

To: Joint Steering Committee for Revision of AACR

From: Nathalie Schulz, Secretary, JSC

**RE: Proposals to simplify AACR2 Ch. 21 special rules**

This compilation has been prepared to enable constituencies to make only one response to the proposals to simplify the AACR2 chapter 21 special rules. The following documents have been incorporated into the compilation: 5JSC/Chair/5/ALA follow-up (25 July 2005); 5JSC/Chair/5/CCC follow-up (22 July 2005); 5JSC/Chair/5/CILIP follow-up (1 Aug. 2005); 5JSC/Chair/5/LC follow-up (25 July 2005).

Constituencies are asked to respond to this compilation by September 12, 2005.

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## General Observations

### ALA follow-up:

The ALA representative notes that the groups that responded to 5JSC/Chair/5 sometimes had different interpretations of what the consequences would be if special rules were “eliminated”: some assumed that the rules would simply be reorganized and the provisions of the special rules retained (with redundancies eliminated) and responded with that in mind, while others assumed that the provisions of the special rules would be generalized, with the special provisions themselves possibly eliminated. This document attempts to clearly differentiate between these two situations when they are proposed. [ALA follow-up, second paragraph]

### CILIP follow-up:

CILIP has been monitoring the documents that this call has so far generated and looks forward to responding to the individual suggestions made in due course when a single compilation has been prepared for review. In the meantime, it has few specifics to add, but again finds itself anxious about some of the more general issues that this call provokes.

Notwithstanding the confusion to which ALA’s 2<sup>nd</sup> paragraph admits, CILIP believes that both scenarios outlined in paragraph raise significant – albeit far from insuperable – issues which need to be explored in parallel with any proposed simplification of the special rules.

If “special” rules are deemed to be unnecessary because they are already covered by – or can be changed so that they are covered by – more “general” rules earlier in the chapter, then existing cataloguers need to be given some form of guidance that this is indeed a deliberate decision and that “their” former rule is now covered by something more general in nature elsewhere in the structure. The absence, per se, of a rule may well confuse. So there are training and documentation issues concerned with the implementation of such changes (for example, ensuring that all such situations are adequately covered in some sort of “Where’s that rule” document).

If “special” rules are to be retained in some form then that raises issues of organisation and structure which are difficult to separate from the behaviour (or expected behaviour, or maybe even of behaviour as yet unanticipated) of the various RDA-related products. Indeed, the way such products behave may well need to be a major contributory factor in the organisation of the rules, and not just their underlying mark up. Is the present arrangement of AACR2 the best way of highlighting the existence of special rules for certain types of materials or situations? On the face of it – and even if that arrangement were made rather more logical than seems currently to be the case – the fragmentation of the rules in this way seems less than ideal. On the other hand, it gives those dealing with certain types of materials or situations somewhere specific to go – whilst at the same time avoiding cluttering up the main body of the text with pockets of rules that are of little or no interest to most users (rather, it’s possible that rules on spirit communications and academic disputations may well be of interest, albeit modest, to the ambitious cataloguer, but the opportunity to put knowledge into practice is going to be a significantly rare event). In some respects this is analogous to the discussion that surrounded the organisation of the original Part I draft.

What would happen if rule X appears to have been expunged (either because it has been, or because it’s been relocated and generalised)? For example, if there were no rule explicitly telling users how to enter Acts of Parliament? Practically, users will need guidance either way, and in parallel with proposals to change, delete and/or relocate rules thought needs to be given as to the way in which users of AACR2 are going to be helped through the change process.

By way of a further example, CILIP supports the ALA view that 21.37 does, indeed, duplicate 21.1C(d). But there may still be value in retaining that rule in its current place as part of a “package” of rules dealing with “Certain Religious Works” (or whatever group heading is agreed upon). That’s one way of organising the rules; if there were, indeed, to be rules specifically dealing with such works then should existing rules that are technically and theoretically redundant be retained for the sake of completeness and user expectation? How much weight should be given to the needs of existing users (especially as they are, presumably, simply short-term needs – assuming, for the time being, that most competent cataloguers will have mastered RDA within a short time of its publication and will have as little memory of AACR2 as those who abandoned one MARC format in favour of another seem to have)?

Both LC and ALA support the deletion of special rules 21.16 and 21.17, as does CILIP. Those too young to have been party to their inclusion in AACR2 are probably wondering how rules that seem as a result of later scrutiny to be so readily expendable came to be included in the first place.

A number of the special rules seem designed to save the cataloguer trouble (and an institution’s costs) – you don’t have to try to assess the relative involvement of the different contributors (which would often be quite impossible anyway), but base your entry on the chief source of information. Removal, as opposed to relocation, of such rules could cause problems in that two or more cataloguers, each employing reasonable “common sense”, might all too easily come to different conclusions. This is something that any proposals for change in this area need to guard against, given the potential impact. As so often, if the obverse of the coin reads “cataloguer judgement”, there’s a pretty good chance the reverse will read “inconsistency awaits”.

## Art Works [21.16–21.17]

### General comments

#### ALA follow-up:

The Art Libraries Society of North America supports the deletion of special rules 21.16 and 21.17 provided that the general rule allows flexibility in creating access points for any person or corporate body responsible for the creation of the intellectual or artistic content of a resource.

#### CCC follow-up:

The rules for art works are fundamentally the same as those for texts; only the different medium separates the two sets of rules. For example, the adaptation of a text (21.10A) is basically the same as the adaptation of an art work (21.16A). Similarly, the criterion used to determine whether it is a new work or a new expression is the same for text with commentary (21.13B-C), text with biographical/critical material (21.15), and reproductions of art works with text (21.17B). A collection of art reproductions by the same artist (21.17A) can also be encompassed by 21.4A1. We, therefore, suggest that it is possible to eliminate the specific rules and generalize the basic rules to include art works.

#### LC follow-up:

LC's art catalogers agreed with the statement from ARLIS/NA in its July 11, 2005 memo to CC:DA that "supports the deletion of special rules 21.16 and 21.17 ...." Integrating the art rules into the general rules has an advantage in that it provides for all the variations of number of artists and number of authors that are currently not covered by AACR2 21.17B (two artists, one author; one artist, two authors, etc.). We recommend that other art-related rules (e.g., 21.11B1, 21.24A) also be eliminated. See under specific rules below.

### Specific rules

#### ➤ **21.11B. Illustrations published separately**

#### LC follow-up:

**21.11B1. Illustrations published separately** and **21.17A Reproductions ...without text** can both be included in a rule for compilations of works by a single person.

#### ➤ **21.16. Adaptations of art works.**

#### LC follow-up:

21.16A. This rule can be included in general rules for adaptations.

21.16B. Because a "reproduction" of a single work of art is not inherently different from a photocopy or facsimile of a literary manuscript and so should be covered by 21.4A1, we suggest

an example for that rule of the original work of art followed by the reproduction would be helpful.

➤ **21.17. Reproductions of two or more art works**

CCC follow-up:

Further to [the above], we also suggest collapsing rules 21.17A and 21.17B so that the artist is the primary access point for a work consisting of reproductions for the works of an artist *with* or *without* accompanying text. The rationale: 1) focus for searching for art works is usually the artist; 2) consistent for works with or without accompanying text, and; 3) primary access point is not arbitrarily based on the presence/absence of the author of the text in the chief source (as opposed to the amount or importance of the text). We note that these rules address only a work of a single artist and do not address a work of multiple artists.

LC follow-up:

**21.11B1. Illustrations published separately** and **21.17A Reproductions ...without text** can both be included in a rule for compilations of works by a single person.

➤ **21.24. Collaboration between artist and writer.**

LC follow-up:

This rule can be incorporated into rules for works by two or more persons.

➤ **21.30F. Other related persons or bodies.**

LC follow-up:

It would be helpful if rules for other access points included rules or examples for access for artists when there are two or three (and therefore the primary access point is not artist). It is an area where there is no consistency now; libraries complain about inconsistency. (See also 21.16/21.17 above.)

➤ **Other art topics:**

LC follow-up:

(1) The inclusion of catalogs with reproductions of works by one artist held by and emanating from one museum in 21.4B1 (the “Rembrandt in the National Gallery” example) has not been followed by those applying LCRI 21.1B2 (Art catalogs). The question is if the art library community is still committed to keeping the works of one artist together even if they are owned by one museum from which the catalog emanates. A possible parallel from the literary world is:

The collected essays and poems of John Doe  
a facsimile of Doe’s manuscripts in the Library of Congress  
Published by the Library of Congress.

Wouldn't this go under the heading for Doe? If so, why shouldn't "Rembrandt in the National Gallery" be entered under Rembrandt (21.4A1)?

(2) An example to show primary access point for works of two or three artists when neither museum nor author is appropriate (e.g., Van Gogh and Gauguin in Arles : an exhibition at A and B / edited by Jane Doe) would be helpful. (See also under 21.30F).

## **Musical Works [21.18–21.22]**

### **General comments**

#### ALA follow-up:

The Music Library Association (MLA) has reviewed rules in AACR2 Chapter 21 relating to musical works (specifically 21.18–21.22), and does not support the elimination of these special rules. They have served well in AACR2, giving guidance to catalogers about complex situations of shared responsibility. They reflect the common understanding within the music community (catalogers, reference librarians, library users, musicians and music publishers) of how musical works are identified and cited. In addition, they provide useful collocation within our catalogs and correlate with other information resources that users consult. Perhaps the most critical of these special rules for music is entry of a libretto under the composer of the opera instead of the author of the text.

If these rules and relevant examples were to be removed from RDA, the music community would need to create a special manual, along the lines of the current cartographic manual, for use with AACR2 to assist catalogers in making quick, informed decisions. Removal of guidance on providing primary access for music from the standard cataloging code would be counter-productive to the JSC's stated goal of making RDA usable for all types of materials, and would be a detriment to libraries that do not catalog a large amount of music by forcing them to use a specialized guide when they now don't need to do so.

The current AACR2 arrangement of this section of rules relating to musical works arranges the instructions based on the overall musical content rather than by the function of the responsible body (bodies). Thus, rules relating to musical arrangements, transcriptions, etc. (21.18B) relates to revisions of texts in 21.12, and rules regarding adaptations of musical works (21.18C) correspond in part to rules about adaptations of texts in 21.10. Musical works including words (21.19A) and musical settings for ballets, etc. (21.20) are really works of shared responsibility, already covered by 21.6. Pasticcios, ballad operas (21.19B), and writer's works set by several composers (21.19C) correspond to rules in 21.7, Collections of works by different persons or bodies. Rules about liturgical music (21.22) already direct catalogers to the rules for liturgical works in 21.39. Since AACR2 already requires music catalogers to consult earlier rules in Chapter 21 for musical works that do not have mixed responsibility, we support rearranging these rules to better reflect the function of the responsible body (bodies).

[Below] follow some proposals or recommendations for combining these special music rules with their related counterparts.

#### CCC follow-up

Simplification of choice of primary access point is desirable but, in some situations, it is also important to make clear relationships between different "contributors" so that users can identify the correct item. Title as the primary access point for works of mixed responsibility in all cases would not meet this requirement although some rules or examples can be incorporated into the more general rules for works of mixed responsibility.

### LC follow-up:

LC's policy specialist for music and LC's music catalogers discussed the overall treatment of music by AACR2 as well as specific rules. They agreed that the rules 21.18-21.23 are not needed as separate rules; the situations can be covered by general rules. Below are general comments, rationale for eliminating rules, explanations of some existing problems, questions to be considered, and suggestions.

Music is not taken up with any visibility in this chapter until 21.18, midway in the discussion of several categories of "Works That Are Modifications of Other Works." The only earlier music examples are under 21.4B (Works emanating from a single corporate body), where two examples are for sound recordings. Add music examples beginning with the future equivalent of 21.1 and forward, as applicable.

Although the music rules and sound recordings rules, 21.18-21.22 and 21.23, are subsets of Works That Are Modifications of Other Works, they can now be used in isolation from the rest. The rules themselves even encourage this, such as in the first sentence of 21.23A1, which simply ignores the categorization of all sound recordings as modifications of other works ("Enter a sound recording of one work (music, text, etc.) under the heading appropriate to that work."). Avoid this inconsistency by integrating music examples more thoroughly into the general rules.

For dealing with the principal access point for various types of "adaptations," we recommend simplification:

- Do not specify names of types of compositions in the rules which, as done now, is misleadingly biased toward Western art and popular music anyway.
- Incorporate music in the general rules, along with other fields where similar ambiguities also occur and comparable cataloger judgement is necessary.
- Rely on the provision of additional access points to assure a manifestation has the right ones, even though the citation access point may differ.

**Caveat:** For music, taking the wording of the source of information chosen for the title of an item in hand (21.9) is often misleading because title information alone doesn't necessarily represent adequately what the manifestation is. In many cases you have to look further, not just beyond the source of the title, but beyond the item in hand itself.

### **Specific rules**

#### ➤ **21.18. General rule**

#### ➤ **21.18A. Scope**

### LC follow-up:

The first two sentences of 21.9A. General rule (for works that are modifications) apply to music. Paragraphs a)-d): Some of these paragraphs are too specific for an introductory rule.

#### ➤ **21.18B. Arrangements, transcriptions, etc.**

### ALA follow-up:

*Current text, AACR2, 21.12 (without examples)*

## **21.12. REVISIONS OF TEXTS**

### **21.12A. Original author considered responsible**

**21.12A1.** Enter an edition of a work that has been revised, enlarged, updated, etc., under the heading for the original author if:

- a) the original author is named in a statement of responsibility in the item being catalogued
- or* b) the original author is named in the title proper and no other person is named in a statement of responsibility or other title information.

Make an added entry under the heading for the reviser, etc.

### **21.12B. Original author no longer considered responsible**

**21.12B1.** Enter under the heading for the reviser, etc., or under title, as appropriate, if the wording of the chief source of information of the item being catalogued indicates that the person or body responsible for the original is no longer considered to be responsible for the work (e.g., when the original author is named only in the title proper and some other person or body is named as being primarily responsible in the statement of responsibility or in the statement of responsibility relating to the edition). Make a name-title added entry under the heading for the original author using, if it can be readily ascertained, the title of the last edition to have been entered under the heading for the person or body responsible for the original. Always make a title added entry if the title begins with the name of the original author and the main entry is under the name of the reviser, etc.

*Current text, AACR2, 21.18B (without examples)*

### **21.18B. Arrangements, transcriptions, etc.**

**21.18B1.** Enter an arrangement, transcription, etc., of one or more works of one composer (or of parts of one composer's works) under the heading for that composer (see also 25.35C). If the original composer is unknown, enter under title. Make an added entry under the heading for the arranger or transcriber. *Optionally*, add *arr.* to the added entry heading.

*Note that AACR2 21.18A1 a) & b) also apply to musical arrangements:*

- a) arrangements, transcriptions, versions, settings, etc., in which music for one medium of performance has been rewritten for another
- b) simplified versions

*Current text, AACR2, 21.21 (without examples)*

## **21.21. ADDED ACCOMPANIMENTS, ETC.**

**21.21A.** Enter a musical work to which an instrumental accompaniment or additional parts have been added under the heading for the original work. Make an added entry under the heading for the composer of the accompaniment or the additional parts.

*Proposed revision:*

## **REVISIONS**

### **Original author considered responsible**

#### **Textual works**

Enter an edition of a work that has been revised, enlarged, updated, etc., under the heading for the original author if:

- a) the original author is named in a statement of responsibility in the item being catalogued
- or* b) the original author is named in the title proper and no other person is named in a statement of responsibility or other title information.

Make an added entry under the heading for the reviser, etc.

#### **Musical works**

Enter an arrangement, transcription, etc., of one or more works of one composer (or of parts of one composer's works) under the heading for that composer (see also #). If the original composer is unknown, enter under title. Make an added entry under the heading for the arranger or transcriber.

Enter a musical work to which an instrumental accompaniment or additional parts have been added under the heading for the original work. Make an added entry under the heading for the composer of the accompaniment or the additional parts.

### **Original author no longer considered responsible**

#### **Textual works**

Enter under the heading for the reviser, etc., or under title, as appropriate, if the wording of the chief source of information of the item being catalogued indicates that the person or body responsible for the original is no longer considered to be responsible for the work (e.g., when the original author is named only in the title proper and some other person or body is named as being primarily responsible in the statement of responsibility or in the statement of responsibility relating to the edition). Make a name-title added entry under the heading for the original author using, if it can be readily ascertained, the title of the last edition to have been entered under the heading for the person or body responsible for the original. Always make a title added entry if the title begins with the name of the original author and the main entry is under the name of the reviser, etc.

#### **Musical works**

See rules for adaptations (#).

CCC follow-up:

Retain existing choice of main entry as the primary access point.

LC follow-up:

The problem is how to distinguish between minor modifications (where the work is entered under the original composer) from more extensive modifications (where the work is entered under the composer of the modified version). Though the rule appears to be framed in the context of notated music, this need applies not only there but also to performed works.

The “suite” example is very bad. There is no indication of what the pieces assembled into the suite are or of how close to the originals the arrangement is. This example stands as a warning that examples have to be chosen with care so that they answer questions rather than raise them. One way to handle this potential problem is to include more explanations under examples and not just what the access points should be.

### ➤ **21.18C. Adaptations**

#### ALA follow-up:

*Current text*, AACR2, 21.10 (without examples)

#### **21.10. ADAPTATIONS OF TEXTS**

**21.10A.** Enter a paraphrase, rewriting, adaptation for children, or version in a different literary form (e.g., novelization, dramatization) under the heading for the adapter. If the name of the adapter is unknown, enter under title. Make a name-title added entry for the original work. In case of doubt about whether a work is an adaptation, enter under the heading for the original work.

*Current text*, AACR2, 21.18C (without examples)

#### **21.18C. Adaptations**

**21.18C1.** Enter any of the following types of adaptations of music under the heading for the adapter:

- a) a distinct alteration of another work (e.g., a free transcription)
- b) a paraphrase of various works or of the general style of another composer
- c) a work merely based on other music (e.g., variations on a theme).

If the name of the adapter is not known, enter under title.

If the work is related to one other work or to a part of a work with its own title or designation (e.g., a movement, an aria), make a name-title added entry for that work or part of a work. If the work is otherwise related to the music of another composer, make an added entry under the heading for that composer.

In case of doubt about whether a work is an arrangement, etc., or an adaptation, treat it as an arrangement, etc. (see 21.18B).

*Note that AACR2 21.18A1 c) & d) also apply to musical adaptations:*

- c) arrangements described as “freely transcribed,” “based on . . .,” etc., and other arrangements incorporating new material
- d) arrangements in which the harmony or musical style of the original has been changed.

*Proposed revision:*

## **ADAPTATIONS**

Enter a paraphrase, rewriting, textual adaptation for children, version in a different literary form (e.g., novelization, dramatization), or version in a different graphic arts medium (e.g., painting, sculpture) under the heading for the adapter.

*For music*, apply this rule to arrangements described as “freely transcribed,” “based on ...,” etc., arrangements incorporating new material, and arrangements in which the harmony or musical style of the original has been changed. For other musical arrangements, see #.

If the name of the adapter is not known, enter under title.

Make a name-title added entry for the original work.

*For music*, if the work is related to one other work or to a part of a work with its own title or designation (e.g., a movement, an aria), make a name-title added entry for that work or part of a work. If the work is otherwise related to the music of another composer, make an added entry under the heading for that composer.

In case of doubt about whether a work is an adaptation, enter under the heading for the original work.

*For music*, in case of doubt about whether a work is an arrangement, etc., or an adaptation, treat it as an arrangement, etc. (see #).

### CCC follow-up:

Retain existing choice of main entry as the primary access point.

### LC follow-up:

Assuring consistency in choice of principal access point is unresolvable here, too. However, if no effort is made to do it, manifestations have to be entered under the original composer (not a recommended alternative). Providing additional access points is necessary.

Paragraph a) defines this type entirely. Omit b) and c). (Paragraph c), variations on a theme/passacaglia/cantus firmus, belongs with related works and not here.) Subsume this rule under the general rule, now 21.9, and adjust examples accordingly.

#### ➤ **21.19. Musical works that include words**

#### ➤ **21.19A. General rule**

### ALA follow-up:

Move 21.19A to 21.6B1, with separate numbering, heading, or paragraph.

### CCC follow-up:

Retain existing choice of main entry as the primary access point (composer of music).

### LC follow-up:

Music with words is not inherently a modification of anything. Other possibilities could be:

- 1) Work of mixed responsibility (newly created music and newly created words)
- 2) When the words are pre-existing, the words are a related work, whether or not their author is known
- 3) Work of shared responsibility (more than one creator, all doing the same thing; also applies when there are no words)

It isn't always possible to tell if the text is pre-existing, particularly with regard to contemporary works, though these may be accompanied by the text's own copyright notice.

➤ **21.19B. Pasticcios, ballad operas, etc.**

ALA follow-up:

Move 21.19B to 21.7, with separate numbering.

CCC follow-up:

On the other hand, rules 21.19B and 21.19C are somewhat redundant and are useful only in so far as they give instructions on added entries specific for those situations. Rule 21.19C is already covered by 21.19A (works including words) and 21.7 (collections); no special rule is necessary.

Pasticcios, ballad operas, etc., represent particular cases of works including words that can be either collections of works by different persons or bodies (21.19B1) or works of shared responsibility (21.19B2). Such cases are already covered by other rules, i.e., 21.19A, 21.6, and 21.7.

The only possible reason for retaining rule 21.19B is its provisions about excerpts, which are not principle-based and therefore need a special rule. Indeed, while it is reasonable to enter a single excerpt under its own composer, it seems inconsistent to enter a collection of excerpts under the title of the "work" and not of the collection and to require an added entry under the title of the larger work for single excerpts. Collections are not considered distinct works in other parts of AACR..

We, therefore, propose deleting rules 21.19B and 21.19C and modifying rule 21.7 to include a provision on collections of works of mixed responsibility similar to the provision at rule 21.6A1, 2<sup>nd</sup> paragraph:

Apply it also to cases of shared responsibility among adapters, arrangers, commentators, reporters, etc., when rules 21.-8—21.27 prescribe main entry under the headings for such persons.

LC follow-up:

A separate rule for pasticcios, etc. is not appropriate. This one confusingly combines the issues of mixed (21.19B1) and shared (21.19B2) responsibility, which can occur regardless of the form of a musical work. Instead, the references should appear under the respective general rules about works of shared or mixed responsibility.

➤ **21.19C. Writer's works set by several composers**

ALA follow-up:

Move 21.19C to 21.7, with separate numbering.

CCC follow-up:

Delete rule 21.19C and modify 21.7. [See under 21.19B.]

LC follow-up:

Include musical examples of a writer's works set by several composers in the general rule about adaptations.

➤ **21.20. Musical settings for ballets, etc.**

ALA follow-up:

Move 21.20 to 21.6B1, with separate numbering, heading, or paragraph.

CCC follow-up:

Retain existing choice of main entry as the primary access point (composer of music).

LC follow-up:

Music for staged dances and similar works is not a modification of anything. The principle of entering the music for a choreographed dance under the composer could be taken care of in the general rule for works of mixed responsibility and by well-chosen examples of works where the information on the title page could be confusing (e.g., Stravinsky's *Histoire du Soldat*, works by Henze, Stockhausen, Roger Reynolds).

➤ **21.21. Added accompaniments, etc.**

CCC follow-up:

Retain existing choice of main entry as the primary access point (composer of music).

LC follow-up:

The concept governing added accompaniments is that of modification. Include in general rules for adaptations (now 21.9).

➤ **21.22. Liturgical Music**

ALA follow-up:

Move this rule to the appropriate section for liturgical works and include musical examples.

LC follow-up:

See comment under 21.39 below. [In section on Certain Religious Publications.]

➤ **21.23. Sound recordings**

[See separate section below.]

➤ **21.28. Related works**

LC follow-up:

The types of works from the list in this rule commented on below are those that are related to musical works.

**Librettos**

Librettos are not notated music, but a rule requiring them always to be entered under the librettist would not likely be acceptable.

For both new and pre-existing librettos, added access points for the author of the libretto should be name/title formulations (i.e., citations of “works”) and not just the name of the author. (The same is true for any comparable text set to music, such as a poem or speech.)

Librettos need to be addressed in two places (see below). For both sources of librettos, footnote 7 (all of it), p. 21-44, should be the rule and the rule should be completely stated in both places.

(1) When the composer and librettist work together so that the libretto is newly created along with the music, the musical work is one of mixed responsibility.

(2) When the composer uses a pre-existing text, the libretto is a related work.

Note: the general rule would have to be modified if our recommendation that the alternative rule for librettos become the main rule. In that case, it would no longer be appropriate to say as 21.28B1 now does, “Enter a related work under its own heading ... Make an added entry ... for the work to which it is related.” Also, in 5JSC/AACR3/I/LC response, LC recommended redefining *Libretto* as follows: “The text of a dramatic musical work (opera, oratorio, etc.) and *Text 2*. as follows: “The words of a non-dramatic musical work (e.g., song, cantata).

**Cadenzas**

The principal access point of a separately published cadenza is its composer. The concerto or concerto-like work of which the cadenza is meant to be a part is a related work.

**Incidental music**

Separately published incidental music should be entered under its composer. The dramatic work for which the incidental music was written is a related work.

## Sound Recordings [21.23]

### General comments

#### ALA follow-up:

Because *5JSC/Chair/5* does not specifically mention rule 21.23 for entry for sound recordings, there was some confusion among the ALA constituencies concerning whether or not responses were being requested for this rule. Both the Music Library Association and the Association for Recorded Sound Collections have stated their intention to respond regarding Rule 21.23, but these responses could not be reconciled in time for them to be included in this document. ALA intends to submit a follow-up to this response that will include comments on the rules for main entry for sound recordings.

#### LC follow-up:

Sound recordings of music are not modifications of other works.

The unwritten context for Chapter 21's approach to extemporaneous or improvisational music is solely that of Western music, and particularly Western popular music. That context then affects the decision on primary access point in performed musical works, especially those that might be modified by the performer. Many other musics are improvisational and libraries are filled with recordings (and videos) of them.

The rules in 21.23 were considered exceptions to the rules that would ordinarily apply because it was thought people would be likely to look under the performer of an album. The extent to which the performer might have modified the works performed was not a consideration. A factor that apparently entered into the decision to use performer as main entry was that, even if the performer had not "improvised" a sufficient portion of a recording to have principal responsibility, end users were likely to look for the manifestation under the principal performer, so it was a convenience to use that name as main entry. Consequently, the rule is pragmatic, not principle-based.

Some share the opinion that it is wrong to continue to apply a Western art music model when considering Western popular music, where different principles of responsibility may apply. The composer is not necessarily the dominant creator.

- There are different types of pop albums. Those where the performers are a corporate body the corporate body should be given credit as the primary creator of the work as long as the concept of primary intellectual responsibility continues in RDA (e.g., Beatles for Abbey Road = Shakespeare for Hamlet)
- Though there are manifestation of popular albums in which the composer is the primary creator, a popular music group may have corporate responsibility for an album even if an individual member of the group composed all the songs on it.
- In some cases a record producer or engineer who has a major reputation in the field should be given credit for being a major creative contributor to the work (e.g., George Martin's work with the Beatles). In such cases, would the sound recording be a work of mixed responsibility?

Also to be considered:

- Advertising emphasizes the performer. The prominence of the name of a principal performer of an album is not necessarily an indication of the extent of creative responsibility.
- Reissues: regarding contents of manifestations, what are the characteristics of reissues of sound recordings and how do they compare to reissues of other works?

Types of recorded collections of Western popular music where principal responsibility needs further scrutiny:

- Collections with a principal performer/creator where some of the works are arrangements and some are original.
- Similar collections where most of the works are original and some are not.

### **Specific rules**

#### ➤ **21.23A. One work**

LC follow-up:

A rule addressing a sound recording of one work is out of place here.

#### ➤ **21.23B. Two or more works by the same person(s) or body(ies)**

LC follow-up:

The distinctions (inadequately made here) can be made in general rules:

- Corporate body as composer of a single work that constitutes the manifestation (not limited to sound recordings)
- Corporate body as composer of two or more works in a collection (not limited to sound recordings)
- Corporate body with responsibility in a collection of works by two or more other persons or bodies. Where corporate body is the performer(s), this situation occurs most often in performances on sound recordings (also in moving image and in print that contains a performer attribution).

Add examples from 21.23A (sound recording containing one work) and 21.23B (two or more works) to general rule 21.4A.

In 21.4B make corporate composership more visible (text of rule; examples from print, sound, moving image).

#### ➤ **21.23C. Works by different persons or bodies. Collective title**

LC follow-up:

The concept of principal performer as contributor to the creation of a work is a subset of adaptations (21.9). More basically, see above for general guidance, which should be given early on, about what to do when performers are involved in manifestations that could be taken to be works of mixed responsibility.

➤ **21.23D. Works by different persons or bodies. No collective title**

LC follow-up:

Absence of collective title is not the only situation in which a performer could have principal responsibility. This rule is the only rule that addresses modifications of the works performed. Recorded music is, for the most part, cataloged according to the same rules as notated music. So to the extent this principle will be covered by the general rules, appropriate recorded sound examples should be included.

## Academic Disputations [21.27]

### ALA follow-up

The proposal to simplify or eliminate AACR2 21.27, the rule controlling entry of academic disputations, is of concern to the rare materials community as represented by the ALCTS/ACRL Task Force on Cataloging Rules for Early Printed Monographs and the membership of the DCRM-L list, a discussion group whose main focus is the forthcoming revision of *Descriptive Cataloging of Rare Books*.

AACR2 21.27 concerns entry of academic disputations, a not uncommon genre previous to the nineteenth century. Academic disputations were a sort of precursor to the modern thesis examination, in which a student is examined by faculty previous to being granted a degree. However, although the academic disputation involved questioning on a (usually book-length) written work, this work was not equivalent to the modern thesis because it was not usually written by the student. Rather it was normally written by someone else, often the examiner himself, and the student (or students) were expected to defend or contend with its positions during the examination.

The title pages of these works are often confusing. One feature common to almost all of these disputations provides a solution to this confusion, however: each name on the title page is normally accompanied by a term indicating the person's role in the disputation. The person being examined may be called the respondent or the defendant, or sometimes even "auctor", a Latin word usually translated as author, but in this case perhaps more accurately rendered "spokesman" or "agent." Title pages of academic disputations also name the person who is presiding over the examination, the "praeses." This person may or may not be the author of the text being used as the basis of the examination.

The cataloger needs help in interpreting these title pages. If—at least for purposes of work citations—RDA continues to maintain the authorship principle, a bedrock of AACR2, consistent guidance is needed to determine who will be considered the author in these cases. Since title pages of academic disputations do not explicitly say who the author is, the editors of AACR2 simply made a decision, based on experience with these books and the research reflected in the studies cited in footnote 6, that the praeses is to be designated the author in the absence of strong evidence to the contrary. The rare materials cataloging community as polled at this time is comfortable with maintaining this presumption.

We do not see how the rule could be simplified much further than it already is without making a confusing situation more confusing. A minimum of explanation (as found in the parenthetical phrases in the body of the rule) of what these works are is needed to help the cataloger understand what is going on. The rule clearly states who is given the primary access points and who is given other access points. And the rule gives guidance for what to do in the unusual case where no one is named praeses. It might be a good idea to bring the first sentence of the footnote up into the rule itself, since this is an obvious pitfall.

We note that although this rule would pertain almost exclusively to early printed materials cataloging, RDA cannot depend on the main specialist manual to give guidance on this matter since DCRM(B), the successor to DCRB, deliberately does not include rules on choice of access

points or formation of headings. Rare materials catalogers understand and accept the need to integrate their records into catalogs (and authority files) containing records prepared under the general cataloging rules, and therefore do not wish to introduce specialist rules for access points.

We also note that although the rule covering academic disputations may seem to catalogers of 20th century and later materials to apply to a minor problem, there is a large body of these works in existence and catalogers will continue to encounter them under RDA.

The task force and others suggested that the works cited in the footnote are valuable and that, as they are in the public domain now, it might be useful and feasible to create PDF files of these articles/chapters and link them to RDA.

LC follow-up:

LC agrees with the ALA proposal of July 11.2005 for academic disputations (cf. CC:DA/TF/Early Printed Monographs/6).

## Certain Legal Publications [21.31–21.36]

### General comments

#### ALA follow-up:

ALA received comments on the special rules for entry for certain legal publications from the American Association of Law Librarians (AALL) and from the ALA Government Documents Round Table (GODORT). The majority of the comments below were received from AALL, with additional comments interspersed on particular rules from members of GODORT, who commented that they responded from a generalist perspective.

Law catalogers appreciate the opportunity to contribute to the development of part two of the new *Resource Description and Access* (RDA). We understand that this review is intended to increase consistency, eliminate redundancy, and generalize rules whenever possible. We have identified one area in particular where major changes would make the rules easier to apply. We are proposing a major change for *bilateral and multilateral treaties*. Other areas of the rules could benefit from simplified wording, a different layout, using tables, decision trees, or other structuring that would enable catalogers to better identify and implement the rules. While there was insufficient time to prepare formal proposals for restructuring in this manner, law catalogers would be glad to continue working on rule revision and to cooperate with others in further simplifying and clarifying the rules through ALA.

#### *Background*

Cataloging rules describe the literature of a discipline. The discipline will never change to conform to the rules a party or group outside the discipline wishes to impose upon it. In the case of law, the seeming complexities in the cataloging rules do not flow from the discipline of library science; rather they flow from the discipline of law. Legal literature is as it is. Law catalogers have not created it; rather, we rise to the challenge of describing it.

Law catalogers would like to emphasize the importance of retaining specialized rules for access to legal materials. The resources are complex, are not commonly encountered, and create questions for legal and non legal catalogers alike. Providing specific guidelines promotes efficiency of cataloging by directly answering these questions. Concise, clear instructions allow the resources to be described and accessed using uniform guiding principles and result in records that allow the resources to be found and identified by users. The current rules provide consistency of access points in bibliographic records. Without rules addressing legal materials specifically, catalogers will be uncertain of what rules to use, and uniformity of access and predictability of retrieval will be lost.

#### *Single set of rules*

Accurate identification of legal materials is especially difficult for the generalist cataloger who occasionally needs to describe a law, court proceedings, or a treaty. Keeping the rules together simplifies the process of identifying the material and determining what its primary access point should be. If these rules are incorporated into the general rules, selection of the applicable rule

will become much more difficult, leading to inconsistencies in access points and potentially leading to the creation of multiple records in our shared databases.

Advantages of collocation of these rules in one section include comprehensiveness, clarity, and ease and efficiency of use. The advantage to collocation outweighs the slight redundancy that is necessary for clear understanding and application of the rules in this section.

### ***Simplification***

In answering the 30 May 2005 call for proposals to simplify AACR2 Ch. 21 special rules, a group of experienced law catalogers considered each rule in turn, discussing the current rules, the functions they perform in identification and discovery, and ways that they could be simplified. In considering the rules for access, later instructions found in chapter 25 on uniform titles were also considered as they are closely related to the instructions in chapter 21. However, no recommendations as to the form of these uniform titles are included, and we expect to work further on this area.

At present the rules provide for primary access points as well as added entries for those persons or bodies sharing responsibility for the work. In the future, the authority record for the work might carry some of these added entries allowing the record for the work to have a primary access point, while still allowing search and retrieval of the record if only a secondary access point is known. We do not know if the JSC is considering this option, and certainly many online catalogues are unable to utilize this cross reference structure at this time. This strategy has been used by LC for treaties and could potentially be applied to other rules in this section.

The legal rules could also be simplified in some areas by presenting them in a chart or table format with links to a fuller instruction. Law catalogers in the U.S. would be happy to work with JSC on such a format; time constraints did not allow us to do so for this document.

Using the numbering of the current rules for convenience, we looked for places where simplification would lead to an improvement in the rule and for places where the rule could be eliminated or combined with other rules.

### **LC follow-up:**

Note: Twelve of the Chapter 21 rules for certain legal works (21.31-21.36) have instructions to apply the Chapter 25 rules for "Laws, Treaties, Etc." (25.15-25.16). These explicit links between the Chapter 21 and Chapter 25 rules for legal works indicate that the primary access point for a legal work includes not only a name heading but also a consideration of its title. Therefore, the Chapter 25 rules for legal works have been included below.

### **Specific rules**

#### **➤ 21.31. Laws, etc.**

### **ALA follow-up:**

The primary access point for many legal resources is the jurisdiction plus the uniform title. Though capable of authorship, clearly a jurisdiction is somewhat different from a named

corporate body, although it is treated as one in AACR. While laws are given as an example of a type of work to be entered under corporate body in 21.1B2, it would not be evident to the cataloger which corporate body it should be: legislature, head of state, statute revision committee, jurisdiction? Rule 21.31 is needed to provide this specification.

➤ **21.31A. Scope**

LC follow-up:

Retain the concept of having a scope note at the beginning of the section.

➤ **21.31A1.**

CCC follow-up:

At the general rule, 21.31A1, one is directed to 21.13 for annotated editions of laws and commentaries. However, the 6<sup>th</sup> example at 21.31B1 appears to be an annotation even though the rule for annotated editions, etc., is 21.13. This has always caused some confusion. Additionally, the examples do not make it clear the difference between annotations and commentary, e.g., 21.13B1, last example and 21.13C1, 3<sup>rd</sup> example. Simplifying the rule(s) for designating the primary access point for annotated editions would be helpful.

➤ **21.31B. Laws of modern jurisdictions**

ALA follow-up:

We recommend that these rules be retained. They provide for primary access by the jurisdiction governed by the law with a uniform title for the law, and added entries for other responsible bodies. Additionally, if the enacting jurisdiction is different from the jurisdiction being governed by the law, the rules provide for entry under that jurisdiction with a uniform title for the law. All these elements are required for identification and citation of the work, and access to them must be provided to enable the user to find, identify, and select the record. The user could be a cataloger trying to determine if the record matches the resource in hand for copy cataloging or a researcher wanting to obtain a specific resource. The rule fulfills both the role of collocation and that of distinguishing two similar yet variant items one from another.

LC follow-up:

Delete the term “modern” from the caption so that rule 21.31B1 below can become applicable to the law of any jurisdiction, including the fundamental law of a jurisdiction.

➤ **21.31B1. Laws governing one jurisdiction**

ALA follow-up:

**(GODORT):** Because uniform titles are mentioned in the examples, it would be helpful to have direct links from the examples to the relevant rules for constructing uniform titles.

LC follow-up:

Retain the basic concept of entering a law under the heading for the jurisdiction governed by the law, including a law that is enacted by a jurisdiction other than the jurisdiction governed by it. Expand the rule to include the fundamental law of a jurisdiction.

➤ **21.31B2. Laws governing more than one jurisdiction**

ALA follow-up:

Compilations of laws governing more than one jurisdiction are entered as a collection (21.7). We recommend that this rule remain with the legal rules to clarify the appropriate selection of access points. While this rule can be simplified, it addresses the complexity and potential ambiguity that could be encountered in a compilation of laws governing more than one jurisdiction.

CCC follow-up:

Comments were supportive of a review of the “rule of three” concept, e.g., 21.31B2, 21.31C1, 21.34A.

LC follow-up:

Retain the current rule.

➤ **21.31B3. Bills and drafts of legislation**

ALA follow-up:

Bills are entered under legislative body and drafts are entered under the responsible person or corporate body. We find that catalogers sometimes confuse bills and drafts with each other, as well as with the law itself, thus entering bills and drafts under jurisdiction or the incorrect responsible body. This confusion results in a misleading record for someone searching for a specific bill and has the potential for multiple records appearing in our shared databases for identical items. Currently we encounter this situation even though specific instructions exist. How much greater will be the frequency of duplication if such instructions are removed?

Although these rules do follow the 21.1-21.7 rules, we think 21.31B3 should be retained because it is clear, concise, and helpful in quickly determining what the primary and secondary access points should be. The examples are also very helpful in illustrating the concepts provided in the rules.

LC follow-up:

Retain the current rule.

➤ **21.31C. Ancient laws, certain medieval laws, customary laws, etc.**

ALA follow-up:

We recommend that the rule be retained. These resources are rarely encountered and the rules provide much needed guidance.

CCC follow-up:

Comments were supportive of a review of the “rule of three” concept, e.g., 21.31B2, 21.31C1, 21.34A.

LC follow-up:

Revise the rule to apply only to laws for which there is no jurisdiction that the laws govern.

➤ **Laws – Chapter 25 rules**

LC follow-up:

**25.15A1. Collections:** Simplify the provisions for the title of a collection of laws governing one jurisdiction: use the title proper of the collection.

**25.15A2. Single laws, etc.:** Simplify the provisions for the title of single law governing one jurisdiction: use the title of the law on the resource.

**25.15B. Ancient laws, certain medieval laws, customary laws, etc.:** Revise the rule to apply only to collections covered by proposed rule 21.31C.

➤ **21.32. Administrative regulations, etc.**

ALA follow-up:

This area is one of the most difficult areas to address. Administrative regulations pose complex problems that need to be explored further including consultation with international colleagues.

The rule divides administrative regulations into two types, those that are laws and those that are not laws. Once the type is determined, the rule is clear and easy to follow. We recommend that the rules be expanded to include guidance in determining whether administrative regulations are laws or not, and a default rule to treat them as laws when it is not clear. It might be useful to refer, perhaps in an appendix, to an expanded list of jurisdictions covered by 21.32A and 21.32B.

**(GODORT):** It would be useful to refer, perhaps in an appendix, to an expanded list of jurisdictions covered by 21.32A and 21.32B.

LC follow-up:

The current rules require that the cataloger determine if the regulations are also laws in order to know which rules are to be applied. Such determination is often difficult to determine when faced with cataloging legal materials from all over the world. Consider entering administrative regulations under the promulgating agency when the agency is named on the resource.

➤ **21.32A. Administrative regulations, etc., that are not laws**

➤ **21.32A1.**

ALA follow-up:

This instruction provides helpful guidance in determining primary and added access points and should remain.

➤ **21.32A2. [Both the administrative regulation and the law are published together]**

ALA follow-up:

This rule provides the criteria for choosing whether the primary access point should be the law or the administrative regulation and provides a default when the evidence on the chief source of information is ambiguous or insufficient. The wording of this rule could be simplified, but it provides clear direction for efficiently choosing primary and secondary access and should be retained.

➤ **21.32B. Administrative regulations, etc. that are laws**

ALA follow-up:

This rule specifies the entries that should be made when the administrative regulation is a law, as in the United Kingdom and Canada. We request input from Canadian and British catalogers in deciding whether these should be removed from this area and put directly into the section dealing with laws (21.31). The additional instruction: "If the regulations, etc. derive from a particular law, make an added entry under the heading and uniform title for that law." is still required to provide linkage back to the law. This linkage is necessary so that a user can find and identify all regulations deriving from a particular law.

➤ **21.32C. Collections of administrative regulations, etc.**

ALA follow-up:

This rule provides direction for the two types of regulations, referring each type to the appropriate rule. We think it is a necessary instruction, allowing efficient decisions in determining the primary access points for a collection of administrative regulations.

➤ **21.33. Constitutions, charters, and other fundamental laws**

ALA follow-up:

In our discussion on this section, some law catalogers thought that this section presented an opportunity for simplifying the rules by combining all fundamental law into one section, presumably what is now 21.31. The laws of modern jurisdictions would be expanded to include constitutions, charters and other fundamental laws that are entered under jurisdiction.

Unfortunately, the difficulty of treatment of the international intergovernmental bodies and other chartered institutions, currently included in this section, makes this change problematic. Rules for constitutions, charters, or other fundamental laws of these intergovernmental bodies must be included in some section of the rules so that catalogers can quickly determine what access points are needed to identify a resource.

LC follow-up:

Consider deleting the rule; covered by proposed rule 21.31B1. (The provisions in the current rule for international intergovernmental bodies should be covered by the general rules.)

➤ **21.34. Court rules**

ALA follow-up:

These rules provide the information needed to provide access points for court rules. We think they are clear and easy to follow. They provide needed instructions for providing access points that will allow users to find and identify specific resources in the catalog.

CCC follow-up:

Comments were supportive of a review of the “rule of three” concept, e.g., 21.31B2, 21.31C1, 21.34A.

LC follow-up:

Retain the current rule.

➤ **21.35. Treaties, intergovernmental agreements, etc.**

ALA follow-up:

We consider it important to continue to include rules for treaties. Catalogers rarely see treaties published separately, and guidance is important when needed. We have simplified the distinction between bilateral and multilateral treaties.

➤ **21.35A. International treaties**

ALA follow-up:

The rules governing treaties (A1 and A2) need to address the distinctions between bilateral and multilateral treaties, simplifying their application.

For example:

**21.35A1. Treaties, etc., between two governments (bilateral treaties)**

Enter a treaty, or any other formal agreement, between two national governments under the heading for the government whose catalogue entry heading is first in English alphabetic order. Make added entries under the

heading for the other government. Add uniform titles as instructed to the primary and additional access headings.

**21.35A2. Treaties between three or more governments (multilateral treaties)** Enter a treaty, or other formal agreement, between three or more national governments under the uniform title for the treaty.

CCC follow-up:

The distinction between 21.35A1 Treaties, etc., between two or three governments and 21.35A2 Treaties, etc., between four or more governments should be eliminated. The primary access point in all cases should be the uniform title for the treaty, etc., since the selection of the government first in alphabetical order is artificial as well as not language neutral for a code intended to be international.

LC follow-up: [21.35A/25.16B1/25.16B2]

Consider entering all treaties under title. Consider expanding the scope of the rule to include agreements covered by current rules 21.35B, 21.35C, 21.35D2, and 21.35D3.

➤ **21.35B. Agreements contracted by international intergovernmental bodies**

ALA follow-up:

Should be retained since it covers a very specific circumstance not often encountered.

LC follow-up:

Consider deleting the rule; covered by proposed rule 21.35A.

➤ **21.35C. Agreements contracted by the Holy See**

ALA follow-up:

Should be retained since it covers a very specific circumstance not often encountered.

LC follow-up:

Consider deleting the rule; covered by proposed rule 21.35A.

➤ **21.35D. Other agreements involving jurisdictions**

ALA follow-up:

Rules 21.35D1-D4 cover specific situations and should be left as they are.

LC follow-up:

**21.35D1:** Retain the current rule.

*21.35D2*: Consider deleting the rule; covered by proposed rule 21.35A.

*21.35D3*: Consider deleting the rule; covered by proposed rule 21.35A.

*21.35D4*: Retain the current rule.

➤ **21.35E. Protocols, amendments, etc.**

ALA follow-up:

Both provisions of this rule should be retained. Ancillary documents need to be identified with their original treaty; whereas revisions should be treated as independent works.

LC follow-up: [21.35E/25.16B3]

Consider entering protocols, amendments, etc., under their own titles.

➤ **21.35F. Collections**

ALA follow-up:

This section can be rewritten to parallel 21.35A.

For example:

**21.35F1.** If a collection of treaties, etc. consists of those contracted between 2 parties, enter it under the first named party on the title page and follow the rule for a single agreement between 2 parties. If such a collection has become known by a collective name, enter it under the uniform title for the name.

**21.35F2.** If a collection of treaties, etc. consists of those between one country and 2 or more countries, enter under the heading for the first country. Refer from the headings for the other parties only if there are two of them. Add uniform titles as instructed to the main and added entry heading for the parties. If such a collection has become known by a collective name, enter it under the uniform title for the name.

LC follow-up: [21.35F/25.16A]

Consider entering all collections of treaties, etc., under title.

➤ **21.35F3**

ALA follow-up:

We suggest that this rule be retained as it provides a specific instructional reference for general collections. It complements the previous provisions of the rule.

➤ **21.36. Court decisions, cases, etc.**

➤ **21.36A. Law reports**

LC follow-up:

Consider simplifying the rule by entering all law reports under the heading for the court.

➤ **21.36A1. Reports of one court**

ALA follow-up:

This section provides an opportunity for simplification. The current rules call for primary access points to be determined according to the accepted legal citation practice in the country where the court is located. If that practice cannot be determined readily, the heading is then determined based on whether the reports are issued by or under the authority of the court. In the U.S. the practice of citing court reports by reporter ceased in the early 20th century. The instructions about entering court reports under the name of the reporter should be removed from the rules.

We suggest that the primary access point for a single court should be the court, whether or not the reports are issued by authority of the court. Additional access points for reporter and publisher if its responsibility extends beyond that of publication should also be provided. Simplifying this rule would not lessen the user's ability to find and identify an item, since all access points would continue to be provided.

➤ **21.36A2. Reports of more than one court**

ALA follow-up:

Similarly, this rule could be simplified. Primary access would be title, with additional entries for all courts if three or fewer, the first court if more than three, responsible reporter or reporters (if fewer than three, first named if more than three), editor or compiler, and corporate body unless it functions solely as the publisher.

➤ **21.36B. Citations, digests, etc.**

ALA follow-up:

This rule is helpful for deciding the appropriate access point for this type of legal resource and should be retained.

LC follow-up:

Retain the current rule.

➤ **21.36C. Particular cases**

LC follow-up:

Retain the current rule.

- **21.36C1. Proceedings in the first instance. Criminal proceedings**
- **21.36C2. Proceedings in the first instance. Other proceedings [Civil and other noncriminal proceedings]**
- **21.36C3. Appeal proceedings.**

ALA follow-up:

This section prescribes the access points for the proceedings of the first trial and for appeal proceedings. Since the caption “Proceedings in the first instance” is not particularly clear outside the legal community, we suggest that it be changed to: Proceedings of the trial court. Criminal proceedings; and Proceedings of the trial court. Civil and other noncriminal proceedings.

The rules contained in this section apply to the proceedings and records of criminal trials (21.36C1) and civil and other noncriminal proceedings (21.36). The rules are complex, but reflect the complexity of trial proceedings and of the documents being described. Consistent choice of entry is crucial to be able to find and identify all documents generated in the course of a trial.

These three types of proceedings could be simplified into two sections by combining the trial and appellate levels:

For example:

**21.36C1. Proceedings of the trial court. Criminal proceedings and appeals.** Enter the official proceedings and records of criminal trials impeachments, courts-martial, etc. and appeals proceedings under the heading for the person or body prosecuted.

**21.36C2. Proceedings of the trial court. Civil and other noncriminal proceedings and appeals.** Enter the official proceedings and records of civil and other noncriminal proceedings and appeals under the heading for the person or body bringing the action.

➤ **21.36C4-C9**

ALA follow-up:

These rules specifically address unique resources that are rarely encountered and, consequently, cause the greatest difficulty when they are encountered. The rules, to their credit, are clear, concise, and provide important direction for provision of access points. We suggest that they be retained.

## Certain Religious Publications [21.37–21.39]

### General comments

#### ALA follow-up:

ALA received proposals regarding the rules for entry of Certain Religious Publications from three different organizations: the American Theological Library Association (ATLA), the Catholic Library Association (CLA), and the Association of Jewish Libraries (AJL). The groups expressed their appreciation at being invited by the JSC to participate in the development of the new code. In many cases, the three groups were able to come to consensus on their recommendations. In other cases, where the responses conflicted, the relevant concerns have been paraphrased for inclusion in this response to provide background to the JSC discussion of these rules. They are identified below as “*For discussion*”.

Overall, the feeling is that the needs of the theological catalogers can be accommodated within the general rules, with some additional wording. The groups feel strongly that the points under the general rules should be illustrated by examples, including theological materials examples, which the groups would be willing to supply if needed. The groups discussed the desirability of having any exceptions to the general rules for access points rules for “certain religious publications” all in one place, although with an electronic text the actual organization is less important if they can all be retrieved together.

A few of the proposals received emphasized the need to tie revised rules in Part 2 of RDA with changes to rules regarding the construction of uniform titles (citations). ALA will propose the relevant changes to these rules in response to a call for proposals to revise the rules in AACR2 Chapter 25, which we understand will be issued by the JSC at a later time.

#### LC follow-up:

Note: The three Chapter 21 rules for certain religious publications (21.37-21.39) have instructions to apply the Chapter 25 rules for “Sacred Scriptures” (25.17-25.18) and “Liturgical Works, Theological Creeds, Confessions of Faith, Etc.” (25.19-25.23). These explicit links between the Chapter 21 and Chapter 25 rules for religious works indicate that the primary access point for a religious work includes not only a name heading or a title but also a consideration of the choice and structure of a title. Therefore, the Chapter 25 rules for religious works have been included below.

### Specific Rules

#### ➤ 21.37. Sacred Scriptures

#### ALA follow-up:

*For discussion:* Should the wording “sacred scripture” be changed to “sacred works and scripture” throughout the rules? Two groups favor this change, but one group is not in favor because it feels that this makes the phrase a great deal “fuzzier”. ATLA takes the word

“scripture” to mean: “any writing that is regarded as sacred by a religious group” and strongly recommends including a definition for “sacred scripture” in the RDA glossary.

LC follow-up:

Consider modifying the phrase “Sacred Scriptures” to “Sacred Works” in 21.37, 21.39A2, 25.17, and 25.18 in order to accommodate religious works that are not strictly “scripture” (e.g., the Talmud).

➤ **21.37A.**

ALA follow-up:

This rule can be eliminated. The general rule **21.1C (d)** is sufficient, perhaps with the addition of an instruction to add a uniform title if appropriate.

**21.1C (d)** it is accepted as sacred scripture by a religious group (when appropriate, use a uniform title as instructed in 25.17–25.18).

LC follow-up:

(a) Retain the concept of entering under title a work that is accepted as sacred by a religious group. (b) Add a provision for entering under a personal name heading a sacred work that is identified as a work of personal authorship in reference sources dealing with the religious group to which the sacred work belongs (e.g., works of the Bahai Faith).

➤ **21.37B.**

ALA follow-up:

**For discussion:** Should this rule can be eliminated, in favor of using rules **21.9–21.10**, for harmonies? ATLA and CLA disagree on this point, with CLA objecting that the wording of 21.9 (“substantially changed the nature and content”...abridgement”, etc.) does not apply to harmonies, whose purpose is comparative analysis of the Bible. However, both groups feel strongly that the currently glossary definition of **Harmony (Bible)** and the index entry for **Harmony of scripture** be retained.

LC follow-up:

Consider treating harmonies of different scriptural passages under the general rules for modifications of a text.

➤ **Sacred Scriptures - Chapter 25 rules**

LC follow-up:

**25.17A:** (a) Retain the list of specific sacred works to be entered under title that are given in current rule 25.17A but consider expanding the list to include other texts (e.g., Sikhism works, additional Hindu texts, Book of Mormon). (b) Retain the current provisions for the selection of

the title, but consider changing “English-language reference sources” to “reference sources in the language of the cataloguing agency.”

## **25.18. Parts of sacred scriptures and additions**

### **25.18A. Bible**

**25.18A1:** Because of the impact on the current catalog, there is a consensus for retaining the current scheme for parts of the Bible that reflect the Catholic and Protestant canons.

**25.18A2:** Retain the current subdivisions “Old Testament” and “New Testament. But we wish to point out that naming the Hebrew scriptures as the “Old Testament” may eventually need to reexamined.

**25.18A3-25.18A8:** Retain the current rules.

**25.18A9:** Retain the current rule. The provision to include the date is discussed in rule 25.18A13 below.

**25.18A10-25.18A12:** Retain the current rules.

**25.18A13:** There is a consensus to retain the requirement that the publication date must always be present in a Bible heading in order to manage the large number of catalog records for the Bible. But we wish to point out there is no such requirement for the texts covered by 25.18B-25.18M.

**25.18A14:** Retain the current rule.

**25.18B. Talmud:** Retain the current rule.

**25.18C. Mishnah and Tosefta:** Retain the current rule.

**25.18D. References for the Talmud, Mishnah, and Tosefta:** Delete the rule; the provisions for references should be covered in the general provisions for references for uniform titles.

**25.18E. Midrashim:** Retain the current rule.

### **25.18F. Buddhist scriptures**

**25.18F1-25.18F2:** Retain the current rules.

**25.18F3:** Delete the rule; the provisions for references should be covered in the general provisions for references for uniform titles.

**25.18F4:** Retain the current rule.

**25.18G. Vedas:** Retain the current rule.

**25.18H. Aranyakas, Brahmanas, Upanishads:** Retain the current rule.

**25.18J. Jaina Agama:** Retain the current rule.

**25.18K. Avesta:** Retain the current rule.

**25.18L. References for Vedas, etc.:** Delete the rule; the provisions for references should be covered in the general provisions for references for uniform titles.

**25.18M. Koran:** Retain the current rule. But we wish to point out that the form “Koran” may eventually be changed to “Qur’an.”

➤ **21.38. Theological Creeds, Confessions of Faith, Etc.**

ALA follow-up:

The rule as written seems to be very problematic. Instead of cataloging the work as presented in the item in hand, the rule requires the cataloger to do research to determine if the work is accepted by more than one denomination. The rule also results in changing uniform titles and main entries as denominations change. A creed composed and accepted by one body is later also endorsed by another denomination, so should be recataloged with title main entry, or uniform title main entry, since entry for the second denomination is problematic. A confession of faith is accepted by several denominations, which later merge to form one denomination, requiring the entry to change to the new denomination. While ATLA would favor entering all creeds under title, AJL prefers a provision for personal authorship for some Jewish creeds. A possible reconciliation of these positions follows:

Suggested addition to **21.1B2 (c)**:

- c) those that record the collective thought of the body (e.g. reports of commissions, committees, etc.; official statements of position on external policies); however, always enter theological creeds, confessions of faith, etc. emanating from one or more corporate bodies under title.

Suggested addition to **21.1C1 (e)**:

- e) it is a theological creed, confession of faith, etc. and is not of personal authorship.

LC follow-up:

(a) Retain the concept of entering under title a theological creed, etc., accept by two or more bodies. (b) Add a provision for entering a theological creed, etc., accepted by one body under the body. (c) Add a provision for entering a theological creed, etc., under a personal name heading when the theological creed, etc., may not be officially accepted by any particular religious body.

➤ **Theological Creeds, Confessions of Faith, Etc. - Chapter 25 rules**

LC follow-up:

**25.19B:** (a) For a theological creed, etc., accepted by two or more bodies, consider changing the instruction for the language to “use a title that is well-established in the language of the cataloguing agency; otherwise, a title in the original language.” (b) Add a provision for a

theological creed, etc., accepted by one body: use a title that is well-established in the language of the cataloguing agency; otherwise, a title in the original language.

➤ **21.39. Liturgical works**

➤ **21.39A. General rule**

➤ **21.39A1.**

ALA follow-up:

**For discussion:** Should this rule can be eliminated because it is sufficiently covered by **21.1B2 (b)** some legal, governmental and religious works: ... liturgical works? If the rule is eliminated, ATLA and CLA would like to see the footnote either moved to 21.1B2 or to the glossary as a definition for Liturgical Work, with some changes in wording. Proposed wording for the new definition (wherever it appears):

*Liturgical work* includes officially sanctioned or traditionally accepted texts of religious observance, books of obligatory prayers to be offered at stated times [including the Liturgy of the hours, Divine office, etc.], calendars and manuals of performance of religious observances, readings from sacred scripture intended for use in a religious service, and prayer books known or formerly known as “books of hours.” Do not consider as liturgical works books intended for private devotions, hymnals for congregations and choirs, proposals for orders of worship not officially approved, unofficial manuals, programmes of religious services, worship aids, lectionaries without scriptural text, or Bible vigils.

If 21.39A1 is retained, the groups agree that the wording “church or denominational body” in this rule should be changed to “body”.

LC follow-up:

We suggest that a scope note be added at beginning of rule that combines information from 21.22, footnote 11 of 21.39A1, and 21.39A3. [LC follow-up p. 7]

(a) Retain the concept of entering a liturgical work under the heading for the body to which it pertains. But the wording “under the heading for the church or denominational body to which it pertains” needs to be changed to “under the heading for the body to which it pertains”; the current wording presupposes that the rules for liturgical works are applicable only to Christian bodies. (b) Add a provision for entering under title a liturgical work that pertains to two or more bodies. [LC follow-up p. 11]

➤ **21.39A2.**

ALA follow-up:

**For discussion:** Should this rule be eliminated and left up to cataloger's judgment? If the definition of Liturgical Work is revised as above, would this obviate the need for this rule?

LC follow-up:

Retain the current rule.

➤ **21.39A3.**

ALA follow-up:

*For discussion:* Could this rule also be eliminated if the list is incorporated into the definition of liturgical works as examples of what should not be considered liturgical?

LC follow-up:

Retain the current rule.

➤ **21.39B. Liturgical works of the Orthodox Eastern Church**

ALA follow-up:

This rule can be eliminated. It is covered by **21.1B2(b)**. Translations of liturgies would be handled by the general rules for entry of translations under the main entry/uniform title for the original work, with a language qualifier.

LC follow-up:

Delete the rule; covered by proposed rule 21.39A1.

➤ **21.39C. Jewish liturgical works**

ALA follow-up:

AJL recommends retain the practice of entering Jewish liturgical works under title, as instructed in this rule. In the name of simplification, the rule itself could be eliminated, with addition of a new category (f) to **21.1C1**:

- f) it is a Jewish liturgical work. When appropriate, use a uniform title as instructed in 25.21–25.22.

Also, add the following to **21.1B2 (b)**:

- b) some legal, governmental, and religious works of the following types:  
...  
Liturgical works (except Jewish liturgical works, see 21.1C1(f))

LC follow-up:

Retain the current rule.

➤ **Liturgical Works - Chapter 25 rules**

LC follow-up:

**25.19A:** (a) Consider changing the instruction for the language to “use a title that is well-established in the language of the cataloguing agency; otherwise, a title in the language of the liturgy. “ (b) Remove from the rule the provision for bodies established in their English form of name.

**25.20. *Catholic liturgical works:*** Delete the rule; covered by proposed rule 25.19A.

**25.21. *Jewish liturgical works:*** Retain the current rule.

**25.22. *Variant and special texts:*** Retain the current rule but remove from the “e.g.” statement “a rite other than the unmodified Ashkenazic rite for Jewish work” in order to eliminate the cultural bias of treating the Ashkenazic rite as normative.

**25.23. *Parts of liturgical works:*** The rule should be revised to state that the subordinate units of a liturgical work should be entered subordinately to the larger work.

➤ **Official Papal Communications, Etc. - Chapter 25 rules**

LC follow-up:

**25.24. *Official communications of the Pope and the Roman Curia:*** Delete the rule; the title for the works of the Pope and the Roman Curia should be covered by the general rules.