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Bookmark

NEWS MAGAZINE OF THE SA BOOKSELLERS ASSOCIATION
Issue 91 • Dec 2017 – Feb 2018

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PHOTOGRAPHS  Thanks to all for photographic contributions

Design and Layout: Through the Looking Glass
Printed by: Paarl Media

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ABOUT THE SA BOOKSELLERS’ ASSOCIATION
The SA Booksellers Association represents a united front for booksellers. Through strategic liaison with the different sectors of the industry and provinces, SA Booksellers strives to regulate the book-trade, reminding publishers to act as wholesalers and booksellers as retailers. The annual SA Booksellers AGM has historically been co-located with the Publishers Association of South Africa (PASA) AGM. The AGM is open to all members of SA Booksellers and is a conference full of information, energetic discussions, pertinent topics and eloquent speakers. This is an opportunity for education for all, keeping members at the cutting edge of developments in our ever changing industry.

SA Booksellers works closely with government departments, educational authorities, and the state tender boards concerning matters that affect the trade.

More than 50% of SA Booksellers members are previously disadvantaged and SA Booksellers is well positioned to lobby government on all issues pertinent to the book trade. SA Booksellers provides access to information for all its members, through the commissioning of research papers and the gathering of news, to the effective dissemination of this information via the industry magazine Bookmark and through www.sabooksellers.com.

Bookmark, the official magazine of SA Booksellers, is distributed free of charge to all members as well as to all influential people in the book trade from publishers to government departments. The digital edition is sent to an ever increasing subscriber database. This magazine is a mouthpiece for SA Booksellers members as much as it is a source of information. Send a letter to the editor at bookmark@sabooksellers.com to get your views published.
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THE MORE THAT YOU READ
THE MORE THINGS YOU WILL KNOW.

THE MORE THAT YOU LEARN
THE MORE PLACES YOU’LL GO.

Dr Seuss
The South African book industry was abuzz in September and November as two locally published non-fiction titles, both exposing Jacob Zuma, rocked the nation.

The launch of Redi Thlabi’s book *Kwezi* at Exclusive Books in Hyde Park in September stood apart as the only book launch in the history of the country that was so well attended it had to be held in the concourse of the mall with people standing on the upper levels as if in a stadium. Over 500 people attended the event which received huge media attention. In a country where book launches are normally attended by a small crowd of the usual suspects, this really was unprecedented.

“The launch of Redi Thlabi’s book *Kwezi* at Exclusive Books in Hyde Park in September stood apart as the only book launch in the history of the country that was so well attended it had to be held in the concourse of the mall…”

Just a few weeks after this watershed moment in the SA book industry’s calendar, the top secret and embargoed *The President’s Keepers – Those keeping Zuma in Power and out of Prison* by investigative journalist Jacques Pauw, launched at Exclusive Books Hyde Park to a crowd of nearly 1 000 people, again in the concourse of the mall, with a giant Christmas tree and big screens lighting up the action. That is until the power was mysteriously cut and the back up generators failed to kick in. Nevertheless, the people stayed and Jacques Pauw carried on signing books with a cell phone flashlight.

For some, the launch represented a rallying point against the scourge of state corruption. The action against the book has provoked solidarity from civil society both locally and globally. *The President’s Keepers* is being reviewed and featured in global media from the Guardian to the Financial Times and as the controversy surrounding it escalates, so does the interest.

For others the hype surrounding the book itself, along with the sales generated, is simply exciting.

Pauw’s book was officially sold out of its first print run of 40 000 copies, before it was even launched and the new run of 30 000 is largely pre-sold. Exclusive Books sold 3 455 copies on the day it hit the shelves and it shot to the top of the Nielsen bestseller list. It is now recorded as the fastest-selling book since official Nielsen data gathering began in 2004.

“Together with Redi Thlabi’s explosive book *Kwezi*, which released at the end of September, Pauw’s book might just have an effect on the political landscape, while at the same time resurrecting a struggling local book market,” says Olinka Nell in her report on page 9.

Pauw’s book is also being widely circulated – for free – as a PDF via Whatsapp, which has stirred up another debate in the publishing world around copyright, the illegal sharing of digital media and the future of the book, a topic dealt with in this issue of Bookmark on pages 22.

Pauw’s opinion is this: “If you have a PDF copy and can afford to buy a book, please do it. Erase the PDF and buy a book or the kindle version. If you cannot afford a book, go for it and read it. You have my blessing. This is not about money…”

It is an interesting angle to take considering how much hard work went into the book and how Pauw endangered his life to bring it out.

In this edition of Bookmark we also look at the South African Literary Awards, the SA Book Fair, Frankfurt, the Blockchain, Puku Children’s Literature Foundation, Audiobooks, and BELA.

It has been an interesting year full firsts, full of change. I hope it continues in the same vein next year. Until then; Merry Christmas, happy holiday reading and happy new year.

Jessica Faircliff
A hat, a kayak and dreams of Dar
terry Bell

This humorous new book by journalist and labour commentator Terry Bell is something unexpected: the story of a desperate mission turned misadventure – to paddle a kayak from London to Dar es Salaam in 1967. The book includes recipes for the food that Barbara discovered and cooked along the way – French, Spanish and Moroccan.

978-1-928346-64-7
RRP: R250
Published by: face2face (an imprint of cover2cover Books)

Shadow Chaser Series
Bontle Senne

Flame of Truth (Book 3)
978-1-928346-55-5
RRP R85

Flame of Truth is the third in Bontle Senne’s Shadow Chasers series for 9 to 12 year olds. Nom, Zee and Rosy meet the powerful goddess Oyo. She has a Shadow Chasers knife ... and only the cleverest and the bravest can withstand the Flame of Truth to win it back from her. In this book, the Shadow Chasers travel through the terrors of the dreamworld to find Oyo and regain the knife.

Powers of the Knife (Book 1)
9780994674456
RRP: R 85 • 2016

Lake of Memories (Book 2)
9781928346364
RRP: R 85 • 2016

#Can’t Stop Reading
Compiled by Dorothy Dyer and Ros Haden
978-1-928346-62-6

Fresh writing talent from all across South Africa is being uncovered by the FunDza Literacy Trust writing programme, and it is read and enjoyed by thousands of readers on FunDza’s online library. The best of the most recent writing is published in this exciting collection of stories, articles and poems. Each piece also has discussion and writing activities for reading clubs and classes.

Soccer Season Series
Jayne Bauling

Playmaker (Book 1)
978-1-928346-25-8
RRP: R75

Book 1 in an exciting action series set in soccer club, written by an award-winning local author. Lunga’s big chance comes when his team is selected for an open tournament. He’s desperate to prove to his father that he is a playmaker ... Designed to keep readers entertained while building important language skills. For ages 11 years and up.

Offside (Book 2)
978-1-928346-37-1
RRP: R75

Game Plan (Book 3)
978-1-928346-59-3
RRP R75
Dear Members,  
Three months have elapsed since Samantha left us and the duties of the office have been taken over by your executive, particularly Jonathan Ferreira, who has used his business experience to modernise the accounting system. New cloud based software gives us access to our work and records on the internet and should improve efficiency however the office is rearranged. Your executive meets next week to take decisions on how to move forward.

We have been very busy in KZN addressing the grave problems of our Educational Booksellers. In May the KZN Executive became aware of a Circular 51 in which the KZN Department of Education instructed Section 21 schools not to purchase from booksellers unless they could do so at a price not exceeding the publishers’ net price plus 20 per cent. We wrote to the Department asking for a meeting but were not able to get this. Booksellers, some of whom were not aware of Circular 51 or who were not aware that the Department would enforce the instruction, subsequently continued tendering to schools as in the past, and received correctly processed orders for books which were in a number of cases at higher prices than the cost plus 20 per cent. They ordered the books, but when it came to delivery discovered that the schools did not have the funds to pay. We know that the Department is short of funds and so awaited the late notification that we could deliver. You can imagine our dismay when we were told that the Department plans to redirect about R90 million of orders from booksellers to Ndabase Trading because they are above the maximum price. Some booksellers are pointing out that the Schools Act does not give the department the right to control the spending of Sect 21 schools. They believe litigation is the only route forward. Others would prefer to seek an accommodation with the department by reducing their prices to the departmental maximum. Failure to sell the books would be very costly and even if publishers were to take back the books, it might lead to bankruptcies. Booksellers depend on the once a year orders for income to tide them through the year and the loss of the income of over R12 million would be a huge amount for our small industry to absorb. SA Booksellers Association KZN meets an urgently called meeting in two days’ time and we hope we can arrive at a united way forward.

For general booksellers these problems must seem far away. For them the focus is on the Christmas trade. National sales statistics have not yet started to reflect the improving results reported by the large general retailers, but there are many great reads arriving on the shelves. We also have the prospect of good sales from The President’s Keepers if the publisher is able to reprint and send us stock. The wide availability of illegal pdf copies of the book shows how the online world has changed in recent times. It is no longer any more possible to suppress a book than it is to prevent crowd communication in Catalan Spain. The only result of a court order stopping distribution will be loss of sales to the publisher and to bookshops. I do wish all our general booksellers well over the Christmas period.

That will of course be followed by the Academic season, which is at present overshadowed by uncertainties. On the one hand we have rumours that the Fees Commission Report will suggest that free tertiary education is not affordable. On the other we hear that government is looking to see whether there is any way of finding the necessary funds. Without further state aid the universities will certainly have to increase fees and unsympathetic students are likely to take to their campuses and interrupt classes. Coming at the peak of the selling season, that is likely to lead to permanently lost sales. We look to the Commission Report also for comments and suggestions on student funding and believe it may be an important guide to changes we may face. Booksellers do believe that the funding, or at least a part of it, should be exclusively for books because they are essential for students to make the most of their time at university. Academics and booksellers are also waiting with very different emotions for the outcome of the rethink on the new Copyright Act which may have far reaching impact on all of us.  

These are uncertain times, and we all need to work together toward solutions that will enable a strong book industry to survive.

Guru Redhi  
President, SA Booksellers Association
In a Moneyweb article dated 31 October 2017, Hilton Tarrant suggests “When Tasha’s reports a decline in sales, you know there’s a problem”. Based on Famous Brands’ financial results to 31 August, he suggests that South Africa’s upper middle class are under more pressure than we think. Tasha’s, Turn ‘n Tender, Mythos, Vovo Telo, Europa and other brands in the company’s “Signature” portfolio have all reported negative results. Added to this, Woolworths reported a 0,9% decline in its general and clothing sector. Although same-store sales in its food sector grew by 4,6%, this translates to a 3,8% decline if inflation is taken into account. Shopping malls are visibly quieter. For instance, the Woolworths food queue in Brooklyn Mall used to be 10 minutes long on any given Saturday: on month-end Saturday this September, one could whiz right through to till-point.

Of even greater concern is the sudden decline in private education spend. Tarrant, in the same article, reports declining enrolment numbers at both ADvTECH and Curro, partly due to financial pressure, and partly due to a rapid increase in families emigrating.

Considering that books are still seen as luxury items in most households, all this paints a gloomy picture for the general trade, which duly reflects in the numbers: according to SAPnet, the South African general book trade saw a decline of 3,9% in value in 2017 to date, with 7% fewer books sold. The decline spanned across all categories (adult, children’s, fiction and non-fiction).

South African books had a torrid time in the year up to September. Unit sales fell by 17%, with the average selling price shooting up by 8% from R137 to R148. In contrast, books published in the UK, which make up the majority of books sold in SA, held steady on price and units. Publishers cite increased printing costs as the main reason for the steep price increases.

On the positive side, green shoots were starting to appear on the horizon at the time of writing this report. Jacques Pauw’s strictly embargoed book, The President’s Keepers, hit shelves on Sunday the 29th of October, promptly shooting to the no. 1 slot on Nielsen’s bestseller list and into immediate reprint. DA leader, Mmusi Maimane, waved the book at Jacob Zuma in a historical moment in parliament on the 2nd of November, asking him to table his declaration of interests since 2009. Pauw alleges in the book that Mr. Zuma was on the payroll of a security company owned by ANC benefactor Roy Moodley.

Together with Redi Thlabi’s explosive book Khwezi, which was released at the end of September, Pauw’s book might just have an effect on the political landscape, while at the same time resurrecting a struggling local book market. The launch of Thlabi’s book at Exclusive Books Hyde Park was attended by more than 500 people: a record of sorts for in-store launches in South Africa.

General booksellers enter the festive season in trepidation of what Black Friday and the ANC conference might mean for book sales, yet buoyed by the hope that books can still change the world. Benjamin Trisk, CEO of Exclusive Books, stated the following in an internal letter to staff at the end of October:

“October trading was just about the best monthly result we have had this year. There was a feeling in September that we might be emerging from extremely tight monetary conditions and October has given us another sense that this might be so. However, we should not think that we have reached the end of an extremely difficult economic time. Our country suffers when viewed against every economic matrix you can imagine.”

All statistics courtesy SAPnet.

South African Literary Awards
Applauding African writers

Twenty-eight South African authors were shortlisted for the 2017 South African Literary Awards (SALA). Announced in early November, authors, poets, writers and other literary practitioners whose works are continuously contributing to the enrichment of South Africa’s literary landscape were celebrated in an auspicious ceremony. SALA have honoured over a hundred individuals in the past 12 years.

2017 marked the highest milestone of the awards, as the shortlist included, for the first time, the !Xam and !Kun languages. A Posthumous Literary Award was bestowed upon |A!kunta, !Kabbo, ≠Kasin, Dia!kwain and |Han≠kass’o (!Xam and !Kun). These legendary contributors were drawn from Wilhelm Bleek and Lucy Lloyd collection of !Xam and !Kun narratives, verses, songs, chants, drawings and other materials consisting of over 150 notebooks running in some 13 000 pages which is considered a unique cultural and literary collection which has been recognised by United Nations Education, Science and Cultural Council (UNESCO) and entered into the memory of the World Register.

The materials deal with the land, the rain, the history of the first people, the origin of the moon and stars, animals, cosmology, beliefs, ceremonies, art and information of the individual lives of the informants who had come to Cape Town as prisoners of the British Crown and were released into Bleek’s custody at his residence in Mowbray for linguistic and cultural research.

Literary Translators Award winners were Bridget Theron-Bushell for *The Thirstland Trek: 1874 – 1881* (Afrikaans – English); Jeff Opland, Wandile Kuse and Pamela Maseko for *William Wellington Gqoba: Isizwe Esimenbali: Xhosa Histories and Poetry (1873 – 1888)* (isiXhosa – English) and Jeff Opland and Pamela Maseko for *DLP Yali-Manisi: limbali Zamanyange: Historical Poems* (isiXhosa – English).

A Lifetime Achievement Literary Award was bestowed upon South Africa’s legendary Credo Vusamazulu Mutwa, who is largely respected for his predictions of world events, including the destruction of New York’s World Trade Centre in 2001, the 1976 June 16 Uprising, HIV, Chris Hani’s assassination, load shedding and the ousting of President Thabo Mbeki. Mutwa shares the accolades with other literary stalwarts, Aletta Matshedišo Motimele, who is revered for her Sepedi works and Etienne van Heerden, an academic and prolific Afrikaans author.

“Indeed, as its main aim, SALA continues to strive to become the most

“SALA have honoured over a hundred individuals in the past 12 years.”
prestigious and respected literary accolades in South African literature,” says Sindiswa Seakhoa, director at wRite Associates, founders of SALA, in partnership with the Department of Arts and Culture in 2005.

The First-time Published Author Award went to Moses Shimo Seletisha for *Tšhutšhumakgala* (Sepedi), while the K Sello Duiker Memorial Literary Award went to Nthikeng Mohlele for *Pleasure* (English). The Poetry Award went to Helen Moffett for *Prunings* (English) and Simphiwe Ali Nolutshungu for *Ingcango Zentliziyo* (isiXhosa), while the Nadine Gordimer Short Story Award went to Roela Hattingh for *Kamee* (Afrikaans).

The creative Non-fiction Award went to Dikgang Moseneke for *My Own Liberator* (English), while the Literary Journalism Award went to Don Makatle and Phakama Mbonambi. The Chairmans award went to Themba Christian Msimang.

Since its inception in 2005, to date, SALA has honoured 160 authors in 11 categories in all official South African languages. SALA also boasts legacy programmes including:

- The National Poet Laureate Programme and the Keorapetse Kgositsile Lecture, in honour of the Poet Laureate Professor Keorapetse Kgositsile.
- The Miriam Tlali Reading and Book Club, in honour of the late Miriam Tlali.
- Band of Troubadours, a publication comprising the work of the SALA recipients.

Both the 2017 South African Literary Awards ceremony and Conference took place on 7 November at Kgorong Building, Unisa.

The conference is set to become a Mecca of who is who of the African literati, the diaspora and the entire globe where the celebration of African letters occupies centre stage.

This historical gathering of literary intellectuals and authors from across the world, is, as the then-OAU’s Conference of African Ministers of Education and Culture (meeting in Coutonou, Benin, in 1991) resolved, “… to afford the African people a moment of pause within which to reflect on the contribution of African Writers to the development of the Continent”.

The theme for the conference this year was ‘The Writer as a Drum Major of Conscience, Restoration & Transformation’, with the sub-theme being ‘The Establishment of the South African Writers Organisation’.

Professor Zodwa Motsha, a Fulbright Scholar, a Researcher, Writer and Social Engineer, who has served as Head of the Department: English Studies (Unisa) from 2006 – 2011 and is currently serving as the Country Director at Unisa’s Ethiopia Centre for Graduate Studies in Addis Ababa, since 2012, delivered the sixth International African Writers Day Lecture and Professor Nhlanhla Maake, an academician, novelist, dramatist, literary critic, and language activist delivered the response. Professor Andries Oliphant, author, poet, literary scholar and cultural policy advisor, led a seminar on the establishment of South Africa’s Writers’ Organisation.
South Africa’s Deputy President, His Excellency, Mr Cyril Ramaphosa, lauded the South African Book Development Council (SABDC) for their efforts in developing a reading nation through their considered positioning of the South African Book Fair this year.

“We are hoping that out of this Book Fair we will be able to improve the reading culture in our country,” he said whilst attending the Fair in Johannesburg in September.

“If we want to develop our children to be active participants in economic growth – we must encourage children as young as 6 years old to read,” he added, emphasizing the importance of reading as both a lifestyle and family exercise.

It was a coup d’ etat for the SABDC that the Deputy President attended the Fair and took the time to walk through the entire exhibition at Museum Africa, stopping to chat to both new and established publishing houses, booksellers, writers and practitioners.

The industry has been undervalued for too long. It has a critical role to play in the development and economic transformation of South Africa. Government and industry alike share in this lack of perception of value. In making ourselves visible and engaging with all South Africans, we are able to change the narrative of our industry and how it relates to government and South Africa, says Elitha van der Sandt, CEO of the SABDC.

“It furthermore aims to ensure that the book sector is a national priority.

“The Council’s point of departure in the envisioning of SABF 2017 was the belief that the book industry remains rather sharply disconnected from a large part of the South African population. Concurrent with that belief was its finding, reached through its research, that South Africans, including government, were unfortunately not very embracing of the industry. It is fair to say that perceptions of the book industry in South Africa are neutral at best and downright negative at times,” says van der Sandt.

“For the new model of the SABF to be successful and to thrive in years to come, changing these perceptions has been treated as paramount by the SABDC. The Fair’s implementation, therefore, was based on this revised vision; and the choice of every element including location, venues, themes, creative design and marketing, authors, speakers and programmes linked back to it.”

“The creative elements of the Fair were very strong. The goal was to create a modern aesthetic that went well beyond gimmick and elevated African design as both an art form and a conduit for...
expression. The designs were vibrant and bold. Each participating author had their portrait illustrated in bright colours. They were quite simply, beautiful and served a unifying purpose for the participants.

The SABF’s literary programme was filled with new and vibrant voices from the continent. Of the 116 authors that took part in 72 literary sessions, 70% were black. The audience was 80% black. The dialogues were insightful, philosophical and based squarely in the African narrative.

The diverse audience had access to 76 exhibitors at the Fair including new and established publishing houses, a research lane with the university presses present, new and established booksellers.

“The exhibition is the only opportunity industry has to present itself to the country, and the chief event for people to get to know and learn about books and the industry that produces them. This is key to the book industry’s positive engagement and interaction with the country at large. The 2017 exhibition was critical in giving the Deputy President and other visiting politicians a sense of the industry,” says van der Sandt.

As the organisers work hard towards increasing the engagement with government and new audiences, the SABDC encourages the industry to use the opportunities in terms of showcasing what they are doing and how they are moving to diversity in terms of representation and product.

The fair is a unique opportunity to share industry challenges with government, where open debate can take place around lack of movement on a book policy, why indigenous language publishing is an unfunded mandate, and how the book serves our society and country.

“We need to discuss what transformation in the book sector actually means, what government requires from the industry, what the public deem appropriate and what industry is offering? These are difficult conversations, but the SABF is the place to discuss our collective action for a book industry that meets the needs of a diverse South Africa,” says van der Sandt.

A key thread in the implementation of the SABF, is increasing opportunity and access to mainstream industry for SMMEs and entrepreneurs. The SABDC, in association with the Publishers’ Association of South Africa (PASA) and the Fibre Processing & Manufacturing Seta (FP&M Seta), introduced an Enterprise Development Programme (EDP) through very welcome exhibitor subsidies. The FP&M Seta is the main funder of the SABF.

“The FP&M SETA is proud to be involved with the South African Book Fair and in the facilitation of the Enterprise Development Programme. We are committed to uplifting SMMEs in the publishing sector in order to grow small businesses and ensure the sustainability of their businesses for the future. This programme will open up a host of opportunities for job creation, expose small, local businesses to international opportunities and represent South African publishing on a global scale.” Says the CEO of the FP&M Seta, Felleng Yende, about the Seta’s involvement in the Fair.

Sixty-five SMME’s and entrepreneurs were given an opportunity to exhibit and participate at the SABF. Included were publishers, new writers, illustrators, booksellers and an experienced cadre of indigenous language editors. These exhibitors were drawn from all provinces.

The numbers are always important and the SABDC reports that an estimated 3 000 visitors attended the Fair. Although this was a smaller number than the SABDC would have liked, the successful reaching to and incorporation into the Fair of a more representative and new audience offset the limited number of visitors. The audience engaging with SABF 2017 was predominantly black and also younger than has been the norm.

The repositioned Fair aims to connect with South African’s from every demographic and will continue to engage with the industry bodies and businesses in the lead up to the 2018 Fair which will take place again in Newtown from 7–9 September.

In 2016 the SABDC set out to revisit the concept and relevance of a national book fair in South Africa. It acknowledged more traditional views of what such a fair should be, while at the same time starting on a new journey – that of responding to mounting calls for a more reflective and representative showcase of South African (and African) literature and culture. As part of this journey, the SABDC also committed to creating greater access to the event for all South Africans; and dedicated itself to engaging audiences who ordinarily do not form part of mainstream book-industry events.

This trajectory will continue in 2018. “We believe that the Fair was extremely successful in charting a new course for the South African book industry. It was successful in laying the strategic foundation for an inclusive, mainstream event that in all respects mirrors South Africa and Africa. The SABDC will build on this strategic foundation moving forward, through continuous engagement with mainstream industry and with the rest of the country, in order to craft a national book fair that everyone is proud of. We envision the industry, government and people from all walks of life embracing the concept and reality of a book-producing sector that embodies and brings diverse voices to all citizens through the medium of the book,” concludes Nikki Crowster, Chairperson of the SABF Steering Committee, SABDC Member and the President Elect for Library and Information Association of South Africa (LIASA).
As a Frankfurt Book Fair Business Club 2017 Ambassador I had the opportunity to work with the Fair organisers on creating unique experiences for some important visitors in Frankfurt this year. I was the only African representative.

In the Business Club, I found many of the discussions applicable as learning experiences for the South African Book industry.

Kalimat’s Approach to international business, for example, is interesting. Kalimat has come up with an ingenious way to get their best Arabic literature translated into many other languages and disseminated across many other territories. The key is a partnership format in which Kalimat exchanges titles for translation with other major global publishers. This process guarantees not only translations but also sales – every publishing house uses its own channels to promote work from the UAE in its own market, and Kalimat in turn then sells that publisher’s books in the Arab world.

Kalimat has created partnerships with big foreign publishers like Bloomsbury and others to license popular characters and rights to localise content. This not only creates new industries and fields of work for employment but is a soft diplomacy when our children can understand each other beyond the barriers of language.

A round table with His Excellency, Nigeria’s Ambassador Yusuf Tuggar was full of debate as the German representatives were quite insistent that translations were important whereas student delegates felt that translations change the messages authors wish to convey.

The Ambassador proposed a middle ground that would draw more German investment to Nigeria by means of inter-cultural exchanges and pointed out that the marketing had to go beyond foreign-cultural exchanges and pointed out that investment to Nigeria by means of international trade and education could happen. The Brazilian market is a soft diplomacy when our children can understand each other beyond the barriers of language.

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A round table with His Excellency, Nigeria’s Ambassador Yusuf Tuggar was full of debate as the German representatives were quite insistent that translations were important whereas student delegates felt that translations change the messages authors wish to convey.

The Ambassador proposed a middle ground that would draw more German investment to Nigeria by means of inter-cultural exchanges and pointed out that the marketing had to go beyond foreign-cultural exchanges and pointed out that investment to Nigeria by means of international trade and education could happen. The Brazilian market is a soft diplomacy when our children can understand each other beyond the barriers of language.
Recently I dined with a South African distributor who, although very good, caused me to wonder what the future is for small distribution businesses in the book industry. I mention this specifically because in the past twelve months or so, we have seen a number of smaller players either go out of business for personal reasons or succumb to the financial pressures associated with inventory investment and the timing consequences that are imposed on cash flows.

Thirty years ago (and more), a strong Rand enabled relatively small businesses to stock books in depth with a comforting thought that sales and payment terms would be sufficient to fund the lists in stock. That is no longer the case. There are a number of structural problems that have imposed themselves on the old model and it seems that distribution, certainly with regard to overseas books, will be located in fewer and fewer hands. This is an inevitable result of the weak Rand, growing debtor vigilance on the part of overseas publishers, the concentration of power in big corporate publishing entities and the disappearance of independent book stores. The net result is that, I think, the smaller publishers, coming out of both the UK and the USA, will supply on an indent-only basis or, alternatively, will at best use a non-stock holding sales representative to parcel up orders and supply directly out of one of the big UK or USA distribution centres.

If this is the case, and that is the direction in which we are moving, then the result will be an almost certain diminution on the range offered by the South African bookseller. At Exclusive Books, we cannot afford to let that happen. 85% of our sales are accounted for by the long tail that sits outside the top 100 best sellers. So, we need to maintain range at all costs and I think this will mean that the customer will see more and more diversity as we tailor each store’s inventory specifically to the customer base that it serves.

When it comes to South African publishing, I do not see much change. Cash flow is the grease that oils business and local publishers, especially the smaller ones, have a problem. If they want to sell to us, they need a vendor number and they need an ability to get to each store. This is not always possible. Which means, they need to find a distributor or at least an order-taker who can get around to the stores, who can work the market and promote the books. Again, small publishers and small distributors face the problem of a lack of structural capacity.

There was a time, and I was witness to it once, when a publisher would first outline the books he intended to publish and only publish them once the orders warranted a print-run. That is no longer the case. At Exclusive Books, we do our best to promote smaller publishers but in order to do so, the publisher has to be present to promote and present the books. Even then, the publisher has first to commit its scarce resources, capital, to the publishing enterprise. My concern is that we shouldn’t lose books because publishing becomes too expensive for the smaller publisher. Rather Government needs to put funds aside to help publish worthwhile texts. And worthwhile texts are those that the public wants to read.

This was brought to mind forcibly this past week when I was in Frankfurt. A number of smaller South African publishers had stands at the Book Fair. I use the words “stands” loosely. It was a group of tables and chairs with a few books scattered on their respective back walls within a section of a stand that carried the South African flag for nomenclature. A more pathetic display of a country’s literary output I have never seen. It would be far better for whichever Government department financed this exercise, to take those funds and help support smaller publishers financially through a system of grants and low interest loans. The South African presence did nothing to enhance the image of a local industry that is growing, that is vibrant, and is exciting. We really are our own worst enemy.
Blockchain, the technology that underlies cryptocurrencies like bitcoin is fast becoming known as the world’s leading software platform for digital assets. “We are on a mission to build a more open, accessible, and fair financial future, one piece of software at a time. Our technology is revolutionizing the financial services industry by empowering millions across the globe to authenticate and transact immediately and without costly intermediaries,” states the blockchain’s website.

There are many that think the hype around the blockchain is a bubble that will burst, but it could have a profound effect on the publishing industry as a whole. The Alliance of Independent Authors, (ALLi) and licensing marketplace IPR License, are both taking it very seriously. In fact Alli has set up a committee and a campaign called the Blockchain for Books to investigate the opportunities and present a white paper of recommendations. Led by Orna Ross, an Irish author, and the founder of ALLi who has been named one of the top 100 most influential people in publishing by The Bookseller, the white paper, when released should be of great interest to the global publishing industry.

What exactly is this blockchain?
The blockchain is new technology, which, while launching an entirely new financial model, is also likely to underwrite the next disruption in publishing, a widening of the concept of intellectual property and the next digital revolution.

The blockchain is a continuously growing list of records, called blocks, which are linked and secured. “The blockchain allows one person to transfer a unique piece of digital property to another in a way that 1) is guaranteed safe and secure; 2) open, visible and agreed by all; and 3) cannot be subsequently modified.”

The blockchain is a decentralized model that relies on the agreement of the peer network in order to process the next set of transactions so no individual or organization can subvert the rules that have been established, and the currency traded is bitcoins.

The bitcoin is “a cryptocurrency which is not owned by any individual, government, or organization. It allows for transactions to occur outside the traditional financial frameworks and fiat currencies.”

How does it affect the publishing industry?
ALLi proposes that the blockchain will impact copyright. “The piracy of digital files becomes much more difficult, as the blockchain cryptographically time-and-person-stamps the act of publication (and, indeed, of creation through earlier stages of the process, if we want). Ownership becomes indisputable,” says Ross.

“Following on from clear ownership are contract rights and property rights. Automated digital “smart” contracts will be able to simultaneously represent ownership of an intellectual property and the conditions that come with that ownership. Such contracts will be able to automate rules, checking conditions and taking actions with minimal human involvement and cost. Goodbye to lawyers who are too expensive for, and don’t speak the language of, individual creatives,” she continues.

In Alli’s vision, “The blockchain allows authors to become the first calling point and information hub for the work they have created and to credit all who have contributed and collaborated. The blockchain allows us to forward a book, directly from author to reader, without any middle-man, freely or for bitcoin exchange.”

It is the removal of the middle-man and putting authors first in the value chain that most excites ALLi.

“Alli’s aim, as an indie authors’ association, is to advocate for and lend
our support to those who are serious about creating an author-centric financial model for books. Such a model would maximize the value of the authors’ moral and monetary rights and intellectual property and pay the author first, not last, in the chain. We contend that the money flow should begin with the creator, that the creator should be the entry point of payment.”

IPR License development director Tom Cox shared his ideas around the blockchain with Porter Anderson of Publishing Perspectives recently. “There are now platforms such as Hyperledger and Ethereum that allow developers to build on top of a distributed blockchain infrastructure, which should greatly reduce the time-to-market needed to develop blockchain-based systems,” he says.

“Rights management is, in many ways, similar to financial processing, in that trust is the core component. At present, that trust is provided by large institutions and the complex contracts that describe the ownership, use, re-use, translation, permissions and royalties associated with a product. These rights often cross company and country boundaries,” explains Cox.

“If we imagine that the industry remains much as it is today, one possible path would be to establish a blockchain network of publishing industry rights trades. Over time, this ledger of rights could become the definitive source for searching and establishing the authoritative rights holder. This shared ledger means that there’s no one single company that’s holding the data and that the ledger itself is always an accurate reference.”

“Publishers would have an incentive to take part in the initiative, as it would reduce the discovery and coordination time associated with searching for and establishing new contracts.”

“The network would be able to provide real-time details about rights holdings across the industry without the need for a central authority to police this. The blockchain ledger wouldn’t be a replacement for existing enterprise resource planning (ERP) systems. Instead the current systems could publish key life-cycle events to the blockchain.”

“If we were to take this a step farther and look at a more disruptive implementation of blockchain, it would be possible not only to store the record of products and rights, but also to implement ‘smart contracts’ enforced by the design of the network. Smart contracts don’t just contain the terms of a contract but also can act in programmed ways, delivering aspects of an agreement once specific terms are fulfilled. If connected to additional resources, such as distribution networks as well as online and physical stores, the contract could automatically deal with recouping costs and paying royalties. When a new contract or a change to a contract was published to the network, the time needed for this information to be available to all nodes would likely be minutes. If the contracts were sophisticated enough, the complex area of royalties could be handled in almost real time by the system.”

“If we imagine that the industry remains much as it today, one possible path would be to establish a blockchain network of publishing industry rights trades. Over time, this ledger of rights could become the definitive source for searching and establishing the authoritative rights holder.”

“Some advocates of blockchain suggest that eventually the technology may be sophisticated enough that instead of our current corporate model, we’ll operate with ‘decentralized autonomous organizations’ (DOA) – a distributed corporate model enforced by the setup of the smart contracts that capture the organization’s goals and processes.”

This is a model that could replace the siloed functions of publishing companies with distributed services and could allow content creators much greater oversight and flexibility in how their work is published and disseminated. However, such a model is yet to be proven in any industry, and until the necessary building blocks and technologies are in place, this is only a pipe dream and one which may never come to pass.

The challenges

“It’s hard to see how such a network could be built without the support of publishers and while the benefits can be clearly laid out, we’re likely to see resistance to this level of change,” says Cox.

“There are other challenges to this model and though exciting, the blockchain is far from perfect, as Stefan Thomas points out on Medium in an article titled: The Subtle Tyranny of Blockchain, Re-learning old lessons about shared state, which is well worth a read. Some of the more debated concerns centre around security. The environmental impact of all the tech is also huge as the ‘mining’ of the blocks takes enormous amounts of computing power.”

“Depending on how it develops, blockchain could go the way of so many technologies now consigned to the dustheap. It could be used to reinforce the status quo or further embed existing privilege. For now, this is an open moment,” says Ross.

“We could just sit back and observe the blockchain and see but by actually advocating for it, we can shape it and can perhaps help mould how it develops in a way that is advantageous for authors.”

The scenarios described here are just some of many possible implementations that could affect the publishing industry. While much of the current hype around blockchain is certainly unfounded, there’s definitely great potential in this model.

“We believe that the publishing industry should be investing in and understanding this new and disruptive technology in the same way that financial institutions have been. It’s certainly an area that IPR License is going to continue to research and develop,” concludes Cox.

• What is Blockchain and will it impact the publishing community? pricense.blog
• Blockchain and Potential Implications for International Book Publishing, Porter Anderson, publishingperspectives.com
• The Subtle Tyranny of Blockchain, Stefan Thomas, medium.com
• Indie Authors: Are We Ready for Self-Publishing 3.0? Part 2: Blockchain For Books, Orna Ross, selfpubpublishingadvice.org
• 8 Best Sources To Study Blockchain Technology, cointelegraph.com
Established in 2009, Puku Children’s Literature Foundation (Puku) is a reading promotion and book development organisation that aims to address the acute shortage of children’s literature in all South African languages, and ensure that all children have access to such literature, particularly the most materially deprived and marginalized.

Puku aims to build a comprehensive, credible review process that will ensure quality reviews in all languages and to serve as a data hub to promote the buying and reading of books that affirm the African child.

“In the few years of our existence as Puku, we have come across amazing creativity and innovation in our communities. There is no reason why we should not have a thriving publishing industry that addresses the needs of our children and their families. We aim to grow a comprehensive and well curated database of African children’s books to assist in this regard,” says Elinor Sisulu, founder of Puku and Festival Director of the Puku Afri-kids Festival and the Puku Story Festival.

Puku works with publishers, authors, illustrators, artists, reviewers, teachers and corporate South Africa to get well written and translated books into the hands of parents, teachers, librarians, and children. What happens after the reviews? Puku’s biggest priority is to get the parents to visit the website and identify the books that may be relevant to their children and ways to access them.

Puku’s distinctive competence is in its specialist reviewers who are experts in early literacy, education, reading and writing in African languages.

Puku also organises story festivals around the country to spread the love of reading. It is a collaborative initiative that facilitates and fosters cooperation amongst and between rights holders, promoters, disseminators and consumers of children’s literature – with a specific focus on indigenous languages.

Puku has recently launched a new online African children’s literature resource at www.puku.co.za. With over 6 000 books, profiled authors and publishers, this useful resource is set to become the go-to for all local children’s literature. A new development for Puku will be introduction of blogs by specialist reviewers on its website. They will share their experiences of the review process, including the conversations they had with parents, children and learners while reviewing books. As specialists in education, reading and writing, they will also share tips on teaching reading and writing.

Newly appointed managing editor Lorato Trok is excited to be joining Puku. “I have been involved in children’s literacy all my professional life as a children’s librarian, a children’s books publisher, an editor, author of children’s books and as a translator. Promotion of African languages has taken centre stage in my work and I’m excited to join this wonderful team of people who have been working really hard to bring to the fold what is available in African languages for children in South Africa and beyond.”
“Sarah Howie of PRLS (Progress in International Literacy Reading Study), did a study designed to measure trends in achievement and to indicate growth or decline within a global context. Howie indicated during her presentation of the study report for South Africa that 50% of Sepedi learners are not reading and writing in their home languages. South African children were assessed in English and Afrikaans, even though a large percentage of them identify African languages as their home languages. She also indicated that there is no material available for children in their home languages,” writes Trok in a recent blog on the Puku website.

The report ended with this observation:

“South African learners’ performance in the PIRLS assessments reinforces the need for reading instruction practices that address the difficulties in language and reading in both the Foundation and Intermediate Phases. Unless children are fully functional in the language of teaching and learning they are at considerable risk of failure or repeated failure in primary school and dropping out of school at secondary level. Therefore, the continued and close monitoring of reading literacy in all the languages in which it is offered, is critical for the successful development of all individuals in the schooling and training systems, and it needs to remain one of South Africa’s priorities in the immediate future.”

“South African children fare poorly in assessments not because they are not smart but because they have no access to reading material in their home languages. Puku’s Children Literature Foundation works in reviewing children’s stories in African languages, a step in the right direction for South Africa, for the education system, for libraries and especially so for the publishing industry.

Recently, there has been a surge in the number of authors writing children’s stories in African languages, including Setswana. Unfortunately in South Africa, children’s authors are not as celebrated as biographers, political writers, poets and the likes. Not much publicity and credit is given to these authors, as well as translators. It’s also a struggle to secure a publishing deal with commercial publishers for African languages, therefore writers resort to writing in English as it is easier to get their work published.

Stories of university students struggling academically, especially with reading and writing have been widely publicized. Especially first year students who are just out of high school, even those who did exceptionally well in matric. Language and literacy experts attribute this to a lack of proper foundation in acquiring skills in mother tongue education as well as lacking in the knowledge of the English language. To understand a second or third language, experts say, one needs to have a solid foundation, reading and writing in their home languages. Hence the emphasis in promoting the creation of literature in African languages as of utmost importance. Authors, translators and proof-readers need to be encouraged to continue their work in producing high quality literature,” concludes Trok.
Audiobook revolution
Just how big is the audiobook business?

The audiobook business has established itself as the fastest-growing segment of the digital content market in the past few years, with “publishers' audio revenues up by a third and Audible's UK sales up by 54%,” this year alone according to the Bookseller.

In the international arena, Audible with its constant stream of standalone audio titles and solid foundation of users, sets the pace. Owned by Amazon, Audible is set to go from strength to strength.

Canadian audiobook service Audiobooks.com launched into the UK market in October with a catalogue of 70,000 titles. Audiobooks.com has 360 publishers on its books, with 15% of those being UK specific including HarperCollins, Simon & Schuster and Penguin Random House. It also expanded into Australia overnight.

Bolinda, which lays claim to being the largest online audio bookstore in the Southern hemisphere, as well as the biggest online large print bookstore in the world, is a private and expanding international media company. They are a recognised leader in the field of audio books, while pioneering the digital download market for audiobooks and ebooks in public libraries through its app called BorrowBox.

There are also new players that have entered the retail market in the past year, with Apple, Google and Spotify all poised to make their play. There is a constant tussle over rights as traditional publishing houses move strongly into this market too.

“With the success of podcasts and the rise of smartphones people have never been more primed to engage with digital content. Audio is something that people are consuming more and more via Soundcloud, podcasts and YouTube,” Marketing Manager at Orion Publishing Group Jen McMenemy told the Bookseller prior to speaking at Futurebook 2017.

“Consumers will choose to read in their chosen format, but if they don’t know the audio edition exists they won’t think to look for it. And, don’t forget to list the reader. Many audiobook readers have their own fanbase and consumers will purchase some titles based on the reader,” McMenemy added as a small marketing tip to publishers.

Strangely enough for our busy times, full of short snippets, audiobook listeners like long content. Some of the bestselling audiobooks are incredibly long – 40+ hours. It seems that audiobooks have slotted themselves into people’s busy lives as something they can do whilst doing something else. More and more people will listen to audiobooks on their smart phones while at the gym, commuting, cleaning, working.

The Bookseller reports that “Audio-book downloads are increasing rapidly in the UK and the US, with publishers responding to the opportunity by investing more in the sector, hiring new staff, upping the number of titles they publish and exploring audio-first opportunities. An in-depth report by Nielsen, issued last December, estimated the market was worth around £91m based on 10.9 million units sold in 2015, of which 60% were downloads. Meanwhile the Publishers Association’s annual statistics released earlier this year showed the value of audiobook downloads to UK publishers increased by 28% in 2016, although it had the value at a much lower £16m.”

In South Africa, The Listeners’ Library, started in 1985 and founded by Kirston Hoets, was the pioneer of audiobooks for the general public. The Listeners’ Library offered audiobooks on cassette, and then on CD, for rental, offering an expensive product at a manageable fee.

“With new and developing technology: audiostreaming and downloads, access to audiobooks has become so much more convenient for end users in that they can access a title from wherever they are and whenever they want, providing they have a device and connectivity. The vast range of titles on the different sites is enormous. So audiobook listeners have choices: in format, in price and in titles from different sites,” says Hoets.

Booktalk, also founded by Kirston Hoets, was formed in 1992 to supply South African libraries with audiobooks.

Over the years Booktalk has grown, expanded its library customer base and its range of material offered to include books, large print books, and DVDs. Booktalk partnered with OverDrive® who provide a comprehensive Digital e-Lending Library Service (e-books, audiobooks and video streaming) for public libraries, academic libraries, school libraries and corporates in SA.

“The popularity of audiobooks has increased significantly at many libraries and schools around the world,” said Claudia Weissman, director of International Sales for OverDrive.

“Circulation of audiobooks in our network grew 34 percent in 2016 and we expect to see similar growth in 2017.”

Newcomer to the local market, Audioshelf is a Cape Town based audio production company specializing in the spoken word. They produce audiobooks of South African novels and short stories.

“From concept to casting, recording to post-production, marketing and distribution, we take what’s on the page and give it a new life through the human voice,” says founder Devon Martindale.

Neatly positioning itself as a specialized audiobook publisher, Audioshelf, produces digital audiobooks in their own studio and has a small but growing database of voice actors and narrators.

Audioshelf was recently accepted as an international content supplier to Audible, which distributes to Amazon and iTunes.

They are also about to launch their own audiobook app in November, which enables customers to buy and listen to their titles within the app.

The company has produced titles from Pan Macmillan, Penguin Random House and Porcupine Press, and has worked with authors such as Warren Ingram, Dr Judy Dlamini, Alan Knott-Craig, John Sanie, JT Lawrence and more. They are also breaking into the audio training market for corporates and educational institutions.
You’ve heard of Short-Term Memory, and Long-Term Memory – so what is Working Memory? Working Memory is an area of the brain that we use while we are manipulating information. Working Memory is used for carrying out complex tasks such as learning, reasoning and comprehension. It is a limited space when comparing it to Long-Term memory, and it is also temporary. The best analogy I have come across compares Working Memory to a dinner plate. We would use the dinner plate for food and once the food is finished, we can reuse it again. Working Memory is much the same. We will use our working memory for a specific task, and after that is completed the area is “cleaned” and we can reuse it.

Working Memory forms part of the Executive Function of the brain. Executive Functioning is what helps people plan, organise and complete tasks. Working Memory is fundamental to learning. It is through our working memory that we recall information, and can use that information for the task at hand. Working Memory helps us pay attention, and maintain focus during a task. For example, if a learner is performing a Long Division maths problem, it is the Working Memory that will help the learner follow the steps necessary to work out the problem.

Working Memory has two parts to it – we have an Auditory Working Memory, and a Visual Working Memory. The Auditory Working Memory is a part we use to manipulate information we have heard and Visual Working Memory is the information we have seen.

Working Memory touches all aspects of learning, and following instructions. Issues arise for learners when their Working Memory is weak, and not functioning effectively. Going back to the plate analogy, if your plate isn’t big enough, it won’t hold enough. I have a cousin who headed up a team of people for one of our big banks. During a particularly stressful project one of her employees pleaded that he had “too much on his plate” and could not complete the task at hand. My cousin retorted saying “well, get a bigger plate”. We have often laughed about this as it is so out of character for my cousin’s personality. If you were to meet my cousin you would never believe she could be so hard. But what do we do when our learners “need a bigger plate”? How do we improve learner’s Working Memory?

The good news is that working memory can be trained! We can work on our working memory like we would exercise a muscle. Research has shown that learners who have both auditory and visual stimuli at the same time retain the information and are able to use the information better. This indicates that to get the best out of our working memory, we need to “feed” our brains both auditory and visual information.

To understand how our brains can use the auditory and visual parts of our working memory, let’s have a look at spelling. A lot of learners who have working memory deficits are poor spellers. They will learn the spelling for the week, and after the test they forget the words instantly. What is happening here is the learners are using their Visual Memory for the spelling words, and not using their Auditory Memory. To improve their working memory, learners need to “hear” the sounds within the words, not just visually recognise the words. By using both the Auditory and Visual Working Memory together, the output is improved spelling.

Similarly, learners who have a poor working memory often don’t comprehend what they have read as effectively as others. By engaging in “active reading” techniques, learners with poor working memories can hold onto more information. Active reading involves jotting down notes, using highlighters for important sections, and reading aloud so that the learners can hear as well as see the text.

So how do we improve our child’s working memory? Here are 8 boosters suggested by Understood.org (Morin, 2017)

• Work on visual skills
• Have your child teach you
• Suggest games that use visual memory
• Play cards
• Active reading
• Chunk information into smaller bites
• Make it multisensory
• Help make the connections.

Sarah Ohlson de Fine is a qualified foundation phase teacher who understands how children learn and what teachers need. She is also the owner of the online educational resource shop www.learningtools.co.za

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By SARAH OHLSON DE FINE
In December it will be 20 years since South Africa signed international copyright treaties to bring its copyright laws into the digital age. South Africa has still not ratified these treaties and the Copyright Act has not been amended to apply to the internet environment, resulting in uncertainty for creative industry and consumers alike.

The Copyright Amendment Bill, introduced in May 2017, has the object of addressing this deficiency, but is so poorly drafted and introduces so many other egregious provisions, that it has led to more questions than answers, as well as vociferous debate.

The Bill was preceded by the findings of the Copyright Review Commission which mainly dealt with the application of copyright in the music industry. However, the Government did not carry out any serious study to support many provisions of the Bill, especially new exceptions to copyright that it proposes to introduce, and an independent impact study promised by Government in 2015 never materialised.

In parliamentary hearings in August this year, the Publishers Association of South Africa (PASA) presented an economic impact assessment by PricewaterhouseCoopers (PwC) that they had commissioned, showing the detrimental impact that the proposed ‘fair use’ exception and very broad exceptions for education would have on the publishing industry.

The impact assessment found that the proposed amendments would result in declining revenue from sales of educational publications, a sharp reduction in licensing income via collective management organisations and an erosion of the incentive for the creation of educational works, specifically:

- Weighted average decline in sales of 33% – implies a decrease in sales revenue of approx. R2.1 billion on the baseline, concomitant reductions in GDP, and VAT and corporate tax revenue collections.
- Decline in revenue.
- Reduction in licensing income via collective management.

PASA pointed out that these findings are largely consistent with a review of available literature on the impact of copyright reforms in Canada and the potential impact of similar reforms once contemplated in the UK.

The 2012 Copyright Modernization Act in Canada has negatively impacted Canadian educational publishers in particular.

“The impact assessment found that the proposed amendments would result in declining revenue from sales of educational publications, a sharp reduction in licensing income...”

“The royalties that have traditionally come from our Canadian sister organizations have fallen like a stone since the 2012 Copyright Modernization Act,” said Copyright Clearance Center’s Michael Healy, speaking on a panel at the Frankfurt Book Fair in October. But ‘what has become the norm in Canada,’ Healy added, has for some reason become ‘an exemplar’ for other governments around the world. The takeaway seems to be that when it comes to educational use ‘copy as much as you like, and to hell with the creator.’

Of importance to the South African case is the comment that the addition of ‘education’ as a purpose for fair dealing in the Canadian legislation has meant that both the school and higher education sectors in Canada now claim – for free – the same copies for which they had previously paid license fees.

PASA’s submission to Parliament highlighted specific issues with the Bill:

- Fair use: Introduction of ‘fair use’ defence to copyright infringement, which is based on a statutory defence to copyright infringement under the laws in the United States, but admitting more permitted use cases than in the United States (including ‘education,’ ‘underserved populations,’ ‘public administration’).
- User rights – A new right by a ‘user, performer, owner, producer or author’ to claim a royalty for the ‘use’ of the copyright work, which not only runs contrary to the objects of copyright, but does not exist anywhere else in the world.
- Parallel importation: Reversal of recognised rules relating to parallel importation, that will undermine the local publishing industry.
- Moral rights: Provisions that are held out to be improvements to authors’ moral rights, instead take rights away from authors, specifically in the application of exceptions to copyright.
- Limitation on assignments: A limitation on all transfers of copyright to a period of 25 years.
- Contract override: A blanket override of all contractual terms by the provisions of the Act, interfering with the freedom to contract and creating uncertainty in every agreement involving copyright works.

PASA’s submission also highlights the changed focus of the Bill from the original directive, which was to benefit the position of authors and performers, to a more ‘users’ rights’ agenda and State control over copyright works.

Following the public hearings in August, Parliament came to the conclusion that the Bill had so many shortcomings, it decided not to return the Bill to Government, but to rewrite it itself. A task team has been established with a directive to have an alternative Bill ready to present to the General Assembly in early 2018, subject to a fresh round of public hearings.

Professional Editors Network (PEN) South Africa is convinced that many of
“We hear about internet search engines and other technological applications, all of which use machines to ‘read’ millions of works with the purpose, it is said, ‘to expand our knowledge and improve our lives.’ This description does not cover the Google Books Project, which started with Google making digitised reproductions of entire book collections of participating libraries and keeping a copy for purposes held by the US courts to constitute ‘fair use,’ namely the making available on the internet of bibliographical data and so-called ‘snippets’.

“The concern publishers have with this result, which was raised by PASA at the hearings, was that this case and others are causing US ‘fair use’ law to become – in the words of Jon Baumgarten, former general counsel of the US Copyright Office – ‘a legal regime that permits regular, concerted, systematic, commercially purposed, 100% complete and uncompensated copying without permission, day in day out, of millions of copyrighted books.’

“The digitisation exercises must have left Google with the world’s biggest library, without having bought a single book.”

Mpuka Radinku, PASA executive director and Copyright Alliance member, told Fin 24 that the association welcomes one of the main goals of the Bill, namely to bring the Copyright Act of 1978 up to date with the Internet age.

“PASA supports the principles of access to copyright works if permission is obtained where required by international treaties and practice,” said Radinku.

“PASA, nevertheless, suggests that many of the provisions in the Bill will need to be re-evaluated, reconceptualised and rewritten. We strongly feel that new rules allowing the state to assume ownership of copyright works made with state funding and the across-the-board overriding of contractual terms should be rejected.”

In PASA’s view, the Bill must do more to improve the protection of authors and publishers in the internet age.

“Whereas publishers recognise that exceptions to copyright are part of the copyright landscape, we contend that, as the PwC report shows, overly broad exceptions are to the prejudice of authors and publishers and interfere with their legitimate expectations to earn from their work,” said Radinku.

Thanks to Andre Myburgh for his expert and editorial input.
Parents and teachers had until Friday 10 November 2017 to comment on the draft Basic Education Laws Amendment (BELA) Bill which proposes to take away powers from School Governing Bodies (SGBs) and choice from home-schooling families.

The Draft Basic Education Laws Amendment Bill was published in Government Gazette 41178. The proposed legislation aims to amend the South African Schools Act (SASA) and the Employment of Educators Act (EEA) in order to align them with developments in the education sector.

The draft bill also intends ensuring that systems of learning and excellence in education are put in place in a way that “respects, protects, promotes and fulfils the right to basic education” as enshrined in the constitution.

Cabinet approved the draft bill at the end of August 2017.

In the cabinet statement, the draft bill was described as “the outcome of the review of all basic education legislation with a view to enhancing organisational efficiency so as to improve school governance, leadership and accountability, transforming education services, and protecting vulnerable groups to ensure the well-being of learners.”

Sabinet sums it up like this: “The draft bill also seeks to amend the SASA in order to make it an offence for people to disrupt or interrupt any school activity or to hinder or obstruct any school in the performance of the school’s activities, provide the head of department with the final authority to admit a learner to a public school, provide for a governing body to submit the language policy of a public school to the head of department for approval, empower the basic education minister to appoint outside agencies or persons to advise the minister on matters relating to a national curriculum statement and a national process and procedures for the assessment of learner achievement, provide that a school’s code of conduct must take into account the diverse cultural beliefs and religious observances of the learners at the school, provide for the prohibition of liquor and prohibited substances on school premises, limit the powers of a governing body in regard to recommending candidates for appointment and provide for dispute resolution mechanisms in the event of any dispute between the head of department and a governing body.”

“Amendments are proposed to the EEA to, inter alia, provide for a limitation on the post levels for which the governing body may recommend candidates to the head of department, prohibit teachers from conducting business with the state, require teachers to disclose their financial interests to the head of department and extend the powers of the minister to make regulations on norms and standards for district staffing.”

“BELA is the most radical change in education law since the 1996 Schools Act, and could have far reaching effects.”

Having had only eight days in which to work, Front National South Africa submitted a letter of objection against the proposed Amendment to the Schools Act, to the office of the Director General of Education on the 10th of November with 63 945 signatories on its petition on GoPetition.com.

“We wish to object to this amendment as we are concerned about the extent to which it will take powers away from School Governing Bodies in terms of the appointment of educators, the determination of admission policies and the language of instruction in schools. Taken into account that such an amendment would put an immense financial burden of management on the Dept of Basic Education, we are further concerned that the Minister will be forced to recoup these expenses in ways that will inevitably impact negatively on the delivery of already strained quality education and on the already expensive upkeep and maintenance of facilities,” states their objection.

“The right of parents and communities to elect representatives to have an input in the education of children from the diversity of communities, cultures and ethnicities of our nation is a constitutional right and should not be impaired in any way whatsoever.”

“We therefore wish to emphasize that the proposed legislation, including the stipulations regarding the regulation of private tuition and home schooling, is not acceptable to the signatories of this document and we call on the department to withdraw the proposed amendment immediately.”

BELA is the most radical change in education law since the 1996 Schools Act, and could have far reaching effects. The amendments to the bill would “increase your tax, raise school fees and increase costs and administration of home educating. Depending on provincial education policy, weakened financial viability of quality fee-paying public schools may lead to an exodus, retrenchment of teachers and thus loss of quality. Six hundred thousand school staff as well as their spouses & partners would have their privacy invaded by having to disclose their financial and ‘in kind’ interests. The state could over-rule governing bodies language policy, especially threatening the remaining 1 out of 20 single-medium Afrikaans schools. It would be more difficult for schools to rent facilities to churches and independent schools. This and loss of teacher appointment powers to SGBs would indirectly impact religion. Implementation powers are in the hands of provinces, likely making education a key issue in provincial elections and educational refugees moving province. The consultation process seems unequal, with some stakeholders consulted early and the rest have an unreasonable deadline. BELA is the most radical change in education law since the 1996 Schools Act, and would put education back in the control of the state, as it was in the apartheid era,” says Philip Rosenthal on Biznews.com.
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<tr>
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