



## **The Dynamic Role of Law Libraries in Promoting Administration of Justice in Nigeria**

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### **Abstract**

*This paper discussed the role of law libraries in promoting administration of Justice in Nigeria prominent among which is provision of current legal citations to enhance quick dispensation of Justice. The law library was posited as the intellectual storehouse, legal information disseminator and a plant of the legal profession hence the need for it to be computerized in order to facilitate prompt and efficient search for relevant documents. Some of the measures that can enhance legal information services in order to promote administration of justice in Nigeria as suggested in the paper include; identification, selection, acquisition and dissemination of relevant law resources*

**Keywords:** Law Libraries, Administration of Justice, Judiciary, Nigeria.

### **Introduction**

The Judiciary, as the third arm of Government, was created to provide checks and balances among all component arms of democracy. It is upon the adherence to this constitutional provision that there would be stability, peace and progress in the state in particular and the country in general (American Association of Law Libraries, 2015). However, the Judiciary cannot function effectively towards the accomplishment of these objectives without the manpower who are adequately trained in the art of information selection, acquisition, processing and dissemination. Greatest in its needs are functional Law Libraries to meet the objectives of the Judiciary which includes Resolution of conflicts between governments or between the government and the individual or between individuals (Owushi & Emasealu, 2016); Dispensation of justice to all manner of people without fear, favour or ill-will; Dispensation of Justice with minimum delay. It is the responsibility of the Judiciary not only to interpret laws, but also to determine when the other arms of government act in conformity with the constitution To be able to carry out its functions effectively and efficiently, the judiciary would require Law Libraries that are stocked with the Laws of the Federation and or Acts, Law Journals, Law Texts books, Law Magazines and Newspapers, previous constitutions of the land together with Hansards of Federal and State Legislatures, which are of immense benefits to Legal Practitioners.

### **Law Libraries and Administration of Justice in Nigeria**

Libraries in the judiciary sector are classified as law libraries. They are specifically designed to provide materials that will enhance legal information provision for education, research, and practice (Akinyemi, 2017). Law libraries are the libraries found within the court premises, parastatals/agencies under the justice sector and libraries attached to faculties of law in universities. Uwaechina (2020) expressed succinctly that law libraries are established to serve the judicial arm of government specifically they serve the judges, magistrates and practicing lawyers in the preparation of cases, administration and dispensation of justice. In Nigeria, there are many courts and parastatals under the justice ministry which have libraries established to help them achieve their goals and objectives. Oguche (2021) noted that apart from the Supreme Court, Appeal Court and Federal High Courts, all states in Nigeria have established High



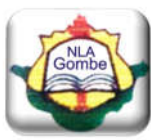
Courts, Customary Courts and Magistrate Courts while some states have Sharia Court systems. Other agencies under federal ministry of Justice in Nigeria with established law libraries include;

1. Nigerian Law Reform Commission (NLRC)
2. Council for Legal Education (Nigerian Law School)
3. Nigerian Institute of Advanced Legal Studies (NIALS)
4. National Judicial Institute (NJI)
5. Regional Centre for International Commercial Arbitration
6. Federal Judicial Service Commission (FJSC)
7. National Judicial Council (NJC)
8. Legal Aid Council of Nigeria
9. Nigerian Copyright Commission
10. National Drug Law Enforcement Agency (NDLEA)

Libraries attached to these agencies have the potentials of promoting administration of justice in Nigeria through the various library services they provide to users

Nation states all over the world are ranked as a political organization by the extent and efficiency it administers justice (Anaeme, 2014). Justice according to Njoku (2007) entails the right of every person to a prompt, fair and impartial hearing. Administration of justice means justice according to law; that good be done and evil avoided or that one treats the other, as he/she would like to be treated. Administration of justice as described in the Black's Law Dictionary (2004), means maintenance of rights within a political community by means of the physical force of the state, which helps obedience to law. Kumar, (2007) as cited by Anaeme (2015), sees administration of justice as the modern and civilized substitute for the primitive practice of personal vengeance and self-help. Administration of justice checks the excess of man who is by nature wicked, needs teaching and discipline in order to behave right (Kumari, 2010).

Under a democratic government, the judicial powers of the Federation is to say, powers of adjudicate in matters between persons or between governments or authorities, or any person in Nigeria, and all actions and proceedings relating thereto, are vested in courts established for the Federation under section 6(3) of the Constitution. Those of the state are vested in the courts established for the state under same section. Such courts have the inherent powers and sections of a court or record". "Knowledge" they say, "is power" the success of any organization or enterprise depends to a large degree, on the availability of information that is in her possession (Okafor, 1998). Whatever information that is acquired should be carefully documented, and preserved ready for easy retrieval as occasion demands which falls within the purview of the law libraries. The Judiciary play social roles in the preservation of human lives, while the courts is considered as the last hope of the common men. The court is an avenue for dispensing justice and promoting social stability and harmonious co-existence. By extension, court libraries are classified as the law libraries and possess certain characteristics which include: being up-to-date in collection form the fundamental statute books, all essential reference works and law dictionaries to law reports and every legal material of more; qualifies, competent and visionary library personnel. The law librarians are expected to have the interest of the job at heart and the ability to enjoy the benefits of the new technological innovation. The law librarians play these roles through computerization of the resources of court Libraries and harnessing information available in Internet to facilitate the acquisition of a depth of knowledge and a breadth of information: qualities required of Judicial Offices in adjudication of cases before them.



Prior to the colonization and eventual amalgamation of Nigeria in 1914 by Sir Fredrick Luggard, the Governor General, present day Nigeria existed as diverse ethnic groups within different cultural backgrounds. Sagay (2001), stated that in the beginning, there was no Nigeria... Prior to the British conquest of the different nations making up the present day Nigeria, these Nationals were independent nation states and communities independent of each other and of Britain". These ethnic groups were governed in everything they did, by their "Laws" or "Rule" which were customary in the sense that they hinged on the culture of the people. On the other hand, Park (1963) noted that before 1862, there had been in existence in the territory (Nigeria) a full system of local customary law". From the assertion above, it is obvious that as man, a social being began to co-exist with his kind, conflicts must have arisen. Efforts were made to resolve these conflicts hence the introduction of arbitration. Consciously or unconsciously, in the process of arbitration, man realized his inadequacy in retaining all information and knowledge pertaining to a particular case. He realized that he was blessed with a short memory. To overcome or combat this, he began to preserve records which he consulted as the need arose, hence the establishment of law libraries.

The introduction and practice of law in Nigeria is a by-product of the colonization of Nigeria by the British. After the cession of Lagos territory in 1861 to the British, in 1862, the colonial masters introduced not only education (Reading, writing and simple Arithmetic) but also English Law and Legal Institution (Alemika, 2018). They equally established a Supreme Court and appointed the Chief Justice, Puisne Judges and various law enforcement officers who were charged with the onerous responsibility of maintaining law and order in the colonized territory. Between 1863 and 1874, more courts of law were established. The eventually transfer of the capital territory of Nigeria from Calabar to Lagos in the late 1950s fueled the establishment of the law libraries in Lagos where law courts had long been established (Abo & Abu, 2019). Historically, libraries are Mosaic. The history of the law library is chronicled in the annals of Judiciary. It is sine-qua-non in the practice of law and in the administration of justice.

The creation of three regions in Nigeria led to the expansion of courts libraries and the administration of justice. From three regions, Nigeria developed into four regions, twelve, nineteen, twenty-one and finally thirty-six states. With this political fragmentation came the multiplication of law libraries (Akinyemi, 2017).

### **The Role of Law libraries in Promoting Administration of Justice society**

It was Anaeme (2011) who phrased that there would be no justice administration without adequate legal information which is the core service of law libraries. He stressed further that legal information enables the citizen to know the law, to find and use the law and to update the law. The law library is the intellectual storehouse, legal information disseminator and a plant of the legal profession. He stressed further that the position and role of the law libraries and the librarians in this regard is therefore critical and unassailable. The role of the law libraries in the administration of justice is in tangent with the six principles of law librarianship as expressed by Okeji (2011). Thus:

- a. Law librarians must carry out the polices and purposes of the organization they serve;
- b. Law librarians must know those purposes and policies and must also know their readers and their work.
- c. Law librarians must be teachers of legal bibliography and methods of legal research
- d. Law librarians must provide access to materials through whatever administrative or bibliographic techniques are necessary to meet their reader's needs



- e. Law librarians have the primary responsibility for developing and organizing their libraries and collections and must make conscientious and informed critical judgments in fulfilling that responsibility.
- f. Law librarians have a duty to advance their art and their profession in whatever way they can be most effective.

The primary objects of the Judiciary according to Okeji (2011) is the administration of Justice, through the law courts while the concept of service is the pivot upon which librarianship is built. For the judiciary to accomplish its objective, it becomes compelling that it equips its libraries with up-to-date volumes of both local and foreign law books, law reports, law text, digest or law report, law journals, various international treaties and conventions binding in Nigeria and other countries together with references books like encyclopedias, directories, dictionaries etc. The stock should not only be rich but its resources should be harnessed with ease. Rich collections are of little value unless those who need them not only know that there are available but they are also very easily accessible. A comprehensive coverage of legal documents in law libraries are valuable to cater for the numerous interest of lawyers and the dynamic nature of the discipline. This is occasioned by the amorphous, dynamic and sophisticated society we live in whose behaviour it controls and adjudicates upon its infringement as a matter of policy. Law libraries should keep in their custody, the constitution of the country, Nigeria, which is the sole arbiter and regulator of our individual and human rights.

Oguntade (1998) as cited in Uwaechina (2020) was not thinking aloud but stating the obvious when he said “Adjudication, to be sound and well grounded, must be assisted by recourse to judicial authorities from law reports and reference books on laws. Access to good law library is therefore, as important to a Lawyer as it is to a judge”. Knowledge is power. Law covers a wide spectrum of disciplines. It therefore behooves on members of the legal profession to be avid readers. The advantage is obvious. It equips them with a depth of knowledge and a breath of information. Eze-Onwuzulike (2020) expressed that the practicing lawyer uses the collection to keep abreast with the practice of the courts, preparing and pleading of cases in the court. Members of the Bench essentially use some appropriate legal document (e.g. unpublished judgments and edicts etc.) in the law library as reference points to confirm or contradict whatever has been said about cases cited in the Courts. Lawyers in the academic circles use the law collections extensively in teaching and research to extend the frontiers of legal education. Furthermore, Law libraries wherever they are located, have made tremendous impact among the law professionals. They offer general and special reference services to its users. It is the responsibility of the law library to notify its clientele of new and amended and laws.

Accordingly, Tobi (2001), stated that he judge by the nature of his professional duties needs to much information, not only in his chosen discipline of law but in other disciplines of human life and human endeavor. This is because in the exercise of his judicial function, he deals with all the disciplines of humanity. A Judge who is not current in the society around him cannot successfully perform his duties (Eze-Onwuzulike, 2020). In order to be current and versatile, he should be thoroughly equipped with relevant information. Where a judge is benefit of relevant and valuable information, his work is not only unproductive but stale, if not sterile.

Buttressing the role of law libraries in the administration of justice, Oguche (2020) couldn't agree less with Gilbert who stated thus;



*“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 lawyers books are his tools without which he would be unable to provide for himself and his family”- Gilbert.*

Faloye (2000) summarised the importance of law libraries stating, “In essence, to the lawyers including judges in our Courts of law, the law library system is the life and blood of their profession. The quality of a court library therefore usually serves as a good measure of the relative soundness of the health and functions of the appropriate judicial service rendered in such Library environment. It is incontrovertible that a well-stocked court library will not only simplify the judicial task by providing ready accessibility to the relevant laws and legal authorities, but will also significantly enhance judicial reasoning and substantively enrich quality and speed of justice dispensed in such library facilities conversely”.

Furthermore, in the face of escalating and prohibitive cost of books in general and law books in particular, lawyers, especially those recently called to Bar, have the singular alternative to depend on law Libraries for mental acquisitions in the preparation of their briefs before they find their feet and established their own libraries. The law library is no doubt, regarded as the laboratory for the legal profession.

### **Libraries, Justice Administration and Modern Technology**

It is an apt saying that Justice delayed is justice denied Moruf and Olajojo (2017). Various factors could be responsible for delays in administration of Justice. A well-organized library stocked with pertinent information which a judge requires to facilitate a prompt disposition of a case could fall victim to poor delivery services. Libraries are living organisms and so, must continue to grow. To manually search for documents which might have been hidden due to space constraints could end in futility. There is need for a cross ventilation of ideas through an in-depth assessment of the facts of a case before judgment is delivered as a party may not possess the resources to appeal.

To facilities prompt and efficient search for relevant documents, law libraries should be computerized. Computerization of library services enable a user to locate pertinent materials required in a case readily and it also curtails library over expenditure in the purchase of duplicate copies (Ziogas, 2020). In addition, it saves a lot or useful time. Furthermore, it renders information more readily available within and beyond the confines of one’s establishment through effective telecommunication and on-line systems as if affords the library’s end-user easier access to information than hitherto as there may be no further need for intermediaries nor guides. The efficiency and reliability of computers together with their ability to carry big jobs beyond the capacity of the human brain recommends the ancillary support services worth keeping in libraries. Stories of the capabilities of computers in every facet of human endeavour are intimidating to the uninitiated hence the apathy shown by some in the acquisition of computers in their establishments be that as it may we have to summon courage and take the bull by horns by computerizing our libraries. Gradually, we will come to appreciate the fact that modern technology has been developed to serve and not to bully man.

### **Suggestion for Enhancing Law Library Services to promote Administration of Justice**

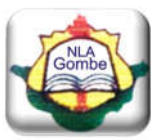
In the light of the issues raised and discussed above, the following are suggested as ways to enhance law library services in order to promote administration of justice in Nigeria:



1. Efforts should be made by law libraries towards the acquisition of all previous constitutions of Nigeria starting from the 1922 constitution known as the (Clifford) Constitution to the 1946 (Richard's) Constitution, the 1951 (Macpherson) Constitution; the 1960 (Independence) Constitution right down to the 1979, 1989 and 1999 Constitutions. So also are statues enacted by the legislative arm of government and all the subsidiary legislations such as rules order, regulation, bye laws and other legal instruments made by the statutes which form the principal law of the law.
2. The different laws setting up the various courts of the land as well as the Rules of all the courts should be in the library the African and European charter on Human Rights which is fast becoming a gospel together with laws of the thirty-six states of Nigeria, the Rules of courts in Nigeria, the Commonwealth and any other country (Countries) with which Nigeria shares the same type of administration or operates the common law system should be acquired.
3. Hansards of various legislative houses from the Federal to the State should also be in the library. For the greater part of Nigeria's history since independence, the military has ruled this country by decrees at the federal and edicts at the state level. All decrees and Edicts should be acquired for they constitute part of the law of this country.
4. Newspapers, Journals and News/Magazines should be acquired for the enlightenment of judges who are not only members of a dynamic society over whose human activity they exercise social control but also, they should be able to read the judgements of the other courts as may be contained therein. Libraries should be rich in Law Reports.
5. Depending on availability of fund, both current and past copies of various law reports should be acquired subject to their availability and availability of space for shelving them. Such law reports as Nigerian law reports; West African Court of Appeal Law Reports; Federal Supreme Court of Nigeria Law Reports; Nigerian Weekly Law Report, All Nigerian Law Reports and Law Reports; Courts of Nigeria etc. should adorn the shelves.
6. Standard text books dealing on different areas of law as well as basic texts in criminal and civil procedure and the law of evidence should not be missing on the shelves, no matter the reason. In fact, several copies of these texts should be acquired.
7. Law journals as well as Monographs which deals with current events on learned topics could be of immense benefit to a judge in a particular aspect of his judgment and so they should be acquired. There is no end to what a library should acquire provided that such a material is relevant to the needs of the library and in conformity with the library's acquisition policy.

### **Conclusion**

The papers has examined the development of Law Libraries vis-à-vis the administration of justice in Nigeria. It has tried to identify some key factors, which have inhibited the role played by Libraries in the administration of justice in Nigeria. There is no gain saying the fact that Nigerian Law Libraries are very far from the stage obtained in technologically advanced and developed countries of the world. It is the primary responsibility of the Judicial Librarian to search for and provide all expedite quick administration of justice. It is pertinent to note that non provision of relevant information in our judicial librarians will negatively affect the output of judges thus slowing down the administration of justice. By so doing justice delayed will then amount to justice denied.



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