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The editor's corner



Photo Artwork by Damien Tomaselli

Some reflections on a changing environment

This edition deals with a number of key topics.

First, Plan S Open Science embraces open access, and the European Union is redrawing the global geography of academic publishing.

The implications for South African universities' research economy are significant, even disruptive. But the public debate has barely been touched on other than by the Academy of Science for South Africa.

Second, is the perception that academic books are overpriced. Perhaps the high costs are also due to the worsening of the Rand exchange rates against foreign currencies, taxes, shipping and small print runs.

Maria Frahm-Arp writes about how university textbooks, while not offering new knowledge, do offer deeply thought presentations

of knowledge and instruct how knowledge is discovered and consumed. As such, the writing of a textbook should be considered an academic project equal to writing a research monograph if the pedagogy is innovative, informative and helps students to understand that knowledge, its

production, curation and consumption is not a given.

Additionally, Hetta Pieterse asks "Where is the money?" This addresses some crucial questions about the funding of local open access book publishing in Africa.

Finally, is the most welcome return of Lee-Ann Tong's regular copyright law and IPR column. In a world where knowledge is now the prime trading commodity, such a topic is crucial.

ANFASA thanks our magazine designer and production editor, Mike Maxwell, whose creativity on the relaunched publication has attracted universal appreciation and taken the journal to a global readership.

"the writing of a textbook should be considered an academic project equal to writing a research monograph if the pedagogy is innovative, informative and helps students to understand that knowledge, its production, curation and consumption is not a given"

Textbooks, Decoloniality and Higher Education

Maria Frahm-Arp

Money makes the world go round, or so the saying goes. While we may disagree with this sentiment, we are all aware of how much money directs conversations, projects and even ideas. This is true in Higher Education in South Africa where funding received by universities for accredited academic work written by academics has significantly shaped how academics publish their research findings and ideas. In the 2000s the Department of Higher Education and Training (DHET) began to fund accredited peer-reviewed edited books and monographs. What is not funded by DHET are academic textbooks. The argument for this is that textbooks are not academic as they summarise what someone is teaching, or is a summarization of other people's work. This speaks to the larger problem which we have in the academy that the scholarship of teaching and learning is critically undervalued and sidelined.

I want to contest the DHET stance that academic textbooks are not scholarly works worth funding. I offer four reasons; the decoloniality of knowledge, accessibility to information, the scholarship of teaching and learning, as well as scholarly insight into a discipline needed to produce a high quality, scholarly textbook. I am not arguing that textbooks are the ideal. In several disciplines, and at higher levels of study, they may not be useful, but there are many first year modules for which textbooks offer an ideal entry point, particularly for underprepared students.

Decolonisation of Knowledge

Decolonisation swept through the academy from 2015. But since the rise of the debates on the Fourth Industrial Revolution (4IR), begun in earnest in many universities in 2018, the decolonisation project has taken something of a back seat. The decolonisation of knowledge is a critically important project and should not be sidelined by 4IR moves.

When I asked colleagues why they prescribe so many textbooks written in the global north, I often get these answers: 'there are no South African textbooks', or 'the textbooks that have been produced in South Africa are out of date or not very good'.

At the University of Johannesburg in the Health Sciences, for example, 43 first-year modules use textbooks of which 14 are written by South Africans using southern African examples. In the College of Business and Economics, over 60% of all first year textbooks are written by South Africans, and of these, 69% are published in South Africa. In Psychology, the largest first-year module prescribes an American textbook, while in Politics and Social Work about half the textbooks are written by local, and the other half, by international scholars. This is not surprising as academics are not encouraged to write textbooks but rather to focus on writing journal articles and monographs for which their universities' will earn DHET subsidies.

Accessibility to Knowledge

Authors from the global north contract with publishers in the north, costing between R600.00 and R1500.00 for the



Prof Maria Frahm-Arp (PhD Warwick), Executive Director of Library and Information Centre. Associate Professor in the Department of Religion Studies, University of Johannesburg

average textbook. Next year as the Rand becomes even weaker the textbooks will be even more expensive and even fewer students will be able to afford to buy them. While our South African students are struggling to buy international textbooks that

do not reflect their lived experiences, our South African publishing houses are struggling to survive.

Oxford University Press and others are able to publish groundbreaking research monographs because they cross-subsidize from their textbooks. While we continue to support the global north system of knowledge production we will never be able to offer South African students access to affordable education and information. At the same time, our own production and consumption of knowledge will never flourish because we do not support our own

knowledge economy. Ideally, these textbooks should be open access and freely available to students, saving the country millions of Rands and making education more affordable.

Scholarship of Teaching and Learning

Writing a good academic textbook is not the same as writing a monograph on new empirical research. But to claim that writing a textbook is not an academic project worthy of recognition is to misunderstand what is involved. An academic textbook requires two particular skills. The first is a depth of pedagogical skills in which ways of teaching have been

“While our South African students are struggling to buy international textbooks that do not reflect their lived experiences, our South African publishing houses are struggling to survive”

experimented with and tested, much like one would do for any research. I am thinking here especially of self-study research which is leading to interesting insights, particularly in the scholarship of teaching and learning.

For a textbook, the findings of the research done by a lecturer on teaching methods and interventions are not written up as findings in a journal article or a monograph but are rather applied. Surely, application is the real point of doing research? With the vast volume of over two million peer-reviewed articles published every year, the real test of the value of research is not just if people are reading what has been written but if that research is being applied in a meaningful way.

The contemporary textbook is not a summary of a lecturer's notes but engages and guides students in self-study. To design the right self-study exercises, reflective engagements and to give the right level of support to students who come into the academy underprepared requires a great deal of pedagogical insight. This is only possible when these various teaching and learning exercises have been tested over time in multiple learning situations.

A Sustained Academic Argument

The fourth component to an excellent scholarly textbook is mastery of the subject material. If one is teaching history for example, certain facts like the date of the French Revolution do not change. But how we think about the impact of this revolution, why it started and what significance it has on society today, are all deeply contested issues. In writing a scholarly textbook on modern Europe and the French Revolution the author(s) need to take a critical position on how and why they understand history as they do and then sustain that argument throughout the book.

Given the plethora of information generated to date, a scholarly textbook cannot be a summary of events, concepts or ideas,

but has to offer a critical analysis of information in which the author(s) must explicitly show and sustain an argument for why certain information was chosen and analysed in a particular way.

Scholarly textbooks also need to speak to contemporary issues. In the study of world religions, for example, one can teach Eastern Religion from a historical perspective - this has been the approach for many decades, but this does not address current global issues.

At present, China and India, where most of the Eastern Religions originated and are practised, are becoming the new superpowers of the world. A textbook teaching Eastern Religion as a way to understand the politics, social practices and philosophy of India and China as rising superpowers is of much more value. But such a textbook would require a reconceptualization of how a discipline is thought about and taught. This is a detailed project requiring empirical research, the application of that research and implied new ways of teaching and thinking about the discipline.

Textbooks that re-imagine how disciplines or subject matter are taught and critically access the scholarship in a particular field of knowledge should be valued and accredited as scholarly research projects in their own right. By not supporting and accrediting textbooks in any form, DHET has sidelined, and to some degree undermined, the scholarship and practice of teaching and learning in academies in South Africa. The project to decolonise knowledge and make this knowledge accessible to South Africans irrespective of their economic situation will never happen if we do not begin to strengthen our fragile knowledge economy. One of the most important ways in which we can do this is by supporting the creation and consumption of South African academic textbooks that deal with examples, problems and ideas relevant to southern Africa. Funding should be made available for the production of excellent academic textbooks written by South Africans and made available via open access to all.

Chairman's Corner

Opening our conversation with authors

By Professor Sihawukele Ngubane, ANFASA Chairman

In the last message from my corner I took a broad overview of the Covid-19 pandemic and its effect on authors in South Africa, facing lean times with fewer books being written, published and sold and fewer royalty payments disbursed.

I also took a broad look at how ANFASA was aiming to recreate itself as a virtual organisation and I am pleased to report the successful production of an online workshop on self-publishing and another on basic copyright and contracts. Other projects are being developed, and ANFASA is, as usual, open to more ideas from readers of the magazine.

This time I am writing about how ANFASA communicates with its members and, indeed, with all authors – for ANFASA, despite its name, does not only welcome academic and non-fiction authors as its members.



The first thing that ANFASA did, at the start of lockdown, was to rejuvenate its website. Developing a website into a lively and informative vehicle for communication is an ongoing job and I must admit that we still have a long way to go, but we are adding to and deepening the levels of information all the time.

This magazine, and the website, are ANFASA's window on the world and its voice to the world. The intention is to develop them both as trustworthy sources of information and opinion, and as platforms for discussion and debate on everything about writing and publishing books here in South Africa, and in the region, the continent and further afield as well.

The ANFASA website is a work in progress and I am confident that it will benefit from suggestions from members, so I am encouraging you to go to www.anfasa.org.za and then tell the ANFASA office how you think the website might be improved. All suggestions received will be welcome even though it may take some time to implement them all.

This year, 2020, is the year of more communication. But communication is a two-way street, and ANFASA is looking forward to hearing from across the spectrum of its members.

Open Science, Open Access: What Will Plan S Open and/or Close?

Keyan G. Tomaselli

“Plan S is a grand plan, but the devil is in the detail”.

So says Robin Crewe, past-President of the Academy of Science of South Africa (ASSAf). He observes that the Plan has serious implications for disciplinary society journals, and that barriers to reading will be replaced with barriers to authorship. The Plan requires that all scientific reports funded by participating agencies — a group of 13 European research funding organizations and three charitable foundations (cOAlition S) — are published in compliant open access (OA) journals or on compliant OA platforms from 2020.

To comply with Plan S, researchers who receive funding from Plan S signatories, including public funds, will be restricted to publishing only in: a) fully OA journals; b) OA platforms, and / or c) make the accepted or final version of manuscripts freely available without embargo in compliant repositories under liberal reuse terms. A grace period approving publication in hybrid journals will be allowed, provided publishers have signed up to ‘transformative’ agreements with libraries and consortia. Transformative agreements pave the way for a library to switch funding from a subscription model to funding OA via article processing charges (APCs) on behalf of their institution.

Plan S is the brainchild of the European Political Strategy Centre, set out in the 2016 [Amsterdam Call for Action on Open Science](#). Plan S’s 10 key principles aim to “accelerate the transition to a scholarly publishing system that is characterised by immediate, free online access to, and largely unrestricted use and re-use of scholarly publications”. ‘Science’, in the European context, means research or knowledge more broadly, making scholarly publishing (and presumably research itself) more efficient and transparent. Plan S signatories, however, represent only 5% of global research

output (Editor Resources, 2019).

If the detail is the specific way in which funding takes place in a country like South Africa, says Crewe, it is going to impact on the scholarly publishing landscape. Indeed, South Africa has already committed to developing OA, with ASSAf’s [SciELO SA](#) providing an electronic platform for journals whilst adhering to all the principles of Plan S.

The response from researchers and disciplinary societies has been *cautious*. Much attention has been given to [an open letter coordinated by biochemist Lyn Kamerlin](#), signed by over 1,500 researchers. This letter focuses specifically on the effect of restricting researchers from accessing key journals in their fields on the one hand, and on the other, with funded European researchers and their associates falling out of step with the rest of the world.”¹



¹ Rick Anderson, Associate Dean for Collections and Scholarly Communication in the J. Willard Marriott Library at the University of Utah . *By calling its new policy a “Rights Retention Strategy,” cOAlition S is engaging in doublespeak. This strategy actually does exactly the opposite of what it claims.*

READ MORE [<https://scholarlykitchen.sspnet.org/2020/07/20/coalition-ss-rights-confiscation-strategy-continues/?informz=1>]

See also Robert Harrington, Associate Executive Director, Publishing at the American Mathematical Society. READ MORE <https://scholarlykitchen.sspnet.org/2020/04/20/copyright-creative-commons-and-confusion/>

Assumptions and Myths

Contemporary discussions promoting the Copyright Amendment Bill (2019) (CAB), OA and Plan S are largely premised on the following:

❑ That the legacy publishers are hoarding public knowledge and monetising it excessively, securing their publicly funded product behind paywalls, thus allegedly preventing access to students, lecturers and researchers, thereby, ironically, punishing their own markets rather than cultivating them.

❑ Such publishers are thus accused of making scarcity of a good that should be ‘free’ as these goods’ production was funded by the taxpayer and by the very foundations proposing Plan S. Forgotten, however, is that some of these foundations have their own robber baron histories of wealth accumulation that are now benefiting academic researchers.

❑ The misconception that legacy publishers add no value to work that they publish. Here’s an analogy: We all resent paying bank service charges, but we all trust banks because their very complex and hugely expensive computerized systems protect our money that they use to loan with interest to others. The client usually gets a return, known as interest, from the cash they have lent the bank.

The main thing is, we know that our money is safe. Similarly, legacy publishers, through their value added services, are the protectors of our intellectual integrity, our copyright and of an article’s accessible longevity no matter the technology or software to come. The legacy publishers also offer protection from the phishers, the rapacious predatory journals’ publishing sector that ASSAf warns about.

❑ Most extraordinarily, though academics are members of academic institutions, research networks, scholarly societies and scientific academies, they are falsely argued by Plan S’s adherents to lack

access to information even as their institutions enable access via their libraries.

- ❑ Readerships of academic articles are quite low, and those demanding free access have rarely actually tuned into their library's holdings or consulted a librarian, let alone academic sharing sites that enable leakage, or even approached the authors concerned, if still alive. Whether OA or not, Plan S will not resolve this conundrum.

Now to Plan S

Plan S:

- ❑ requires that academic authors (or their institutions) pay to get published. This removes the right of European authors to choose their own outlets in which to publish, and prescribes the form in which publishing is to occur. Grants will be withdrawn if authors transgress the rules set by Science Europe
- ❑ will disqualify 85% of existing disciplinary society journals and divide the world into different research coalitions, effectively banning European authors from publishing in non-approved journals outside of Europe.
- ❑ The effect will be to disable the legacy publishers – and squander all the expensive but necessary added value services they offer and recoup through subscription charges.

The result will be different and separated geographically-drawn research economies, with little cross-over. These would be:

- ❑ The tried and tested traditional subscription model that will continue in the whole world other than Europe.
- ❑ The Plan S enforced OA European Silo
- ❑ The Open Knowledge for Latin America and the Global South (AmeliCA) university-based communication infrastructure option. AmeliCA aims to strengthen the non-profit publishing OA model. Redalyc offers a bibliographic database and digital library of OA journals.

Issues that South African academic authors need to consider are:

- ❑ What disruption will a fast-tracked Plan S cause the global academic publishing ecosystem, and how will this affect them?
- ❑ Is Plan S another Northern imposition on the South?
- ❑ Will Plan S ring fence EU research only for funding, and restrict



permission to publish? Kamerlin fears that the details of Plan S' "embargo requirements and repository technical requirements ... are so draconian that paid-for gold becomes the easiest way to fulfil them". This will result in "disaster for the research community" because it will disadvantage those unable to afford APCs.

- ❑ Will cooperation across publishing systems be discouraged, including peer review, that mechanism that navigates the relationship between research and society?
- ❑ Will the Plan S 'one-size-fits all' solution standardise APCs requiring a single, standardised fee for all publishers?
- ❑ Plan S suggests that funding initiatives/support and waivers will be made for the Global South – though no detail is offered.
- ❑ The main support thrust for Plan S (via large, stable/established funders, such as those within Austria, UK, Finland, Germany, etc) is in Europe. The research funding is via research bodies per country.
- ❑ Broadly, the funders' aim is to stop publishers and authors from gaining income from what they seem to implicitly claim as 'their paid-for' research. Think here the DHET publication incentive subsidy.
- ❑ The funders seemingly see themselves – not the taxpayers/public – as 'owners' of the research, in wanting to direct how the research is published.
- ❑ The beneficiaries of Plan S will be mainly the sponsored researcher who is able to publish in large fully-fledged

“Broadly, the funders’ aim is to stop publishers and authors from gaining income from what they seem to implicitly claim as ‘their paid-for’ research”

(non-hybrid) OA journals.

Consequences

The global publishing system will be fractured into different non-compatible ecosystems that will result in an apartheidisation of research reporting – what will be legitimate for one system could be declared illegitimate in the other. The one-size-fits all European approach cannot work globally.

By limiting the legacy publishers with their added values of peer review, plagiarism and libel checks, cross-referencing, copy editing, legal protections, ethical regimes, marketing and so on, further opportunities will be opened to the ever opportunistic predators.

Plan S was written without any meaningful consultation with researchers, scholarly societies or publishers. Funders will position themselves as the new scholarly oligarchy. Author choice of journal will be restricted to Plan S approved titles only.

Ironically, Plan S is argued to potentially enrich the Big 5 publishing firms. Underfunded researchers will not get published. A hugely expensive author fees paywall will replace a much more affordable reading paywall, with only the best-funded affording the mandated journals. Professor Klaus Beiter, on reading my piece on Plan S (ANFASA, Vol.4 issue 1, 2020), writes in this regard:

“I have a lot of sympathy for authors, less for publishers. You remember the article in Israel Law Review I had sent you last year. It was by coincidence that I discovered this year, that by adding one of my affiliations (Associated Research Fellow of Max Planck Institute of Intellectual Property Law) to an article, I can publish open access with many of the known publishers overseas. Without it, Cambridge wants R33,000 from me for open access. I had the affiliation

added subsequently to the article (last month) with the result that the article is now open access. They published a special note in their recent issue, saying that the affiliation had been forgotten in the initial issue. (Rich) Max Planck Society in Germany now have a special agreement with many publishers, entailing open access for Max Planck researchers. Hence, as you say, poor Africans would have to pay R33,000 for open access. Our university research funds do not allow that. In that sense, I am lucky, but I feel for my African compatriots.” (email, 4 August 2020)

Such kinds of differential access will result in automatic inequality in publishing opportunities based on geographic location and funding availability. This means that the cost of publishing rather than the quality of research will decide where research is published.

Plan S could see the demise of scholarly societies, especially those that fund themselves from income derived from their publications.

Plan S simply flips who pays, entrenching the power of for-profit publishing firms.

Alternative Proposed

AmeliCA supports OA, but not Plan S, which it argues will disadvantage and exclude researchers from the international publishing system.

AmeliCA wants a “collaborative, non-commercial, sustainable and non-subordinated” system returned to the academy. Under this scenario, DHET would require universities to invest in infrastructure and technology for science communication – i.e. journals - to be located within universities. Or, it could fund journals directly, rather than authors via their employers. This level of resource can only be provided by governments. And, we all know that governments change policies, are unreliable and squander huge amounts of capital on vanity projects that rarely deliver. And, then the ASSAf-identified problem of ‘house journals’ could be exacerbated in an already overprovisioned environment. South Africa, for example, boasts 17 management journals, 23 law journals and 24 theology journals, almost as many as there are public universities.

The government-funded Scielo (Scientific Electronic Online), which is just one of the OA options emanating from the non-English-speaking world (mainly Portuguese and Spanish), has according to AmeliCA, entered into a “legitimation system” based on metrics. The two data bases are the Web of Science

and Scopus, applied to preferentially reward researchers. Both are “private enterprises”. These and institutions like DHET rely on these firms to determine quality even as they claim to support Plan S.

Kamerlin offers a slippery slope argument. “What will funders demand next?” she asks. “Will they set restrictions on who I can collaborate with? What countries I am allowed to take students from? People are happy with Plan S because they like the outcomes, but they do not realise that they are setting a very dangerous precedent, in terms of what funders think they can demand and mandate next... I am all for a transition to openness, but it needs to be community driven, not funder driven.”

Interim Solutions

- ❑ Different interacting models should be able co-exist. These would venerate inclusion rather than imposing exclusion, and likely enforced failure.
- ❑ Strengthen and publicise the public university-based repositories for preprints.
- ❑ In the event of Plan S, the DHET incentive will have to shift from rewarding universities (and their authors) to now awarding APCs to journals for articles approved for publication. This is to be supported, as South African scholarly journals historically have been excluded from the DHET funding value chain and have been themselves subsidising the publication of research at no or small cost to authors.
- ❑ ‘Publish or perish’ should be abolished, OA publishing models be promoted, and not-for-profit university publishers be well subsidised.
- ❑ The decision of where to publish falls within the scientist’s ‘absolute freedom’, lying beyond government or university powers.
- ❑ As Beiter observes, academics are no more mere scholars. They perform labour in three different spheres: a scholarly community, a bureaucracy and a corporation, each with its own duties, which are often in conflict. Plan S is just another overlay on these three sites of labour, production and consumption.
- ❑ The modern university is only marginally concerned with gaining (or transmitting) knowledge. Contemporary universities are ‘fundraising institutions’ and ‘publication factories’, managed by principals who are ‘sort of a CEO’.



- ❑ Plan S does not deal with the corporate threat to science at all. This is quite remarkable when one considers that the literature describes the current situation as one close to a ‘breakdown of scientific thought’ – whether or not it is accessible on OA (see Beiter 2019).

Some useful References

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Note: This essay is based on a presentation invited by the Academy of Science for South Africa, Stellenbosch University, 24 October 2019. It was also peer assessed prior to publication here.

Where is the money?

Funding for open access book publishing in Africa

Hetta Pieterse

There is widespread international pressure for South African authors and publishers to make more book content available for free. For open access (OA) publishing to be enabled, someone needs to foot the bill – creating the publication does come at a high labour cost, apart from the dilemma that the content creator, the author, is even expected to give up all royalties and literally in most cases cannot earn any income from her/his written outputs. While funding is more readily available for journals publishing, this article traces sources of funding available for publishing OA books.

Funding in OA scholarly publishing remains focused on journals (EmeraldOpen 2020, p1) at the expense of OA books, although in the Northern hemisphere wider financial support is available. The Swiss Higher Education Policy was adapted in 2018 to fund open access book and book chapter publishing (SNSF 2020, p1) in support of its expectation for all publicly financed research to be freely accessible from 2024.

Of the 18 business models in use by OA book publishers internationally, the highest number of variations in practice is for institutional subsidy, and most of the sponsored publishers sell print on demand (POD) copies to help recover costs (OADWiki 2020, p1).

In 2015 a group of mission-driven open access publishers formed the Radical Open Access Collective (RAD) (RAD 2019, p1). The South African OA book publisher, African Minds is listed among the 21 academic-led publishers. Within the RAD's substantive information portal is an OA funders list, where Northern Hemisphere-focused funders dominate (14 from Europe, eight from the USA) – while an additional list of 24 OA funders (12 in Europe, eight in the USA and four in Canada) is dedicated to Film and Media Studies (RAD 2019, p1).

Africa's OA scholarly book publishing sector forms part of the higher education ecosystem per country, where most scholarly presses have affiliations with higher education or research institutions. Out of the 52 scholarly presses in Africa, the only publishers found to publish OA books are based in Burkina Faso, Gabon and Ethiopia (one in each country) and the rest are in



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South Africa (Van Schalkwyk & Luescher 2017, p17).

In terms of Fourth Industrial Revolution digital infrastructure, many countries in Africa are rated as under-connected (African Development Bank Report 2020, p83). The internet penetration percentage across countries varies; from 14.9% in Ethiopia, 18.2 % in Burkina Faso, to 46.7% in Gabon, while 53.7% of South Africans have internet access (Internet World Stats 2019, p1).

Only 15 out of Africa's 52 scholarly book publishers are active, based on publications output and online activity (Van Schalkwyk & Luescher 2017, p15). This indicates

that even traditional scholarly book publishers are under economic strain, apart from the more demanding, upfront fund-driven OA publishing model. Crow (2009, p2) warns that OA is 'a distribution model, not an income model'.

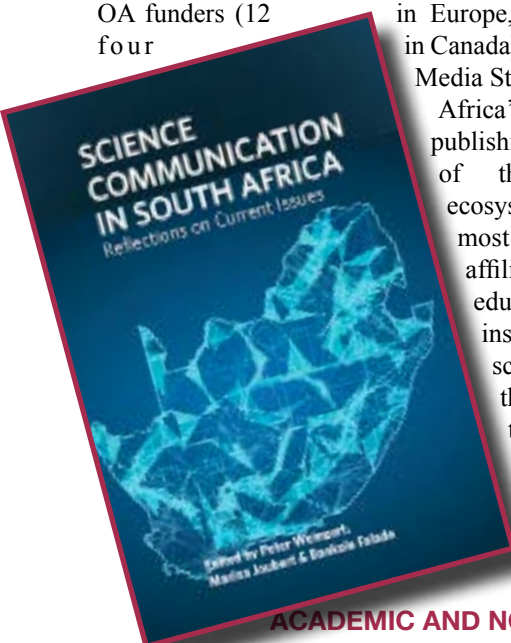
African publishers are subject to upheavals in political and economic environments which affect access to funds. Given dire and specific health and infrastructure needs, funders' priorities are focused to provide for basic needs – from health care and agriculture (ensuring sustainable living and food security), to small business, ICT and infrastructure development, and on children's needs. Of the 24 countries in Western and Central Africa it supports, UNICEF identifies five funding priorities (two of which cover access to education and quality learning, but for children and adolescents) (UNICEF 2020, p1). The World Health Organisation also offers OA funding for sponsored research (RAD 2020, p1).

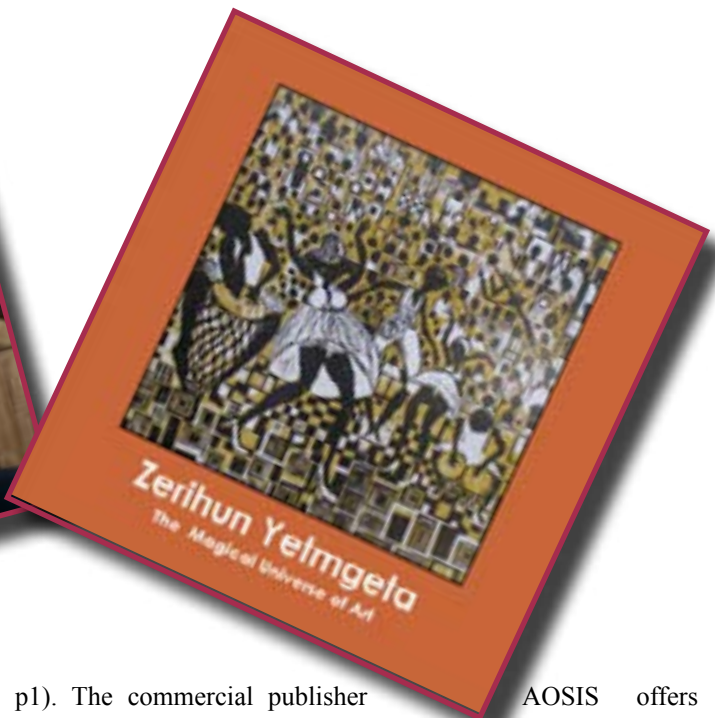
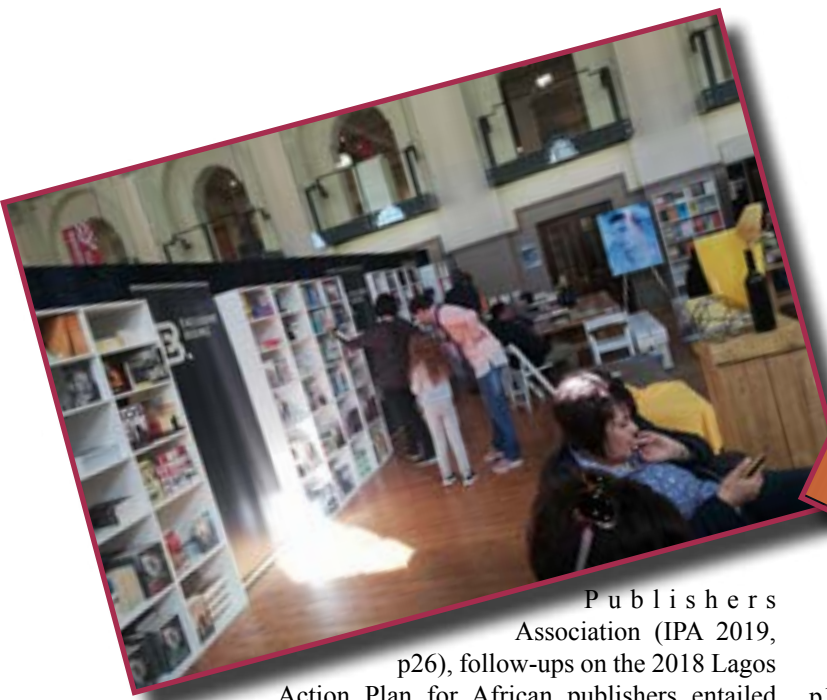
Partnerships and available funding

Partnerships could benefit Africa in terms of resources sharing and collaboration. The African Publishers Network (APNET) was founded in 1992 with the aim of boosting indigenous and independent publishers on the continent. Supported by membership from 41 countries, at a June 2019 seminar with the International



One of the relatives of the last speakers of the Kora languages seen here holding the book with author Menan du Plessis: *The Kora* book pictured is an open access and print book in parallel.





P u b l i s h e r s Association (IPA 2019, p26), follow-ups on the 2018 Lagos Action Plan for African publishers entailed revisiting ‘transformation goals’ – while the potential of open access publishing was not raised.

There are no dedicated OA book publishing funding sources available in either Burkina Faso, Ethiopia or Gabon (USAID 2018:1) UNESCO’s Global Open Access Portal (GOAP) lists dedicated OA funders by subject area (GOAP 2017, p1). In its detailed African country reports, GOAP indicates that researchers from these three countries publish their OA journal articles with BioMedCentral and PLOS,

and although Burkina Faso and Ethiopia have their own OA journals and a growing number of institutional repositories, no mention is made of OA book publishers (GOAP 2017, p1).

Africa’s former colonial overlords acknowledge moral obligations to fund projects as gestures of restitution. Over the years, supportive relations were sustained with cultural, educational and development projects run by Britain, France, Italy, Portugal and Germany. France maintains formal funding projects in several African countries (including Burkina Faso and Gabon) with dedicated funds for small business development (Adegoke 2018, p1), but none for higher education. The OA scholarly book publishers of Burkina Faso, Gabon and Ethiopia are therefore dormant due to varying economic and socio-political circumstances.

South Africa

In South Africa, dedicated Article Processing Charges (APCs) funds are available at specific universities (although mostly earmarked for journals, not for books). Dedicated OA publishers African Minds and the University of Pretoria Law Press (PULP) do not charge their authors, based on merit and depending on the availability of funds only in some cases (PULP 2020, p1, African Minds 2020: 1). The Public Library of Science (PLOS) offers OA science publishing funds to South African authors (PLOS 2018,

p1). The commercial publisher AOSIS offers professional OA book and journal publishing services, with set rates determined per book (AOSIS 2020, p1).

South Africa’s annual budget for education is split into Basic Education, Post-School Education and Training (under which university infrastructure falls, and where university presses fit in) and thirdly, Arts, Culture, Sport and Recreation (National Treasury 2019:55). The budget split for the ‘Learning and Culture Expenditure’ awards 68.9% to the first portfolio, namely Basic Education (National Treasury 2019, p55).



Panel discussion at the CapeTown Book Fair (2014) led by Keyan Tomaselli

The Treasury budget partitioning shows that, of the three portfolios of the ‘Learning and Culture Expenditure’ sector, the second portfolio, Post-School Education and Training is allocated R97,652million out of a total budget allocation of R354,826million, amounting to a percentage of 27% (while 2.98% is allocated to cover Arts, Culture, Sport and Recreation).

Of the full Post-School Education & Training budget of R33,737million, university subsidies are allocated 34.5%. From this, it is unclear what percentage is set aside for university research funds. This overview reflects the priority levels of Government in favour of basic education and increased student financial assistance.

Conclusion

African publishers and authors aiming to secure OA book funding have two options. They firstly need to compete with global authors for subject-specific OA book funding, which could be limited or capped per subject field, and which may be earmarked for authors of specific countries. Alternatively, African local research institutions need to more readily support their own authors with ring-fenced OA publishing funds dedicated to books, as investment in in-depth scholarship.



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Intellectual Property for Authors

Lee-Ann Tong

I regret to report that since the last time we tried to demystify copyright in a regular column in the *ANFASA Newsletter* (recall the “Copyright Q(wiki)”), copyright has not gotten any less mysterious. Quite the opposite, if anything.

This is news worth celebrating because it means that we have columns of copyright ahead of us as we try to solve the great mystery of how copyright will turn our creative ramblings into royalties. But first we must make sure that no ANFASA author is caught muttering about wanting to patent or trade mark their book. Or worse, wanting to register copyright in it!

It is not uncommon to hear the terms *trade marks*, *patents* and *copyright*, used interchangeably when the issue of protecting authors’ intellectual property comes up. Copyright is undoubtedly the most relevant legal protection for authors, but it is just one of a number of very different *types* of intellectual property rights. And it is not synonymous with a trade mark or a patent. Does this mean that authors should purge patents and trade marks from their vocabulary? The lawyerly answer is, of course, “it depends”. In this case, it depends on what you want to protect.

Let’s assume that you are writing *that* book (by book, I am referring to the intellectual content, not the actual physical item). What intellectual property armour do you have at your disposal to protect you against those who would help themselves to the fruits of your intellectual labour?

Patents are the least likely candidate. Patent law



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expressly excludes aesthetic creations such as literary, dramatic, musical or artistic works. This means that your book whether it comprises text or artistic works, is not patentable. However, if your mind wonders when you should have been writing and you come up with an idea for a fountain pen which never needs refilling, you are heading into patent territory. If your pen invention can be applied in trade, industry or agriculture, is absolutely novel (as in the first in the world!) and is not obvious to those who are skilled in the area of your invention, then a patent is a possibility. Patents are finicky things and you should keep your invention to yourself until you have chatted to a patent attorney. You will also need the attorney to help you file the application for the patent. If your pen is a commercial success – you may not need to finish writing that book!

What about trade marks? Like patents, you need to apply to have a trade mark registered.

Trade marks are the signs or indicators that traders use on their products so that consumers can distinguish products of the same type from different traders. Words, logos, pictures, sounds and even shapes can function as trade marks. Recognisable ones are Google, Samsung and Woolworths.

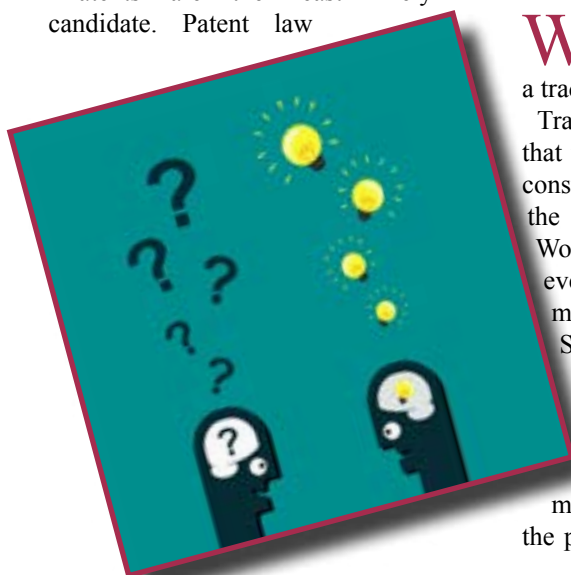
Take that pen as an example. If you start trading in pens, you need to distinguish your pens from the pens of other traders. You need a trade mark – a sign that tells consumers that the pens come from you. That way they

can distinguish your pens from the pens sold under the Pilot or Cross trade marks.

A book cannot function as a trade mark. You cannot register it as such. However, if you are in the business of offering writing services, you could register a trade mark which would distinguish your writing service from the writing services of others. Whenever people see the trade mark, they will associate the service as coming from you. You could register your own name or another sign. Each time you offer the service, you use the same trade mark.

That leaves copyright. The subject of our future columns. Copyright specifically protects literary works and artistic works which are original. Originality does not mean that the work has to be completely new, like the novelty requirement for a patent. It simply means that the work must be a product of your own skill, judgement and labour. Copyright protection is not dependent on registration but you must have reduced your work to a material form. In other words, an idea for a book which stays in your head cannot be protected. Copyright will protect the original effort you put into turning that idea into a perceivable product by prohibiting others from copying what you have written. But, and here’s a point worth remembering, you cannot use copyright to stop others from writing a similar book if it is done independently.

In the next Newsletter we head into all things copyright. Stake your claim to fame by coming up with a name for the law for authors column. No prizes, but the glory will be yours.



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