Development in theoretical study and practice of library legislation in China

LI Guoxin*, XU Shan, LIU Xuan & WANG Xuan

Department of Information Management, Peking University, Beijing 100871, China

Abstract One of the most outstanding characteristics of library legislation in China is that theoretical research and legislative practice are mutually reinforcing, making important issues and basic rules and regulations closely associated with legislation and the research focus. A national library law is currently being enacted while several local library legislations have already seen fruitful results. In the enactment of “Regulations for the Protection of Information Network Dissemination Rights”, the library professional participated for the first time in enacting a national copyright law, which led to unprecedented flourishing of library activities and copyright studies. The promulgation of another legal framework, “Government Information Disclosure Regulations” further advanced the research on related issues and pushed forward government information services in public libraries in the same way. A new landmark for library legislation in recent years is the promulgation of “Guidelines for Land Utilization for Public Library Construction” and “Public Library Construction Standards”, while the framing of “Rules of Professional Ethics for Librarians in China (On trial)” and the “Library Service Manifesto” give indication that a framework of self-disciplinary measures of library professionals is established.

Keywords Library legal construction, Information network dissemination right, Government information disclosure, Public Library Construction Standards; Professional self-disciplined standards

Since 2000, with the accelerated progress of democratization and the implementation of “Rule by Law” in Chinese society, significant progress has been made in library legislation, not only in theoretical research but also in legislation practices. One of the most outstanding characteristics in this process is that the theoretical study and legislation practice find mutual support in each other and promote advancement for each other. The key and difficult issues in legislative process are thus becoming hot issues of both legal and library science research, whose results, in turn, provide conceptual and strategic support for newer library legislations. The interaction of legal theory and legal practice made the development of library legislations in China healthy and most promising, which has become one of the highlights of all eye-catching progress made in the librarianship in China during this period.

* Correspondence should be addressed to Li Guoxin (E-mail: ligx@pku.edu.cn).
On theoretical research, nearly all important issues and basic rules closely associated with library legislations became the focuses of extensive research. These include, among others, legislative experience and lessons learned from abroad, special library legislations at the national and local levels, self-disciplinary measures of library professionals in a law-governing environment, the rights of the library and its users in face of increasingly stringent copyright protection, the copyright issues vis-a-vis library operations, government information disclosure and associated public library services, qualifications required for library professionals, library management system, operational mechanism, service network, resources sharing, funding guarantee, evaluation system, and the legal deposit system. In the past seven or eight years, publications in this area have far exceeded the total publications of the past 20 years in number[1], and are broader in perspectives and greater in depth of analysis.

In legal practice, “Forum for Library Law Experts” convened in Tianjin in early 2001 served as a landmark to substantially start the framing of “Library Law of People’s Republic of China” (hereinafter referred to as “Library Law”). In 2002, “Beijing Library Ordinance” was enacted, and made many achievements with several other local library legislations. The latest addition to the league is “Guangzhou Library Ordinance”, for which an extensive public consultation was launched in 2007. All the facts above showed that great achievements have been made in local library laws. From 2002 to 2003 also saw amendment of “University Library Regulations” and “Primary and Secondary School Libraries (Library Rooms) Regulations”, indicating that the systemic developments of specialized library regulations were gradually moving toward a higher level. With the promulgation of the “Rules of Professional Ethics of Librarians in China (On trial)” and the forthcoming release of “Library Services Manifesto”, a framework of self-disciplined professional standard has gradually taken form in legal system construction. With the promulgation of “Regulations for the Protection of Information Network Dissemination Rights” and “Government Information Disclosure Regulations”, great progress has been made in terms of library related legislations. The newest library related legal documents are the “Guidelines for Land Utilization for Public Library Construction”, which has just been officially promulgated and “Public Library Construction Standards”, which will soon be promulgated. Both documents are recognized as significant breakthrough in resolving important issues through the library guidelines and standards. Taking the promulgation of “11th Five-Year Planning Outline of National Cultural Development” as a landmark achievement of strategic planning in which “Library Law” is included, we have indeed won an unprecedented policy-shielded environment for the assurance of further library development in the years to come.

1 National and local library legislation

So far, the implementation of “Library Law” has undergone two phases on the national level[2]. The first phase covered the period ranging from early 2001 to June
In early 2001, the Ministry of Culture began drafting the “Library Law”. Then in April, a seminar for library law experts was held in Tianjin. In June 2003, the Ministry of Culture submitted the draft to the State Council. After extensive solicitation of opinions, the State Council Legislation Departments advised the departments for culture, education, science and technology to further coordinate and improve the draft. The work in this phase ended in June 2004. The second phase began in 2005 and continues until today. In 2005, in accordance with national legislation planning, a high-level workshop was started by the Ministry of Culture to draft the “Library Law”, which indicates the continuance of library legislation. In September 2006, “Library Law” became one of the goals of “11th Five-Year Planning Outline of National Cultural Development”, bringing new momentum to the library legislation.

National library legislation focuses on the following issues: 1) Scope of legal regulation; 2) establishment of libraries and infrastructure construction; 3) funds guarantee system of libraries; 4) information resources construction and sharing system; 5) service guidelines and right of readers; and 6) the basic system guaranteeing scientific library development. In 2007, a special fund project, “Research on the legislative proposals of library law”, was set up by Library Society of China. This project called in nationwide experts to conduct research on major legislation problems. Since 2006, with China’s vigorous promotion of public cultural service system, the public library service system developed quickly, mainly in the form of “central-branch library system”. The nature of “central-branch library system” requires that the old “fragmentized” library service system be transformed to the “center-branch library cooperation”, and requires “appropriate regional funding structure” and “appropriate administration hierarchy” of library service system, which posed challenges to China’s long-standing management system, in which “government on every level finances one public library”. Recently, Professor Yu Liangzhi at Nankai University published a paper to examine the implications of the proposed transformation for library legislation, systematically analyzing how administrative system can meet requirements of such transformation and putting forward a new question that has to be faced and solved for determining management systems in library law legislation[3].

One of the notable features of specialized library legislation in China is “local legislation comes first” — some local library laws and regulations have already been enacted while the national legislation continues to take shape. This is demonstrated in the four local library laws and three local library regulations already promulgated so far (Table 1). The latest progress is the “Guangzhou Library Ordinance (Draft)”, which has already undergone the process of public consultation and is on the way to implementation. These local library laws mainly involve the definition of public libraries, establishment and management of public libraries, operations and funding, resources construction, reader services, library professional guidance, staffing, facilities and equipments, and legal responsibilities, etc. Their experience, inspirations and lessons can be summarized as follows:
As China’s legislature resources are scarce at this stage, a relatively optimized plan of specialized library legislation, as the first step toward developing comprehensive “Library Law” at all levels covering all types of libraries, can help solve the important and urgent problems common to all libraries and promote the overall development of librarianship as well as formation of the National Library Service System and Document Information Resources Guarantee system.

Currently, “quantitative standards” for library funding are difficult to determine and, as a result, are not as yet appropriate to be expressed as a legal requirement. Consequently, the most feasible and effective approach is to guarantee the basic resource expenditure through normalizing the amount of annual additions to existing collections of various types of library, and to guarantee basic library operating expenditure through “Legalize Funding Item”.

At the present stage, although the specialized library legislation cannot be expected to regulate all substantial issues clearly and specifically, and although there are still many cases in which “the law is not obeyed” in daily practice, the practice and experience in locals have shown nevertheless significant protective and promoting effects in implementing library laws and regulations[4].

### 2 Library activities and copyrights

Library professionals in China have long been absent in copyright legislation. As a result, the scope of library activities permitted in the existing copyright law was reduced. For instance, Article 10 of the “World Intellectual Property Organization Copyright Treaty” (“WIPO Copyright Treaty”), closely related to library activities, gives State Parties the right to “set limits and exceptions” in national copyright legislation, while the “agreed statement” recognized that these limitations or exceptions can be “appropriately extended to the digital environment,” these
In view of such cases, beginning in 2005, the Library Society of China applied the experiences of the IFLA and Library Associations in the developed world in active and organized lobbying for public interests in copyright legislation, starting with the State Council coordination of the “Regulations for the Protection of Information Network Dissemination Rights”. This was the first time that libraries organized and participated in the national copyright legislation process, forming a legislative body firmly upholding public interests. As a result, library activities in relation to copyrights have seen an unprecedented increase in research.

In early 2005, “Copyright’s Fair Use in Library” became one of the major topics at the “New Year Summit” of the Library Society of China, where it was also decided that the Library Society of China would draft and release a statement regarding its stance on copyrights, which would serve as the action plan for library participation in copyright legislation. After the meeting, the Library Law and Intellectual Property Research Committee of Library Society of China set up a special working group, which immediately began to collect, classify, translate and investigate related documents of IFLA and foreign national library associations. Based on this research, they began drafting “The Statement about the Copyright in the Network Environment” which was approved in August 2005 by the 7th Council of Library Society of China. According to the document, the following principles are agreed upon and upheld by the Library Society of China:

- Harmonious copyrights are propitious to each individual;
- One of the Libraries’ functions is to help implement balanced copyrights;
- There is no inherent difference between digital and traditional works;
- Public lending promotes information dissemination and community outreach; and
- The library shall not assume responsibility for third-party infringement.

Moreover, the statement called upon China’s copyright legislation to pay particular attention to and properly resolve the following three issues:

- The full exercise of the State’s legislative power in copyright legislation;
- The balance between protection of and restriction to information network dissemination rights; and
- Designing and developing simple and convenient licensing agreement system.

From 2005 to 2006, the Library Society of China took an active role in drafting the “Regulations for the Protection of Information Network Dissemination Rights”. In 2006, No. 7 Issue of “Library and Information Service” published a set of featured articles regarding “Network Information Dissemination Rights: The Concepts, Voice and Actions of Libraries.” When enacting “Regulations for the Protection of Information Network Dissemination Rights”, the library community, the publishing industry, digital resources producers and providers were engaged in a heated dispute regarding the 5th Item in Article 4 and Article 6 of draft “Regulations” (“Article 4 and
6” for short\(^7\), for which many experts published articles in the following journals: *The Journal of Library Science in China, Library and Information Service, Digital Library Forum, Journal of the National Library of China, Document, Information & Knowledge*. In these articles, the authors voiced expectations and opinions of the library community. As a result, the implication of the “*Regulations for the Protection of Information Network Dissemination Rights*” legislation in July of 2006 highlighted the participatory role of the library community in the system of checks and balances. Thus, this process is considered to be Chinese library community’s first successful participation in national legislation by referring to foreign experiences and common practices.

Since 2000, research in library activities and copyright issues has nearly quadrupled that of the past 20 years; a quarter of these are about library activities in relation to copyrights. Since 2002, there have been several academic books, such as “*Copyrights and Digital Libraries in the Network Environment*” (Beijing Library Press, September 2002) by Prof. Xiao Yan, “*The Public Dissemination of Digital Information in the Copyright System*” (Beijing Library Press, January 2005) by Prof. Jiang Xiangdong, “*Public Access to Information Resources and Protection of Intellectual Property Rights*” (Beijing Library Press, July 2007) by Prof. Chen Chuanfu. Since 2005, as the library community continues to participate in implementing “*Regulations for the Protection of Information Network Dissemination Rights*”, research directly related to library activities in the context of Information Network Dissemination Rights continues to grow. This trend can be clearly shown by research of such professors as Li Huawei, who makes a graph of quantity change in research results, as seen in Fig. 1.

![Fig. 1 Research trend on information network dissemination right during 2001–2007](image)

3 Public libraries and government information disclosure

For a long time, the development of government information services in China’s public libraries remains in a preliminary level. From April 2005, the State Council
Office began distributing “The State Council Gazette” throughout China to county and higher-level public libraries free of charge\cite{8}. In light of this, popular government information services in public libraries in China were limited to the display of and access to printed Gazettes within the public library buildings. In more developed regions, a small number of public libraries came to be access points for free copies of the local government Gazette.

However, governments failed to incorporate public libraries as a part of the government’s information disclosure system, which otherwise would make public libraries the most convenient place for the general public to access government information. This can be seen from the following examples. As of 2002, China had announced 29 regulations concerning local or departmental government information disclosure\cite{9}; and almost all of these regulations included the institution of “public reading rooms” as a venue for “public disclosure”, the prerequisite being that reading rooms be located in “the main offices of government agencies”, rather than in public libraries. Government information disclosure regulations in Shanghai City and Hainan Province have extended to public libraries, but only making public libraries a site for placing and accessing the “Government Gazette”, rather than agencies for government information disclosure.

“Regulations of the People’s Republic of China on the Disclosure of Government Information”, promulgated by the State Council in April 2007 and officially implemented on May 1, 2008, has brought challenges and opportunities to the public libraries’ government information services. The Article 16 of the Regulation aimed directly at the public library, states that “the government at all levels should set public access points in the national archives and public libraries, and equip these sites with appropriate equipment to facilitate citizens, corporations or other organizations in accessing government information”, and “the executive authorities should take the initiative to furnish the national archives and public libraries with government information.” Besides, Article 19 provides that “the executive authorities shall prepare and publish regularly updated government information disclosure directories and guides.” Though it is not the primary task of public libraries, the work, to which library professionals can lend their expertise, is related to the library’s fundamental operations and capacity. The promulgation and implementation of “Government Information Disclosure Regulations” is regarded as hallmark to ensure the government information disclosure system and to include public libraries as a statutory channel of information disclosure. Libraries are acutely aware of the importance of developing government information services for promoting librarianship development and social democratization. Since 2007, theoretical and practical research on public libraries’ government information services has rapidly drawn much attention.

In July 2007, the topic of public library service in relation to government information disclosure was first included in the scope of lawmaking concerning libraries and elaborated in the keynote speech of the annual conference\cite{10}. At the New Year Summit held by the Library Society of China in early 2008, measures for public libraries to implement government information services according to “Government Information Disclosure Regulations” were discussed for the first time.
at such a high-level\textsuperscript{[11]}. In early March, a seminar for “Government Information Disclosure Regulations” was convened by Peking University Constitutional and Administrative Law Research Center and Peking University’s Center for Legal Information. At this seminal, library science scholars were invited to talk about the status and functions of the government information disclosure system, and to introduce best practices, experiences and effects of overseas public library government information services. Speakers also summarized the current state of public library government information services in China and put forward suggestions for public libraries to implement related provisions of the Regulation\textsuperscript{[12–13]}. This seminar facilitated communication and interaction concerning importance of public libraries in China’s government information disclosure system between experts in library science, law professionals and government officials. By the end of May, the Library Society of China and EU-China Information Society Project co-hosted the “Public Library Government Information Services Seminar” at China’s National Library, focusing on the role of the public library in government information disclosure. In this seminar, government officials, EU experts, legal professionals and library experts elaborated on the importance, function, role and service of public libraries from various perspectives while public library directors exchanged their latest exploration in government information services, problems they encountered and suggestions for future development. The Library Society of China also put forward a blueprint for promoting Government Information Service in public libraries across China\textsuperscript{[14]}. Thus, this meeting was the testament to the widespread interest within society in the role of public libraries in government information services. It also indicated that public libraries’ involvement in the government information services has moved from an awareness campaign to the developmental stage where actual practice and service innovation have begun.

Public libraries’ first issue in launching government information services is to resolve specifically what must be done and how to do it. Foreign countries, particularly developed countries, have accumulated much successful experience in developing various approaches and service models over times. Since 2007, domestic research in this area focuses on two major areas. One area encompasses the introduction and summary of the practice and experience of foreign public libraries. The other focuses on China’s forging a public library government information service model with Chinese characteristics by adopting international experience to China realities and the requirements of the Regulations. The topic has become the focus of important academic journals. For instance, the 4th issue of “Information and Documentation Services” in 2008 included a special section on “Public Library and Government Information Disclosure”. A recent paper, co-authored by Prof. Li Guoxin, Prof. Yu Liangzhi and Ms. Xu Shan, points out that public libraries’ government information services should cover the following three aspects\textsuperscript{[15]}:

- Application of professional expertise in the collection, scientific organization, processing, integration, and in-depth indexing of government information to facilitate public use;
Progress Reports

- Development of innovative public library government information services; and
- Active involvement in the establishment of local government information disclosure directories, guidelines and indexes, while improving the quality of work and lowering the cost.

Another focal point of introduction and research is that libraries should also be entrusted with the depositary library, long-term preservation and permanent use of government information, as is practiced in foreign government information disclosure system[16]. Such research has practical significance in guiding Chinese public libraries to serve the government.

“Government Information Disclosure Regulations” has not been promulgated for long, but there have already been many positive changes in public library government information services, demonstrating the impact of applying law to promote and regulate the service. Since the State Council Office issued “Announcement of Making Good Preparatory Work of Implementing the People’s Republic of China Government Information Disclosure Regulations” in August 2007[17], by March 2008, 63 provincial and prefecture-level government bodies had issued relevant provisions for implementing “Regulations”, most of which refer to public libraries as public access points for government information[18]. While the implementation of regulation was being prepared, many local governments took a number of effective measures to implement the provisions in Article 16. For example, in November 2007, Capital Library of China began building a special reading room and purchasing the necessary equipment with the support of special government funds. At the same time, Beijing municipal government’s relevant guideline documentation also underwent intense preparation. Another library, Tianjin Library, with the support of government special funds, opened up a 200-square-meter government information reading room and purchased computers, bookshelves, tables, chairs, and other materials and is expected to provide government information services to the public in electronic form in the future. Suzhou Library took the initiative to contact the local government to coordinate functions involving the public library’s government information services. Heilongjiang Library submitted a “Government Information Disclosure Service Platform Building Project” to the provincial government departments responsible for government information disclosure, suggesting that the provincial library provides government information disclosure services for the provincial government by way of document retrieval and consultation, large-screen electronic displays, digital storage and network transmission within public libraries in Heilongjiang Province and other areas. They also suggested applying their professional expertise to assisting the government to edit the Government Information Disclosure guideline, directory, annual report, required summaries and guiding documents. Furthermore, they suggested providing to the public such services as viewing, searching, scanning, photocopying, and consultation services for research on special features concerning government information. It can be safely predicted that public libraries government information services will become a prominent focus of both theoretical research and practical application within China’s library community in the future.
4 Public library construction standards

In 2005, China launched its first project to compile “Public Library Construction Standards” which, in accordance with construction requirements and the existing management system, were divided into two major sections: 1) “Public Library Construction Standards”, compiled by China Library Society and approved by the National Development and Reform Committee and Ministry of Housing and Urban and Rural Construction; 2) “Guidelines for Land Utilization for Public Library Construction”, compiled under the guidance of Ministry of Culture and by China Urban Planning and Designing Institute, and approved by the Ministry of Housing and Urban and Rural Construction, along with the Ministry of Land and Resources. After three years of work, the Guidelines for Land Utilization for Public Library Construction was published in May 2008 and finally put into force on June 1, 2008. The Public Library Construction Standards is currently in the approval stage and will soon be promulgated and implemented.

These two documents are related to neither architectural, engineering, nor construction design standards. Rather, they are:

- “Decision-making standards” used to ensure unified national standards in the scope of public library construction scale, investment and land allocation.
- “Action standards”, used to compile, examine, evaluate and approve the report on the public library project’s feasibility; it also serves as a yardstick in urban design to protect land use for the development of public libraries.
- “Evaluation and approval standards”, used to standardize the examination and approval in the construction process. As such, these two standards help in government decision-making and government action regulation. They aim to ensure that public library decision-making, management and supervision all conform to a scientific and standardized “Rule by Law”. In terms of construction standards, they additionally standardize government actions at all levels of decision-making, which embody the spirit of responsible government administration conforming to legal standards and the steps required for China librarianship to construct legal environment and legal-guarantee system. Moreover, they represent significant steps toward building a legal environment in the field of library science. In this sense, these two standards are regarded as “landmark in the construction of library law in recent years”[19].

The Public Library Construction Standards addresses three major problems. First, it establishes a standardized scale for the construction of public libraries: service level to be based on the size of population served, paying particular attention to the quantity and category of literature resources while considering the local economic capabilities. This principle breaks with the convention that the administrative level determines the scale of public library construction. Rather, it stresses the principle that public libraries should “equally serve the people” and conforms to the adopted international conventions, thus implementing the principle in library construction practice. Second, these standards form an indicator system reflecting both the current
levels of development in Chinese libraries and future demands (Table 2). Thirdly, these standards clarify the classification, floor ratio and function of rooms to be used in the construction of public libraries and set forth guiding principles of room usage (Table 3).

Table 2  Main index of Public Library Construction Standards

<table>
<thead>
<tr>
<th>Title</th>
<th>Index</th>
</tr>
</thead>
<tbody>
<tr>
<td>Collection (per capita)</td>
<td>0.6~1.5 items</td>
</tr>
<tr>
<td>Seat (per thousand)</td>
<td>0.3~2.0 seats</td>
</tr>
<tr>
<td>Area (per thousand)</td>
<td>6.0~27 m²</td>
</tr>
<tr>
<td>Collection/m²</td>
<td>Large-scale 350~300 items, medium 280 items, miniature 250 items,</td>
</tr>
<tr>
<td>Seat/m²</td>
<td>3 m² (on average)</td>
</tr>
<tr>
<td>Usable floor area coefficient</td>
<td>0.7</td>
</tr>
</tbody>
</table>

From: Public Library Construction Standards (permission for manuscript) (2008.6)

Table 3  Categories of room functions and surface area ratios

<table>
<thead>
<tr>
<th>No.</th>
<th>Room category</th>
<th>Proportion (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Large-scale</td>
</tr>
<tr>
<td>1</td>
<td>Collection area</td>
<td>30~35</td>
</tr>
<tr>
<td>2</td>
<td>Lending and borrowing area</td>
<td>30</td>
</tr>
<tr>
<td>3</td>
<td>Consulting service area</td>
<td>3~2</td>
</tr>
<tr>
<td>4</td>
<td>Public activities and assisted service area</td>
<td>13~10</td>
</tr>
<tr>
<td>5</td>
<td>Business area</td>
<td>9</td>
</tr>
<tr>
<td>6</td>
<td>Administrative office area</td>
<td>5</td>
</tr>
<tr>
<td>7</td>
<td>Technology and equipment area</td>
<td>4~3</td>
</tr>
<tr>
<td>8</td>
<td>Guarantee system area</td>
<td>6</td>
</tr>
</tbody>
</table>

From: Public Library Construction Standards (permission for manuscript) (2008.6)

If the three problems mentioned above are clearly defined, the libraries will be constructed on a scientific basis of basic indicators, rather than being randomly figured out without research, or overbuilt because of competing for achievements in the official’s term of service or local image.

The major issues addressed in Guidelines for Land Utilization for Public Library Construction also cover three aspects:

- The setup of public library should be based on people served and aiming at forming a service network;
- The layout principle of public library is determined by introducing the concept of “service radius” (Table 4);
- The location of public library is more specified. This issue was addressed in principle in Regulation for Public Culture and Sports Facilities issued by the State Council in 2003, i.e.“the area with dense population and convenient transportation”. It is further detailed in the Guidelines, emphasizing “convenient bus transportation” in addition to “convenient transportation” and “relatively quiet” in addition to “good environment”.
Table 4 Set principles and "service radius"

<table>
<thead>
<tr>
<th>Service population/Person (×10⁴)</th>
<th>Standard setting principle</th>
<th>Service radius/km</th>
</tr>
</thead>
<tbody>
<tr>
<td>≥ 150</td>
<td>Large-scale: setting 1~2, no more than 2; service population about 4 million, setting 2 separately</td>
<td>≤ 9.0</td>
</tr>
<tr>
<td></td>
<td>Medium: 1 per 500 thousands</td>
<td>≤ 6.5</td>
</tr>
<tr>
<td></td>
<td>Small: 1 per 200 thousands</td>
<td>≤ 2.5</td>
</tr>
<tr>
<td>20~150</td>
<td>Medium: 1</td>
<td>≤ 6.5</td>
</tr>
<tr>
<td></td>
<td>Small: 1 per 200 thousands</td>
<td>≤ 2.5</td>
</tr>
<tr>
<td>5~20</td>
<td>Medium: 1</td>
<td>≤ 2.5</td>
</tr>
</tbody>
</table>

From: Guidelines for Land Utilization for Public Library Construction, China Plan Publisher, 2008.5

5 Codes of professional conduct

Since the turn of the century, one of the most important changes to the concept of Chinese library law has been the increased awareness of the role of law in library construction, not only the role of specialized library laws and regulations, but also that of a legal guarantee system to facilitate a better librarianship environment. This system includes four major components: 1) laws specific to libraries, 2) laws related to libraries, 3) library professional self-disciplining standards and 4) international conventions related to libraries[20]. Within this system, the Chinese library community has made efforts to cultivate guidelines for professional, self-disciplined behavior in accordance with international perspectives and China’s legal conventions.

In 2001, the Library Society of China began to compile the “Rules of Professional Ethics of Librarians in China (On trial)”, which was revised 10 times in the same year and participated by dozens of experts throughout the country. On November 15, 2002, the Rules were approved and formally published in the 4th Session of 6th Council of the Library Society of China. In breaking through traditional notions regarding library ethics, this report[21]:

- Expressed support for the principle of democracy, currently upheld by modern countries, as a theoretic basis to forge social responsibility of libraries and cultivate ethics within the library system;
- Systematically introduced the principles of equality, confidentiality, ethicality to the professional library services;
- Established the comprehensive concept of copyright protection required of librarians; and
- Stressed that the librarians should have their own professional duties integrated into societal culture.

Of course, because of restraints in circumstances and time, the Rules left many problems to be resolved, e.g. the issue of freedom of information dissemination, the issue for librarians to distinguish between personal conviction and professional responsibility in their activities and to maintain a professional working environment, the concept definition of promoting “the best library service”, as well as the logic, systematic and representation of the whole system. Nevertheless, it is and will be
remembered as the first national codes of professional conduct that breaks the divisions between geographic regions, library types and systems of libraries. It is the document in which the librarians in whole China are given common guidelines to follow, denoting that the library circle of China began to build its profession ethic codes on the legal basis consciously. The mainstream responses from the library community suggest that this document reflects “a new stage in the development of Chinese librarians’ professional ethics, filling the gap in the community”\(^{[22]}\); “a milestone in the library community of China”; and “an important step towards the advanced ranks of the world”\(^{[23]}\).

Early in 2007, the Library Society of China initiated the work to compile the *Library Service Manifesto*, the document defining the rights of library. Since 2007, a discussion about library core values was started in the library community. For over a year, a variety of professional journals have published nearly 50 research papers\(^{[24]}\). The discussion on this subject was furthered in the annual conference of Library Society of China, the 5th Library Theory Symposium and other important meetings in 2007. Multi-perspective studies reveal that “Chinese librarians have seen a notable improvement in these core values, and that they now have a more comprehensive understanding regarding corresponding values in foreign libraries”\(^{[25]}\). These studies laid a theoretical foundation and provided academic support for the compiling of the *Manifesto*. After more than one years’ work, the *Manifesto* (Draft) was submitted to and generally approved by the 6th Session of 7th Standing Council and 4th Session of 7th Council of the Library Society of China in March 2008. And in April of the same year, the *Manifesto* was revised and finalized as the document to be formally published.

Through the *Library Service Manifesto*, the Library Society of China expresses the professional belief shared by all types and levels of libraries: upholding openness to all members of society, implementing and guaranteeing public rights, and bridging information gap. Moreover, it advocates the dissemination of the following occupational goals agreed upon by professionals at various levels:

- Libraries are open public centers of information and knowledge;
- Libraries should provide equal service to all readers;
- Libraries should embody humanistic care in their service and management;
- Libraries should provide quality, efficient and professional service;
- Libraries should develop means of information resources construction and sharing;
- Libraries should make every effort to promote reading in all nation; and
- Libraries should sincerely strive to cooperate with all organizations and people interested in librarianship.

The content of the *Manifesto* can be seen as an embodiment of the ever-active LIS research on public rights to library services, library spirits, library guidelines as well as model library concepts; it is also a summary of the development in the best Chinese library practices in recent years.
According to the general international experience, the modern library self-disciplinary framework mainly includes rights of professional organization and ethics of individuals within the profession. Thus, the compiling and promulgation of the *Rules of Professional Ethics of Librarians in China* (On trial) and *Library Service Manifesto* indicate the basic completion of the library professional framework.

6 Conclusions

In recent years, the tardiness of library legislation in China has become a major issue. However, the situation has been greatly improved with the implementation of the concept of scientific development and the promulgation of a series of laws, regulations, and policies directly or indirectly related to librarianship, as the foundation for library legislation today has become much better than six or seven years ago. In July 2008, an investigation of the library legislation carried out by Education, Science, Culture and Health Committee of the National People’s Congress in the national library affirmed that the prerequisite for library legislation had been met and the legislation process was already in the plan of Standing Committee of National People’s Congress. It’s also emphasized that the library legislation should help to promote the cultural construction of the country, promote the cultural rights of the people and enhance the soft power of China[26]. Bearing this latest impetus in mind, it can be predicted that, within the following years, research and practice centered on national library legislation will be of crucial importance in library legislation.

References


