

Librarians Rule!!

A visit to Cape Town

I'm sure that I speak for the three of us who were lucky enough to attend this year's IALL conference when I say that it was one of the most intense, interesting and enjoyable of experiences. Intense because of the nature of the subject matter of the conference, interesting because it was a country which none of us had visited before and enjoyable because of the people, the social events and the weather.

Zosia Carson, Jackie Fishleigh and I decided to write about different aspects of the visit that had stood out. One of the things that struck me during the various papers that were given at the conference was the important and essential part that law librarians and researchers played in supporting the lawyers, judges and lecturers who were involved in the making of the new constitution of South Africa and those who were defending social and civil rights.

A country in transition . . .

South Africa is still very much a country in transition and is trying to sort out some of its massive problems

using the law. It is one of the few countries which has managed to change its constitution without a major war. We were extremely fortunate to have speakers who were actually involved in drawing up the Bill of Rights, Professor Hugh Corder and Professor Christina Murray, a judge from the Constitutional Court, Judge Kate O'Regan and Judge Dennis Davis from the Cape High Court, also Geoff Budlender a high profile civil rights lawyer and Mary Burton a commissioner from the Truth and Reconciliation Commission, together with the Law Librarian from the University of Capetown and librarians who were setting up the new Constitutional Court Library in Johannesburg. These law librarians and others had been highly involved in providing research on case law and materials to Professor Corder and the judges relied heavily on the materials provided by the libraries in the university and the courts. Case law research was essential in the fighting of a high profile civil rights case won by Geoff Budlender. In 1994 the first judges were appointed to the Constitutional Court and the first case, a death penalty case, was heard on February 15th. There were no resources available to the judges to hear the case, so the librarians had to network with the Johannesburg Bar Library. The other side cited an Indian case and the judges did not have access to it. The only way to get hold of it was to have it brought in, in a diplomatic bag!



*Elise Doria van der Pijl, Jean Lloyd and Jackie Fishleigh at dinner.
(Chief Librarian, Johannesburg Bar Library)*



Jean Lloyd, Prof. Holger Knudsen (President of IALL) & Zosia Carson at coffee time, with backdrop of Table Mountain.

The role of the librarians

Even now the judges and the library rely heavily on inter-library loans. The librarians have to train the interns every six months as they are only appointed for a year. There are 11 judges and as they will all be working on the same

case, they will all need the same texts. They also need to service the High Courts in the different provinces. The Constitutional Court library is trying to set up a virtual law library which will provide a single point of access to a wide range of legal resources which can be searched and viewed online, which means that court staff, legal practitioners, and other courts in Africa will have access to the library's resources. At present there is no IT infrastructure in the Department of Justice and no in-house expertise so the Constitutional Court library is taking on a national role. In remote areas the library will provide CD-Rom for those without internet access and they are hoping to collaborate with the universities to reduce licensing fees.

As apartheid was undergoing its demise, the then government destroyed a vast number of records. Some were saved and went to the intelligence unit. Mary Burton, the Commissioner who talked to us, emphasised strongly the importance of the role that archivists and librarians have in preserving and managing the records and providing information in these days of transition.

There are librarians all over Africa, who are struggling to provide a service with very few resources and in some cases in an unstable regime such as Zimbabwe. We were treated to a session with them at the University of Cape Town which again highlighted the important role that they play in getting information out to people in their countries.

I for one left the conference with a better understanding of the issues involved in the transition of South Africa. It still has a long way to go, but the people we met seemed to be full of hope that their country would be ultimately successful.

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A Meeting with History

Introduction

In 2003 I was one of the lucky recipients to be awarded a BIALL bursary to attend the 22nd Annual Course on International Law Librarianship from the 21st to 25th September held in Cape Town, South Africa. This is my

personal report of my experiences which I would like to share with LIM readers. My report will focus on four aspects:

1. Robben Island
2. Ahmed Kathrada
3. A meeting with history
4. Final impressions