

Globalization, Law Schools and Law Libraries

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Introduction

Globalization in all its various manifestations and ramifications is a complex series of processes which has affected all our lives. It has had a profound impact on law, the legal profession and legal education and so it has also had at least an equal impact on law libraries, and on the profession of law librarianship.

It is particularly appropriate that a discussion of globalization and law libraries should be linked to a description of the work of the International Association of Law Libraries (IALL). The IALL is itself a product of globalization and, in earlier perceptions, internationalization and the increasing interdependence of our world. It was founded in 1959 in recognition that the roles of law libraries and law librarians were already affected by the growing importance of legal relationships between nations and systems and the documentation which emanated from them.

All the subsequent developments and changes imply trends for the future of law schools and new challenges and opportunities for law librarians in their vital role in facilitating changes in your institutions and meeting the expectations of your researchers and students in a national and an international context.

Globalization

Internationalization is not new; human interaction across borders has existed since national borders were drawn, particularly within empires and their trading areas. As a term, however, 'globalization' has become widely used only since the 1980s. The term

is intimately bound up with the transformation of processes of communication and the impact of information and communications technology (Susskind 2006). However, one can discern the impact of globalization on legal researchers and the law librarians who serve them in areas of interest as diverse as crime, family law and the music industry, as well as in international trade.

Legal Systems

The globalization of law has become a familiar concept not just with the growth of trans-border economic activity; every aspect of law has been affected by the interconnectedness of our world.¹ The movement of people, goods, services and information creates problems and disputes which national law struggles to deal with and brings more complex problems of public and private international law. To some degree, whole areas of law are subject to supranational regimes such as treaties or regional trading environments. Norms are frequently created by non-state institutions which have proliferated and there is growing acceptance of the emergence of international norms.

If international aspects of law and legal information management were important before, they are far more important now. It is now necessary, even for local law practices and local judiciary at district level, to be aware of the international aspects of litigation. Disputes which are litigated even in the lower courts increasingly require the consideration of legal systems other than local domestic law. In some legal systems, comparative legal research has been built into the fabric of the legal system itself.

Discussing comparative law methodology and the importance of comparative legal studies and legal information, Muchlinski suggests that:

...one is left with the feeling that comparative law method is at a politically significant cross-roads: either it takes a more academically credible route, along the lines suggested by Legrand and others, towards the study of difference, with all the problems of political diversity that that entails for the ideal of a global world order, or a cosmopolitan law - if you like. Or, it continues to be based on a search for crude a-historical, and culturally suspect, similarities of meaning and purpose in legal phenomena, which will deliver the illusion of an emergent global law serving as the legal expression of globalisation.
(Muchlinski 2003, 239-40)

¹ In HeinOnline's Law Journal Library a full text search using the word globalisation (or globalization) retrieved 23 articles published between 1970-79; 316 between 1980-89; 6,431 between 1990-99; and 25,154 between 2000-09.

As a methodology to address these questions and to understand the global legal environment with all its diversity, comparative legal study is an important element in its own right both for research and as part of the legal training of lawyers and forms a part of the environment in which legal information managers must operate.

Law Schools and Globalization

The market for legal education, at least for advanced degrees in law, and the scope of the curricula, is now global. The formation of global law firms by collaboration, merger and takeover has enhanced the firms' access to expertise, authoritative legal information and advice (Bierman and Hitt 2007; Sokol 2007). Now law schools have formed international partnerships and multinational consortia to enhance their ability to offer global law courses and capture wider markets.

Law students are now much more mobile. In university law schools in the United Kingdom there are more law students than ever before and more from other countries. In 1996/97 there were 54,767 law students² (45,539 from the United Kingdom, 3,168 from the rest of the European Union, and 6,060 from other countries). This number had grown to 92,110 in 2008/09 (74,105 students from the United Kingdom, 5,480 from the rest of the European Union, and 12,525 from other countries) a 68.2 % increase overall in 12 years (a 74 % increase in students from the rest of the European Union and a 106.7 % increase from other countries). In addition there are many more programmes of study which involve some time overseas and may lead to a dual degree and count towards professional qualification in two jurisdictions.

Students are likely to be drawn from more diverse ethnic, cultural and educational backgrounds and possess a wider range of knowledge and ability than ever before. These differences expose built-in assumptions in teaching and assessment, and in the provision of services including library services. This aspect of globalization of legal education leads to an increasing need for intercultural skills among all staff.

There is an increasing need for many students to undertake language skills training before undertaking their main legal education. About 30 % of those undertaking

² According to the Higher Education Statistical Agency <www.hesa.ac.uk>, accessed 25 June 2010, including part-time and full-time students at undergraduate and postgraduate levels.

Master's degrees in laws of the University of London in 2008/09 took language classes before starting the degree.

Academic lawyers are also much more mobile in the new environment and law firms and the faculties of law schools are more likely than ever before to count more lawyers who originally qualified in another jurisdiction under a different legal system. This enriches their institutions and allows a much wider scope for legal business or the offer of courses of comparative and international scope, and places additional demands on the legal information resources and services provided for them.

In terms of the development and delivery of collections of legal information, there is obviously more material which is changing in content more quickly. This has been made possible by electronic publishing and delivery. Globalization has changed but not reduced the complexity. There is a need to make available to legal materials from a wider range of jurisdictions including regional and international organisations.³

There are implications in all this for the availability of library and information services, access to these services and all aspects of their delivery. The customisation or indeed commoditisation of the delivery of teaching and learning materials and supporting information resources requires a growing collaboration between librarian and teacher. The same need for collaboration exists in the support of research, albeit the opportunities for commoditisation and the predictability of demand are less. The library is less and less a separate service and increasingly must be one sufficiently aligned with and in real collaboration with the activities of the law school.

Information literacy is essential to study and research. Providing training in the evaluation and organisation of information is an increasingly important role for law librarians and many now undertake 'teaching in higher education' qualifications. The inclusion of training in international and foreign legal research in legal research skills programmes is still something that needs to be advocated even among the most developed programmes (Rumsey 2009; Dejarnatt and Rahdert 2010). The development from legal research training into an education in information literacy is a further step and one which the globalization of information consumers and resources demands. Law librarians are leaders in many of these areas of development.

In all these areas law librarians can play a major role in planning and delivering

³ See a survey of the foreign law needs of researchers in the UK (Clinch 2000).

services which support and bring forward these changes using the combined knowledge and skills of the worldwide profession.

International Networking

Professionals form communities of practice to share knowledge and skills through personal contacts and through the formation of professional bodies

We shall not cease from exploration

And the end of all our exploration

Will be to arrive where we started

And know the place for the first time⁴

The lines above from one of Eliot's *Four Quartets* provide one of the best explanations and justifications for international networking. Networking and conference attendance in particular often give an insight into other approaches to law librarianship.

Networking is an essential and enjoyable part of a professional job, and the opportunities and benefits of international networking have increased with globalization and the larger environments of legal information in which we all work.

We increasingly need to be aware of foreign and international legal systems, to understand the sources of law, and to have recourse to expertise beyond our local resources. International contacts not only broaden our horizons and make us aware of other legal systems and responsive to enquiries about them; they also provide back-up for materials, language skills, expertise and partners for projects. Many of us are thankful for our international contacts at the end of a phone or an email.

The International Association of Law Libraries

The International Association of Law Libraries (IALL) is a worldwide, cooperative non-profit organization concerned with access to legal information, particularly on a multinational and global scale. It comprises law librarians, law libraries and other persons and institutions active in the acquisition, delivery and use of legal information from sources beyond their own jurisdictions.

The IALL is dedicated to international cooperation among law librarians, the promotion of professional knowledge and understanding through international exchange, the promotion of access to legal information, and more generally the ideals of internationalism. Founded in 1959, the IALL has over 600 members in more than 50 countries on five continents. The members represent all types and sizes of legal

⁴ T S Eliot. *Little Gidding* V, 26-29.

collections ranging from academic law libraries to corporate libraries, and from national and parliamentary libraries to administrative agency and court libraries, and include many of the great legal research libraries.

A formal statement of the Association's mission appears on its website.⁵ The International Association of Law Libraries:

- promotes the work of individuals, libraries, and other organizations concerned with the dissemination of legal information
- advances the education of law librarians and other legal information professionals by providing substantive educational programs on foreign and international legal systems all around the world
- supports educational and professional opportunities for newer legal information professionals, especially those from developing nations, by providing financial support in the form of bursaries and scholarships for annual course attendance and internships
- shares legal knowledge and scholarship and increases access to legal information on a worldwide basis through the International Journal of Legal Information and other publications, and its website
- fosters networking and mentoring among legal information professionals on a worldwide basis by creating and maintaining ongoing relationships between IALL and other international, national and regional law library and legal information organizations and
- supports and encourages the development of national and international legal information policies and promotes free access to legal information on a worldwide basis through policy statements and scholarship.

History

IALL was established in 1959 and its history can be traced in various articles about the Association (for example Dahlmanns 1972; 1974, Sprudz 1984; 1995, Winterton 2009a) and about significant figures in its foundation and early life. It came into being as a result of the efforts of leading members of the American Association of Law Libraries (AALL), the earliest professional association of law librarians to be formed and with which it retains a close relationship, and of leading law librarians in other countries familiar with the work of AALL. Gerhard Dahlmanns recorded in 1974 that the IALL

... was founded at an inaugural meeting held at the Association of the Bar of the City of New York in June 1959, after years of preparation notably by William R. Roalfe, then Law Librarian at Northwestern University, Chicago, and one of the towering figures of American Law Librarianship, who was elected the first IALL president for the three-year term provided for by the Constitution. William B Stern, then Foreign Law Librarian at the Los Angeles County Law Library became its first Secretary and later succeeded Mr. Roalfe as President for the term 1962-1965 Under these men the IALL embarked on its way towards what must have been a rather visionary aim: the creation of a

⁵ See <<http://iall.org/about.html>>, accessed 22 October 2010.

truly worldwide community of law library people who assist each other, through personal contacts and through the exchange of professional information, (Dahlmanns 1974, 40)

Courses in International Law Librarianship

The IALL has arranged courses in international law librarianship around the world at prestigious institutions for over 40 years, making it possible for members to meet many colleagues within the profession of law librarianship and other colleagues, academic and practitioner, in the wider legal environments which the conferences explore.

The annual course and conference is usually a four-day meeting and takes place in a different city around the world each year and reflects the local legal environment and culture while addressing international issues of importance to all legal information experts. The annual conference is also a catalyst for change and improvement in the recognition of the role of law librarians and of legal information itself. It regularly attracts delegates from over 25 countries.

Since 2005 the conference has taken place at the European University Institute near Florence, at the Faculty of Law of the Saint Petersburg State University, in Mumbai in association with the High Court, in San Juan in association with the University of Puerto Rico, at the Bilgi University in Istanbul, and at the Peace Palace in The Hague. The annual courses deliver unprecedented access both to speakers and locations at the heart of the legal systems of the host countries. They are unique and valuable educational experiences and form important regional and international networking opportunities and venues for renewing old friendships and making new ones among a diverse group of international colleagues.

The annual courses have worked within the principle that we cannot exchange professional knowledge and skills in isolation, looking at law merely as a body of technical information. Law is an expression of the culture of a society and only by understanding other cultures can we gain knowledge and exchange meaningful information about laws and the legal system, and the management of legal information in a particular legal environment. The annual courses therefore emphasise local speakers, the legal system of the host country, the legal environment in broad terms, legal publishing and other means for legal information provision in the host country, as well as comparative approaches and the impact of international legal regimes. The conference has often focussed on legal systems in transition, for example in Russia, India and South Africa.

The conference is usually arranged with the active collaboration of one or more local law faculties or other major legal institutions and brings law librarians into closer contact with those in the legal profession who are active in legal research, whether in practice or the academy. This exemplifies the partnerships and shared knowledge which should exist in the practice of law librarianship.

Publications

International Journal of Legal Information

The Association began to publish its own periodical early in its existence, starting the *IALL Bulletin* which was published from 1960, a year after the foundation of the Association, to 1972. It ceased publication to make way for the *International Journal of Law Libraries* which began publication in the next year.

Throughout its history the *International Journal of Legal Information*, formerly the *International Journal of Law Libraries*, has published advance information and reports on the courses, as well as selected papers from the courses, in addition to articles from a wide range of sources. Since 1994 proceedings of the courses have usually been published in one issue of the *Journal*. The *Journal* continues to be published in print as a major contribution to law librarianship around the world with the assistance of West Publishing but is also now available in electronic form both commercially and in part through open access routes.

IALL Website

The IALL website at <http://iall.org> now fulfils much of the purpose of information and communication and official documentation of the Association. It has an ongoing International Calendar of events and a directory of law library organizations around the world. It is also building a list of publications, presentations and guides written by members in the course of their work, many of which are linked to freely available full text versions. It is hoped that this will build into a repository of useful and expert local knowledge of the practice of law librarianship, legal bibliography, and legal research skills. It also is intended that the profiles of law librarianship in various countries will appear on the IALL website. In the future IALL plans to build up online training materials for international law librarianship.

IALL International Handbook of Legal Information Management

This new book has just been published by Ashgate Publishers in association with IALL

and analyses the effects of globalisation on law libraries and on the legal and institutional environments in which they operate and the policy issues with which they need to engage. It is written by a diverse and international group of experts and provides a guide to the central issues of policy and strategy that are of direct concern to the progressive law librarian. Law librarians, knowledge managers, legal publishers, a law school dean and professors of law contributed.

The chapters include: Defining international law librarianship; Globalization and legal information management; The education and training of law librarians; Global legal education and its implications for legal information managers; Global legal practice and legal information management; Ideology, illusion and the global copyright regime; Legal information literacy; Profiles of law librarianship in India, Moldova, Nigeria, the Philippines, Turkey, and Vietnam; Digitizing the world's laws; Free access to legal information; Globalisation and commercial legal publishing; Collection building; Shaping electronic collections; International organizations and legal information; Comparative law: academic perspectives; and a Research agenda for international law librarianship. (IALL intends to build the profiles of law librarianship around the world by adding country profiles on its website.)

The Foreword by Professor Richard Susskind to the *IALL International Handbook* sets the context:

Lawyers are in the information business. They acquire information through education, training, research, and practical experience; they retain and share it as part of their stock-in-trade, and they sell information - distilled as knowledge and expertise - to clients who wish it to be applied to their circumstances. The world of lawyers is dominated by information. It is a world packed full of books, papers, e-mails, word processed documents, and online searches. Indeed, the legal profession is one of the most information-intensive of all sectors.

Lawyers, in other words, are information processors; although these are not perhaps the specific words that most legal practitioners would choose in describing themselves. In contrast, law librarians have for long recognized that lawyering is a type of information processing and indeed much of their work has been built on this very premise. Law librarians have also been some way ahead of most lawyers in embracing the power of IT and recognizing the significance of the Internet for legal practice.

With the explosive growth in various information technologies will come great vindication of the past claims and work of law librarians. Calls for better analysis of information needs, more rigorous management of content, greater vigilance in relation to security and privacy, deeper consideration of whether superior information control can offer competitive advantage – all of these and more will now need to be answered by top managers in law firms, legal departments, and law faculties.

And it is in this context that I warmly welcome the publication of this book. It will provide law librarians not with a manual of best practice for the administration of law libraries, nor with a science fictional vision of what the law library might look like many years hence. Instead, a diverse and international group of leading experts has provided professional legal information managers with a definitive guide to the central issues of policy and strategy that are of direct concern to the progressive law librarian (and to the legal profession) of tomorrow. These issues are as wide-ranging as they are fascinating - legal, technical, cultural, ideological, technical, commercial and more.

The book is not only for the traditional law librarian, narrowly construed. What follows will also engage legal information scientists, know-how managers, legal process analysts, legal management consultants, legal knowledge engineers, and many other related specialists.

IALL Scholarship Programme

The Association operates an extensive scholarship programme to provide financial assistance to law librarians, not limited to members of the Association, to attend the IALL annual conference and also to undertake internships or extended visits to law libraries overseas and to pursue relevant research projects.

The International Association of Law Libraries (IALL) makes available financial assistance each year to enable practising law librarians who are normally unable to benefit from Association activities to attend its Annual Course in International Law Librarianship that forms the annual conference of the Association.⁶ IALL offers three bursaries each year to attend its Conference comprising the following benefits: the conference registration fee is waived, a grant to assist with accommodation and travel

⁶ Information about the grants and recipients is at <<http://iall.org/scholarship.html>>.

costs of up to US\$1,500 in 2010, and membership of IALL for one year including the *International Journal of Legal Information*. These grants are not limited to members of the Association.

Each person awarded a grant or scholarship in the past by the International Association of Law Libraries either to attend its Annual Course in International Law Librarianship or to undertake an internship at an overseas institution plays a significant role in the profession in their country. There have been 26 recipients of these grants since 2001 when the programme was first introduced with two grants each year (subsequently extended to three grants each year in 2005). These recipients have been drawn from 21 countries: Bosnia and Herzegovina, Brazil, Canada, China, Egypt, England, Estonia, Haiti, India, Kenya, Korea, Malawi, Malaya, Moldova, Nigeria, Philippines, Puerto Rico, South Africa, Turkey, USA, and Zimbabwe. Each grant has been awarded to applicants who have demonstrated promise and are likely to make a significant contribution to the profession of law librarianship.

An extended visit to a library in another country provides a potentially much more valuable experience than a conference. The IALL also offers a grant to assist law librarians who are financially unable to undertake a placement, internship, non-stipendiary fellowship, or an extended visit to a law library outside their own country. The programme is intended to support not only professional development but also research projects in law librarianship and legal information management. The programme, which was introduced in 2008, provides a grant each year to assist with the cost of travel and accommodation of up to US\$3,000 in 2010 and the provision of advice to assist in identifying possible host institutions (although this is not a placement service and applicants need to make arrangements with a host institution prior to application).⁷ Two awards were made in 2010 to applicants from Korea and Turkey.

Since the awards in both categories, each of the recipients has continued to work with legal information and in law librarianship and has made substantial contributions to the profession. Four of the countries mentioned above have hosted the IALL conference and a fifth, Malaya, will host the conference in 2011 and eight of the recipients have been or are actively involved in planning those conferences.

IALL as Catalyst

⁷ Details of the IALL internship grants programme are available at <<http://iall.org/internships.html>>.

The IALL has played a major role as a catalyst, encouraging law librarians to collaborate both internationally and within their own borders, promoting the status of librarians and recognition of their professional skills, enabling them to stand alongside their colleagues in the various branches of the legal profession and transmitting the ideals of collaboration and internationalism brought to IALL by its founding members.

The British and Irish Association of Law Librarians

The British and Irish Association of Law Librarians (BIALL) was established in 1969 and the IALL had a direct influence on its formation through the involvement of senior figures in the profession. BIALl was never organized as a 'British Section' of IALL but the influence of IALL at the time of the foundation of BIALl is clear (Blake 2000, 4).

The German Association of Law Libraries

The Arbeitsgemeinschaft für juristisches Bibliotheks- und Dokumentationswesen was founded in June 1971, as announced by Ralph Lansky in the *IALL Bulletin*, where he stated that the new Association 'intends to serve as the German branch of the IALL' (Lansky 1971, 8). The website of the Association⁸ still shows the organization as the 'Deutschsprachige Sektion der International Association of law Libraries'.

The Philippine Group of Law Librarians

IALL played a small part in the foundation of the Philippine Group of Law Librarians (PGLL) and is still in contact (Winterton 2009b). In 1980 the General Conference of IFLA took place in Manila and IALL sponsored a Round Table to discuss 'Collection Development and Documentation of Human Rights' which was attended by seventeen Filipino librarians and eighteen other librarians.

The events evidently gave 'a good stimulus to further development of law librarianship in the region'. The evidence is the spontaneous establishment of a 'Philippine law library association'; originally conceived as an IALL local chapter, it came into being as a national incorporated association, the PGLL. The first President of the PGLL, Professor Myrna S Feliciano of the University of the Philippines Law Center, was a member of the Board of Directors of IALL from 1977-1983.

Other National and Regional Law Library Associations

IALL has formed the catalyst for several other initiatives to form professional and collegial organisations in other countries and regions through its conferences and

⁸ <<http://www.ajbd.de/>>, accessed 21 October 2010.

through personal and institutional contacts. Some have been successful; some have not yet borne fruit. Brief notes about some of these initiatives appear below.

After attendance at several IALL conferences by a key group of academic lawyers and legal information managers, a Russian Association of Law Libraries was formed, based at the Faculty of Law at Saint Petersburg State University. The Association was a partner in the hosting of the IALL's 25th Annual Course in Saint Petersburg in 2006.

Uma Narayan, IALL Board member and IALL Scholar was the local organizer of IALL's 26th Course in 2007 in Mumbai. Attempts to form an association of law librarians in India have not yet succeeded. The IALL conference in Mumbai was covered by the *Times of India* which undoubtedly raised the profile of law librarianship.

Efforts have been made in the Former Yugoslavia to create a regional association and an exploratory meeting was held in Slovenia attended by the President of IALL.

The Turkish Platform of Law Libraries was formed in 2007 at the initiative of law librarians from Istanbul Bilgi University. One of the founders was Sami Cukadar, an IALL Scholar in 2006 and member of the Local Organizing Committee of IALL's 28th Annual Course in Istanbul in 2009.

IALL was one of the sponsors of the China-US Conference on Legal Information and Law Libraries which was held in Beijing in May 2009, a wonderful achievement organized by a group of dedicated law librarians in the USA and innovators in China.

International Federation of Library Associations and Institutions (IFLA)

IALL has been a member of IFLA for many years, offering programmes at the IFLA conference and at times working jointly with IFLA on particular projects. IALL remains outside the IFLA governance structure and functions independently (Wenger 2001a). Dahlmann identifies 1972 as the year in which IALL engagement with IFLA started, enunciating the international ideals behind IALL (Dahlmann 1973, 104-5).

The Sessions organized over the years at IFLA conferences, are recorded in various notes in the *International Journal of Legal Information* and its predecessor titles, occasionally accompanied by papers given at the session. IFLA formally recognised the existence of law librarianship inside its own organization in 2005 by the creation of its 48th and at the time of writing most recent 'Section' sponsored by IALL and AALL. The Section complements IALL and national associations and took over from IALL the task of offering sessions within the IFLA World Congress for a wider

audience of librarians with an interest in or responsibility for legal materials and services but who were unable to attend a specialist law library conference. It also provides a channel of communication and influence for law library associations and their members on international policy issues.

Conclusion

Law library associations play an important part in enhancing the professionalism of their members and enhancing the quality, cohesion and efficiency of library services. They do this in several ways: in mutual support and sharing best practice, continuing professional education, the encouragement of collaboration, the promulgation and monitoring of standards, and where appropriate the regulation of the profession. The International Association of Law Libraries carries out many of these functions at an international level, complementing national and regional associations but not infringing on their sovereignty. IALL has been privileged to act as a catalyst for the establishment and development of national and regional law library associations. It has sought, without undue bureaucracy, to provide an independent, collegial forum to share and understand joint knowledge, interests and values. In a world where international aspects of our professional life are always increasing, such a role is increasingly important. In this way international expertise can be enriched and harnessed by you and your colleagues and law librarians, while enhancing the international dimension of their own professionalism, can improve the quality, cohesion and efficiency of your own institutions.

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