging future participation:

- It is a means of promoting greater international exchange of knowledge and intellectual stimulation, which are fundamental to the mission of higher education globally.
- It is a means of promoting international understanding, regional cooperation and national development, all of which one would guess to be key concerns for *IALL*.
- It is essential to modern human resource development, since it facilitates global multi-cultural competence in all sets of law librarians – both North and South.
- It is an essential factor in institutional strengthening for university law librarians and for research.

This was my first time to attend an international law library conference. It has no doubt provided me with the most interesting and useful experience since I started working in the law library field. I am highly motivated to have found ways of rejuvenating, resuscitating and implementing some of the newly acquired knowledge and skills here at the *UZ Law Library*.

Many libraries internationally have realized the need for continuing education in view of the rapid technological and other changes in the information profession. It is my conviction that the experience derived from conferences, such as this one, leads to improvement in the broader understanding of legal issues by law librarians and adds to their skills, builds up their confidence, enabling them to play their roles more effectively. The end result is a library service of the highest standard for the benefit of all users. I view this past Conference experience as a step in that direction.

The Conference was also a success in that it offered a wake-up call for the African law librarians to participate actively in international issues of law librarianship. Consequently, there is an urgency to establish the African section of the *IALL* – perhaps an *African Association of Law Libraries*.

The proposed scheme is based on the principle of collaboration and the sharing of resources from the participant member countries and institutions.

We are attempting to bring together African legal institutions who feel sufficiently committed to the ideals of the scheme to place their energies and small resources to help realize the project. This, is therefore, first and foremost their project and the interim committee will play the role of moderator and facilitator. In my view it will be up to members to work out together how best the objectives of the project can be achieved. The members are the stakeholders of the project and so should be keen to make it work.

Universities, law firms and other legal institutions are the units which have to function within the project, and I believe that their support for and confidence in the scheme will sustain it. It is an experiment in the partnership of like-minded institutions, and the belief that every institution shares some ideas that they can bring to the consortium. I am one of the founding members to provide the stimulus and the guiding principles for it to take off.

Having been involved previously in the organizing and running activities of the *Zimbabwe Library Association* and other conferences within my profession at various stages in my career and developed a keen interest in this aspect of my work, the Conference was a worthwhile experience, from which I gained new knowledge and skills that I did not previously have. It also reinforced a long held conviction that the Zimbabwe library community, and especially the *University of Zimbabwe Law Library*, could be more actively involved in training courses and in initiating education for information professionals in the country and in the region.

After this trip, therefore, I intend to seek appointments with my immediate supervisors and colleagues with similar experiences to explore the possibilities of taking up an active role in training and continuing education courses in the legal information area.

IALL 22nd Course on International Law Librarianship

**University of Cape Town's Breakwater Campus
Victoria and Alfred Waterfront
Cape Town, South Africa
21st - 25th September 2003**



***New Rights – New Laws:
Legal Information in a Changing World***

PROCEEDINGS