

To: Joint Steering Committee for Development of RDA

From: Alan Danskin, United Kingdom Representative

Subject: Fictitious and other entities in RDA and the consolidated FR models. UK Response.

The British Library and CILIP thank the Working Group for their paper, which the CILIP/BL committee discussed at its meeting on 10th September.

The Group identify some significant issues, but the committee did not agree with the conclusions or the recommendations made by the group.

General Comments

Our response addresses the following concerns raised by the Working Group:

1. Attribution to fictitious persons, families or corporate bodies
2. Attribution to non-humans
3. Agent
4. Normalization

Attribution to fictitious persons, families or corporate bodies

We agree with the importance the Working Group attaches to the attribution of responsibility and the representation of the resource. We think that this can be handled by RDA within the framework proposed by LRM.

It is unlikely that small patrons actually believe that an anthropomorphic mouse is the author of the Geronimo Stilton books. In current practice, RDA allows “him” to be presented as such. RDA 9.2.2.8:

“If an individual has more than one identity, choose the name associated with each identity as the preferred name for that identity”.

With this justification, Geronimo Stilton can be assigned an authorised access point and identified as the creator of the novels. In practice, this really means that responsibility for creation of the work has been attributed to the entity identified as Geronimo Stilton, who is otherwise known as Elisabetta Dami.

Within the FRBR-LRM, the same approach will be possible. Geronimo Stilton is a nomen by which the person also known as Elisabetta Dami is identified (has appellation).

Attribution to non-humans

This is a complex and contentious issue. Some members of the committee were anxious that the models underlying RDA should not become dependent on concepts from specialised and difficult fields such as social neuroscience, and would prefer to ask, not whether an entity is truly conscious and/or capable of genuine creativity, but only whether it is on balance convenient for data-users if the entity is treated as a creator. Although the FRBR entity ‘work’ is sometimes characterised as an

idea in the mind of its creator, it 'itself exists only in the commonality of content between and among the various expressions', so the concept of 'work' does not require a truly conscious creator in every case. Is there a risk that we might become involved in questions such as at what age a child becomes capable of creativity, or whether an individual who seems to produce a work while mentally impaired or delirious or in a semi-vegetative state and has no apparent memory of it is actually its creator?

With these caveats in mind, it appeared to the committee that there are two distinct use cases to consider.

Instrumental

Identification of a non-human entity, such as an animal, that is engaged in a human enterprise that results in a resource. For example: a chimpanzee involved in an experiment with paints or a dog performing a role in a film. Researchers may want to be able to identify all the paintings by Congo and compare them with paintings by other chimps (or by Desmond Morris). Being able to confirm that the dog in a particular episode of *The Bill* also appeared in *East Enders*, may resolve a family argument.

In this case the animal is instrumental. The models are agreed that the work is not the creation of the animal because the animal has no theory of mind and therefore cannot create artistic or intellectual products. The models seem consistent with the legal position, as we understand it. In UK law only a legal person can claim copyright (or infringe it) and legal persons are limited to humans or groups of humans. This may be a relief to the infinite number of chimps constantly ripping-off Shakespeare.

This should not mean the animal cannot be connected with the resource in some way. One method is indirectly, through a relationship with the agent. An animal is a "thing", (one of the undefined subclasses of RES in the LRM). It can have a nomen or identity of its own. Congo was the instrument of Desmond Morris who caused the painting to be created. In this analysis, the relationship between Congo and the painting is akin to an instrument in a music recording. None of this is particularly intuitive; which implies that further work is needed to determine the most effective means of expressing it in RDA and to end users of the metadata.

Autonomous

The identification of a non-human entity, such as an animal, that is responsible for the existence of a thing, independent of human involvement. For example, a bird nest or a whale song. This has value for researchers studying a particular species, or members of a species, such as understanding the transmission of songs between humpback communities in the Pacific Ocean.

The current models (CIDOC-CRM, FRBR, FRBROO) agree that an animal cannot be responsible for the creation of a work or its realisation in an expression. Nor can an animal publish a manifestation, or own an item. Nevertheless, it is clear that animal behaviour results in the existence of things which humans collect and discuss. The subject relationship handles works about nests or whale song, but it does not characterise the relationships between a bird (or species) and a nest or between a whale (or pod) and its song.

CIDOC-CRM may provide a way forward. In CIDOC-CRM a bird nest would be either E19 Physical Object or E20 Biological Object (if a nest can be considered to be a natural product of a living organism). Whale song is an instance of E95 Symbolic Object. CRM P92 Brought into existence is a general property which can relate the bird to its nest and the whale to its song.

Agent

The working group proposes replacing the Agent class with a relationship to parallel the subject relationship. The committee did not agree with this suggestion.

Agent is a superclass of Person and Group in FRBR-LRM (Person, Family and Corporate Body in RDA), therefore any person or group must be an agent. The Agent superclass facilitates generalization and reduces redundancy and would continue to exist, regardless of its appellation.

Subject is not a class; it denotes the relationship between two classes. Changing the model simply displaces the argument. Instead of asking, can Congo be an agent? We would ask, do the relationships, "has creator/is creator of", apply to Congo."

Normalization

The normalization of names and presentational forms should be independent of the entities identified.