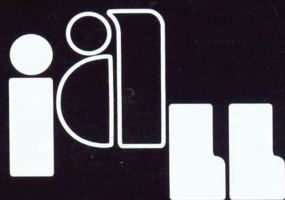


VOLUME 32 • NUMBER 1 • SPRING 2004

INTERNATIONAL JOURNAL OF LEGAL INFORMATION

The Official Publication
of The International Association
of Law Libraries



Printed and Distributed
Compliments of West

YOUR LIBRARIAN COLLEAGUES AT WEST



Anne Ellis
Senior Director,
Librarian Relations



Lori Hedstrom
Manager, Librarian Relations
Home Office



Wendy Brown
Librarian Relations Manager
DC, GA, FL, PR



Megan Butman
Librarian Relations Manager
IL, IN, KY, MI, OH, TN



Colleen Cable
Librarian Relations Manager
AZ, CA, HI, NV



Blythe McCoy
Librarian Relations Manager
AL, AR, CO, LA, MS, NM, OK,
OR, TX, UT, VA



Christine Morong
Librarian Relations Manager
AK, IA, ID, KS, MD, MN, MO,
MT, NE, SD, WI



Stephanie Fox Pierson
Librarian Relations Manager
DE, NJ, NY, PA



Robyn Rebollo
Librarian Relations Manager
DC, MD, NC, SC, VA, WV



Mark Schwartz
Librarian Relations Manager
CT, MA, ME, NH, NY, RI, VT

West Librarian Relations: Here to listen. Here to help.

All of us in West Librarian Relations are experienced law librarians who understand your work and the challenges you face. We're always willing to lend you an understanding ear – and talk to you about all the ways West can help you better serve your patrons and succeed in your career. For librarian-to-librarian assistance, please contact your West librarian relations manager. Or contact Anne Ellis at 651-687-5019/anne.ellis@thomson.com.

Differences that matter.

west.thomson.com/librarians



THOMSON
WEST

INTERNATIONAL JOURNAL
of
LEGAL INFORMATION

VOLUME 32 • NUMBER 1 • SPRING 2004



THE OFFICIAL JOURNAL OF THE
INTERNATIONAL ASSOCIATION OF LAW LIBRARIES
<http://www.iall.org>

INTERNATIONAL JOURNAL OF LEGAL INFORMATION

Marie-Louise H. Bernal, *Editor*
Katherine Topulos, *Book Review Editor*
Lyonette Louis-Jacques, *International Calendar Editor*
Deborah P. Bright, *Editorial and Administrative Assistant*

ADVISORY COMMITTEE ON COMMUNICATIONS

Richard A. Danner, *Director*
Marie-Louise H. Bernal, *Editor*
Claire Germain, *Web Manager*
Petal Kinder, *Member at Large*
Lyonette Louis-Jacques, *International Calendar Editor*

INTERNATIONAL ASSOCIATION OF LAW LIBRARIES

OFFICERS AND DIRECTORS, 2001-2004

Holger Knudsen, <i>President</i> Max Planck Institute Hamburg, Germany	Joan Brathwaite University of the West Indies Bridgetown, Barbados
Jules Winterton <i>First Vice-President</i> Institute of Advanced Legal Studies London, England	James Butler Supreme Court Library Melbourne, Victoria, Australia
Marie-Louise H. Bernal <i>Second Vice-President</i> Law Library of Congress Washington, D.C., USA	Richard A. Danner Duke University School of Law Durham, North Carolina, USA
Ann Morrison, <i>Secretary</i> Sir James Dunn Law Library Dalhousie Law School Halifax, Nova Scotia, Canada	Halvor Kongshavn Law Library Bergen University Library Bergen, Norway
Gloria Chao, <i>Treasurer</i> Rutgers Law Library Camden, New Jersey, USA	Jamila Looks Swiss Institute of Comparative Law Lausanne, Dorigny, Switzerland
Larry B. Wenger, <i>Immediate Past President</i> University of Virginia Law School Charlottesville, Virginia, USA	Lisbeth Rasmussen University of Copenhagen Law Students' Library at the Faculty of Law Copenhagen, Denmark
Jennefer Aston Bar Council of Ireland Dublin, Ireland	Silke A. Sahl Columbia University Arthur W. Diamond Law Library New York, New York, USA

PURPOSE AND EDITORIAL POLICY

The *International Journal of Legal Information*, the official publication of the *International Association of Law Libraries*, is issued three times a year: Spring, Summer, Winter. It seeks to advance the exchange of legal information throughout the world. Under the direction of its international editorial board and advisors, the *IJLI* serves the global community of law librarians, legal scholars, and practitioners through the publication of original articles, conference papers, bibliographies, book reviews, documents concerning law and law-related information. The views expressed in such contributions are the responsibility of the individual authors and do not imply the endorsement of the *International Association of Law Libraries*.

MANUSCRIPT INFORMATION

Manuscripts and any material intended for inclusion in the *IJLI* should be addressed to the Editor, Marie-Louise H. Bernal, who may be reached via email at mber@loc.gov. **Manuscripts** are to be submitted in Word or WordPerfect as an attachment.

Single copy requests and current **claims**, should be sent to:

International Association of Law Libraries
IJLI Editorial Office
P.O. Box 5709
Washington, D.C. 20016-1309, USA
Tel. (434) 924-3515; Fax: (434) 924-7239
dpb4y@virginia.edu

All **bibliographies** should contain complete bibliographic information and follow *The Chicago Manual of Style*, 14th ed. (Chicago, 1993) or Kate L. Turabian, *A Manual for Writers of Term Papers, Theses, and Dissertations*, 6th ed. (Chicago, 1996).

Book reviews and **books for view** should be sent directly to:

Katherine Topulos, Book Review Editor
Duke University School of Law Library
Box 90361
Durham, N.C. 27708-0361, USA
topulos@law.duke.edu

MEMBERSHIP AND SUBSCRIPTION INFORMATION

Current information about the *IALL*, its members and activities can be found at <http://www.iall.org>.

IALL membership includes subscription to the *IJLI*. Checks should be made out to the *International Association of Law Libraries* and sent to the *Association's* P.O. Box at the address above.

Individual: US\$60.00; Institutional: US\$95.00; Sustaining (Associate): US\$250.00.

Back issues of the *IJLI* are available in hardcopy and in microfiche. Please contact William S. Hein and Co., Inc., 1285 Main Street, Buffalo, N.Y., 14209-1987, USA., Tel.: (800) 828-7571 or (716) 882-2600; Fax: (716) 883-8100; E-mail: wsheinco@class.org.

Copyright by the *International Association of Law Libraries*.

Library of Congress Card No. 82-643460; ISSN 0731-1265. Printed in the United States.

**INTERNATIONAL ASSOCIATION OF
LAW LIBRARIES**

UPCOMING COURSE

*IALL 23rd Annual Course on
International Law Librarianship*

**PROTECTING THE ENVIRONMENT –
A CHALLENGE ACROSS BORDERS**

to be held at the

University of Helsinki Main Building
Helsinki, Finland

National Library of Estonia
Tallinn, Estonia

August 15-19, 2004

Conference Theme:

**LEGAL ISSUES AND INFORMATION RESOURCES
IN FINLAND AND ESTONIA**

Further information can be obtained from:

<http://www.iall.org/iall2004>

or

Sari Pajula

Library of the Finnish Parliament

Email: sari.pajula@eduskunta.fi

Professional Development Scholarships



The International Association of Law Libraries is pleased to announce the availability of financial assistance to enable law librarians who are normally unable to benefit from Association activities to attend the 23rd Annual Course in International Law Librarianship to be held in Helsinki, Finland and Tallinn, Estonia from 15th to 19th August 2004. Information about the conference will be made available at the IALL Website at: <http://www.iall.org>.

Benefits

IALL offers two bursaries to attend its Conference comprising the following benefits:

- The conference registration fee is waived
- A grant of up to US\$1,500 to assist with accommodation and travel costs
- Membership of IALL for one year (including journal) without charge

Applications

Application should normally be by letter with full contact details to the Chair of the Scholarships Committee of the Association (see below).

Please type your application or write it clearly and send it to:

Jules Winterton, IALL Scholarships Committee, Institute of Advanced Legal Studies, London WC1B 5DR, UK

Please give the following information:

A full résumé / curriculum vitae including:

- Name and qualifications
- Full contact details including email if available
- Details of present job
- Present and past employers
- Membership of professional associations
- Attendance at conferences
- Your reasons for wanting to attend this conference, the expected benefits and how you intend to disseminate those benefits.
- A reference from your employer including permission to attend the conference.

Deadline

Applications must be received by **30 April 2004**.

Report

Recipients will undertake to write a report for publication by IALL by the end of the year of the conference.

Selection Guidelines

- 1) Applicants do not need to be members of the Association.
- 2) Applicants should be in current employment in librarianship with significant legal context to their work. The bursaries and scholarships are not designed for students or those not currently in employment.
- 3) Preference will be given to:
 - a) applicants who demonstrate promise and are likely to make a significant contribution to the profession of law librarianship;
 - b) applicants who cannot otherwise afford to attend;
 - c) applicants who have not received an IALL bursary or scholarship before;
 - d) applicants who have not attended a conference outside their own country / region or studied or worked outside their own country before.
- 4) IALL bursaries are not open to officers or members of the Board of the Association.

Award

The President in consultation with the Board of Directors of the Association will decide on awards. The Association may make no awards, vary the amount of the awards or make additional awards within the above limit. The Association's decisions on the award of bursaries are final and no correspondence will be entered into.

Enquires can be made in writing to:

Jules Winterton

IALL Scholarships Committee
Institute of Advanced Legal Studies
London WC1B 5DR, UK

Email: *jules.winterton@sas.ac.uk*

CONTENTS

EDITORIAL COMMENT	<i>Marie-Louise H. Bernal</i>	xi
PRESIDENT'S REPORT	<i>Holger Knudsen</i>	xiii
ARTICLES		
Chinese Law on Trade, Investment and Intellectual Property Rights: A Bibliography of Selected English-Language Materials	<i>Chenglin Liu</i>	1
Mexican Law on the Web The Ultimate Research Guide	<i>Jorge A. Vargas</i>	34
The Lawyer in the Emerging Digital Environment A Botswana Perspective	<i>Madeleine Choe-Amusimo Fombad</i> <i>Charles Manga Fombad</i>	109
BOOK REVIEWS	<i>Katherine Topulos</i>	130
Between Competition and Free Movement: The Economic Constitutional Law of the European Community (J.B. CRUZ)	<i>Duncan Alford</i>	130
Comparative Constitutionalism: Cases and Materials (N. DORSEN)	<i>Mirela Roznovschi</i>	132
Europäisches Umweltrecht (J.H. JANS & A. VON DER HEIDE)	<i>Michèle John</i>	134
Takeovers in English and German Law (J. PAYNE)	<i>Mark D. Engsborg</i>	137
A Virtue Less Cloistered: Courts, Speech and Constitutions (I. CRAM)	<i>Barbara M. Jones</i>	138
RECEIVED AND NOTED	<i>Katherine Topulos</i>	143
THE INTERNATIONAL CALENDAR	<i>Lyonette Louis-Jacques</i>	150

EDITORIAL COMMENT

China, Mexico, Botswana - we cover the world! Well, whether an article features information on aspects of commercial law in China, expert advice on the best and most authoritative Mexican legal web-sites, or an African perspective on the lawyer in the emerging digital environment, the issues are of equal relevance and interest to all of us in the law library community, regardless of where on the map we happen to be located. Globalization has erased borders between countries and issues of concern, and has encouraged trans-border migration. Consider, for example, the transnational paths taken by the contributors to the current issue, all prominent professionals in countries other than their places of birth. Today, their journeys tend to constitute the norm rather than the exception:

Chenglin Liu, the *Foreign and International Law Librarian and Adjunct Professor of Law* at the *University of Houston Law Center* in Texas, received his law degree from the *Dalian University of Technology* in his native China. After some years as a law professor, during which he also published in Chinese, he accepted the opportunity to study at the *University of Lund* in Sweden, where he earned an LLM in European law. He then decided to change careers, continued further west, and came to the United States to study library science. Among his list of credentials, he now has an MLIS from the *University of Illinois Graduate School of Library and Information Science* at Urbana-Champaign, as well as an LLM in U.S. law from *Washington University* in St. Louis, from where he also expects to graduate with a JSD (Doctor of Judicial Science) next year, in 2005.

Professor **Jorge A. Vargas** did not have to travel as far and had less of a cultural adjustment to endure when he in 1983 accepted a position in California to teach at the *University of San Diego School of Law*. With a law degree, *summa cum laude*, from the *School of Law of the National Autonomous University of Mexico (UNAM)*, the author, a prolific writer of both books and articles, had a distinguished career in Mexico before coming to the United States. At present, a full-time academician, Professor Vargas focuses on Mexican law, but also teaches Japanese, comparative, and international law, topics which he has taught as Visiting Professor at institutions such as *Stanford*

University and *New York University*. His most recent work, *Mexican Law Dictionary*, was just published (Fall 2003) by Thomson West. *IJLI* is fortunate to present the “best of the best” of Mexican law on the web from such an authority.

The Botswana perspective on “The Lawyer in the Emerging Digital Environment:” is presented by a couple originally from Cameroon. **Madeleine Choe-Amusimo Fombad** has degrees in law and counseling (LLB, LLM and PG. Dipl.) from the *University of Yaounde* in Cameroon, but she left her home country to study library and information science (MLIS) at the *University of Botswana*. Her Master’s dissertation in 2002, “The adoption and use patterns of ICTs in law firms in Gaborone, Botswana,” earned her a special award, and she presently serves as the Chief Librarian in the *Tlokweng Dayspring School* in Gaborone. Her husband and co-author, **Charles Manga Fombad**, has his LLB from the *University of Yaounde* and an LLM and PhD from the *University of London*, England. He is currently on the Faculty of Law at the *University of Botswana*, after having taught law at different law schools in Cameroon. His many articles have been published in refereed international journals, and he has written several book chapters and three books on different aspects of law. In 2003 he was awarded the coveted *Wedderburn Prize* for an article that appeared in the British law journal *Modern Law Review*. The same year, he also won the *2003 Bobbert Association Prize* for an article published in the South African journal, *Journal for Juridical Science*, and recently the *University of South Africa* bestowed upon him the prestigious degree of “Honorary Professor of Law.”

We cover the world: China, Mexico and Botswana.

Marie-Louise H. Bernal

PRESIDENT'S REPORT

As time goes by...

While Malo Bernal, the Editor of this Journal, is in the process of collecting papers for the proceedings issue of our Course in Cape Town, preparations are in full swing for IALL's 23rd Course in Helsinki and Tallinn, August 15 to 19, 2004. Planning is also under way for IALL's 24th Course in Florence in September 2005, as well as for the conferences in 2006 and 2007. What a great line of events! Our Association no doubt will go through yet another interesting and fruitful year.

With the second Journal issue of every volume traditionally being the Conference proceedings issue, I shall take the opportunity to again extend my thanks to everyone who was involved in the wonderful Cape Town Course. Since the same issue will be the last one with me as President, I will also try to give an overview of my three years in office. It can be said already now that I found it a great experience and a privilege to work closely with the officers and members of the Board of the Association, and to have had the opportunity to cooperate with the local planning committees in Lausanne, New Haven, Cambridge (Massachusetts), Cape Town, Helsinki, and Tallinn, to have met so many members and supporters of IALL, and to be able to point at our shared extraordinary accomplishments.

Since my last report will likely be rather lengthy, I have decided to be considerate and compensate with a rather short column this time. However, I want to close by urging you to nominate your favorite website for the IALL Award and to take advantage of applying for or recommending a friend to seek one of our bursaries. You'll find more information on both programs on our website at www.iall.org. I should also want to remind all members that 2004 is an election year.

As time goes by...

The Nominating Committee is soliciting recommendations of members who would be willing to serve as officers of the Association for three-year terms beginning in August 2004. Positions to be filled include the offices of President,

First Vice-President, Second Vice-President, Secretary, Treasurer and five of the eight members of the Board of Directors. The Nominating Committee is particularly interested in receiving suggestions for nominations reflecting the geographical distribution of our membership around the globe. Feel free to contact any of the members of the Committee with suggestions regarding candidates or any questions you might have about the nominating process:

- Lisbeth Rasmussen, Chair, University of Copenhagen, Denmark, *Lisbeth.Rasmussen@jur.ku.dk*,
- Claire Germain, Cornell Law School, USA, *cmg13@cornell.edu*, or
- Ligita Vasermane, Rigas Juridiska Augstskola, Latvia, *Ligita@rgsl.edu.lv*

Holger Knudsen