

Law Libraries in Italy

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Abstract

People have always the opportunity to use the results of the work of the Italian law libraries. Thanks to libraries, many works are retrievable through OPACs, the texts of legislations and regulations are freely available in digital format, while professional librarians ensure accuracy, reliability and delivery of legal information. There are many law libraries in Italy, with prestigious collections and advanced reference services, continuously update. Some libraries are involved in projects for the digitization of their historical collections, and/or in institutional publishing projects, others cooperate to share resources, competencies and services. Some of their activities are on a voluntary basis. Librarians are in the forefront in promoting free availability of Italian government information on the net and the open access to the results of scientific research.

However, law libraries and librarians in Italy are in some respects a ‘hidden’ resource, and the important and well-known libraries of the two branches of the Italian Parliament - Biblioteca del Senato della Repubblica and Biblioteca della Camera dei deputati - are in this sense a laudable exception. In fact, law libraries in Italy operate in a fragmented context: there is not a general network or coordination between governmental (at national, regional and local level), university and community libraries, and there are few programs aimed to train specialist librarians.

From the 90s of the twentieth century, certain factors are significantly affecting methods of production, interpretation and application of law, as well as they are causing significant changes in the needs and expectations of users: technological development, digital convergence, internationalization, European and national policies to foster active citizenship and social inclusion. These changes are gradually bringing the focus on libraries and their approach to integration of contents and transfer of knowledge.

This paper will explain the characteristics and trends of the Italian law libraries in their social, regulatory and institutional environment, and in their relations with the other important players in the field of legal information, documentation and publishing.

1. Introduction¹

Let me thank Professor Knudsen and the IFLA Law Libraries Section for giving me the opportunity to speak about law libraries in Italy. I am especially honored of this, since for the first time this topic is addressed in its entirety.

¹ All cited web pages were last checked on August 18, 2009.

There are many law libraries in Italy, with prestigious collections and advanced services. They are often at the forefront in initiatives aiming to ensure accuracy, reliability and availability of legal information and documentation, but are in some respects a ‘hidden’ resource, because operate in a fragmented context.² Since 1861 (date of the unification of Italy as nation-state), the Italian government has been characterized by a tension never fully resolved between centralism and localism, which even in the fields of legal information policies and knowledge institutions has slowed the integration and the development of service-oriented strategies. However, this situation is changing: in the nineties of the twentieth century, began a period of reforms designed to promote cooperation and innovation, simplify legislation and bureaucracy, empower the role and responsibility of Regions and local bodies, and enforce citizens rights.³ Financial pressure, technological development, digital convergence, internationalization, European policies for a common market in the framework of knowledge economy, are the most important drivers of of the change, which is gradually bringing the focus on libraries as catalyzers and producers of knowledge and development.

After a general overview of the Italian policies and market of legal information, we shall see the organization and activities of the Italian law libraries, and some brief notes on the state-of art of law librarianship. Finally, we shall try to draw some conclusions about the perspectives of the national law library system in the hybrid and digital environment.

2. Legal information: policies and market

The Italian legislation on information rights and policy is scattered in many sources, produced at different times and with different purposes, such as: digital administration and eGovernment, cultural heritage, copyright protection, education and research. These rules are not completely harmonized each other, and this leads to some antinomies and / or failures in implementation.

Legal documentation produced by public bodies

All public bodies are required by law⁴ to ensure the availability, management, access, transmission, storage and accessibility of information in digital mode and to organize themselves and act for this purpose by using appropriate information and communication technologies. The law also provides

² See Paolo TRANIELLO, *Storia delle biblioteche in Italia. Dall’Unità ad oggi*. Bologna, Il Mulino, 2002.

³ See Franco BASSANINI and Luca CASTELLI, *Semplificare l’Italia*. Bagno a Ripoli (Florence), Passigli, 2008.

⁴ Legislative Decree 7th March 2005, n. 82, consolidated version (2006), http://www.cnipa.gov.it/site/files/Codice%20Amministrazione%20Digitale_02.pdf. See also the Decree of the President of the Italian Republic 28th December 2000, n. 445, <http://www.parlamento.it/parlam/leggi/deleghe/00443dla.htm>.

rules for authentication and preservation of digital documents. Another law protects the right of access of disabled people to public services, and requires the institutions to ensure that their web sites are complying with the standards regarding technological accessibility.⁵

Actually, while many public bodies publish on their own sites at least the norms and/or the general decisions they produce, there is no guarantee about the authenticity of these texts, nor about the permanency of their URLs, nor about the availability of their consolidated versions.

The 'official' texts of legislation and other public acts are only those published in the Italian Official Journal, *Gazzetta ufficiale della Repubblica Italiana*,⁶ whose online version is freely available only for last 60 days: all the rest is fee. Its publisher is a company⁷ that, while not having the copyright on the official acts of public bodies - because they are on public domain, according to paragraph 5 of the Italian Copyright Law, -⁸ is the copyright holder of the database. According to paragraphs 11 (copyright on works published in the name of State or local authorities) and 102-bis (database protection) of the Copyright Law, the fact that this company has as unique shareholder the Italian Ministry of Economy implies that the Ministry of Economy is the copyright holder of the database, but does not imply that this database should be free. Moreover, the Official Journal database system is not compliant with the requirements for technological accessibility and interoperability.

However, since 1999, there is a national project aiming to standardization of classification and marking of legal documents in digital format, and to integration of all public bodies activities on this matter to facilitate the public and *free* access, as well as the policy-makers activities for the simplification of legislation. Presently, there is a portal (NIR, *Norme in rete*)⁹ which operates as a meta-search engine on a number of national and local government sites. The project is managed by the National Centre for Informatics in the Public Administration (CNIPA, Centro Nazionale per l'Informatica nella Pubblica Amministrazione),¹⁰ which participates to the European debate about standardization and integration of legal documentation formats. Partners in the project are several public bodies and research centers. Recently, the project has been entrusted by law¹¹ to the Ministry of Simplification.¹²

Archivists are involved in defining standards and guidelines for public bodies documentation. They are concerned about the capacity of all of these bodies to ensure effective preservation,

⁵ Law 9th January 2004, n. 4, http://www.pubbliaccesso.gov.it/normative/legge_20040109_n4.htm.

⁶ <http://www.gazzettaufficiale.it>.

⁷ IPZS, Istituto Poligrafico e Zecca dello Stato, <http://www.ipzs.it/home.htm>.

⁸ Law 22nd April 1941, n. 633, consolidated version (2008),

http://www.siae.it/documents/BG_normativa_leggedirittoautore.pdf.

⁹ <http://www.nir.it/>.

¹⁰ <http://www.cnipa.gov.it>.

¹¹ Law 18th February 2009, n. 9, <http://www.camera.it/parlam/leggi/090091.htm>.

¹² <http://www.semplificazionenormativa.it/>.

conservation, authenticity and contextualization of their digital archives.¹³ The problem lies in providing effective strategies to support the development of cooperative digital repositories, managed by competent staff.

For their part, librarians emphasize that all documents produced or financed by public bodies should be publicly accessible, including databases, and with the only exception of those reserved for privacy reasons.¹⁴

The market of legal information

In the past, the Italian commercial legal publishers occupied an almost exclusive segment of the market and remained fairly refractory to technological innovation.¹⁵ This market is still characterised by high presence of print publications and local media, but the availability of online contents is growing, though mostly provided on closed platforms, not OpenURL compliant, and with technological protection measures sometimes so rigid to make it difficult even legitimate utilizations. Moreover, rarely the licenses include post-cancellation rights or guarantees for long-term access to digital resources. Anyway, the recent trend is clearly towards a quantitative and qualitative growth of online products and services.

This growth has been fostered by a process of mergers and acquisitions that led to the concentration of publishing companies. In fact, most of the Italian commercial legal publishing market is predominantly in the hands of two or three big groups, including the multinational Wolters Kluwer,¹⁶ that can cover the costs of innovation. Under this point of view, the unrestricted access to an increasing amount of primary and secondary online sources, made available by public sector, and also by associations and individual professionals, has the merit to rebalance the market, preventing monopolies and stimulating the development of communication patterns more suitable to the emerging needs of research and teaching.¹⁷ To meet these needs, many librarians and

¹³ Mariella GUERCIO, *Gli archivi come depositi di memorie digitali*. "Digitalia: rivista del digitale nei beni culturali", v. 3 (2008), n. 2, http://digitalia.sbn.it/upload/documenti/Digitalia20082_globale.pdf?l=it. Maria Grazia PASTURA *Codice dell'amministrazione digitale: problemi e prospettive archivistiche*. "Quaderni CNIPA", n. 25 (Maggio 2006), http://www.cnipa.gov.it/site/files/estratto_da_Quaderno_25.pdf.

¹⁴ ASSOCIAZIONE ITALIANA BIBLIOTECHE. REDAZIONE DFP, *Stato e necessità della documentazione di fonte pubblica in rete*. In *L'informazione pubblica dalla produzione alla disponibilità*. Giornata di studio in occasione del decennale del repertorio DFP, *Documentazione di Fonte Pubblica in rete* (1997-2007), Roma, 23 Novembre 2007, <http://www.aib.it/dfp/c0711d.htm3>. See also ASSOCIAZIONE ITALIANA BIBLIOTECHE, *Accesso pubblico alla letteratura scientifica. La posizione dell'AIB*. Roma, Associazione Italiana Biblioteche, 18 Novembre 2006, <http://www.aib.it/aib/cen/open.htm>.

¹⁵ See Sonia CAVIRANI, *Società dell'informazione e biblioteche giuridiche: che cosa sta cambiando?* "Biblioteche oggi" v. 21 (2003), n. 4, p. 75-77, <http://www.bibliotecheoggi.it/2003/20030407501.pdf>.

¹⁶ <http://www.wki.it/gruppo.asp>.

¹⁷ See Allen H. RENEAR and Carol L. PALMER, Strategic reading, ontologies, and the future of scientific publishing. "Science magazine", v. 325 (2009), n. 5942, p. 828-832, <http://www.sciencemag.org/cgi/content/abstract/325/5942/828>.

researchers, subordinated by the Conference of the Rectors of the Italian Universities (CRUI), and by the Italian Library Association, are strongly committed in advocacy and initiatives for the development of economically sustainable new publishing models.¹⁸

A crucial issue is the lack of effective integration between different types of sources (both fee and free). In the Google era, publishers, libraries, and all the traditional players in the market of legal information are faced with a challenge: even if user needs and behaviours are very different, depending upon their legal competencies, their skills in legal research, and the aims of their researches, however all users - ordinary people as well as experts; past generation users, who are not familiar with digital environment, as well as new generation users, who attend frequently social networks and wikis to work in collaboration with their colleagues; professors as well as undergraduate students - converge on some common expectations: obtaining quick, easy and transparent access to all relevant sources of information; being able and obtaining facilities to navigate within the *mare magnum* ("great sea") of informations; being able to select reliable informations and documents; being able to interact with the information systems for personalization / profiling of the services; being able to reproduce and re-use informations and documentations for their purposes. Meeting this challenge without leading to a universal monopoly on information should require cooperation between public and private content and service providers for the adoption of open standards for interoperability and information discovery.

Another crucial issue is the need of multilingual access to Italian legal sources: presently, they are available only in Italian language, which is not widespread in Europe and foreign countries. As a consequence, many foreign people working in Italy may not understand our legal system because of language barriers. Moreover, the Italian legal culture and tradition is likely to remain unknown outside Italy. If European integration and building of a global democracy require the comparison and the constant dialectic between different cultures, the language gaps should be bridged.¹⁹

Shared access, cooperation in creating and gathering metadata and vocabularies, multilingualism: these are exactly the new frontiers of bibliographic control in 21st Century.²⁰

¹⁸ For more informations on the Italian activities about Open Access, see *Il wiki sull'Open Access in Italia*, http://wiki.openarchives.it/index.php/Pagina_principale, and the web pages of CRUI. Working Group on Open Access, <http://www.crui.it/HomePage.aspx?ref=894>.

¹⁹ Nicola PALAZZOLO, *Lingua del diritto e identità nazionali: tra storia e tecnologia*. Paper of the Conference *L'italiano e l'Europa. Punti di vista sull'identità linguistica e culturale*, organised by Opera del Vocabolario Italiano in collaboration with Accademia della Crusca, Florence, 6th June 2005. In *Id.*, *Il giurista informatico. Nuovi profili di un'esperienza scientifico-organizzativa (2002-2008)*. Catania, CUECM, 2008, p. 49-65. Electronic version: <http://www.ittig.cnr.it/Ricerca/Testi/palazzolo2008f.pdf>. Precedently published in *Lingua giuridica e tecnologie dell'informazione*, edited by di Nicola Palazzolo. Naples, ESI, 2006, p. 9-27.

²⁰ See *On the record: report of the Library of Congress Working Group on the future of the bibliographic control*. Washington DC, Library of Congress, January 9, 2008.

Law libraries collections as cultural heritage

Although they are often directly involved in publication and in dissemination of legal information, as well as in information literacy activities, libraries are not mentioned in the Italian legislation on eGovernment, nor in the legislation on education and research.

They are mentioned, together with museums and archives, in a specific Code enacted in 2004, regarding the protection of cultural heritage.²¹ It provides that all public bodies must ensure *conservation and access* to their library collections, and that State and Regions should define the policies for valorisation and preservation. It is interesting that this Code provided for the first time in Italy an official definition of the term “library”.²² While the objectives of access, protection and valorisation of library collections should allow, at least, digitization of printed works, presently, the Italian copyright law does not provide an exception to allow libraries to digitise copyrighted works, even for conservation.

3. Law libraries and the national (law) library system

Public bodies are almost completely autonomous on the organization of their libraries.²³ The obligation to ensure access and preservation, as provided by law, is not accompanied by effective instruments for monitoring and evaluation of activities. State and Regions can encourage good practices and the coordination of library services through appropriate legislation and actions. In fact, there are Regions distinguished by the effectiveness of their action in this direction, in other cases interventions are limited to occasional regional funding.

The national library services are entrusted to the Ministry of Cultural Heritage and Activities.²⁴ A department of the Ministry, the General Directorate for Library Heritage, Cultural Institutes and

²¹ Legislative Decree 22nd January 2004, n. 42, consolidated version (2008), <http://www.beniculturali.it/mibac/export/MiBAC/sito-MiBAC/MenuPrincipale/Normativa/Norme/index.html>. For a summary of national legislation relating to libraries, see Fausto ROSA, *Legislazione statale = State legislation*. In “AIB-WEB. Il mondo delle biblioteche in rete = Library and Information Science”. Rome, Associazione Italiana Biblioteche, last update: 2007-05-22, <http://www.aib.it/aib/lis/lpi08a.htm>.

²² "... a permanent structure which collects, catalogues and maintains an organized set of books, materials and informations, edited or published in any media, and ensures their consultation to promote reading and study." (Paragraph 101).

²³ The only general regulation on libraries covers the libraries affiliated to the Ministry of Heritage and Cultural Activities (see the Decree of the President of the Italian Republic 5th July 1995, n. 417, http://www.bncf.firenze.sbn.it/oldWeb/Privacy/dpr_5_7_95_nr147.pdf. Apart from the two National Central Library of Rome and Florence, the others are historical libraries, some of which retain the status of "national" or "university" library in consideration of the role they had in the past.

²⁴ This Ministry was established by Law 29th January 1975, n. 5. Since then, it has been several times reorganized. Today, its competencies range from archeology to the spectacles. In the past, libraries, archives and museums were entrusted to the Ministry of Education (today called “Ministry of Education, University and Research”). In the opinion of some experts, this separation of competencies did not produce positive results. See Salvatore SETTIS, *Il rilancio dei beni culturali*. “La Repubblica”, 28th April 2006, p. 25, <http://ricerca.repubblica.it/repubblica/archivio/repubblica/2006/04/28/il-rilancio-dei-beni-culturali.html>.

Copyright (Direzione Generale per I Beni librari, gli Istituti culturali e il Diritto d'autore),²⁵ coordinates the national libraries and the national bibliographic services.

Another department of the same Ministry, the General Directorate for the Archives (Direzione Generale per gli Archivi)²⁶ coordinates the archives, and particularly: the Central State Archive and the State Archives in every Province²⁷, the structures responsible in every region for the supervision and control over non-state public archives (Soprintendenze regionali archivistiche)²⁸, and the national agency for archival standards (ICAr, Istituto Centrale per gli Archivi).²⁹

Preservation and restoration of documents of cultural interest, including those privately owned, should be under the control of the Ministry and/or of the Regions.

The following are some details on the main law libraries and legal documentation services in Italy: law legal deposit libraries; national bibliographic agency; parliamentary libraries; ministry and court libraries; regional assembly libraries; university law libraries; local government public libraries; other relevant documentation services.

Law Legal deposit libraries

The system of legal deposit has been recently reformed.³⁰ The reform includes the online documents and provides more effective procedures than in the past, eliminating some intermediate transactions. Under the law, the publisher must deliver two copies of its publications to the two National Central Libraries of Florence³¹ and Rome,³² and two other copies to the local deposit libraries in the region where is its headquarters.³³

In the case of legal publications, a fifth copy must be delivered to the Central Library of the Ministry of Justice.³⁴ In addition, the Central Library of the Ministry of Justice, the Libraries of the Senate³⁵ and of the Chamber of Deputies,³⁶ and the Libraries of the Regional Assemblies and of the

²⁵ <http://www.librari.beniculturali.it>.

²⁶ <http://www.archivi.beniculturali.it/>.

²⁷ <http://www.archivi.beniculturali.it/UCBAWEB/indice.html>.

²⁸ <http://www.archivi.beniculturali.it/UCBAWEB/indicesopr.html>.

²⁹ <http://www.icar.beniculturali.it/index.php?it/1/home>. Two databases - covering, respectively, State and non-State archival documentation - are available through this site: SIAS, *Sistema integrato degli archivi nazionali*, <http://www.archivi-sias.it/>; SIUSA, *Sistema Informativo Unificato per le Soprintendenze Archivistiche*, <http://siusa.archivi.beniculturali.it/cgi-bin/pagina.pl?RicLin=en>

³⁰ Law 15th April 2004, n. 106, <http://www.senato.it/parlam/leggi/04106l.htm>; Decree of the President of the Italian Republic 3rd May 2006, n. 252, http://www.librari.beniculturali.it/upload/documenti/Regolamento_deposito_legale.pdf.

³¹ <http://www.bncf.firenze.sbn.it/>.

³² <http://www.bncrm.librari.beniculturali.it/>.

³³ Regional deposit libraries are those listed in the Ministerial Decree 28th December 2007, <http://www.librari.beniculturali.it/upload/documenti/Testo%20decreto%20firmato%2028-12-2007.pdf?l=it>.

³⁴ http://www.giustizia.it/giustizia/it/mg_7.wp.

³⁵ <http://www.senato.it/relazioni/21616/genpagina.htm>.

³⁶ http://english.camera.it/serv_cittadini/1660/1662/1661/lista.asp.

Provinces of Trento and Bolzano can obtain the deposit of a copy of all official publications, and generally any publicly funded publication.

For the implementation of the deposit of online publications, it is required an *ad hoc* regulation after a trial based on voluntary deposit. The National Central Library of Florence is conducting this trial. The reform has increased by about 30% the number of documents deposited. The two central national libraries are gradually integrating their activities, to reduce redundancies, to optimize the workflow, and to share resources for the development of conservation strategies. Also their relationships with the other deposit libraries, at national and local level, should be based on cooperation and integration of activities, but currently it is not clear how this result will be achieved.

National bibliographic agency

The National Central Library of Florence (BNCF) publishes the national bibliography (BNI, *Bibliografia Nazionale Italiana*), which is articulated in various sections.³⁷ Among these sections, there is not one covering legal information.

In this regard, it has been suggested that the functions of national law library should be entrusted to the Parliamentary Libraries and to the Central Library of the Ministry of Justice.³⁸

The BNCF is also the national agency for semantic indexing. Recently, it has published the Italian translation of the 22nd edition of the Dewey Decimal Classification, and the the new Italian subject indexing language.³⁹ As for the indexing of legal works, the BNCF cooperates with a major research center, the Institute of Theories and Techniques of Legal Information (ITTIG, *Istituto di Teorie e Tecniche dell'Informazione Giuridica*),⁴⁰ and with some university libraries specialized in social sciences.

Another national institute (ICCU, *Istituto Centrale per il Catalogo Unico delle biblioteche italiane e per le informazioni bibliografiche*)⁴¹ manages the national union catalogue, called *Servizio Bibliotecario Nazionale* (SBN)⁴², and the national digital library project (BDI, *Biblioteca Digitale Italiana*).⁴³

SBN is a project started about 30 years ago with the objective of creating not only the union catalogue, but a national community of libraries and librarians. This project was the first domestic

³⁷ A list of these products is available at the URL <http://www.bncf.firenze.sbn.it/pagina.php?id=188>.

³⁸ *Il Polo bibliotecario parlamentare. Intervista a Mauro Guerrini*. "Minerva Web", n. 16 (April 2008), <http://www.senato.it/relazioni/21616/48230/152017/152024/152025/genpagina.htm>.

³⁹ BIBLIOTECA NAZIONALE CENTRALE DI FIRENZE, *Nuovo soggettario : guida al sistema italiano di indicizzazione per soggetto : prototipo del Thesaurus*. Milano, Editrice bibliografica, 2006.

⁴⁰ <http://www.ittig.cnr.it/>.

⁴¹ <http://www.iccu.sbn.it/genera.jsp>.

⁴² <http://www.sbn.it/opacsbn/opac/iccu/informazioni.jsp>.

⁴³ <http://www.iccu.sbn.it/genera.jsp?s=18>.

case of online public service based on cooperation between State, Regions and Universities. Unfortunately, it was too much advanced at the time it was projected, and already obsolete when it was implemented.⁴⁴ So, many libraries chose not to participate and preferred other library systems. Presently, the SBN participating libraries are 4,000⁴⁵ out of a total of about 15,000 existing libraries.⁴⁶ It currently contains about 11 million bibliographic records that represent almost 47 million holdings.⁴⁷ In recent years, the architecture of SBN has been restructured to enable the integration of local catalogs managed by different softwares.

BDI is a project aimed to the interoperability of the Italian digitised collections in Italy, for their integration into a national portal (called *Internet culturale*)⁴⁸ and in the European Digital Library.

Parliamentary libraries

The most important law libraries in Italy are those of the two branches of the Italian Parliament: Senate Library (*Biblioteca del Senato della Repubblica*)⁴⁹ and Chamber of Deputies Library (*Biblioteca della Camera dei deputati*).⁵⁰ Founded in 1848, they support the parliamentary work by providing documentation and reference services. They are open to the public and are committed in many activities for the dissemination of legal information and legal information literacy. In 2007 they have unified their collections, their catalogs⁵¹ and their services (this coordination is called *Polo bibliotecario parlamentare*).⁵² They hold almost 2 million works, more than 2.000 journals and about 100 bibliographic and full-text databases. Of these, some unique collections of grey literature. One of their most relevant projects is the digitization, made by the Chamber of Deputies Library, of the entire collection of the Italian Republic Parliamentary acts, from 1948 to 1996 (when the digital publication of laws and other Parliamentary acts has become current practice).⁵³ Moreover, the Chamber of Deputies Library is involved in various publishing projects⁵⁴, like the

⁴⁴ See Tommaso GIORDANO, *Riconfigurare SBN*. "Biblioteche oggi", v. 26 (2008), n. 8, p. 7-12. Electronic version at the URL <http://www.bibliotecheoggi.it/content/20080800701.pdf>

⁴⁵ ISTITUTO CENTRALE PER IL CATALOGO UNICO DELLE BIBLIOTECHE ITALIANE E PER LE INFORMAZIONI BIBLIOGRAFICHE, *I Poli e le Biblioteche SBN*. Rome, ICCU, <http://www.iccu.sbn.it/moduli/poli/poli.jsp?s=5>.

⁴⁶ ISTITUTO CENTRALE PER IL CATALOGO UNICO DELLE BIBLIOTECHE ITALIANE E PER LE INFORMAZIONI BIBLIOGRAFICHE, *Anagrafe delle biblioteche italiane*, <http://anagrafe.iccu.sbn.it/index.html>.

⁴⁷ ISTITUTO CENTRALE PER IL CATALOGO UNICO DELLE BIBLIOTECHE ITALIANE E PER LE INFORMAZIONI BIBLIOGRAFICHE, *Le basi di dati*. Rome, ICCU, last update: 22 June 2009, <http://www.iccu.sbn.it/genera.jsp?id=339>.

⁴⁸ *Internet culturale*, <http://www.internetculturale.it/>.

⁴⁹ <http://www.senato.it/english/relations/28062/genpagina.htm>.

⁵⁰ http://english.camera.it/serv_cittadini/1660/1662/1661/lista.asp.

⁵¹ <http://opac.parlamento.it/F>.

⁵² <http://www.parlamento.it/polobibliotecario/44519/gencopertina.htm>.

⁵³ <http://legislature.camera.it/>.

⁵⁴ http://www.camera.it/serv_cittadini/23006/23054/documentotesto.asp.

Annual report on legislation in Italy and in Europe (*Rapporto sulla legislazione tra Stato, Regioni e Unione Europea*).⁵⁵

Ministry and Court Libraries

Many ministerial libraries were born in the nineteenth century, to support the Ministry officials work, so their historical collections reflect the evolution of the Italian public administration. From the second half of the nineteenth century, they entered in a phase of neglect and abandonment.⁵⁶ In the twenty-first century, in a system of legal relations increasingly complex, they began to regain visibility and importance as advanced documentation centers.

Most of them participate in the national catalog SBN. Each Ministry web site⁵⁷ often include informations on its libraries, but there is not yet a general Ministry libraries network.

The most important Ministry library is the Central Library of the Ministry of Justice (*Biblioteca centrale giuridica del Ministero della Giustizia*),⁵⁸ which has been entitled to a copy of all works published in Italy since 1880. Together with the Parliamentary Libraries it could be at the heart of the national coordination of law libraries. It is not open to the general public, but teachers and students in law are admitted. It joins the SBN national union catalog through a collective catalog⁵⁹ which includes the Central Library of the Ministry of Internal Affairs and various Court Libraries.

A particular type of governmental libraries are those of the School of Public Administration (SSPA, *Scuola Superiore della Pubblica Amministrazione*).⁶⁰ The SSAP is a school for advanced training of executives and public officials, under de supervision of the Presidency of the Council of Ministers (*Presidenza del Consiglio dei Ministri*).⁶¹ As part of its elearning program, the SSAP has produced a useful directory of libraries in public administration.⁶² Its libraries are targeted to teachers and students of the School itself, but are also accessible to students who pursue degree thesis on topics related to public administration. Their collective catalog⁶³ is integrated into the national union catalog SBN.

Regional Assembly Libraries

⁵⁵ <http://www.camera.it/docesta/9383/9387/22159/documentotesto.asp>.

⁵⁶ Guido MELIS, *Passato, presente e futuro delle biblioteche delle pubbliche amministrazioni*. In *Le biblioteche dell'amministrazione dello Stato: esperienze a confronto*. Proceedings of the Seminar of the Working Group on Government Libraries held within the 51. Congress of the Italian Library Association. AIB. Rome, 29 October 2004, <http://www.aib.it/aib/congr/c51/melisint.htm>.

⁵⁷ <http://www.governo.it/Governo/Ministeri/index.html>.

⁵⁸ http://www.giustizia.it/giustizia/it/mg_7.wp.

⁵⁹ <http://opac.giustizia.it/SebinaOpac/Opac>.

⁶⁰ <http://www.sspa.it/>.

⁶¹ <http://www.governo.it/presidente/index.html>.

⁶² http://formazione.formez.it/biblioteche_per_la_pa.html.

⁶³ <http://sspa.sebina.it/SebinaOpac/Opac>.

Regions, provided by the Italian Constitution of 1948, were actually introduced in 1970.⁶⁴ The role of local public bodies (Regions, municipalities, metropolitan cities, provinces) is becoming increasingly important, especially after a 2001 reform.⁶⁵ The Regions and the Provinces of Trento and Bolzano have legislative power over all the matters that the Constitution does not expressly reserve to the central State. Moreover, according to the principle of subsidiarity, the administration is entrusted to entities closest to recipients. Even on the matters entrusted to the State, Regions and the other local authorities participate in the decision-making on all issues which may have impact on their territories.

Consequently, the Regional Assembly libraries should grow as legal documentation services addressed not only to the Assembly members, but also to the other local authorities and to the local government public libraries and information centers. Moreover, they should be the local loops of a national law libraries network. Most of them participate in the national union catalog SBN and in a specific Regional Assembly Libraries meta-search engine.⁶⁶ In some cases they cooperate with law faculties for collection development and training activities.⁶⁷

University law libraries

The Italian universities with a Law faculty are 63.⁶⁸ Some of them were founded in the Middle Ages, and this very ancient history is reflected in their collections. They are highly active in hybrid and digital collection development, as well as in the development of advanced reference guides and tools for research and e-learning.⁶⁹ Many are involved in the management of institutional publishing projects and / or of the institutional open archives. As regards the information literacy, active involvement of libraries in the university courses is gradually becoming a rule, especially in the Center-North of the country, but it is not yet an established practice. Students often learn the methodologies of research only when preparing the thesis degree, and that's when they discover the usefulness of the library reference services.

The Italian universities, coordinated (and largely funded) by the Ministry of Education, University and Research (Ministero dell'Istruzione, dell'Università e della Ricerca),⁷⁰ are very autonomous

⁶⁴ Law 16th May 1970, n. 281, http://www.italgiure.giustizia.it/nir/lexs/1970/lexs_225225.html.

⁶⁵ Constitutional Law, 18th October 2001, n. 3. English version: http://www.senato.it/documenti/repository/istituzione/costituzione_inglese.pdf.

⁶⁶ *MetaOPAC delle Biblioteche delle Assemblee regionali*, <http://www.parlamentiregionali.it/biblioteche/metaopac.php>.

⁶⁷ An example is the partnership between Emilia-Romagna Regional Assembly Library and the University of Bologna law libraries. See the announcement at the URL <http://assemblealegislativa.regione.emilia-romagna.it/wcm/biblioteca/acp/coll/progetti/index/biblio/giuridiche/biblioteche.htm>.

⁶⁸ See the database of the MINISTRY OF EDUCATION, UNIVERSITY AND RESEARCH, *CercaUniversità*, <http://cercauniversita.cineca.it/>.

⁶⁹ For an example, see the reference guide of the UNIVERSITY "CARLO CATTANEO" OF CASTELLANZA (MILAN). BIBLIOTECA "MARIO ROSTONI", *L'informazione giuridica*, <http://www.biblio.liuc.it/vlibrary/VLIndici.asp?codice=15>.

⁷⁰ <http://www.miur.it>.

bodies,⁷¹ so the organization of their libraries depends on the choices of each university: some have many department libraries, others are grouped in larger thematic areas to facilitate coordination. Generally, the definition of their policies and scientific profile are entrusted to boards compounded by professors and librarians, while the management is entrusted to librarians. The continuous cuts to funds for research and increasingly unsustainable pricing policies of the publishers have brought university libraries, first, to overcome the internal fragmentation, then to cooperate with external university library systems. Most of them participate in consortia and to a national co-ordination of negotiations under the auspices of the Conference of the Rectors of the Italian University (CRUI, Conferenza dei Rettori delle Università Italiane)⁷². Not all of them join the national catalog SBN, anyway the majority are involved in general and specialized networks, created and managed by some universities and research institutions: the national catalog of journals held by Italian libraries (ACNP),⁷³ the analytic indexing of Italian journals of law, economy and social science held by Italian libraries (ESSPER),⁷⁴ the Network of InterLibrary Document Exchange (NILDE)⁷⁵, and so on.

Local Government Public Libraries

In Italy there are excellent public libraries, but also in this case the situation is uneven: in the South of the country, many library systems are poorly developed. We all know that public libraries are key tools to promote cultural progress and active citizenship. In the case of legal information, their role could become increasingly important despite the increasing of online information: given that most social relationships are regulated by rules of law, knowledge and understanding of norms is essential for all. Moreover, in a pluralistic legal system like the Italian (*i.e.*, copresence of the International Law, the European Community Law, the Local Autonomies Law, and so on), the occurrence of antinomies adds complexity to the choice of the rule to be applied to each case. Of course, this should require expert legal consulting services, but why don't suggest a cooperation in

⁷¹ See Paragraph 33 of the Italian Constitution, http://www.senato.it/documenti/repository/istituzione/costituzione_inglese.pdf, and Paragraph 6 of the Law 9th May 1989, n. 168, <http://www.miur.it/leggi/1168arti.htm>.

⁷² <http://www.cruai.it>.

⁷³ <http://acnp.cib.unibo.it/cgi-ser/start/it/cnr/fp.html>. Initially created and maintained by the National Council of Research (CNR, Consiglio Nazionale delle Ricerche), at the present the catalogue is hosted and maintained by the University of Bologna.

⁷⁴ <http://www.biblio.liuc.it/essper/spoglio.htm>. Created, hosted and maintained by the Library of the University "Carlo Cattaneo" of Castellanza (Milan).

⁷⁵ <http://nilde.bo.cnr.it/>. Created and maintained by the "Area Library", the library of the Institutes of Bologna of the National Council of Research (CNR, Consiglio Nazionale delle Ricerche).

this matter between local government libraries, other public offices, law faculties and professional orders?⁷⁶

Other relevant documentation services

A very important tool is the *Italian government information on the net* (DFP, *Documentazione di Fonte Pubblica in rete*),⁷⁷ a guide and a data-base of Internet resources, hosted on the Italian Library Association web site and entirely realised on a voluntary bases.

A special mention merits the Institute of Theory and Techniques of the Legal information (ITTIG, *Istituto di Teoria e Tecniche dell'Informazione Giuridica*)⁷⁸, which is part of the Italian National Council for Researchs (CNR, Consiglio Nazionale delle Ricerche).⁷⁹ ITTIG is specialised in “Informatics and Law” and is involved in various national and international projects. One of its publications is the *DoGi Database – Legal Literature : Abstract of articles published in italian law periodicals*.⁸⁰ Differently from the ESSPER project mentioned above, DoGi is a bibliography and not an analytic catalogue.

Finally, some notes on the most relevant public source of legal information: *Italgiure Web*,⁸¹ the databases of legislation, case laws and legal literature published by the Electronic Documentation Center (CED, Centro Elettronico di Documentazione) of the Italian Supreme Court (Corte di Cassazione).⁸² In the past, all these databases were fee. From 2004,⁸³ othe databases of legislation and of the Constitutional Court decisions are free, through the cited NIR - *Norme In Rete* meta-search engine.

4. Law Librarians: education and profession

The development of electronic resources and the complexity of their management have fostered the recognition of the importance of librarians professional work, and the growth of their prestige within the parent institutions. For now this is still a trend, not an achieved goal. In facts, it does not exist in Italy a standardized curriculum for the career of law librarians, as well as for librarians in

⁷⁶ Such a cooperation is underway between the public Library “Villa Amoretti” of Turin and the local Notary Board.

See *Il notaio è un libro aperto* (transl.: “*The notary is an open book*”),

http://www.torinocultura.it/portal/page?_pageid=67,1667702&_dad=portal&_schema=PORTAL&mostraCalendario=1&idEvento=44463&idCanale=1.0.

⁷⁷ <http://www.aib.it/dfp/dfp.htm3>.

⁷⁸ <http://www.ittig.cnr.it/>.

⁷⁹ <http://www.cnr.it>.

⁸⁰ <http://nir.ittig.cnr.it/dogiswish/consistenze/dogi-rivEng.htm>.

⁸¹ <http://www.italgiure.giustizia.it/>.

⁸² <http://www.cortedicassazione.it/>.

⁸³ Decree of the President of the Italian Republic 17th June 2004, n. 195,

http://www.italgiure.giustizia.it/nir/lexs/2004/lexs_403491.html.

general, thought the need for qualified personnel is now felt by many institutions, which are adopting criteria for recruitment much more rigorous than in the past.

In the previous paragraph, we have already seen that the information literacy of students in Law is subject to specific programs only in some universities. In some degree and post-degree courses, there is also a teaching in *Legal informatics (Informatica giuridica)*, part of which focuses on legal research methodologies. All of these programs are not specifically aimed to train law librarians. So, a graduate in Law should become expert in Library Science after attending a master or a second level degree in Library science.⁸⁴ The problem is that, given that the profession of librarian in Italy is not attractive from an economic standpoint, there are few legal experts interested in this career. Moreover, University courses in Library science are included in the faculties of Arts and Humanities, or of Cultural Heritage ("Beni culturali"), and this influences curricular contents and teaching approaches of these courses: they are perfect to give broad and theoretical knowledge of books and documents as the witness of a cultural tradition, but often deficient in providing competencies in management, law, communication, technology, which are necessary for today library work.

So, in most cases, librarians acquire legal competencies on the job and / or in seminars and courses organized by the parent institution, or external agencies. The need for specialization and constant updating is expressed primarily by librarians themselves, stimulated by the reflections and debates within the international professional community, and also by the competition in the labor market that, with the shrinking of employment opportunities, has become very hard.

5. Conclusions.

The role of law libraries in the Italian legal information system appears increasingly crucial, despite they have been considered by the Italian legislator little more than repositories of books and other materials. The lack of a general national law libraries network or coordination makes their contribution less visible and effective than it should be. Library cooperation in Italy has become an established practice, but at the moment the absence of a coherent strategy for libraries at political level is still slowing a full integration.

⁸⁴ Presently, in Italy there are three levels of academic education: "Laurea", "Laurea magistrale", "Dottorato". Post-Degree Masters organised by Universities and/or other institutions are considered professional qualifications, but not academic qualifications. The Degree in "Archival and Library Science" ("Archivistica e Biblioteconomia") is a second level degree. See the Ministerial Decree 22nd October 2004, n. 470, http://www.miur.it/0006Menu_C/0012Docume/0098Normat/4640Modifi_cf2.htm, and the Ministerial Decree 16th March 2007, http://www.miur.it/Miur/UserFiles/Notizie/2007/DMCdL_magistrale.pdf.

In next future, due to the digital convergence, all of “traditional” activities of law libraries (collection development, preservation, bibliographic control, reference services, quality of information ensuring) will be even more needed and complex. In the meantime, they are developing new services and activities, such as institutional publishing and support to programs for information literacy. As a consequence, their prestige in society and in their parent institutions tends to grow, although, paradoxically, their budgets have never been so insufficient as some years now.

Information technologies permit to strengthen interdisciplinary and interinstitutional cooperation, integrate workflows and new kinds of documents, meet the expectations of different users, realize information architectures strongly oriented to interactivity and user participation. EGovernment projects as well as digital library projects are expected to converge on these aims, thanks to the contribution of several public and private players. Among all of these players, libraries are the most committed to defending user access right, because this is properly their mission. For this reason, libraries should be at the hearth of those projects.