1 November 2019

briefing NOTEs: revised WHITE PAPER ON ARTS, CULTURE and heritage

|  |
| --- |
| Table of Contents  [1. introduction 1](#_Toc23516332)  [2. background 1](#_Toc23516333)  [3. the path to the revised white paper policy document 2](#_Toc23516334)  [4. aims of the revised white paper 4](#_Toc23516335)  [5. Proposed changes to the status quo 4](#_Toc23516336)  [6. impact on the sector 6](#_Toc23516337)  [7. KEY CONSIDERATIONS for parliament 6](#_Toc23516338)  [8. concluding remarks 7](#_Toc23516339)  [9. References 7](#_Toc23516340) |

# introduction

Between the release of the first White Paper in 1996 until 2018, when the Revised White Paper for Arts, Culture and Heritage was approved by Cabinet, there had been no review of the policy framework that governs the sector. Once the process has been concluded, the White Paper will provide an overarching policy framework that will inform the formulation of other policies, legislation, and sectoral strategies.

This brief has been prepared to assist Members of the Portfolio Committee on Sports, Arts and Culture with a broad overview of the process to date and highlights some issues for consideration when the Committee meets with the Department of Sports, Arts and Culture (the Department) to engage on matters pertaining the revised White Paper.

# background

The first White Paper on Arts, Culture and Heritage was released in 1996. The main aim of the 1996 White Paper was about the environment being conducive to the promoting, protecting and realising the full potential of South Africa’s Cultural and Creative Industries (CCIs) through:

* Transparent and catalytic mechanisms for distributing public funds;
* Transformation of all arts and culture institutions and structures;
* Redistribution, redress and access;
* Human resource development: practitioners, administrators and educators;
* Integration of arts and culture into all aspects of socio-economic development;
* The rights and status of practitioners; and
* Sources of funding.

The main objectives of this policy document were to:

* Promote economic activity and value diversity of the arts, culture, and heritage;
* Empower all South Africans to fully participate in the country's social, political, and economic life, by using the linguistic diversity of our country as a resource;
* Ensure equitable development and preservation or experiences, heritage and symbols;
* Promote the full range of art forms, cultural activities and heritage;
* Develop the cultural industry; and
* Widen access to arts, culture & heritage promotion and development.

A number of significant changes in the country’s economic, policy/political and legislative environment prompted the initiative to review the White Paper. This began in 2005. The changes include:

* The separation of the Department Arts, Culture, Science and Technology into the Department of Arts and Culture and the Department of Science and Technology in 2004;
* Some of the legislation, programmes and projects developed since 1996 overrides the essence of the 1996 White Paper, not as intentional disregard for the policy framework but rather as a response to changes in the political and socio-economic context and directives issued by succeeding government’s priorities;
* The composition, governance, mandates and role of Arts, Culture and Heritage (ACH) institutions and the CCIs.

Furthermore since the introduction of the 1996 White Paper, Government has recognised the growing strength, potential and contribution of the CCIs in the broader agenda to transform South Africa into an equitable society.

# the path to the revised white paper policy document

This section will provide a basic chronological overview of the process undertaken to finalise the revised White Paper that Cabinet approved in August 2018.

* “A review of the White Paper on Arts and Culture was initiated in 2005. Intense consultations held between national departments, provincial departments, local government, and arts, culture and heritage institutions have resulted in the formulation of a number of recommendations that will be aligned with Vision 2016 of the Mzansi Golden Economy Strategy (MGE).” (Department of Arts and Culture, Annual Performance Plan 2013 – 2016, p.10).
* In June 2013, a draft revised White Paper on Arts and Culture was released for public comment. (Department of Arts and Culture, Presentation to the Portfolio Committee on Arts and Culture, 17 March 2015).
* In the Department’s efforts to streamline the arts, culture and heritage sector, it hosted consultative workshops with the arts community in Johannesburg, Durban and Cape Town during 2013. The Department presented a draft of the Revised White Paper to its stakeholders. (Department of Arts and Culture, Annual Report 2013/14, pp.9, 46).
* During the 2014/15 financial year, the Department embarked on public hearings on the White Paper in eight provinces. The Department hosted a National White Paper Review Summit in November 2015 during which it received wide-ranging recommendations to reshape the policy framework. (Department of Arts and Culture Annual Report 2015/16, p.65).
* In March 2015, the then acting Director General of the Department, announced that the Revised White would be scrapped in light of the controversy it had sparked.[[1]](#footnote-1)
* In November 2015, the Minister of Arts and Culture appointed a Reference Panel for the Revision of the White Paper on Arts. Culture and Heritage that was broadly representative and inclusive.[[2]](#footnote-2)
* A first draft was completed in October 2016 for internal circulation, comments and inputs by the Department’s management. The inputs were processed and incorporated into the Second Draft in November 2016 to be tabled at the National Indaba on 17 and 18 November 2016.
* A third draft was completed by the end of February 2017 and incorporated the input for National Indaba. Additional submissions made between January and September 2017 and were incorporated in the fourth draft in October 2017.
* By the end of the 2017/18 financial year, the Department of Performance Monitoring and Evaluation issued the preliminary socio-economic impact assessment system (SEIAS) certification to allow Cabinet processes to take place. (Department of Arts and Culture, Annual Report 2017/18, pp.33, 45).
* Cabinet approved the White Paper on Arts, Culture and Heritage. (Statement on the Cabinet Meeting of 22 August 2018[[3]](#footnote-3)).
* The Revised White Paper went through the normal parliamentary processes and was tabled in Parliament on 12 October 2018. (Department of Arts and Culture, Annual Report 2018/19, p.122).

# aims of the revised white paper

The following is extracted from the latest available version of the Revised White Paper:[[4]](#footnote-4)

“Flowing from the above, the revised White Paper carries forward the gains of the preceding two decades and addresses the challenges of inequality, poverty, unemployment and persistent divisions based on race, gender, economic and other factors of exclusions. The intention is to effectively contribute to building a cohesive and united society in which everyone has access to arts, culture and heritage, resources, facilities and opportunities framed by the following objectives:

* Firstly, to align the revised White Paper on Arts, Culture and Heritage with the core mandate of the Ministry of providing arts, culture and heritage services, facilities, funds and resources; contribute to addressing poverty and job creation; and promote social cohesion and nation-building by providing access, resources and facilities to all who live in South Africa, with special attention paid to injustices and imbalances of the past.
* Secondly, to base the revised White Paper on Arts, Culture and Heritage on the fundamental right to culture, artistic creativity, language, and intellectual and artistic freedom as enshrined in the Bill of Rights in the Constitution of the Republic of South Africa (1996); The National Development Plan: Vision for 2030 (2011); the African Charter on Human and Peoples’ Rights (1981); the Charter for African Cultural Renaissance (2006); the United Nations Education, Scientific and Cultural Organization (UNESCO) Declaration on Cultural Diversity (2001); the Convention for the Safeguarding of Intangible Cultural Heritage (2003); Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005); and the African Union’s Agenda 2063 (2014).
* Thirdly, to harness art, culture and heritage as creative, innovative, educational social development practices with the economic capacities for transforming South Africa into an inclusive society based on actual equality.
* Fourthly, to reconfigure the existing art, culture and heritage sector and the policies underpinning it to eliminate duplication and hasten transformation to enable the accelerated transformation and optimal performance of the sector in relation to current social, educational and economic policies.”

# Proposed changes to the status quo

In practical terms, the revised White Paper proposes, *inter alia*, the following:

* A new dispensation
  + South African National Art and Audio-Visual Council:

Performing Arts, Visual Art, Craft and Design, Creative Writing and Audio-visual Development.

* + National Heritage Council of South Africa:

Museums, Monuments, Heritage Resource and Sites, Geographical Place Names, Heraldry, Archives, Libraries and Information Services.

* + South African Book Development Council:

Constituted by one representative each from publishing, printing, book trade, authors, editors, translators and Basic Education, Higher Education, Small Business Development.

* + South African Academy of Events, Technical and Production:

To develop professional training in sound, lighting, stage, power, audio-visual, rigging, recording and production skills.

* + South African National Institute for African Art, Culture and Heritage:

An institute dedicated to explore the possibilities of African intellectual and cultural systems as a force for development and social cohesion, consisting of multi-disciplinary centres based at tertiary institutions.

* Funding policies and incentives
  + A range of funding modalities, including, grant funding, a Creative and Cultural Industries Fund, debt finance and equity finance, are proposed. These are supplemented by:
    - A catalyst fund: in partnership with the private sector to facilitate investment via public and private loans or seed funding;
    - A regional fund: for trade in the African region;
    - An investment fund: in partnership with the private sector to enable equity investments;
    - Accelerators: Expert advice, mentoring, practical and technical support to groups of new ventures;
    - Incubators: Provide co-working spaces so that cultural and creative entrepreneurs to develop concepts into commercial projects.
  + Collaboration with the relevant departments when funding is channelled through other government departments and to ensure the development objectives as set out by the Department are still met.
  + Incentives for Business Support : The need to address one of the barriers to greater private sector funding in section 18A and the Ninth Schedule in Section 30 of the Income Tax Act of 1962. This section permits tax deductions for corporate funding for public benefit organisations, in social welfare, health care, conservation, environmental and animal care as well as land and housing but excludes arts, culture and heritage calls for motivated submission to amend this.

# impact on the sector

Building on the gains from the revised White Paper’s 1996 predecessor, the Department envisions the following impact on the sector:[[5]](#footnote-5)

* Updated policy designed to address current challenges;
* Eliminates fragmentation and duplication;
* Addresses the shortcomings in existing policy;
* More streamlined and integrated ACH dispensation;
* Promotes greater efficiency and effectiveness;
* Enhances coordination of inter-governmental and international cooperation;
* Aligned to Social Cohesion and Nation Building;
* Correlates with the National Development Plan;
* Foregrounds African Knowledge and Culture in a diverse poly-epistemic and inclusive framework;
* Enhances access for marginalised urban, peri-urban and rural communities;
* Combine the inherent value and economic values of the sector;
* Supports events management and technical skills development;
* Stresses the critical importance of education and training;
* Proposes innovative and flexible funding models;
* Upholds the rights of ACH practitioners;
* Emphasises effective implementation and regular monitoring and evaluation.

# KEY CONSIDERATIONS for parliament

This section highlights some issues that need to be clarified for the benefit of the Committee.

|  |
| --- |
| * The Revised White Paper proposed that the name of the Department be changed to Department of Arts, Culture and Heritage. In light of the recent merge of the Department of Arts and Culture with the Department of Sports and Recreation, will the White Paper be amended to take this merger into consideration? * In terms of the imminent legislative review upon the finalisation of the White Paper, what does this mean for the proposed new councils? * Does the Department envision these new Councils to be constituted of permanent council members? If not, how will these Councils manage their responsibilities? * Has the Department drafted a list of legislation that will require review, repeal or introduction to Parliament? * What progress has been made at the Davis Commission in relation to the incentives for business support of the sector? * With the current economic outlook, how is the Department still of the view that debt finance is advisable to keep the sector moving forward? * As a matter of interest, can the Department provide the Committee with an indication of what the entire process of revising the White Paper cost, including the process leading up the scrapping of the first revision. |

# concluding remarks

While the revised White Paper provides the basis for the ongoing efforts to transform the sector and that will contribute towards nation-building, social cohesion and socio-economic inclusion, it is only when the legislative review process begins and the subsequent implement of legislation ascended to by the President that the sector will be able to see how this process has impacted on transformation, access, and socio-economic development.

# References

Department of Arts and Culture. (2019). *Annual Report 2018/19*. Pretoria, Department of Arts and Culture.

Department of Arts and Culture. (2018). *Annual Report 2017/18*. Pretoria, Department of Arts and Culture.

Department of Arts and Culture. (2018a). *Presentation of the Revised White Paper on Arts, Culture and Heritage to the Portfolio Committee on Arts and Culture*, 4 December. Cape Town, Parliament of South Africa.

Department of Arts and Culture. (2017). *Revision of the Department of Arts and Culture 1996 White Paper: Fourth Draft* [Internet]. Available from: <http://www.dac.gov.za/content/revised-white-paper-arts-culture-and-heritage-fourth-draft-0> [Accessed 28 October 2019].

Department of Arts and Culture. (2016)*. Annual Report 2015/16*. Pretoria, Department of Arts and Culture.

Department of Arts and Culture. (2014). *Annual Report 2013/14*. Pretoria, Department of Arts and Culture.

Department of Arts and Culture. (2013). *Annual Performance Plan 2013 – 2016*. Pretoria, Department of Arts and Culture.

1. https://www.dailymaverick.co.za/article/2015-03-27-ccifa-elective-conference-alls-well-that-ends-well-in-dramatic-week-for-the-arts-sector/ [↑](#footnote-ref-1)
2. Department of Arts and Culture (2018). [↑](#footnote-ref-2)
3. https://www.gcis.gov.za/newsroom/media-releases/statement-cabinet-meeting-22-august-2018 [↑](#footnote-ref-3)
4. Department of Arts and Culture (2017). [↑](#footnote-ref-4)
5. Department of Arts and Culture (2018a). [↑](#footnote-ref-5)