

Proposal for 340 Working Group

One of our long-term projects is to improve the 340 Law provisions for legal systems rooted in civil law. We welcome the formation of the 340 Law Working Group by EDUG, and invite the group to make specific recommendations to EPC and the Dewey editorial team on improvements to the 340 Law provisions for legal systems rooted in civil law.

We want specific advice on the following topics:

- Treatment of juristic acts and obligations
- Explicit provisions for branches of administrative law in references and the Relative Index
- Expansion for administrative courts (a general framework)
- Consultation on the development of 345.01 Criminal courts similar to 347.012–347.017 and 347.02–347.04 (including the add table under the latter span)

We also welcome proposals and advice on other matters in law. Attached as background information is a paper distributed at the Dewey Translators Meeting at IFLA 2004. We would be happy to make copies of 1999 paper by Béguet, Jouguelet, and Naudi cited in the attached document available to working group members.

Julianne Beall, Assistant Editor, DDC, will serve as liaison to the group. Juli can be reached at jbea@loc.gov. OCLC is happy to facilitate provision of a meeting space for the working group's first meeting at IFLA 2007 in Durban.

340 Law Discussion Paper

Dewey Translators Meeting IFLA 2004 Buenos Aires

Since the late 1990s, we have engaged in a discussion with our translators, national library partners, and other interested parties about improvements to the 340 Law schedule in the Dewey Decimal Classification (DDC). These discussions have focused on the treatment of international law and the accommodation of systems based on civil law. This paper reports key changes in DDC 22 (Dewey 2003) to address these issues, and outlines areas for additional discussion and action.

One of the ongoing criticisms of the DDC is that the law schedule does not provide an adequate arrangement for legal systems based on civil law. We are taking an incremental approach to addressing the shortcomings in the 340 Law schedule, and are seeking ongoing advice from our translators and national library partners. In DDC 22, we have introduced several improvements to 340 Law related to the law of nations, human rights, and intergovernmental organizations. We have also assessed the schedule to make sure that most topics in civil law are accommodated in the schedule, even if the presentation is primarily from a common law viewpoint.

Most of the improvements to 340 Law in DDC 22 are centered on the 341 schedule. We have changed the caption at 341 from “International law” to “Law of nations” to reflect more accurately the contents of the class. “International law” and “public international law” appear in the class-here note under 341.

Within 341, we have replaced the term “international government organizations” with “intergovernmental organizations.” We have relocated selected topics from 341.4 and 341.7 to the corresponding domestic law provisions in 342–347. We have also relocated texts of treaties on a specific subject in domestic law to the subject in 342–347 plus notation 0261. Other changes in 341 include:

- Changed the caption at 341.026 from “Treaties and cases” to “Treaties, codes, cases.”
- Changed the caption at 341.0267 from “Codification” to “Codes” and added an extensive class-elsewhere note to the treatment of codes on a specific subject in law of nations and domestic law.
- Expanded the see reference under 341.22–341.24 for the treatment of intergovernmental organizations.
- Relocated “Conservation and development of extraterritorial natural resources” from 341.762 to 341.4, and relocated “Seabed (Ocean bottom)” from 341.7621 to 341.455.

- Updated the terminology in notes under subdivisions in 341.6 Law of war; added a reference from 341.65 Treatment of prisoners to 341.67 Humanitarian law; changed the caption at 341.67 from “Individuals” to “Humanitarian law.”
- Listed and indexed humanitarian intervention at 341.584.
- Removed the international law provision for maritime law (341.7566). Maritime law is now classed in 343.096, and law of the sea is classed in 341.45. A Manual note has been provided to explain the differences between law of the sea (341.45) and law of ocean transportation (343.0962).

We have changed 341.4 from “Jurisdiction and jurisdictional relations of states” to “Jurisdiction over physical space; human rights.” In DDC 22, 341.48 is limited to human rights. The general topic of jurisdiction over persons and most of its subdivisions have been relocated from 341.48 to 342.08.

There are additional changes outside the 341 development. In 342.06, we have added a general see reference for administrative law on a specific subject: “For administrative law on a specific subject, see the subject in 342–347, e.g., air traffic control 343.0976.” In 340 itself, we have added a scope note under 340.2 Comparative law: “Limited to methodological works.” We have also added a see reference from 340.9 Conflict of laws to comparative law in 340.2, and to 342–345 for specific aspects of conflict of law and of private international law not provided for in 340.9.

We have introduced a new development at 349.2 for the law of regional intergovernmental organizations, and have provided similar numbers throughout the law schedule at 342.2, 343.2, 344.2, 345.2, 346.2, 347.2, and 348.2. Geographic notation for specific regional intergovernmental organizations can be added directly to these numbers. For example, we can now represent European Union law on a variety of topics through use of these numbers plus notation 4 from Table 2:

349.24	Law of the European Union
346.24	Private law in the European Union
346.240482	Copyright law of the European Union

The Relative Index reflects the relocations described above. In addition to those changes, we have added a number of new terms throughout the index to represent topics in the law schedule. However, additional work needs to be done to address specific topics.

Discussion

The question remains, what can be done to improve the 340 Law schedule to reflect the needs of countries whose legal systems are based on civil law?

Some topics related to law are represented in other schedules outside of 340 Law, e.g., criminology, ecclesiastical and religious law. General references exist to these schedules, but

the treatment of specific topics may not be as clear. For example, we index law under Military penology, but do not index law under Penology (the entry is under Penal institutions).

In a paper presented at the 1998 IFLA Conference in Amsterdam, Béguet, Jouguelet, and Naudi (1999) discuss in detail problems with the representation of legal systems based on civil law in the DDC. A key concern is the treatment of private law and administrative law. The authors note that 346 does not represent the concept of private law the way it is defined in France (Béguet, Jouguelet, and Naudi 1999, p. 29).

Here, it may be instructive to review 346 Private law against its UDC counterpart, 347 Civil law, particularly since the UDC law development is based on civil, not common, law. Both the UDC and DDC law developments include people, property, and obligations, but some topics found in the UDC schedule in 347 Civil law are elsewhere in Dewey or not listed explicitly. The 347 Civil law schedule in UDC contains a discussion of jurisdiction over persons and civil status. Dewey has a reference from 346.013 to individual rights in 342.085, but is missing links to other important topics such as the law of citizenship in 342.083. Indeed, some topics related to civil status are included in 346 in Dewey, but are not clearly presented as such. Following Library of Congress Subject Headings (LCSH), Dewey uses the term “legal status” instead of “civil status”—LCSH appears to reserve the latter term for use with types of military personnel. Some topics that are related to legal status are not explicitly represented in the Dewey schedule but are accommodated implicitly, e.g., law related to changing one’s name (UDC 347.189) is accommodated implicitly in Dewey at 346.012 Persons, but without any notes or indexing. Béguet, Jouguelet, and Naudi (1999, p. 29) also note that labor law and social law, two important concepts in French private law, are not included in the 346 schedule.

Another key criticism in the paper is the dispersal of topics related to administrative law (Béguet, Jouguelet, and Naudi 1999, p. 29). We have added a note under 342.06 in DDC 22 to acknowledge the scatter of administrative law topics, but there is no extensive listing of topics related to administrative law and their corresponding Dewey numbers.

Béguet, Jouguelet, and Naudi (1999, p. 28) also identify a number of terms added to the French translation of the DDC to represent concepts in French law. Some of these terms have subsequently been added to the English-language standard edition of the DDC, but the English equivalents of others appear to be missing:

- Droit des biens (346.04)
- Droit des obligations (346.02)
- Companies experiencing difficulties (under 346.078)
- General works on the laws of political institutions (342.04)
- Special penal law (345.023–.028)

Recommendations

1. Add references from 346 to relevant “persons” topics in 342.08.

2. Add references from 346 to 344.01 for labor and social law.
3. Develop a Manual note with an extensive list of administrative law topics and their corresponding Dewey numbers to supplement the general scatter reference at 342.06.
4. Develop a general Manual note discussing the treatment of civil law in Dewey.
5. Add additional terms to notes in the schedules and to the Relative Index.
6. Seek permission to develop and post a high-level concordance between UDC and Dewey for law. The basic arrangement of the law schedule in UDC is based on civil law while the basic arrangement in Dewey is based on common law; such a concordance would be helpful to users of either classification system.
7. Continue to work with translators, national library partners, and other interested parties to improve the accommodation and presentation of legal systems based on civil law.

Comments

Comments will be sought from participants at the Dewey Translators Meeting, August 24, 2004, World Library and Information Congress: 70th General IFLA Conference and Council, Buenos Aires. Comments may also be sent by e-mail or fax by August 19, 2004, to:

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Notes

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References

- Béguet, Bruno, Suzanne Jouguelet, and Max Naudi. 1999. "Translating the Dewey Decimal Classification into French: Assessment and perspectives on the scientific contribution by the Bibliothèque nationale de France." ["La traduction en français de la Classification décimale Dewey: bilan et perspectives de la contribution scientifique de la Bibliothèque nationale de France."] In *Dewey Decimal Classification: Francophone Perspectives; Papers from a Workshop Presented at the International Federation of Library Associations and Institutions (IFLA), Amsterdam, Netherlands, August 20, 1998*, edited by Julianne Beall and Raymonde Couture-Lafleur, 17–33. Albany, NY: OCLC Forest Press.
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