

# INDEX TO INDIAN LEGAL PERIODICALS : A CRITICAL EVALUATION

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## Introduction

IN THE era of city state, communication of ideas was simple and effective. Knowledge was acquired through exchange of views and personal communication, and it was only the privileged few "having gold in their blood" (as Plato said), who could afford higher learning.

Maintenance and use of records is peculiar to man. Indeed it may be said that this distinguishes man from other living species and it is this proclivity which has set him above all others. From the recording in memory to recording on material was the next step forward. With this also came the question of recording not merely objects, but also abstract perceptions. Evidence of this has been found by the archaeologists all over the world. Clay tablets, stone bricks, metal and parchment *et al.* had their day. But whatever the object used, the purpose was common, *i.e.*, maintenance of records for future use.

The invention of paper is credited to Chinese. Printing is, perhaps, an English invention. From small beginnings, these two inventions have flooded the globe with literature initially in book form and later in the form of periodicals, micro films, video and other audio-visual techniques.

The Royal Society Conference back in 1948 found the task of keeping up with growing literature impossible and suggested that each paper should be published under separate subject classification and made available either as a routine or on demand to any one interested in the subject.<sup>1</sup>

It is estimated that the number of scientific journals alone throughout the world is about 1,00,000 and during the seventies 20,00,000 scientific writings appeared each year.<sup>2</sup>

In order to establish contact between the reader and his document several bibliographical and secondary sources have come up in all the disciplines. The reader depends largely on periodical indexes for up to date information in the field of his choice. These indexes help him locate the original sources and thereby enable him to make the maximum use of the same

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1. See B.C. Vickery, *Techniques of Information Retrieval* 10 (1970) (Butterworths, London).

2. See George Andrela, *Information in 1985* at 14 (1973) (OECD).

## Periodical indexes

### Definitions and general concepts

Mankind is faced with the problem of management of the colossal literature in various areas of knowledge. It is here that the question of indexing has become of prime importance as the researcher should not only have all the information collected up to date at one place, but also know precisely where to look for it.

According to William A. Katz, “[i]ndex is a detailed list of names, terms, subjects, places or other significant items in a complete work with exact page or other reference to material included in the work.”<sup>3</sup> Harold Borko and Charles L. Bernier have explained the concept more lucidly and comprehensively. According to them, the artificiality created by the indexing system is a mental process for quick retrieval of information. In their words, “[i]ndexing is the process of analyzing the informational content of records of knowledge and expressing the informational content in language of the indexing system.”<sup>4</sup>

Thus the basic purpose of periodical indexes is to help recall or retrieve most relevant information with least noise, and establish a contact between producer of idea or information, *i.e.*, author and consumer of information, *i.e.*, reader through organiser of information, *i.e.*, indexer/librarian.

The indexing system has served its purpose well by enabling the reader to locate required information without delay. Another advantage is that it facilitates the identification or selection of the desired document and discloses relationship of a given subject with interdisciplinary areas of knowledge in addition to providing comprehensive overview of a subject.

### Periodical indexes in law

Law as a discipline of knowledge acts as an instrument of regularising social and economic activities in the civilised world. Knowledge of current trends is more necessary in law because of regular changes in legislative and executive enactments and their interpretation by courts.

In the field of law there is a good number of indexes published by commercial organisations and academic and professional bodies. Some of the well known periodical indexes with international or regional coverage are the following :

(1) *Index to Legal Periodicals*, Vol. 1—; 1908—(*i.e.*, being published since 1908) (H.W. Wilson, New York)—Legal articles published by various periodicals in the U.S.A., Canada, U.K., Ireland, Australia and New Zealand are indexed in this publication. Articles are indexed subjectwise and authorwise. An index of cases commented upon is also included. Besides, information of books reviewed and published in the periodicals

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3. *Introduction to Reference Work*, Vol. 1 at 92 (1969) (McGraw-Hill, New York.)

4. *Indexing Concepts and Methods* 8 (1978) (Academic Press, New York).

covered by this index is given at the end of each issue. There is a cumulative annual volume which is replaced by a three-year cumulative volume.

(2) *Index to Foreign Legal Periodicals*, Vol. 1—; 1960—(i.e., being published since 1960) (Institute of Advanced Legal Studies, London, in cooperation with American Association of Law Libraries, New York)—The index complements and, to a limited extent, overlaps the *Index to Legal Periodicals* which gives information of articles written mainly in English. It covers articles published in countries other than the U.S.A, the British Isles and countries of the British Commonwealth, whose legal systems are based on common law. The titles of articles are given in the language of publication, transliterated according to the rules of the Library of Congress, for Eastern European languages not using the Roman alphabets. The titles of articles in Oriental and occasionally other languages are translated into English with an indication of the language of publication. The author and geographical index is given separately with subject headings of articles. Book reviews section is also included and cumulation is done after every three years.

Interdisciplinary approach to legal studies necessarily takes the reader to writings in other disciplines as articles on subjects like economics, taxation, housing, delinquency and urban planning. To trace published material on law-related topics, the reader has to depend on periodical indexes such as :

(1) *Index to Periodical Articles Related to Law*—This index commenced in 1958. It has coverage of selective articles published in English throughout the world, which were not covered by the above mentioned legal indexes. It is compiled by the librarians of the Yale and Columbia law schools.

(2) *British Humanities Index*—This covers a wide range of subjects and includes articles published in newspapers and popular weekly journals as well as more scholarly periodicals. Entries are arranged under subject and author headings.

(3) *Social Sciences Index*—This index, which replaces the *Social Sciences and Humanities Index*, covers law, criminology, sociology, political science, sociological aspects of medicine and other socio-legal topics. Entries are under author and subject headings.

(4) *Abstracts on Criminology and Penology*—This is arranged subject-wise. There are detailed subject and author indexes referring to individual entries.

(5) *Sociological Abstract*—This abstracting service is indexed subject-wise and authorwise. It includes sections on sociology of law, penology and correctional problems.

There is no comprehensive coverage of Indian legal articles and other law-related material published in these secondary information sources. The only answer to meet this lacuna and vacuum was to initiate the venture commercially or with the institutional support to publish indexing or abstracting periodicals covering specific discipline of law and its related subject in Indian periodicals.

### Index to Indian Legal Periodicals

In 1956 the Indian Law Institute was established. One of its major objectives is to publish legal material related to India and to encourage legal writing for promoting legal research in India and abroad. With this in view the Institute started publishing from 1963 *Index to Indian Legal Periodicals* listing all the articles published in Indian periodicals. This is a unique venture to help researchers get the information regarding the development of legal writings in India.

This is the only indexing periodical in India prepared by the librarian with the co-operation of the library staff of the Institute.

*Editorial policy*—The *Index to Indian Legal Periodicals* indexes articles, case comments and book reviews published in Indian periodicals including yearbooks and other annual publications pertaining to law and related subjects. It covers about one hundred Indian periodicals received in the library of the Institute. The library receives and subscribes to a good number of periodicals of commercial organisations and academic and professional institutions of India, mostly devoted to legal reporting, articles on law and related fields such as labour, economics, international trade, socio-economic development and foreign policy *etc.*

A list of periodicals indexed with abbreviations used and their addresses is also given, but it will be more useful if a complete list of periodicals with addresses and latest subscriptions be given in each issue so as to enable the readers and libraries to make their choice for the acquisition of periodicals. A similar practice is adopted in other legal indexing periodicals.

The explosion of the literature is so enormous that no single library can hope to acquire all the published literature ; even the Library of the Congress, richest in its collection, is not able to meet the demand of 60 per cent of its readers from its own resources, and law is no exception to it. It is not out of place to suggest here that there are some well established law libraries in Delhi where many legal and allied periodicals are being received. They are the libraries of the Faculty of Law of the University of Delhi, Ministry of Law, Justice and Company Affairs, Indian Society of International Law and Indian Council of World Affairs. The Indian Law Institute may make an arrangement with them for receiving information about articles on law and allied areas for inclusion in its index.

Law is developing fast and has long range social impact on every aspect of the society ; hence the present index needs to be widened in its scope. For this, to begin with, efforts should be made to invite other law and law-related libraries in Delhi to co-operate in this venture. The first step in this direction can be taken by establishing a mutual co-operative liaison between the libraries of the Indian Law Institute and the Faculty of Law of the Delhi University which should combine their resources to broaden the scope of the index.

*Periodicity*—The index is a biannual publication coming out in January and July each year. Though the index has half yearly periodicity, its publication is sometimes delayed as is the case of many other Indian institutional publications. The basic principle of utility and existence of any indexing or abstracting service is the efficient and quick communication of information of published literature to its users ; this the index lacks as is evident from the following table.

| <i>Vol.</i> | <i>No.</i> | <i>Month</i> | <i>Year</i> | <i>Officially released on</i> | <i>Late by approximate months</i> |
|-------------|------------|--------------|-------------|-------------------------------|-----------------------------------|
| 15          | 1          | Jan.-June    | 1977        | 14. 7.1978                    | 12                                |
| 15          | 2          | July-Dec.    | 1977        | 14. 4.1979                    | 13.5                              |
| 16          | 1/2        | Jan.-Dec.    | 1978        | 20. 7.1979                    | 7.5                               |
| 17          | 1          | Jan.-June    | 1979        | 14. 4.1980                    | 9.5                               |
| 17          | 2          | July-Dec.    | 1979        | 4. 9.1980                     | 8                                 |
| 18          | 1          | Jan.-June    | 1980        | 20.11.1980                    | 4.5                               |

One can conclude from this data that the index is approximately late by nine months. These figures do not include the period of dispatch of the index and its delivery to the subscribers. It will certainly take at least another month to reach the libraries subscribing to it. The Institute should pay more attention to reduce the delay in order to enhance its utility.

The six-monthly periodicity of the index is a big hindrance in quick and efficient dissemination of information about the published literature. This is more so when its two issues are published as a single volume once in a year. To make the index more useful, it is suggested that like its foreign counterparts it should become at least a quarterly, if not monthly, publication.

*Material indexed*—The table below shows the number of entries covered during 1963-1977. The data reveals that for almost first eight years the index covered entries between 500 and 800 only. But from 1972 one can observe a steep rise in the number of articles covered, and in 1977 it reached 2,048, more than four times of entries covered at its inception. This sudden growth in 1971 was due to a large number of new periodicals received at the library of the Institute. Another important reason for this growth was the association of the librarian of the Institute with the preparation of the index. With his expertise and devotion the coverage of the index increased enormously.

| Year | Index entries covered | Number of periodicals indexed | Book reviews |
|------|-----------------------|-------------------------------|--------------|
| 1963 | 512                   | 32                            | 320          |
| 1964 | 466                   | 37                            | 368          |
| 1965 | 512                   | 37                            | 360          |
| 1966 | 480                   | 37                            | 324          |
| 1967 | 518                   | 37                            | 396          |
| 1968 | 518                   | 40                            | 414          |
| 1969 | 624                   | 45                            | 378          |
| 1970 | 768                   | 48                            | 576          |
| 1971 | 1,800                 | 100                           | 774          |
| 1972 | 1,260                 | 100                           | 648          |
| 1973 | 1,354                 | 100                           | 674          |
| 1974 | 1,570                 | 100                           | 590          |
| 1975 | 1,660                 | 100                           | 725          |
| 1976 | 1,944                 | 100                           | 756          |
| 1977 | 2,048                 | 100                           | 1024         |

*Book review index*—From the very beginning, the index has been giving a comprehensive coverage to book reviews. The number of book reviews in 1963 was 320 ; it reached 1,024 in 1977. Obviously it is a steady growth of indexing of book reviews. The book review part of the index has its own utility for researchers and law librarians for awareness of latest published treatises and books on legal subjects.

*Arrangement*—The index is arranged in one alphabetical sequence covering subjects and authors. Under the subject headings entries are further arranged alphabetically making a pocket of the articles appearing on the same subject. For example :

#### COMPANIES

Capital market : Illusion and reality. Asimava Chanda 1979 (Je) : 9 CS 189-92

Companies—informational needs of society. K G Jindal. 1979 (My) : 9 CS 105-07.

Company law. Avtar Singh. 1975 : 11 An Sur Ind Law 212-28

An article on the subject “Companies” entitled “Company Law” by Avtar Singh will be found in volume 11 (1975) of the *Annual Survey of Indian Law* at 212-28.

The pattern of sequences of the entries under subject headings is not uniform. According to bibliographical techniques adopted in many international indexing periodicals, the articles “the”, “an”, “a” should be

omitted from the title, if not necessary. However, we find an arbitrary use and omission of the same in the entries.\*

Colon (:) is used to separate a subtitle from the main title, but throughout the index one finds dash (-) and colon (:) for the subtitles. Some titles are clubbed within inverted commas (" ").

Abbreviations used for citing the bibliographic presentation of the names of the journals are not uniformly followed. At many places citations given in the journals are used and at others different citations without any justification have been given. For example :

| Name of the periodical | Publisher's abbreviation | Abbreviation used in the index |
|------------------------|--------------------------|--------------------------------|
| Andhra Law Times       | ALT                      | An L T                         |
| Jabalpur Law Journal   | JLJ                      | Jab L J                        |
| Lawyer                 | Law                      | La                             |

In single worded journals like *Taxation*, *Seminar* and *Lawyer*, uniformity is not maintained. International indexing journals give full names in such cases, which we feel is a better technique.

Reference under "author" indicates the subject heading under which the article is found. The letter in parenthesis indicates the first letter of the article under that subject heading. When an article is indexed at several places all subject headings are given. For example :

#### DIWAN, PARAS

- Civil Liberties (J)
- Judiciary (J)
- Marriage and Divorce (W)
- Political Parties (I)
- Succession (D)

The author part of the index is arranged in the body of the text. Instead of increasing its utility this has increased the confusion and burdened the text. Author's name and subject headings are in the same type face under the same sequence. Personal experience as well as opinions expressed by the users of the index reveal that it is more useful to list the author part separately at the end of the body as per practice followed by other indexing journals of many disciplines.

*Subject headings*—Subject headings are arranged alphabetically and under each heading entries are further arranged alphabetically to bring all the articles on that subject at one place.

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\* Although the said articles are given as they are printed in the journals, they are not taken into account while arranging the entries alphabetically. Eds.

A list of subject headings is provided in the beginning to help the searcher locate the article of his interest under the relevant subject headings. Only broad subject headings are given and no uniform pattern is followed to derive these headings. Under subject heading "Public International Law" all the aspects such as diplomacy, aggression, war, treaties, international institutions and many other related topics are listed without separating these from other international law topics. Subject headings like "Administrative Law", "Family Law" and "Constitutional Law" are given to cover the vast field of these subjects without further dividing them under narrower and nearer subdivisions. For the search of relevant articles it is more useful to follow the subject headings with familiar nomenclature and also their subdivisions to make this index more useful.

Another major weakness of the index is that no systematic syndetic arrangement for cross references is followed to connect the interrelated, synonymous terms of the subject headings.\* For example the index does not guide the reader to see :

|                  |            |             |
|------------------|------------|-------------|
| Corporate Bodies | <i>See</i> | Companies   |
| Public Finance   | <i>See</i> | Budget      |
| Military Law     | <i>See</i> | Martial Law |

No guideline is available of the cross references for the preferential treatment of subject headings, for example :

|            |            |                |
|------------|------------|----------------|
| Muslim Law | <i>See</i> | Mohammedan Law |
|------------|------------|----------------|

In many cases the type face has been inferior in quality, worn out and not properly printable. The defective lay out and the same type face for the subject headings and with same indention for all the entries has created some confusion. It is irksome to distinguish the subject headings, author entry and the body of the entry itself. Subject headings also do not stand out clearly from the body of the entry. Much attention is required to change the type face and lay out to enhance the utility of the index and to make it more readable and pleasant to eyes.\*\*

The absence of an annual index and of any cumulation of entries for any specified period has further reduced its frequent use in the law libraries. Recently the editorial board has announced to publish the cumulation volume covering 1963-1980. As a policy decision a five-year cumulation at regular intervals in future is a necessity.

A little attention is also required to indicate on the title page the period of inclusion and indexing of journals.

\* The system of cross references and of "see also" entries is being followed now. Eds.

\*\* The type face has now been changed and the subject and author headings stand out clearly from the body of the index. Eds.



### Conclusion

According to F.W. Lancaster, “[e]valuation is essentially a diagnostic procedure, intended to lead to the therapeutic action.”<sup>5</sup> This is precisely what has been attempted in this paper. No doubt, *Index to Indian Legal Periodicals* has created a sense of being *au fait* with the current legal opinion. Its utility can be increased if, instead of listing only the articles appearing in various Indian legal periodicals, the Institute explores the possibility of giving an “abstract” of the material covered. This will certainly increase its utility and an experiment can be made on a cooperative basis as suggested above. Even in its present form, it is an indispensable search tool and quick retrieval of information in the era of literature explosion and no law and its related subject library can afford to miss it.

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5. *Encyclopedia of Library and Information Science*, Vol. 8 at 234.