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Research on the Legalization of Inclusive Library Services for Disadvantaged Groups

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Abstract

Purpose/Significance To examine the inclusivity of special groups in libraries from a legal perspective, providing references for establishing and improving the inclusive system for special groups in libraries. **Method/Process** Based on qualitative text research methodology, an analytical framework was constructed with axes of special group types and dimensions of inclusive connotations, and analysis was conducted on 10 library legal texts from China, Russia, France, South Korea, the United States, Japan, the United Kingdom, and other countries. **Results/Conclusion** The analysis reveals significant disparities in legal attention to different types of special groups in China's libraries, relatively sparse legal provisions regarding the dimensions of inclusive connotations, and an incomplete legal construction framework for special group inclusivity. Recommendations are proposed to equally emphasize the inclusive rights of all types of special groups, strengthen coordinated coverage of inclusive dimensions for special groups, and improve supporting systems for inclusive services for special groups.

Full Text

Preamble

Research on the Legalization of Library Inclusion for Special Groups
—A Comparative Study of China, Russia, France, South Korea, the United States, Japan, and the United Kingdom

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Abstract

[Purpose/Significance] This study examines the issue of library inclusion for special groups from a legal perspective, aiming to provide reference for estab-

lishing and improving institutional frameworks for library inclusion of special groups. **[Method/Process]** Based on qualitative text research methods, this study constructs an analytical framework with special group types and inclusive dimension categories as axes, analyzing ten library law texts from China, Russia, France, South Korea, the United States, Japan, and the United Kingdom. **[Results/Conclusion]** The analysis reveals several key issues in China's library system: significant disparities in legal attention to different special group types, relatively sparse provisions regarding inclusive dimensions, and an incomplete legal construction pattern for special group inclusion. The study proposes recommendations to equally emphasize the inclusive rights of all special groups, strengthen coordinated coverage across inclusive dimensions, and improve supporting systems for inclusive services.

Keywords: library; special groups; inclusion; legalization

Classification Number: G252

The 20th Party Congress Report outlines new frameworks, tasks, and missions including “advancing cultural confidence and self-strengthening to create new brilliance for socialist culture” and “upholding comprehensive law-based governance to advance the construction of a rule-of-law China.” These directives require library undertakings to advance cultural prosperity through legal construction, fully safeguard citizens’ cultural rights and interests, and meet essential needs for a better life. While library development continues, increasingly prominent imbalances and inadequacies demand a transformation from overall improvement to comprehensive satisfaction, providing equal and quality library services for diverse groups. The national *14th Five-Year Plan for Cultural Development* proposes improving public cultural facility networks and addressing gaps in public cultural services, emphasizing the advancement of library branch systems and grassroots library construction to protect the basic cultural rights of special groups including the elderly, migrant workers, left-behind women and children in rural areas, and persons with disabilities [1]. As a vital component of social and cultural undertakings, libraries should uphold principles of public, open, and shared services, focusing on, emphasizing, and safeguarding the basic cultural rights of special groups while providing them with humane and convenient cultural information services. With continuous socioeconomic development, the needs of special groups for equal access to cultural information resources and enjoyment of cultural life will become increasingly prominent. Against the backdrop of improving modern public cultural service systems, public cultural facilities including libraries, museums, and cultural centers must strengthen attention to and protection of special groups’ basic cultural rights, promoting equal sharing of public cultural resources and services.

Current academic research on library inclusion for special groups concentrates in three areas: First, research on libraries and social inclusion. Scholars and practitioners widely recognize that promoting social inclusion represents an important mission for libraries [2] and a core manifestation of library values [3]. Following the 2011 Hangzhou Library “beggar entry” incident [4] and the 2020

Dongguan Library “migrant worker message” incident [5], the academic community has conducted more comprehensive discussions on libraries’ functions and responsibilities in promoting social inclusion [6-7]. Second, research on libraries and digital inclusion. Chinese and foreign scholars jointly initiated discussions on the new mission of libraries in the information society to “bridge the digital divide and promote digital inclusion” [8], leading theoretical guidance for library digital inclusion services. Researchers including Zeng Yueliang [9], Zhang Juan [10], and Zhang Yaqiong [11] have investigated digital inclusion practices in libraries at home and abroad, summarizing practical experiences. Third, research on regulations and policies related to library inclusion. This research theme and perspective are relatively diverse. For instance, Yan Hui [12] reviewed and summarized digital inclusion policies in major countries and regions in Europe, America, Japan, and South Korea. Qi Kaiyue [13] analyzed the deepening characteristics of social inclusion concepts in the development of British public library law in the 21st century. Zeng Gang [14] examined China’ s major digital inclusion policies from a policy tool perspective and offered optimization suggestions. Xiao Peng [15] revealed characteristics of major Chinese library regulations and policies from the perspective of integration and inclusion.

From both practical and academic perspectives, although the library profession has adopted diverse measures to promote inclusive services and meet the specific cultural needs of different special groups, macro-level policy guidance remains fragmented and unsystematic. Unified and robust regulations are urgently needed to provide directional provisions for public cultural facilities including libraries to promote special group inclusion, guiding the sharing of public cultural service rights and inclusive development. Therefore, this study selects the theme of legalizing library inclusion for special groups—namely, library laws that legally guarantee special groups’ equal, universal, and convenient access to library facilities, resources, and services. Special groups are defined as populations in disadvantaged positions requiring special assistance when utilizing library resources and services. This research aims to conduct qualitative and comparative studies of library laws in major countries, analyzing their specific content and orientation regarding special group inclusion to provide reference for optimizing China’ s legalization of library inclusion for special groups and supporting the development of inclusive service practices.

2.1 Research Sample

From a historical perspective, the world’ s first national library law can be traced to the 1850 *Public Libraries Act* enacted in the United Kingdom, though its provisions on readers’ or the public’ s cultural rights protection cannot compare with today’ s standards. To ensure the authority and scientific rigor of research samples, this study adopts national comprehensive strength as the primary selection criterion, mainly considering 2021 Gross Domestic Product (GDP), combined with cultural development levels based primarily on the *2020 International Cultural Metropolis Evaluation Report* jointly released by the Shanghai Jiao Tong

University Urban Governance Research Institute and the University of Southern California Annenberg School for Communication. Twelve countries were selected for investigation: China, Australia, Germany, Russia, France, South Korea, Canada, the United States, Japan, Italy, India, and the United Kingdom. Except for Italy, which has not enacted library legislation, all 11 other countries have library laws, with South Korea, the United States, Japan, and the United Kingdom having multiple parallel library laws. France's legislative situation is unique: although it has no separate library law, legal provisions on library undertakings are incorporated into the French *Heritage Code (Code du patrimoine)*. Regarding specific provisions on special group inclusion, library laws in Australia, Germany, Canada, and India contain no relevant content. Therefore, ten laws including China's *Public Library Law* were selected as specific research samples (see).

2.2 Research Framework

Library inclusion for special groups possesses an inherent two-dimensional structure comprising special group types and inclusion dimensions, which establishes the foundation for a research framework. As previously mentioned, special library user groups are those requiring special assistance when utilizing library resources and services. Regarding the definition of this group, the *14th Five-Year Plan for Cultural Development* identifies the elderly, migrant workers, left-behind women and children in rural areas, and persons with disabilities as primary special group types, while the *Public Cultural Service Guarantee Law* focuses on minors, the elderly, persons with disabilities, and the floating population. The IFLA Library Services for People with Special Needs Section defines hospitalized or imprisoned individuals, elderly and disabled persons requiring care, homebound individuals, deaf people, and those with physical, psychological, or developmental disabilities as primary special library user groups [16]. Synthesizing these major perspectives with actual content from various countries' library laws, special library user groups are categorized into seven types: minors, the elderly, persons with disabilities, the floating population, impoverished persons, ethnic minorities, and incarcerated populations (see).

Regarding the dimensional division and connotative orientation of library inclusion for special groups, scholars have conducted numerous explorations. For instance, Wu Jianzhong [17] argues that public libraries should advocate inclusion, innovate services, and excavate resources to advance inclusive services and promote inclusive social development. Wan Yan Dengdeng [18] investigated special group inclusion in foreign public digital cultural resource integration projects across five aspects: planning, accessibility, resources, activities, and services. Chen Yanhong [19] examined digital inclusion services in Chinese public libraries from perspectives including projects, facilities, platforms, activities, resources, and services. Inspired by these viewpoints and specific provisions in various countries' library laws, library inclusion for special groups is decomposed into four dimensions: mechanism inclusion, facility inclusion, resource inclusion,

and service inclusion (see).

Integrating the analytical results of special group types and inclusion dimensions, a two-dimensional analytical framework is established with the former as the Y-axis and the latter as the X-axis (see [Figure 1: see original paper]), enabling qualitative coding of library laws worldwide to reveal specific provisions, main characteristics, deficiencies, and implications for China' s library law.

[Figure 1: see original paper]

2.3 Research Process

Based on the two-dimensional analytical model for library inclusion of special groups, qualitative analysis was conducted on ten selected library laws from major countries. Relevant passages in the laws were coded according to specific connotative orientations of group types and inclusion dimensions (see). After completing coding of all legal texts, two researchers familiar with library law and trained in this study' s analytical model recoded the samples, achieving 85% agreement with the original coding results, demonstrating good reliability to support subsequent analysis. Statistical analysis of coding results yielded 139 coded items (see).

3.1 Results by Group Type

From the perspective of special group types, library laws demonstrate significant variation in attention and emphasis. The most heavily emphasized group is persons with disabilities, accounting for 41.01% of total codes, followed by minors and the elderly at 28.78% and 14.39% respectively. The floating population, impoverished persons, ethnic minorities, and incarcerated populations receive relatively less attention, generally under 10%, with the floating population receiving the least attention at only 0.72%. Examining specific group types: South Korea' s *School Library Promotion Act* and Japan' s *School Library Act*, as library laws targeting primary and secondary education, concentrate attention on minors with 18 and 11 codes respectively. South Korea' s *Library Act* demonstrates the strongest emphasis on the elderly, persons with disabilities, impoverished persons, and incarcerated populations among all countries, with 14, 34, 13, and 2 codes respectively. Attention to inclusion of the floating population appears only once in Russia' s *Federal Law on Library Science*. Furthermore, Russia' s *Federal Law on Library Science* and the United States' *Museum and Library Services Act* each contain 2 codes for ethnic minority inclusion, the highest among all countries.

3.2 Results by Inclusion Dimension

From the perspective of inclusion dimensions, library laws show a pattern of "one prominent dimension and three relatively uniform dimensions." The "prominent dimension" is mechanism inclusion, which receives the most attention at 51.08%

of total codes—more than half. The “three relatively uniform dimensions” refer to facility inclusion, resource inclusion, and service inclusion, which receive less attention at 16.55%, 19.42%, and 12.95% respectively, all within the 10%-20% range. Among various countries, South Korea’s *Library Act* provides the most comprehensive attention to all four dimensions with 29, 15, 12, and 9 codes respectively. However, library legislation in France, the United States, and the United Kingdom fails to comprehensively cover all four inclusion dimensions, revealing certain omissions. Examining the intersection of dimensions and group types, inclusion for persons with disabilities receives the most attention across all four dimensions with 27, 9, 13, and 8 codes respectively, totaling 41.01% of all codes. In contrast, library laws worldwide show clear insufficient attention to inclusion of the floating population, with only one code in the mechanism inclusion dimension, representing just 0.72% of total codes.

3.3 Overall Characteristics of Two-Dimensional Intersection

From the two-dimensional intersection perspective of special group types and inclusion dimensions, their combination (as reflected by values in) demonstrates diverse characteristics. First, examining high-combination cases, the sequences are QT3-BR1 (mechanism inclusion for persons with disabilities), QT1-BR1 (mechanism inclusion for minors), and QT3-BR3 (resource inclusion for persons with disabilities), further confirming the earlier finding that library laws worldwide emphasize persons with disabilities and mechanism inclusion. Second, examining combination patterns, contains 19 non-zero cells, indicating 19 combination patterns between seven special group types and four inclusion dimensions, accounting for 67.86% of theoretical combinations (28 total). This demonstrates relatively strong comprehensiveness in global legal construction for library inclusion of special groups, emphasizing protection of diverse needs among special group users. Third, examining non-combinations (zero cells), these include QT4-BR2, QT4-BR3, QT4-BR4 (facility, resource, and service inclusion for the floating population), QT6-BR2, QT6-BR4 (facility and service inclusion for ethnic minorities), and QT7-BR1, QT7-BR3, QT7-BR4 (mechanism, resource, and service inclusion for incarcerated populations). This reveals that library laws worldwide have not fully protected inclusion rights for these three group types, necessitating strengthened legislation.

4.1 Significant Disparities in Legal Attention to Special Group Types

Current library legislation practices demonstrate that minors, the elderly, and persons with disabilities are the primary focus of library laws worldwide, while the other four group types receive considerably less overall attention, revealing significant disparities. China’s *Public Library Law* follows this pattern: Article 34 specifically stipulates inclusive rights for minors, the elderly, and persons with disabilities, while impoverished persons and ethnic minorities are

only mentioned in Article 7 regarding support for library development in ethnic regions and impoverished areas. The law lacks attention to inclusive rights for the floating population and incarcerated groups. Examining other countries' library laws reveals that while minors, the elderly, and persons with disabilities are indeed mainstream focus groups globally, other countries also show attention to inclusive rights for the floating population, impoverished persons, ethnic minorities, and incarcerated groups. For example, Russia's *Federal Law on Library Science* specifically emphasizes state support for library development serving refugee groups. The United States' *Museum and Library Services Act* emphasizes protecting library rights for American Indians and Native Hawaiians. South Korea's *Library Act* considers low-income individuals as "knowledge information vulnerable groups" and establishes specialized clauses to eliminate knowledge information gaps and protect their rights, while also emphasizing establishment of libraries in correctional facilities (prisons, detention centers) and incarcerated groups' rights to use libraries. Therefore, China's library legislation should learn from international strengths to comprehensively protect inclusive rights for all special group types.

4.2 Sparse Legal Provisions on Inclusion Dimensions

From the perspective of global library laws' attention to inclusion dimensions, the overall pattern shows concentrated focus on mechanism inclusion with weaker attention to facility, resource, and service inclusion. However, China's *Public Library Law* demonstrates relatively balanced attention across all four dimensions, with the primary issue being overall sparse legal provisions that fail to deeply and comprehensively protect inclusive rights for special groups. For instance, although the law stipulates that "corresponding professional personnel shall be equipped" in children's services sections, it fails to clarify support from professional personnel for the elderly and persons with disabilities. Furthermore, the budget section only requires local governments to include library funding in budgets without highlighting special funds needed for inclusive services for special groups. In contrast, other countries' library legislation provides specific provisions on mechanism inclusion from aspects including support orientation, policy support, funding guarantee, personnel allocation, management supervision, and professional training. For example, South Korea's *Library Act* requires the National Library for People with Disabilities to formulate and summarize policies, service standards, and guidelines for disability services. The United States' *Museum and Library Services Act* requires annual appropriations to Indian tribes and organizations primarily representing Native Hawaiians. However, provisions on facility, resource, and service inclusion remain relatively general, basically stipulating only equal rights for special group readers to enjoy library services without specific definitions of service content. Therefore, China's library law should learn from international experiences to coordinate and advance improvements in legalizing special group inclusion.

4.3 Incomplete Legal Construction Pattern for Special Group Inclusion

The ultimate purpose of legalization is to advance unified legislative, law enforcement, and judicial processes and develop rule-of-law construction. China and major world countries have essentially completed library legislation, with legal construction for library inclusion of special groups initially on track, yet the overall pattern requires improvement. First, China's *Public Library Law* contains 55 articles, with only 2 directly addressing special group inclusion, making overall legal provisions relatively weak. Although other countries' library laws do not necessarily contain more articles overall, their content regarding special group inclusion is more specific and detailed, with some reaching over ten clauses. Second, China has only the *Public Library Law*, whereas countries like Japan have multiple library laws including the *Library Law*, *National Diet Library Law*, and *School Library Law*, forming a more diverse and complete system. Third, from law enforcement and judicial perspectives, China's *Public Library Law* lacks supporting legal facilities. For example, South Korea's *Library Act* is accompanied by the Presidential Enforcement Decree and implementation regulations formulated by the Ministry of Culture, Sports and Tourism, ensuring concrete implementation in library operations and greatly enhancing enforcement effectiveness. Therefore, legalizing library inclusion for special groups in China requires further improvement through collaborative efforts from professional practice, academic research, legislation, judiciary, and law enforcement to advance library rule-of-law development on a foundation of complete legalization.

5.1 Equal Protection of Inclusive Rights for All Special Groups

Drawing comprehensive lessons from global library legislation experience, China's *Public Library Law* should strengthen attention to inclusion across different special group types and equally protect library rights for diverse groups. Currently, China has numerous major special group types with substantial populations (see), including over 200 million minors and elderly persons each, a floating population reaching 380 million, and over 1.6 million incarcerated individuals [20-23]. Therefore, on one hand, the *Public Library Law* should refine provisions on inclusive rights for special groups. For already-addressed groups including minors, the elderly, persons with disabilities, impoverished persons, and ethnic minorities, the law should clarify specific connotations and characteristic differences, emphasize specialized needs of different groups, and promote targeted inclusive services. It should also specify concrete types of inclusive services for different special groups, comprehensively protecting special group rights from cultural diversity perspectives. For ethnic minorities with exclusive languages and scripts, libraries bear responsibility for strengthening development and utilization of minority-language literature resources and preserving intangible cultural heritage and oral history. On the other hand, the law

should incorporate previously unaddressed special groups into inclusive rights provisions. Through amendments and supplementary clauses, inclusive rights for the floating population and incarcerated groups should be explicitly defined to achieve comprehensive attention to all special group types. For the floating population, considerations should include not only protecting rights of migrant workers and homeless persons but also addressing left-behind groups resulting from migration, such as left-behind children and elderly in rural areas. For incarcerated groups, the law can explicitly define libraries' cultural guidance and spiritual consolation functions to promote rehabilitation.

5.2 Strengthening Coordinated Coverage Across Inclusion Dimensions

Library law constitutes the legal foundation for library development and safeguarding citizens' library rights. Drawing on global library legislation, China's *Public Library Law* must improve coordination among inclusion dimensions to ensure special groups can comprehensively enjoy inclusive library services. Overall, the law should explicitly define libraries' responsibilities and missions to promote social inclusion and protect basic cultural rights of special group users in core sections such as general provisions, as well as special groups' fundamental rights to equally share library resources and services. Specifically, first, regarding mechanism inclusion, the law should most importantly stipulate requirements for professional personnel and budgetary provisions needed for inclusive services for special groups. It should systematically clarify the supportive role of professional personnel in serving special group readers and highlight the status of special funds for special group services within overall library budgets, incorporating them into government budgets. Second, regarding resource inclusion, the law should emphasize libraries' responsibilities in building specialized literature and information resources to meet special group needs. It should stress the driving role of digital technology in developing specialized resources for special groups, guiding libraries to collaboratively build digital resource databases and service platforms. Third, regarding facility inclusion, the law should clarify basic requirements for constructing special group libraries (rooms) and encourage public libraries to establish branches, service points, or conduct regular mobile services in hospitals, welfare institutions, special education schools, prisons, and similar institutions. Fourth, regarding service inclusion, the law should stipulate the diversity of service content, types, and forms that libraries provide for special groups, establishing a legal foundation for customized inclusive services suitable for different special group needs.

5.3 Improving Supporting Systems for Inclusive Services

Library law serves as a crucial basis for promoting inclusive services for special groups and constitutes the core of special group inclusion systems. China should improve supporting institutional construction for library inclusive services for special groups with the *Public Library Law* as the core. On one

hand, China can learn from the experience of countries like the United States, United Kingdom, South Korea, and Japan in implementing multiple parallel library laws to advance library legal system construction. Currently, China has already promulgated *Regulations for University Libraries* and *Regulations for Primary and Secondary School Libraries (Rooms)* in the fields of university and primary/secondary school libraries. These can serve as foundations for advancing the formulation of *Higher Education Library Law*, *Primary and Secondary School Library Law*, and corresponding *Scientific and Professional Library Law* in scientific and professional library fields, while coordinating the formulation of a overarching *Library Law* as the master statute. This would form a systematic library legal system with branches and trunk, providing legal foundations for systematic construction of special group inclusion systems. On the other hand, China can learn from South Korea's practice of formulating the *Library Act Enforcement Decree* to strengthen development of supporting regulations and policies for the current *Public Library Law*. This includes: first, judicial departments issuing judicial interpretations of the *Public Library Law*, particularly regarding inclusive services for special groups; second, central and local government departments issuing implementation regulations and construction plans for library inclusive services for special groups; and third, standardization departments formulating national and industry standards for library services for special groups. These measures would perfect the special group inclusive service system centered on the *Public Library Law*, forming a legal system supported by laws, policies, and standards.

As one of the most important public cultural facilities, libraries bear vital missions to cultivate public cultural literacy, enhance social civilization, and promote inclusive social development. Amid the contradiction between people's growing needs for a better life and unbalanced and inadequate development, special groups who are relatively disadvantaged in enjoying cultural life and accessing cultural resources have increasingly urgent needs for libraries, while requirements for libraries to provide inclusive services and build systematic inclusion systems for special groups become more prominent. China, Russia, France, South Korea, the United States, Japan, the United Kingdom, and other major countries have achieved certain accomplishments in library legalization, enacting library laws based on national conditions. Through comparative analysis, this study conducts theoretical exploration of characteristics, deficiencies, and development issues in legalizing library inclusion for special groups in China. However, from perspectives of political systems, social institutions, and economic levels, China's socialist path, theory, system, and culture with Chinese characteristics fundamentally differ from the separation of powers system commonly adopted in the West. China's current "two overall situations"—the strategic overall situation of achieving the great rejuvenation of the Chinese nation and the global changes unseen in a century—also require pioneering an innovative path with Chinese characteristics. China should fully absorb beneficial foreign experiences in library inclusion for special groups and explore a people-centered legalization development path, thereby effectively serving the

prosperous development of socialist cultural undertakings in the new era and ultimately achieving the construction of a socialist cultural powerhouse.

Author Contributions:

Wang Junfen: Research design, data collection, initial draft writing

Gong Jiaoteng: Research design, manuscript revision

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