

# LEGAL DEPOSIT COLLECTIONS IN NIGERIA A MODEL FOR ANGLOPHONE AFRICAN COUNTRIES

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**Abstract:** Ideally Legal Deposit Collection responsibility belongs to the National Library of any country. The peculiar circumstances which led to Ibadan University Library being a depository for all the publications issued in Nigeria are outlined, the problems encountered analyzed and the advantages to both academic community and the whole country are outlined. Reasons for the proliferation of Publications laws in the various States of the country are also examined and the apparent tendency that the practice in Nigeria has become the model for Anglophone African countries is reviewed.

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## INTRODUCTION

The University of Ibadan was established in 1948. Its resources are made up of books and other Library resources acquired through gift, deposit or purchase. Factors like non availability of any research, national or public library in the country and very poor communication with other countries led the Library to assume a measure of self sufficiency. There were a lot of poorly produced informative publications issued in the country and some of these were to become the only existing research materials on many aspects of learning regarding Nigeria.

Guided by the competent advice of Professor John Harris, the first and for two decades the University Librarian of Ibadan University Library, the Nigerian Government passed the Nigeria Publications Ordinance (Ordinance No. 13 of 27th April 1950) (amended through legal notice No. 112 of 1954). The Publications Ordinance stipulated among other things that the publisher of every book published in Nigeria shall deposit within one month after the publication, at his own expense, two copies of the book to the Nigerian Secretariat Lagos, and two copies to the Library of the University College, Ibadan. The Publications Ordinance was amended in 1964 by the Federal Government through Legal notice, no. 112 of 1964 which stipulated that "Nigeria" in the Publications Ordinance should be substituted with the "Federal territory" and "the University College Ibadan" replaced by "the University of Lagos". Through this legal notice, the Ibadan University Library lost its right to collect publications issued in the Federal territory to the University of Lagos Library.

The Northern Government of Nigeria also repealed the Publications Ordinance of 1950 with the Northern Region Publications Law (N.N. Law. No. 13 of October 14 1964) which mandated Kashim Ibrahim Library, Ahmadu Bello University, Zaria, to receive copies of every publication emanating from Northern Nigeria.

The Eastern Region of Nigeria Publications Law (E.R. No. 12) of 1955 and the Western Region of

Nigeria Publications Law (W.R.No 13) of 1957 however, ensured that two copies of all the publications from those regions specified were still deposited at Ibadan University Library.

With so many laws passed on publications in the country many publishers were bothered about the cost of sending their publications to very many depositories namely, Ibadan University Library, the Nigerian Secretariat Lagos, the University Library situated in the Region and the Regional Secretariat. Since many publishers realized through experience that they were not even prosecuted when they failed to comply with the laws they did not respect any of the laws. Some, however, remained faithful friends to the University of Ibadan and continued to send copies of their publications to the Library inspite of any laws made in their Region or State.

Although the National Library of Nigeria came into being in 1964 it was not a depository until June, 1970, the effective date of the National Library Act (Act no. 29). This Act stipulated that publishers throughout the Federation must deposit, at their own expense, within one month of publications, three copies of their publication. One copy of whatever is received by the National Library in Lagos is sent to the University of Ibadan Library itself an academic Library, but the first legal depository in Nigeria.

## METHODS OF ACQUISITION AND THE ASSOCIATED PROBLEMS

As spelt out in the various publications laws, one would expect publishers to deposit within one month of publication copies of their materials to the various depositories. However the figure of an average of 488 titles produced in the country annually makes one doubt if all the publications were being turned in as stipulated in the laws. As far as publishing is concerned in Nigeria, there are numerous agencies in this field. They include established, well-known foreign-owned publishing houses, indigenous commercial presses and printing houses which are responsible largely for non official publications.

Official publications emanate mainly from the Government agencies, Research institutes as well as quasi-government institutions. One therefore wonders why this low figure of about 488 title in a year.



One of the problems of acquisition of "made in Nigeria" publications can be associated to what Olaitan termed "Flaws in some of the laws dealing with publications in Nigeria in that in some cases these laws leave uncompleted that which they set to do"<sup>1</sup>. He explained this further by noticing that in most cases, the responsibility stipulated in some of the laws was not placed on the shoulder of anybody. An example of this flaw in law was the National Library Act of 1970 which inter-alia mandated the Director of the National Library of Nigeria to send a copy out of the three so collected from publishers to the Director of the Ibadan University Library. Obviously the word Director of the Ibadan University does not exist but since nobody has tried to enforce the legal aspect of the ordinance on publishers, it will equally be assumed that one can substitute the University Librarian for the Director. Apart from the flaws in the laws, one important factor which can contribute to the inadequate response from publishers can be attributed to the excessiveness of the laws, and the number of such laws. Presently there are 19 states in the country with each state trying to have a publications law which may require publishers to deposit their publications in the state Libraries. Realising the burden on them, publishers usually decide to flout the laws and since there has been no enforcement of this law, there is a tendency for inadequate acquisition of the country's publications.

In order to ensure the acquisition of published materials from publishers, the legal deposit Librarian is often faced with the problem of studying publishers' catalogues to ascertain if a material has been deposited. In cases where this is not so, a letter of claim is sent and the response often depends on if a publisher feels like sending more in addition to several copies he must have sent to numerous institutions of higher learning and the state Libraries which are designated as depositories.

The *National Bibliography of Nigeria* which since 1971 has been handled by the National Library of Nigeria has as a result of non compliance of some publishers to the Publications' laws not been a comprehensive list of publications from the country.

As for the government publications, Stanley<sup>2</sup> observed that less than half of these is recorded in the national bibliography. One obvious reason attributed to this is also the failure of government ministries to deposit their publications as stipulated in the various laws. Therefore in order to devise a means of bibliographically controlling the country's publications, the following suggestions can be taken into consideration:-

1. The responsibility of acquiring the country's legal deposits should be vested in the country's National Library only so as to remove the burden placed on publishers who may have difficulties in sending their publications to as many state Libraries and institutions as may be created judging from the numerous petitions for the creation of more states in the country.
2. There is a need to enforce the publications laws

and prosecute defaulters where necessary since this may serve as a basis of obtaining and documenting the country's vital publications.

## EASE OF INFORMATION RETRIEVAL FROM NIGERIAN PUBLICATIONS: THE CASE FOR INDEXING

Realising the importance of indexing for the effective retrieval and utilization of publications, an investigation was carried out to determine how well Nigerian publications conform with the International Standard for indexing.<sup>3,4</sup> Thirty nine publications were randomly selected to test for the extent of indexing (see Appendix I). This investigation was prompted when considering the utilization of these locally produced materials realizing that their low utilization can be as a result of their contents not being well indexed to ensure ease of retrieval of information.

It was observed that out of the 39 randomly selected, 22 (i.e. about 56 percent) have indexes. Almost all the publishers operating in the country were represented in the collection. Ibadan University Press, a publishing house of the University of Ibadan led with 9 publications all indexed. More than 63 percent of the indexes are those with combined author and subject entries while only one publication by Hutchinson Educational (For Institute of Administration University of Ife) provided cross-references in its subject index.

## PERIODICAL INDEXES

There is a proliferation of journals in Nigeria today. This is due partly to competition to publish and what has been termed "the publish or perish syndrome" in many institutions of higher learning and in learned professional societies. It is also due to the rapid growth of learned societies in recent years, in keeping with the tremendous increase in the number of University research personnel and those in research institutes. There is as yet no comprehensive index to the papers published in all Nigerian periodicals. Since the most current information and the results of on-going research on subjects of local interest are articles on which no book might have been written, there is a great need for this tool which everyone involved in Nigeria studies will find useful. General indexes for Africa e.g. J. O. Asamani's *Index Africanus*<sup>5</sup> and U.S. Library of congress's *Africa South of the Sahara: index to periodical literature 1900-1970*<sup>6</sup> have sections devoted to Nigeria but both publications are very selective in the journals indexed. Even the National Library's *Index to selected Nigerian Periodicals*<sup>7</sup> and Edward Baum's *A comprehensive periodical bibliography of Nigeria, 1960-1970*<sup>8</sup> are not comprehensive enough.

Also subject indexes may cater for special fields of study. Bernth Lindford's *A bibliography of literary contributions to Nigerian periodicals, 1946-1972*<sup>9</sup> is very useful but there is need to have annual subject indexes for special disciplines e.g. *Nigerian Social Sciences Index* or *Humanities Index*. This will be similar to the Royal Anthropological Institute's *Anthropological Index to current periodicals*<sup>10</sup>. One



huge project which can be undertaken is an annual index devoted to the whole country covering all local journals.

## EPHEMERALS AND CYCLOSTYLED DOCUMENTS

A lot of ephemerals, political tracts and other materials which increase in their research value with time are being issued by obscure publishers. Some of them are very poorly prepared and may be unobtainable when cited by researchers; but a lot of cyclostyled materials has very high academic content. Most of these are conference papers, departmental seminar papers and results of on-going research. Most of them eventually get published, but a lot may never be, and somebody interested in Nigerian Studies often has the problem of tracing invaluable ephemerals and cyclostyled documents which may never get published.

## OTHER MATERIALS DEPOSITED: Dissertations and Theses

Theses may be unpublished but are nevertheless valuable primary sources for further studies. The regulations under which the award for higher degrees are made at Ibadan stipulate "that two copies of any successful thesis or dissertation, suitably bound shall be deposited in the University Library".

This is to ensure the bibliographic control of theses/dissertations approved by the University. Other Nigerian Universities have similar dissertation laws; but the only national effort made is in connection with their listing. The National Library issues at irregular intervals *Theses and dissertations accepted for higher degrees in Nigerian Universities*<sup>11</sup>. But the nation needs a tool along the lines of *Dissertations Abstracts International*<sup>12</sup>. This will act not just as a list but a guide to the contents of each thesis.

It will also act as a useful source of knowing if the theses are available in their original format, in microfilm or xerographic form. At present, no such bibliographical tool exists in Nigeria.

## AUDIO-VISUAL MATERIALS

Many libraries in Nigeria have a lot of these audio-visual materials but lack adequate storage facilities for them. The result is that some of them deteriorate fast.

Depositing these materials at the recognized legal depositories will give the national bibliography a wider coverage and make it a useful source for every type of library material available in the country. Not many of these are at present deposited in the Library and a lot of problem is encountered in acquiring them.

The total number of manuscripts held in different libraries in Nigeria cannot be estimated since the tedious work of cataloguing and organizing the existing manuscripts have not been actively undertaken by many libraries. Access to manuscripts for Nigerian Studies is therefore very difficult. There is also the fact that there are still many important

manuscripts and private papers scattered in private homes and libraries, the discovery of which may lead to a new insight into, or even rewriting of Nigerian history and many publications.

Much as archival items are valuable research materials, the problem of the bibliographical control of non official manuscripts and archival collections through legislation is not yet feasible.

Many Anglophone African countries now have legal deposit collections. These collections have been built up as a result of deposit laws which stipulate that the publishers should send a specified number of copies of their publications to one or more libraries in the country. Failure to comply to the laws are usually punishable by fine or imprisonment. The patterns of success, frustration or failure are very similar to those in Nigerian legal depositories.

Like the University of Ibadan, many university Libraries in Africa act as the National Bibliographic Centre. They acquire publications issued in the country and carry out Bibliographic, Reference and Lending Services but they are not remunerated by their governments for these specific duties.

## THE PRACTICE IN OTHER WEST AFRICAN ANGLOPHONE COUNTRIES

**Ghana:** Ghanaian publications are deposited with the Ghana Library Board as stipulated by the Book and Newspaper Regulation Act 1961 of Ghana. Like the Publications Ordinance of 1950 in Nigeria, this Act has many loopholes. It excludes government publications and makes on clear distinction between printer and publisher as the agent responsible for carrying out the deposit of all publications.

**Liberia:** Liberia has a National Library but there is no legal deposit law in the country. The amount of literature produced in the Country is however very small. The staff of the University Library have shown interest in documenting these and have started a Union Catalogue.

**Sierra Leone:** The Publication Amendment Act of 1964 is the effective Legal Deposit Law in Sierra Leone. Under it all publications were to be deposited in the Sierra Leone National Library. The National Library lists publications written in English which she receives. The Literacy Bureau lists vernacular works, and the University Library in conjunction with the University Bookshop issues comprehensive national retrospective bibliographies on Sierra Leonean publications.

**Gambia:** The Attorney General of the country receives materials published in Gambia. Publications emanating from Gambia are however, not many.

## EAST AFRICAN PRACTICE

### Ethiopia

Like the University of Ibadan in its earlier days the National University in Addis Ababa acts the part of a National Library for Ethiopia. Up till 1977 Ethiopia had no deposit law but beginning from 1969 the Institute of Ethiopian Studies at the National



University in Addis Ababa acted as the collector of Ethiopian publication. It publishes a monthly acquisition list<sup>13</sup>. The annual publication of what can be described as a national bibliography however started in 1965. This annual bibliography titled, *Ethiopian publications: books, pamphlets, annuals and periodical articles published in Ethiopia* includes materials in Amharic and English. The Institute also publishes *List of current periodical publications in Ethiopia*. Scholars associated with the Institute of Ethiopian Studies deposit copies of all their papers at the Institute. An annual *Register of current research on Ethiopia and the Horn of Africa* is always issued.

The University Library published in 1970 *Theses on Ethiopia produced in American Universities 1920-1969*.

## EAST AFRICAN ANGLOPHONE COUNTRIES

### Kenya

Kenya had its first legal deposit law in 1962 and three institutions i.e. the Kenya National Library Service, the Kenya National Archives and the University of Nairobi Library receive copies of Kenya publications. The Books and Newspapers Act. Cap 111. Laws of Kenya, 1962 however does not include government publications.

There is however still no national bibliography published, but the University of Nairobi Library has collected bibliographical data necessary to publish a bibliography of publications received by it under the legal deposit law during the period 1962-1975. This is to be titled *Printed in Kenya 1962-1975*.

The University of Nairobi publishes a separate quarterly acquisitions list of publications on East Africa — University of Nairobi. *The Library Accessions List: Section 2: East Africana, 1970* — and since this includes government publications acquired by the Library, this together with the Kenya section of the Accessions list of Library of Congress Office in Nairobi can serve the purpose of a national bibliography.

Kenya is however ahead of Nigeria on 'research in progress'. In Kenya, this is adequately covered since under the Kenya Government's Research Clearance regulations, the University of Nairobi receives copies of clearance letters to researchers from the Office of the president and they automatically receive copies of research findings emanating from such authorised researches.

In Nigeria each University Library receives copies of the reprints of publications of their University Staff and reports emanating from projects supported by Senate Research Grant but the National Library is not a depository for such publications.

### Malawi

Legal deposit collection in Malawi is in the Malawi National Archives. The Malawi National Archives started publishing an annual national bibliography in 1965 under the title *List of publications deposited in the Library of the National Archives from 1965-1967* and then *Malawi national bibliography* from 1967

onwards. This publication lists only publication deposited under the legal deposit law in the Librai

### Sudan

The Library of the University of Khartoum, the Central Records Office and the Omdurman Central Library are the depositories for copies of publication by Sudanese authors, printers and publishers. The law is however more embracing than the Nigerian depository laws since it is also binding on Sudanese authors who publish their books outside Sudan.

### Swaziland, Botswana and Lesotho

The University College of Swaziland acts as the National depository and also started publishing *Swaziland national bibliography from 1976*.

The University College of Swaziland has also undertaken the publication of subject bibliographies e.g. *Soil Science, physical soil analysis: bibliography* by M.M. Jiyane.

### Tanzania

Tanzania had a legal deposit law in 1962. This law stipulated that a copy of each publication in the country should be deposited with the Library of the University of Dar es Salaam. The Tanzanian Library Service was included as a depository in 1963 and through the Tanzania Library Board Act of 1975, the Tanzania Library Board too could by right receive 2 copies of all printed publications and 1 copy of non printed material issued in Tanzania from 1962 onwards.

The Tanzania Library Service however publishes annually *Printed in Tanzania* the national bibliography of Tanzania. This includes publications received by both the Tanzania Library Service and the University of Dar es Salaam Library under the depository laws.

The University of Dar es Salaam Library however publishes a separate quarterly list of publications on East Africa acquired by the Library as: *Dar es Salaam University Library. East Africana Section. Accessions list: 1973-* This is very similar to the Legal Deposit Section of the Accessions List of Ibadan University Library.

Like the National Library in Nigeria, the Tanzania Library Service has a supervisory role on other libraries in the country, particularly those in government departments, and parastatal organizations. The Tanzania Library Service has produced a union list of periodicals in Tanzanian libraries. The Publication of C.S. Ilomo titled *Directory of Libraries in Tanzania* published by the Tanzania Library Service in 1972 is like *Libraries in Nigeria: a directory* first published by the National Library of Nigeria in 1969.

### Uganda

Under the Makerere Legal Deposit Act of 1958 the Makerere University Library became a legal depository for Uganda publications. In 1969 however the



Institute of Public Administration Document Centre Act stipulated that the Institute of Public Administration becomes the national documentation centre.

Makerere University's *Library bulletin and accessions list* has some sections like "Uganda bibliographies" which include items received under legal deposit. The Institute of Public Administration too issues a library accessions list. These two could be used as an alternative for a national bibliography since Uganda has no separately published national bibliography.

## Zambia

The University of Zambia Library and the National Archives in Zambia share the role of the National Library.

The legal depository in Zambia is the National Archives of Zambia. It publishes the *National bibliography of Zambia* formerly published as the *Bibliography of publications deposited in the National Archives 1961-1962*. The National Archives in practice acts as the national documentation centre for the social sciences and humanities while the University of Zambia Library is acknowledged as the National Reference Library. The University of Zambia publishes special issues of its Gazette which lists Zambiana acquisitions.

## Namibia (South West Africa)

Namibia is actually a multi-racial and multi lingual society having Afrikaans, English and German as their official language.

A South West African ordinance was passed in 1951 for the deposit of printed materials in the South West African Administration Library under the South West Library Service and this Library serves the need of a national library howbeit very poorly.

## CONCLUSION

There is no doubt that a large number of publications capable of being utilized for both the economic and technological emancipation of Africa has been published in the Anglophone African countries. Most of the publications are often oriented towards the needs of the country where they have been written. It seems however that there had been wasteful spendings on the part of many governments because of the non-utilization of these stored materials. Many feasibility surveys of one project or the other have been duplicated, so also are commissions of enquiries set up for similar purposes without bothering to retrieve old records and adapt them to present needs.

However the important question is "Do we blame the government for not caring to retrieve the documents whose storage they initiated?" May be the whole blame should lie on the Librarians whose duty is not only to acquire these publications for storage but also to make sure that information

contained therein is retrieved and disseminated even when not requested.

As far as the nature of publications is concerned, it will be advisable if publishers could solicit for publications in scientific areas which we believe is what every developing country needs more in order to meet with the current rate of technological advancement.

## APPENDIX I

### EXTENT OF INDEXING IN THE LEGAL DEPOSIT MATERIALS

NO.	PUBLISHERS	NO. OF PUBLICATIONS	NO. WITH INDEX	TYPE OF INDEX
1.	Ibadan University Press	9	9	Author & Subject
2.	Oxford University Press	7	2	-do-
3.	Onibonoje Publishing Co.	3	2	-do-
4.	Ethiopia Publishing House	3	1	Author & Subject Separately
5.	Hutchinson Educational for Inst. of Administration, University of Ife.	2	2	
6.	Macmillan Press	2	2	Subject
7.	Ife University Press	2	1	Author & Subject combined
8.	Evans Publishing Co.	1	1	-do-
9.	Islamic Pub.	1	1	-do-
10.	Baraka Press	1		
11.	Ilesanmi Press	1		
12.	Caxton Press (Printer)	1		
13.	Literamed	1		
14.	Nigerian Inst. of Social & Economic Research	1		
15.	Government Printer, Ibadan	1		
16.	Federal Govt. Printer Lagos	1		
17.	Inst of Education Univ. of Ibadan	1		



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