

## **Law Library and National Development: Exploring the Connection**

Anuoluwa Maria AJALA  
*ajala.anuoluwa@lcu.edu.ng, anuoluwaajala@gmail.com*  
+234 802 959 0651; 903 957 7455

*Department of Library and Information Science  
Faculty of Arts & Education  
Lead City University,  
Ibadan, Nigeria*

### **Abstract**

*This paper explicates the importance and the pivotal roles of the law library in the promotion of national development. It also brings to the fore the need to regard law libraries as crucial institutions to the development of the nation. In addition, it remedies the lack of attention received by law libraries in developing countries generally and advocates their strengthening to perform the roles they are created for. National development is the dream of any developing country; these countries therefore strive to attain it by employing various means. However, in spite of the efforts made, national development still seems to be unattainable by many of them. This paper introduces the law library as an institution to be studied as it functions to ultimately promote national development. The paper discusses the concept, overview and types of law libraries. The roles of the law library to national development are explored. Conclusion and recommendations are made, bringing attention and focus to giving priority to proper equipping and maintaining of law libraries.*

**Keywords:** Development, law library, National development, law library roles

### **Introduction**

In spite of the knowledge of its importance and the various benefits that accrue to it, the attainment of national development still seems as a mere dream and a huge challenge to many countries. A developed nation satisfies the basic economic and social needs of its citizens, provides

basic education, creates a conducive environment for businesses to thrive, provides employment opportunities for its citizens, alleviates poverty, ensures equitable distribution of wealth, and promotes a highly democratic society. The attainment of national development comes with the satisfaction of these requirements for the well-being of the citizenry. On the other hand, developing countries are termed 'developing' because they are yet to attain that desired level of development. Various efforts are continually made by countries for their dream to be actualized but "snail's pace" seems to be the best way to describe the rate of development of many developing countries.

This paper focuses on bringing to light the nature and role of the law library, and how they significantly contribute to national development. The paper is structured as follows. First, a brief introduction is made. Next, the concept of national development is discussed, and then, an overview of the law library which includes the meaning and types, is discussed. The functions, resources and the users of the law library are discussed under each type. Thereafter, the roles of the law library, in relation to national development are explored. Conclusion and recommendations were made.

### **Concept of National Development**

First, it is important to clarify the meaning of development. Development has been conceived differently by different scholars based on their various schools of thought. The various definitions fall under two major categories of concepts: Development as a state or condition-static, and development as a process, or course of change- dynamic. This paper discusses development under the following concepts:

***Development as economic growth:*** Development has been viewed as a process of economic growth in which economic, social, quantitative and qualitative changes take place, which in turn causes an increase in product output (Haller, 2012). The focus of this school of thought is on commodity output. The theorists believe that a measure of development is the direct measure of the commodity output.

**Development as modernization:** Development has also been conceived as determined by social changes that take place in a society. It is believed to mean the social mobilization and institutionalization of recent and relevant foreign practices (Marý, 2016). As modernization, development means introduction of modern initiatives and practices to serve as a framework for analysing and improving internal operations. It also involves the local promotion of initiatives and ideas from external bodies and the creation of strategies to appropriate them. The emphasis of this concept is the process of social change and the direction is towards developing wealth and profit-making oriented behaviour in individuals.

**Development as distributive justice:** Development is believed to be a state where justice, fairness and equity reign (Eriksson & Abrahamsson, 2017). The norms, justice, fairness and equity are believed to be crucial indicators of development, and the absence of which development loses its true meaning. As distributive justice, development relates with how benefits and burdens are distributed in organizations and the society. Proponents of this concept advocate that distribution of benefits should be proportional to each individual's contribution, in terms of time, talents and resources (Sahbaz, 2013).

**Development as a multidimensional process:** This concept presents development as a restructuring of the entire system. It is the process of improving the quality of all human lives in three aspects: first, by raising the standard of living of individuals through income and consumption, provision of food, medical services and education through embarking on relevant growth processes; second, by creating suitable environments and conditions that favour increased self-esteem through the creation of social, political and economic structures and institutions that promote fundamental rights and dignity of individuals; and third, by increasing freedom of choice by providing wide varieties of goods and services, and not limiting the choices available to individuals to choose from.

**Marxist view of development:** This view of development emphasizes the mode of production. Development is conceived as a change in the mode of production where the old methods of creating things are

challenged by the new. Revolution is usually a passage to the development described by this concept. The old ways eventually give way to the new which is more modern and more sophisticated, a state described as development.

**National development:** In the light of the above stated concepts of development, some concepts of national development (ND) can be inferred. ND can be inferred as a process of increase in national product or real Gross Domestic Product (GDP) of a country. The GDP is referred to as the market value of all the final goods and services produced in a country in a given time period (Brooks, 2014). It can also be deduced as a process of mobilizing the introduction and adoption of foreign and international initiatives and practices. The foreign practices are to be implemented in the domestic operations and practices of developing ones. Strategies are developed to implement the foreign practices and all these must be in place before development can be achieved.

ND can also be reasoned to be a state where fairness, equity and equality operate in the distribution of rights and responsibilities in a country. It means that the nature of goods and services provided by the government of a country must be distributed fairly, access to these goods and services must be equal, and the burden of development must also be shared across all social classes. ND can also be conjectured to mean a total reorganization and reorientation of the entire economic and social system. It involves an improvement of the lives of the country's citizens through the provision of basic needs such as employment, basic health facilities and services, alleviation of poverty, and provision of basic education to the citizenry.

From Marxist view of development, it can be theorized that ND is a process of change in the mode of production in a country from primitive or less modern techniques to new and advanced ones. This process usually involves the polarization of the society into classes. Some are in support of the usual way of doing things, and others are in support of the new techniques. This results into class conflicts which eventually results in the old giving way to the new.

Just in line with the multidimensional concept of development, ND has also been conceived as entailing social, economic, cultural, and other

aspects of the lives of the citizens. It entails qualitative and quantitative increase in the capacity, skills, creativity and general material well-being of the citizens of a country (Joseph, 2014). ND is described to involve the process by which a country empowers its citizens to maximise their potential and their ability to exploit nature in order to meet daily human needs (Nwanegbo & Odigbo, 2013). Potentials are maximized when the country provides employment opportunities where the acquired skills and competences are displayed and sharpened. Through the opportunities provided, initiatives are created and the citizens are able to proffer solutions to challenging situations.

### **Overview of the law library**

The overview of the law library will be discussed under the concept of law library, and the types. The functions, resources and users are discussed under each type of law library.

### **The concept of law library**

In order to understand the meaning of a law library, it is important to first discuss the meaning of law, and library.

**Law:** Law is a body of rules put together by institutions, bodies and persons vested with the power to make such rules, to regulate the conducts of the people in a given society (Adegbite, 2015). The regulation of the conduct of people through laws is by stating rules to guide their conducts, and by imposing liabilities for non-compliance. This is for the purpose of deterring others from committing the same offence in the future.

**Library:** The library is a place where information materials in different formats are acquired, organized, stored, preserved and disseminated to meet varying needs of users. Materials in the library include books, periodicals, encyclopedias and electronic resources. The major types of library are academic library which is attached to tertiary institutions, school library found in primary and secondary schools, special library which serves the needs of special research institutions, public library created by the government to serve the information needs of the general

public and the National library, which is established by the laws of a country to perform roles such as creation of national bibliography and legal right deposit.

**Law library:** The law library is the library set to provide legal materials to assist legal practitioners, judicial officers, other members of the court and their clients in case of the court, law scholars and students in academic institutions and other law officers in ministries, police stations and other law related bodies (Gusau, 2017). This implies that the law library is a special library which, according to Special Libraries Association (SLA), is an organisation that provides focused, working information to a specialized clientele on an ongoing basis to further the mission and goal of the parent company or organisation (Shumaker, 2011). This is opposed to providing general materials for the information needs of the general public.

### **Types of law libraries**

Law libraries are differentiated based on the patrons, that is, the clientele or users, their collection, and their goals. The various types include the following: academic law libraries, judicial library, Ministry of Justice library, legislative library, Judicial academy library, and private law library.

**Academic law library:** Academic law libraries are libraries attached to universities and tertiary institutions. Their clientele are primarily students, academics and researchers. Its collections include legislation, case laws, legal texts, reference books, law journals, legal databases and other e-resources. Its primary mission is to meet the information needs of the faculty and students of its parent body in educating future lawyers. They also preserve the vast legal literature for generations to come. They include national law school library, and law faculty or department libraries in universities.

**Judicial libraries:** Judicial libraries are those attached to the Supreme Court, Court of Appeal, High Court, quasi-judicial bodies and administrative tribunals. They are established to meet the local needs of the specific courts. They provide the legal information need of judges,

judicial officers, government counsel, corporate lawyers, law students, legal journalists, court case reporters and litigants preparing for a coming court hearing (Lau, 2018). They have journal collection, reference collection, online full text legal database service, law reports on decided cases, information on amendment of laws etc. (Khan, 2014). The collections of these types of law libraries are basically statutory laws – court rules, constitutions, legislative enactments, administrative rules and regulations – and law reports which are reports on decided cases.

**Ministry of justice library:** This is the law library established and attached to the ministry of justice. It serves the information need of the government in advising other ministries and in the drafting of principal legislations. They are used in the amendments of existing laws, rules, regulations and guidelines. Its collections include books, journals and research materials. The clientele are the staff of the ministry and other government departments and establishments.

**Legislative library:** This type of library is established for the national and state Assemblies. The collections include information materials on both the subject of law, and other subjects other than law. The collections are primarily based on law making processes. They include books, law reports, Acts, Bills, Rules, Regulations, Gazettes, the Constitution and Proceedings. The clientele of the legislative library are the members of the legislature. They also give research services and support in publication and preservation of legislation.

**Judicial academy library:** This library is created for the judicial education of judges and court staff on areas of law peculiar to each court. The judicial education entails workshops on civil and criminal situations prevalent in the country, common approaches to court processes, adjournment and delay tactics, and case study training. The type of education and training given inform the nature of its collection (Adebiyi, 2017).

**Private law library:** This type of library is set up by large organizations, partnerships, individuals and law firms. They are to provide legal

information resources to the individuals in the organisation, or law firms as the case may be. The area of practice of the firm or corporation determines the nature of the library's collection.

### **The Roles of Law Libraries in National Development**

**Promotion of knowledge of law:** The law library is an agent through which sources of legal information are selected acquired, organized, preserved and disseminated to the seekers of the information (Abdulsalami, Okezie, & Agbo, 2013). The law library locates and acquires legal information resources in order to include them in the law library collection. They seek to update both their foreign and local law reports collection so that information on recent decided cases are made available to the users. Legal texts on various subjects of law, and their recent editions as well as law journals are sought out and also acquired. In addition, legal online databases are acquired by law libraries and added to their collection. Without the acquisition of legal information resources role by the law library, the resources would not be available to their seekers. As the knowledge of law is germane to national development, lack of legal information resources would work against the development of the country.

The legal information resources acquired by the law library are thereafter organised and preserved. Organising legal information materials in the law library involves two processes: cataloguing and classification. Cataloguing is a process of providing the physical and topical characteristics of documents, while classification is a process of grouping the legal information materials according to their place of publication, subject and author (Pandita & Singh, 2014). These processes are carried out to document and provide easy and quick access to legal information materials. If these roles by the law library are not played, seekers of information on the subjects of law, who intend to use such information for societal and national advancement would be discouraged by the inability to locate the needed information. Such individual would be unable to contribute his own quota to national development.

The law library preserves the legal information materials to minimize deterioration of printed matter, and also to improve handling and care



procedures. This is done in order to ensure continued supply of legal information essential for documenting the history of a nation on matters relating to law. Some important legal information materials are hard to come by. This necessitates the need to preserve and guard them jealously (Adeleke, 2017). Without the roles played by the law library in preserving, maintaining and restoring information materials, some irreplaceable information materials would be destroyed. As a result, the materials are made unavailable, thereby hampering the development of the nation through areas in need of the missing legal information.

The legal information dissemination role of the law library is crucial to national development. The role entails organizing workshops, seminars, conferences, extension services and collaboration with non-governmental organisations (Obasola, 2012). Through these media, the general public is intimated with the legal information resources in the law library, how they can access and use them to meet their varying information needs thereby promoting societal and national development. Without the law library, the public would not be well informed about the available resources, let alone know how to access and use them for the progress of the country.

***Grooming of competent future lawyers:*** The grooming of competent future lawyers is a role particularly played by academic law libraries. The law libraries attached to academic institutions provide information materials on legal methods, legal traditions, legal ethics and legal drafting, legal texts on various subjects of law, in addition to all the other legal information materials mentioned earlier in this paper.

Legal method is an introduction to the nature and functions of law, the use of law to control social behavior, sources of law, methods of legal reasoning, the concepts of justice and policy, legal systems of other cultures and the understanding of legal processes. By the materials on legal methods in the law library, the law student is equipped with the knowledge and skill required to understand the nature of the law in a given society or country. The student can understand the essence of law as an instrument of social control to regulate the conducts of the citizens of a country. Also, he is able to identify where particular laws can be derived from whenever the need to apply a legal principle arises.

Furthermore, the law student is able to determine if justice is being done or not in any given situation owing to the knowledge of equity, and is able to understand the legal principles that apply in different legal systems. All these knowledge and skill prepare the student to become a competent legal practitioner who as a result would contribute to the advancement of his country. Without knowledge of legal methods, the law student would be ignorant of the nature, sources and essence of the law in a given country. He would be bound to become a legal practitioner who would be prone to applying the inappropriate laws to the wrong legal system.

The law libraries attached to faculties of law also provide information materials on legal traditions and practices. The nature of the particular tradition of a country, its underlying justification, its concept of change, and its relation to other traditions are provided. The knowledge of legal traditions acquired from the law library helps the student to understand the legal traditions in a given society, how they came about, how dynamic they can become, and how they are similar and different from the legal traditions of other countries. This knowledge is necessary so that he can abide by them to avoid erring. By this, impediments to national development are kept at bay.

Legal ethics provide information on the rule of professional conduct. The students get to be familiar with the responsibilities attached to the Bar, the Bench, the academia and legal practitioners working in corporate organizations. Legal ethics inculcates in law students a very high sense of discipline and comportment. This goes a long way as it informs and guides their conducts as legal practitioners in the future by shunning corrupt practices. Legal ethics would make the students support and promote ethical standards which work for the good of the society and the development of the nation. Without knowledge on legal ethics, a law student will grow to be a legal practitioner who is given to corrupt practices and disregard for the rule of law, a situation which hampers national development.

Legal drafting is a subject which discusses and explains the art of draftsmanship. The ability to prepare legal documents such as agreements, deeds, leases, wills and mortgages depends on the legal skills and competences that have been acquired by the individual while still a law

undergraduate (Joel & Ogunmodede, 2015). The law libraries attached to academic institutions serve to develop and impart in law students the knowledge of legal drafting. Without this knowledge, law schools would keep producing law graduates ignorant and lacking in the skill of drafting legal documents. The lack of this skill would give room for fraud and injustice which are capable of causing setbacks to national development.

The law library has in stock other textbooks on various subject of law including criminal law, civil law, torts, equity, constitutional law, contract, intellectual property, commercial law, human rights, administrative law, land law, environmental law, family law, labour law, evidence, law of banking, international law and jurisprudence. The texts on these various subjects of law cover virtually every aspect of the conduct and relationships among individuals. The knowledge acquired from these legal information resources from the law library develops the law student into a competent legal practitioner, vast in the knowledge of law (Gusau, 2017). He is able to proffer solutions to legal issues, become a competent legal counsel, and contribute positively to national development.

**Administration of justice:** The collection of the judiciary library is germane to the profession of lawyers and judges for the administration of justice. The statutory laws which are laws promulgated by the legislature to guide the administration of justice in the courts are acquired, stored and preserved in the law library, and retrievable whenever the need arises. Without the role of the law library, the court rules, constitutions, legislative enactments, administrative rules and regulations would not be easily available to be applied in matters in court. There would be no guide and order to the conduct of businesses in the courts (Supreme Court of the US, 2017), information on the conditions on which the people agree to be governed would not be made explicit, there would be no knowledge on how to control actions of the government, absence of the ability to claim fundamental human rights, etc. (Bulmer, 2017).

In addition, the law library supports the administration of justice through the acquisition and preservation of reports on decided cases. These are important in the establishment of judicial precedent, a decision of a judge which once given on a question of law, binds the judge himself

and subsequent judges in courts of lower rank to decide the same question of law in the same way. Once a legal counsel is able to establish a precedent on the case in court, the latter is bound to abide by the precedent. Judicial precedent promotes fair judgments, prompt delivery of justice, and it does not give room to injustice, biases and corrupt practices. In the light of the national development of a country, judicial precedent promotes equity, equality and fairness which are hallmarks for sustainable peace and order in a country (Eriksson & Abrahamsson, 2017).

**Civilization:** The knowledge of law promoted by the law library is capable of promoting moral values and understanding among persons thereby facilitating social cooperation, the eventual result of which is to the benefit of individuals, groups and the nation as a whole. The law library, through providing the legal information resources promotes joint survival through joint action (Abdulsalami, Okezie & Agbo 2013). Law libraries generate legal knowledge and equip individuals with knowledge to serve the society.

### **Conclusion**

The role of the law library in national development can neither be overemphasised nor ignored. To disregard the importance of the law library to national development is to advocate non-availability of legal information resources, hinder access to the same, and train future lawyers who would end up becoming incompetent and poor in the knowledge of the law. Without the law library, there would be poor administration of justice and low moral values in the society. The law library works to prevent these negative situations and promote national development.

### **Recommendation**

Parent organizations to law libraries as well as the country as a whole should ensure that law libraries are properly equipped with adequate legal information materials, relevant technology and qualified personnel.

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