

ABSTRACT

This dissertation investigates and justifies the need for a public library law in Zambia to lay the foundation for the provision and development of public library services. The subject of library legislation is not new to Zambia. On two occasions, in 1976 and 1977, the Zambia Library Association made unsuccessful attempts to have a bill passed by the Zambian Parliament.

The objectives of this research are therefore both academic and practical. Academically to investigate and justify the need for a public library legislation for Zambia. Practically, it is the hope of the author that this research will catch the attention of the Zambian government and encourage the Zambia Library Association to renew its campaign for a library bill.

The urgency of the need for a public library legislation stems from the fact that public library services in the country are both inadequate and inappropriate for the information needs of society. This inadequacy has its roots in the failure of the authorities that be, to define the role of public libraries to meet the challenges of the present society. As a result, public libraries ~~and~~ have failed to make any significant contribution to the advancement of the society. Therefore, only a public library law will create the administrative and financial basis for the development of library services in the country.

Due to the distance between Zambia and Sheffield where bulk of the research was carried out and perhaps a time constraint, the author had to rely ~~entirely~~ on secondary

literature. In other words, actual field work, interviews and other methods associated with the research undertakings were not employed. Perhaps this is the major shortcoming of the research.

Accepting this method of approach the author intends to analyse the authoritative statements on public library legislation and the development of public libraries and, review existing legislative arrangements for the provision of public library services in other African countries. This analysis will provide the philosophical, theoretical and practical guidelines for assessing the Zambian situation.

The dissertation is divided into seven chapters. In chapter one the various social, political, economic and environmental forces that affect and shape the development of the Zambia society are analysed.

Chapter two traces the historical development of library services and attempts to identify the major problems faced by public librarians in the country.

Chapters three and four deal with public library legislation in general. Chapter three outlines the principles and functions of public library legislation and, also traces the development of the idea of offering library services based on legislation from the British Public libraries and Museums act of 1850 to the present day. Chapter four reviews the legislative arrangements for the provision and development of library services in Anglo-Phone Africa and, previous attempts by the Zambia Library Association to have a library bill passed.

Chapters five and six deal with the problem of public library legislation for Zambia. In Chapter five we justify the

need for a public library law to lay the foundation for the provision and development of public library services in the country, while chapter six outline a possible strategy for library profession in campaigning for the bill.

Chapter seven presents the conclusion and a draft public libraries bill to be considered by the Zambia Library Association.

AKNOWLEDGEMENTS

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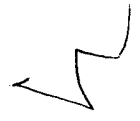
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May the powers that be bless and guide you all.



DEDICATION

This dissertation is dedicated to the following people:

My mother, Pecky, for being such a caring and kind mother. Her encouragement through the years <sup>me</sup> gave the heart to carry on.

My sisters Lina, Veronica, and Jennifer for their unlimited love and, attention. Being the only brother I enjoyed every little moment I spent with you.

My cousins, nephews, aunts and nieces for being constantly at my side. I love you all.

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In memory of Atata. RIP. You never gave me time to know you.

To the struggling youth of Africa who may never have the chance I had. Tomorrow belongs to you.

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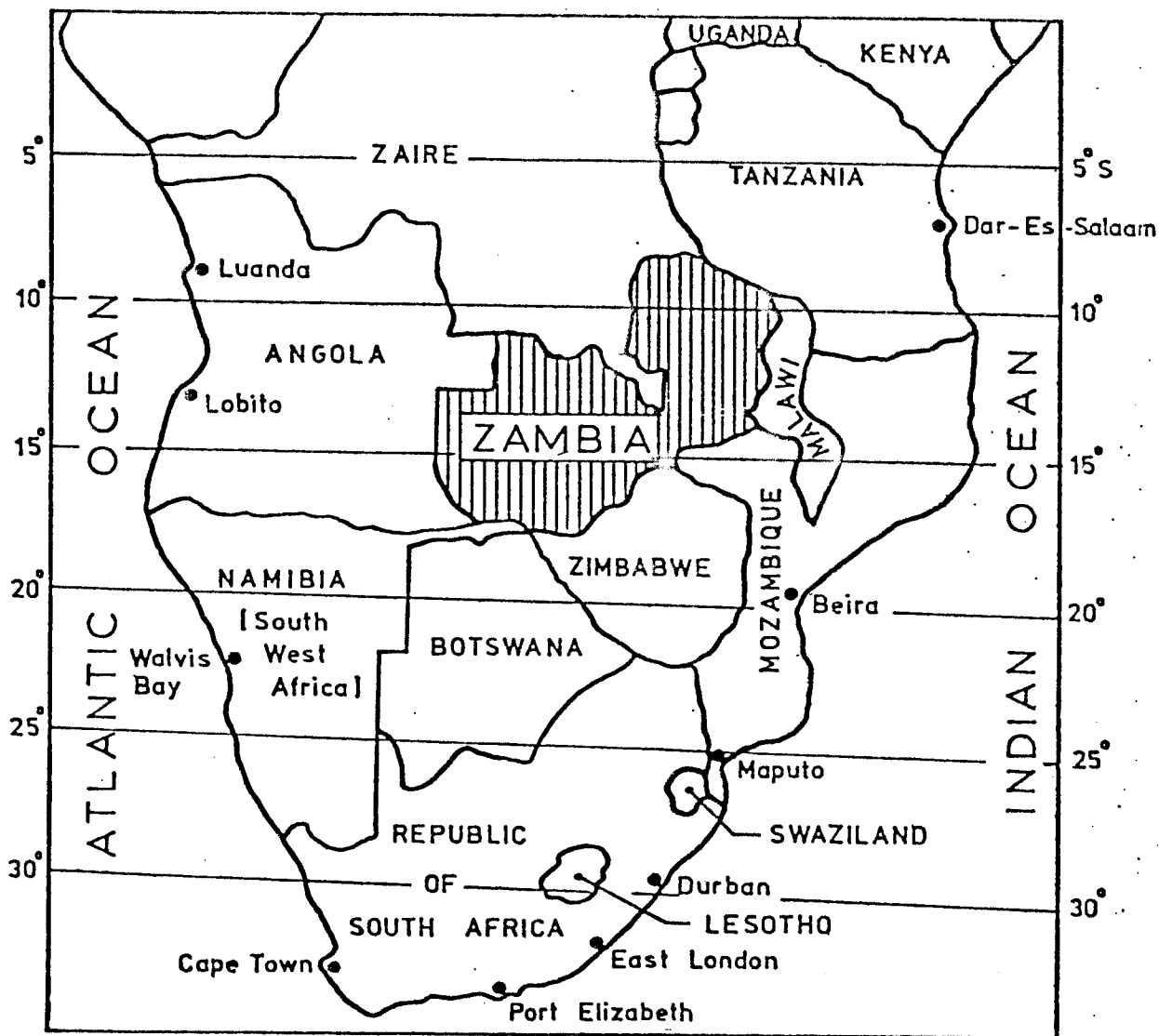
ZAMBIA

1.0 INTRODUCTION

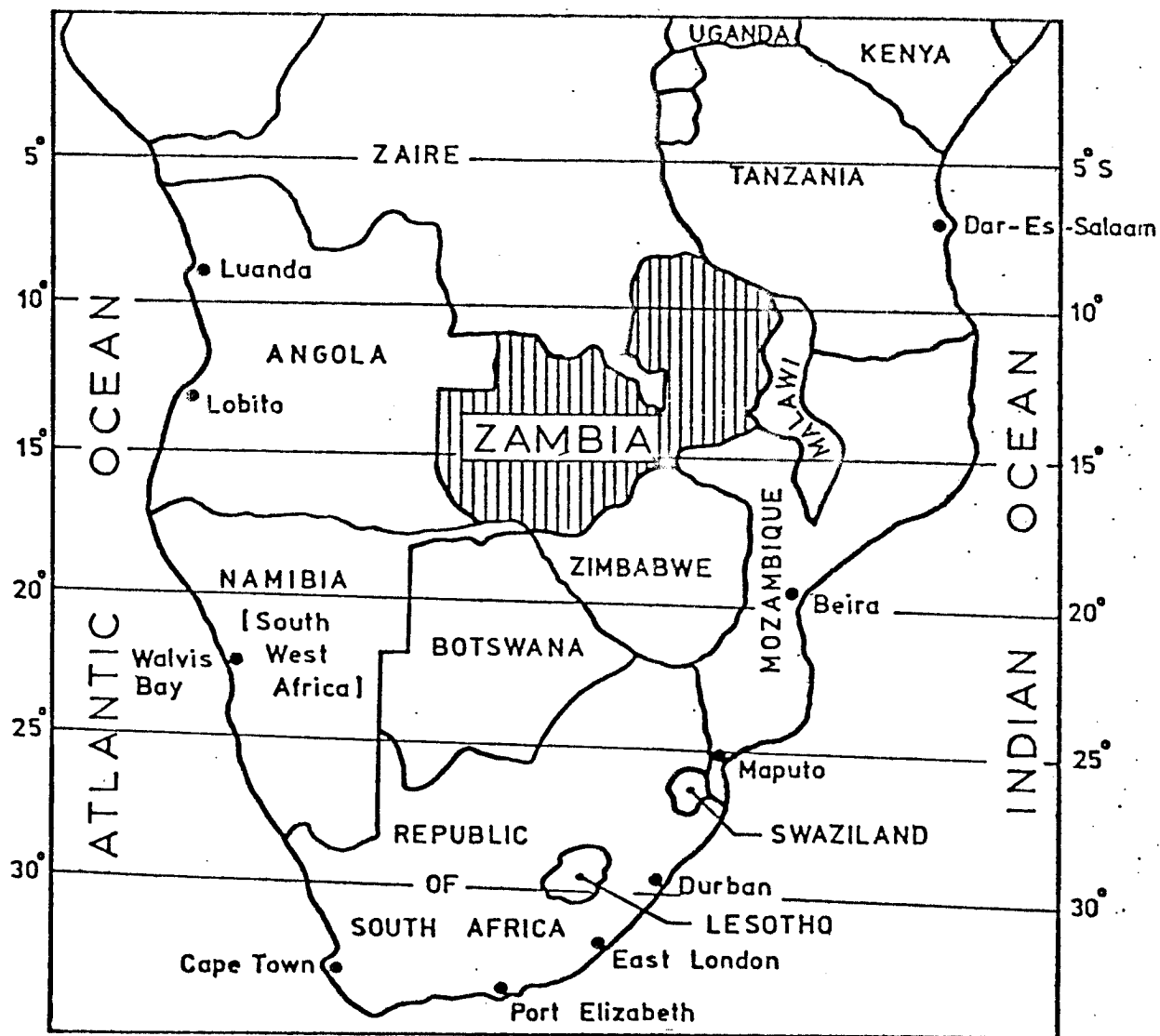
This chapter gives an introduction to the social, cultural, political and economic characteristics of the Zambian society. Libraries serve and are affected by society, which is in turn affected by the social, political economic and environmental forces. It is, therefore, imperative that if libraries are to make any significant contribution to the society, they must address themselves to these forces. For the purpose of this study, however, the greatest attention is given to the political system and the policy making structure.

1.1 GEO-POLITICAL POSITION

Zambia is a large land-locked country in Southern Central Africa, with an area of 299,586 square miles (752,614 square kilometres). It shares borders with eight countries. It is bordered to the west by Angola, to the north west by Zaire, to the north east by Tanzania, to the east by Malawi, to the south east by Mozambique, to the south by Zimbabwe and a small ill-defined border with Botswana and, to the south west a thin strip of Namibian territory, called the Caprivi Strip (see map one). Zambia's geo-political position puts her in a very peculiar situation. She is close to the Racist South Africa and, has to depend on her



• ZAMBIA : Geo-political. Extremely vulnerable to outside pressures.



: ZAMBIA : Geo-political. Extremely vulnerable to outside pressures.

neighbours for external trade and communication.

## 1.2 PHYSICAL FEATURES

The greater part of Zambia forms a plateau of about 3000 to 5000 feet above sea level. The land scape has a flat or gentle surface, resulting from long uninterrupted erosion (Kay, 1967). In the northern part of the country, the general level rises towards the Munchinga mountains, which is 5000 to 6000 above sea level. From the Congo-Zambezi divide in the north the elevation falls southward toward the Zambezi valley. Most of the country drains south and south east into the Indian Ocean.

## 1.3 CLIMATE

Although Zambia lies within the tropics it's altitude ensures a climate that varies considerably, but very favourable to <sup>human settlement and there</sup> are only two seasons, the dry season and the rain season. The dry season lasts from May to October and can be divided into two parts.

The first part of the dry season lasts from May to August. During this period the weather is generally cool. The second part covers the period between August and October, and, it is during this period that the country experiences it's hottest temperatures. The rain season lasts from October to April or May. Usually the northern parts of the country, which are closer to the tropical and the Congo forest, receive more rain than the southern parts.

**LEGEND:**

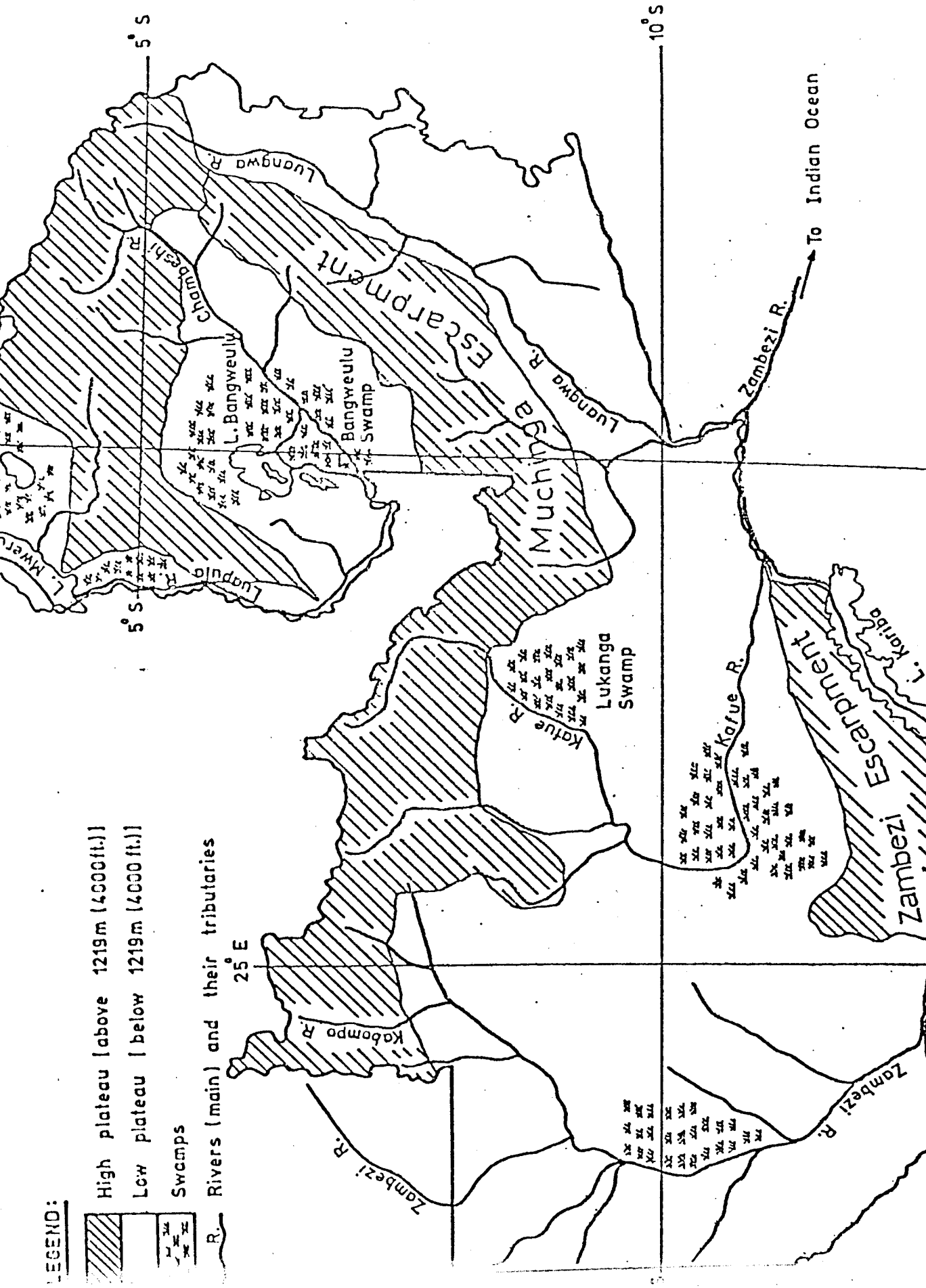


High plateau (above 1219m (4000ft.))

Low plateau (below 1219m (4000ft.))

Swamps

R. Rivers (main) and their tributaries



#### 1.4 THE PEOPLE

Zambia's population is made up of the majority Africans, a small White European minority and an ever increasing number of Asians (origin), mainly Indians. The African people, most of whom are descendants of immigrants from the Congo, are all Bantu. However, within this group there is a wide cultural and linguistic diversity. About 34 percent of the population belong to the Bemba speaking group, 16.3 percent Tonga, 13.7 percent Nyanja, 11 percent Lunda-Luvale, 9.3 percent Lozi and 5 percent Mambwe (Census, 1980, 41).

An interesting feature of the Zambian population distribution is that the traditional regions approximately coincide with the administrative divisions, provinces. Thus, the Western province is dominated by the Lozi, North western by the Lunda-Luvale, Southern province by the Tonga-Ila group, Northern province by the Bemba speaking and Eastern province the Nyanja speaking group. The ethnic boundary between the Tonga-Ila and the Lamba-Lala groups runs through the central province, which is occupied by the Lenje-Soli people. The copperbelt province is the location of the country's mining industry. Here the population is both dense and diverse, comprising of Africans from all parts of the country. This pattern is repeated among populations living along the line of the rail. The distribution of the ethnic groups is shown in map three.

The division of the administrative regions to coincide with the ethnic boundaries, a product of the divide-and-rule policy of the British colonial government, has a lot of



implications for the political system. Important decisions concerning placement of development projects, have to be made taking into account both economic and political advantages. To site or place "many" projects in one province, no matter the economic advantages, may be seen by the partiality on the part of the politicians towards the ethnic group that dominates the province.

## **1.5 POPULATION**

In comparison to it's size, Zambia's population is very small. However, our main concern is not the size of the population, but the information about the people that is vital and relevant in understanding both the potentials and the problems likely to be encountered in the provision of library services. The discussion will, therefore, be restricted to the following factors;

- (a) Population distribution and density.
- (b) Growth rate.
- (c) Age and sex distribution.
- (e) Literacy rate.

### **1.5.1 POPULATION DISTRIBUTION AND DENSITY**

The 1980 census estimated the country's population density at 22.9 persons per square mile or 8.9 persons per square kilometre. However, there is a great difference in the density and the distribution of the population between the rural and urban areas. Because of the migration of people from the rural areas to



the towns, the rural areas is sparsely populated while the urban are densely populated.

### 1.5.2 GROWTH RATE

In 1980 Zambia's annual population growth rate was estimated at 3.1 percent. Between 1980 and 1986 the population grew by one million, jumping from 5.5 to 6.6 million. At this rate the population is expected to double by the year 2010. Apart from the alarming growth rate of the nations population, there is another disturbing factor, the urban population is growing at a faster rate. The 1980 census (C.S.O., 1981, 5) revealed that between 1969 and 1980 the country's urban population had risen from 29.5 to 43 percent of the total population. Representing a rise of about 100 percent in eleven years.

### 1.5.3 SEX AND AGE DISTRIBUTION

The latest statistics on Zambian population show that there are more women than men. By 1984, the populations sex distribution ratio was 49.48 percent male and 50.52 percent female (Britannica, 1986, 971). What is perhaps much more interesting and worrying at the same time is the age ratio of the population. By 1984 46.5 percent of the population was below the age of 15; 26.5 percent between 15 and 29; 14.6 percent between 30-44; 8.2 percent between 45-59; 3.6 percent between 60-74 and less than one percent over 75 (Britannica, 1986, 971). In other words 73 percent of the population is under 30. Furthermore, life expectancy is estimated at 55 for males and 55 for females.

#### 1.5.4 LITERACY RATE

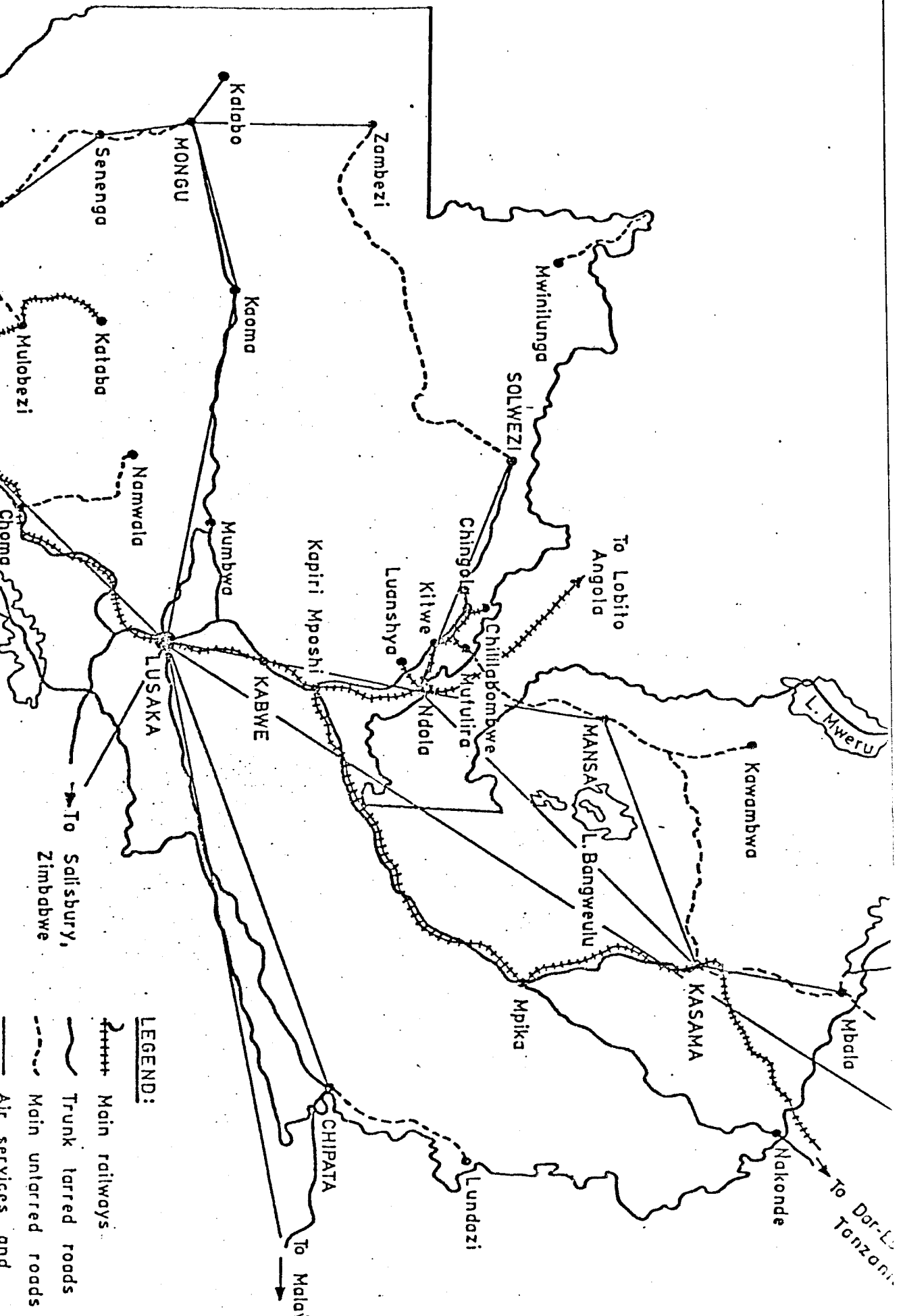
By 1980, out of the estimated total population of about 4.5 million, 2,128,500 or 68.6 percent were literate. Of this total 1,207,300 or 73 percent were male and 921,200 were female. This may compare badly with the literacy rates in developed countries, but for a country that got its political independence twenty three years ago, with only a hundred university graduates and nearly the whole African population illiterate, it represents quite a remarkable achievement.

#### 1.6 COMMUNICATION

1102.

At the <sup>↑</sup>of independence in 1964 Zambia's communication with the outside world was mainly through South Africa. A single railway line run from the copperbelt to Cape Town in south Africa and the only tarred road run parallel. Internal communication between the rural and urban areas was very poor. The governments main concern was to reduce dependence on South Africa and improve internal communication. A new road, the great north road, was built to link up Zambia with Tanzania. And in 1976 a new railway line, TAZARA, built with Chinese aid was opened. It links the Zambian town of Kapri Mposhi with the Tanzanian port of Dar es salaam.

Internal communication has also improved. All weather roads have been built to link up provincial capitals with the urban areas. The only problem with the road network is that, communication between within the province is still poor. In terms of air transportation, the country has two international airports,



**LEGEND:**

++++ Main railways

—— Trunk tarred roads

- - - Main untarred roads

— Air services and other roads

in Lusaka and Ndola. The national airline, Zambia Airways, operates international flights from Lusaka. Zambia is also served by other international airlines, like British Caledonian.

Perhaps the most interesting area of communication being developed in the country is telecommunication. An earth satellite was commissioned at Mwambeshi near Lusaka in 1980, and another one is being built to link up Zambia with North America. Within the country, microwave links are being built to link up provincial capitals with the urban areas. These developments are opening up potential communication channels for the country. For example there is the potential to use the satellite to link up with some off data bases in Europe.

## **1.7 EDUCATION**

The country's educational system is divided into primary, secondary and post secondary education. Primary school education lasts for seven years. At the end of the seven year programme all pupils write a selection examination to proceed to the next stage. Secondary school lasts for five years, however, pupils have to pass a selection examination in form two. At the end of the five year programme pupils have to sit for O-level examinations to enter the technical institutions or the University of Zambia.

The main problem of the educational system is that the demand outstrips the facilities at all stages. Every year thousands of school leavers, unable to find places in schools or colleges, are thrown into the streets to join the rising army of unemployed youths.

## 1.8 THE ECONOMY

Zambia's economy displays all characteristics of underdeveloped economic system. Economic underdevelopment is used here to refer to a situation and condition where economic interaction is characterised both by unequal growth among the different sectors, under-utilisation of human and material resources, and the dependence on a developed modern sector, existing side by side with a traditional subsistence sector (Baran 1973;Furtado;1970).

The economy is built around the copper industry. At independence the copper mines and nearly the whole economy was under the control of private companies. However, the government has since then taken various economic reforms, in which it took control of some industries by "nationalisation" and bought shares in others. Since 1980, the economy which was once stable has been on a sharp decline, due to the falling copper prices.

## 1.9 THE POLITICAL SYSTEM

Like many other African countries, Zambia is a one party political with one legislative house, the National assembly. The 1972 republican constitution Zambia a presidential-one party state, with the United National independence Party (UNIP) as the only political party (Constitution of Zambia article 14(1)). All other political parties were constitutionally banned and, it's became illegal for any Zambian to belong or to form any other political party.

General elections are still held every five years to

elect the President and the members of Parliament. The major difference under the one Party system is that only one person stands for elections as president. The Party holds a general conference every five years to elect the Party President and the members of the Central Committee. The candidate who wins the elections for the party presidency, is put forward as the sole candidate for the presidential elections (UNIP constitution article 35). He contests the elections alone all the electorate have to say during the general elections is yes or no to his candidature.

### 1.9.2 POLICY MAKING

Policy making in a one party state differs significantly to that of western democracies, because of the lack of opposition and the strong constitutional powers of the president. The most important policy making institutions, at least in theory, are the National council, the UNIP Central Committee, the National Assembly, Cabinet and the Presidency (Ollawa, 1979, 271-91). Each one of them apart from the cabinet will be discussed briefly.

### 1.9.3 THE NATIONAL COUNCIL

The national council consists of the following members;

- (i) All members of the central committee.
- (ii) All members of Parliament.
- (iii) Provincial political secretaries.
- (iv) District Governors.

- (v) Three representatives from each province.
- (vi) Ten representatives of the security forces.
- (vii) Cabinet ministers.
- (viii) Six representatives of the Zambian Congress of trade unions.
- (ix) Heads Zambian missions abroad.
- (x) The Administrative and executive officers at the party headquarters.
- (xi) Members of the Executive Committee of the Womens League.
- (xii) Members of the Executive Committee of the Youth League.

According to article 31(1) of UNIP, the National council is supposed to be the supreme policy making body in the country. It is empowered to discuss, adopt and review decisions of the Central Committee and also to make proposals on legislative, financial or administrative matters to be included in th Party programme (Ollawa,'79,279). It requires a majority of two thirds of the sitting members to reach an decision on policy matters.

#### 1.9.4 THE NATIONAL ASSEMBLY

Constitutionally, the National Assembly or Parliament is supposed to be an independent organ of the government responsible for enacting laws. However, in practice it nothing much more than an extension of the Party as the pointed by his Excellency, President Kaunda in the following words.

"Parliament is not an opposition device to the Party itself or other Party institutions under our system. Under our one Party participatory democracy Parliament is a committee of the National council charged with the responsibility of

enacting laws of this country" (Ollawa, 1979).

As the above statement clearly indicates the members of Parliament are not independent as one would have thought. Their role, like that of all the other people in government and party positions is to generate active support for party policies (Ollawa, 1979). The point raised by Ollawa is supported by the fact that since independence in 1964, the government has lost only one bill in Parliament, as the quotation below states.

"For the first time in memory, the Parliament in one Party Zambia defeated a government bill granting a 50,000 acre farm to two foreigners. Normally government legislation goes through on the nod. President Kaunda endorsed the bill to give the farm to a Briton Mr. A.G. Williams and a Kenyan Mr. Francis Mbulu. ... however backbenchers defeated the Bill 55-44 (Africa research Bulletin, 1985).

Like in any other political system, the one party political system has its advantages and disadvantages, however the quotation makes it clear that the support of the Party machinery is necessary to successfully promote a bill. This point, which the Zambia library association seems to have failed to grasp will be developed further in the final chapters.

#### 1.9.5 THE CENTRAL COMMITTEE

The Central Committee represents the most authoritative structure within the Zambian political system. The main reason for this being that it is the only Party and government organ made up exclusively of the leading politicians in the country. At the apex of the Central Committee is the President. Other members of this body are;

(1) The Secretary general of the Party, the second highest

post under the one party system.

(ii) The Prime Minister, leader of government business in Parliament third man in the hierarchy.

(iii) Twenty members, elected by the general conference.

(iv) Three members nominated by the President.

in other words the Central Committee is an elite institution, made up of the leading politicians in the country. The powers of the Central Committee are wide and far reaching (Ollawa, '79, 282). Apart from possessing the full authority of programming and implementing Party policies, it exercises control over all subordinate Party organs and approves all candidates for party, local government and parliamentary elections.

#### **1.9.6 THE PRESIDENCY**

Under Zambia's one Party state constitution the, most powerful policy making institution is the Presidency. Not only is the President the chief Executive/ Head of State and President of the Party, but the constitution also gives the president almost unlimited constitutional powers. Article 53(2) of the constitution of Zambia states that while the President may seek the advice of various institutions and individuals on any matters as the President may like, in the exercise of any functions conferred upon him by constitution or any other law, he is not obliged to follow such advice.

Furthermore, article (14)b of the UNIP constitution stipulates that the President of the Party shall "be the principal

spokesman of the Party on any and international affairs". Besides, he is given the discretion to select the items for agendas of both the National Council and Central Committee meetings UNIP constitution article (14b). Constitutionally the President is, therefore, in position to determine single-handedly the direction of national policy.

### 1.10 CONCLUSION

In this chapter an attempt has been made to discuss the geo-political, economic, social and cultural characteristics of the Zambia society. These factors have far reaching implications for the social, political and economic development of the country and, the potential role libraries Libraries serve and are affected by society which in turn is shaped by various environmental, social, political and technological forces. It is imperative that library services in the country should address themselves to these forces.

Perhaps, much more significant for the present study is the political process and policy making structure of the one party political system in the country. Unlike the politics of western democracies where the political system could be viewed as a political play ground, in which various contending interests represented by interest groups compete to influence the policies of the government, in the one party Zambia system the government sees itself as an independent variable, representing the interests of society as a whole and, is in theory not affected by divergent and competing individual and interest groups. The Zambian government sees itself as a vehicle for bringing about a

classless, egalitarian humanist society (Kaunda,1968,20). All institutions and individuals, therefore, expected not only to identify with the party but also to actively support party programmes.

CHAPTER TWO**PUBLIC LIBRARY SERVICES IN ZAMBIA****2.0 INTRODUCTION**

In the first chapter we analysed the social, political and economic characteristics of the Zambia society. Libraries as we have already noted serve society which in turn is affected by the various social, economical, political and environmental factors. In this chapter an attempt will be made to try and give a comprehensive picture of the state of public libraries in Zambia. Since the present state of public library services is a reflection of the past policies and efforts, it will be necessary to give a brief historical account of the evolution of library services in the country.

To accomplish the task before us we shall divide the chapter into two parts. The first part will present and analyse the evolution and, present state of library services in the country. The second part will try and identify the problems and constraints affecting the provision of library services.

**2.1 THE WHITE SETTLERS AND THE EMERGENCE OF SUBSCRIPTION LIBRARIES**

The historical development of library services in the country like that of many other former colonies is closely related to the country's colonial history and, it can be traced back to the penetration of the territory by European settlers towards the end

of the 19th century.

For a brief period between 1897 and 1924 Zambia was governed by the British South Africa Company under a mandate from the Queen. During this time little development took place. In 1924 the BSA company found the cost of administering the colony too high it, therefore, decided to hand back the colony to the British colonial government.

The discovery of copper in the colony in the late 1920's was accompanied by an influx of white settlers from South Africa and Rhodesia (Zimbabwe) most of whom came to work in the mines, Colonial Administration or went into farming.

With the growing size of the settler population came the need <sup>for</sup> social facilities which the government could not provide. In order to entertain themselves the settlers formed social clubs. And from these clubs grew the first form of library services in the country, subscription libraries, (Mwacalimba, 1982). With no support from the colonial government, books for these libraries were bought from the subscription paid in by members or donations from Europe. By 1930 subscription libraries had been established in nearly all areas of the <sup>country</sup> with large settler populations.

The subscription libraries served exclusively the white settler population for various reasons. Firstly, the majority of the African population were illiterates. The few Africans who could read, if there <sup>were</sup> any at this time, could not afford to raise the membership fee or were prevented from joining by racial restrictions.

## 2.2 THE NORTHERN RHODESIA PUBLICATIONS BUREAU

The turning point in the development of library services in the country came with the establishment of the Northern literature bureau, in 1952. The post war period saw an increase of nationalist activities in the colonies. It was also marked by a change in policies of the colonial government towards its colonies. There was a general belief that the people in the colonies had to be prepared for self rule.

In line with the new philosophy the British government spelled out a plan for the promotion of social welfare and economic development of the colonies (Mwacalimba, 1982), and established the colonial development and welfare fund, from which development projects in the colonies were to be financed.

Assured of financial assistance from the fund the Northern Rhodesia government drafted a ten year development plan for the country. The plan had a provision for the establishment of a literature bureau. And in 1952 the Northern Rhodesia Publications Bureau was established and given the responsibility of promoting African authorship and encouraging Africans to read by distributing books.

Although the intentions for which the bureau was established were good it is very difficult to see how it could meet <sup>and</sup> achieve such goals or objectives. Very few Africans were literate. It is hard to imagine how the African rural population could take an interest in reading let alone write. It is, therefore, not surprising that instead of commercialising book trade, the Bureau ended up leading the crusade for library

development in the country, as the quotation below shows.

"Even though the publications bureau's initial goal was to commercialise book trade in the country, it nevertheless became an active champion of library development", (ASPLUN, 1966).

By 1959, the Northern Rhodesia Publications Bureau had introduced a system of book boxes throughout the country. Through this scheme book boxes were distributed to centres such as hospitals, schools and community centres from which the people, mostly Africans, could borrow books.

### 2.3 THE CONTRIBUTION OF THE FORD FOUNDATION

Perhaps the greatest contribution to the development of public library services in the country was made by the Ford Foundation. Following successful negotiations by the Director of Northern Rhodesia Publications Bureau, the Foundation made a grant of \$80,000 towards the establishment of a comprehensive library services for Africans with particular emphasis on the rural areas. The Foundation made the donation on condition that the Colonial Government would agree to finance the costs of maintaining such a service. In April 1962 Northern Rhodesia Library Services was established as a department in the Ministry of African Education. It took over the role of the bureau in distributing books to rural areas. Its terms of reference were;

1. To establish and run a public library network throughout the country with particular emphasis on rural areas.
2. Run school library services in the country.
3. To give professional advice to the establishment and running of government ministries and departmental libraries.

4. To give assistance to municipal, township and rural councils in library operations and eventually take over the running of these libraries.
5. Assist professionally as far as is practically possible in the training of librarians.

After independence Northern library services changed its name to Zambia Library Services.

#### 2.4 THE STRUCTURE OF ZAMBIA LIBRARY SERVICES

Zambia library services is currently a department within the Ministry of Higher Education. It has a total number of seven libraries throughout the country. At the apex of the network ~~is~~ the headquarters services ~~is~~ in Lusaka.

The headquarters library offers no lending services however, members of the public are free to use it for reference purposes only. All technical processes such as cataloguing, classification, acquisition are carried out at the headquarters. Titles of books are usually acquired in multiple copies, ~~then~~ then processed (at the headquarters) and sent to the provincial library ready for the shelves.

This arrangement certainly suits the ZLS which does not have a lot of qualified staff, its major weakness is that it does not allow the regional librarians to select and acquire books according to the demands and needs of the readers in their particular region. Below the headquarters are the provincial libraries.



There<sup>are</sup> supposed to be nine provincial libraries, one<sup>in</sup> each of the country's<sup>in</sup> nine provinces, but at the present only six provincial libraries have been built. The provincial libraries offer lending services to members of the public. Membership is free and open to anyone living in Zambia. There is only one branch library in the whole country.

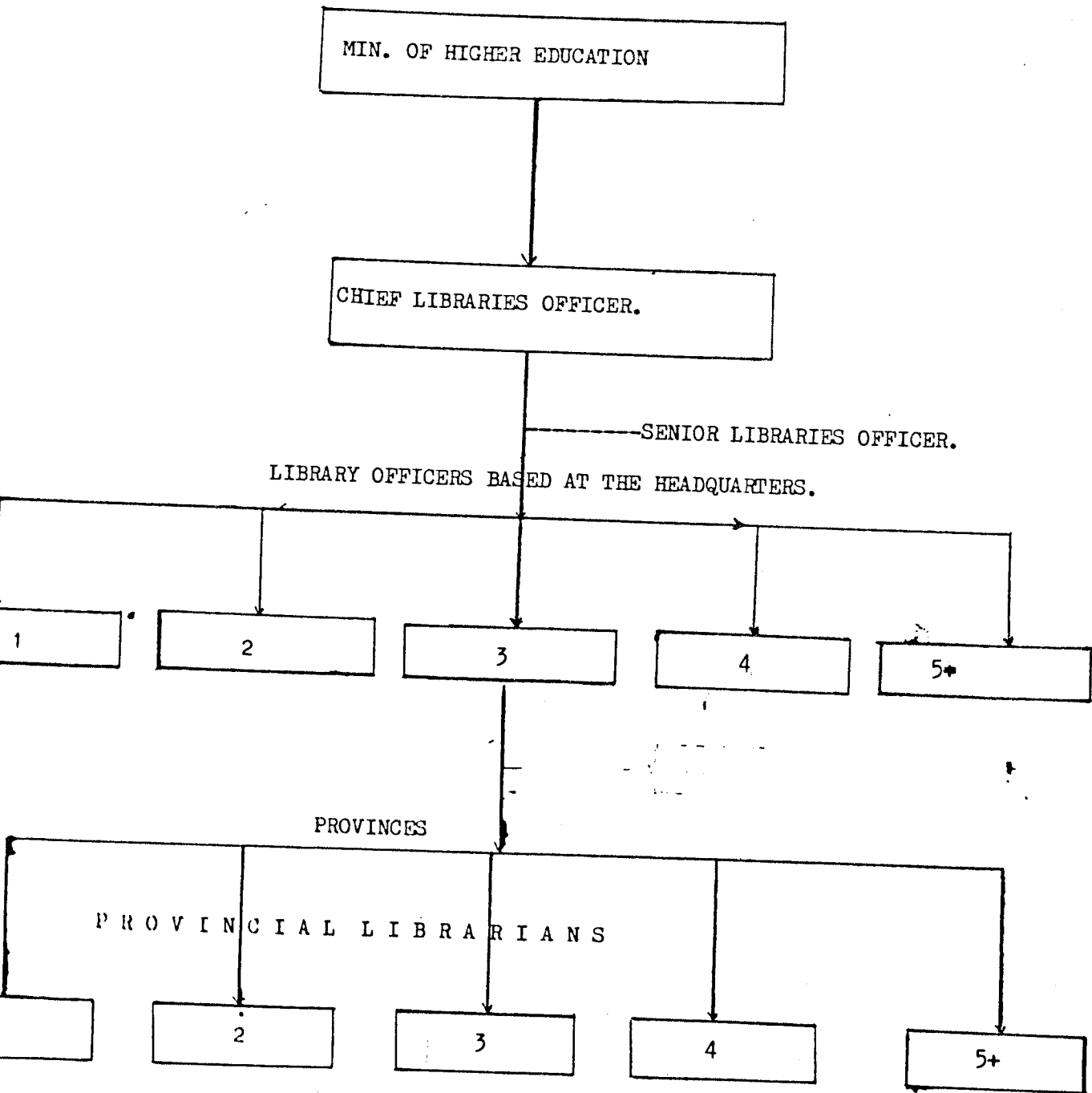
Below the provincial libraries and at the bottom of the network are the library centres. The centres are static collection of books located in schools, community centres etc and found mainly in the rural areas and they are run by volunteers, who are usually untrained. The provincial librarian is supposed to visit the centres regularly, to see how the centre is operating and also to change the collection of books (ZLS, 1982, 2).

#### 2.4.1 STAFFING OF ZAMBIA LIBRARY SERVICES

Zambia library services is headed by a professionally trained librarian, the Chief Libraries Officer. He reports directly to the Permanent Secretary of the Ministry of Higher Education. The Senior Libraries Officer acts as his deputy. Besides the Chief Libraries Officer and his "deputy," there are a number of libraries officers based at the headquarters. These are professionally trained staff holding a bachelors degree or a diploma in librarianship from the ~~the~~ University of Zambia, they carry out the technical work.

When the Northern Rhodesia Library Services, the forerunner of Zambia Library Services was established it included a plan for a National Library Council, made up of qualified

ORGANISATIONAL CHART OF ZAMBIA LIBRARY SERVICES



librarians and representatives from various interest groups, it was supposed to advise the minister on library matters. However, the Library Council only on paper.

"1970 marks the eleventh year of the Advisory Council life, the Council was appointed in 1960 to advise the ministry on the establishment and operations of a national library services. Initially the council was appointed to act in an advisory capacity, but was to take over as a board to run the service. By 1970, a board as had originally planned had not been appointed and by the end of the year, it can be safely put on record that the Advisory Council does not exist any longer" (ZLS, 1970).

Professional and personal differences between officials at ZLS and Zambia library Association have strained the relationship between the two. Both in theory and actual practice ZLS is a defacto one man show. It is run according to both the professional and personal bias of one individual, the Chief libraries officer.

The provincial libraries are run by qualified librarians. When the services was first established most <sup>of</sup> the provincial librarians were volunteers from either Britain or the East European countries, they have now been replaced by Zambians (ZLS, 1974, 2).

Besides the provincial librarian, each provincial library is supposed to have a provincial library committee made up of representatives of various interest to act as a channel for expression of local interests (Tschitenge, 1986, 2).

Below the provincial library committee is the district library committee. It is also made up of representatives of various organisations in the district, and like the provincial library above it is chaired by an educational officer. It has the same functions as the provincial library committee, at district

level.

The organisation framework of Zambia Library Services at both district and provincial level is very interesting. Not only do the committees provide a channel for expression of local interests in the running of library services at those different levels, but also provides a link between libraries and the educational institutions.

However, just like the National library council at the top there is little evidence to show that they <sup>work.</sup> They only exist on paper. Besides it would be meaningless for a district without a library to set up a library committee to advise a non existent librarian on how to run a non existent library services. The relationship between the district and provincial committees is also not clearly outlined.

## 2.5 NATIONAL LIBRARY SERVICES

Despite having some <sup>form</sup> of public library services, quite a large number of academic libraries and an ever rising number of special libraries, Zambia does not have a national library. 'National library' is used here to refer to a single library given and performing national library functions or the distribution of such function among different libraries.

However, a pattern has emerged where four major institutional in the country are claiming to be national libraries. These libraries are the Zambia library services outlined above, the National Archives of Zambia, the university of Zambia Lusaka campus main library and the National council for

scientific research documentation and scientific information centre NCSR (Lungu, 1983).

### 2.5.1 THE NATIONAL ARCHIVES

The National Archives of Zambia was established by the National Archives Act of 1969. This Act gave the National Archives exclusive legal depository rights for all the country's literary output. Publishers of books and producers of music were required by the act to send a copy of their publications by post at their own expenses for deposit with the National Archives (Lungu, 1983).

It is divided into the library and the archival and record management sections. The library section is ~~the~~ smaller <sup>than</sup> the two and it offers no borrowing services to the public. It is mainly used by scholars for research. The National Archives ~~also~~ publishes the National bibliography of Zambia.

However, the National Archives lacks the manpower or the financial resources to meet the obligations bestowed on it by law. It has a staff establishment of only six, three professionals and three non professionals. The three professionals are the Director, a Librarian and an Archivist. It is, therefore, not surprising that national bibliography is never published on time, furthermore it covers only about a quarter of the nations literature output.

### 2.5.2 THE UNIVERSITY OF ZAMBIA MAIN LIBRARY

The university of Zambia library opened in 1969, three years after

the establishment of the University of Zambia. In some circles it is the country's National Reference Library <sup>without any</sup> backing, legally or otherwise. <sup>Status is</sup> Its <sup>perhaps</sup> perhaps due to the presidential remarks during the opening ceremony and, because it is the largest library in the country.

In his opening speech his Excellence, the President dedicated the library to the nation, because it had been built out of funds raised through donations. The President's remarks have been taken as a policy directive in some circles.

So far The University of Zambia Library has made no attempts to publicise its national functions. At the present its services are limited almost exclusively to the University community, students and staff both academic and non academic and researchers from government departments and parastatal organisations.

### 2.5.3 ZAMBIA LIBRARY SERVICES

The other institution claiming national status is the Zambia Library Services because it was established with a view to providing public library services throughout the country. However at the moment ZLS is nothing much than an underfunded department in the Ministry of Higher Education fighting for its own survival rather than providing national public lending services.

It does not have the legal basis that is desirable for the provision of a national public library services (Gardner 1980; Mittal 1965). Furthermore its present set up one branch and six provincial libraries is far from meeting either the national

demands for the minimum requirements established by international.

#### 2.5.4 THE NATIONAL COUNCIL FOR SCIENTIFIC RESEARCH DOCUMENTATION CENTRE

The National Council for Scientific Research Documentation and Scientific Information Centre claims to be the national documentation centre. It is divided into two sections the library and the documentation section. Its goals are to meet the information needs of policy makers, decision makers researchers, and technologists in the country with preference being given to the staff of NCSR. It also aims to document all publications in science and technology in the country and to develop a national science and technology information centre for Zambia. The centre is mainly used by researchers.

The development of national library services in the country has followed an ad hoc, unplanned and uncoordinated pattern. There is no cooperation between the four "national" libraries. Furthermore only the National archives of Zambia is legally established as a national institution. The other libraries claim status because they are attached to institutions of national importance.

only the University of Zambia library has the potential to be a national library. It has a massive building, of which certain sections are used for other purposes, and the largest concentration of professional staff in the country. But without the financial and legal backing it has been unable to play any significant role so far.

## 2.6 SCHOOL LIBRARY SERVICES

Even though the country has made remarkable progress in the provision of educational facilities since independence, school library services in the country are most neglected. Nearly all primary schools and most of the secondary schools have no libraries. The few school libraries in the country are in such pathetic state that they<sup>are</sup> not worth talking about as the results of the survey carried out on the copperbelt show.

"From the result of the survey it is evident that school libraries are in a bad shape, inspite of the majority of respondents having a library facility..... However it has been established further that even in these schools where a library facility exists there other constraints which when considered together sow that such schools are not that much better off than the schools without a library facility (Lungu, 1985, 22)".

He went on to say that inspite of the narrow coverage of the project, which was limited to Kitwe, the results achieved were an initial indicator of what the situation might be on the national scale (Lungu, 1985, 13).

The author of the article was reserved in his remarks, infact the situation at the national scale is much worse. Kitwe is not only second largest city in the country, but it is also located on the copperbelt, the most urbanised province in the country, the results of the survey are therefore a very accurate indication of the situation of school library services in the country. This view is supported by the fact that there is an imbalance in the provision of library services, with most of the libraries being found in the urban areas.

"Now, one can obviously notice the effects of this imbalance by the peculiar concentration of public and other libraries in the industrial/post industrial urban centres on the

copperbelt and along the line-of-rail. For example while Lusaka can boast of having over thirty-six libraries of all types, Chipata or Mongu only have two each (Lundu, 1982; Directory of Libraries in Zambia, '75)".

The above statement more than any other reflects the true pattern in the provision of library services in the country. Infact it is not only library services but also other social services like hospitals are concentrated in the urban areas.

## 2.7 CONSTRAINTS AND PROBLEMS

The problems affecting library development in Zambia are both ideological and practical (Lungu 1983). The founders of library services in the country were expatriates. It is only natural the principles and design of the library service were based on their experiences at home and the prevailing colonialist ideology and the attitudes of the European settlers towards Africans at that time. Library services were not designed and introduced to meet the reading needs of the African people, but rather to expose the Africans to western culture and education.

Since the attainment of political independence in 1964, the Zambian government has strived to reform the inherited social, political and economic set up of the colonial state. In the field of education, the philosophy of providing separate educational facilities for the different races was abolished, key sectors of the economy were nationalised giving the government control and a chance to direct the development of the national economy.

The government also abolished multi-party politics and introduced the one party system. In the field of librarianship there have been no moves from either the government or the

professionals through the library association to define the goals and role of libraries in line with the political and economic aspirations of the society.

Because of the failure of the library services to change with the changes in society, it can be argued that libraries are still perpetuating the colonial legacy. This observation is supported by the quotation below.

"The provision of public library services to rural areas in Zambia by the Zambia Library Services was not based on the conception of a library as a communication information institution, but as a way of exposing rural population to western culture and education. The idea of taking libraries to rural masses was commendable, but the reasons for such moves were wrong. Therefore, although Zambia Library Services has libraries in nearly all provincial towns, their roles and functions are out of context (Wina, 1980, 85\_87)."

Furthermore, because of their failure to identify with the aspirations of the present day Zambian society, public libraries in the country face another problem, that of public acceptance. The consumers of a public library service need to be conscious of its values and services and must be competent enough to utilise it. If both elements are present they will clamour for a service where there is none and heavy use where there is one.

To survive and operate effectively the library needs the support of the public. The collective attitude of a people to use and sustain a library service is both a function of their development and cultural heritage.

In Zambia, because the low literacy rate and a culture that is rich in oral tradition, with no tradition of reading, public libraries have not been accepted by the majority of the people, as part of their social and cultural life. They are considered as place for those going to school or preparing for

examinations.

Operational problems are due to underdeveloped situation in which librarians have to function. The lack of good communication facilities is a problem that affects not only public libraries but other services as well. In the development of any coordinated national scheme of library service it is important to give due consideration to the role played by the existence of good communication facilities.

Zambia's poor transport facilities affect the operations of Zambia library services in the rural areas, especially during the rainy season when roads become impassable.

"This year has been the worst in the history of the Mongu library, with no touring of library centres. On the whole it is not possible to tour the centres during the rainy season because of poor roads.... Since the land <sup>level</sup> broke down near Mumbwa and went to Lusaka for repair it has never returned to Mongu... many library centres in a terrible state, it is years since some of them were visited" (ZLS, Mongu, 1974, 6).

The problems of transport outlined by Mongu branch are characteristic of the Zambian society. The mass library for a country like Zambia must depend for survival on the existence of suitable literature preferably in vernacular and/or in subjects of local interests. Libraries in the western world grew out of the increase in the production of local literature and the interest in learning after the renaissance (Gates, 1976, 1\_5). Many of the public libraries are stocked with foreign literature that is both out of date and irrelevant to the interests and needs of the people that are expected to read them. Furthermore, the publishing industry in the country is still in its infancy, therefore, the libraries are overdependent on foreign literature. As a result a large number of people who may have an interest in reading are

prevented from pursuing and developing their reading habits.

Closely related to the problem of inadequate reading materials and the dependence on foreign literature is the perpetual shortage of external currency faced by country. Because of the shortage of foreign currency the Zambian Government has been forced to introduce restrictive and control measures in the allocation of the country's limited foreign <sup>exchange</sup> reserves. Priority is given to those sectors of the economy that are considered essential. e.g. the copper mines.

Apathy, disunity and the lack of motivation among the librarians is another contributing factor to the state of libraries in the country in general. Human beings are in themselves social forces and as a result they play a great role in formulating, accepting and supporting of policies and services. The personality of the librarians and the collective will of profession would matter to win support and acceptance from both the politicians and the public.

However, librarians can only play the role of builders and architects of a service if the people within the profession are conscious of their role within society and are solidly united behind the professional association. In Zambia the profession is dogged by apathy, disunity and to a certain extent personal differences. As a result the membership of Zambia library association, the countries only professional association is less than fifty (Phiri, 1986), even though the number of graduates from the Department of Library Studies of the university of Zambia over the past few years is well over hundred (Mwila, 1984).

Part of the reason for the low membership, is due to the

loss in confidence in the Association, due<sup>to</sup> the failure of the executive to provide the sort of leadership desired by members. Furthermore the profession has both failed<sup>to</sup> play an active role in the development programmes in the country. In other words it has failed to sell itself and the services offered by libraries.

"In Zambia, librarianship is yet to be an active-service profession. Infact it is not an exaggeration to say that libraries in Zambia are still regarded as record keepers, concerned with only the collection and organisation of books. Rarely if at all, does one come across people who refer the librarian as one who collects, organises, interpretes and disseminates information etc to users, Librarians in Zambia have not participated actively in the pressing programmes such as providing information<sup>on</sup> agricultural development programmes, outreach information centres to rural reconstruction centres, industrial information services for big and small industries and many more" (Phiri,1986,265).

A major problem faced by public libraries in the country is inadequate support from the government at both national and local level. public libraries in the country are both neglected, underfinanced and still being looked upon as luxuriquis institutions (Masanyika 1972,Phiri,1986).

According to Masanjika part of the reasons for the lack of support from the leadership is due to the failure by the politicians to recognise the potential role of libraries in the country, because many of the people in positions of power are people who do not use libraries themselves. His view is supported by Aje (1970,46) who points out that the degree of enlightenment and sophistication of the members comprising the governing authority is of paramount importance, this factor cannot be divorced from the educational preparation and experience of the members.

Perhaps, the greatest problem faced by public libraries is the absence of library legislation. Due to the absence of

public library legislation there is no library authority charged with the responsibility of providing, maintaining and planning for the development <sup>of</sup> public libraries in the country.

Most other African countries have legally instituted library boards which are given the responsibility of providing public library services (Kaungamno and Ilomo, 1979). The existence of a legally constituted central body ensures among other things continuity in planning.

Both the transitional and first national development plans made provision for expansion of the Zambia library services. Provincial libraries were to be built in all provincial capitals. Other plans included the building of branches in towns with population of 10,000. Only part of the plan was fulfilled, six provincial libraries were built. There was no library authority to find out from the government why the branch libraries were not built or where the money allocated to the project went.

## 2.8. CONCLUSION

In this chapter an attempt was made to review the state of public library services in Zambia. We noted that public library services in the country are both inadequate and inappropriate to the information needs of the society. This is due to the fact that most <sup>of</sup> the libraries in the country were built during the colonial days, with a different purpose, and government has made no attempts to define the role of libraries in the present society.

Further, an attempt was made to identify and analyse problems of library development in the country. We said that these

problems are both ideological and practical. The ideological problems are a result of the conflict between the ideology and principles of the founders of library services in the country and the information needs of the contemporary society. While the practical problems are due to the underdeveloped nature of the society and the circumstances in which the librarians have to operate.

There is also an additional problem of the absence of a national library legislation. As a result not only is there no legally instituted library authority but, also libraries receive inadequate support from the government.

CHAPTER THREE**PUBLIC LIBRARY LEGISLATION: A GENERAL REVIEW****3 INTRODUCTION**

The main aim of this chapter is to bring out the basic principles of library legislation and to highlight some of the outstanding statements on public library legislation. It will further examine the strong and weak points of these statements in the light of the latest trends in the field. To this end, not only genesis and working of these statements have been critically discussed, but also where necessary extracts of texts from working library acts from some countries have been provided.

**3.1.1 LEGISLATION: GENERAL MEANING**


Legislation in general terms means laying down of the instructions to the persons responsible for running a government in order to properly discharge each function of government (Mittal, 1971, 4). Not only does it provide for the powers of the various government institutions but, also their obligations and limits of such powers. To the society the law sets down individual rights and the sort of services they should expect from the government organ, and the responsive behaviour expected of every member of society.

It is based on the notion that rights implies duty. In order to ensure that each individual enjoys the rights, he or she is expected to obey and observe certain rules and regulations

considered essential, for the proper functioning of society. Therefore, legislation is considered essential not only for providing a structure of authority, but also for ensuring the smooth working of an organisation. Public library legislation is established on the same principles.

### 3.1.2 MEANING OF PUBLIC LIBRARY LEGISLATION

Broadly speaking, public library legislation lays down the structure, ensures the proper development on an approved pattern and prevents haphazard growth of libraries. The law sets up the proper government or management of libraries and ensures that the authorities incharge of libraries are so constituted, that they are responsible for the implementation of the law and ultimately answerable to the legislature or the elected representatives of the people.

The law provides the means for stable and progressive financial support. These elements—structure, management and finance—are so important, that they should be placed on a firm legal footing, otherwise the danger is that they will be subject to the influence of individual administrators. 

### 3.2 TYPES OF LIBRARY LEGISLATION

Public library legislation can either be permissive or mandatory. The main difference between the two types of legislation is in the conditions for providing library services, that they lay down.

### 3.2.1 PERMISSIVE LEGISLATION

Permissive legislation on the one hand leaves it to the discretion and will of the individual authority, whether local or central to provide library services only where and when it feels there is a need for such services.

### 3.2.2 MANDATORY LEGISLATION

Mandatory legislation on the hand makes it obligatory for the library authority to provide library services. The main advantage of the permissive law is that it leaves the library authority with the choice of providing services where it feels necessary, in a way avoiding wastage of resources. However, public library service is now considered an essential service like education and health, that governments should <sup>provide,</sup> as McColvin rightly argues.

"There can be no doubt that in every country there should be everywhere adequate library services and if this cannot or is not likely to be achieved with free will of the appropriate authorities powers to compel must be given to the appropriate state or national agency" (McColvin, 1951).

However it should not be assumed that compulsory legislation is in itself a solution. Obligatory legislation would be only ideal if there is both the potential of the library authority to <sup>provide</sup> adequate and standard library services, and of the public to support and use the services, otherwise it would either lead to insufficient services or a wastage of resources.

### 3.3 PRINCIPLES OF PUBLIC LIBRARY LEGISLATION

The work prepared by Gardner for UNESCO laid down a series of principles for public library legislation and, he particularly stressed the following points.

### 3.3a PURPOSE OF THE ACT

The purpose of the library act should be clearly stressed in the preamble. For example "An Act to provide for the continuance of the Tanganyika Library Services Board under the name of Tanzania Library Services Board, to enlarge the functions of the board and to make provision for the management and control of the board, "(Kaungamno, 1979).

### 3.3b RELATIONSHIP BETWEEN THE LOCAL AND CENTRAL GOVERNMENT

The act should state clearly the relationship or the distribution of power between the national and local library authorities. This would depend on the structure of local government in a given country.

### 3.3c FINANCE

The act should also contain provisions for the means of financing the library services and the distribution of such financial responsibility between the ~~the~~ various authorities. Furthermore there should be room for assistance to the local authorities from the central government.

### 3.3d LIBRARY MATERIALS

Another area of concern is the type and use of library materials. The act should define some of the materials and the various services public libraries would be expected to provide.

The use of such materials should<sup>be</sup> both free and open to all. Where libraries charge for such services as book reservations, etc it should only be done with the approval of the minister and there should be provisions for it under the law.

### 3.3e COOPERATION

The act should have provisions for a system of cooperation and interlibrary lending between the library units at local level. Administration and finance of the cooperative scheme should be supervised through the central government with provisions for contributions from the local authorities, Universities and special libraries.

### 3.3f CREATION OF A NATIONAL COORDINATING BODY

The library act should create a national body to be responsible for the day to day running, planning integration and coordination of the library services at national level. The central coordinating board should be attached to a ministry and should have powers to make regulations on all matters affecting library services in the country.

Other areas of concern for a library legislation

include the size of the service unit. The act must state clearly whether the unit should be state, regional or local.

Additionally, the act should provide for both legal deposit and participation in international cooperation, observance of international agreements, and the coordination of relevant national bibliographic standards with international ones. They go on to say that legal recognition should be given to the national association of professional librarians (Penna et al., 1977).

### 3.4 FUNCTIONS OF PUBLIC LIBRARY LEGISLATION

The purpose and functions of library legislation may vary from country to country and in the same country depending on the time of the passing of the act. A library act may be passed to establish a library service where there is none or to strengthen an existing bill. Despite these differences library legislation in general serves the following functions and purposes.

A major function of public library legislation is to provide the legislative framework for the establishment and maintenance of a national public library service system, offering services to people of a given community, e.g. "An act to make for the provision for the establishment of a national library service", The Botswana National Library Service Act. Gardner (1971, 245) shares the same opinion.

"The basic similarity between existing public library legislation is one of purpose, to create a legislative action to secure the foundation for a nation-wide public library system, available to all, and providing as far as possible an equal access and opportunity for all."

Furthermore, a library act may be used to define the purpose and role of the public library as an institution within a given society, for example the Danish Library Act of 1964 spells out the functions of public libraries in the following words.

*Library*

"The purpose of public<sub>A</sub> is to promote the spread of knowledge education and culture by making books and other suitable materials available free of charge".

A compelling reason for public library legislation is the need to meet the financial burden of providing a library service. Library service is a none money making service, provision of such a service is therefore costly. Not only is the initial investment for establishing a service heavy, but the maintenance of a standard service needs a continuous supply<sub>A</sub> of finance that is beyond the ability of any individual or groups of individual and can only be assured by legislation as Ranganathan points out in the quotation below.

"...reason for library legislation is the distribution of the financial burden of the maintenance of a universal library service among the various levels of taxation-federal, state and local in the light of the tax pattern of the country"(Ranganathan, 1971, 1).

Mittal (1971, 5) argues that these elements of structure, management and finance are so important that they should be placed on a firm legal footing. He goes on to say that the law lays down the structure and ensures it's development on an approved pattern.

The law sets up the proper management of libraries and ensures that the authorities incharge of libraries are so constituted that they are responsible for the implementation of the law.

Furthermore, for the smooth working of a library system legislative prescription is essential so as to delimit the

respective functions, powers and duties of the various library authorities responsible for providing library services in the different localities. The authorities may include urban and rural local authorities (Mittal, 1971).

Library legislation also provides the basis for the establishment or creation of a national library agency or library board responsible for planning and coordination of the library services at national level, e.g. "an act to establish the Tanganyika Library Service Board and to provide for matters incidental thereto and connected therewith", (Tanganyika Library Services Board Act 1963).

Apart from the distribution of the financial burden and the creation of a national library agency public library legislation provides a mechanism for coordination and cooperation between the various library authorities and among the different types of libraries in the country.

Legislation can, therefore, be for the establishment of a monolithic structure of nation-wide library service performing all functions, or can be for the establishment of an integrated library and information network comprising several institutions or different types of libraries.

Furthermore, legislation could be for the creation of a library service as an end in itself or for the development of library and information service of various kinds as a contribution to the general social and economic development of a country, (Lunzu, 1982, 4).

### 3.5.1 LIBRARY LEGISLATION A HISTORICAL REVIEW

Although libraries have now been around for centuries the early libraries were private property, they belonged either to the church or the nobility. With the development of mass education came the need to extend library services to the public. The extension ~~extension~~ of library services to the masses brought with it the need to protect the public interests through legislation.

The earliest legislation in connection with public libraries were the enactments passed by the Maryland Assembly in 1696, to ensure the establishment of libraries throughout the colonies (Campbell, 1980, 50). In 1700 another library act was passed in Charleston, South Carolina. This act, among other things, provided for the administration of the town library and specified the conditions under which the local inhabitants could borrow books.

In the British colony of South Africa, Lord Charles Somerset proclaimed on the 20th march, 1818 that the proceeds of a gauging charge of one rand on each cask of wine passing through Cape town markets should be used to create a fund for the formation of a public library (Evans, 1968, 51).

However, some <sup>of</sup> these early legislation were weak in several aspects, these laws allowed only for the provision of library buildings! no books, staff and apart from the Chaleston Act, did not specify the conditions under which the public could borrow books.

### 3.5.2 THE BRITISH PUBLIC LIBRARIES AND MUSEUMS ACT OF 1850

It was in the 19th century that the idea of providing public

library service based on law became fully established. It was the Public Libraries and Museums Act for England and Wales of 1850, which became the foundation of public library legislation in the modern world (Hewitt, 1979). The act clearly stated that library services should be provided freely. Furthermore, public libraries in the community should be free from dependence on private gifts, subscription or charitable donations. And that public libraries should be free to include whatever available materials were needed by readers and therefore, they should not <sup>be</sup> controlled in such choices by either political or religious influences.

The significance of this act does not lie in it being the first major act covering a whole nation but mainly in its principal contents, which at that time were a radical break with the past. Not only did it place public libraries on a sound financial footing, but in theory, also removed discrimination in the selection of library materials and made the use of the books free of any charge.

### 3.6 STATEMENTS ON PUBLIC LIBRARY LEGISLATION

The twentieth century has some significant changes in the position of public libraries as well as new trends in public library legislation. Above all has been the realisation that library services are essential to both individual and society.

It is this realisation that has seen both UNESCO and IFLA lead an international crusade for the promotion of public library services, especially in the developing countries. Part of the crusade has been through technical assistance to the

developing countries or sponsoring seminars and conferences.

### 3.6.1 THE 1949 UNESCO PUBLIC LIBRARY MANIFESTO

The crusade for public libraries started in 1949, when Unesco issued the first international declaration on the need and functions of public libraries. The manifesto proclaimed Unesco's belief in the public library as a living force for popular education and the growth of international understanding and promotion of peace.

"The public library is a product of modern democracy and a practical demonstration of the democratic faith in the universal education as a life long process. Though primarily intended to serve educational needs of adults, the public library should also supplement the work of schools in developing reading tastes of children and young people, helping them become adults who can use books with appreciation and profit" (Unesco, 1972, 124).

The manifesto went on to point out that as a democratic institution operated by the people for the people the public library should be established and maintained under a clear law. Furthermore, that the public library services should be supported wholly from public funds and, open for free use on equal terms to all members of the community.

Additionally, that legislation must be mandatory and cover the whole area falling within the scope of the law. Perhaps the greatest contribution of the Unesco manifesto is it's not only to lay down the conditions for establishing a public library service but in attempting for the first time to define the role and place of the public <sup>Library</sup> in society. In other words it provided guidelines, especially to the developing countries on offering public library services.

### 3.6.2 THE 1953 IBADAN SEMINAR

As part of its programme of stimulating and promotion of the development of public libraries around the world, Unesco organised its first seminar on public libraries in developing countries, at Ibadan Nigeria, from 27th July to 21st August in 1953. The purposes of the seminar were to study the principal public library problems on the continent and draft plans and proposals for the development of public library services.

At the end of the four weeks of intensive discussion the seminar <sup>participants</sup> ~~participants~~ drafted reports with recommendations for governments. Firstly, it was stated that the Unesco public library manifesto be accepted in principle as a statement of basic policy and purposes on which national library service on the continent should be established.

On library legislation the final report stated that it was necessary to empower the appropriate authorities to provide services and adequate financial support and efficient administration according to a national standard. The legislation could define the power of the authority, create conditions in which these functions could be performed to ensure development.

### 3.6.3 THE 1953 IFLA STATEMENT ON PUBLIC LIBRARIES

In 1953, the public libraries section of the International Federation of Library Associations prepared a working paper on the development of public library services and a section of it dealt with library legislation, I shall be glad to quote it in full.

(c) The public library purposes for which funds may be expended should be so defined as not to restrict development. Thus, it should be legal to spend public money not only on books, staff and maintenance, but also on periodicals maps, plans pictures and records films etc.

(d) Local authorities should be empowered to enter into agreements with other local authorities for joint schemes for providing whole or part of the services and to contribute to the cost of the cooperative schemes.

(e) Each local authority should appoint a library director responsible to the local council. The librarian should have a right to attend council meetings.

(f) Each local authority should have power to appoint staff who shall be employed in accordance with the conditions and regulations applicable, with suitable variations to other local government officers.

(h) The use of the services provided must <sup>be</sup> available to all inhabitants free of any charge whatsoever.

This document was submitted to the international congress of librarians and documentalists held in Brussels in 1955. It was accepted and adopted as a statement of policy for provision of public library services, with ~~recommend~~ recommendations that it be sent to all library associations and governments for serious attention (Evans, 1968, 54).

#### 3.6.4 THE 1955 DELHI SEMINAR

The significance of public library legislation to the development of public library services emerged again, at another Unesco sponsored seminar, for the Asian countries held in New Delhi India, in 1955. Twelve Asian countries were represented by forty six librarians and educators, at this seminar.

At the end of the seminar they put forward recommendations concerning the development of public libraries and reiterated the need for library legislation. Accordingly, they felt

that the overall control and cooperation of development to provide for permanent and progressive national public library services can be obtained by legislation, which should include the following elements.

(i) Overall control and cooperation of development to provide for a permanent and progressive national library service, which will be available to all people on the basis of equal and free access.

(ii) An independent service and not attached to another department and the constitution of the body to be referred to as the central library board or in a federal state a number of such bodies, subject to a national body with advisory functions.

(iii) Provision for adequate public library finance.

(iv) The constitution of district library boards responsible for administration of public library services (Gardner, 1971).

### 3.6.5 OBSERVATIONS

The authoritative statements on public library development and legislation, show a variety of emphasis. The Unesco public library manifesto concentrated on the value and use of the public library, but said nothing on the financial or legislative base.

The Ibadan seminar was mainly concerned with library legislation, which it saw as the basis for a secure and permanent library service. It said nothing about library finance or the

administrative unit on which the implementation must depend.

While the IFLA statement went to the extent of defining the nature public library service but it fell short by proposing, what was infact, permissive legislation. The Delhi seminar with previous statements behind it proposed legislation which would provide for overall control, viable area and financial support at national and local levels.

However, each of these authoritative statements reinforced the growing recognition of the role of library services to society. And that only library legislation would lay the proper foundation for such a service.

In his ~~the~~ review of the pattern of library legislation in advanced countries, Gardner (1971,21) noted that most of the developed states had no problem of the ability to finance a nation wide system of public libraries. However, they faced the problem of unsuitable local government structure, the supplementation of local resources and in some case replacement of local initiative with central government intervention.

In nearly all the countries a central body had been set up to guide the development of library services. These bodies are either independent or responsible to a department, in most cases the ministry <sup>is</sup> ~~of~~ responsible for education.

The function of the library board differ depending on the political system. In some countries the library boards are executive, with powers to act independently, in other countries they are merely advisory bodies.

### 3.7 CONCLUSION

This chapter has tried to bring together many of the issues related to public library legislation. An effort was made to try and identify the principles and functions of public library legislation and, it's role in the development of national library services.

This chapter also attempted to trace the evolution and development of public library legislation. We noted that although library services have been offered for centuries, the idea of offering library services based on law is a 19th century development. And it was the pioneering British public libraries and museums act of 1850, which laid the foundation of modern public library law.

finally the chapter dealt with the crusade by, IFLA and UNESCO to promote world wide development of public library services, especially in the developing countries. The authoritative statements on the development of public libraries were presesnted and reviewed critically. Although the statements were made at different times and in different places they had one thing in common. Each of them spells out the functions of and points out to the significance of library legislation in the development and maintenance of public library services.

CHAPTER FOUR**PUBLIC LIBRARY LEGISLATION IN AFRICA****4.0 INTRODUCTION**

Having analysed some of the most authoritative statements on public library legislation in the last chapter, we are now in position to look at the existing legislative arrangement on the African continent.

Firstly, we shall analyse the existing legislative arrangements in a number of Anglo-phone African countries, with a view to learning from their experiences on how library legislation has affected the development of public library services, in these countries. Secondly, we shall turn our attention to the struggles for a library bill by the Zambia library Association.

**4.1 A BRIEF HISTORY OF LIBRARY LEGISLATION IN AFRICA**

The importance of legislation to the development of public library and information services in Anglo-phone Africa is of recent development. Its origins can be traced to the 1953 Ibadan seminar on the development of public library service on the continent sponsored by Unesco, already mentioned in the previous chapter. The seminar called on the African governments to adopt appropriate legislation to ensure a service that had a well defined administrative set up and adequate financial support.

However, at the time of the seminar most of Africa was

still colonised and, only one country on the continent, Ghana had a library Act. The Gold Coast Library Board Ordinance of 1949 was not only the first library Act on the continent but, also the only one passed by the British Colonial government in any of its colonies. Because of its simplicity the pioneering Ghanaian library act gained widespread acceptance on the continent and was the model for many of the library bills that followed in the other parts of Africa.

#### 4.2 TERRITORIAL COVERAGE

The Unesco draft legislation (Unesco, 1963,) proposes a national library system for the African countries. It calls on library legislation in Africa should provide the basis for setting up nation-wide public library service for the whole country, which would result in every citizen having access to range of services. The library laws in most the Anglophone African countries meet the lines laid down <sup>by</sup> Unesco. Apart from establishing national library boards, the laws also laid the foundation for nation wide public library services. The acts which established the library boards of Ghana (1949), Tanzania (1963), The Gambia (1976) Sierra Leone (1959) also laid down the foundations for national public library systems. In Ghana the 1949 Act established the Ghanaian Library Service and, in the Republic of Tanzania the 1963 Act, which was replaced by the 1975 Act led to the establishment of the Tanzania Library Services.

In all these countries the Boards are the focal point and the main driving force in the provision of public and school

library services. But in Nigeria, the case is different, Libraries are on the concurrent legislative list of both the federal and regional governments, which have equal powers to legislate on libraries (Agidee, 1970, 58). The former Eastern region of the country passed its library laws before the others, as a result states in this region have a well developed public library service system, still lacking in the other regions.

This arrangement suits the needs and conditions of these countries for various reasons. Firstly, the problem of the size of the library unit and capability of local government, that is faced by many developed nations is effectively dealt with by making the whole nation the library unit. Secondly, the African countries are striving for rapid economic and social development, the centralisation of services allows efficient use of both material and human resources.

Many of the technical services like acquisition, cataloguing and classification, collection development are carried out at the headquarters. Thirdly, most local authorities lack both the material and financial resources to provide an adequate library services the national governments to make direct financial contribution towards the costs of providing the library services. Furthermore, in the long run as the local governments become more financially stable it will be possible to decentralise some of the services from the centre to the local authorities.

### 4.3 ADMINISTRATION OF THE LIBRARY SERVICES

In nearly all the cases where legislation has been passed, a library board has been instituted to manage and administer the library service. The boards are executive bodies with almost unlimited powers and are headed by a chief Libraries Officer (Ghana) or a Director (Tanzania).

In Ghana the original act gave the board the status of a corporate body, having perpetual succession and a common seal (Gardner, 1971) The functions of the board were numerated as to establish, equip, maintain and manage libraries. This act was repealed and replaced by the 1970 act which among other things gave extra responsibilities to the library board, establish regional libraries in each administrative region, set up a regional advisory committee, and to encourage the use of the existing libraries in the regions.

Many of the early library laws on the continent modelled on the Ghanaian act contained the same magic words, in defining the functions of the library boards. For example the 1963 Tanganyika Library Services Act stated as the functions of the board "to promote, establish, equip and develop libraries in mainland Tanzania" (Kaungamno and Ilomo, 1979, 43).

In most of the countries, the old library laws have been repealed and replaced with new ones. e.g. Ghana 1970 and Tanzania 1975. The new laws are much more explicit, if not too ambitious in stating the functions of the library boards. In Tanzania, for example, the 1975 Act did not only extend the functions of the Library Board to provide library services on the islands of Pemba

and Zanzibar, which had joined with the mainland to ~~the~~ form the United Republic of Tanzania, but also gave new responsibilities to the board.

Among the new functions of the board under the new act were, the training of librarians, control and supervision of public libraries, adult education, promotion of ~~and~~ and stimulation of interest in Tanzanian literature (Kaungamno and Ilomo, 1979, 47). The act does not specify what methods the board would employ to stimulate public interest in the local literature. Such detailed enumeration of the functions of the library boards enables the governments, parliaments and indeed the general public to be aware of the services to be expected from these bodies.

#### 4.4 COMPOSITION OF THE LIBRARY BOARD

The composition and size of the board has a vital part to play in the the development of the library services, given the fact that most of the library boards are given executive powers under the laws. The boards have the powers to determine the direction and pace of the development of library services. It is therefore of great interest to see what sort of people have been given the responsibility of determining the development of library services on the continent.

In Ghana, the board of 17 members is appointed by official and semi-official bodies. In Tanzania the 1963 Act provided for a library board of eight members. All the members except the chairman, who was to be elected by the members, were appointed by the minister.

Although the size of the library boards varies considerably across the continent, they have something in common. There is an attempt in most of the countries to make the library boards as representative as possible. Membership of the library boards is usually drawn from a wide range of interest groups, institutions and organisations.

However, these provisions raise certain questions. The laws provide for wide representation across society, but do not define the desirable qualification for the individuals who make the membership of the boards. In other words, almost anyone can end up as a member of the board, by simply being appointed to represent an organisation.

The Nigerian National Library Act of 1964, attempted to deal with this problem by specifically stipulating that members of the National Library Board must have wide experience of the functions of libraries in the fields of newspapers, broadcasting, university education, education other than university, law e.t.c. (Agidee, 1970, 59). However, this law is applicable only in the federal territory and the condition "wide experience" is too broad.

#### **4.5 FINANCIAL ARRANGEMENTS**

Unlike conditions in many western countries e.g. Britain where public libraries are traditionally financed by the local authorities, public libraries in Africa depend almost entirely on funds from the central government. Most of the library boards established under the library laws are given corporate status,

which entitles them to receive funds directly from parliament. The major advantages of this arrangement is that the library service is ensured of a continuous supply of funds. Secondly, it enables the library development plans to be included in the general national development plans. Furthermore, the estimates of expenditure for the boards are debated in parliament every financial year. The debates in parliament contribute towards creating and maintaining an interest in the problems faced by libraries among political heavyweights, whose support is essential for the survival of libraries.

The major short coming of most of the African library laws is that the boards depended entirely on state financial support. They lack the financial autonomy to borrow money, and this caused numerous operational problems. In Tanzania this problem was dealt with effectively by the 1975 Act, which empowered the Board to borrow money from commercial banks and business houses by loans or overdraft (Kaungamno and Ilomo, 1979, 48).

## 5.6 BIBLIOGRAPHIC CONTROL

Article 5 of the Unesco draft general legislation (Unesco, 1963, 122) states that the library system shall include a depository library for the purpose of acquiring, conserving and making available to users the entire national production of printed material and the main works of world civilisation.

Library laws in Africa Uganda 1964, Tanzania 1975, Ghana 1970, provide for the establishment of national depositories.

Legal depositary rights are given to the national libraries as well as the top university libraries. For instance in Tanzania the National Central Library and Dar es salaam University library receive copyrighted materials. In Nigeria because of the political system the situation is different, publication laws covering specific regions or states define the legal depositary responsibilities and rights.

It is also worth noting that all African library laws are not specific about public libraries. They refer to library services in general. Therefore, legally, the library boards established under these laws, have powers over all library services in the country and not just public libraries. One area of librarianship that is surprisingly neglected by all African library laws is cooperation. Many African countries are not only striving for rapid social and economic development, but also have limited financial and human resources. Therefore, there is a need to make optimum usage of these resources and one would have expected cooperation to feature prominently. For example the well financed and better staffed academic libraries should be in position to assist the public libraries, by setting and running in service training programmes for library assistants and providing of bibliographic sources.

Possible explanations for the lack of provision in African library laws are the failure by the people who framed the laws to realise the potential avenues for cooperative ventures. Additionally, in all these countries there is a monolithic library service. There is only one library authority and all public libraries belong to the same authority, this set up has little or

no room for cooperative ventures between public libraries. The only door left is that leading to cooperative ventures with other types of libraries, but even this door is yet to open.

#### 4.8 LIBRARY LEGISLATION IN ZAMBIA

The history of the struggle for library legislation in Zambia is fragmented and, most of it exists orally. My search through the Zambia library association files proved fruitless. The only tangible result was the 1977 draft bill. Apart from the fact that the first attempt by the Zambia library association to have a law passed was in 1976 it was hard to tell when initial struggle started. Furthermore, there is no evidence to show that there was any attempt by the Zambia Library Association to assess its efforts, with a view perhaps to finding out where it went wrong and, ofcourse learning from those mistakes.

What is presented here as the history of the efforts of the Zambia library Association to have a bill passed is a product of the little information I gathered and, may not be a very accurate presentation of what actually took place.

##### 4.8.1 INITIAL EFFORT: THE 1976 BILL

Unlike the situation in other African countries, where library laws were passed soon after independence, the first attempt at library legislation in Zambia was a hurried effort by some ambitious members of the Zambia library Association in 1976. The 1976 draft bill was rejected by the "Government". The Government

pointed out that the bill was proposing to turn Zambia Library Service into a parastatal organisation. Furthermore, the government did not have enough money <sup>to</sup><sub>1</sub> meet the financial requirements of proposed library service.

#### 4.8.2 THE 1977 BILL

Following the rejection of the 1976 draft Act the Zambia Library Association (ZLA) held a special seminar to look at the issue of library legislation. The seminar studied in great detail the reasons advanced by the government for rejecting the bill and more effort was put into polishing up the original draft. The seminar produced a draft copy which was further discussed by the Zambia Library Association Council.

"Such discussion even included consultations with the ZLA patron Mr. J. Mwanakatwe who was at the time the minister of finance... Council benefited greatly from his advice derived from his long cabinet experience as well as legal training," (LUNGU, 1985).

However, when the 1977 bill was presented to the "government" it was also rejected. The "government" advanced almost the same reasons that had been advanced for rejecting the draft bill the previous year. "The Act was proposing to turn Zambia Library Services into a parastatal body, the government did not have money to finance the services". Furthermore the act was too identical to that of the Tanzania Library Services Board Act. Since the bill was thrown out by the "government" there has been very little effort by the Zambia Library Association to either enlist public support or press the government for a new bill.

#### 4.3.3 OBSERVATION ON THE EFFORTS OF ZLA

Looking back at the unsuccessful attempts by the Zambia Library Association, to have a bill passed, there are several observations that can be made on both the draft bill and the efforts of the association.

The draft bill was perhaps a bit too ambitious and contained too many ambiguities. The most evident weakness is that it covered too wide an area, it is therefore not surprising that the officials at the Ministry of Education rejected the bill. Perhaps they were both afraid of the financial obligations and could not understand what the main objective of the bill. For example, this bill was meant to provide for:

- the establishment, development, organisation and maintenance of libraries in Zambia.
- the establishment of a national library advisory council.
- a national library.
- the creation of library authorities.
- the financial support of the library services.
- the recognition of the Zambia Library Association.

Such a list is too numerous and is bound to meet resistance. Furthermore, it incorporated some unnecessary elements. For example the Zambia Library Association is legally registered with the registrar of societies under the registration of societies act. It is officially recognised by the government and is the only professional association in the country. There was and is no need for a law to recognise it's existence.

Secondly, it does not take a lot of scrutiny for anyone to notice that the draft bill was infact proposing the establishment of two separate systems of public library services. One system under the Zambia Library Services and another under the local authorities. Part three of the draft bill section 4 had the following words to say about library authorities.

"The public library authorities shall consist of:-

(1) Ministry of Education-Zambia library service.

(2) Ministry of local government-city and municipal councils", (ZLA, 1978, 6).

The bill, therefore, not only proposed the creation of two separate library authorities and library systems but also failed to specify how the two different library systems would operate together. The attempt to create separate public systems was not only unnecessary, but also presented a break from the trend in other developing countries both in Africa and elsewhere, For instance Tanzania and Jamaica. In Tanzania all public libraries in the country belong to Tanzania Library Service Board. However there are provisions for the local authorities to contribute towards the running of library services in their areas of jurisdiction, (Kaunganno and Ilomo, 1979). The establishment of a nation wide public library service enables planning on a national basis and avoids duplication of services.

In chapter two we saw that among other things library legislation should provide a framework for cooperation between the different types of libraries and, also serves to define the authority relationship between the central government and the local authorities. Although, the 1977 draft bill had provision for

cooperative activities through the national library, it was a half-hearted attempt. The act restricted cooperation between local authorities on the one hand and, on the other hand between local authorities and the Zambia library services. There was no mention of ~~the~~ what role the academic and special libraries would play.

Although the draft bill made provision for the establishment of an Advisory National Library Council and a Library Inspectorate, the act failed to make provision for the establishment of a library board. We have seen in the first part of this chapter that library acts in other african countries led to the creation of national library boards (Ghana 1949, Tanzania 1963). These library boards are executive bodies given powers and the responsibility to provide and plan for the development of library services in the whole country. In other words even if the 1977 bill had gone through it would still have failed to meet the functions and requirements of library legislation, to provide for ~~the~~ the institution of a national coordinating body. Furthermore, the draft bill failed to state explicitly or otherwise the authority relationship between the local authorities and the central government.

In chapter two we observed that bibliographic control of the literary output in the country was pathetic, because the country does not have a national library, and that there were four institutional libraries that were claiming to be national institutions without the necessary legal backing. It is imperative, therefore, that any library act in the country would not only have to provide for the establishment of a national library but, would also have to define the position of the four

institutional libraries.

The draft bill gave a detailed list of the functions of the proposed national library, but was extremely vague on how the national library would be established. It was made clear whether a new building would be put up or that the functions of national library would be distributed among different institutional libraries. Neither did it specify the position of the major libraries in the country, that were claiming national status.

There was also a noticeable failure by the people who sat down to draft the bill to state which of the two types of library authorities would be responsible for running school library services. All the act said was "The library authority shall be responsible for providing books to schools in the area covered, and to promote the development of the schools own" library (ZLA, 1979, 8a, 5). It did not define the area nor give responsibility for the school libraries to either Zambia library service or the local authorities. Furthermore, it was unclear what sort of materials the unspecified authority would provide to schools. Whether it would be general reading materials or syllabus-related or both types of materials.

#### **4.8.1 POSSIBLE REASONS FOR ZAMBIA LIBRARY ASSOCIATION'S FAILURE**

Why did the Zambia Library Association fail to have the bill passed through? What lessons could be learnt from the two previous attempts. First and perhaps above all on both occasions the draft bill never reached parliament. The bills were never debated in parliament, but were rejected by officials in the ministry of

education. Therefore, it can be said that the government did not officially reject the bill.

Secondly, the Zambia Library Association failed to lobby for the bill both within the Ministry of Education and the Government as a whole. All the Association did was call up the special seminar which drafted the bill, the draft to the officials at the Ministry of Education, with the hope that it would be passed on to Parliament. This is should not be construed to be an attack on the Zambia Library Association. No! all that is being said here is that the Association worked to in drafting the bill, but failed to take the battle to the end. It should have fought hard to see to it that the bill was at least debated in Parliament. Even if the bill may not have gone through the debate in Parliament would have stimulated interest and sympathy for the profession from both the members of parliament and the general public.

#### 4.9 CONCLUSION

There is no doubt that the public system of the Anglo-phone african countries is undergoing rapid and progressive evolution. From the early subscription libraries that had been established during the colonial days - most countries have now laid the foundation of nation public systems. This has been largely brought about by the passing of Ghanaian Library Board Act of 1949. The pioneering Ghanaian Library law, the only one passed by the Colonial Government before Independence stimulated and influenced library legislation other African countries. In Tanzania, Ghana,

Easteria, Nigeria a combination of ingenuity, dedication, have produced library services comparable to some of the developed countries. While other African countries have laid the foundation of nation wide public library services, Zambia still does not have a public library. Part of the reason is due to the disorganised state of the Zambia Library Association. Although in 1976 and 1977, the profession made an attempt to have a bill passed it never even succeeded to have the bill debated in Parliament. And since the bill was rejected there have been no attempts to make a follow-up.

CHAPTER FIVE

## THE JUSTIFICATION AND NEED FOR LIBRARY LEGISLATION

## 5.0 INTRODUCTION

Having reviewed the development of public library legislation on the African continent and, the attempts by the Zambia Library Association to have a library law passed, this chapter will make an attempt to justify the need for a public law to lay the foundation for the provision and development of public library services, in the country. The need and justification for library legislation stems from the fact that there is no legal backing for library services in the country at the present. Unesco through the public libraries manifesto 1949, the Ibadan seminar 1953 and the Delhi seminar of 1955 brought out the need for a legislative base for secure public library service and for support from public funds and the need for overall control of development of the national library services.

Indeed we are aware of development of library services in countries like the USA, United Kingdom, USSR, Tanzania and Ghana. The respective governments in these countries, recognised the importance of library legislation to the development of library services and, put library services on a sound footing by passing the respective library laws. In justifying the need for a library bill we shall, therefore, not be asking for anything that is strange or new, but merely calling on the government to meet a standard and established international practice.

## 5.1 CREATION OF A NATION WIDE LIBRARY SYSTEM

Our review of library services in Zambia revealed two basic inadequacies in the facilities. Firstly looked at from a local perspective these library services are inadequate, uncoordinated and considerably irrelevant to the local information requirements. Secondly, from an international perspective the developments are lacking in several ways as they do not appear to meet even the basic requirements of universal standards advocated by both IFLA and UNESCO (Lungu, 1982). A national library bill is, therefore, necessary to provide the legal basis for the reorganisation of the existing public library facilities into a national library system. The library system created would be a centralised one with its headquarters in Lusaka. School library services would be part of this new national library system.

The need to create a national library system is born out of the fact that, it is generally believed that library services should be available to all people in any society in the same way education and health are. This recognition has been coupled more recently with broadened realisation of the fact that libraries are a necessary component of any effective information dependent system or society. A unified national library system would enable planning at national level and the extension of library services to those parts of the country that do not have proper library facilities at present.

Furthermore, it would lead to the optimum use of the available meagre resources through clear identification of the available assets, the pooled flexible use of technical and

professional personnel, economical exploitation of bulk buying and central book processing and distribution. Carefully scheduled use of buildings, furniture and equipment would also eliminate duplication of capital and recurrent expenditure.

## 5.2 ESTABLISHMENT OF A LIBRARY AUTHORITY

Apart from laying the basis for a proper library structure, library legislation is necessary for the creation of a proper national library authority in the country. In chapter two we saw that Zambia had no legally constituted library authority. Neither the local authorities nor the Zambia library services have any legal power to provide national public library services.

We propose that the Zambia Library Services should be designated as the only library authority in the country. It should be given the responsibility for running public libraries in the whole nation. All libraries run by local authorities would come under its umbrella. However, arrangements would have to be made so that local authorities could contribute towards the cost of running the libraries in their areas of jurisdiction.

As a national library authority the Zambia Library services would be responsible for providing the following services.

- (a) Adult lending and reference services.
- (b) Community information services.
- (c) Agricultural and rural information services.
- (d) Cultural services.
- (e) School library services.

- (f) Support adult education and literacy campaigns, by providing back literature e.t.c.
- (g) services to groups of people and organisations.
- (i) Running libraries in ministries and government departments.

A single library authority would be able to plan for the development of library services on a national level and enable such plans to be included in the general national development plan. Apart from planning on a national level a monolithic form of library system would enable the country to use rationally the limited financial and human resources. This is the situation in other developing countries like Ghana, Tanzania, Jamaica where countries library legislation has created national library boards, with powers to establish, maintain and promote the use of both public and school library services.

### 5.3 CREATION OF AN EXECUTIVE LIBRARY BOARD

Furthermore, the law is needed to create a National Library Board, to be called the Zambia Library Services Board. One of the cardinal points justifying the establishment of a library board is the need for centralised planning of the development of library services in the entire country and, the need for continuous assessment of the performance of the library services. Since planning arises out of the need for the inclusion of the development plans into the national general development, plan national library planners would be called upon to design

development plans that identify needs and relate closely to the nations priorities. The functions of the library board would have to be clearly stated in the act and would cover the following areas.

- (1) Planning, establishing, developing, organising and maintenance of library services in Zambia.
- (2) Formulation and reviewing of the national information policy.
- (3) Library education i.e. professional and non-professional education e.t.c.
- (4) Advise the government on the needs and priorities of library services in the country.
- (5) Formulation and review of library standards.
- (6) Establishing uniform conditions of services.
- (7) Drawing up national library promotion programmes.
- (8) Campaigning for adequate funds for the libraries.
- (9) Encouraging the use and promotion of the development of local literature.
- (10) Formulation of national bibliographic standards.
- (11) Work national library to establish a nation-wide library cooperation programme, covering both public and the other types of libraries.

The library board would have an ~~be~~ an executive body, the supreme governing body for running libraries in the country. The Director of the Zambia library services would be chairman of the Zambia library services library board. Other members of the board could be ~~be~~ drawn from the following list;

- (i) Librarian of the University of Zambia Library.
- (ii) Head of the Department of Library Studies.
- (iii) Librarian of the National Library.
- (iv) Chairman of the Zambia Library Association.
- (v) Representative of the Teachers Association of Zambia.
- (vi) Permanent Secretaries of the Ministries of Higher education and General Education and Culture respectively.
- (vii) Two representatives of the Local Government Association of Zambia.
- (viii) One representative the Party (UNIP).

There desired qualification for an individual to be a member of the library board would have to laid down. This would ensure that who are knowlegable and have an interest in library services sit on the board.

#### 5.4 FINANCE

Library services as we have already seen in chapter two is a non-money making service, provision of such services is therefore costly. Not only does it's establishment require a large capital input, the maintenance of a standard library services needs a continuous supply of fund. A library law is therefore necessary to distribute the financial burden between the Zambian government and local authorities for the provision and maintenance of a nation-wide library service. Only the law can ensure that the ZLS library services would receive funds directly from Parliament and be given the powers to spend public funds to provide library services.

Apart from making the provision for the library authority to receive financial assistance directly from Parliament, the law would also have to give the board financial autonomy to raise money by borrowing from commercial banks and other financial institutions. Additionally, the law would provide for the establishment of library funds at national, provincial and district level. This would give the library board control over the funds allocated to it. And also to avoid some of the bureaucratic delays and diversion of funds that Zambia Library Services faces today. In the past funds that were allocated to the Zambia Library Services were diverted to other projects by the officials in the Ministry of Education.

#### **5.5 FORMULATION OF A NATIONAL INFORMATION POLICY**

Zambia operates without a defined national information policy. A library bill is necessary to provide the basis for the formulation of a national information policy. A national information policy will set and determine the parameters for the exploitation of the country's information resources. A national information policy is needed to provide the basis for the exchange of information with other countries. Furthermore, a national information policy would be in line with national information systems concept, NATIS. It is the belief of UNESCO that information is a commodity, resource of value capable of being exploited in the same way as other commodities e.t.c that can be utilised to produce more goods for consumption of society.

The objective of NATIS is to encompass all services

involved in the provision of information for all sectors of the community and all categories of users, such services include those provided by government departments, societies professional organisations e.t.c. / It's task ~~is to ensure that all those who are~~ is to ensure that all those who are engaged in political, scientific, educational, social, and cultural activities receive the necessary information enabling them to render their fullest contribution to the whole community.

What is required in Zambia is for the profession to assess the local information needs and find out how libraries can make a significant contribution to the advancement of society. According to Lundu (1984) librarians in the country have to convince the sectors of information users that we are not talking about the type of information mostly associated with developed societies, but the type of information that could benefit the least developed areas of the country. However, librarians, the necessary guidelines on which to base such assessment, hence our call for a national information policy.

#### 5.6 CREATION OF A NATIONAL LIBRARY

Another important requirement for the bill is to provide the basis for the creation of a national library. The purpose of the national library would be to coordinate and assist the work of providing public library services, and to secure permanence and security for the service. In carrying these purposes it's activities will include direct services to all parts of the country, especially areas where no local authority can be expected

to assume responsibility, expert advice e.t.c.

What is required is a radical reappraisal of the nations aims and requirements coupled with the readiness to work within the confines dictated by the prevailing economic climate. Such an appraisal would enable the library profession to decide whether there is a need to establish a separate central library or to distribute the functions of a national library among the leading institutional libraries. We have already seen that a number of libraries in the country are striving to carry out the functions of a national library. The National Archives acts as a national legal deposit, and publishes the national bibliography, the University of Zambia Library is designated a national reference library, the Zambia Library Services is charged with a public lending services and the National Council for Scientific Research technological and scientific information. Perhaps what is required is the reorgansition of these libraries into a network of national institutions and not the creation of a separate national library. Whatever option the library profession finds most suitable for the country the national library will be expected to perform the following functions.

- (a) Coordination, upgrading and overall supervision of all public and libraries in government and quasi government bodies.
- (b) Operation of a national reference and referral system comprising subsystems based on the existing libraries.
- (c) Provision of access to foreign data bases and online systems.

- (d) Act as the centre for a national bibliographic agency.
- (e) Organisation of an inter-library loan scheme involving all types of libraries
- (f) Running of training courses for library assistants.
- (g) Act as a national depository and be responsible for the production of the national bibliography.
- (h) Development of bibliographic aids.

## 5.7 DEFINING THE ROLE OF PUBLIC LIBRARIES

In chapter two we noted that the philosophy and principles of the founders of library services in the country were in conflict with the needs of the present day Zambian society. As a result public libraries have failed to play any meaningful role. A library Bill is, therefore, the only and most appropriate way to define the purpose and functions of public libraries. According to Emery (1971) Purpose or goal oriented activity is evident in many aspects of social life. Purpose is something that man, individually or collectively sets before himself as an ideal, an object to be obtained. It forms an end to whose fulfilment material and human resources are employed. A <sup>+</sup>statement of purpose will guide and reflect the intentions of those responsible for library services in society.

In the United Kingdom, the Public Libraries Research Group an independent body of practicing librarians, researchers and library school lecturers published in 1971 as a discussion document a statement of aims and objectives. "The aims of the public library were expressed as being to contribute to sustaining

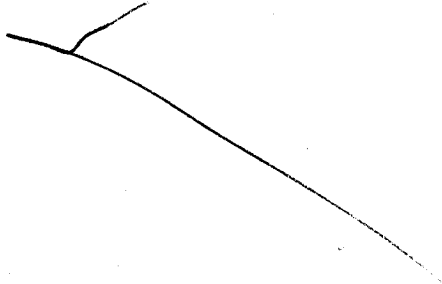
the quality of life in all aspects of educational, economic, industrial, scientific and cultural and to promote the concept of a democratic society in which equal opportunity exists for all to develop into true citizens with whole balanced personalities leading to an increase in the sum total of man's happiness ~~and~~ awareness of himself his fellow men and his own environment". Since then the group has moved away from the concept of an overall purpose, but recognise that service objectives will mostly be set by each library authority. Instead they have produced the following statement: "It is beneficial to society for all and any of it's members to have easy access to knowledge and ideas, such access contributes to the quality of life in all aspects and is essential to a democratic society.

In the case of Zambia the statement of purpose could be to express the potential role libraries could play in society. We must consider the adaptive capacity of librarianship in the context of the social and cultural, economic ferment of our society. The public library will provide and promote the use of services that are relevant to the expressed needs of the community and of identifiable and specific groups within the community. ~~The~~ functions of the public library are to collect, to store, organise and communicate information and ideas in whatever medium is ~~most~~ appropriate for presentation. This leads to another key element. The concept of setting objectives for the library service brings with the recognition of the role of the libraries and the bestowing of the community sanction or the profession to provide the services. In other words the statement of purpose for public libraries will therefore carry with it an obligation on the

library standards for the country. The areas of concern for Library ~~library~~ standards in Zambia are; library buildings, stock, service points and service hours, conditions of services, bibliographic description.e.t.c.

## 5.9 CONCLUSION

We have tried to show that there is an overwhelming need for a public library legislation to lay the foundation for the provision and development of library services in the country. The need stems from both local and international requirements. From a local perspective there is need to establish a library authority to be responsible for the provision of library services. From an international perspective the provision of library services based on law has become an accepted practice. This is born out of the realisation of the significance of the contribution of libraries to the development of both the individual and society. Only library legislation will put Zambia on a sound footing as library services are in other countries. The law should place mandatory responsibility on the government to support the development of public library services in the country.



profession to meet the society's information needs.

## 5.8 PUBLIC LIBRARY STANDARDS

According to Websters international dictionary, the word standard applies to any authoritative rule or principle or measure used to determine the quantity weight, extent or especially the value, quality level or degree of something. In the introduction to the standards for South African public libraries the following definition is given;

"Library standards may be defined as criteria by which....Library services may be measured and assessed. Standards may be interpreted variously as the pattern of an ideal, a model procedure, a measure of appraisal, a stimulus for future development and improvement and an instrument to assist decision and action not only by librarians themselves but by lay men concerned indirectly with institution planning and administration of library services".

Standards exist for different types of libraries in respect of different activities in a library. Standards have been established on expenditure, on relationship of library expenditure to salaries, wages books, to periodicals on staff, library processing, library buildings e.t.c. However, tricky and problematic the formation of library standards may be there can be little doubt of their contribution to the development of library services. Because of their significance there has been great deal of discussion in the recent years on the development of local, regional and national standards.

The provision of library services in the country is uncoordinated. There are great differences in salaries and conditions of services, services provided by public libraries and a library law is the most appropriate mechanism of setting up

CHAPTER SIXCAMPAIGNING FOR THE BILL6.0 INTRODUCTION

Having justified the overwhelming need for a public library Bill in Zambia, it is now opportune to turn our attention to the possible strategy the library profession in the country could adopt to fight for the Bill. ~~But~~<sup>It</sup> is imperative that we recollect some of the issues we raised in the earlier chapters, before we forward our proposal for campaigning for the bill. This chapter will also attempt the questions of the length of the campaign and the need for leadership. Should the profession look to the Zambia Library services or the Zambia library Association to lead them? And the possible ways of raising funds to meet the costs of the campaign.

One of the major issues we raised in the first chapter is the politics and decision making process in the Zambian one-party political system. We noted the Party, UNIP, plays an active role in determining national policies. We also outlined the strong political and constitutional powers of the President. Any major policy change, like the library Bill, which will seek to determine the flow of information in the country will need the support of both, the Party and the President to go through. We also looked at the previous attempts by the Zambia Library Association to have a Bill passed by Parliament, and noted that on both occasions ZLA made some serious blunders. Neither did it hold consultative talks

with the various individuals who were going to be affected by the library bill nor make any attempt to lobby for the Bill within the government. It was perhaps not too surprising that the draft bill never even reached its target, parliament. This time ZLA will have to take a different approach.

## 6.1 LEADERSHIP

In any campaign the first issue that has to be resolved is the question of leadership. Someone has to be in front to act as the voice for the rest of the membership. The form the struggle takes and the kind of leadership is usually determined by type of organisation and the kind of society in which the organisation finds itself.

Campaigns for library laws has different origins in different countries. For example in the Soviet Union the 1917 revolution marked a new chapter in the development of libraries. The government saw libraries as possible instruments to use in spreading the socialist ideology. It then passed library laws that put library services on a sound footing. In the United States individuals Senators like McCarthy have been in the front of some the campaigns that have changed the face of American librarianship.

The campaign for a library Bill in Zambia will also need a leader. An individual or organisation to carry the banner for the members. However, the chances of an individual member of Parliament or the Zambian Government being in the front for the campaign of the library Bill are not there. This is mainly due

to ignorance on the role of libraries rather lack of concern on the part of the politicians. The only organisation that is in position to lead the campaign is the Zambia Library Association. But does the Zambia Library Association have the membership or will to successful campaign for Bill? Or does it need a major transformation?

## 6.2 MEMBERSHIP RECRUITMENT CAMPAIGN

Before the Zambia Library Association can lead the crusade for a national library Bill it will have to put its house in order. Firstly, there is a need for the executive of the ZLA to change its attitude and show more concern for the problems facing the membership. This will help in restoring the confidence of the membership in the leadership. This should not be taken to be an attack on the present leadership of the Association, but rather a word of advice to the leadership. There is widespread discontent within the profession about the ability of the executive to lead. Secondly, the Association would need to embark on a nation wide membership recruitment campaign. All professional personnel, the library assistants and students would have to be recruited as members by all means. The recruitment campaign would also assist the profession in collecting information on staffing demands within the country.

As part of its recruitment campaign, ZLA would hold one-day seminars or conferences in all provincial capitals. The purpose of the seminars or conferences would be for the Association to explain to the members about the efforts it would

take in relation to the Bill and request for their support. It would also give the members an opportunity to raise any issues they feel should be included in the Bill.

### 6.3 ESTABLISHING RELATIONS WITH THE MEDIA

Although, the national papers, Radio and Television are all government owned they have considerable freedom in what they publish. As a first priority ZLA would have to forge closer relationship with the media. It will have to ensure that the press are informed of all the efforts the Association would be making. Additionally, the newspapers could be asked to write weekly feature articles on library services in the country or reserve space to which the public or the profession could write letters on the condition of libraries in the country. Such a campaign could help in generating a public interest in the problems faced by librarians.

### 6.4 A NATIONAL SURVEY OF LIBRARY SERVICES

ZLA with the assistance of ZLS and the Department of Library Studies would need to carry a national survey of the existing library public, Government and school library services in the country. It would be much more helpful if the survey could be compared the library situation in the country, with other African countries. Copies of the survey report would have to be distributed to various government ministries and departments.

The main objective of the survey would be to investigate

thoroughly the problems of providing library services and to gather information that would be used to support the draft Bill. Such information could also be used at a later stage to formulate a national library development plan. To cut down the expenses to be incurred in carrying out the survey the Association could seek the assistance of the students of the Department of Library Studies. Instead of doing their practicals in libraries some of them could be employed as research assistants. The Association would not need to pay them, since they get paid by the government.

#### 6.5 CONSULTATIVE TALKS

The Zambia Library association would also need to consult and hold talks with various organisations and Ministries which would be affected by a library bill. Obviously among the first to be contacted would be the "officials" at Zambia Library Services, the Local Government Association of Zambia, Ministries of General Education and Culture, Higher Education and, the Teachers Association of Zambia. These talks would enable the Association to find out the attitude of the government and be able to alter its Strategy if necessary. The Association would also through the Party or its Patron seek audience with the President, to explain the problems faced by the profession. A copy of the survey of Library services would be given to him, Party Secretary General, the Prime Minister and the two ministries responsible for education.

Apart from all these official contacts the Association and its membership would have to lobby with the leading politicians in the country. The lobbying should be aimed at the cabinet, MPS, and members of the Central Committee. The Association would have to try and find which government officials and members of Parliament have an interest in libraries. A good time to identify possible candidates is for members of the profession to visit parliament during the debate for the budget. Once identified the prospective candidates would have to be approached individually. The initial contact would be to find out if such MPS would be willing to back the profession.

#### 6.7 NATIONAL CONFERENCE ON PUBLIC LIBRARIES

A special conference on the plight of libraries involving all parties concerned would have to be held in Lusaka before the bill is launched to parliament. To be successful the Association would have to enlist for possible assistance from the government and business houses. Apart from ZLA officials delegates other representatives could come from the following organisations.

- Zambia library services.
- Parents and teachers Association of Zambia.
- local authorities.
- Ministries of General Education and Culture, Higher Education and Local Government.
- Teachers Association of Zambia.
- University of Zambia.
- National Council for Scientific Research.

- The National Archives of Zambia.
- A few overseas delegates, possibly from IFLA, UNESCO, the Library Association, the American Library Association and Tanzania Library Services.

The overseas delegates could be asked to present papers on Public library services in their respective countries. They would not only bring outside experience to the conference but also present the ZLA or opportunity to request for assistance. After the conference Zambia Library Association would have to assess the situation before presenting the bill to the relevant authorities for consideration. Preferably, this should be done soon after the conference.

#### **6.8 GETTING THE BILL TO PARLIAMENT**

There are three different ways by which bills are introduced into the Zambian Parliament. We shall discuss these briefly. Generally bills are divided into two broad categories, Government or Private members bill. Government bills are of two types Ministerial or General government bills. A ministerial relates to a specific ministry and such bills are introduced by the minister concerned, while general government bills deal with general government matters are introduced to Parliament by the Prime Minister. The third type of bill is a private member's bill, which are introduced in parliament by a backbencher. A private member bill need a proposer and a seconder. A bill has to go through three readings. After going through these it is then signed by the

President and becomes law, after being published in the government gazette. The Association would have to use either the Minister higher Education or a backbencher to introduce the Bill in Parliament.

### 6.9 FINANCING THE CAMPAIGN

From the outline of the possible strategy for the campaign it is obvious that it would require a considerable amount of financial input, perhaps beyond the means of the Zambia Library Association. The Association would therefore need to raise money, possibly through the following ways.

- 1- Contribution of individual members
- 2- Approach international organisations like Unesco for instance.
- 3- Soliciting for donations from business houses.
- 4- seek assistance from the Party and Government-especially in hosting the conference.
- 5- Raise money through commercial undertakings e.g. selling books and other items in libraries.
- 6- Cut down expenses by asking members to offer their services freely.

### 6.10 CONCLUSION

We have tried to identify the possible strategy and methods the library profession could adopt in campaigning for the library Bill. However, if the Association is to achieve its goal it would

have to put it's house in order first.

Unlike the two previous attempts the Association should make an effort to hold consultative talks with all the organisations and institutions who will be affected directly by the proposed bill. An effort should also be made to try and explore all possible avenues of getting the Bill to Parliament. If the normal government channels fail the profession through ZLA should contact one of the backbenchers to bring the bill to Parliament.

However, the Executive of the Zambia library Association on it's own can achieve very little. Every individual librarian in the country should be therefore, be prepared to give the as much support as they can to the executive, especially during the campaign period.

As a last resort the profession would have to consider making a personal appeal to his Excellency, the President, Dr.K.D. Kaunda. The President is not only in a strong constitutional and political position to direct those under him, but he is also a man of great wisdom and, is accessible to many people and he would certainly listen to the Association if he were approached. Finally, what has been outlined above is only the personal view of this author, the direction of the campaign for a library when it comes will be and economic climate in the country.

CHAPTER SEVEN**CONCLUSION**

This research set out to investigate and justify the need for a public library law to lay the foundation for the development of public library services in Zambia. In chapter one we analysed the various social, political economic and environmental forces and that affect the development of the Zambian society. The major point raised in the chapter for the purpose of this study was the one party political structure and the decision making process.

In chapter two we showed that library services in the country were both inadequate and inappropriate for the information needs of the society. This is due to the conflict between the ideology and principles of the founders of library services in the country and the failure of the library profession to define the role of libraries in present day Zambian society.

Chapter three was concerned with public library legislation in general. In this chapter we outlined the principles and functions of public library legislation and traced the evolution of the idea of offering public library services based on legislation to the British Public libraries and Museums Act of 1850. We also analysed the authoritative statements on library legislation and the development of public libraries.

Chapter four was divided in two parts. The first part analysed the legislative arrangements for the provision of library services in Anglo-phone Africa. The second part looked at the efforts of the Zambia library association for a library bill.

Chapters five and six dealt with the problem of public library legislation for Zambia. In chapter five we justified the overwhelming need for a public library law to lay the foundation for the provision and development of public library services in the country. While chapter six outlined the possible strategy the library profession in the country could adopt in campaigning for the bill.

It is therefore, safe to conclude as we have attempted to do all the way that library legislation has played an important role in the development of public libraries. And the explanation for this is that legislation commits the government to programme, a necessary condition for development in any field. Legislation enables the nation to crystallize it's aspirations in more or less permanent form.

The authoritative statements on public library legislation and the development of public libraries we cited, and each of the library legislation we referred to point the need and make provision for on form of a library authority or another. In England, it is the local authority which provides library services. In Ghana Tanzania and Uganda it is the library boards, working more or less like public corporations, with the state providing the bulk of the funds.

From the foregoing we have been able to link the development of libraries with the general social, economic, and political development of society. But when we take public libraries in particular, we observe that they have developed rapidly and successfully in those countries where library legislation have been passed; whereas the contrary is the case

where they no library laws. Library laws enable governments to assign the development of public libraries to agencies like library boards. It is in this perspective we conclude with an appeal to the Zambia government to come to the rescue of public libraries by passing a library act.

#### AREAS OF FURTHER RESEARCH

Having fully investigated and justified the overwhelming for a public library law in Zambia we feel the following areas need to be investigated further. Firstly, the relationship between the Zambia library services and the local authorities. When Zambia library services was established one office objectives was to eventually take over the running of libraries run by local authorities, but it has been unable to take over these libraries so far. An investigation is needed to find out the viability of turning the Zambia library services into a single library authority or the possibility of leaving these libraries in the hands of local authorities. Furthermore, whichever option is found most viable, the relationship between the Zambia library services and the local authorities would have to be clearly defined.

The second area of concern is the need for a national library. What is required is a radical reappraisal of the nations aims and requirements coupled with the readiness to work within the confines dictated by the prevailing economic climate. Such an appraisal would enable the library profession to decide whether there is a need to establish an national library or distribute the functions of a national library among the leading libraries in the

country. We have already seen that a number of libraries in the country are striving to carry out the functions of a national library. The National Archives acts as a national legal deposit, and publishes the national bibliography, the University of Zambia library is designated a national reference library, the Zambia library services is charged with a public lending services and the National Council for Scientific Research technological and scientific information. Perhaps what is required is the reorgansition of these libraries into a network of national institutions and not the creation of a separate national library. In fact there has been considerable reassessment of the role of national libraries of late. M. Line (1980) has suggested that some of the functions of a national in the developing countries can be best carried out by the existing major libraries. Indeed, in a number of developing countries for example Singapore the University library plays the dual purpose of a University and national library.

Furthermore, if libraries are to play a significant role in society there is need to survey into the reading habits and information needs of the society. Such a survey would yield the exact information needs of the society and enable the profession to plan how to best serve these needs.

THE ZAMBIA LIBRARY SERVICES BOARD ACTPREAMBLE

The Zambia Library services Board Act.

PURPOSE

An act to provide for the establishment of the Zambia library services board and for the establishment and maintenance of public libraries and organisation of comprehensive rural and urban library services in the Republic of Zambia.

Whereas it is expedient to provide for the creation of a national library board and the establishment and maintenance of public libraries and the development and organisation of a national rural and urban library service in the Republic of Zambia and for matters connected herewith. Be it enacted by Parliament of the Republic of Zambia in the year nineteen hundred and eighty...

CHAPTER 11 PRELIMINARY

Short title, extract and commencement

a. This Act may be cited as the Zambia Library Services Board Act of 198...

- b. It extends to the whole Republic of Zambia.
- c. It shall come into force on such date as the President of the Republic of Zambia may order.

## 2 DEFINITIONS

In this act unless the context otherwise requires a book includes:-

- (1) Every volume, part or division of a volume, pamphlet in any language
- (2) Every sheet of music, maps, charts e.t.c.
- (3) Newspapers, periodicals and other such materials
- (4) Audio visual materials such as -films, tapes, records, microfilms and other related materials.
- (5) Reports of government departments, Ministries and research institutions.

(b) Board means the Zambia library services board.

Director means The Director of Zambia library services

Library a planned collection of books manuscripts etc...

Public library:-

1. A library established or maintained by Zambia Library services or a local authority on its behalf.

2. Directly or indirectly funded by the government
3. Offering free library and information to all people

## CHAPTER TWO.

### 2.1 establishment of a library authority.

For the purposes of this act, a library authority to be called The Zambia Library Services shall be constituted with a Director as it's head and such other officers and employees as may be necessary to carry out its functions.

### 2.2 FUNCTIONS OF ZAMBIA LIBRARY SERVICES

Subject to the policies of the government, Zambia Library Services shall be responsible for the administration of this act.

In particular and without any prejudice, Zambia library services shall provide the following services.

- (1) Adult reference and lending services
- (2) School library services
- (3) Children services
- (4) Community information services
- (5) Agricultural and rural information services
- (6) Cultural services
- (7) Support adult education and literacy programmes
- (8) Services to groups of people and organisations e.g

prisons, patients e.t.c.

- (9) Run Libraries in Ministries and government departments
- (10) Any other functions that may be assigned to it by the government.

### 2.3 DIRECTOR OF ZAMBIA LIBRARY SERVICES

A full time officer shall be appointed by the President as the Director of Zambia library services. Such an officer must possess the desirable professional qualification in Librarianship, at least a masters degree.

#### 2.3.1 Functions of the Director

The Director of Zambia library services shall be:-

1. The head of Zambia Library Service
2. Responsible for the appointments, postings, transfers of officer in the library services.
3. The chief spokesman and representative of the library services within the the government.
4. Preparing the annual report.
5. Chairman of the Zambia Library Services Board
6. Perform any other function that may be assigned to him by the government.

Apart from Director, ZLS Shall have powers to employ such qualified librarians as may be necessary to enable it to offer an

efficient national library service. Such personnel shall have comparable conditions of services as other professional staff within the public service.

### CHAPTER 3

#### 3. ZAMBIA LIBRARY SERVICE LIBRARY BOARD

There shall be established a library board to be called The Zambia Library Services Board. The Board shall have executive powers.

##### 3.1 FUNCTIONS OF THE LIBRARY BOARD

Under the provision of this act the board shall be responsible for the following functions.

- (a) Planning for establishment, development, organisation and maintenance of public library services in the country.
- (b) Formulation and reviewing of the national information policy
- (c) Library education. i.e. approving training programmes for both professional and non professional staff.
- (e) Formulation and reviewing of library standards.
- (f) Advising the government on the priorities and needs of library services in the country.
- (h) Drawing and organising of library promotion programmes.
- (i) Work with the national library to establish a nation-wide cooperation programme between all different types of

libraries.

(j) any other function delegated to it by the government or the Director of Zambia library services.

### 3.1.2 COMPOSITION OF THE BOARD

The Library Board shall comprise the following members:-

- (1) The Director of ZLS Chairman
- (2) Librarian of the National library.
- (3) Head Department of Library studies.
- (4) Chief Librarian of the University of Zambia.
- (5) Permanent Secretaries from the following Ministries of General Education and Culture and Higher Education.
- (6) Director of National Archives of Zambia.
- (7) Two representatives of the Local authorities
- (8) Chairman of the Zambia Library Association of Zambia
- (9) Chairman of the Teachers Association of Zambia
- (10) Representative of the National Council for Scientific research.

### 3.4 PROCEEDINGS OF THE BOARD

The Board shall hold regular meetings at least four times per year.

Subject to the provision of this act the quorum of the Board shall be eight of the ten members.

The Board shall elect one of its members to Vice Chairman and, in the absence of the chairman, he/she shall preside over meetings.

### 3.5 COMMITTEES

For the purpose of carrying out its functions effectively the Board shall appoint the following standing committees. Each standing committee shall have a maximum of three members.

A committee appointed under this section shall perform the functions delegated to it under this Act.

#### 3.5.1 Library Promotions Committee

The Library Promotions Committee shall be responsible for formulating and reviewing of library promotion programmes and to advise the Board on such matters.

#### 3.5.2 Provincial and District Libraries Committee

The provincial and district libraries committee shall work closely with the Provincial Library Committees (chapter 4) and advise the board on local requirements and library services in the districts and provinces.

#### 3.5.3 Government and School Library Services Committee

The Government and School Library Services committee shall

advise the Board on problems and requirements of libraries in schools, government departments and ministries.

#### 3.5.4 The Finance Committee

The Finance Committee shall generally supervise the revenue and expenditure of the Library Board, advise the Board on financial matters and supervise any fund raising ventures.

#### 3.5b ADHOC COMMITTEES

The Board may appoint one or more adhoc committees to carry out on its behalf such functions as it may wish to delegate to it.

(1) A committee appointed under this section shall cease to exist soon after completing its task.

A decision of a standing or an adhoc committee shall have no effect until it has been confirmed by a meeting of the Board.

### CHAPTER 4

#### PROVINCIAL AND DISTRICT LIBRARY COMMITTEES

For the purpose of organising and administering libraries in the provinces and districts there shall be constituted Local and regional library Committees.

1. For each district called a District Library committee.
2. For each province called the Provincial Library Committee.

Every District Library Committee shall consist of:-

- (1) The District Librarian who shall be the Chairman and convener of meetings.
- (2) The District Educational Officer.
- (3) Headmasters of all Secondary Schools in the district.
- (4) Three Headmasters representing the primary schools in the district, elected by the schools.
- (5) Three councillors nominated by the District Council.
- (6) One representative nominated by the Party District Committee.
- (7) Any other members that may be in by the Committee.

The District Library Committee shall frame regulations of its own meeting and shall meet at least twice a year, before the Provincial Library Committee meetings.

Each Provincial Library Committee shall consist of:-

- (1) The Provincial Librarian, who shall be Chairman and convener of meetings.
- (2) All District Librarians.
- (3) Provincial Educational Officer.
- (4) Three representatives of the Teachers Union in the province.

(5) Two representative of the Provincial Development Committee.

(6) One representative nominated by the Party (UNIP).

The Provincial Library Committee shall meet at least twice per year and shall frame regulations of it's own meetings.

## CHAPTER FOUR

### 4.1 NATIONAL LIBRARY

Under the provision of this act the government shall provide funds to build a national library in Lusaka. In the meantime the University of Zambia Main Library shall perform the dual functions of an academic and National library.

### 4.2 FUNCTIONS OF THE NATIONAL LIBRARY

- (a) Coordination, upgrading and overall supervision of all public and libraries in government and quasi-govenment institutions.
- (b) Operation of a national reference and referral system comprising subsystems based on existing libraries.
- (c) Provision of access to foreign data bases and online systems.
- (d) Act as the centre for the national bibliographic agency.
- (e) Organisation of an inter-library loan scheme involving

all types of libraries

(f) Running training courses for assistant librarians.

(g) Act a national depository and be responsible for the production of the national bibliography.

(h) Development of bibliographic aids.

#### 4.2 LEGAL DEPOSIT

Under the provisions of this Act all Provincial Libraries, the National Archives and the National Library are designated National depositories.

##### 4.2.1 COMMERCIAL PUBLICATIONS

The publisher of every book published for sale, in any part of the country shall deliver at his own expense, within one month of publication, to the nearest provincial library four copies of the book, one copy of which shall be kept in the provincial library. Of the three remaining copies the provincial library shall send one copy to the National Archives and the other two to the National Library.

##### 4.2.2 GOVERNMENT PUBLICATIONS AND RESEARCH REPORTS

The Permanent Secretary of every Ministry, an Officer in charge of every government department that does not fall under any ministry and any Researcher shall deliver, within of such report or research being completed, two copies to the Chief Librarian of the

National Library.

Copies of books or reports received under this section shall not be issued by loan of any kind but may be available to academicians, researchers, students e.t.c. for reference purposes within library premises only.

#### 4.2.3 PENALTY

Any Publisher, Researcher, Permanent Secretary or Head of a government department shall be guilty of an offence and liable to a fine not exceeding Ten thousand Kwacha, or a six months imprisonment or both. In addition to the Penalty a person or publisher found guilty shall comply with the provisions of the section by delivering the copy of the book or report within two weeks to the appropriate authority.

### CHAPTER 5

#### FINANCE AND ACCOUNTS

##### 6.1 GOVERNMENT GRANTS

The Government through parliament shall make an annual grant to Zambia Library Services to finance it's operations.

In addition to the government grant the Board shall:-

- Have powers to borrow money from the commercial banks,

- Receive donations,
- Solicit for assistance.
- Dispose of Assets through sale

#### 5.1.2 NATIONAL LIBRARY FUND

The Zambia Library Service shall maintain a library fund called the National Library Fund, from which all payments under this Act shall be paid.

There shall be credited to the National Library Fund account as the case may be.

- 1- Grant under section one.
- 2- Contributions, gifts and income from endowments made to the library authority for the benefit of public libraries.
- 3- Special grants which the government may make for any specified purpose connected with libraries.
- 4- Funds and amounts collected by the Z.L.S. under rules or by laws made under rules or by laws made under this act e.g. Library fees for lost books etc...
- 5- The sale of any assets
- 6- Any other funds or income.

Each district Provincial and District Library Committee shall maintain Library funds to be called District and Provincial Library funds respectively. There shall be credited to Provincial and District Library Funds all moneys received by the Provincial

and District Libraries under this Act.

### 5.1.3 ACCOUNTS

An account shall be kept of the receipts and expenses of the Zambia Library services.

- The account shall be open for to inspection, and shall be subject to audit, by the Auditor General.

### 5.2 CONTRIBUTIONS FROM LOCAL AUTHORITIES

Local authorities will be expected to contribute to the cost of providing and maintaining library services in their area of jurisdiction by:-

- (a) Paying for all current expenditure.
- (b) Paying staff salaries.
- (c) Meeting part of the costs incurred in erecting new library buildings.

## Chapter six

### 6.1 PROVINCIAL LIBRARIES

The Board shall establish in each Provincial capital a provincial library.

### 6.1.2 FUNCTIONS OF PROVINCIAL LIBRARIES .

In addition to performing the usual function of a public library the provincial library shall consist of the following departments:-

- 1-Government and school library services.
- 2-Commerce and business.
- 3-Copyright.
- 4-Technical services.
- 5-Inter-library loans.

#### 6.2.1 Government and School library services department.

The Government and School Library services Department shall be responsible for supervising of library services to Schools, Ministries and Government Departments in the province. It shall advise the provincial librarian and the provincial library committee on the requirements of library services in schools and government departments in the province.

6.2.2 The Commerce and Business department shall operate an information service for both small and big industries and commercial enterprises in each province.

6.2.3 Copyright department. The provincial library's copyright department shall function as a local depository and a collection centre for all materials published in the province

6.2.4 Technical services department. The technical services department shall be maintained for centralised technical services, such as acquisition, classification and cataloguing of books for all public and school libraries.

6.2.5 Inter-library loans department. The inter-library loans department shall provide a back-up for the national inter-libraries loan scheme and supervise cooperative activities among libraries in the province.

## CHAPTER SEVEN

### INTER-LIBRARY COOPERATION

The National Library shall be responsible for the organisation of inter-library loans and other cooperative activities between the different types of libraries throughout the Republic of Zambia.

All libraries participating in the inter-library loans scheme shall contribute to the cost of maintaining the service. The National Library shall determine the amount of financial contribution to be made by each library or institution participating in the scheme.

Each provincial library shall be expected to provide a back service for the national inter library loans scheme and supervise cooperative activities in the province.

Apart from the national inter library loans scheme libraries in any city or district are free to make arrangements for local cooperative activities, provided such arrangements do not interfere with their participation in the national scheme.

## CHAPTER EIGHT

### MISCELLANEOUS

Powers to make rules and regulations

Subject to the provisions of this Act, the Zambia Library Services Board shall formulate and publish rules and regulations as a guide for the governance of <sup>the</sup> library service on such matters as :

- The admission of the public to the public libraries in .
- The manner in which libraries may be used and protection of such property from misuse, distruction, or loss.
- Opening hours.
- Fees and penalties for the loss of library property.

Transfer of libraries.

Subject to the provisions of this Act, all public libraries belonging to the local authorities shall be transferred to the Zambia Library services. However the local authorities shall manage the libraries within their areas of jurisdiction on its behalf.

Librarians and assistant librarians.

Professional personnel of libraries shall be called librarians and assistant librarians.

Qualifications for librarians.

To qualify for the position of librarian or assistant librarian a person shall have the following qualifications : -A masters degree in librarianship from the University of Zambia or a recognised University in any other country.

-Holders of a first degree in Librarianship from the University of Zambia or a recognised university in any other country.

  Holders of a post graduate diploma in Librarianship.

Persons holding the Diploma in Librarianship shall qualify for the post of library assistant

Under the provisions of this Act the Zambia Library Association is empowered to see to it that only those individuals with the right qualifications and belonging to the Association get employed as librarians, assistant librarians or library assistants and, to take legal action against any any individual or employer failing to comply with the provisions of this section.

DRAFT LIBRARIES BILL

A bill to provide for the establishment, development, organization and maintenance of libraries in Zambia, to provide for the establishment of a National Library Advisory Council, a National Library; to provide for the creation of Public Library Authorities; to provide for the financial support of the library service and to provide for the recognition.

Be enacted by the legislature of the Republic of Zambia in the year nineteen hundred and seventy seven as follows:-

PRELIMINARY

Short title extent and commencement.

- a. This Act may be cited as the Zambia Libraries Act 1977.
- b. It extends to the whole of the Republic of Zambia.
- c. It shall come into force on such date as the President of the Republic of Zambia may by order appoint.

Interpretation.

In this Act, unless the context otherwise requires:- (1) "Book" includes:-

- (1) Every volume part or division of a volume, and pamphlet in any language.

(2) Every sheet of music, map, chart or plan separately printed.

(3) Newspapers, periodicals and other such materials.

(4) Audio visual materials, such as:- films, tapes, gramophone records microforms and related materials.

(b) Library is a planned collection of books manuscripts and other records selected and organised to meet the reading, study or research needs of specific clientele.

(c) Public library means a library within the public library system of the Republic of Zambia which permits members of the public to use it's materials for reference or borrowing without charging fees or subscription unless otherwise specified.

(d) School library is a planned collection of books and other records selected and organised to meet the reading, study and research needs of the school.

(e) National library means the library which has the responsibility of collecting all books published in and about Zambia and by nationals of Zambia abroad, either through legal deposit or purchase.

(f) Association means the Zambia Library Association.

(g) Council means the National Library Council.

(h) Librarian means a person possessing full professional qualification in Librarianship which has been obtained from an institution recognised as competent by the Zambia Library Association and, is a member of the Association.

(i) Minister means the minister of Education.

(j) Year means the financial year ending on 31 st December of the calendar year.

(k) Local authority means any council established under the local Government Act of Zambia.

PART IIESTABLISHMENT OF ADEQUATE LIBRARY SERVICES

3.a. The government of the Republic of Zambia through the Minister of Education shall establish, maintain and develop an adequate library service in the country.

b. For carrying out the purposes of sub-section 3.a. above there shall be created under the Ministry of Education:-

- (1) A National Library Advisory Council.
- (2) A Library Inspectorate.
- (3) A National Library.

g. The Minister shall discharge his responsibilities under this section through:-

- (1) The National Library Advisory council.
- (2) The Library Inspectorate.
- (3) The National Library.
- (4) Zambia Library services
- (5) Local Government public libraries.
- (6) The libraries of educational institutions, except the University of Zambia library.
- (7) Government Departmental Libraries.

Responsibilities of the Minister of Education.

4.a. The responsibility of the Minister for Education shall be :\*

- (1) To develop libraries through Zambia Library services through out those areas not served by local authorities.
- (2) To develop library services in all it's further Educational institutions except the University of Zambia.
- (3) To develop a National school Library service through the

Zambia library services and the local authorities by means of money allocated for financing such a service as provided under sub section 11.a.

(4) To develop public libraries.

(5) To Develop and equip and maintain a National Library.

b. (i) The Minister shall have power to specify and publish standards of adequate Library service in consultation with the National Library Advisory Council and the Association.

c (ii) The Minister shall have compulsory powers to ensure maintenance of standards of public library services.

(III) The Minister may by agreement with the local authority, apply the provisions of the Act progressively subject to central supervision.

National Library Advisory Council.

5.a. The National advisory Council shall comprise the following members

(1) Minister of Education Chairman.

(2) Librarian of the University of Zambia.

(3) Director of National Archives Service

(4) Secretary of the Local Government Commission

(5) Librarian of the National Library.

(6) Senior Libraries Inspector, Ministry of Education who shall be Secretary

(7) No more than four other members, two of whom shall have special knowledge of libraries to be appointed by the Minister and who shall serve for a period not longer than two years unless re-nominated by the Minister.

(8) Chairman of the Zambia Library Association.

(9) Secretary of the National Council for Scientific Research.

b. Any casual vacancy of the nominated members of the Council shall be filled by nomination and the member so nominated shall hold office for the remaining period.

c. The Council shall meet at least three times per year and seven members shall constitute a quorum.

d. The Council shall advise the Minister on all matters and promotion of library services in Zambia.

2. The Council shall advise the Minister as such matters and ~~promotion~~

- (a) Library training
- (b) Inter-library cooperation
- (c) Library standards
- (d) Provision of adequate library funds
- (e) Adequate condition of services for library personnel
- (f) Encouragement of local literature and publishing.

c. The Council shall frame regulations for transacting its business and for matters in respect of which regulations are to be framed by which under this Act may appoint sub committees.

#### Library Inspectorate.

The Library Inspectorate in the Ministry of Education shall be . . . . .  
separate from any library service and shall be responsible for maintaining the standard of all libraries in sub section 3.c. of this Act.

#### The National Library

7.a. The functions of the National Library Shall be:-

- (1) Collecting of literature published in and about Zambia and by nationals of Zambia abroad.
- (2) The preparation of a National bibliography both current and retrospective.
- (3) The creation and maintenance of a National Union catalogue of the holdings of the libraries in Zambia.
- (4) The collection and preservation of all non-book materials relating to Zambia.
- (5) The organisation of inter-library loans on a national and inter-

- (6) The standardisation of cataloguing practice in the country and the publication of a code relating to the local languages
- (7) To serve as a legal depository.
- (8) To develop a comprehensive collection of books on a national scale.

7.b. The Librarian of the National Library shall be appointed by the Minister and shall have a rank equivalent to an Under-Secretary in the civil service.

c. In addition to the books the National Library acquires through purchase:-

- (1) The Publisher of every book published in Zambia shall within two months of publication deliver at his own expense a copy of the book to the Librarian of the National Library who shall give a written receipt for every book received by him.
- (2) Every copy delivered under the provisions of this section shall be a copy of the whole book with all maps and illustrations belonging thereto, finished and coloured in the same manner as the best copies of the books published and shall be bound, sewn or stitched together, and on the best paper on which the book is printed.
- (3) If any publisher fails to comply with the provisions of this section, he shall be guilty of an offence and liable to a fine not exceeding forty Kwacha. When any publisher is convicted to comply with the provisions of this section by delivering the copy of the book to the authority to whom delivery ought to have been made.

## PART III

PUBLIC LIBRARY AUTHORITIES

8.a. The public Library Authorities shall consist of:-

- (1) Ministry of Education - Zambia Library Service.
- (2) Ministry of Local Government - City and Municipal Councils.

b.1. The library authority shall have the responsibility of providing the following departmental services:-

- (1) Adult reference service.
- (2) Adult lending library service.
- (3) Children's reference library service.
- (4) Children's lending library service.
- (5) School library service to provide books on loan to all schools in the area covered, and to promote the development of the schools' own libraries.

Such branch and mobile libraries as are necessary to increase the efficient running of the library service whilst paying regard to patterns of communication with the main central library.

2. The library authority shall have the responsibility to employ in addition to the chief librarian, such qualified librarians as are necessary for the efficient running of the service. Such personnel shall have status and salary at the same level as comparable professional officers in the authority's service.
3. The library authority shall have the right to require a deposit on special services provided, e.g. gramophone records and films and also members who live outside the approved area of service. These deposits must be covered by appropriate and approved regulations.
- 4.a. The library authority shall provide sufficient books based on the standards set by the Minister to satisfy the educational, cultural and recreational needs of the people of the area served.

... shall have the right to employ professionally qualified and

shall have the status equal to comparable professional officers in the authority's service.

d. Equipment in the Public Library may be provided for audio-visual materials.

e. (1) Use of the Public Library shall be free and open to all

(2) Charges may be levied for the late return, loss or damage of the books and their reservation. These charges must be covered by approved regulations.

#### Local Government Library Advisory Committee

9.a. Each City and Municipal Library authority will establish a Library Advisory Committee.

The Chairman of the Local Government Service Commission, with the approval of the Minister, appoint members of the Local Government Library Advisory Committee. The following shall be appointed members:-

- (1) One Councillor from the local authority, and who shall be the Chairman of the Committee.
- (2) The Chief Officer of the Library Service.
- (3) The City or Municipal Librarian who shall be the Secretary.
- (4) One principal from an institution of higher education within the authority's area.
- (5) One Headmaster from a secondary school within the authority's area.
- (6) One Head Teacher from a primary school within the authority's area.
- (7) Not more than four other members, two of whom shall have special knowledge of libraries and the two with no special knowledge of libraries to be appointed by the Chairman and who shall serve for a period of not longer than two years unless re-nominated by the Chairman.

- (8) One member of the Library Inspectorate shall be an ex-officio member.
- b. Any casual vacancy in the office of any nominated member of the Committee shall be filled by nomination and the member so nominated shall hold office for the remaining period.
- c. The Committee shall meet at least four times in a year and eight members shall constitute a quorum. Copies of the minutes of each meeting shall be sent to the Secretary of the Council and the Secretary of the Association within one month of adoption of such minutes.
- (1) The Committee shall advise the Local Authority on all matters relating to the establishment, development, maintenance and promotion of library service in the Local Authority's area.
- (2) The Committee shall advise the Local Authority on such matters as:-
- (a) The implementation of library staff training.
  - (b) The implementation of library standards.
  - (c) The implementation of library standards.
  - (d) The provision of adequate library funds.
  - (e) Adequate conditions of service for library personnel.
  - (f) Encouragement of local literature and publishing.
  - (g) Such other matters as may be referred to it by the Council.
- e. The Committee shall frame regulations for transacting its business and for matters in respect of which regulations are to be framed by it under this Act.

## PART IV

INTER-LIBRARY COOPERATION.

- 10.a. (1) The National Library shall be responsible for the organisation of inter-library loans throughout the Republic of Zambia and is empowered to make those arrangements that will further this objective, including including the purchase of lesser used materials for loans to other libraries.
- (2) The National Library may if it deems necessary, levy financial contributions from co-operating libraries for the inter-library services.
- 10.b. Local Authority libraries shall have the power to co-operate with each other or with the Zambia Library Services to provide a joint service.
- 10.c. Local Authority libraries shall have the power to co-operate with each other or the Zambia Library Services to provide a joint service or other institutions in order to provide the most effective type of joint specialised service.
- 10.d. Local Authority libraries shall have power to render assistance to other libraries or institutions within their area.
- 10.e. Local Authority libraries shall have power to render assistance in support of Community Development Projects and Rural-Reconstruction Centres. This assistance shall only be rendered under agreed terms.
- 10.f. In rendering assistance in sub-section 10.d. and 10.e. Local Authorities shall remain as the sole public library service authority for the area.

## PART V

FINANCE

- 11.a. All expenses incurred by the Minister in the discharge of his functions under this Act including expenses in:
- (1) Creation and maintenance of the National Library.

- (1) Creation and maintenance of a National Library.
- (2) Operation of Government Departmental libraries.
- (3) Ministry of Education libraries.
- (4) Local Authority libraries.
- (5) Allowances for members of the National Advisory Council for each meeting attended, e.t.c. shall be paid from moneys appropriated by Parliament for the purpose.

11.B. Allowance as cited in 11.a (5) shall be determined by the Minister from time to time.

2. The Minister shall be empowered to solicit or receive grants or donations from individuals or organisations for the purpose of improving furthering library development in Zambia.

3. Without prejudice to the generality of the foregoing, individual libraries may receive grants or donations from individuals or organisations for the purpose of improving library services in those libraries falling under their jurisdiction.

## PART VI

### REGULATIONS

12.a. The Council shall determine and publish "Model Regulations" as a guide for the governance of library services on such matters as:-

- (1) Opening hours.
- (2) Conduct of users.
- (3) Such regulations as are necessary for the efficient running of the library service.

3.a. The Library Authorities named in this Act shall have the power to make regulations, using the model regulations as a guide, on the governance of the library service.

C. The Librarian whilst in the conduct of his duty, shall be indemnified

against providing security for library equipment, books or other related materials and for loss of or damage to books unless negligence or dishonest is proved against him.

PART VII

ZAMBIA LIBRARY ASSOCIATION

13.a. Zambia Library Association shall be recognised as the professional representative of Librarians, Information Scientists and Archivists in Zambia.

B. The objectives of the Association are as set out below:

- (1) To unite all persons engaged in library work or interested in libraries in Zambia.
- (2) To encourage the establishment and development of libraries and library co-operation in Zambia.
- (3) To improve the standards in all aspects of Librarianship, Bibliography and Documentation in Zambia.
- (4) To act as an advisory and public relations body in all matters pertaining to libraries, bibliography and documentation in Zambia.
- (5) To stimulate an awareness among Central and Local Government bodies and other institutions of their responsibilities in providing library services and facilities.
- (6) To promote whatever may tend to the improvement of y the position and the qualification of Librarians.
- (7) To undertake all such activities (e.g meetings, conferences, publications e.t.c.) which will further the above objectives.

B. The Association shall be empowered to advise both the Council and individual libraries on all matters pertaining to the provision of library service. The advice to be without prejudice to the authority of the Council.

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