

ACADEMIC AND

NON - FICTION

AUTHORS'

ASSOCIATION OF

SOUTH AFRICA

ANFASA
Dedicated to empowering authors

IZINDABA ZABHALI

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FROM THE EDITOR

At the ANFASA AGM held in Bloemfontein on 29 March 2008 a very interesting and important controversy reared its head: the extent to which black academic authors are marginalised at South African tertiary institutions. It was impossible, of course, to round up the debate in the time available, and we were only able to move on when we promised the members present to host a seminar on the subject later in the year.

Afterwards, the editorial team of this newsletter also decided to make racism in the academic sphere the theme of this issue, but unfortunately we were unable to assemble any of the articles in time. Then, in the *Mail & Guardian*, we read a letter by one of our members which dared to open the subject, and it is reproduced here, unedited. In THE STRUGGLE OF CRITICAL SCHOLARSHIP Pearl Sithole has some punchy things to say about what gets published in universities. We hope it will elicit a barrage of responses.

Nhlanhla Maake, the keynote speaker at the AGM, bemoaned South African authors' passivity, their reluctance to stand up and be counted. Professor Maake feels passionately that authors should recognise the central role they play in the life of a society, for if they do not recognise it themselves, who will? His piece THE ROLE OF THE WRITER: GIVING BIRTH TO ORPHANS AND BUILDING SHIPS WITHOUT SAILORS also makes the point that writers make a valuable contribution to the economy. We hope that this article, too, will prompt responses from the ANFASA members.

Lee-Ann Tong, who lectures in the Faculty of Law at the University of Cape Town, has undertaken to produce a regular 'copyright tips' column for the newsletter. The first, UPDATE ON TWO INTELLECTUAL PROPERTY-RELATED BILLS, is about two new pieces of legislation. One may have negatively affected academic authors' rights, had ANFASA not intervened. The other is potentially of great benefit to heritage and creativity, although perhaps not in its present form.

Finally, in ANFASA AT THE CAPE TOWN BOOK FAIR 2008, we provide a brief report on ANFASA's presence at the Cape Town Book Fair 2008, and take the opportunity to remind members that ANFASA Grant Scheme for Authors (AGSA) applications are now open for 2008.

This newsletter depends on its readers as much as on its contributors and editors. Please engage with us by expressing your views on the topics raised here. Your letters, short or long, will appear in the newsletter and thus we will stimulate debates. Please also send in articles and opinion pieces that might be of interest, for inclusion in future issues.

Most of us know the bland insincere voice that tells us, when we're hanging onto the phone and impatiently drumming our fingers on the desk, "your call is important to us". When, however, we say "your feedback is important to us" we really mean it, so please take the trouble to let us know what you think of the newsletter. Send your comments to the editor at monica@monicaseeber.com.

THE STRUGGLE OF CRITICAL SCHOLARSHIP

by Pearl Sithole



Pearl Sithole is a Senior Research Specialist at the HSRC. She writes in her personal capacity.

Academic transformation in South Africa has focused largely on demographic redress and in ensuring access to higher education of people of all racial backgrounds. Looking at these aspects of equity has ensured practical redress towards higher education. What has been ignored however is an examination of the extent to which knowledge production is being transformed. Indeed, there is a need to examine what 'critical scholarship' is, from within the academic field itself. This refers specifically to publication outputs by people of all demographic backgrounds. For me, intellectual liberation is the key to real liberation in South Africa. For as long as there is a separation between people who promote what they see as exclusively 'Western knowledge' and veto the input of others that continue to be merely consumers of that knowledge, academic transformation has not happened sufficiently. There is a need to look at who writes for publication, who the 'peer' reviewers are, and what systems ensure the sifting of scholarship. I contend that not only is the knowledge production field trapped in the vanguard of a certain generation of peers who do not allow for diversification of discourses, but it is also trapped in global apartheid of systems

that ensure that Africa applies theories and models of analysis from elsewhere.

In the *Mail & Guardian* of 11-17 April 2008, Prof Saleem Badat offered some useful ways to revamp declining critical scholarship in South Africa, proposing that the ruling party needs to show "openness to such scholarship and debate". His suggestions that the National Research Foundation, the Human Sciences Research Council and the SABC could be more socially relevant and critical are 'spot on', to say the least. However, the issue of the national system of innovation and the general bias towards the natural sciences in South Africa needs more articulation because it involves the hierarchical establishment of knowledge production that goes beyond South Africa. I am not about to justify the uncritical status of scholarship at the moment, but I do want to suggest that we are at the bottom of a hegemony that extends far beyond South African academe. The rating system as championed by the NRF, focusing on academics, simply confirms that people of a certain gender and race are more intellectually able than others.

Ratings aside, try to explain the rarity of an African female in academic knowledge production, for example. Why is this 'species' so scarce in this field? I think Prof Badat's statement on white scholars is more telling than he intended it to be: "White scholars, who continue to predominate at universities, are often fearful of publicly articulating critical views for fear of being labeled racist or reactionary". Apart from the fact that this statement may presuppose that what would be articulated by these scholars would be perceived as against certain groups, that Whites still predominate, especially in knowledge production, is a problem. In fact, I would argue that the 'quiet influence' they have through being the main producers of knowledge ensures them a monopoly of ideological influences. There is a need for research on the peer reviewing system in the social sciences. Qualitative research also needs to be done on experiences of the publishing process by people of varied generations, demographic, and gender background. But even more urgent is the need to analyze discourse battles in peer reviewing.

Instead of prescribing mentoring-for-publication as the only solution, there is a need to disband the subtle grasp of the discourse wagon by only a few in the name of 'peer-reviewing'. Not all of those who are not publishing are not good writers, but some writing on Indigenous Knowledge Systems (IKS), *ubuntu*, and protest discourses is sifted by the dominant peer reviewers.

It is important to challenge lack of debate about discourses that dominate knowledge production, especially in social science. The NRF, the HSRC and the whole system of Higher Education continue to subscribe to an international ideological censoring machine where academic excellence is only defined by publishing in specific journals that are dominated by White males mostly from Europe and America. Our own institutions and systems have no faith in us - worse than 'no faith', our systems condemn us to be clients and consumers of specific ideologies by subjecting us to the patronage of Europe and America. In our system of knowledge production, books are not even recognized as a measure of excellence, even if peer-reviewed – all because we need peers trusted by Western journals to deem us excellent. This has had extremely damaging effects if you think about development concepts and political models from elsewhere – and of no significant relevance to our situation - that we have adopted. The public spaces that Prof Badat refers to are also penetrated by those who have subscribed to the ideologies of the 'censoring crew' and this explains why Black women are absent both in academic publishing and in media spaces of critical debate. The only other alternative explanation is that they are lazy, and I must be forgiven for doubting this. In any case, research will tell us more on that subject. But there is a need to redefine critical scholarship to recognize all people's contribution to the academic or scientific field where peer reviewing is not censoring.

THE ROLE OF THE WRITER: GIVING BIRTH TO ORPHANS AND BUILDING SHIPS WITHOUT SAILORS

By Professor Nhlanhla Maake,
academic, author and ANFASA
member

I would like to take you along my thoughts as I consider the role and place of the writer in the South African body politic and economic hub, and the contribution which writers can make to it. I would also like to consider the tragedy of our silence in the intellectual discourse where the rights and the status of writers are undermined.

Today, South Africa's news headlines forecast an imminent economic recession. Rates are going up, electricity is in short supply, the prices of fuel and other forms of energy are increasing at an alarming rate. Unemployment is an ongoing threat and the Departments of Labour and Trade and Industry seem to be facing a daunting battle to reduce it. Immigration from neighbouring countries, especially Zimbabwe, is becoming nightmarish, and 'xenophobia' is increasing commensurately with legal and illegal immigrants, who face the ire of the South African working class.

The employed are so dogged by the trials of making ends meet that they cannot save. The Reserve Bank and economists reiterate that South Africans are not a saving nation and inform us that ideally one should be saving at least fifteen per cent of one's income, a figure which recedes at such a pace that there is no hope of anyone ever catching up with it.

The South African currency is falling steadily and surely. Our imports exceed our exports and besides the minerals which we have been selling as raw material to the West and buying at more than double the price when it they have been commodified, little is manufactured at home. What is it that South Africa can export to make our currency worthwhile?

It seems that cultural heritage is one of the very few commodities which this country can sell at a

competitive price. *The Star* of 28 March announced that during January 869 248 tourists came to South Africa, a 5.5% increase over the same month in 2007. Among the commodities which we can profitably sell to the world, culture seems paramount, and amongst the elements of our cultural heritage literature seems high on the list. And this brings me to the point of writing and the writer.

In the economic scenario described above, organisations need to stand up for the rights of those who sell their labour to capital. Professionals also have bodies which protect their rights against any real or perceived infringement by government or civil society. Farm and factory workers have unions. Domestic workers, although not structurally organised, have the benefit of protection, with a minimum wage which has been set by government. Even school learners have organised structures. University students have by tradition been represented by student representative councils, which have seats in the senates and councils of universities. We have seen how assertive this group has been where serious questions of morality become a matter of public discourse.

On the cultural front actors, choreographers and dancers have agents and organisations to attend to their interests. But where does the writer stand in relation to other cultural producers and economically active members of society? We seem to take for granted, or underrate, the role we play in the economic output of the country. Without citing any empirical study on the effect of books written by South African authors, I would like to hazard a guess that we contribute significantly. We are cultural creators who forge an image of South Africa and hold it up to the world. South African stories are a rich tapestry which could make the world look at us with respect, perhaps more so than our ailing national football team. We have the potential to make an even better mark on this landscape. Writers are the custodians, monuments, museums and collective memories of our heritage, and what will pass to posterity.

One of the most touching and emotive scenes in Nelson Mandela's autobiography, *A Long Walk*

to *Freedom*, is when a plane he was travelling on lands in Greenland to refuel. He took a walk along a fence which bordered the fuelling station and Eskimo children appeared on the other side of the fence. On seeing his face they immediately shouted: "Nelson Mandela!" For me, this scene shows first how his image and narrative have travelled all over the world, even to the most obscure corners, because of writers' craft, and second how the scene travelled back to us through the act of writing. In short, political engagement in itself would have far less gravity without flying on the wings of *écriture*. Recently, I reviewed a new work on Napoleon Bonaparte for the *Sunday Independent*. It struck me that the rise of Napoleon to one of the greatest European generals was not due only to his prowess in battle, as there were far better army commanders than he. It was also, and most importantly, his writings and the writings of others who glorified him and embellished his victories so that he emerged head above shoulders over them. I quote from the review:

It is in the battle field that Napoleon proves himself to be a genius at military organisation, tactics and strategy, but over and above this it is his ingenious ways of manipulating the press which set him a cut above other generals and built the stepping stones for his redemption of the chaotic France and printing the republic large on the eighteenth century map of Western Europe. While on military campaign he sent mythical reports of his adventures and conquests, exaggerating his victories and obfuscating facts about his defeats. His own newspaper, which he had established before joining the army, fed the propaganda by fetishising him and playing down the plunder, extortion and havoc which he wreaked upon conquered Italian states. Napoleon looted historical cultural artifacts and carted them to Paris on a large scale as part of the treaties he signed with defeated states.

Artists colluded by contributing to building the myth of the invincible Bonaparte and "poets and song writers, if they were not directly employed to

compose odes to the conqueror of Italy, spontaneously joined the myth-making process, as though they instinctively recognized a subject of heroic proportion" (*Sunday Independent*, 27/01/2008:17).

Many revolutions might have remained obscure had it not been for those who did not storm the Bastille but stood aside to record the event – if I may borrow a cliché. Many world heroes would have been lost without wordsmiths who carved their heroic achievements on the wall of history for posterity. Writers are supreme among cultural, historical and intellectual activists, whether or not their writing is politically engaged. Writers speak to the world and are at the beck and call of a child in Alaska, or in Paraguay. They enrich the human experience – while at the same time contributing to the economy of their country.

As soon as research has been undertaken and the discourse reduced to a completed work, writers set in motion a whole chain of economic activities. Proofreaders, typesetters, ink makers, papermakers, printers, illustrators, book binders, book restorers, contract attorneys or intellectual property experts, booksellers, marketers, book distributors, freight transporters, librarians, cleaners, nursery and school teachers, critics, lecturers, intellectuals and book reviewers get employment. Without writers most of those engaged in these professions would have less work – or none at all. Let's not underestimate writers' contribution to job creation, not to mention the unquantifiable contribution in terms of knowledge and the betterment of society. It is almost impossible to imagine a world without writers.

Then why, if writers are such important persons, almost a *sine qua non* of culture and the economy, do they have such low self-esteem? Perhaps one of the reasons is that the media has no respectable place for them, a species of professional far less important than a football player who misses a goal in a losing team. Even when a writer receives one of the most prestigious awards, the Nobel Prize for Literature, he or she is not worth the front page as far as the public media is concerned. Africa has three literature Nobel Laureates, Wole

Soyinka, Nadine Gordimer and J M Coetzee, who never made it to the front page of the broadsheet newspapers in South Africa, let alone the tabloids. If my memory serves me well it was only *The Citizen* which put the story on the front page. Nor was a single complete radio or TV programme dedicated to the event.

If the media have cast us to the shadows, is that a reason for us to emulate them and do the same disservice to ourselves? Why is it that we take our labour so lightly and are content with trudging along as individuals without an organisation to act vigorously for us? Don't we deserve a sacrosanct space in the echelons of cultural production? About a year or so ago, we witnessed how Mzwakhe Mbuli, the 'Poet of the People', organised a group of musicians to take to the street and accost copyright infringers. Some of us may nonchalantly disapprove of his methods but at least he is passionate about the work of his fellow artists and committed to their intellectual property rights.

Writers are not only midwives but also bearers of their works. We are tellers of stories and creators of knowledge. Can we write a story where a human being gives birth to children and leaves it to chance? Can we write a story where a ship builder builds a ship and leaves it on the bank of a river, or the sea shore, without seeing it sail, to reach its destination safely and fulfil the purpose for which it was built; to see it carry passengers and cargo to foreign lands, far and near, so that the artistic and the functional can come together in harmony to serve humanity? Such a story may call for suspension of belief, or may be forged with such twists of plot that one has to sigh at the end of reading it. But it would leave the reader with the feeling: Why didn't this happen or why didn't that happen? Then that will call for another story, and another, and another, until some consciousness is raised with regard to the unfairness of the world, or those who give birth to children and leave them to the wild world of globalisation without providing for them.

Such neglect is dereliction of our duty as writers, for we have allowed ourselves to be defined by the world, to do with our works as capital wishes, together with some custodians of

edifices of knowledge and higher learning. If we do not come together and assert the place of our works and our rights within the economy and body politic of intellectual discourse, we shall forever remain on the periphery, and no one will take us seriously. Instead, when it comes to our rights, some will coax us out of our complacent corners and ask us to play a pathetic role at a table of discourse where we will be figuratively made to drink a concoction laced with urine.

We should be part of a transforming society, and transformation of the view, perspective and respect – or lack of it – towards writers should be an essential part of this agenda. The discourse of nation-building will have no solid foundation if it does not take writers and writing as its starting point, for no knowledge can be derived from sources the nation does not respect.

I would like to conclude by asserting that writers are not only producers of cultural artifacts which reflect our historical and cultural heritage and holds it up to the world – our languages, peoples, landscape, hopes, fears, ambitions, frustrations, the best and the worst, as a mirror to the world, but they are also economic activists, the centre and vortex point in which a myriad of economic enterprises converge, no less than for a film-maker, sculptor, dancer, dramatist, even an architect, bricklayer or farmer. It is thus that writers deserve an honorable place in our cultural and economic spheres. However, if writers do not assert themselves, that space will remain a vacuum never to be filled. Respect for writers will never come on its own, much as the achievements of many human rights in South Africa never came on their own. I wish to see a future in which South Africa will abound with full-time writers, who will double and triple writing as our export; where intellectual property rights will be on the same footing with corporeal property rights, and will not be taken for granted. I throw down the gauntlet and I dare you pick it up.



After the AGM, Prof Maake relaxed with friends and fellow ANFASA members. From left: Sandile Ngidi, Sihawu Ngubane, Lewis Nkosi, Nhlanhla Maake.

UPDATE ON TWO INTELLECTUAL PROPERTY-RELATED BILLS

One of the functions of ANFASA has been to keep a watchful eye on government policies that affect authors and to intercede on authors' behalf when necessary. Two Bills affecting Intellectual Property law, both with copyright law ramifications, feature on government's agenda this year.

The first, a Department of Science and Technology initiative, the *Intellectual Property Rights from Publicly Financed Research and Development Bill (B46-2008)* has made its appearance in various forms over the past two

years. One of the stated objectives of the Bill, is 'to make provision that intellectual property developed from publicly financed research and development is utilised and commercialised for the benefit of society' (s2). It thus applies to educational and research institutions that are the recipients of public funds.

From an author's perspective, one of the key criticisms of the bill when it was originally presented for public comment in 2007, was that 'intellectual property' was defined as including copyright. The implications of this were that copyright in all works developed in publicly

funded institutions, including schools and universities, would belong to the state or at least be at its disposal, to use for developmental purposes.

ANFASA submitted comments pointing out the problems associated with this, as a result of which, we are relieved to say, copyright works were specifically excluded in the latest draft of the Bill which was released by government on 13 June 2008 and in which publicly funded intellectual property is defined as 'any creation of the mind that is capable of being protected by law from use by any other person, whether in terms of South African law or foreign law, and includes any rights in such creation, **but excludes copyright in a thesis, dissertation, article, handbook or any other publication which, in the ordinary course of business, is associated with conventional academic work**' (s1)[our emphasis]. Although the focus is on patentable intellectual property, the Bill will nevertheless impact on the publication of research which is linked to a patentable invention, since publication may conflict with the absolute novelty of an invention that is necessary for a patent. There are also arguably a number of ramifications for projects that are partly donor funded, but in every other sense academic authors are 'off the hook'.

The other key provisions relate to compulsory disclosures of intellectual property by recipients of public funds, the establishment of a National Intellectual Property Management Office and of technology transfer offices, and the rights of creators to benefit-sharing.

Government has invited written submissions on the Bill. The submissions must be received by 24 July 2008 and public hearings will be conducted at Parliament on 29 July and 30 July 2008. A copy of the Bill is available at www.info.gov.za.

The second offering, this time from the Department of Trade and Industry, is the *Intellectual Property Laws Amendment Bill, 2008* which along with the Policy Framework for the Protection of Indigenous Traditional Knowledge through the Intellectual Property System, was published for public comment earlier this year.

The aim of the draft Bill is to provide for the protection of traditional knowledge in its various forms by extending and amending existing intellectual property legislation, namely the Copyright Act, Patents Act, Designs Act and Trade Marks Act. While the protection of the rights of traditional knowledge creators is to be welcomed, the appropriateness of 'panel-beating' existing legislation, in particular the Copyright Act, to accommodate a new form of work, is questionable and there is a cogent argument that separate legislation would be a more suitable and effective model.

However, it seems unlikely that the current approach will be scuppered in favour of a *sui generis* model, so that the most we can do is try to influence the path of the existing bill. To this end, ANFASA submitted comments and made representations at the public hearing in Pretoria 13 June. A copy of the Bill and of ANFASA's submission is available on the ANFASA website www.anfasa.org.za.

The DTI has already promised to re-draft the Bill, taking into account the comments all the parties made during a consultative period. There will be public hearings in September, after which the next version of the Bill will again be submitted for comments.

ANFASA AT THE CAPE TOWN BOOK FAIR 2008



Kundayi Masanzu, Monica Seeber and Lee-Ann Tong at the ANFASA stand at the Cape Town Book Fair, June 2008

The third Cape Town Book Fair, held from 14 to 17 June 2008, was once again a great success. Attendance records were broken, and the showcase of the South African publishing industry, of which writers are such an integral part, certainly features by now as one of the world's top annual book events.

ANFASA's exhibition stand was elegant and striking in red, grey and white, bearing photographs of some of the members including Honorary Member Professor Kader Asmal, the Chairman Professor Sihawu Ngubane, the well-known historian and biographer Luli Callinicos, the intellectual property lawyer Dr Owen Dean and the academic and author Professor Andries Oliphant. The design came in for a lot of praise, and one visitor said that if there had been a prize for the most attractive stand ANFASA would have won it!

The stand drew quite a regular flow of visitors, many of whom said they would join. At one point, the Minister of Arts and Culture, Dr Pallo Jordan, stopped by and admired it and we tried – yet again – to enlist him as a member. After all, he is an author!

There was no Copyright Lekgotla this year, but ANFASA held a small reception to mark the second round of the ANFASA Grant Scheme for Authors (AGSA). Speeches were all short and to the point. Kundayi Masanzu provided some details of the 2007 winners. Monica Seeber, former Director, revealed the genesis of the scheme. Shoba Ponnappa, Director of the British Council in South Africa and one of the scheme's judges, talked about criteria and the qualities sought by the selection panel.

Monica's talk:

"AGSA was 'born' on a bright, frosty December afternoon in Oslo. The midwives were Trond Andreassen, Secretary General of the Norwegian Non-Fiction Writers and Translators Association (NFF) and John-Willy Rudolph, formerly CEO of Kopinor, the Norwegian Reproduction Rights Organisation and an icon of support to authors and publishers in Africa.

These two organisations have played a key role in ANFASA. Back in 1998, the late John Stanghelle, then NFF's international secretary, was already planning the establishment of an authors' association in South Africa. In 2001, Kopinor hosted a seminar in Johannesburg, drawing together academic and non-fiction authors and raising awareness of their intellectual property rights. Although a Steering committee came out of this, and an attempt was made to start an association, it did not really take off until 2005.

Scandinavian society is well organised and, in an environment that fosters creativity, authors all belong to one or other (or several) professional organisations which recognise and reward creativity. In proportion to the population of Norway there are a lot of authors and, what's more, many of them can actually afford to write for a living because Norwegians in general respect them and buy their books.

The Scandinavians seem to possess a strong sense of human rights and a missionary spirit. This has expressed itself in the intensity of their anti-apartheid stance and their generosity to the developing world and – in our case – to authorship in South Africa.

But back to that afternoon in Oslo. I remember feeling thrilled and terrified by turns at the large amounts of money allocated to the scheme. Was ANFASA going to be able to spend it wisely?

In retrospect, I think we did well in the scheme's first year. It is a highly effective way, not only of contributing towards the development of academic and non-fiction writing in South Africa, but also of raising the profile of ANFASA and building its membership. Our country is not short of literary prizes, but I believe this is the only one which contributes towards the *development* of a creative work rather than rewarding the author once the work has been completed and published."

These few words were followed by refreshments, after Kundayi's announcement that applications for the 2008 awards were now open. The closing date is 15 October 2008 and the application form is available on the ANFASA website www.anfasa.org.za or by e-mail to info@anfasa.org.za

IZINDABA ZABHALI, the ANFASA newsletter, carries items of interest to the members, but it also depends on the members to make it a lively and stimulating publication. Members are encouraged to send their contributions, whether serious or humorous, contemplative or controversial.

The editors reserve the right to shorten contributions, if necessary.

Opinions expressed here are not necessarily those of the editors or of ANFASA.