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August 2010

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Ajidahun, C.O., "Theft of Law Books in Nigerian University Law Libraries: An Investigative Study" (2010).  
*Library Philosophy and Practice (e-journal)*. 411.  
<https://digitalcommons.unl.edu/libphilprac/411>

## **Theft of Law Books in Nigerian University Law Libraries: An Investigative Study**

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### **Introduction**

The university library supports teaching, research, dissemination of information, and community service. University law library may be part of university libraries or an annex to the faculty of law building (Aliu 2001: 2, 5). The law library is the focus of this paper. Law libraries are special libraries who provide legal information through relevant law books and periodicals for their clientele, most of whom come from the legal profession: law students, law teachers, law practitioners, and others in related disciplines. Jegede (1985: 233-234) classifies law libraries into seven categories:

- Federal Court
- State Court
- Law School
- Practitioners
- Federal and State Departments
- Faculty Libraries
- Libraries of Legislatures

This classification does not include university law libraries. Faculty libraries are not the equivalent of university law libraries. Law libraries have been classified by Ifebuzor (1994: 39):

- Specialist Library: The oldest type of law library, including libraries of commercial firms, courts of justice, and government departments.
- Legal Practitioner's Library: Practising barristers and solicitors.
- Academic Law Library: This includes university law libraries, college law libraries, the law library of the Nigerian Institute of Advanced Legal Studies (NIALS), and the Library of the Nigerian Council of Legal Education at the Nigerian Law School.

The importance of the law library to the legal profession has been stressed by legal professionals. Ademola (1994:xvii) observes that the legal profession makes great use of books and texts. Obilade (1979:13) says that, "law libraries are ... essential to the proper study of law." To complement this, Doherty (1998:60) remarks that a library is an indispensable requirement in a law office. Without a law library, lawyers and law professors cannot do their jobs. The Nigerian Council of Legal Education requires every university law library to have the relevant, current, and adequate law books and periodicals before it can pass accreditation. Such legal materials consist of primary, secondary, and tertiary sources, both

local and international. These materials are very expensive, but university law libraries must acquire them.

Unfortunately, these expensive law books and periodicals are stolen and mutilated on regular and continuous basis with impunity and without compunction. Schaefer (2001:185) and Calhoun, Light, and Keller (1997:158) agree that deviation from formal social norms supported by the state will attract penalties such as fines, arrest, and imprisonment. Therefore, stealing law books is a crime and whoever does it will be regarded as a thief. Wrigley (1992) writes more about these matters from the perspective of libraries.

Theft and mutilation of library books are common. Law libraries are not exempt. *Saturday Punch* (1977) carried a report on the disappearance of 66 volumes of law books from a State Ministry of Justice in Nigeria. Jegede (1994: xiv) reports that thieves attempted to steal law reports from the University of Lagos Law Library. Heaps of law reports were later found by the waterfront by the university security staff. The collections of the Supreme Court Library and the Lagos State House of Assembly have also been ravaged by thieves. There are other reports of the theft of law books from university law libraries in Nigeria; for instance, the University of Ibadan Law Library lost 225 volumes in 1992. In the US, Bean (1992:28) reports that about 250,000 books are stolen from libraries in the US each year. Bean further reports that an inventory conducted at the University of Maryland found that the library had lost 30,000 volumes, while the University of California at Berkeley lost 150,000 volumes within a period of three years. The universality of the theft of library books is incontestable.

Studies show that library books are stolen by library staff, students, researchers, faculty members with impeccable credentials, con artists posing as scholars, librarians, archivists, and even clergy (Mason, 1975:485). Zeidberg (1987: 4-5) reveals that a graduate student was implicated in theft at the University of New Hampshire. At the University of Georgia, a professor of history was arrested for stealing library books. At Boston College, the head of special collections was implicated. The case of theft of library books at George Washington University Library involved the university librarian, the head of the library. This study was designed to investigate the incidence of the theft of law books in the Nigerian university law libraries. The research explores the types of law materials that are the targets of thieves, the means of theft, and the cost of the law books stolen. This study will contribute to the scarce literature on law librarianship in Nigeria.

## **Method**

This research involves 29 university law libraries in Nigeria. Federal and state universities, but not private universities, were included. A questionnaire containing information on the titles of books lost, number of volumes lost, year, and means of theft was designed. The questionnaires were mailed to the 29 libraries. Fifteen libraries completed the questionnaires and returned them. Official documents, in the form of letters written by university librarians to other university libraries informing them of the theft of Law books in their libraries, were also examined as part of this research.

## **Results and Discussion**

The results of the research are presented and analyzed in tables 1-4.

Table 1. N = 15. Record of Theft of Law Books

	Record of Theft	No	%
1	Our Library has lost Law books before	14	93
2	Our Library has not lost Law books before	1	7
	TOTAL	15	100

Percentage is rounded off.

Ninety-three percent of the libraries who participated in the study indicated that their libraries had at one time or the other lost law books. This confirms the fact that theft of Library books is rampant and that no library is completely immune.

Table 2. \*N=10. Books Stolen between 1986 and 2003

	Title	No. of universities	No. of volumes	Cost in Naira
1.	All England Law Reports.	1	60	450,000.00
2.	All Nigerian Law Reports.	1	10	15,000.00
3.	Atkins Encyclopedia of Court Forms.	1	16	500,000.00
4.	Blacks Law Dictionary.	2	5	45,000.00
5.	Civil Procedure by Whitebook.	1	1	8,000.00
6.	Commercial Law by Bradgate.	1	1	7,000.00
7.	Criminal Law by Akinola Aguda.	1	1	650.00
8.	Cross on Evidence.	1	1	8,000.00
9.	Digest of Supreme Court cases.	2	12	9,600.00
10.	Encyclopedia of Forms and Precedents.	4	68	800,000.00
11.	Family Law by Bromley.	1	1	7,000.00
12.	Halsbury's Laws of England.	3	125	1,350,000.00
13.	Indexes to the Nigerian Weekly Law Reports.	1	4	14,000.00
14.	Land Law by T.O. Elias.	1	1	1,000.00
15.	Laws of the Federation of Nigeria.	2	5	19,000.00
16.	Lloyds Law Reports.	2	130	802,221.00
17.	Nigerian Companies and Allied Matters Law and Practice.	4	22	293,333.00
18.	Nigerian Law of Contract by Sagay	1	1	1,300.00
19.	Nigeria Supreme Court Cases.	2	26	16,250.00
20.	Nigerian Weekly Law Reports.	3	105	94,500.00
21.	Sources of Law in Nigeria by Niki Tobi.	1	1	800.00
22.	Strouds Judicial Dictionary.	1	11	935,000.00
23.	West African Court.	1	15	40,000.00
24.	Words and Phrases Legally Defined.	3	24	1,680,000.00
	Total		645	7,097,654.00

\*Ten libraries provided information on the details the theft of the law books.

Table 2 shows the titles most frequently stolen. Of the 24 titles, 17 were reference books. These materials are the primary sources of information for law students and legal practitioners. They are very expensive, because most of them are published abroad. The loss of such books has a devastating effect on the entire law collection. A total of 645 volumes valued at N 7,097,654.00 was lost from ten university

law libraries in Nigeria between 1986 and 2003. This confirms the report given by Zeidberg (1987:4) about libraries in the US.

Table 3. N=3. Books Recovered between 1996 and 2001

	Title	No. of universities	No. of volumes	Cost in Naira
1.	Encyclopedia of Forms and Precedents.	2	32	376,470.00
2.	Indexes to the Nigerian Weekly Law Reports.	1	4	14,000.00
3.	Words and Phrases Legally Defined.	1	5	350,000.00
	TOTAL		41	740,470.00

Table 3 shows that 41 volumes worth N 740,470.00 were later recovered between 1996 and 2001. For instance, about ten copies of the *Encyclopedia of Forms and Precedents*, stolen from Adekunle Ajasin University Law Library in 2001 were recovered from the thief after he was apprehended. Also, five volumes of *Words and Phrases Legally Defined* and four volumes of *Indexes to the Nigerian Weekly Law Reports* were recovered by University of Calabar Law Library (Edem, 1998:56), while 22 volumes of *Encyclopedia of Forms and Precedents*, stolen from the Aminu Kano University Law Library, Kano, were later recovered. It is obvious that N 740,470.00 of law books recovered is nothing compared with N 7,097,654.00, the total stolen.

## Conclusion

This study makes it clear that theft of law books is common in Nigerian law libraries. One reason may be the high cost of law books. A recent stock list from Macmillan Publishers shows that law books are expensive for private or corporate use. Moreover, the number of applicants seeking admission to read law is increasing every year. At present, 29 out of 34 universities in Nigeria have law programmes, not including private Universities. There is continuous pressure on library and archival services because of the increase in the number of eligible users (Ratcliffe, 1992:5 and Tearle 2002:19). When individual students, lecturers, and legal practitioners cannot afford to buy law books, university law libraries become their next option. The table below shows the high cost of law books.

Table 4. Price List

S/N	Titles	Price in Naira
**1.	Bankruptcy Law manual by Benjamin Weintrach	68,544.00
**2.	Cases and materials on International Law by Henkni,Pugh, Schachter and Smith	22,358.00
**3.	Environmental Law series: Law of Water	47,328.00
*4.	Evidence by Phipson	40,950.00
**5.	International Law by Wallance, R.M.M & Co.	12,511.50
*6	The Law of Contempt by Arlidge, Eady & Smith	40,238.00
*7.	Law of Mortgages by Cousins	15,960.00
**8.	Law of Sales under the uniform	32,175.00
**9.	Commercial code by Henning, W.H., et al	53,856.00
10.	Words and Phrases Legally Defined 5 vols. with supp. 2000	66,000.00

Source: \*\*Macmillan Nigeria Publishers Ltd. Ibadan, Nigeria. \* Biato Bookcentre Ltd, Lagos, Nigeria.

Law books are expensive for both students and practitioners. This situation is being exploited by thieves who sell stolen law books. The black market in second-hand books is thriving in Nigeria. The general economic recession in the country has led to the devaluation of the Naira. Government must embark on vigorous economic policies to strengthen the Nigerian currency. The average user of law books would then be able to acquire them through honest means.

Access to the law library must be restricted. Visitors must be put under greater surveillance. Their identities must be ascertained before they are allowed into the library. Suspected persons must be turned back. Porters must be vigilant in the discharge of their duties, and users must be checked thoroughly. The possibility of using an electronic security system should be explored. All these may require more money and more staff. Bean (1992:26-27) states that any technology adopted by the library as a security measure must be reinforced with greater levels of staffing, patrolling the reading rooms, and checking users. The library manager must recruit staff for this activity with a lot of care and caution.

Every effort must be made to apprehend and prosecute anyone involved in the theft of law books. Judgment must be delivered according to the rules of law no matter the status of the person involved or the level of influence and connections in society. Is it not ridiculous when a self confessed thief who stole law books worth N 120,000.00 was asked on conviction to pay a fine of N 4,000.00 and which he did immediately? Who does not know that there were unseen hands behind the trial? The theft of law books in Nigeria is a very serious issue. Government, universities, law libraries, library personnel, the police, and the judiciary must perform their duties conscientiously and without partiality. This concerted effort is crucial if the theft of law books is to be halted.

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## **Appendix**

### Participants in the Study

1. Abia State University Law Library, Uturu
2. Adekunle Ajasin University Law Library, Akungba-Akoko

3. Ahmadu Bello University Law Library, Zaria
4. Ambrose Ali University Law Library, Ekpoma
5. Aminu Kano University Law Library, Kano
6. Hezekiah Oluwasanmi University Law Library, Ile-Ife
7. Imo State University Law Library, Owerri
8. Nnamidi Azikwe University Law Library, Awka
9. University of Abuja Law Library, Abuja
10. University of Ado-Ekiti Law Library, Ado-Ekiti
11. University of Calabar Law Library, Calabar
12. University of Jos Law Library, Jos
13. University of Nigeria Law Library, Nzukka
14. University of Uyo Law Library, Uyo
15. Usmanu Dan Fodiyo University Law Library, Sokoto.