APLA bulletin

june 1968

volume 32, no. 2

THE APLA BULLETIN, published quarterly, is the official organ of the ATLANTIC PROVINCES LIBRARY ASSOCIATION, formerly the Maritime Library Association. APLA, organized in 1918, is a registered and incorporated company under the Nova Scotia Companies Act, and serves the provinces of New Brunswick, Nova Scotia, Prince Edward Island and, more recently, Newfoundland and Labrador.

In its membership, APLA embraces every type of library: public, regional, school, college, university and special libraries in the Atlantic Provinces of Canada.

THE APLA Bulletin is indexed in Library Literature and Library Science Abstracts.

Send manuscripts typed, double-spaced on 8½x11 to the Assistant Regional Editors or directly to the Editor. For information about advertising, contact the Managing Editor, Saint Mary's University Library, 5923 Inglis Street, Halifax.

Membership in the Association includes a subscription to the Bulletin. All memberships: $5.00 for the year June 1, 1968 to May 31, 1969. Contact the treasurer, Miss Pauline Home, Halifax City Regional Library, Halifax.

The APLA Bulletin is printed by Allen Print, Halifax, N. S.

APLA bulletin

volume 32, no. 2 june 1968

32 John R. T. Ettlinger
Through a glass darkly; academic book selection in crisis

41 Mary Lou Parker
Photocopying in university libraries and the Canadian law of copyright

52 H. C. Campbell
A national clearinghouse for Canadian information resources

54 OUT of the IN box

55 Letters to the Editor

56 Positions

atlantic provinces library association

THROUGH A GLASS DARKLY
-academic book selection in crisis

John R. T. Ettlinger

The appearance of Robert B. Downs' report on the *Resources of Canadian Academic and Research Libraries* was bound to cause a stir among librarians. But such surveys, even when controversial, always seem to be more exciting in expectation than in retrospect. The professionals, according to their status and motivation, have different ways of scanning and different ways of picking holes in the final product. Pundits are anxious that their own institutions will have been portrayed in a fair—that is a favorable—light. Surveys never seem to be able to win gold stars on this score from the people who matter. Chiefs in addition may hope that the wraps will have been torn off the outworn systems of colleagues with whom they jovially chat on a first-name basis. Surveys almost always opt out of their duty here. But librarians who do not own their personal book-gobbling, budget-crunching monster can only collate minutely all the references to their own backyard.

Consequently, I searched systematically for mentions of book selection, collections development, and the like, as they relate to university libraries. I confess to disappointment, although I did find what I had expected. Comment was conventional and not very extensive. Sound statements never verged on controversy. Perhaps my reactions were unfair. It is not the primary function of such reports to crusade against all the deficiencies of library science. However, they often fail specifically to praise where they are not obliged overtly to blame. One is entitled, if not invited, to read between the lines. Downs gives a good starting point for discussion about selection policies in his summary to the chapter on Technical Services: "The task of developing a strong university library collection calls for the best efforts of the faculty and library staff, working together. Subject specialists on the library staff can supplement and complement faculty experts to ensure comprehensive, thorough coverage of fields of interest". This is soberly and reasonably put, as far as it goes. But does it go far enough for Canadian university libraries today?

A more revealing insight into the actual methods of the profession is given by the extracts cited on pages 61 and 62 of the report. It is a disquieting thought that only twelve institutions produced statements about their selection practices that merited review. Even the views that are expressed do not add up to a total picture which inspires confidence. It seems that university librarians in Canada do not regard book selection as ranking among their more important functions. There is nothing to indicate that the profession as a whole is tackling a fundamental problem wisely, thoroughly, or courageously. The prevailing attitude is "Let George do it". George has quite a lot to do. Statistics cited in the "Financial Support" section of the report show expenditures that can fairly be described as vast. That is to say "vast" to observers not dreaming of future goals or current United States expenditures. And about 47% of the total is spent on books (p. 195). If universities and government agencies continue their heavy support, the quantity of acquisitions seems assured. But what about the quality? Librarians are not prepared to be vocal about that. Do they indeed care about it?

The professional literature also seeks to minimise the extent of the problem by the expedient of not referring to it. Articles on book selection are markedly scarce, and some are unrewarding, even though the titles seem relevant. Perhaps it is because contributors to library journals tend to favour safe, definable subjects.

Typical of this reluctant approach is an article by Robert P. Haro entitled *Book Selection in Academic Libraries.* (1) It begins timidly with an opening statement that reads: "Most academic librarians now agree that they (librarians) should engage in book selection". A subsequent observation that "Ostensibly, selection by librarians functioning as subject specialists . . . appears an excellent and perhaps economical approach" has also to be assessed in the light of its deprecatory opening word. Perhaps this attitude reflects the passive determination of busy library administrators not to acquire an extensive new category of chores, while at the same time they wish to appear willing to consider any reasonable solution. The article soon falls into the statistical method so beloved of librarians and library schools. Figures generated by questionnaires or computers will not solve the pressing problems of the profession until librarians are prepared not only to assemble them, but also to have the courage to interpret them and draw the necessary conclusions.

The biggest disappointment in the recent literature of book selection must be a chapter by Gordon Williams in *The Intellectual Foundations of Library Education. The Proceedings of the 29th Annual Conference of the Graduate Library School held at the University of Chicago (July 6-8, 1964)* published by the University of Chicago Press, in 1965. Pretentiously named "The Librarian's Role in the Development of the Library's Book Collections", there is hardly a sentence in this paper to suggest that the librarian's duties include an obligation to exercise qualitative value judgments in acquiring material. The chapter is not alone among the contributions to this conference in not being accurately labelled as to contents. The very title "Intellectual Foundations of Library Education" is misleading. Of course, that does serve notice to the profession and to the academic community at large of the scholarly status of library science and those who practice it. But the word "intellectual" refers to activities of the intellect—the human intellect. The terms of reference set up are truly reflected in the titles of the papers, which predominantly stress the material means or equipment of library science, such as "systems", "system design", "organization", "classification", "indexing". A contributor even specifies: "The word 'knowledge' in the title of this paper will gradually transmute to the word 'information' ", and he might well have gone beyond that to limit it to the methods of information. Such things are not intellectual. They are only the machinery of intellect, a subordinate and inadequate substitute.

Two recent articles, however, demand more thorough investigation. Margit Kraft's *An Argument for Selectivity in the Acquisition of Materials for Research Libraries* (2) is justifiably angry in tone about the costly deadwood being stacked into North American libraries. She accuses academic librarians of "having . . . abdicated from their primary responsibility", and avers "that most American librarians are not equipped to assume the responsibility for book selection". The latter statement I sincerely hope is not true, but there is too much to support it in the assumptions, tacit or implied, of librarians themselves. A reference made to J. Periam Danton's *Book Selection and Collections; A Comparison of German and American University Libraries* (3) is well worth repeating, "Danton . . . was astonished by the paucity of literature dealing with the basic issues of book

1) Haro, Robert P., "Book selection in Academic Libraries." College and Research Libraries, Mar. 1967, v. 28, No. 2.

2) Kraft, Margit, "An argument for selectivity in the acquisition of materials for research libraries." Library Quarterly, July 1967, v. 37, No. 3.

3) Danton, J. Periam, Book selection and collections: a comparison of German and American university libraries. New York, Columbia University Press, 1963.

selection, particularly as regards book selection for university libraries".

Cecil K. Byrd's *Subject Specialists in a University Library* (4) is a truly constructive article, which describes how a very large and well-supported institution put a carefully considered plan for selection into operation. This attacked the problem along fresh lines with the aid of an additional corps of exceptionally qualified and trained personnel. There is much to offer in this paper for the consideration of the smaller library, holding a million volumes or less, to which I wish to refer my remarks. But it must also be admitted that among the mammoth libraries Indiana is one of the enlightened minority who see the problem steadily and see it whole. A colleague observed acidly to me of two very large and very reputable systems, in which he had worked, that their book selection could best be described as "chaos tempered with incompetence". "Incompetence" was to be taken in the legal or Perry Mason sense of the word. There are many librarians who regard book selection as *ultra vires*.

The easy way for librarians to plead not guilty to a charge of neglect in collections development is to advance the worn-out thesis that book selection is the sole and absolute prerogative of the faculty, and in no sense the business of the library staff, whose duties in this respect are confined to carrying out instructions. Present day university administrations or government agencies that provide supporting funds are unlikely to countenance such a theory from a librarian who has failed to use his resources to best advantage. Nor indeed will the faculty themselves. Faculty committees and departments would be quick to react to suggestions from librarians that the onus was on the faculty for past sins of omission and commission in collections development. Better beware of propounding the proposition: "The library is filled with useless material and grievous gaps because the librarian listened to the faculty in the past. If we are to overcome the library's shortcomings, the librarian must heed the faculty in the future."

Behind any librarian's protestation that he does not want to impinge on the faculty's "right" to select the books, an assumption can always be made that he doesn't want to do the work himself. But it *is* his job. He is not only trained to carry it out, but also he is obliged to do it, if professional obligation means anything in the library profession. And if he doesn't do it, the job won't get done.

The faculty members who are the most interested in library development are the ones who will be most sympathetic to the library's efforts to run its own business. There is in fact no conflict between faculty and library activity in collections development. They supplement each other, they even beget each other. Indeed, it can be stated as an axiom that the more skill and effort the library staff expends on book selection, the more the members of faculty will contribute themselves, the more they will make available their expert advice, and the more respect they will have for the library's needs. The days should be over for Canadian universities when each faculty has to keep control of its *own* money for the buying of books, because total funds are inadequate to satisfy everybody's teaching and research needs. Once members of the faculty realise that there is an efficient organization set up within the library for building the book collection, they are thankful that the library has taken over the chores, and are delighted to contribute when asked.

The current need is not so much evolving a philosophy of book selection as setting up a practical system. To be effective, this presupposes an organization designed to carry it through. Some libraries believe they have such a system, when in fact they only have a substitute for a system, or, at best, disassociated and casual contributions to a system. The two most widely indulged substitutes for book selection are the sta-

4) Byrd, Cecil K., "Subject specialists in a university library." College and Research Libraries, May 1966, v. 27, No. 3.

tistical approach and the blanket order network. Both have some merit, and both can be disastrous if they are used as an excuse to ignore the rest of the problem.

The statistical approach means broadly that quantity is assumed as equivalent to quality. The number of books in a library then permits a judgment to be made about its validity as an intellectual resource. This method has the great virtues of looking good on paper and appearing comprehensible to officials and others who do not have the opportunity to examine verbal presentations. It has been sanctified by the authority of numerous committees, reports and surveys, representing the finest names in the library profession. Within its limitations it has done yeoman service in raising library standards. The Downs Report (p. 7) cites the CACUL standards of 75 volumes per capita of student enrolment, etc., as a stick to belabor the lagging levels of less endowed institutions. The Clapp-Jordan formula (5) developed for the Council of Library Resources has also been used very widely and to good effect.

The underlying contention beneath such formulae runs something like this: "We know that some high-quality libraries which we have selected as controls have so many books in so many areas. Therefore after appropriate weighting of such figures in the cause of progress, we propound that when another library meets these volume-count standards, it must approach the other recognized institution in quality." The limited validity of this argument has fortunately not resulted in its weakness being exploited to the full. No library suppliers have yet offered to rent collections of sleepers to libraries who wish to meet accreditation standards, though some reprint houses seem bent on publishing them.

Perhaps the theory is more excusable because collection quality is not very susceptible of statistical analysis. A worthwhile library measurement must be related to the composition of the student body, the faculty's involvement in research, curriculum diversity and the methods of instruction, and the intellectual climate of the university. We cannot get very far with estimates such as library X having Y% of the books listed in selective bibliography Z. Downs (p. 66) give a wholesome warning against the pitfalls of checking the standard book lists meant for college libraries. The statistical method by itself is obviously not helping Canadian libraries to spend their limited means to best advantage.

A policy of blanket ordering has been represented as an automatic method of sweeping in the quality product. There is something to be said for the proposition that buying the complete output of first-rate publishing houses, both academic and commercial, will result in a high proportion of good books with only a small percentage of irrelevant ones. Why not trust the reputation of these firms who know their business and have such high standards? Unfortunately, the argument breaks down when the list is extended to cover those publishers who are not the cream of the crop. The numerical count and the percentage of useless volumes tend to rise until they become a serious financial problem, both in initial cost and processing expenses. The argument that it would be cheaper to buy these books and then not process them, rather than to select from them in the first place, is better suited to be the gimmick of a salesman than the assessment of an experienced librarian. The latter knows well how poorly libraries are structured to weed out casual acquisitions, and is also aware of the high percentage of processing costs that would already have been incurred before the rejection process was final. A national library such as the National Library of Canada, the British Museum, or the Library of Congress, indeed has an obligation to represent the entire publishing output of their respective countries. But even the largest university library would be ill-advised to fall for the delusive proposal that standing orders for the forthcoming lists of every publisher would dispense with the need for employing well-paid staff on

5) Clapp, Verner W., and Jordan, Robert T., "Quantitative criteria for adequacy of academic library collections." College and Research Libraries, XXVI (1965) pp. 371-380.

book selection. Academic librarians who inspect large quantities of Library of Congress proof slips are in a position to know from experience how large a proportion of the books catalogued appear to be quite irrelevant for even the most extended concept of scholarly need. The University of Alberta's blanket order list reproduced in the Downs Report (p. 7) may be taken as a typical specimen for an institution of its size. It comprises the names of over five hundred publishers. The proof of such a pudding can only be established by examining the contents of each publisher's catalogue and showing that the percentage of sleepers is in fact acceptable from a scholarly or a financial point of view. Of course, blanket orders help the publishers, and indeed for the reprint firms they may well be their means of livelihood. If enough advance orders are received, anything can be reprinted without risk and with hardly any expenses except the actual cost of production. The richest sources of these orders are institutions who order automatically, and this regrettably includes some which neither know nor care what they get. Libraries would be well advised to favour reprint editions which are comparable in cost with new publications, for these are the titles judged saleable to individual readers on the open market.

Most libraries do have some professional members of staff who contribute to the development of the collection. Heads of divisional reading rooms, reference librarians, a few specially appointed subject experts, all these may or do select books on their own, besides passing on faculty recommendations, solicited or volunteered. And there are always other staff who conscientiously recommend new titles of interest, usually culled from the same half-dozen library journals that are circulated to all the professionals in the library. Without discounting these efforts, which in some cases have been far-reaching in building up collection quality over the years, they are frequently unrelated contributions that rarely result in covering thoroughly the whole scope of the library's interests. What is needed is overall direction and purpose, in a word, planned selection. With the academic library of under a million volumes, it is legitimate to question whether it is humanly possible to set up the necessary organization. Where are the skilled personnel to be found, or indeed the salaries to hire them?

Is the solution available to a very large library such as Indiana a pattern that can be generally applied? Cecil Byrd's proposition was the extension of a method which has been realized partially in large institutions for years. Special collections, and other subject areas where extra support has been available, frequently have a specialist on the staff, sometimes with administrative responsibility as well, a principal part of whose duties is the building up of holdings with the aid of endowments or other earmarked funds. The novelty of the Indiana method was the use of such people in a scheme that covered the entire library system.

The barriers to applying this approach to the medium-sized institution are not entirely financial, although the cost factor is obviously very serious. Even if a smaller library can recruit qualified librarians, at appropriate salaries for the knowledge and experience required, the hard facts of recruitment today will usually require their employment in the usual line responsibilities in the system. Library school graduates temperamentally suited for bibliographical work of a scholarly nature tend not unnaturally to be drawn to the rare book libraries. There is unlikely to be a sufficient supply for general distribution.

Non-graduates of library schools are employed as subject specialists at Indiana University Library, but they are only a small minority and they are regarded as in training. Other institutions would be well advised not to assume that non-professional subject specialists can be integrated into a library system as a general practice. Successful subject work is so interwoven with the technical processes of the library that the library school graduate has a head start over the amateur. While universities are ready recruiting grounds for the immature

and untrained, only in the largest cultural centres will it be possible to find maturer people competent for such positions. Smaller universities may find non-professional candidates too qualified or not enough. Active scholars, young and old, will want to teach or do research. Librarians will not wish to end up with the graduate student who could not make the grade, let alone go back to the bad old days when university administrations pastured out superannuated professors in the library.

The Downs Report (p. 61) suggests it might be possible to give lighter teaching loads to faculty members for assistance in developing collections. Librarians conscious of the differences between the working habits of their profession and those of university faculty in general will view such schemes with reserve. Book selection is not a bursary; it is a routine job.

Who then is to select the books? As the continuity of collection building must be ensured, the best solution is to be found within the library itself. Library school graduates already in a university library system do have the necessary background and training, and they are not isolated in an ivory tower. They can keep in touch with faculty and carry on collections development as an integral part of the library's orientation of its public. No one is so qualified to handle the detail work and ensure co-operation with personnel responsible for ancillary routines such as searching, order work, and budgeting.

Not all of these people will be seasoned librarians with executive positions; many will have to be junior professionals. Chief librarians, while admitting that this group possesses some technical advantages, may well need to be persuaded that they have the scholarly background, coupled with the initiative and opportunity to put it to use. Administrators may grant that the multi-assignment concept benefits professional development for the individual and for the system. But can they take the risk of green personnel handling an important branch of the library's public relations? Are they also entitled to assume that the library schools will produce young people who can accept this kind of responsibility? I believe that indications are affirmative.

A graduate from a Canadian library school possesses an educational foundation which includes at least a three or four year degree from a liberal arts college, or better. It is reasonable to expect that he will have a major or several courses in the field of his subject specialty. He is, in fact, in much the same scholastic position that the fledgling graduate student starts from in a purely academic discipline. While graduate schools expect their students to spend a majority of their time on specific research and the preparation of a thesis, they simultaneously require them to gain a general knowledge of their field that will enable them to pass comprehensive examinations. By analogy, it is not unreasonable to expect the library subject specialist, in addition to keeping his line assignment in the system, to maintain and enlarge his subject knowledge without committing all his leisure hours to intensive scholarly study. The requirements are in truth hardly overwhelming. The subject specialist can build up a serviceable working knowledge by conscientious coverage of the review journals, by maintaining his knowledge of the reference books in his field, and in particular, by his everyday contact with the students and faculty of the department with which he is to deal. The last can hardly fail to increase subject awareness and channel effort along the right lines. The library literature is also beginning to make contributions to the subject literature which are designed for librarians and go beyond conventional bibliography. The full and excellent papers brought together in two recent issues of *Library Trends* (6) are most worthwhile examples of the new approach which is developing.

In addition to a good general education, library school graduates have benefited by intensive professional training of over a

6) Bibliography: Current state and future trends, Parts 1 & 2 (Robert B. Downs and Frances B. Jenkins, Issue Editors) Library Trends, January & April, 1967.

year's duration. Library administrators would have just reason to complain if today's library schools did not instil a sense of the responsibility that we call "professional", as well as a thorough awareness of the "housekeeping" elements of library science. Both qualities are requisites for proper book selection.

The matter of "housekeeping" deserves a word of qualification. Selection work is primarily an intellectual process, not a polite term for the chores of searching the public catalogue or doing the paper work of the ordering process. Of course, professionals, regardless of status, have to know their book stock, their own library's records and the bibliographical aids, and to work with them when need arises; nothing critical is menial. But the subject specialist is more usually involved in the editorial function, checking the detail work concurrently with making the scholarly evaluations. He is blending the information gained from people and periodicals into a coherent operation which ends with the books on the shelves. As other departments have a right to expect that routine will be done right, the subject specialist must consequently have a respect for their technical processes and conform to overall directions. It should be frankly admitted that library school syllabuses are weak in teaching acquisitions work, as indeed they are in instilling a philosophy of book selection. The "Virginia Kirkus" or public library approach to selection is not applicable to university conditions. *Choice* or no choice is a poor choice for an academic library.

Responsibility is a more complex matter to explain. It must not be misunderstood. The library world, like heaven, has many mansions. Intellectual responsibility is just as valid and necessary a contribution as administrative capacity. Professional self-confidence may justly be rooted in either or both. But the future recruit had better ensure that he cultivates some element of leadership in a profession where he will have to justify a superior status and salary scale when compared with the two-thirds of the employees who lack his professional qualifications. Over the last five years library schools have had far more applicants than they have been able to accept. If this position is not taken advantage of to train a higher quality of graduate, the profession will be entitled to take library school administrators to task. If the library schools are not producing graduates with the leadership abilities requisite for many sectors of library work besides collections development, they had better change their acceptance requirements as well as their syllabus.

For book selection is surely not the only facet of librarianship to require the recent graduate's willing involvement in decision making. There is no reason why library school students should not be as enterprising as students in other professional fields. They are intellectually alive and cultured people, and expensively educated. They, and indeed some of their qualified elders, should be less deprecatory of their personal value. Students are sometimes affected by a hangover of questionable professional attitudes from the past. Just as the depression mentality brought forth educationists who saw only a minimal connection between education and knowledge, so it also produced a few library scientists who did not admit the essential connection between librarianship and books. Today, library educators are aware that expertise in the latest methods and machines is effective only when it is built on a sound basis formed by the fundamental skills of librarianship. If this were not to be true, administrators would not trouble to turn to the library schools for professionals conversant with the burgeoning electronics field, which is having such a profound impact on the libraries. For automated techniques in library administration, for the whole area of the information revolution, they would seek their specialists in the business and engineering schools and the technical institutes. The best of these are equipped more advantageously than are the library schools to train systems analysts and information scientists. The swelling enrolments in such schools reflects current demand for their graduates. If potential library

school students are encouraged to believe that study in these prestigious fields can be a substitute for, or means to avoid, the essentials of library training, they will know where to go. Truly, the positions of future leadership in the profession will be held by those able to be masters of both worlds. But where both are essential, the profession which gives up the discipline which it alone is qualified to pursue, in favour of another which is the concern of others more heavily involved, may be heading for extinction. *Revenons à nos moutons.*

The senior members of the library staff are also vital to a successful programme of collections development. If stress has been placed on the part to be played by the recent graduate, it is because the future of academic libraries in Canada depends on their training and enthusiasm. It is certainly not meant to underestimate the value of the seasoned campaigner whose relationship with faculty and students is not likely to be so naive.

All qualified professionals should participate in the distribution of subject specialization. An effective system would be disadvantaged from the start if department heads or other privileged groups could exempt themselves and consign the process to juniors, or peripheral personnel whose jobs need not be viewed as a regular part of the library. Faculty and student co-operation and respect would also be diminished. Drawing subject specialists from all grades will ensure more ready co-operation by younger staff members, because their supervisors will have the same relationship to the collections development programme, and will consequently know its requirements as fully as their staff.

The kind of development programme that is outlined here presupposes central direction and control. Obviously the central position demands someone more than a mere liaison officer, who perhaps could look at colleagues' suggestions, channel faculty recommendations, apply budgetary sanctions, but who would otherwise never initiate a request or turn one down. The librarian responsible for the book collection has a substantial administrative assignment, as he is in effect acting as the chief librarian's representative on the intellectual, as opposed to the organizational, plane. Because this cuts across usual departmental lines, it is necessary for the library administration to direct the full support of all departments for programme implementation at all its stages. This is to say that book selection must not be regarded by staff as an optional activity, to be practiced when inclination and other duties permit. Selection is indeed apt to develop a fairly demanding timetable when academic and budgetary requirements are to be met.

Even a partial survey will show that the scope of collections development comprises a wide range of activities. General policy must be established to correspond both with the aims of the university and the resources at the disposal of the library. Decisions must be made as to the relative strengths to be sought in various subject areas. Some will need comprehensive build-up for research, others a representative collection, where teaching rather than graduate work is being catered for, and others need only the minimal holdings that the library should maintain where no active academic programme is currently in operation. The use-factor of materials, particular as far as duplication is concerned, must be fairly but ruthlessly assessed, if expenditure is to be justified. Knowledge of the strengths of other libraries can prevent costly over-lapping of research materials. Strategy to deal with the difficult out-of-print problem involves awareness of the methods of the antiquarian trade and acquaintance with individual dealers. Bibliographic research has to be carefully directed to eliminate wasted effort. This unfortunately can be characteristic of projects initiated by academic departments which are unable to give the necessary time and effort to their adequate supervision.

Decisions taken must integrate the particular requirements of different faculties and establish budgetary priorities to accord with their research and teaching pro-

grammes. They must not be unilateral. To be acceptable, they should not appear secret or dictatorial, but be based on the frank give-and-take of information between all parties involved. The library administration, the individual subject specialists, members of the faculty, graduate students and undergraduates, must all make their contribution if book selection in a university is to be made a success.

In summation, let it be urged that, while argument is proper as to the methods best fitted to solve the crisis of selection in university libraries, there can be no dispute as to the gravity of the problem itself. It would be tragic if the great expenditure of labour and investment in Canadian libraries, today and in the future, was to fail in providing the right books for our scholars and scientists. For books still form the intellectual underpinning of the academic establishment. When librarians talk about book selection, they must do more than pay lip-service to an absent friend. They must pledge themselves as of duty bound to find a practical solution before it is too late. For this to be done successfully, the chief librarians of universities have to develop the abilities of their own professional staff, and set up an organization that will cause them to employ their talents to best advantage, both to themselves and to their libraries. This is also desirable because a graduate librarian, be he junior or senior, should make some contribution to library policy. Libraries which are interested in the continued "in-service" development of their young professionals should take steps to involve them in the intellectual functions of the university as a whole. It is only thus that they will eventually be accepted as peers in the academic hierarchy, and there is no more effective way to do this than to give them their share of responsibility in building the library collection.

OUR CONTRIBUTORS

Mr. Ettlinger is Collections Librarian at Dalhousie University; Mrs. Parker, Student at Law, Dalhousie University, prepared this paper as part of a legislation research project at the Dalhousie Law School; Mr. Campbell is Chief Librarian, Toronto Public Libraries.

BACK ISSUES NEEDED

In order to fill the increasing number of requests for back issues of the BULLETIN, I would like to complete my set. Any and all duplicates in your possession would be appreciated, but particularly the following issues:

Volumes 1 to 16 inclusive; v. 24, No. 1-3 ('59-60); v. 25, No. 3 (1961); v. 26, No. 2-4 ('61-62).

Kindly send duplicates to: Managing Editor, APLA Bulletin
St. Mary's University Library
5932 Inglis St., Halifax, N. S.

PHOTOCOPYING IN UNIVERSITY LIBRARIES AND THE CANADIAN LAW OF COPYRIGHT

Mary Lou Parker

THE PROBLEM: DEFINITION AND SCOPE

Professor Marshall McLuhan has said: "Xerox makes the book into a service industry-information service - entirely tailor-made, custom-built." (1) Certainly copyright law would be invoked by conventional publishers or authors long before the book was subverted by xerography in the manner envisaged by McLuhan. This is the problem posed by photocopying, a problem that is not as yet contemplated in the Canadian Copyright Act. (2)

From the viewpoint of the cost involved, some library experts predict that it will soon be possible for libraries to function much more economically by reproducing copies of books or excerpts therefrom, instead of purchasing several copies for circulation purposes. (3) The market for authors and publishers would obviously be decreased if such a practice were persued to any significant extent. The basic problem that could arise in such a situation is primarily a social one; whose interests should the copyright law protect—the author's and the publisher's, or the general public's? Assuming that both interests should be accommodated, how can these apparently opposing interests be reconciled?

The justification for the monopoly of a copyright is (A) the general benefit the public derives from the copyrighted work, and (B) the incentive to creativity that copyright provides to individuals. (4)

By way of analogy, the position of the author and the publisher has been likened to that of the goose that lays the golden eggs. (5) On the other hand, there is the position occupied by the consumers of the golden eggs. The problem is simply one of conflicting interests; the goose wants protection for her creativity while those who are nourished by this creativity want the freedom to consume. Continuing the analogy, once the golden egg is laid it is easy to rationalize making more use of it. And, the process of making a personal copy is one way of accomplishing this. It is also true that nobody can measure so small an amount as the economic effect of one additional copy. The problem is that modern copying technology is capable of multiplying the one additional copy to the point where the life of the goose itself is threatened.

The law of copyright as it generally exists in the common law nations appears to grant the author what can perhaps best be described as an oligopolistic right. That is, the law grants a monopoly right, and then reduces it for certain purposes termed fair dealing (6) or fair use. (7) These concepts will be considered in more detail later. Briefly, however, these concepts allow certain segments of the general public, under certain conditions, to reproduce literary works covered by copyright with or without the permission of the author and without compensation.

When the means of reproduction were time-consuming and expensive the concepts of fair dealing and fair use were appropriate and enforceable. (8) In such circumstances, the law was reasonably effect-

The author acknowledges the assistance of Professor Judith H. Giffin, Faculty of Law, Dalhousie University.

ive. However, the effectiveness of the law may have been largely a function of the time-consuming and costly copying methods then available. To conclude otherwise implies that before the advent of modern copying equipment society was more law abiding than it is at present. Such a conclusion seems untenable since a society's scale of values is subject to a slow process of change, while copying technology is a recent development confined to only a short span of history. In all likelihood ignorance of or indifference to the law, coupled with the rapid advances in copying technology, have induced the general public to disregard the law. In general, this disregard for the law capitalizes on the vague boundaries of fair dealing or simply ignores the rights of the copyright owner.

At this point, brief comment on the current state of copying technology is appropriate. The 1966 annual report of the Xerox Corporation describes some of the company's newest copying equipment. One example is the model 3600 copier which is capable of producing a copy a second. For high volume use an adaptation of the 3600 turns out predetermined numbers of copies of each page, reduced to a convenient size, and collated into sets. (9) With such equipment at the fingertips of society, in particular institutions such as libraries, how is it possible to control infringements of the copyright law as it presently exists?

In essence the problem as it presently exists in Canada was recognized by the Gregory Commission in Great Britain (10) over fifteen years ago. In the opinion of the commissioners, the fundamental problem they faced was how to secure for the general public the maximum benefit of scientific and technical developments, while at the same time providing adequate protection for those who make the developments possible. (11)

BRIEF SURVEY OF THE EXISTING LAW

United States

The U. S. Constitution provides the following provision relating to the powers of Congress: "To promote the Progress of Science and Useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and their Discoveries." (12) As is the case in Canada, copyright legislation in the United States falls within the federal jurisdiction. Under the present enactment (13) a copyright owner is granted the exclusive right to make and publish copies of his work.

In the United States, however, there is no infringement of copyright when copies are made by persons other than the author if the copying falls within the judicial concept of fair use. In general, the reproduction of copyright material does not even require the consent of the author to constitute fair use. (14)

The American courts have followed the direction which the English judges established as regards fair use. (15) The concept of fair use, however, is not embedded in a statute, with the result that the courts must consider the exigencies of each situation. In general, this consideration involves: (1) the amount and importance of the portion taken; (2) their relation to the work of which they are a part; (3) the result of their use upon the demand for the copyrighted publication. (16)

What is the library's right to make copies of works covered by copyright? There are no court decisions dealing specifically with copying by libraries. (17) Therefore, one can only speculate as to what the rights of libraries are. It seems likely, however, that supplying copies to persons doing private study and research might be considered fair use, at least, to the extent that the publisher's market was not diminished. (18)

Another area where libraries are on uncertain ground in the United States is when they copy library materials for preservation, or to supply other libraries with items not otherwise available. In general, however, so long as the items required cannot be obtained commercially, copying for another library would not appear to affect prejudicially the publisher's or the author's interests. (19)

In summary, the U.S. law on copyright grants the author an exclusive right to copy his work during the term of copyright. This exclusive right is reduced by the concept of fair use as developed by the courts. And, up to the present, the right of a library to qualify as a subject for protection under the concept of fair use has not been defined in the courts.

Canada

Since January 1, 1924, an author in Canada is entitled to copyright in Canada without the performance of any formalities. That is, copyright no longer depends on registration or any other formal act. (20) The sole right granted to an author by Canadian copyright legislation (21) is contained in s. 3(1) of the Copyright Act which reads as follows: "For the purpose of this Act, copyright means the sole right to produce or reproduce the work or any substantial part thereof in any material form whatsoever . . . ."This is analagous to the American author's monopoly right to reproduce or copy his own work.

The point of departure between American and Canadian law is the concept of fair dealing or fair use. The Canadian Parliament has seen fit to embody the doctrine of fair dealing in the Copyright Act. Simply stated, copyright in a work is deemed to be infringed by any person who produces or reproduces a copyright owner's work without permission. (22) However, certain acts are permitted and these acts do not constitute an infringement of the Act. These acts include any fair dealing with any work for the purposes of private study, research, criticism, review, or newspaper summary. (23)

Therefore, while the circumstances under which fair dealing can be invoked are spelled out in the act, the extent of copying by a fair dealer is not defined. It is submitted that the test of fair dealing in Canada depends upon (1) the substantiality of the part produced; (24) (2) the use to which the extract is put; (25) and (3) the possible competition between the original and the copied work. (26)

It must be realized, however, that the statutory concept of fair dealing only covers the persons defined in the Act. Can it be stated that a library carries out private study or research and is therefore able to copy or reproduce copyright material without the author's consent? It is the writer's opinion that the fair dealing section of the Act does not cover libraries. People engage in private study and research and it would certainly appear that they are permitted to copy library materials under the head of fair dealing. However, when the library performs the act of copying for a researcher copyright would appear to be infringed. In short, the library itself does not qualify as a person.

In summary, Canadian legislation grants the copyright owner the sole right to copy or reproduce a work covered by copyright. The concept of fair dealing is then deducted for purposes *inter alia* of private study, and research. Nowhere is the library specifically given any right to copy or reproduce copyright material.

United Kingdom

For practical purposes, the present Canadian copyright legislation is considered identical to that of the United Kingdom prior to the Copyright Act, 1956, at least in so far as the right of copyright owners and the absence of copying privileges for libraries is concerned.

The 1952 report by the Copyright Committee was of the opinion that: "What comes within the 'fair dealing' exemption if done by the student himself (and in this respect no alteration is proposed) would not necessarily be covered if done by the

librarian. (27) Moreover, the Commissioners voiced their concern for students and research workers being deprived of library copying services on the ground that libraries would be unwilling to be a party to an infringement of copyright. (28).

In essence, the new Copyright Act (29) and regulations prescribed thereunder (30) extended the concept of fair dealing, granted certain types of libraries copying privileges, and defined the scope of this privilege.

This legislation has been reviewed in detail in a recent American study, a part of which is included as an Appendix to this paper.

To summarize, the copyright law in the United Kingdom grants the copyright owner the sole right to produce or copy his work. However, from this right is deducted the statutory privilege of certain individuals and libraries to copy these works under limited conditions.

UNIVERSITY LIBRARY PRACTICES IN CONFLICT WITH THE LAW: A SURVEY

As previously stated, the fair dealing section of the Canadian Copyright Act does not specifically cover libraries. The significance of this omission, however, depends on the extent to which libraries make use of copying equipment, and on the nature of that use. In order to obtain up-to-date information concerning these matters, a questionnaire was sent to forty-one university libraries in Canada.

In general, the response to the questionnaire survey was extremely encouraging. A total of thirty-one libraries completed and returned the questionnaire, a response of 75.6 per cent. Moreover, the replies include all the major universities in Canada.

Two important conclusions can be drawn from the results of the questionnaire survey: (1) the university libraries are sincere in their efforts to observe the Canadian law of copyright and (2) there is evidence of confusion and misunderstanding as to specifically what the Canadian Copyright Act both permits and prohibits. The following statements, quoted from completed questionnaires, indicates that university librarians, in general, try to observe the Canadian law of copyright:

> *Decisions are made by the library administration in line with the copyright law.*
>
> *We are very careful not to break the law of copyright.*

The following comments, however, also quoted from completed questionnaires, clearly support the conclusion that the law of copyright is generally misunderstood by library staff:

> *Our library use of the Xerox machine is based on the "fair use" understanding of the library profession, as distinct from any commercial utilization of copying facilities.*
>
> *Copyright law states that one copy only may be made for research purposes.*
>
> *"Fair use" allowing one copy is generally observed, but demand and necessity for out-of-print considered.*
>
> *Never more than 2-3 copies of journal articles.*
>
> *About one copy of an article for each twenty students in a course.*
>
> *When a part of a publication is needed for assigned reading, and sufficient copies are unavailable in the library, copies would be made* if the cost were less than purchasing a duplicate of the entire volume. *(emphasis added)*

At its meeting in Calgary in June, 1966, the Canadian Library Association established a committee to examine the Copy-

right Act as it relates to libraries and the copying machine. (31) In the opinion of this committee section 17(2)(a) of the Act "establishes the right of a librarian to provide copies for individual purposes." (32) While this view is certainly widely held, it is worth recalling that section 17(2)(a) of the Copyright Act seemingly relates to persons engaged in private research and study, and certainly makes no reference whatsoever to libraries. (33) Even the Canadian Library Association recognizes the very real lack of knowledge that exists among Canadian librarians "as to what constitutes fair practice and infringement of copyright." (34).

The results of the questionnaire survey indicate that university librarians, in general, use copying equipment in ways that constitute an infringement of the Copyright Act, as it presently exists. All but five of the replies received state that copying equipment is used to provide extra copies of library materials for circulation purposes. In most cases, however, this copying is largely confined to journal articles, and is primarily for reserve reading room use. The following comments, quoted from completed questionnaires are representative:

For reserve: journal articles or other items, to avoid wear on file copies of journals.

Journal articles are copied and put on reserve freeing the original journal for use by others.

Some replies, however, indicate that extra copies of journal articles for reserve purposes are purchased whenever possible. For example, one reply included the statement that "we will not Xerox articles available in Bobbs Merrill reprints."

In general, the university libraries are extremely cautious when it comes to copying books or portions of books. The following statements, quoted from completed questionnaires, support this finding:

Books are rarely copied and only if unavailable commercially.

We Xerox books only when extra copies cannot be purchased.

Whole books are never done unless copyright permission obtained. We use University Microfilm service.

Another important application of copying by libraries arises with requests for the inter-library loan of various items. At the present time, this practice appears to constitute an infringement of the Canadian Copyright Act. The completed questionnaires, however, indicate that most university libraries are making copies for inter-library loan purposes. The following comments, quoted from completed questionnaires, constitutes evidence of this practice:

Substitute for inter-library loan when one article in periodical is requested.

Copying a part of a volume for use on interlibrary loan in lieu of mailing entire volume.

Articles from journals are copied for interlibrary loan to avoid sending by mail material which is normally restricted to use in the building.

The problem of copyright infringement by librarians can be completely avoided if the library obtains permission to copy from the copyright owner. In this regard, the questionnaire survey asked respondents to indicate on a numeric scale graded from *never* to *always* the frequency with which they requested permission to reproduce copyright material. The replies to this part of the questionnaire are tabulated in Figure 1, p. 46.

In general, obtaining permission to reproduce copyright material would appear to provide a simple solution to the problem of copyright infringement that is faced by libraries. However, it must be recognized that requesting permission is a time consuming process which is not always practical in the circumstances under which libraries resort to copying. This is probably

the reason why requests for permission are not used more frequently by university librarians.

The questionnaire survey also requested data concerning the frequency with which university librarians imprint copies with a credit line. The replies to this part of the questionnaire are tabulated below: (figure 2).

The use of a credit line would appear to be merely a courtesy. However, on occasion the credit line may also indicate that permission has been obtained to reproduce the copyrighted material, in which case there is no infringement. One university library imprints each page copied with a red stamp that reads "STUDY COPY ONLY. Not to be reproduced without consent of copyright owner." This practice alerts the person using a copy obtained from the library to the general problem of copyright infringement. But, there is no reason to believe that the practice exonerates the library from infringement.

All but two of the libraries that completed Part II of the questionnaire (35) have copying facilities or services that are available to students and others who use

(Figure 1)

Frequency of Requests for Permission to Reproduce Copyright Material

	Number of Libraries
Permission requested 50% of the time	5
Permission requested 30% of the time	2
Permission requested 20% of the time	5
Permission requested 10% of the time	4
Permission is never requested	8
Question not answered	5
Total replies received	31

(Figure 2)

Use of Credit Lines

	Number of Libraries
Always	2
70% of the time	1
50% of the time	1
30% of the time	1
10% of the time	4
Never	17
Question not answered	5
Total replies received	31

the library. In most cases several machines are available within the library system. Some libraries make exclusive use of coin operated equipment, some use regular equipment, and some have both coin operated and regular equipment. Except where the equipment is coin operated, the usual practice is for library staff to do copying for whoever originates the request. The following statements, quoted from completed questionnaires, are representative:

Students and operators know that the service is available to save hand copying. It is used for this purpose and the operator would refuse a request which obviously did not fit this purpose.

Operated by library staff and governed by fair use policy.

No direct access to equipment: requests are left and picked up at reference desk.

It is interesting to note that these comments at least imply an awareness of the law of copyright and a sense of responsibility thereto. Nevertheless, in general, it appears that copyright infringement is widespread as regards the use made of copying facilities and services available to those who use university libraries. In the case of coin operated equipment, it is at least difficult, if not impossible, to enforce the provisions of the Canadian Copyright Act. At the same time, however, where library staff actually do the copying this probably only avoids the most blatant infringements of copyright. At this point, the following comments, quoted from completed questionnaires, seem appropriate:

The use of coin operated machines cannot be controlled easily.

At the machines which are not coin operated we will not copy more than a few pages of books which are still in print. There are no restrictions at the coin operated machines.

Note placed on machine saying that machine is for student use only, not to produce material for sale.

In the context of the Canadian Copyright Act as it presently exists, there would appear to be some justification for copying equipment operated by those using the library for purposes of private study and research. Of course, such an arrangement is likely to involve some copying that would constitute infringement of copyright. However, a considerable volume of the copying that is actually done by those who use the library could well fall within the "fair dealing" concept. Moreover, this type of arrangement would appear to absolve the library of legal responsibility, assuming the library was not considered an agent, since library staff would not be performing the actual copying.

Several libraries impose restrictions on the use of the copying facilities or services they make available. These restrictions are often purely of an administrative nature but some at least relate to the matter of copyright. Without spelling out any details whatsoever, one completed questionnaire states that restrictions are imposed, "to comply with the copyright laws". Unfortunately, the problems of compliance with the law of copyright do not appear amenable to such a simple solution.

RECOMMENDATIONS

Copyright exists for the encouragement of learning in the interests of society as a whole and should therefore be respected On the other hand, authors and publishers should not necessarily have an exclusive right to copy their works, even subject to the concept of fair dealing. Prima facie, libraries play a vital role in the encouragement of learning in society. With their wealth of books, periodicals, governmental publications, and other printed material they provide a necessary service to society which contributes to and encourages intellectual growth.

The present Copyright Act in Canada

does not specifically grant to librarians any exemption or privilege from copyright infringement regardless of the purpose for which they may wish to make a copy. Under the existing statute the only sure way a librarian can make a copy without infringing copyright is by obtaining permission from the copyright owner. Nevertheless, some groups and individuals are of the opinion that a librarian has the right to make copies for persons engaged in private study or research. This interpretation of section 17(2)(a) appears to strain the language of the Act. One need only peruse this section of the Act to conclude that qualification for the fair dealing exemption does not apply to persons accommodating those who are engaged in private study and research. It is therefore submitted that it is at least difficult, if not impossible, to extend the fair dealing exemption to third parties such as librarians.

On the basis of the questionnaire survey one can conclude that Canadian librarians are conscious that copyright owners have certain rights, but they are generally uncertain of their own rights. In essence, the problem comes down to: (1) should librarians have exemptions from copyright infringement for copying purposes? (2) If so, what rights should they have? and (3) how should these rights be made the law in Canada?

It is submitted that only the librarians of libraries established and conducted for non profit purposes should have the right to copy certain materials protected by copyright. (36) These institutions provide a vital service to the advancement of learning and intellectual development in society. Any harm to the copyright owner which would result in granting librarians certain copying privileges should generally be ignored for the same reasons that it is now being ignored in granting fair dealing rights to certain individuals as provided by section 17(2)(a) of the Act.

In view of the advanced state of copying technology, it would probably be unwise to give librarians a carte blanche to copy anything and everything simply because libraries fulfil a useful function in society. Carte blanche permission to copy could seriously injure the rights of copyright owners and the incentive to create and produce. It is therefore suggested that librarians be permitted to make limited copies for certain classes of individuals. It is further suggested that these classes of individuals fall into two general groups: (1) the person who is engaged in private study or research, and (2) the librarians of a non profit library.

A librarian should be able to make one copy of a journal article, or of a series of articles related to the same subject matter, upon receiving a written request from a person engaged in private study or research. This would conveniently accommodate the needs of persons pursuing private study, as well as protect the position of the librarian. Moreover, the library could preserve its own collection, while the person provided with a copy would be able to retain it for a much longer period than is possible when the item in question is part of the library collection.

It is also suggested that librarians be given the right to copy reasonable portions of literary, dramatic or musical works, and to provide one copy to each person submitting a request in writing. Persons qualifying for such copies would have to provide the librarian with a written undertaking that they were engaged in private study or research, and that the copies requested were solely for one of these purposes.

In general, the above proposals if granted, would not permit librarians to provide copies to groups, such as a university class. Although a university class is engaged in study this does not seem to constitute private study or research. Furthermore, copying on a group basis could result in a volume of copying that would seriously injure the rights of the copyright owner.

Another important class of persons that would appear to merit the right to receive a copy of material protected by copyright is the librarian of another non profit library. By granting the right to make one

copy of an article, or articles, from a journal for another librarian three groups in society benefit: (1) the library providing the copy preserves its original copy, and, in addition retains its original for the use of those who use that library, (2) the library receiving the copy obtains something it might not otherwise obtain, or at least retain, and (3) those who use the receiving library have access to material that might otherwise not be available, except for a brief period by way of inter-library loan.

Similarly, librarians should be granted the right to copy reasonable portions of dramatic, literary or musical works for a non profit library in circumstances where the name and address of the copyright owner is unknown, or could not reasonably be ascertained, by the librarian requesting the copy. Under such an arrangement, the library originating the request is at least able to obtain a copy of a work that is simply unavailable through regular commercial sources. It is, however, vital to such an arrangement that the permission of the copyright owner be obtained in circumstances where the owner can be located before out-of-print works, for example, are copied. The obtaining of permission to copy is not, however, a departure from the present law. In general, anyone who obtains permission from the copyright owner to copy his work is not infringing copyright.

While it is a fact, as disclosed by the completed questionnaires, that librarians do copy for use in their own library, it is not suggested that they be granted this right in law.

The most realistic way to embody the above proposals in the existing Canadian law of copyright is by way of amending the Copyright Act. It is submitted that an Act and accompanying regulations should spell out in detail the classes of libraries whose librarians may be permitted to copy, and the conditions under which copies may be made. While detailed rules and regulations can be restrictive and complex, they nevertheless have merit. A librarian would know his or her legal right with a high degree of certainty, and there would be little excuse for infringement of copyright by librarians. Moreover, incidents of infringement should decrease because librarians would be more likely to know their legal rights, and, in particular, to recognize their right to request, and perhaps receive, permission from the owner of a copyright to copy virtually anything for any purpose whatsoever.

APPENDIX

Commentary on portions of the Copyright Act, 1956 (4 & 5 Eliz. 2c. 74) (37)

The new United Kingdom Copyright Act of 1956 provides in section 6(1): "No fair dealing with a literary, dramatic, or musical work for purposes of research or private study shall constitute an infringement of the copyright in the work."

The new Act also contains very detailed rules governing library photocopying. These rules, which are provided in section 7, cover copying by libraries in regard to (1) articles in periodical publications, (2) parts of other published works, (3) complete published works, and (4) unpublished works.

(1) Under subsection (1), the librarian of a qualified library is entitled to make and supply a copy of an article in a periodical. "Article," as defined in subsection (10), includes an item of any description. The class of libraries qualified to exercise the privilege is to be prescribed by regulations made by the Board of Trade. Subsection (2) provides that the Board of Trade in its regulations "shall make such provision as the board may consider appropriate for securing" (a) that the libraries are not established or conducted for profit; (b) that copies are supplied for purposes of research or private study; (c) that no person may get more than two copies of the same article; (d) that no copies extend to more than one article in any one publication; and (e) that the person who gets copies pays for them a sum not less than the cost of their production.

(2) Under subsection (3), qualified libraries may also make and supply copies of parts of published literary, dramatic, or musical works other than periodicals. The privilege extends to illustrations in such works (subsec. 9(c)). The conditions prescribed by the regulations of the Board of Trade under subsection (2), as outlined in the preceding paragraph must be complied with. In

addition, this class of copies may not be made or supplied if the librarian knows the name and address of a person entitled to authorize the making of the copy, or if he could ascertain such information by reasonable inquiry. According to subsection (4), the Board of Trade regulations shall make provision appropriate for securing that no copy extends to more than a reasonable proporion of the work in question.

(3) The rules applicable to complete published works are provided in subsection (5). They are similar to those governing parts of published works, except that complete copies may only be supplied to other libraries.

(4) Under subsection (6), unpublished manuscripts in libraries, museums, and other institutions open to public inspection, may be reproduced for purposes of research or private study, or with a view to publication, if more than 50 years have passed since the author died, and more than 100 years have passed since the work was created. Subsection (7) prescribes the conditions under which manuscripts may be incorporated in "new works" and published. In other words, subsection (6) permits copying of old manuscripts with a view to publication, and subsection (7) prescribes the conditions under which publication may take place. The main condition is that notice of intended publication be given as prescribed in the Board of Trade regulations. Furthermore, the identity of the owner of the copyright in the "old work" must not be known to the publisher of the "new work." If these conditions are met, the "new work" as originally published, or any subsequent edition thereof, shall in this respect not be treated as an infringement of the "old work." If subsequent editions incorporate manuscripts not published in prior editions, a new notice of intended publication is required.

In accordance with the provisions of the Copyright Act, the Board of Trade has issued the Copyright (libraries) Regulations of May 17, 1957. Leaving aside matters of detail, two provisions of the Regulations should be noted. (1) In order to assure that a photocopy is made only for the purposes stated in the Act, the person requesting the copy must declare that he needs it for purposes of research or private study, that he has not previously been supplied with a copy of the item requested, and that he will not use it for purposes other than those stated. (2) One copy only may be supplied to the librarian of any library, unless the librarian of the supplying library is satisfied that a copy previously supplied has been lost, destroyed or damaged.

The detailed provisions of section 7 of the new United Kingdom Act represent an elaborate attempt to arrive at a statutory solution of the problems pertaining to library photocopying.

References

1. Marshall McLuhan as quoted in "The Role of Reading: New Trends in Textbooks". **Canadian University**, Vol. 2, No. 3, May-June, 1967 at 70.
2. R.S.C. 1952, c. 55.
3. Hearings on Copyright Law Revision Before a Subcomm. of the House Comm. on the Judiciary, 89th Cong., 1st Sess., (1966) on H.R. 4347, H.R. 5680, H.R. 6831, H.R. 6835, at 1472.
4. H. Fox, **The Canadian Law of Copyright**, 1 (1944).
5. **Supra**, footnote 3.
6. **Supra**, foonote 2 at s. 17(2)(a).
7. Yankewich, **What is fair Use?** 22 U. Chi. L. Rev. 303 a 214.
8. **Supra**, footnote 3 at 1473.
9. Xerox Corporation Annual Report 1966 at 15.
10. Board of Trade Copyright Committee, Cmd. No. 8662, (1952).
11. **New Light on Copyright** 214 L.T. (1952) 212 at 213.
12. U.S. Const. art. I, s. 8.
13. Copyright Act, 17 U.S.C. s. 1 (1964).
14. Goldberg, "Promoting the progress of science and the useful arts, 47 **Cornell L.Q.** 588 (1962).
15. **Supra**, footnote 7 at 212.
16. **Ibid.** at 213.
17. Staff of Senate Comm. on the Judiciary, 86th Cong., 2nd Sess., Copyright Law Revision 15 (Comm. Print 1960).
18. **Ibid.** at **51.**
19. **Ibid.** at 64.
20. Fox, "Copyright and Patent Protection," 12 **U. of T. L. J.** 27 (1957).
21. **Supra**, footnote 2.
22. **Supra**, footnote 2, at s. 17(2)(a).
23. **Supra**, footnote 4 at 426.
24. **Supra**, footnote 4 at 432.
25. **Supra**, footnote 4 at 432.
26. **Supra**, footnote 10 at 17.
27. **Ibid.**
28. **Ibid.**
29. Copyright Act, 1956, 4 & 5 Eliz. 2 c. 74.
30. Stat. Instr. 1957, No. 868.
31. Report from Committee on Fair Dealing on Canadian Library copying, presented at the Annual Conference of the Canadian Library Association, Ottawa, June 19, 1967 at 1.
32. **Ibid.** at 2.
33. **Supra**, footnote 2 at s. 17(2)(a).
34. **Supra**, footnote 31 at 3.
35. Part II of the questionnaire applies to the use of copying equipment by students and others using the library.
36. Further reference in this study to library or librarian refers to a library established and conducted for non profit purposes and a librarian thereof.
37. **Supra**, footnote 17 at 59-61.

THE RABBIT HOLE

". . . down went Alice after it, never once considering how in the world she was to get out again." Alice in Wonderland.

The Rabbit-Hole is to be a regular feature of the APLA Bulletin. We invite contributions from readers and we offer contributors the same latitude (and longitude) as the Rev. Dodgson afforded Alice. Any reader who feels himself falling through the earth and approaching the Antipathies is urged to put it all down on paper and send it to the attention of the Editor. "Perhaps (you) shall see it written up somewhere."

A National Clearinghouse for Canadian Information Resources

During the fall of 1967, the Science Secretariat Study Group on scientific and technical information in Canada held a number of meetings in various centres in the Maritimes. The purpose of these meetings was to hold discussions with groups of scientific and technical information users in Fredericton, Moncton, Halifax, Charlottetown, Saint John, N. B. and St. John's, Newfoundland. The Science Secretariat has been commissioned by the Science Council of Canada, one of the policy advisory bodies of the Canadian government, to invetigate the methods presently being used to disseminate scientific and technical information in all parts of Canada and to make recommendations for improvement.

In carrying out its inquiry the Science Secretariat found that there is a growing interest in the Maritimes in more efficient methods than are being used at present for utilizing scientific and technical information. It is becoming apparent to industry, the universities, government, and private individuals in all parts of Canada that we can no longer afford to adopt a haphazard approach to the improvement of the flow of information, particularly with regard to such matters as educational updating, industrial productivity and current awareness of new knowledge.

Among the key institutions in all the provinces are the provincial research councils, the universities and colleges, the public and special library services and the government information agencies at all levels and in all fields. The number of different suggestions which were presented for the Study Group ranged from such comments as "We are doing very well now" to "We need a completely new information retrieval system for our needs."

It is widely acknowledged in Canada that our manufacturing productivity in comparison to the United States and many countries of Europe is not high. It has been reported that there is a general lag of about 18% in basic productive output per worker in Canada in comparison to the United States. In some manufacturing industries such as machine shops and hardware manufacturing, this lag is as high as 27%. A further matter of concern is that Canadian users of specialized information are scattered and to reach them with the information they require is a matter that needs national planning. The old idea that we could produce new information and have it find its own way to a major part of its users is no longer tenable. One of the features that characterizes the growth of Canadian science and technology is the increasing interrelation among all fields of specialization. To reach the widest audience in Canada information must be made accessible in a more direct and more rapid manner.

Thus, while every attention has to be given to the needs of local institutions and the improvement in their methods of re-

trieving and using information it is quite clear that Canada has already passed the stage when it should have within the country a powerful national science and technical information service to cope with the information generated within Canada of use to Canadians. It goes without saying that such an information system would require that access be provided in either the English or the French language. This does not mean that the information must all be translated into these languages, but it does mean that those who use each language should not be debarred merely because of the choice of the language in which they make inquiries.

It can be seen that the real provincialism of library services from which Canada suffers is not that of distance and geography but of the methods and developments which prevent the most effective use of available information. In order to make provincial, local and regional scientific and technical information services more effective, there is need for a national clearinghouse for scientific and technical information that will aid information transfer. Such a clearinghouse has been recommended by many bodies and by various surveyors who have previously considered the question of use and diffusion of scientific and technical knowledge in Canada. The recommendation for a national body to develop library resources was an important part of the Williams Report in 1962. The study by George Bonn of scientific and technical literature resources in Canada in 1966 emphasized the need of a network of information services to meet Canadian requirements. The Downes Report, now just completed, emphasizes again the need of cooperation between the specialized information resources existing in the Canadian academic world. Recognizing the growth of the new information technology which has come about, the Downes Report recommends that Canadian universities and other research libraries should take advantage of developments in data processing and so develop national and international library networks.

To achieve these goals a national clearinghouse for Canadian information resources is an urgent necessity. How it is to be established is a matter which requires the attention of libraries in all parts of Canada.

H. C. Campbell

OUT of the IN box

a sampling of notes from the library world.

Medical School Library Colloquium

The Dalhousie Medical School's official Centennial Celebration takes place on 11th-13th September, 1968.

A Colloquium concerning "The Future of Medical School Libraries" has been arranged for September 10th, 1968, by the W. K. Kellogg Health Sciences Library as part of the Dalhousie Medical School's Centennial theme—The Physician of the Future: his University and his Community". A warm invitation is issued to interested Librarians throughout the Atlantic Region.

Those wishing to attend should inform Miss Doreen Fraser, Health Sciences Librarian as soon as possible but no later than 31st August 1968.

Two other conferences that should be noted are:

September 8 - 11—Conference on Library School Teaching Methods: Selection and Literary Courses to be chaired by Larry Earl Bone, will be held at the University of Illinois, Urbana, Illinois. If interested contact: T. W. Sineath, 111 Illini Hall, University of Illinois, Champaign, Illinois, 61820.

October 212 - 25—Institute on Hospital Librarianship. Sponsored by the Graduate School of Library Science, Drexel Institute of Technology. If interested contact: Graduate School of Library Science, Drexel Institute of Technology, Philadelphia, Pa., 19104.

The Documents Expediting Service of the U.S. Library of Congress has announced that it can no longer procure material for Canadian libraries.

Halifax County Regional Library

Mrs. Bernice M. Bain joined the staff of Halifax County Regional Library as Branches' and Extension Librarian on February 1, 1968. Mrs. Bain, a native of North Bay, Ontario, received her B.A. from Victoria College, University of Toronto in 1964, and her B.L.S. from the University of Toronto Library School in 1965. Prior to coming to Halifax, she was Children's Librarian at Leaside Public Library in Toronto.

Since Mrs. Bain has been with Halifax County Regional Library she has organized a programme of class visits, and story hours, and has produced a puppet show that is to be shown to schools and youth organizations throughout the country.

The National Film Board is planning Film Seminars for Halifax in the early Fall for anyone in the community interested in handling films. Details are available from the National Film Board, 1572 Barrington Street, Halifax.

The National Maritime Museum, Greenwich, England, is compiling the reminiscences of ex-merchant marine personnel. If you know of any ex-tars who would like to join in this project, please contact, John Miller, Dalhousie University Library.

Lake Erie Announces Bursaries

The Board of the Lake Erie Regional Library System is pleased to announce that it makes available bursaries to University graduates proceeding to an accredited Library School in either Canada or the United States. Awards will be $750 in one year, paid in two equal amounts in September and January.

These bursaries are available to Canadians in any province, with the stipulation that the awardee must return to Ontario, preferably to the Lake Erie Region, for one year following graduation from an accredited Library School to work in a library—regional public, university, special, school. The bursary in no way commits the Board of the Lake Erie Regional Library System to provide the awardee with a position nor does it bind the awardee to working for the Board of the Lake Erie Regional Library System. If there is a position available with the Board of the Lake Erie Regional Library System or with the Board of one of the public libraries within the Lake Erie Region, the Board of the Lake Erie Regional Library System would expect to have first call on the awardee's services. Otherwise the awardee shall be free to obtain employment elsewhere in Ontario preferably in the Lake Erie Region.

The bursary may be renewed for one year if academic standards are maintained enabling holders to obtain a two-year MLS degree. An average of 65% must be attained in undergraduate work before an award is made. Candidates must be accepted by an accredited Library School before an Award is made.

For further information write to the Assitant Director, Lake Erie Regional Library System, 305 Queens Avenue, London, Ontario, or telephone 439-8841.

News Flash

Association of Research Libraries. Committee on the Availability of Resources. Simplified payments Subcommittee has met with representatives of the Diners Club to explore the possibility of having payments of Interlibrary Loan charges billed through the Diner's Club. Librarians with foresight should pick up an application for the Diner's Club at the nearest bar.

Letters to the Editor

Dear Sir:

Of all predictions of the world of tomorrow, whether factual or fictional, I think the "Reference Tools of the Future" as described by Richard Krzys in your December, 1967 issue are surely the most horrible.

Mr. Krzys' redefining the term encyclopedia as "a systematic summary of all of mankind's significant information and sensory impressions" is about as ludicrous a suggestion as has been made through any of the multi-media.

He states that the "encyclopedia user. . . could experience the suspense of Sandy Koufax pitching a no-hit ball game instead of just reading about them." I would like to know how this experience will be recorded. Surely the suspense lies in not knowing whether Koufax is really going to pitch a no-hitter. Of course, Mr. Krzys may be suggesting that Koufax stand around the Reference Desk and on demand try to pitch a no-hitter. But Koufax makes slightly more than the average reference librarian and I understand that his arm is shot any way.

I presume that the proposed encyclopedia will, in the article dealing with the "Beautiful Blue Danube", have a bottle of Beautiful Blue Danube water. Of course, the Danube is blue only when the viewer is in love, therefore we need two bottles of Danube water – one brown which the love-smitten will see as blue and one blue which the non-affected will see as blue. The reference librarian will have to be trained to distinguish the type of patron being served.

Mr. Krzys is correct in his implication that any encyclopedia fails to convey certain sensory impressions, but is this the fault of the encyclopedia or of the language or of the author?

However, I intend to subscribe to the proposed encyclopedia at least until the publication of the volume on currency. When I come to the sentence which reads "The largest currency unit is the U. S. $100,000.00 bill (see sample attached)" I just don't know what I'll do.

J. F. Miller,
Halifax, Nova Scotia

POSITIONS

HALIFAX COUNTY

MUNICIPAL SCHOOL BOARD

Applications will be received by the undersignd for the position of School Librarian with the above Board commencing 1968/69 school term.

Applicants are to state qualifications, references, experience, etc.

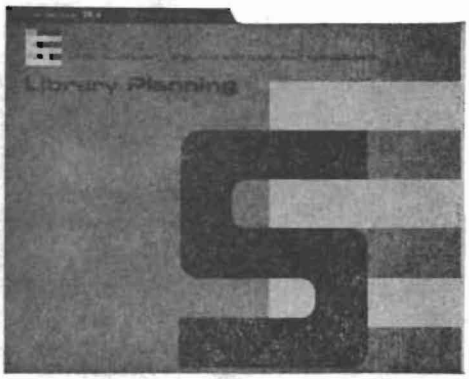
Salary commensurate with the Nova Scotia Foundation scale.

C. P. J. Briggs, Secretary

Municipal School Board
P. O. Box 90,
Armdale, N. S.

if you're planning a library

read a little, first.



There's practical help inside this brochure . . . practical help to guide you through the complex task of planning, directing or supervising a library.

You must cope with storage of and access to an extensive and continually expanding collection of books, documents and periodicals.

That calls for such careful organization and flexibility of space that we maintain a Library Consultancy Service to give assistance. You'll learn more about this and other vital considerations if you read the contents in our Library Planning brochure. You can get it and any other information from: Mr. J. Mundell, Steel Equipment Division of Eddy Match Company Ltd., 6096 Coburg Rd., Halifax, or call or write one of our sales offices listed below.

Multi-tier bookstacks and mezzanine cellular decking installed in September, 1964 at University of Victoria, B.C. Mr. Dean W. Halliwell, Chief Librarian. R. W. Siddall Associates, Victoria, B.C., Architect

STEEL EQUIPMENT
a division of Eddy Match Company, Limited
819 Yonge St. Toronto 5. (416) 927-4584
615 Dorchester West, Montreal 2. (514) 866-2017
Box 250 Pembroke, Ont. (613) 732-9955