CORPORATE AUTHOR

1. CONCEPT

First of a series of papers as a basis for the discussion of the IFLA to arrive at international agreement on corporate body - Heading. As the starting point, gives a precise definition of "Corporate Body" and of its four species, "Government", "Institution", "Conference" and "Organ". Defines also author and gives criteria for distinguishing between "Personal Author" and "Corporate Author".

0 CONTRACTIONS USED

The following contractions are used throughout this series of papers:


CCC "Classified catalogue code" by S R Ranganathan, ed 3, 1952. (Ed 1, 1934; ed 2, 1945).


PIN "Prussian instructions: Rules for the alphabetical catalogues of the Prussian Libraries", tr from ed 2 1908 . . . . . . . by Andrew D Osborn, 1938. (Ed 1 of the original, 1899).

RDC "Rules for a dictionary catalogue" by Charles A Cutter, ed 4, 1904. (Ed 1, 1876; ed 2, 1889 : ed 3, 1894).

"Theory" "Theory of library catalogue" by S R Ranganathan, 1938.

VAT "Rules for the catalogue of printed books", tr from ed 2, 1939, by Thomas J Shanahan etc., ed by Wyllis E. Wright, 1948. (Ed 1 of the original 1930).

1 THE PAST

The concept of Corporate Authorship has been slow in emerging. RDC was one of the first codes to popularise this concept. Its definition of "author" includes "Bodies of men (societies, cities, legislative bodies, countries) are to be considered the authors of their memoirs, transactions, journals, debates, reports, etc". PIN represents the opposite school of thought. It insists that "names of persons, official bodies, corporations, etc, at whose instigation or with whose support the work has originated are disregarded". However, there is now said to be a school of cataloguers in Germany willing to accept the concept of Corporate Authorship. There thus appears to be some chance for this concept to be applied in every national code.

S. R. RANGANATHAN

University of Delhi, Delhi
2 LOOSENESS OF TERMINOLOGY

The problem is now however free from difficulties. All the catalogue codes are not in agreement in the choice and rendering of the name of a corporate author in the heading of a catalogue entry. Some of the differences are traceable to looseness in the concept of Corporate Authorship. Most codes evade the definition of "Corporate body" and "Corporate author". A precise definition will eliminate some of the differences. At any rate, the first step in arriving at a rule on the subject for incorporation in an International Catalogue Code should be to arrive at an agreed definition of the terms involved. Successive attempts at precise definition have been made in the CCC and in the "Theory". A further step has been taken in my recent book, "Heading and Canons: Comparative study of five catalogue codes", 1955.

3 LEGAL CONVENTION

Long before cataloguing convention felt the need for the concept of Corporate Author, both municipal and international law had extended "Legal person" beyond a single human being. It had recognised State, Corporation, Institution, Church, Mosque, Temple and Idol as legal persons. Enacted laws have defined such a Corporate Legal Person. They have laid down that a Body Corporate can hold property, can sue and can be sued in a court of law.

Similarly in Cataloguing Convention, a Body Corporate can be author of a document; it can also be a collaborator, such as editor or translator of a document; it can even be the subject of a document. The first step proposed to be taken by IfIa to promote international agreement on cataloguing rules is the examination of the concept of Corporate Authorship. This was decided at its meeting at Zagreb in September 1954. As a basis for the discussion of IfIa, a set of provisional draft definitions is given here.

4 CORPORATE BODY

Corporate Body: - A number of persons taken collectively — usually as united, or organised, or coming together informally, in a common cause or for a common action, such as government business, or commercial or industrial or any other business, or deliberation, or collective expression of opinion or statement.

A corporate body may be: - 1 a government including a local body; or 2 an institution; or 3 a conference including a casual or informal meeting; or 4 an organ of any of the above.

41 ORGAN

Organ of a corporate body: -- Non-autonomous part of a corporate body established either by
1 the constitution of the body; or
2 executive or administrative measure for administrative work for an indefinite period, within the field of the function of the corporate body; or
3 legislative or executive or administrative measure for a specific work of a limited duration.

Constitutional Organ: - Category 1 mentioned above.
Administrative Organ:- Category 2 mentioned above.
Permanent Organ: - Category 1 or 2 mentioned above.
Temporary Organ:- Category 3 mentioned above.
Organ of First Remove: - Organ intrinsic to the constitution of the corporate body.
Organ of Second Remove: - Department of any organ of the first remove, non-autonomous and administrative.
Organ of Third Remove: - Non-autonomous administrative division of any administrative department.

And so on.
Government

Government: Government with full or limited sovereign power. It generally has functions of execution, legislation, judiciary, and administration. Other functions such as defense, taxation, regulation of commerce will vary with the limitation of sovereign power, or

Local Authority in charge of the regulation, promotion and/or provision of local public services, under power delegated by the government within the territory of which its locality lies, and with a defined extent of autonomy.

Institution

Institution: Independent or autonomous corporate body other than government. It may be created by a government or constituted under a law, or formed voluntarily—either formally or informally. It should have continued existence and functions beyond that of merely convening a conference.

Conference

Conference: Meeting for deliberation, or formulation and expression of opinion or sentiments, not convened by any single government or to form a government, or by any single institution or to form an institution; or jointly by more than one of them and not confined to the members of such corporate bodies, but convened and conducted either spontaneously or by a body which has no existence beyond the conference convened and held by it or whose primary function is only that of convening or holding such conferences at intervals.

None of the catalogue codes except CCC has attempted an explicit definition of the above terms. They are taken as if they are "assumed fundamental terms which have the same meaning for all in common usage". This is one of the root causes of the differences between the various catalogue codes.

Author

The term "author" is basic in cataloguing. And yet, its definition is vague in most of the catalogue codes. This vagueness accounts for even more differences between the various catalogue codes in the determination of the "author" of a work, not only when it is of corporate authorship but even when it is of personal authorship. Here are the vague definitions:

RDC: Author, in the narrower sense, is the person who writes the book; in a wider sense, it may be applied to him who is the cause of the book's existence by putting together the writings of several authors (usually called "the editor", more properly to be called the "collector").

Bodies of men are to be considered as authors of works published in their name or by their authority.

PIN does not define the term "author".

ALA: A corporate body may be considered as the author of publications issued in its name or authority.

Evidently, RDC is the source for this faulty wording. However, ALA seeks to minimize the danger of the flood-gates being opened in this way, by putting a dam in paragraph 2 of its rule 71: Monographic works by individual officials, officers, members and employees of corporate bodies, when these works are not clearly administrative or routine in character, are preferably to be entered under personal author, even though issued by the corporate body.

This is a partial and a hasty adoption of the specification in "Theory". The half-hearted nature of its adoption is indicated by ALA's flooding itself with quite a number of rules to spell out its implications. These rules are 73C; 75C-D; 84C-D; 89C, E, H; 90A-B and 118A.

VAT: Corporate bodies, national and local administrative bodies, ecclesiastical authorities, associations, and institutions are considered the authors of the publications emanating from them or containing acts and documents belonging to them.

The terms "emanating from" and belonging to" are too vague for consistent application.

This accounts for the confusing numerousness of the rules on the choice of author heading found in most codes. The CCC has nearly avoided this fault. It may be profitable for the
Ifla to decide this issue as a preliminary measure. The following draft definitions are put forward as a basis for discussion by Ifla.

**Definition**

Author of a work:-
1. Person creating the work; or
2. Corporate body owning responsibility for the thought and expression constituting the work.

**51 Personal Author**

Personal Author: Person as author, the responsibility for the thought and expression in the work resting solely on his private capacity and not on the capacity of any office he may hold within a corporate body, nor on the corporate body.

**52 Corporate Author**

Corporate Author: Corporate body as author, the responsibility for the thought and expression in the work resting solely on it and not on personal author(s).

**6 PERSONAL vs CORPORATE AUTHOR**

The implementation of the above definition is often rendered difficult by the occurrence of ambiguity or indefiniteness in the author-statement given on title-page. Some elucidation is necessary to escape the confusion caused by such ambiguity. This was first attempted in Chapter 54 of "Theory". Here is a re-statement of it.

**61 Certainty of Personal Authorship**

If the title-page mentions the name(s) of person(s) only in the place usually giving the name of author and does not indicate the name of any corporate body other than the one belonging to the publishing trade mentioned in the imprint, the work in the book is of personal authorship. There is no alternative to be considered.

**62 Certainty of Corporate Authorship**

If the title-page does not mention the name of a person in the place giving name of author but indicates somewhere in itself the name of a corporate body other than a body belonging to the publishing trade mentioned in the imprint, the work in the book is of corporate authorship, provided that even in the latter case it is of corporate authorship, if it is a work by or on the corporate body itself, such as its catalogue, administration report, history, and so on.

**63 Ambiguity in Title-Page**

If the title-page indicates the name of a corporate body other than a body belonging to the publishing trade mentioned in the imprint, and also the name(s) of person(s) in the place usually giving the name of the author, there is ambiguity. Judgment is then necessary to determine the correct author—personal or corporate. The two succeeding sections give some guidance to judgment. Cases may arise exceeding the capacity of this guidance. Future experience alone will help us to make the guidance sharp enough to meet such refractory cases.

**631 Corporate Authorship**

The work in a book is of corporate authorship, if it is of a deliberative, legislative, directive, judicial, administrative or routine character limited by the purpose or function or outlook of the corporate body. The mere fact that a book is published, financed, aided, approved, or authorised by a corporate body is not sufficient reason to deem it to be of corporate authorship, and not to be of personal authorship.

**632 Personal Authorship**

The work in the book is of personal authorship, if its primary function is the extension of the boundary of a field of knowledge or its
intensification, and the responsibility for the thought and the expression of it rests on the person and not on the office held by him in the corporate body, in spite of his being a paid or an honorary employee or a member of the corporate body. The mere mention of the personal name of an official of the corporate body in the place in which author's name is usually mentioned, is not sufficient reason to deem it not to be of corporate authorship, but to be of personal authorship.

7 PARENT BODY vs ORGAN

The implementation of the concept of "Corporate authorship" is beset with another difficulty. A personal author has only one brain to create the thought-content of his work. He has further only one tongue to express the created thought so as to make it communicable. But, it is not so in the case of a corporate body. It is, as if it were multi-headed. Each head has its own brain and its own tongue. There is a main head which may be taken to correspond with the corporate body as a whole. To every organ of it, corresponds a separate head. In a work of corporate authorship, it is not sufficient to know the name of the corporate body. It is also necessary to know if the corporate body as a whole is the author or if any of the organs is the author. This is a problem peculiar to corporate author; it does not arise in personal author.

71 Ascertainability

When the title-page has been well drafted, the Canon of Ascertainability will, by itself, decide whether the author of a work is the parent corporate body or any of its organs.

72 Bad Draft

But the title-page might have been carelessly drafted. Only an organ of an earlier remove, than the strict organ-author, might have been mentioned. In most of these cases, a perusal of the introduction, preamble, letter of transmittal or in rare case, a glance through the whole document may decide the issue. This would involve of course a considerable wastage of man-power. This is avoidable.

73 Standard Practice

The means to avoid it is to set up a standard practice for the title-page and its overflow, for a work of governmental, institutional or conference authorship. Works of governmental authorship are in the hands of a paid staff of high calibre. Conformity to standard may not be as difficult in their case, as in the case of the other two kinds of corporate authorship. Standardisation of title-page will give great relief. Its example will make the other types to fall in line. In the interest of overall national and international economy, the International Standards Organisation and the various national Standards Bodies should establish a standard practice for the author statement in the title-page of documents of corporate authorship.

8 GOVERNMENT vs INSTITUTION

Several institutions are government-owned or nearly so. Some of these are autonomous. Some are managed directly by government as if they were departments or other organs. There are all possible grades of transition from an unmistakable organ of government to an independent institution. Now and again, there is also shift of the same institution in course of time from the status of independent institution to any status short of an unmistakable organ. A useful test is this:-

Organ of first remove is usually mentioned in a modern written constitution. On the analogy of this, organ of first remove of a nation with unwritten constitution may be recognised.

Another fact has to be remembered. There is tendency for the state to take up more and more functions, beyond the traditional and primary ones of government, execution, legislation, defence, judiciary and administration. It takes up many service functions, such as:

1 Construction and maintenance of highways, bridges, harbours, air-ports and other essentials of transport;
2 Astronomical and meteorological observations through its own observatories;
3 Communication systems such as rail-
ways, tramways, bus system and air ways, postal, telegraph, telephone, wireless and radio services;
4 Healing the sick and wounded through its own hospitals and its own sanatoria;
5 Teaching through its own schools, colleges and universities; and
6 Banking service through its own banks; etc. Except perhaps the first mention above, the others are not included among primary functions.

For works bearing on the discharge of primary functions — administration reports, reports of deliberation, direction, and so on and in general for thought created and expressed by an organ of government of first remove, second remove etc. as defined in section 41, the government or its appropriate organ, as the case may be, should be taken as its author.

Any autonomous or non-autonomous organisation, engaged in the work of research, production, commerce, and supply of commodities and services to the public, is deemed to be the author, as an institution, for all works containing thought and expression created by it. It is so even if the institution is owned and managed by the government.

But for such convention, most institutions will come into the category of governmental body, as the state progresses along lines of socialisation. In a truly totalitarian state, there can be no corporate body other than governmental one. To break up this octopus-type of governmental authorship, cataloguing convention distinguishes between an organ of government and an institution along lines mentioned above.

The above-mentioned criterion to distinguish between governmental and institutional authorship will be sufficient in most cases. But there will occasionally be refractory cases baffling this criterion. No help except the personal judgment of the cataloguer will be of avail in such cases. By a periodical review of such elusive cases, the criterion can be made progressively sharper.

91 INSTITUTION vs INSTITUTION

The choice between a parent institution or one of its organs on the one side, and an autonomous affiliated institution on the other, in the claim to be deemed as author of a work, should be decided along lines analogous to the choice between the claims of government and institution, set forth in section 8.

92 SYNOPSIS

This section gives, for ready reference, a synopsis of the cataloguing conventions more or less stabilised at present, in deciding the nature of the corporate body to be deemed the author of a work — parent body or an organ of it on the one side, and a dependent or affiliated institution on the other side.

GROUP 1

Each of the following institutions should be taken as author of its works, as if it were independent of the parent body, if any exists, be it government or institution:—

Abbey Firm
Bank Foundation
Board of Trade Guild
Cathedral Masonic Body
Cemetery Monastery
Chamber of Commerce Mutt
Church (place of worship) Part
College Political party
Convent Produce Exchange
Endowment Religious Order

GROUP 2

Each of the following institutions should be taken as author of its works as if it were independent of the parent body, if any exists, be it government or institution, provided it has a distinctive name:—

Botanical Garden Laboratory
Chapel Library
Experimental Station Museum
Exhibition Observatory
Festival Shop
Hospital Zoological Garden

If any of the institutions has no distinctive name, it should be treated as an organ of its parent body.
GROUP 3

Any formal or informal group of the members of a parent body formed for recreative, ameliorative or any other economical or social purposes other than any forming a distinctive purpose of the parent body should be treated as an organ of the parent body even if it has a distinctive name.

GROUP 4

Each section or branch of an institution should be taken as author of its work, provided it has a distinctive name not involving the name of the parent body.

If a section or a branch does not have a distinctive name not involving the name of the parent body it should be treated as an organ of the parent body.

GROUP 5

Each international institution or conference — isolated or continuing, — of private persons, non-governmental institutions or national governments should be taken as author of works produced as a result of its deliberations.