

The Way of Ignorance

by Jules Winterton

*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 time*

-T S Eliot; from "Little Gidding V"

In 1991 I traveled overseas to attend a law library conference in a city and country I had never visited before. It was a long journey and a hot and humid arrival in July on the banks of a great brown river. It was, of course, the Annual Meeting of AALL in New Orleans—an unforgettable experience and the start of many valued friendships.

That trip was my first visit to the United States, although several AALL members insisted that, "This is not the States!" Since then I have attended nine AALL Annual Meetings. For me, attending the meeting is a chance for international networking, an essential and hugely enjoyable part of my job.

So I guess it was entirely reasonable for AALL President Janis Johnston to ask me to write a little about the opportunities and benefits of international networking. It also fits with the themes being addressed by the Association and by the Annual Meeting in Boston this year: globalization and the larger environments of legal information in which we work.

In case my employers are reading, I shall keep the anecdotes to a minimum and try to concentrate on the more professional aspects of networking. In other words, I won't relate in detail the incident when I sent back a bottle of wine in a French Jewish restaurant in New York, when I was mistaken for someone important in Sausalito, or when I was briefly given control of a public address system at the former Robben Island prison in South Africa.

The Chance to Explore

The lines above from one of T.S. Eliot's *Four Quartets* provide one of the best explanations and justifications for international networking. Conferences often give attendees an insight into other approaches to law librarianship—the

philosophical underpinnings of our profession, a good solution to a particular problem back home, a new way of expressing one's aspirations, or perhaps a simple new procedure. Beyond the specifics, one returns from a conference and looks at one's own library with a new perspective that helps to clarify priorities and might unsettle one's sense of satisfaction with the status quo.

The cover of *AALL Spectrum* lying on my desk as I write reads: "Cross-Pollination: Learning each other's roles and realities." The process of learning each other's roles and realities that takes place in an international dimension may take a greater intellectual leap than when one attends regional and national conferences. You may have less in common with other delegates, but you also have more to learn for the same reason.

The process of international networking can often provide an opportunity to contribute. For example, you may have a chance to set up a publications exchange, establish an internship program, or volunteer your time and efforts. However, anyone who has been involved in programs of assistance, consultancy, or voluntary work will know that the teacher rapidly becomes the student. The two-way nature of the process of learning is extremely important; the benefits are reciprocal.

My predecessors, as directors of the Library of the Institute of Advanced Legal Studies in London, were all internationalists. Muriel Anderson was given leave of absence for an extended period to assist in setting up the Library of the Nigerian Institute of Advanced Legal Studies in Lagos. In the process she forged an enduring link that led both to our library supplying duplicate books to the Nigerian Institute and the building of a strong Nigerian law collection in London.

K. Howard Drake, the Institute's first librarian, was a figure of international standing in law librarianship and was one of the moving forces behind the creation of the International Association of Law

International Networks Can be Your Greatest Asset

Today you can make a virtual jaunt around the world in 80 seconds rather than days. Having contacts in the far corners of the globe makes each one of us that much more effective in delivering needed legal information ASAP, which is how these requests usually come to us. *This Members' Briefing* highlights the importance of building your global network and gives some tips on how to do it.

Jules Winterton, law library director of the Institute of Advanced Legal Studies in London, is an expert on the topic. He knows from experience the value of having a global network of law librarians to tap into whenever needed. Sometimes global contacts provide a critical piece of information, or, as Winterton points out, sometimes they provide a fresh perspective on a tiresome problem.

Global networking greatly improves our ability to influence information policy and achieve a level of standardization that will make the exchange of information so much easier. Each and every one of us can benefit in some way from a global network of law librarian friends and colleagues. Winterton will help you make those connections.

This summer's Annual Meeting and Conference should help you make global connections, too. Our theme is "Boston to Mumbai: The World of Legal Information." We hope that a larger than usual number of law librarians from outside the United States will join us in Boston. This year's Annual Meeting will start you on the road to building your own international network.

Many, many thanks to Winterton for writing this *Members' Briefing*. I hope you find it as interesting and useful as I do.



Janis Johnston
AALL President, 2003-2004

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Libraries, of which he was president at the time of his early death.

The late Willi Steiner, who was for many years editor of the *Index to Foreign Legal Periodicals*, was one of a generation of émigrés from continental Europe who enriched legal scholarship and law librarianship in the common law world. As we lose that generation, it becomes increasingly important to cultivate a new cadre of foreign, comparative, and international law librarians with an understanding of foreign legal systems, a need expressed in the institute's strategic plan.

Growing Globalization

If international aspects of law and law librarianship were important then, they are far more important now. We all know about the globalization of law. Today we are faced not only with a growth of trans-border economic activity, but every aspect of law is affected by the interconnectedness of our world. Legal systems are increasingly interpenetrated. Whole areas of law are subject to some degree to supranational regimes, whether emanating from international entities, such as the United Nations or the European Union, or from international treaty regimes.

The movement of information or people creates challenges that national law is struggling to keep up with, and these challenges bring in their wake more and more complex problems of both public and private international law. Even local law practice and the judiciary need to be aware of the international aspects of litigation as matters of rights, family law, and inheritance increasingly require consideration of the provisions of another legal system apart from its own.

The process of rebuilding and reconstructing the legal order of many countries around the world continues in this decade. Huge strides have been taken in the introduction of new constitutions and new legal frameworks for economic activity. Armies of legal advisers have been made available to advise the best models on which to base new legislation. This may be a process of imparting knowledge, but in order for that to be a success, it is necessary for the local legal systems and their histories to be understood.

In some legal systems, comparative legal research has been built into the fabric of the law. For example, in South Africa the

contemplation of constitutional rights—not just during the framing of the constitution, but also in its interpretation by the courts—relies on the comparative study of legal norms in other countries.

One of the interests and challenges of law librarianship has always been that each country has a different legal system and different legal publications; indeed each country may well have multiple jurisdictions. The legal systems may belong to larger families of systems, they may have influenced each other, but they still remain an expression of the culture and identity of a jurisdiction. This has always been the case, and globalization has not reduced the complexity. Instead the demand for access to legal information from these jurisdictions has increased.

As law librarians, we need to be aware of foreign and international legal systems, understand the sources of law, and have recourse to expertise beyond our local resources. International contacts not only broaden our horizons, make us aware of other legal systems, and make us responsive to enquiries about them, but they also give us back-up for materials, language, and expertise. Many of us are thankful for our international contacts at the end of a phone call or an e-mail. Discussion lists provide much-needed expertise, although the cost-effectiveness of numerous people helpfully going off to do the same thing may be questionable. The right contact for the right problem is a much better answer.

We Need Each Other

One of the watchwords of modern librarianship is collaboration; we know we need each other. Take the example of digitization of materials. We need to collaborate in terms of using international standards for data format, electronic manipulation of metadata, and metadata content. We need to collaborate in order to make the most efficient use of available funds for digitization projects and ensure that no project unnecessarily duplicates the efforts of another.

Such collaboration is important not only locally or nationally, but also internationally. One has only to look at the huge LLMC Digital "Common Law Abroad" project, which is dear to my heart, to see the value of collaboration. In that case the project to digitize materials from the countries of the British Commonwealth prior to independence is a collaboration of great research libraries inside and outside the United States. So many initiatives and

collaborative projects rely on coordination of efforts and ultimately rely on contact between a relatively few people and on meetings between individuals.

There are other aspects of globalization that can give us cause for optimism. As standards become global rather than regional, there are more opportunities to learn from each other and share experience. It is always reassuring to discover that we face similar challenges, serve researchers with similar motivations and needs, and hit similar snags. It is also extremely helpful to know we are using increasingly similar data formats, are able to employ similar strategies and utilize similar bibliographic utilities, communicate with each other's systems, and, indeed, often use the same automated systems.

When I attend the workshop of our automated system supplier at AALL, I learn much more than I would back home. I also meet a number of law librarians who use the system. One of them, Mary Jane Kelsey of Yale Law Library, accepted an invitation to become a Visiting Fellow in Law Librarianship at the Institute of Advanced Legal Studies in London. Through this scheme, which I will describe in more detail below, the IALS Library has been fortunate enough to benefit from the expertise of a range of law librarians from overseas. In this case we were given the encouragement and the know-how to take us further down the path of implementation of recent system products together with good practical advice that arose from observing our local requirements.

Opportunities for International Networking

So how do you go about it? As you already know, the AALL Annual Meeting provides opportunities to attend sessions on foreign, comparative, and international themes (usually not enough of them, in my opinion). These formal sessions are often sponsored by the Foreign, Comparative, and International Law Special Interest Section (FCIL-SIS), which recognizes an increasing need among our members to gain experience in working with foreign legal information sources and to develop personal and professional relationships with law librarians around the world.

AALL has been working to make it easier for overseas delegates to attend the Annual Meeting by providing more information and hosting arrangements. The FCIL-SIS Business Meeting and Reception for Attendees from Abroad

provide great opportunities to meet overseas delegates. The FCIL-SIS administers the Ellen Schaffer Foreign Librarians Grant to provide financial assistance to ensure the presence and participation of foreign librarians at the AALL Annual Meeting and to enrich the event by sharing global perspectives. The grant recipient is presented at the FCIL-SIS event.

In common with some other associations, the International Association of Law Libraries sends an official representative to the AALL Annual Meeting and hosts its own reception—open to all—that attracts overseas delegates, FCIL members, and plenty of others. That is another opportunity to cultivate overseas contacts and also to hear about the upcoming IALL conference.

International networking can start at home, and, of course, networking can be virtual. You can participate through joining lists and discussion groups, becoming a member of other associations, reading publications, and building up contacts by e-mail. There are plenty of associations of law librarians and law libraries around the world from South Africa to the Nordic countries, from Britain and Ireland to New Zealand. A wide range of discussion lists focus on foreign and international law and legal information. The organizations and the discussion lists are summarized on the Web (see "Key Web Sites" on pg. 4).

Just because you have a great Annual Meeting right there at home and have all the bandwidth you want, don't think that you don't need to go further. There's a whole wide world out there waiting to meet you. Some may maintain that "thinking is the best way to travel," but as we all know, traveling is the best way to travel. Particularly if you find that you are increasingly dealing with foreign law enquiries, start thinking about a trip to meet your international colleagues. Attend another meeting in the United States or overseas. "Key Web Sites" on pg. 4 includes an international calendar of events on the IALL Web site; the calendar also appears in the *International Journal of Legal Information*.

Each of the national and regional associations has a meeting. In recent years the American, Australian, British and Irish, and Canadian associations have also held a biennial joint study institute to cultivate interchange and give an opportunity to learn about the legal system, heritage, and traditions of the host countries in turn. In February the Joint Study Institute met in Sydney.

The International Federation of Library Associations (IFLA) is a massive meeting and not one that concentrates on law librarianship. Traditionally arranged by the IALL, the meeting includes a short session each year to bring law library matters to the attention of a wider audience of librarians in different sectors. However, the importance of IFLA is its role in international policy issues, such as intellectual property and international trade, which now strongly impinge on all libraries.

AALL has a strong agenda in the public policy arena, and overseas members always admire its participation in advocacy, lobbying, and policy-making at regional and national levels. AALL also has an important role to play in international policymaking, and the IFLA conference is one of the forums for that participation. More recently national associations, notably AALL, have formed with IALL a law library association discussion group under the auspices of IFLA. This is international networking at a strategic level and may offer us all a stronger voice in advocacy at an international level. These issues are expertly addressed in the December 2003 *Members' Briefing* by Robert Oakley.

An extended visit to a library in another country provides a more immersive experience than a conference and potentially provides a much more valuable experience. The FCIL-SIS channels information to interested law librarians on opportunities to visit libraries abroad through the Clearinghouse for Internships and International Personnel Exchanges (see "Key Web Sites" on pg. 4). The IALL is also working on a program that will facilitate internships and exchanges.

There is one specialist form of attachment to another institution that I am bound to mention. Several years ago the Institute of Advanced Legal Studies created a Visiting Fellowship in Law Librarianship as part of its academic research program. Although the fellowship provides no funding, it offers a powerful argument to a librarian's employer for paid leave. It is designed to place an experienced law librarian in a research library environment, and it encourages research of mutual benefit to the visiting fellow and the library. Visiting Fellows have come from the Squire Law Library of the University of Cambridge, the Law Courts Library in Sydney, the Diana M. Priestly Law Library at the University of Victoria in British Columbia, Harvard Law School Library, the Nigerian Institute of Advanced Legal Studies Library, Yale Law

School Library, Los Angeles County Law Library, the Law Library of the University of Bergen in Norway, and currently from the Alaska State Court Law Library. This has proved to be an exceptionally rewarding program.

IALL

Perhaps the quintessential example of international networking is the International Association of Law Libraries (IALL). The IALL is a worldwide organization of librarians, libraries, and others concerned with the acquisition and use of legal information emanating from sources other than their own jurisdictions. The IALL has been dedicated since its foundation in 1959 to bringing together and facilitating the work of law librarians who use foreign and international legal resources. It publishes the *International Journal of Legal Information* and holds a conference each year—its annual course in international law librarianship—and maintains a scholarship program not limited to association members.

During the past few years, IALL conferences have taken place at the Bar Council of Ireland in Dublin; at the Swiss Institute for the Comparative Law in Lausanne, Switzerland; at Yale Law School, with an additional day program at Harvard Law School; and at the University of Cape Town in South Africa. The conferences do not address areas generally covered at the conferences of national associations, such as transferable skills in librarianship. Rather they address in detail aspects of foreign and international legal systems, both in substance and in their expression in legal information, seeking to give an understanding of the law underlying the information with which we have to grapple.

Recent themes of IALL conferences have been: "A Common Law for Europe: legal systems and legal information," "Comparative and International Law in a Multilingual Environment: current issues and information resources," "Order from Chaos: contexts for global legal information," and "New Rights, New Laws: legal information in a changing world." The conferences have also included introductions to the legal systems of Ireland, South Africa, and Switzerland, as well as the law of the Islamic world. Many of the papers from the conferences are published in the *International Journal of Legal Information*. The next conference, in August 2004, will be at the University of Helsinki in Finland, with a day at the Estonian National Library in Tallinn. Its theme will

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be, "Protecting the Environment: a challenge across borders."

The most recent IALL conference was at the University of Cape Town, South Africa, and attracted law librarians from more than 20 countries. It dealt with the transformation of the legal system in South Africa, and we heard from speakers including judges from the Constitutional Court and the Cape High Court; members of the Truth and Reconciliation Commission, the Gender Commission, and the Treatment Action Campaign; and people who both helped to write the new constitution and are responsible for interpreting it. We also stood within the former maximum security prison on Robben Island—now a museum—and heard from Dr. Ahmed Kathrada, chairperson of the Museum Council and

a former member of the government, who spent 18 years as a political prisoner within those walls. Perhaps you can never fully understand those experiences that are so fundamental to the understanding of law, but you can get closer by being there and listening to speakers than by reading about it. International networking can take you to places where you cannot otherwise go.

By the way, the title of this piece is taken from another of Eliot's *Four Quartets*, "East Coker III": "In order to arrive at what you do not know you must go by a way which is the way of ignorance." Travel safely, but not too wisely.

Jules Winterton (jules.winterton@sas.ac.uk) is director of the Library of the Institute of Advanced Legal Studies, University of London, England, and first vice-president of the International Association of Law Libraries. He is a member of the FCIL-SIS and of the Board of Directors of LLMC Digital.

Key Web Sites

Clearinghouse for Internships and International Personnel Exchanges
www.lawsch.uga.edu/fcil/clearintro.html

Foreign, Comparative, and International Law Special Interest Section
www.lawsch.uga.edu/fcil/fcil.html

International Association of Law Libraries
www.iall.org

International Calendar
www.iall.org/calendar/show.asp

Law Lists
www.lib.uchicago.edu/~llou/lawlists/info.html

List of National and International Law Library and Related Associations
www.lib.uchicago.edu/~llou/iall.html

Visiting Fellowship in Law Librarianship at the Institute of Advanced Legal Studies
www.ials.sas.ac.uk/fellows/fellapp.htm