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## Use of the Elizabeth Moys Classification Scheme for Legal Materials in the Caribbean

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### ABSTRACT

This chapter will give an historical background and account of the use of the Elizabeth Moys Classification Scheme in law libraries in the Caribbean. A questionnaire was administered to librarians and library staff of law libraries. Twenty-four questionnaire responses were received from participants. One of the results of the study is the suggestion that a separate number should be assigned for the entire Caribbean in the *Moys* Classification scheme because of the problems being encountered by librarians in assigning numbers.

### CLASSIFICATION PROCESS

Library classification can be defined as the process of organizing library materials according to their subject using a system of coding. Books and other library materials are examined to determine the nature of their content and are classified according to the type of information they contain. The analysis of the materials being classified may reveal a number of differing concepts in a single document. This could pose a challenge to the person classifying the item. The type of library and the needs of the intended users would be among the determining factors in the location of the particular library material. In recent times, the classification process has been influenced by the fact that most of the information available for retrieval by the user could also be obtained electronically. Nevertheless, the library classification question still remains whether or not access to the materials made available by the library supports the optimum use of its resources within and beyond its walls.

## CLASSIFICATION OF LEGAL MATERIALS

The task of designing a classification scheme for legal materials could be rather complicated. First of all, the fact that most national legal systems fall into two categories, namely common law systems and civil law systems, would have to be recognized. The common law system, which is the focus of this paper, is derived from the English common law that has as its foundation judicial decisions. Countries falling within the common law system are referred to as common law jurisdictions. The English-speaking countries in the Caribbean are among the jurisdictions in the common law system, which also includes the U.K., U.S., Canada, Australia, and New Zealand. Second, jurisdiction having been established, there must then be a differentiation between what is referred to as primary and secondary material in the subject of law. A simple definition of primary materials is that it refers to works of law. *Laws of Antigua and Barbuda* is an example of primary materials. Secondary materials are works about the law. *Commonwealth Caribbean Property Law* by Gilbert Kodilinye falls in the category of secondary materials. Works about the law can be further subdivided into public law and private law. The challenge for the designer of the classification scheme is the manner in which primary and secondary materials are dealt with in the scheme.

## ELIZABETH MOYS AND THE DEVELOPMENT OF THE MOYS SCHEME

For many years after classification schemes were being routinely used to organize most subject areas, numerous law libraries continued to exist without the use of class numbers. Elizabeth Moys, a British librarian, took up the challenge of devising a legal classification scheme when confronted with the need for such a scheme while working in Ghana and, later, in Nigeria between 1959 and 1965. When the publication *A Classification Scheme for Law Books* (Moys) emerged in 1968, it was the first of four editions. At that time, the other available schemes for the classification of legal materials included Dewey Decimal Classification, Universal Decimal Classification, and Bliss Bibliographic Classification. There were also a number of in-house schemes tailored to meet the specific needs of the libraries for which they were designed. In 1968, the development of the Library of Congress Classification scheme's Class K for legal materials had barely begun and it is widely believed that the impetus for the Moys scheme was the need to fill the void in the absence of Class K. In a revised version of an earlier tribute to Elizabeth Moys published by the American Association of Law Libraries in the Association's *Law Library Journal*, it was stated that the classification scheme originated as a Library Association Fellowship thesis, which was then published.

She attained her fellowship in 1965 and soon found a publisher. It was quickly adopted and is now used by about two hundred law libraries from all sectors—law firms, court, and academic—principally in Australia, New Zealand, Canada, and the U.K. The enthusiasm with which the scheme was taken up is witness to both the need for it and its excellence.<sup>1</sup>

The law libraries of the English-speaking Caribbean can be added to this grouping. The ready acceptance of *A Classification Scheme for Law Books* was a fitting tribute to the efforts of Elizabeth Moys who was one of those larger-than-life-figures in the field of law librarianship.

## INTRODUCTION OF MOYS TO THE CARIBBEAN

During the 1960s and the 1970s, some of the region's court libraries were starting to emerge from locked cabinets and unsupervised rooms. This trend was noticeable among some of the libraries attached to the Supreme Courts and the Courts of Appeal. The courts were starting to introduce trained staff in their libraries at that time. One of these libraries, the Supreme Court Law Library in Jamaica, was one of the first law libraries in the English-speaking Caribbean to use *A Classification Scheme for Law Books*. The Supreme Court librarian started using the first scheme in 1969. More than a decade would elapse before some of the other court libraries followed.

While as early as 1960, the then librarian of the Supreme Court Library in Trinidad and Tobago had started laying the ground work for the growth of that library, the Moys Classification was only introduced in the early 1980s. By 2006, with the benefit of better accommodation in the Hall of Justice and greater access to appropriate technology, this law library has blossomed into one of the leading court libraries in the region. The staff of this library presently has responsibility for more than 100,000 volumes. The results of some of this law library's work are available at the Supreme Court of Trinidad and Tobago Web site.<sup>2</sup> Some of the region's attorney general libraries followed a similar pattern with the Attorney General Law Library in Barbados starting to use the first edition of *A Classification Scheme for Law Books* in 1977.

With the advent of a regional legal education programme in the Caribbean, the faculty of law in Barbados came into being as part of The University of the West Indies (UWI). The Faculty of Law Library became the first academic law library in the region in 1970. The law library's first cataloguer, an Australian law librarian with exposure to Moys, recommended this classification scheme as being ideal for use in the law library because of its commonwealth background. In 1973, the Moys scheme was introduced to the libraries of the then newly established law schools of the Council of Legal Education—the Norman Manley Law School in Jamaica and the Hugh Wooding Law School in Trinidad and Tobago. On the other end of the time spectrum, the Eugene Dupuch Law School Library and The College of The

Bahamas (COB) Law Library, both in Nassau, Bahamas, also chose to use the *Moys* scheme when they were established almost 30 years after their peers.

As seen in the following outlined instances, while the decision may be taken by main libraries with departmental legal collections to opt for uniform classification, some have been persuaded otherwise, by reasons provided for using the *Moys* scheme in the Introduction of the fourth edition.

It is not intended for any particular type of library, either for students, academic lawyers or practicing lawyers. It is designed however, to be suitable either for a specialist law library or the law section of a general library which is using either the Library of Congress Classification or the Dewey Decimal Classification for the rest of its books.<sup>3</sup>

The Library of Congress Class K for legal materials was the COB Law Library's first choice for a classification scheme in October 2000. This was an automatic choice since the Library of Congress was already being used by the main library of the COB. However, by July 2001, a switch was made to the *Moys* scheme, which proved to be more amenable to the needs of the COB Law Library. The University of Guyana, which opened its doors in 1963, also has a division of law in the university library where the law collection is located. Unlike the rest of the university library's collection, the division of law uses the *Moys* classification scheme. This legal collection was first developed to meet the needs of the university's first year bachelor of laws (LLB) students. Similar arrangements for LLB students exist at the campus libraries of the St. Augustine campus and Mona campus of the UWI; however, both of these collections are classified according to the Library of Congress Classification Scheme's Class K in keeping with a uniform approach to classification.

The spread of the use of *Moys* among some of the other types of law libraries in the region, making it the most commonly used legal classification scheme, is attributed to some degree to the fact that the more established law libraries were already using *Moys*. However, it must also be noted that the introduction of the use of *Moys* among some of the less developed law libraries was a by-product of the initiatives of several international donor agencies supporting the improvement of justice in the region. The U.S. Agency for International Development (USAID) operating out of the U.S. and the Canadian International Development Agency (CIDA), a Canadian agency, were two of the major donors with a history of supporting access to legal information in the region. In many instances, senior Caribbean law librarians were funded by these donor agencies to use their expertise in a consultative capacity to provide reports with recommendations for the improvement of the status of the less developed law libraries in the region. In recommending the use of *Moys* and, in some instances, introducing the

scheme, these librarians ensured that the first steps were taken to organize these collections according to international standards.

One such initiative dating back to the late 1980s and the 1990s was the USAID Caribbean Justice Improvement Project, USAID/CJIP. Regrettably, in some instances, very little capital has been made from these earlier gains. On a positive note, countries like Montserrat and Grenada that have suffered as a result of natural disasters are now benefiting from generous donations of law library materials, which are being classified using the fourth edition of *Moys*.

### ROLE OF CARALL

Another important factor in the use of *Moys* in the region is the impact and influence of the Caribbean Association of Law Libraries (CARALL), which was inaugurated in 1984. From its inception, the CARALL meetings have provided the opportunity for persons responsible for the region's law libraries to exchange ideas, relate experiences, and share knowledge. During these gatherings, the staff of libraries without the benefit of classification schemes could seek advice from the librarians in the more established libraries and, invariably, they would be introduced to the *Moys* scheme. Among the libraries in this category are the law firm libraries that are increasing in number in the region. During the last CARALL annual conference held in July 2005, five law firm libraries were represented. CARALL has provided training on the use of *Moys*, the most notable being the workshop held at its 2004 annual conference in The Bahamas. It is also quite common for members to request information on the class number of a particular title on CARALL-Talk, the online user group created by the current CARALL president. Although the first online training session on the use of *Moys* had to be aborted because of a time conflict, CARALL has future plans for online discussions on issues concerning the use of *Moys*. The annual conference of CARALL was, therefore, seen as the ideal platform to launch a questionnaire on the use of *Moys*.

### QUESTIONNAIRE: THE USE OF THE *MOYS* SCHEME IN THE CARIBBEAN

To further determine the usage of the *Moys* scheme in the Caribbean, an open-ended questionnaire (see Appendix A at the end of this chapter) was designed for the purpose of this chapter and distributed at the CARALL annual conference held in Barbados in July 2005 to representatives of each law library in attendance. Eighteen completed questionnaires were received from the 29 law libraries represented at the July 2005 conference and general meeting. Several responses were received at a later date bringing the total number of responses to 24. Academic libraries, attorney general libraries, court libraries, and law firm libraries were well represented in the responses

received. However, it would be safe to say that there was participation from each type of library listed on the questionnaire. The representatives from the five libraries that had not taken part in the questionnaire had no familiarity with the *Moys* classification scheme.

### INTERPRETATION OF DATA AND ANALYSIS

It was clear from the responses to the questionnaire that the length of time the library used the *Moys* classification scheme was one of the major indicators of the level of comfort with the use of the scheme. Law libraries with a long history of using *Moys* tended to have staff with a good working knowledge of the scheme. These law libraries were usually staffed by experienced librarians seeking to attain and maintain international standards for collection management. The librarians had little difficulty in manipulating the scheme. This was particularly true of the academic law libraries, the more established court libraries, and a few government libraries in the region. Some of the law libraries without the benefit of professional staff indicated varying degrees of difficulty using the tables (see Appendix B at the end of this chapter for the *Moys Schedule*).

All the law libraries that adopted *Moys* from the first edition still had evidence of material classified from all four editions of *Moys* on their shelves. Because of staffing constraints, comprehensive reclassification was not always possible and the rule of thumb in some cases was that items would be reclassified in instances where the logical arrangement of the collection would be negatively impacted. Therefore, some libraries, which started with the first edition of the *Moys* classification scheme published in 1968, classified new items when the second and third editions appeared in 1982 and 1992, respectively. Others ignored the second edition and embraced the third and, therefore, collections reflecting the first and third editions resulted. When the fourth edition came along in 2001, it reflected the growth in legal terminology influenced by the new civil procedure rules in England and the impact of information technology among other factors. The law libraries in the Caribbean were already experiencing great difficulty with the classification of materials from these new areas and, therefore, they welcomed the appearance of the latest edition of the *Moys* classification scheme.

From the responses to the major points raised in the questionnaire dealing with the treatment of Caribbean materials by the *Moys* scheme, it became clear that libraries were experiencing difficulties in classifying the increasing body of legal material in the region, in general, and at the national level, in particular. Various means were used to deal with the problem. The COB Law Library used KP for legal materials, which were Bahamian in origin, and KG for Caribbean materials. The Supreme Court Library in Jamaica also used KP but for Caribbean legal materials. The Faculty of Law Library in Barbados, Trinidad and Tobago Supreme Court Library, the Hugh Wooding Law Library in Trinidad and Tobago, and a few other libraries resorted to using KJ for legal

material from the region. KJ and KP were classes that were set aside in the *Moys* scheme for expansion. KP, in particular, was referred to by Elizabeth Moys in the introduction to the fourth edition as having been "set aside for use, as desired, for any preferred jurisdiction, or group of jurisdictions."<sup>4</sup>

Some libraries ignored the fact that an item was published in the Caribbean and opted to classify legal publication from and about the region only by the subject. Others sought to operate within the narrow confines of the numbers allocated by *Moys* for the region, for example, attempting to find a place for the growing volume of materials on the Caribbean Community (CARICOM) using KC770. For the most part, the suggested expansion for the Caribbean legal materials was largely ignored. Some librarians found the use of the tables too difficult, perhaps not having grasped the principle behind them. Others found it inadequate, hence the adoption of classes such as KJ and KP.

The Norman Manley Law School and the COB Law Library were among the law libraries responding to the questionnaire indicating use of KG, which *Moys* specifically assigned to the Caribbean legal materials.

### SUGGESTIONS FOR IMPROVING COVERAGE OF CARIBBEAN LEGAL MATERIALS: FUTURE OF MOYS IN THE CARIBBEAN

Without any doubt, it is evident that the scheme has been largely adopted by Caribbean law libraries, and the future will depend on a better understanding of the scheme by librarians and library staff, in general. The following suggestions are being made for the growth of the scheme and better understanding of its users in the region:

1. Involvement of a Caribbean law libraries representative on the editorial board of the *Moys* Classification and Thesaurus for Legal Materials. The editorial board is responsible for updating the scheme and is currently comprised of librarians from the U.K., Canada, and Australia. The visible presence of such a person will address the inclusion of the latest developments in the Caribbean region. For example, with the recent inception of the Caribbean Court of Justice, it will be necessary to include persons from this organisation in developing the scheme. KC 770 is no longer sufficient to address the publications emanating from the region for such an institution. It will be necessary to consider assigning an entire class for the Caribbean as it was done for the European Community. The tables are insufficient to accommodate materials and publications from institutions such as the Caribbean Court of Justice. Some librarians have suggested borrowing and customizing KW for this purpose, but from practical experience this is somehow impossible for a library that has materials from the European community.

2. It will be necessary for CARALL as a professional body to continue to organize training sessions at its annual meetings to educate librarians on how to use the scheme, similar to training sessions offered at the 2004 conference.
3. The Department of Library and Information Studies (DLIS) at The UWI, Mona Campus, Jamaica should also introduce the teaching of legal classification using the *Moys* scheme in its master's in library and information studies (MLIS) curriculum. This will create an initial understanding of the scheme amongst professionals.

### CONCLUSION

The *Moys* classification scheme, which changed its title to *Moys Classification and Thesaurus for Legal Materials* by the third edition, is still the most useful classification scheme for law libraries in the Caribbean. *Moys* is not a perfect scheme. Some of its users in the U.K. and Canada have opted to use other schemes for various reasons. Such a move is not foreseen in the Caribbean, at least, not while there is continued support for the future of *Moys* by the editorial board. It augurs well for the future of this classification scheme that new libraries like the University of Adelaide Law Library and the emerging Caribbean law libraries are choosing to use *Moys*.

### ENDNOTES

1. Barbara Tearle, "Memorial: Elizabeth Mary Moys (1928–2002)," *Law Library Journal* 94.3: 549.
2. Library of the Supreme Court of Trinidad and Tobago, [www.ttlawcourts.org/lib\\_collection.htm](http://www.ttlawcourts.org/lib_collection.htm).
3. Elizabeth M. Moys, *Moys Classification and Thesaurus for Legal Materials*. 4th ed. (Munich: Bowker Saur, 2001) xxv.
4. Moys, xxviii.

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### APPENDIX A

#### QUESTIONNAIRE ON THE USE OF THE MOYS CLASSIFICATION SCHEME IN THE CARIBBEAN

1. Name of Library/Information Unit \_\_\_\_\_
2. Type of library
 

a. Academic	( )
b. Court	( )
c. Government department	( )
d. Attorney-General's Office	( )
e. Chief State Solicitor	( )
f. DPP	( )
g. Law firm	( )
h. Commission (type)	( )
i. Other (provide details)	( )
3. How long has your library been using the *Moys* Classification Scheme? \_\_\_\_\_
4. What edition of the *Moys* Classification Scheme is your library using?
 

1st ed.	( )
2nd ed.	( )
3rd ed.	( )
4th ed.	( )
5. If a combination of more than one edition of the *Moys* Classification Scheme is being used by your library please indicate and state why. \_\_\_\_\_
6. If an earlier edition is being used please state why.  
*e.g. Do not have the staff/time to change to the latest edition.* \_\_\_\_\_
7. Does your collection currently consist of classification numbers from more than one edition of *Moys*? \_\_\_\_\_
8. How did you find the use of the tables?
 

Easy	( )
Difficult	( )
9. What are the difficulties you have encountered while using the *Moys* Classification Scheme?
 

a. Assigning numbers for primary materials	( )
b. Assigning numbers for secondary materials	( )
c. Use of Table I	( )

- d. Use of Table II ( )  
 e. Use of Table III ( )  
 f. Use of Table IV ( )  
 g. Use of Table V ( )  
 h. Use of Table VI ( )  
 i. Use of Table VII ( )  
 j. Use of Table VIII ( )  
 k. Use of appendices ( )
10. Would you support the tailoring of KG to meet the widest possible needs of the Caribbean region?  
 a. Yes ( )  
 b. No ( )
11. Would you like see a separate class for the Caribbean Region?  
 a. Yes ( )  
 b. No ( )

## APPENDIX B

### MOYS SCHEDULE

(Extracted from *Moys Classification and Thesaurus for Legal Materials* by Elizabeth M. Moys. *Moys Classification and Thesaurus for Legal Materials*. 4th ed. Munchen: Bowker Saur, 2001)

K	Journals and Reference Books
KA	Jurisprudence
KB	General and Comparative Law
KC	International Law
KD	Religious Legal System
KE	Ancient and Medieval Law
KF	Common law, primary materials, British Isles
KG	Common law, primary materials, America
KH	Common law, primary materials, Australasia
KL	Common law, primary materials, general
KM	Common law, primary materials, public law
KN	Common law, primary materials, private law
KP	Preferred jurisdiction
KR	Africa
KS	Latin America
KT	Asia and Pacific
KV	Europe
KW	European Community Law
KZ	Non-legal subjects

Appendix 1	Criminology
Appendix 2	Civil Procedure Rules terminology

#### Tables

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Table IV	Common law jurisdiction
Table V	Courts
Table VI	Special legal forms and topics
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Table VIII	Non-legal forms and treatments