

## “Information literacy for all”: Interfacing academic and public librarians in developing a legal information literate society in Zimbabwe

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### Abstract:

*In this era dubbed the information age, access to justice and legal information by the public is no longer impeded by physical location. The Declaration on Free Access to Law states that: Public legal information from all countries and international institutions is part of the common heritage of humanity and public legal information is digital common property and should be accessible to all on a non-profit basis and free of charge. Maximizing access to this information promotes justice and the rule of law. This paper examines the provision of access to legal information services in the public libraries and the ICTs resources in place to support access to electronic resources. It also ascertains the availability of user education and information literacy programmes in place for users to ensure effective and efficient use of the legal information. A survey research design was used and semi structured interviews were the main data collection instrument. Of particular interest is that legal information collection in public libraries is mainly in print and many of the public librarians interviewed were not aware of the freely accessible online legal resources provided by various arms of government and independent organisations. There was a consensus on the absence of structured or formal user education and information literacy among the librarians interviewed. The paper concludes by outlining various interventions which can be implemented for developing a legal information literate society.*

**Keywords:** access to legal information, legal Information literacy, public libraries, lifelong learning, access to justice, Zimbabwe

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### Introduction

Issak (2000), affirms that today’s society is marked by an accelerated use of information technology and the proliferation of information, libraries have to reassess their role and redefine tasks in order to ensure that all citizens have access to information. The IFLA/UNESCO Public Library Manifesto (1994), position public libraries as a gateway to knowledge for development of well informed citizens who can exercise their democratic rights and play an active role in the society. The Manifesto goes on to explain that public

service is open to all and the public library has a key role in collecting, organizing and exploiting information, as well as providing access to a wide range of information sources. It stipulates that public libraries must ensure access for citizens to all sorts of community information. However, in Issak's report on public libraries, (Zimbabwe included) seems to suggest otherwise. It notes that in developed countries it is becoming clear that a considerable part of a public library's collection is becoming obsolete, owing to the developments that are occurring with networked information resources. Likewise, the legal information collection is growing to be archaic in spite of the presence of Montreal Declaration on Free Access to Law Movement which declares that; public legal information from all countries and international institutions is part of the common heritage of humanity. Maximizing access to this information promotes justice and the rule of law."

In the quandary of obsolete legal information sources in public libraries, the Free Access to Law Movement provides an opportunity for public librarians to offer perpetual unfettered free access to online public legal information to the citizens in their jurisdiction through harnessing it from Legal Information Institutes. For the public librarians in Zimbabwe to fully exploit online legal information resources, it calls for strategic collaboration and partnerships with academic law libraries which are experienced in legal information literacy. Legal information literacy training course has a major component on exploitation of subscription based and free online legal resources (Malapela, 2011). In an article which profiled the success story of information literacy collaboration across all types of libraries, Nutefall (2001) mentioned that a new area of emerging collaboration is library instruction and information literacy. On contrary, Harding (2008) also observed that there is little mention of the role of public libraries in the literature on information literacy. Lai (2011) acclaimed that the public library is a place which supports adult education and lifelong learning and has the capability of narrowing the digital divide by providing free computer and internet access and offering training courses to improve people's IL skills. A number of studies (Harding 2008, Lai 2011, Khatun, Virkus & Rahman 2015) harmonize the suggestion that public libraries are better placed to be involved in information literacy training for the society.

Bearing the above cited literature, this study will look at the current state of legal information in public libraries in Zimbabwe, available types of legal information materials, Information Communication Technologies (ICTs) and electronic resources as well as available user education for effective and efficient use of the information.

### **Access to Public Legal Information in Zimbabwe**

Provision of public legal information in any society is a vital component for access to justice in a democratic society as acclaimed by Jones and Illako (2015). The Montreal Declaration (2002) definition for public legal information has been adopted for this paper and it states that; "Public legal information means legal information produced by public bodies that have a duty to produce law and make it public. It includes primary sources of law, such as legislation, case law and treaties, as well as various secondary (interpretative) public sources, such as reports on preparatory work and law reform, and resulting from boards of inquiry. It also includes legal documents created as a result of public funding." The academic law libraries and the law firm libraries have been a source of legal information for predominantly the faculty law students, lawyers, judges and legal practitioners as the general public is not allowed. The academic law libraries include University of Zimbabwe Faculty of Law Library, Midlands State University Faculty of Law Library and Herbet Chitepo Law School Library at Great Zimbabwe University. Above all, the Parliament Library of Zimbabwe and under the

Judicial Service Commission (JSC) libraries namely High Court Harare, High Court Bulawayo and the Supreme Court Libraries have been instrumental in the provision of legal information to the parliamentarians, lawyers, judges, researchers and the general public. From the discussion with a supreme court librarian, accessibility of the JSC libraries by the public is limited due to lack of awareness of their existence and the violates one of the core fundamental principle of the public library in that its services must be available to all and not directed to one group in the community to the exclusion of others as highlighted in IFLA/UNESCO Public Libraries Manifesto.

### **Public Libraries in Zimbabwe**

Public libraries in Zimbabwe differ from public libraries in other countries in that they charge subscription fees and this to some extent, tends to reduce the number of people who visit the libraries (Hikwa and Maisiri 2014). Freire cited by Chisita (2011) mentioned that public libraries' services are more inclined towards promoting literacy associated with the ability to read and write, generation of knowledge and critically applying the knowledge in daily life. Though public libraries have been grappling with the challenges of energizing their services so as to "...Inspire and change lives community as alluded by Chisita, they have been a vehicle for legal information dissemination in Zimbabwe. Currently Harare has two complementary public library systems namely; the City of Harare and Harare City Libraries. The City of Harare Libraries is under the control of Local Government, while the Harare City Library (Queen Victoria Memorial Library) is an independent non-profit entity managed by a board of management. The former has branches in low and high density areas mainly Highfields, Mbare, Mufakose, Dzivarasekwa, Waterfalls, Mabvuku, Glen Norah, Glen View, Kuwadzana, and Kambuzuma, while Harare City Libraries are in the low density areas like Mount Pleasant, Mabelriegn, Greendale, Highlands and Hatfield (Chisita). Outside Harare there is Bulawayo Public Library in Bulawayo, Gweru Public library in Gweru and Turner Memorial Library in Mutare. There are also public library services provided by the United States Information Services (USIS), the Public Affairs Section of the Embassy of the United States of America and the United Nations Information Center (UNIC) in Harare and Bulawayo. They have substantial e-resources and their ICT services are part of the membership package. Hikwa and Maisiri noted that the dominant information resources in public libraries are in print form, and very few libraries also have e-resources and/or offer ICT-based services. Where the ICTs services are available, for example, at the Bulawayo Public Library, the services are offered in the form of an Internet Cafe and patrons pay for their usage.

### **Free Access to Legal Information through independent sources**

Issak (2001) lamented that the situation of public libraries in Africa is deteriorating, because of factors such as the economic crisis, the lack of a definition of the role of the libraries, an excess of centralization in the management of libraries, and a lack of human resources able to run the libraries professionally. This quagmire has hindered access and the acquisition of legal information by public libraries. Howbeit, the advent of ICTs led to easy access to the legislation of Zimbabwe since there is wider circulation and dissemination of national laws (Phiri 2013). This is not only peculiar to Zimbabwe alone, but across all developing countries. The extensively embraced Free Access to Law movement which began in 1992 at Cornell University with the creation of the Cornell Law School Legal information Institute has necessitated access to public legal information from all the continents. To date the international voluntary association has as its members more than 50 organisations from

around the world. (FALM members provide and support free access to legal information, consistent with the principles of the Free Access to Law Movement and subscribe to the Montreal Declaration. Libraries can access public legal information from over 1815 databases from 123 jurisdictions via 14 Legal Information Institutes (The Free Access to Law Movement). Zimbabwe also embraced the movement and Zimbabwe Legal Information Institute (ZIMLII) was established in 2014 which provides a digital platform for sharing public legal information with free, full anonymous online access. The resources available include primary sources of law such as legislative texts, case law and treaties, and all the documents that are produced by the Government. Secondary materials of good quality such as law journals, commentaries and jurisprudence work will also be added to the collection as it will be growing (Phiri 2013). Besides government agencies, there are independent online legal information providers namely Veritaszim which provide information on the work of the Parliament of Zimbabwe and the Laws of Zimbabwe and makes public domain information widely.

### **Free Access to Legal Information through Government Providers**

UNESCO (2005) defines e-governance as the use of ICTs by different actors of the society with the aim to improve their access to information and to build their capacities. So far the Government has shown goodwill for the successful and sustainable implementation of digital access and e-Government in Zimbabwe (Hikwa and Maisiri, 2014). The Judicial Service Commission and the Parliament of Zimbabwe websites have made successful implementation of digital access to public legal information. On the JSC website, citizens can freely access from basic information as the structure of the Zimbabwean courts, the cause lists, to archived and current court judgments from the Constitutional Court, Supreme Court, Harare High Court and Bulawayo High Court. The Parliament website gives access to all the information generated through the activities of the Parliament, these include parliamentary debates (hansard), senatorial debates, bills, legislation, parliamentary committee reports and even legislators and their constituencies. (Parliament n.d.) . Hikwa and Maisiri (2014) noted that the dominant information resources in public libraries are in print form, and very few libraries also have e-resources and/or offer ICT-based services. On the contrary, in the University of Zimbabwe Faculty of Law IL Training module, the above mentioned resources (ZIMLII, WORLDLII, Judicial Service Commission and Parliament of Zimbabwe websites) are online resources included as part of the legal information literacy training (Malapela, 2011). One can only conclude that for public library service provision to be transformed, it calls for a new collaboration paradigm between academic librarians and public librarians.

### **Information Literacy in Public Libraries**

From the coining of the term information literacy by Paul Zurkowski three decades ago to the Prague Declaration of 2003 and the Alexandria proclamation on Information Literacy and Lifelong Learning 2005, information literacy has been widely accepted as a prerequisite skill for lifelong learning in the information age, and critical for a thriving democracy. This paper takes IL in view of the Alexandria proclamation definition which states that: "Information Literacy lies at the core of lifelong learning. It empowers people in all walks of life to seek, evaluate, use and create information effectively to achieve their personal, social, occupational and educational goals. It is a basic human right in a digital world and promotes social inclusion of all nations." Spitzer et al., (1998) mentioned that public libraries have been proposed as the obvious and well equipped agencies for imparting critical information skills to the wider community. Paradoxically Mahdizadeh and Siamian (2011) in their study

propounded that although the term has been used by the school and academic library world for a number of years, public libraries are just beginning to move into this arena. This confirms Pieper (2010) who asserts that information literacy training is commonly seen as a concern for academic libraries within the Library and Information Science profession. A number of studies (Bruce & Lampson 2002, Hardings 2008 and Khatun, Virkus & Rahman 2015) concur that public libraries have an important role to play in raising IL levels within their communities. However, in public libraries there is no set curriculum framework to base information literacy development work within (Lewis, IL Blog). He further argued that the biggest challenge in the public library sector is that customers' requirements are very diverse and content may only be required by small numbers of people affecting economy of scale making IL segmentation difficult. Hardings (2008) and Hikwa & Maisiri (2014) pointed out that information professionals working in public libraries as information literacy instructors need to be trained and updated in teaching and learning techniques to be effective and to be comfortable in the IL training role. To provide right information to the users, public librarians need to be trained to develop information literacy competency and should be able to educate the user that will make user information literate (Das and Lal, 2006).

### **Research Methodology**

The researchers used a survey research design for this study because of its underlying principle of standardisation and it allows for systematic collection of data using interviews and questionnaires (Gray 2009). In this study the researchers gathered information from public Harare City Libraries and its six branches namely Mount Pleasant, Mabelriegn, Greendale, Highlands, and Hatfield. Outside Harare, Gweru Public Library in Gweru and Bulawayo Public Library in Bulawayo were also investigated. Semi structured interviews were employed for information gathering. Face to face interviews were set up for the Harare City Libraries whilst telephone interviews were conducted for Gweru and Bulawayo Public Libraries. Convenience sampling technique was used to select participants and nine public librarians were interviewed. The use of open ended questions enabled the researchers to clarify questions and made it possible to follow up on interesting issues raised by the interviewees. The interview data was recorded and transcribed and coded to facilitate content analysis of the findings. Thematic areas were formulated and used to group responses to the questions.

### **Results**

#### **Legal Information Sources in Public Libraries**

All the interviews had a cumulative experience of more than five years working in the public library. Three interviewees were female and six were male. The majority had Higher National Diploma in Library and Information Science and very few are holders of a degree in Library and Information Science. The researchers asked the interviewees on primary legal sources of information available in their libraries. It was established that only three (Harare City Library, Gweru Public Library and Bulawayo Public Library) have Constitution/s of Zimbabwe, statutory instruments, and selected number of acts as well as the parliamentary debates. The remaining six librarians from Harare City Library branches indicated that their libraries concentrate on children's literature, novels and school curriculum reading materials. The researchers further inquired on the recency of these legal sources of information and it was unearthed that the parliamentary debates, statutory instruments and Acts were not up to date owing to financial constraints for subscription costs.

## **Frequency of Legal Information Sources Reference Queries**

Questions which sought to unearth the demand for the legal information resources were also posed to the interviewees. Librarians from Harare City Library, Bulawayo Public Library indicated handle three to four legal related reference queries per month whilst the librarian from Gweru Public Library pointed out that on daily basis they handle over ten queries. The respondents were also asked on how they handle reference queries for the information which is not available in their library collection. The study revealed that inter-library loans and referrals to the Legal Resources Foundation were made. The study revealed different trends in the frequency of use of the legal resources. In the Gweru Public Library, the constitution various Acts, statutory instruments and parliamentary debates are most sought after whilst in Bulawayo and Harare City Libraries mostly the statutory instruments are most sort after though on a perennial basis.

## **ICTs and Electronic Resources of Information**

Besides the print resources the study wanted to establish the availability of ICTs infrastructure and electronic resources the libraries mostly access or even subscribe to. The research showed that Highlands Library, Harare City Library, Gweru Public Library and Bulawayo Public Library are equipped with internet and computers. Only Gweru Public Library has computers for public use (by students) free of charge. The other three libraries operate internet cafes as a way to sustain their operations. The remaining four Harare satellite libraries (Mount Pleasant, Mabelriegn, Greendale, and Hatfield) do have neither computers for internet cafes nor wireless hotspots. The study exposed that all the public libraries do not subscribe to any electronic resource or are an affiliate of any consortium which subscribe to various electronic resources. From the nine public libraries in this study, only Gweru Public Librarians are aware of the various freely available legal online resources which they refer users in the absence of hardcopy materials.

## **User education/Information Literacy**

The study also ascertained availability of any user education programmes in place. Only Gweru Public Library and Bulawayo Public Library assist user on use of the internet and accessing the online resources. It was evident that in all the libraries, there were no formal user education/instruction programmes in place. Onsite assistance upon request was used in bulk of the libraries to help users retrieve the materials they require. Observations made in some of the libraries visited were of the users being engrossed in shelf browsing to retrieve books of their choice. Of the librarians interviewed, almost every respondent indicated to have received training or attended workshops on information literacy training.

## **Linkages with other library and institutions**

Interviewees were asked on their library connections with other libraries for resource sharing and it was discovered that as public libraries, they harness a strong connection which makes inter-library loan facility to thrive. There is also a symbiotic relationship between the public libraries and primary schools as this is evidenced by outreach programmes to schools via mobile library. Public libraries are also active participants of the Zimbabwe Library Association (ZIMLA). The researchers found out that there is no solid relationship between public libraries and academic libraries.

## Discussion

The results of this study revealed that public libraries are an essential element in the provision of access to legal information sources though only three libraries have legal sources of information; others rely on inter-library loans or act as referral basis for users to other institutions. While frequency of use of legal resources and legal related reference queries is minimal in most of the libraries, public libraries are still at the center for lifelong learning for any member of the society. In Gweru Public Library high frequency of use is owed to the fact that it is the only public library in the city hence primary school, secondary school, tertiary students and the public, flood to it to satiate their knowledge needs. In spite of the low frequency use of legal information in majority of the public libraries, they still remain pivotal in the matrix of public legal information service provision especially the needy. Low frequency use can be inclined to failure by the public to pay the monthly subscription costs for use of the library. Monthly subscription costs will cause information to become an economic good thereby making the information inaccessible.

From this study, it is noticeable that there is no public library that subscribes to any online legal resources. In terms of accessing the freely online resources, only Gweru Public Library makes use of free online legal resources. The computers at the Bulawayo Public Library and Harare City Library are for internet café purposes where users are supposed to pay for use. Lack of use of the various freely online legal provided by government and independent agencies by Bulawayo City library, Highlands Library and Bulawayo Public Library may be attributed to lack of awareness of these resources. This confirms statements by Du Plessis & Web P, (2012) cited by Jones and Ilako (2015), which acclaims that, it is important to note that the provision of good infrastructure does not necessarily guarantee an increase in ICTs usage. In Mount Pleasant, Mabelriegn, Greendale, and Hatfield satellite libraries absence of ICTs can be ascribed to general economic challenges in the country causing declining budgets to public libraries from the government. Megan in (Chisita 2011) bemoan on the same issue of the devastating impact of economic challenges on libraries as budget dwindled due to the economic meltdown in the first decade of the twenty first millennium.

Though all the respondents showed that they have acquired some kind of training in user instruction or information literacy, it is contrary to the state of user education in these libraries. They all conceded that there is no structured user instruction manuals or programmes for training users on how to use the library resource, despite the availability of such manuals as IFLA/UNESCO Public Libraries Guideline which also outline how to develop and conduct user education as alluded to by Hardings (2008). What is prevalent in all the public libraries are outreach programs, off which they have to be complemented with structured user education programmes to develop critical and independent users. Saravani & Haddow (Jones and Ilako 2015) study found out that lack of training in digital literacy, lack of pedagogic and training in how to use ICTs and other technologies were barriers to using new technologies for any purpose, the same can be said to this study, especially for failure to use freely available legal resources, it envelopes even to the use of various library guidelines in developing user instructions. For public libraries to effectively educate the citizens on information literacy, which is not apparent in this study, a partnership with other institutions besides public libraries becomes crucial. Harding (2008) emphasized the importance of building partnerships between public libraries and other organizations by listing examples of successful cases in Australia. In the same vain Jones and Ilako (2015), suggested that law librarians should be proactive and introduce need systems that can facilitate access to legal

information to the public and not only their intended users. They should explore the possibility of partnership with existing organizations working with the public.

## **Conclusions and Recommendations**

Although this was a preliminary study on legal information literacy and public libraries in Zimbabwe there are a number of conclusions and recommendations that can be drawn. The study has shown that the citizens make use of public libraries to access public legal information hence public libraries should make deliberate efforts to keep their legal collection up to date.

Use of freely available public information from JSC, Parliament of Zimbabwe websites, ZIMLII and WORLIDLII can improve accessibility of public legal information thereby advance access to justice and rule of law. To effectively improve the ICT literacy in Zimbabwe and promote e-governance, the government should make deliberate efforts to adequately fund ICT infrastructure in public libraries for them to fulfill their role being agency for social and personal development and in the community.

It was prima facie that user education and information literacy in public libraries is the missing link for effective use of legal resources and even other collections, thus it is imperative that public librarians continuous professional development focus must be towards Information Literacy Training and the Information Literacy Pedagogy. Harding (2008) over emphasized the need for information professionals working in public libraries as information literacy instructors need to be trained and updated in teaching and learning techniques to be effective and to be comfortable in their new role.

Partnerships with academic libraries should be forged to facilitate transference of knowledge of information literacy training to public libraries. Through various partnerships with the Zimbabwe University Library Consortium (ZULC) public librarians involved in information literacy training can tap into ZULC, IL workshops to learn from academic librarians. AALL (2014) noted that academic law librarians appreciate the difficulties non-law librarians face when assisting patrons with legal research. Academic law librarians are expert legal researchers and enjoy sharing their knowledge about legal research strategies and resources. One very effective way they can promote access to justice is to teach public and academic non-law librarians basic legal research skills and advise them on how to provide legal reference without giving legal advice.

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