

AFLOA

HSRC RESEARCH OUTPUTS

4876



arts and culture

Department:
Arts and Culture
REPUBLIC OF SOUTH AFRICA

Hogg, G.

**REPORT ON THE
POLICY REVIEW WORKSHOP
OF THE
DEPARTMENT OF ARTS AND CULTURE**

**6-8 May 2007
Sandton International Convention Centre**

Table of Content

	3
Abbreviations and Acronyms	4
Introduction	5
Executive Summary	9
Summary of challenges and recommendations	16
Issues in cultural policy dynamics in South Africa	28
Policy Challenges and Proposed Interventions	48
Gaps and implications for the policy drafting process	56
Conclusion	58
Commission reports	85
List of participants	

Abbreviations and Acronyms

ACTAG	Arts and Culture Task Group
ACH	Arts, culture and heritage
ALA	Arm's length approach
ASGISA	Accelerated and Shared Growth Initiative for South Africa
AU	African Union
BASA	Business and Arts South Africa
BBBEE	Broad-based black economic empowerment
DAC	Department of Arts and Culture
DEAT	Department of Environmental Affairs and Tourism
DFA	Department of Foreign Affairs
DoC	Department of Communication
DoE	Department of Education
DoL	Department of Labour
DPLG	Department of Provincial and Local Government
DSAC	Department of Sport, Art and Culture
DST	Department of Science and Technology
DTI	Department of Trade and Industry
ECD	Early Childhood Development
EPWP	Extended Public Works Programme
CPPRCRLC	Commission for the Protection and Promotion of Rights of Cultural, Religious and Linguistic Communities
HDI	Historically Deprived Individuals
HSRC	Human Sciences Research Council
IGRF	Intergovernmental Relations Framework
IHRF	Integrated Human Resources Strategy
IHS	Indigenous Knowledge System
IKS	Intellectual Property Rights
IPR	Media, Advertising, Publishing, Printing and Packaging Sector
MAPPP SETA	Education and Training Authority
MEC	Member of the Executive Council
MFMA	Municipal Financial Management Act
MinMEC	Minister and MECs
MRC	Medical Research Council
MTEF	Medium Term Expenditure Framework
NAC	National Arts Council
NEPAD	New Partnership for Africa's Development
NFVF	National Film and Video Foundation
NGO	Non-governmental organisation
NHC	National Heritage Council
OCPA	Observatory for cultural policy in Africa
PACC	Provincial Arts and Culture Council
PAIA	Public Access to Information Act
PANSALB	Pan South African Language Board
PCAS	Policy Coordination and Advisory Services
PFMA	Public Finance Management Act
SAHRA	South African Heritage Resources Agency
SAQA	South African Qualifications Authority
SETA	Sector Education and Training Authority
SLA	Service level agreement
STATS SA	Statistics South Africa
UNESCO	United Nations Educational, Scientific and Cultural Organization

Introduction

This report is the outcome of the Policy Review Workshop hosted by the Department of Arts and Culture (DAC) from 6 – 8 May 2007 at the Sandton International Convention Centre. The current policy review process was initiated in February 2005 by MinMEC, the forum of Minister and MECs. The aim of the review is to:

- review the effectiveness, efficiency and relevance of policy and legislation in the sector; and
- to provide a platform for the development of creative solutions in response to strategic hurdles to implementation in the past 10 years.

The workshop was the culmination of a series of workshops between the national department, provincial departments, local government and arts, culture and heritage institutions, which constitute a comprehensive policy review process led by DAC. The process resulted in a Discussion Document: Arts, Culture and Heritage Policy Review. This document is available online at

<http://www.dac.gov.za/projects/Policy%20Review/Background%20document.doc>

This workshop report summarises the key themes, issues and recommendations raised throughout the workshop. The report is structured as follows:

Executive Summary

- Section 1: Issues in cultural policy dynamics in South Africa, summarising the general presentations and discussions in plenary sessions.
- Section 2: Summaries of the commission presentations and discussions, highlighting the key challenges and the policy and legislative, strategic and action implications under each challenge.
- Section 3: Gaps and implications for the policy drafting process, highlighting key issues that are important for completing the policy review process.
- Conclusion: Summarising the main issues and indicating the immediate actions that the DAC should take.
- Annexure A: Detailed reports of the commissions, each of which followed its own structure.
- Annexure B: List of participants.

Executive summary

Since 2005 the Department of Arts and Culture has been involved in a comprehensive review of its policies, including the 1996 White Paper on Arts, Culture and Heritage, and all its legislation. The process resulted in a Discussion Document that was used as the basis for a national policy review workshop in May 2007. The workshop focused on seven themes:

1. The arts, culture and heritage legislative framework;
2. Review of the arm's length approach;
3. Contribution of the arts, culture and heritage to the economy;
4. The role of arts, culture and heritage continentally and internationally;
5. Review of human resources, research and development needs of the arts, culture and heritage sector;
6. The role of arts, culture and heritage in social development; and
7. Review of the arts, culture and heritage funding and financing model.

The arts, culture and heritage sector, and the Department in particular, are faced by a number of challenges reflecting both past and future cultural, political, social and economic developments in South Africa and internationally. The arts, culture and heritage sector has not yet fully overcome the legacies of apartheid, and inequity in access to infrastructure, to resources and to career and participation opportunities persist. In addition, the sector remains fragmented in terms of institutions, organisations and actions. In this respect the objectives of transformation, redress and equity as set out in the White Paper, remain relevant.

Within the broader policy framework a number of challenges were highlighted by keynote speakers at the national workshop. Historically the White Paper and subsequent policies were based on the 1995 report by the Arts and Culture Task Group (ACTAG) to the Ministry. Although most recommendations in the ACTAG report were reflected in the White Paper, issues such as tax exemptions and social security were not addressed. Arts, culture and heritage in South Africa also exist within an African and international context. Organisations like the African Union and UNESCO have been involved in cultural policy making for many years, and their results have to be included in any South African policy review. One major issue is the role of culture in social and economic development, and the need for international agreements on intellectual property. Another issue is the need for recognition of cultural diversity as part of a country's wealth. A third issue is the challenge for an African identity in art and cultural production and conservation, as reflected in the African Renaissance movement and a new awareness of African values and principles, e.g. ubuntu. New approaches to heritage require recognition of intangible heritage and indigenous knowledge systems. The sector, and particularly the Department, has to be able to report on progress in the arts, culture and heritage, which requires clear indicators and a monitoring system, such as a cultural observatory, which could be linked to the Observatory for Cultural Policies in Africa (OCPA).

With regard to theme one, the arts, culture and heritage legislative framework, speakers and participants agreed on the need for further transformation of public arts, culture and heritage institutions through rights-based policy and funding regimes to ensure equity and redress. Furthermore, South Africa has moved into a new legislative

environment, with a focus on integrated development, poverty alleviation and intergovernmental cooperation, under the umbrella of the Constitution and the Bill of Rights. The Department is faced with challenges to align the sector, and particularly institutions, to these new national imperatives, including poverty alleviation and job creation. This requires ongoing partnerships with other departments in all three spheres of government, civil society and the private sector.

The White Paper and subsequent legislation were based on an arm's length approach, ensuring sufficient independence of the public institutions. This issue was discussed under theme two. As South Africans live in a more mature democracy, the relevance of this approach was questioned, or at least it needs a review to ensure compliance with accountability policies and legislation, both financially and towards the communities that are served. A renewed relationship between government and the recipient institutions requires clarity about roles, mandates and functions of the role players and alignment to government accountability and planning systems such as the Medium Term Expenditure Framework (MTEF) and the Public Finance Management Act (PFMA).

It is internationally acknowledged that the arts, culture and heritage contribute significantly to the economy. As highlighted in theme three, this contribution can be increased through more investment, for which a robust case has to be made. There is currently a severe lack of information on the arts, culture and heritage sector's contribution to the South African economy. New policy can correct this situation as is happening overseas, with expected positive impacts on funding support and investments. One implication is that the arts, culture and heritage have to be integrated into macro-economic planning and funding strategies from other departments. This requires solid research on the impact of the arts, based on valid criteria and indicators and reliable methods. Such research should be linked to other national systems of data collection (national census, etc.) and include the development of professional skills.

Emerging out of decades of international isolation, South Africa currently enjoys significant involvement and recognition internationally. The country has signed over 37 inter-state agreements and a number of international cultural conventions. Theme four discussions suggested that the profile of South Africa can be raised through increased involvement in policy discussion forums, such as the International Network on Cultural Policy and OCPA. In practice the Department can promote the arts, culture and heritage in embassies and consulates, and through more international exchange programmes.

Development is about people. Much attention at the workshop went to human skills and other areas of development as a sustainable basis for redress and transformation, particularly under theme five. The Department developed an Integrated Human Resource Development strategy in 2005, but this strategy has to be implemented and extended through Memorandums of Agreement with the Departments of Education, Labour and Trade and Industry.

Development must be based on reliable and valid information. The need for more research, and particularly a national research agenda which is shared with other departments and stakeholders, was mentioned throughout the workshop. The Department has to invest in research in order to create a body of knowledge relevant

to arts, culture and heritage policy and ensure that such a research agenda includes African value systems and indigenous language as a mainstay of knowledge.

Internationally and historically it has been shown that the arts, culture and heritage can play a major role in social development. Under theme six the workshop discussed the power of the arts to heal, particularly towards social cohesion and national identity building, but also in personal and community development. This development power is highly applicable to all social areas, from human settlement and spatial development to the empowerment of women, youth and the disabled. In addition, the arts are central to the development of creativity, an aptitude that has become central to innovation in the economy and society at large. The workshop highlighted the need for Africanisation of social development policies and strategies, to counter the colonialist legacy and neo-liberal globalisation trends. The promotion of indigenous languages is an important part of such policies and strategies. The promotion of social development is directly linked to increased access to facilities and opportunities for participation in the arts, and training for higher skills.

Funding remains a central issue in the promotion of arts, culture and heritage as discussions under theme seven confirmed. The White Paper made provision for new and extended funding systems from the state to arts organisations and artists. The broader funding landscape is much wider, and includes market systems and social responsibility programmes from the private sector. The funding environment lacks coordinated planning, implementation, and monitoring and evaluation, and is unstable and inconsistent. The workshop identified the urgent need to coordinate existing funding systems, mechanisms and channels between the state, private sector and civil society. There is also a dire need to formulate new funding models which provide for the state's custodianship for culture, the need for more accountability and equitable spread of funding across provinces and disciplines. As the arts, culture and heritage sector are part of a larger economic system based largely on market forces, service delivery and production should increasingly be based on demand, while emphasising audience development and local content.

An arts, culture and heritage policy review is done within the broader context of national policy making, which at best is highly complex, but is often experienced as chaotic. Sectoral policy making requires clarity on basic concepts and practices. It raises questions about the role of the arts, culture and heritage policy within broader national constitutional and national policy frameworks in South Africa. The White Paper addressed arts, culture and heritage, but provided little clarification about the relationship between the three. Should they be addressed through a single policy framework? Policy making is itself a complex task, having to take into account the roles of stakeholders in the sector and outside. Internationally there are intense debates about the role of the state in the promotion of the arts, culture and heritage, and about the relationship between such promotion and the objectives of the current government. South Africa is increasingly becoming part of Africa in a political and practical sense. This has implications for the nature of cultural policy, such as the move away from Western dominated models towards African ones.

A number of immediate actions were identified by the participants in the workshop:

- The findings of the workshop have to be integrated into the Discussion Document. DAC representatives indicated that this is according to the review's objectives.
- Furthermore the arts, culture and heritage policy review process has to speak to the heritage policy review to ensure coordinated outcomes. Again DAC representatives indicated that both processes are an integral part of a larger policy review process.
- Both review processes can only be valid if the arts, culture and heritage sector in its widest sense have co-ownership. Government, as a facilitator of policy making, should create an enabling environment for the stakeholders in and outside the sectors to contribute towards the final product through an iterative process.
- Lastly, some very basic and complex issues will have to be scrutinised through a consultative process, and it has been proposed that (a) conference(s) or national workshop(s) be organised around issues of social cohesion, national identity and cultural diversity, use of indigenous languages and the role of indigenous knowledge systems in policy making.

Summary of challenges and recommendations

Challenges		Recommendations		
Theme	Policy	Strategy	Action	
Theme 1: The arts, culture and heritage legislative framework	<p>Challenge 1: Transform public entities:</p> <ol style="list-style-type: none"> Analyse institutional arrangements Comprehensive assessment criteria for institutional performance 	<ol style="list-style-type: none"> Draft transformation policies Incorporate cultural rights 	<ol style="list-style-type: none"> Cultural rights as equal to other constitutional rights Increase institutional leadership capacity Increase qualifications of HDIs African language as mainstay of knowledge Equity in resource allocation 	<ol style="list-style-type: none"> Monitor transformation Develop equality criteria with funders Ring-fence allocations for redress Engage CPPRRLC for cooperation
	<p>Challenge 2: Align legislation to national priorities:</p> <ol style="list-style-type: none"> Extend focus on arts, culture and heritage towards multi-sectoral approach Improve interdepartmental cooperation 	<ol style="list-style-type: none"> Include national priorities into DAC policy Contribute to amending of other Departments' legislation 	<ol style="list-style-type: none"> Include national priorities in review Promote civil society participation Engage with different departments for inclusion of arts, culture and heritage 	<ol style="list-style-type: none"> Engage DTI, DFA, DPLG, DoE for MoUs Create forums for interdepartmental debate Guidelines for community involvement in local cultural policy making
	<p>Challenge 3: Review existing legislation:</p> <ol style="list-style-type: none"> Clarify Constitutional mandates Schedules 4&5 Clarify mandates of DAC and PANSALB Policy on intangible heritage 	<ol style="list-style-type: none"> Roles of national, provincial, local government Role of traditional leaders Roles, responsibilities of DAC and PANSALB Policy for intangible heritage Update DAC legislation Finalise language policies Policy on legacy projects 	<ol style="list-style-type: none"> Include ACH into developmental local govt Include ACH through rights-based approach Increase role of provinces in language, conservation, name changes 	<ol style="list-style-type: none"> Engage DPLG, provinces, municipalities through IGRF Engage heritage sector Engage PANSALB

Theme	Challenges	Recommendations		
		Policy	Strategy	Action
	<p>Challenge 4: Developing institutions</p> <ol style="list-style-type: none"> Increase institutional efficiency Clarify status of public entities Improve provincial function 	<ol style="list-style-type: none"> Position legacy projects Duplications NHC/SAHRA Align legislation to PFMA, PAIA Clarify roles and mandates of declared institution through policy Reconsider museum flagships Clarify responsibility for undeclared sites/objects 	<ol style="list-style-type: none"> Provincial involvement in heritage Promote indigenous languages Task team to assist in compliance to PFMA etc 	<ol style="list-style-type: none"> Implement IGRF act Audit institutions for compliance capacity Effective M&E system SA Geographical Names Council under NHC?
<p>Theme 2: Review of the arm's length approach (ALA)</p>	<p>Challenge 1: Develop common understanding of ALA</p> <ol style="list-style-type: none"> Common understanding of ALA Need for differentiation of ALA <p>Challenge 2: Review relevance of ALA</p> <ol style="list-style-type: none"> Entities ignore transformation needs Determine justification of ALA 	<ol style="list-style-type: none"> Define ALA in terms of institutional diversity Revisit ALA policies based on institutional audit 	<ol style="list-style-type: none"> Broaden debates on ALA Audit institutional landscape for rationalisation Engage entities for policy review Statutory bodies as funding channels for public entities? PANSALB under DAC for financial accountability? 	<ol style="list-style-type: none"> Engage public entities on ALA and PFMA Audit public entities Determine operational challenges of provincial responsibility for entities Assess DAC/Provinces for managing public entities
	<p>Challenge 3: Clarify roles and responsibilities</p> <ol style="list-style-type: none"> Inapplicable mix of expertise on boards Lack of information on legislation Few performance agreements and appraisals with CEOs <p>Challenge 4: Align public entities with government planning and reporting systems</p> <ol style="list-style-type: none"> MTEF and PFMA requirements Accountability policies do not accommodate arts sector 	<ol style="list-style-type: none"> Define roles and responsibilities Define functions of board members Include performance agreements in public entities' policies Policies for alignment Align appointment of senior staff and councils to MTEF 	<ol style="list-style-type: none"> Engage public entities about roles and responsibilities DAC engage Treasury for aligning financial legislation to arts sector Separate provincial agencies for compliance? Offer admin home in provincial offices to entities 	<ol style="list-style-type: none"> Inform entities about uniform frameworks Induction programmes Standard performance agreements and appraisal formats Engage with public entities for alignment Guidelines for aligning entities to PFMA

Theme	Challenges	Recommendations		
		Policy	Strategy	Action
Theme 3: Contribution of arts, culture and heritage to the economy	Challenge 5: Coordinating funding channels to public entities 1. Diverse funding landscape 2. Lack of harmonisation, coordination	1. Institutional policies on funding	1. Rationalisation of funding landscape for synergy	1. Audit of existing funders of public entities 2. Engage funders for coordination 3. Assist public entities for fund management
	Challenge 1: Align arts, culture and heritage with development priorities 1. Diversity of policies dealing with economics of arts, culture and heritage 2. Cultural rights not always recognised	1. Role of cultural industries in economy 2. Update IPR legislation 3. Include ACH in economic development policies and legislation	1. Sector-based strategies for investment into ACH 2. Investment incentives 3. Effective use of resources 4. Compliance to BBBEE	1. Regular studies on stakeholder needs 2. National indicators for economic contributions 3. Development plans for sector 4. Improve investment climate 5. PPP development
	Challenge 2: Improving integration and cohesiveness in economic development programmes in creative industries	1. Link arts economics in public and private sector 2. Policy on financing and investment	1. Improve understanding of ACH economics across departments 2. DAC engage ACH sectors for communication and partnerships 3. Effective financing models for creative enterprises	1. Intergovernmental forums 2. Sectoral forums for cooperation 3. Research models for finance and investment
	Challenge 3 Improving data collection 1. AC ignored in national data collection 2. Data fragmented, outdated	1. Include national data collection in AC policy 2. Ring-fence funds for research 3. Include ACH in national data collection	1. Data collection and updating 2. Cooperation with research organisations	1. Creative industry mapping 2. Improve research mechanisms 3. national indicators
Challenge 4 Developing high level professional skills 1. Lack of integration 2. Lack of consultation	1. Develop DAC IHRS into policy	1. Focus on skills development 2. Entrepreneurial development 3. Career opportunities among youth	1. DAC representation on SETAs 2. Focus on capacity development in government	

Challenges		Recommendations		
Theme	Challenges	Policy	Strategy	Action
	<p>Challenge 5 Improving relations and communication</p> <ol style="list-style-type: none"> 1. Lack of cooperation between institutions 2. Exploitative relationships 3. Differential pay scales 	<ol style="list-style-type: none"> 1. Regulate through standard industrial structures 2. Incentives for equity 	<ol style="list-style-type: none"> 1. Inform artists on rights 2. BBBEE charter 3. Collective sectoral organisations 	<ol style="list-style-type: none"> 1. DAC funded forums for PPPs 2. Establish PPPs for funding 3. DAC to extend cooperation with BASA and private sector
Theme 4: Role of arts, culture and heritage continentally and internationally	<p>Challenge 1</p> <ol style="list-style-type: none"> 1. Building SA's cultural profile internationally 2. Implement international agreements 	<ol style="list-style-type: none"> 1. Address cultural diplomacy 	<ol style="list-style-type: none"> 1. Enlist sector for foreign objectives 2. Clarify roles in international environment 	<ol style="list-style-type: none"> 1. Revisit international agreements and define implementation 2. Use cultural observatory for international cooperation 3. Check international activities in SA
	<p>Challenge 2</p> <p>Developing cultural diplomacy agenda</p>	<ol style="list-style-type: none"> 1. DAC contribute to SA representation abroad 2. DAC include international representation in own policies 	<ol style="list-style-type: none"> 1. DAC involvement in attaché training 	<ol style="list-style-type: none"> 1. Promotional material for SA overseas offices 2. Advertise SA cultural activities abroad
	<p>Challenge 3</p> <ol style="list-style-type: none"> 1. Improving engagement with international cultural policy thinking 2. South-South cooperation <p>Challenge 4</p> <p>Clarifying the scope and role of government with regard to international relations</p> <ol style="list-style-type: none"> 1. Need for increased DAC involvement 2. Quality of export 	<ol style="list-style-type: none"> 1. Link to international debates 2. Involve indigenous communities 3. Copyright protection <ol style="list-style-type: none"> 1. Assess impact of international relations on local government 	<ol style="list-style-type: none"> 1. Engage SA and foreign stakeholders 2. Develop research agenda for international debates <ol style="list-style-type: none"> 1. Maximise use of cultural resources in other departments 2. Establish cultural watchdogs? 	<ol style="list-style-type: none"> 1. Increase DAC research capacity 2. Revive cultural observatory <ol style="list-style-type: none"> 1. Structure dialogue with international agencies 2. Management framework for city twinning
Theme 5: Review of human resources, research	<p>Challenge 1</p> <p>Improving Human Resources Development (HRD) in the sector</p> <ol style="list-style-type: none"> 1. Multi-level of HRD in SA 2. Norms and standards 	<ol style="list-style-type: none"> 1. Align HRD through all levels 	<ol style="list-style-type: none"> 1. Recognise diversity in HR needs 2. Increase access to HRD 3. Life-long learning 4. Retention of skills 	<ol style="list-style-type: none"> 1. Update and implement IHRS 2. Pilots for HRD 3. Community arts centres in HRD 4. Engage sector for working

Recommendations			
Theme	Challenges	Policy	Action
and development needs of the arts, culture and heritage Sector	<p>Challenge 2 Developing and implementing national research agenda</p> <ol style="list-style-type: none"> 1. ACTAG report 2. Research-based policy 	<ol style="list-style-type: none"> 1. Prioritise strategic research 	<ol style="list-style-type: none"> 5. Improve working conditions 1. Appropriate structures for research 2. HR research agenda
	<p>Theme 6: The arts, culture and heritage and social development</p> <p>Challenge 1 Promoting social cohesion and integration (national identity)</p>	<ol style="list-style-type: none"> 1. Promote debate about African cultural values 2. Sharing indigenous knowledge 3. Policy for social cohesion 	<ol style="list-style-type: none"> 1. DAC team for African values 2. SA commission for African values
	<p>Challenge 2 Improving human settlements, spatial planning and the built environment</p> <ol style="list-style-type: none"> 1. Apartheid legacy 2. Access to infrastructure <p>Challenge 3 Integrating arts, culture and heritage education</p> <ol style="list-style-type: none"> 1. ACH essential for social development 2. Underutilisation of AC resources 	<ol style="list-style-type: none"> 1. DAC to be included in policy making on human settlement planning 1. Clarify DAC mandate for ACH education 2. Charter for role of artist in society 	<ol style="list-style-type: none"> 1. Promote benefits from ACH inclusion 2. Incorporation of African values 1. Funding for arts education 2. Role of artist in community development 3. IK integrated into education
			<ol style="list-style-type: none"> 1. DAC human settlement task team 1. DAC/DoE policy framework 2. Develop teacher/training material 3. Implement HRD strategy 4. Promote heritage schools

Theme	Challenges	Recommendations		
		Policy	Strategy	Action
Theme 7: Arts, culture and heritage funding and financing models	<p>Challenge 4 Supporting indigenous language development</p> <ol style="list-style-type: none"> 1. Language as cultural capital. 2. Nguni/Sotho language development 3. SA English <p>Challenge 5 Broadening arts access and promoting social integration</p> <ol style="list-style-type: none"> 1. Impact of apartheid remains 2. Building audiences and markets 	<ol style="list-style-type: none"> 1. Clarify position PANSALB and DAC <ol style="list-style-type: none"> 1. Universal access to arts 2. Rehabilitation of offenders 3. Disability and access 	<ol style="list-style-type: none"> 1. Commission for promotion of dialogue on Africanisation to address language 2. Strategy for indigenous languages <ol style="list-style-type: none"> 1. Increase access for disadvantaged 2. ECD training 3. Integrated National Disability Strategy 4. Promotion of healthy families 	<ol style="list-style-type: none"> 1. Liberation route and language promotion 2. Language in media 3. Guidelines on local content <ol style="list-style-type: none"> 1. Mechanisms for universal access to ACH 2. Cooperation formal schools and community arts centres
	<p>Challenge 1 Develop new funding models that support sustainability, equity, transformation</p> <p>Challenge 2 Need for multi-year funding</p> <p>Challenge 3 Providing equitable access to funding across provinces</p> <ol style="list-style-type: none"> 1. Lack of appropriate funding models 2. Need for multi-year funding <ol style="list-style-type: none"> 1. Provincial allocations are diverse 2. Provinces are under funded 3. Need for linkage to other sectors 	<ol style="list-style-type: none"> 1. Compare AC funding models with those from other sectors 2. Four tier funding system of ACTAG <ol style="list-style-type: none"> 1. Align policies and legislation for funding between various funders 	<ol style="list-style-type: none"> 1. Engage with funders for coordination 2. Addressing funding reserves in institutions <ol style="list-style-type: none"> 1. Align national, provincial, local funding with MTEF 	<ol style="list-style-type: none"> 1. Planning of budget alignment with all funders 2. Guidelines and application processes review 3. Guidelines for DAC and PSAC funding processes <ol style="list-style-type: none"> 1. Develop effective costing models for gap analysis 2. Advocate for increased budget 3. Create multi-year funding models
	<p>Challenge 3 Developing support mechanisms for audience development, local content production and quality control</p> <ol style="list-style-type: none"> 1. No policies for audience development 2. Local content quotas only for media 3. Need for high quality content 	<ol style="list-style-type: none"> 1. Introduction of local content quotas 2. Intellectual property rights regime 3. Need for research in policy 4. Include audience development in policies 	<ol style="list-style-type: none"> 1. Expand co-production relationships in film and video sector 2. local content development into HR environment 3. Content development support programmes 4. Audience development in all government programmes 	<ol style="list-style-type: none"> 1. Research into viability of increasing local content quotas 2. Develop mechanisms for tracking impact of audience development

Theme	Challenges	Recommendations		
		Policy	Strategy	Action
	<p>Challenge 4 Role clarification, status allocation and interdepartmental cooperation</p> <ol style="list-style-type: none"> 1. Chaos in funding environment 2. Lack of clarity on status of institutions 	<ol style="list-style-type: none"> 1. Ensure status allocation and compliance frameworks 2. Review current institutional environment for performance 3. Include compliance issues in policy 	<ol style="list-style-type: none"> 1. Role clarification of stakeholders in terms of accountability 2. Develop annual SLAs 3. Engage institutions about compliance 	<ol style="list-style-type: none"> 1. Implement M&E systems 2. Develop compliance frameworks 3. Develop uniform reporting frameworks

2. Issues and cultural policy dynamics in South Africa

During the first day the context for the workshop was set by a number of presentations on a range of issues and challenges in the South African cultural policy context. The inputs are summarised below.

2.1. Outline of the Policy Review Process: Victor Julius (Acting Director-General)

Mr Victor Julius, Acting Director-General of the Department of Arts and Culture (DAC) outlined the policy review process in a presentation to the plenary. Mr Julius set the tone for the workshop by outlining the expectations of the current workshop as part of the first phase of the policy review process. Using the UNESCO framework developed in 1998 which asks a range of key questions that should form part of the deliberations as follows:

- Where are we?
- Where should the arts, culture and heritage sector go to?
- How can best practices be used and adopted in local processes?

Mr Julius highlighted the ethos of policy reviews in other countries as examples of how varied policy review processes and outcomes are across the globe. In Nigeria for example, the objective of the review was to create policy as a tool of nationhood, in the Netherlands the review aimed for policy that supports quality and diversity, EU policy review processes resulted in policy that emphasises the development of a peaceful and cohesive Europe, while China created policy to promote national unity and enhance tourism opportunities.

The current policy review process in South Africa was initiated in February 2005 by MinMEC, the meeting of Minister and MECs. The aim of the review is to:

- review the effectiveness, efficiency and relevance of policy and legislation in the sector:
- provide a platform for the development of creative solutions in response to strategic hurdles to implementation in the past 10 years.

Mr Julius acknowledged that the review process should have been continuous, and not initiated after ten years. The UNESCO processes were identified as a good practice example of how policy is continuously updated to be relevant to “the here and now”.

In order to begin the review process, the Technical Committee, comprising the Director-General and the Heads of Departments from the provinces, established a Policy Review Committee with provincial and national representatives. A secretariat was also appointed to manage the administration of the process.

The policy Review Committee drafted Terms of Reference (ToRs) for the process that outlined the objectives and the proposed process which was endorsed by MinMEC and presented to the parliamentary Portfolio Committee on Arts, Culture, Science and Technology. In parallel with six (6) consultative forums held on 2006 and 2007,

UNISA was commissioned to draft a discussion document for the process. The discussion document contained literature reviews, primary and secondary research and was circulated as a draft prior to the workshop. This document has been posted on the website for comment, and these will be incorporated in due course. In addition, a heritage, archives and libraries legislative review was also initiated to run in parallel.

The first three fora were intergovernmental consultative meetings between national and provincial government to consolidate the national and provincial visions. The fourth forum provided an opportunity for Cultural Institutions and local government to agree on a common position and vision of the policy review. The fifth forum engaged yet again with public entities and also other national government departments including Education, Planning Provincial and Local Government, Correctional Services amongst others. The sixth forum was an opportunity for government to engage with academics and arts and culture policy experts. Mr Julius acknowledged that this engagement was not entirely successful and as such, the current workshop was planned in order to provide an additional consultative forum. The desired outcomes of the forum are:

- Identifying policy challenges;
- Separating operational issues from policy challenges identified; and
- Engaging in constructive criticism of the process.

Mr Julius noted in his presentation that the current workshop, the seventh in the series, comprised the “end of the beginning” and would usher in further initiatives to engage and consult with the sector.

2.2. Key Note Address: Dr Pallo Jordan

Minister Pallo Jordan provided an “off the cuff” input that briefly outlined principles of the policy framework under review are pointed to issues for consideration in the policy workshop. The Minister reiterated that the role of the workshop was to examine the validity, usefulness and relevance of the current White Paper with a view of determining the future of arts, culture and heritage regarding the policy direction in particular.

In providing a strategic overview, the Minister outlined the themes of the current White Paper as renaissance and change, and also emphasised how the change could be uncomfortable and contested. He further argued that the White Paper had brought the hope that the needs, views and aspirations of previously disadvantaged South Africans had been brought into the mainstream as a result of the policy. He reiterated that the principles of the White Paper were universal and that they should still apply as written, the challenge is however, to translate these aspirations into reality. In using an allegory from a Japanese film, *Roshamon*, the Minister outlined a few important considerations for the workshop:

- The need to hear differing and conflicting accounts as part of the process of discovering the truth;
- The universality of the human condition which would allow for transfer of aspects with some ease; and

- The need for engagement to ensure decisions based on fact and not “knee jerk” reaction.

The Minister emphasised that the need was still to correct the defects of the past, and that these efforts should not be seen as discriminatory or unfair but an essential part of normalising society. The overall policy challenge, as outlined by the Minister is the search for truth, beauty and justice in the sector. He further outlined aspects that should be discussed in the sessions as:

- The role of the “arm’s length” principle and the degree to which it remains relevant and universal in its application;
- Developing a self-sustaining and sustainable sector;
- The issue of access to libraries and the development of library infrastructure in the context of contestation regarding the constitutional mandate for such work especially at local government level;
- The availability and publishing of literature for all South Africans in indigenous languages;
- The continually skewed allocation of infrastructure, funding and services to historically advantaged areas such as Gauteng and the Western Cape and the challenge of how to change this landscape;
- The transformation of the heritage landscape to ensure equity in the representations of the history of disadvantaged South Africans;
- Skills, succession planning and career pathing; and
- Further mainstreaming the arts, culture and heritage sectors.

2.3. Emerging Themes of the Arts and Culture Policy Review: Mr Gulam Mayet

Mr Mayet provided an overview of the themes and issues emerging from the Discussion Document that was drafted to inform the workshop proceedings. Under the first theme which pertains to the legislative and governance framework for the arts, Mr Mayet highlighted the debates regarding the concurrent government responsibilities outlined in Schedules 4 and 5 of the Constitution of the Republic in South Africa. The lack of an explicit reference responsibilities for arts, culture and heritage in the schedule pertaining to local government mandates was identified as a significant challenge to cultural policy development and implementation. The difficulty of the governance of the Pan South African Language Board (PanSALB) given the latter’s mandate emanating directly from the Constitution was also mentioned.

Echoing the Minister’s speech, the second broad theme identified was the continued relevance of the “arm’s length” approach in institutional governance of the sector. In particular, the relevance of the statutory bodies, the question of their relative autonomy and relations of accountability were raised. Theme 3, the role of the arts and culture in the economy was discussed in the relation to the need for the sector to contribute to the broader government objective of ensuring a 6% rate of economic growth. Mr Mayet’s presentation outlined questions regarding measures to improve the contribution of the sector to the economy, improving adherence to intellectual property legislation in the country and mechanisms to promote institutional and inter-governmental co-operation between all spheres of government and departments within

those spheres. He outlined further policy challenges with regard to financing, skills, market and product development and access to technology.

With regard to the role of arts and culture internationally and continentally, the presentation raised the challenge of ensuring South Africa plays a role in cultural diplomacy, conflict resolution and international co-operation. The presentation also called for greater co-ordination between all spheres of government with regard to international co-operation and also raised the question of whether a legal instrument would be required to define and govern international and continental co-operation on arts, culture and heritage matters.

The fifth theme, the review of human resources, research and development needs of the sector, engaged with questions regarding the improvement of arts curriculum delivery at schools by creating better institutional linkages between artists and schools and departments of arts and culture and education. In addition, the need to empowerment artists and cultural workers to manage their careers and the development of arts management skills were highlighted.

With regard to the role of arts and culture in social development, the following thematic points were raised:

- The development of policy to ensure that the lingering consequences of Apartheid are emphatically dealt with, improving the cultural components of human settlement policies and ensuring access for women, children, youth and people with disabilities to cultural infrastructure and opportunities.
- The need for arts and culture to play a role in social cohesion through the promotion of family values, offender rehabilitation and gender empowerment.

The final thematic area identified was the financing framework for the arts. Mr Mayet raised the need for the development of greater professionalism in the sector to ensure effective resource management and the questions regarding the need for the further provincialisation of arts councils as a primary funding mechanism.

Discussion around Mr Mayet's presentation identified the following areas as cross-cutting concerns across all themes:

- Policy and regulations;
- Co-ordination;
- Public awareness;
- Funding;
- Implementation;
- The importance of research;
- The need for cultural diplomacy;
- Monitoring, evaluation and regular reviews; and
- The need for alignment of policy review processes prior to legislative review processes, although there was recognition of the urgency of the heritage legislative review.

2.4. Heritage Policy and Legislative Review: Joanne Dugan

Joanne Dugan, representing the Heritage Agency which is part of a consortium appointed to conduct a review of heritage policy and legislation provided an overview of the process and the outcome of the review to date. Ms Dugan provided a brief overview of the policy development process in South Africa before and after 1994 in order to create the context for the current heritage policy and legislative review.

The review impacts 11 acts, which excludes the World Heritage Convention, as it has been excluded from the review process. The review brief is as follows:

- Review the law for divergence, duplication and inconsistency;
- Conduct a gap analysis of heritage policy & legislation;
- Consult stakeholders;
- Bridge the gaps between policy and legislation; and
- Eliminate tension between conflicting legislation and policy.

The review process has comprises a review of legislation, international conventions, selected policy and other strategic documents, consultation with stakeholders and a reference group, the incorporation of written submission and alignment with the Arts, Culture and Heritage White Paper policy review process. The review will aim to:

- Align legislation with the constitutional framework;
- Facilitate transformation;
- Develop flexible solutions for DAC and institutions to deliver efficiently and effectively;
- Review, align and amend legislation to keep up to date with current developments;
- Clarify roles and responsibilities of all role players and stakeholders; and
- Clarify the institutional mandates to address fragmentation and facilitate co-ordination.

The policy challenges identified in the review relate to:

- The roles, responsibilities, functions and powers of the government, agencies and institutions active in the sector;
- What mechanisms will facilitate delivery;
- The challenge of addressing Ubuntu, human rights, social cohesion, diversity, multi-lingualism and democratic values in legislation;
- The incorporation and management of intangible heritage, intellectual property indigenous knowledge systems, access to information and the right to privacy, repatriation, human remains and victims of conflict;
- Clarification of policy on the management of name changes;
- Modernising heraldry functions and the management of national symbols; and
- Improving the delivery of museum services.

2.5. The ACTAG Process: A Comparative Analysis: Prof Andries Oliphant

Professor Andries Oliphant, a central figure in the ACTAG process and subsequent development of the White Paper on Arts, Culture and Heritage presented an overview of the ACTAG process to inform the current policy review process.

In his presentation, Professor Oliphant talked about the process of ACTAG as well as the outcome. The Minister appointed a task group of 23 people, broadly representative of arts disciplines in the country to develop policy proposals for the sector. Early on, it was recognised that these 23 people did not fully represent the views of the sector, and as such, the scope of the process was amended to include extensive sector-based consultation process, that included libraries, managed through working groups. In addition, policy expertise from Africa and the rest of the world was also included. The working groups covered the following areas:

- National, provincial, metropolitan and local arts councils;
- Heritage;
- Community arts;
- Visual arts, craft, design;
- Libraries and information services;
- Language and literature;
- Arts education;
- Film and video;
- Performing arts;
- Arts administration;
- The future of the Performing Arts Councils (PACs); and
- Future of the Foundation for the Creative Arts.

The mandate of the ACTAG was to:

- Create an institutional framework that democratised policy making;
- Address inequalities;
- Promote tolerance and respect;
- Propose diverse sources and democratic mechanisms for funding the arts, film and heritage;
- Promote and propose ideas to help greater public access to the arts, culture and heritage;
- Encourage pursuit of achievement in the arts, film and heritage; and
- Make recommendations regarding the rights of artists.

The process resulted in public submissions and hearings on all matters which culminated in a national conference in Pretoria attended by over 500 delegates. The final report of the conference was handed to Minister of Arts, Culture, Science and Technology in mid-1995.

The White Paper adopted the 20 principles proposed by the ACTAG process and broadly incorporated a range of proposals, some of which, according to Professor Oliphant's presentation, have been implemented, some partially and some not at all:

1. Revision of all the existing legislation on arts culture and heritage (Partly done and now under review);
2. Establishment of statutory National Arts Council with provincial representation (Implemented);
3. Establishment of statutory Film and Video Foundation (Implemented);
4. Establishment of a statutory National Heritage Council (established but not as recommend);
5. Establishment of National Libraries & Information Council (implemented);
6. Establishment of development centres and museums for all indigenous languages (not implemented but may be on the agenda);
7. Establishment of BASA and other Public/Private foundations (implemented but not as extensively as is perhaps possible);
8. Establishment of Southern and Northern Flagships (implemented);
9. The establishment of national lottery (established);
10. The abolition of Foundation for the Creative Arts (implemented);
11. The abolition of the 4 performing arts councils of the Transvaal, Cape, Orange Free State and Natal (implemented haphazardly); and
12. Establishment of a National Institute of Arts, Culture and Heritage research (not implemented).

The following proposals from the ACTAG process were not implemented:

- Tax exemptions for arts sponsorship and funding (Not implemented);
- 1% of national budget set aside for the arts, culture, film and heritage (not implemented); and
- Formulate new legislation for the social security and protection of artists (not implemented).

In his presentation, Professor Oliphant strongly refuted claims that the White Paper was drafted in a constitutional vacuum, arguing that the Interim Constitution, which was amended very little in its promulgation, existed and was used as a reference point. In addition, he stated that local government, through the provision for "sports and recreation" is responsible for arts, culture and heritage activities, hence the existence of strong programmes in some metros.

Professor Oliphant ended his presentation concluding that the context of ACTAG was very different from the current one, and that as such, the review and development process would necessarily be different. He argued that the context now requires further consolidation of democracy and harnessing the potential of arts, culture and heritage to contribute directly and indirectly to broader social policies, priorities and objectives of the South African government in the second decade of democracy. He noted that in the ACTAG process, government was not involved, but now, having developed some capacity in government for development government involvement was essential. He cautioned about the need for further development of capacity in this regard, however.

Professor Oliphant closed his presentation with the following statement:

"If every generation must find its own cause, then every decade must formulate its own priorities. And this is what we will be doing."

2.6. Arts and Culture Policy: An International Perspective: Naren Sewpaul

Mr Naren Sewpaul, Director of Thomson's Research Services presented an overview of arts and culture policy issues internationally. Mr Sewpaul defined cultural policy as follows:

"Cultural policy" describes the values and principles which guide any social entity in cultural affairs. They are most often made by governments, but also by many other institutions in the private sector, from corporations to community organizations. The aim of cultural policy is to provide guidelines for those making decisions and taking actions which affect cultural life, and as culture is all-encompassing, cultural policy incorporates a broad range of measures taken to develop cultural life."

Mr Sewpaul noted that many policies with a direct impact on culture, for example, transportation, were drafted without any cultural considerations, which often creates further challenges for the development of the sector.

In his presentation, he highlighted that fact that culture and its development has been a policy priority internationally for a long time. In the developed world, countries are concerned with democratizing culture and in the developing world, countries are in the main concerned about dealing with legacies of colonisation.

With regard to emerging concepts internationally, Mr Sewpaul highlighted the following:

- Cultural democracy, and not only nurturing culture but developing communities through culture;
- The role of culture in development. Mr Sewpaul used examples of projects around the world to highlight the difference between cultural development and culture in development to make the point that terms were often conflated and confused;
- The emerging role of cultural observatories around the world as advisory and research services to policy makers, a programme supported by UNESCO;
- Developing and strengthening local cultural economies and promoting cultural diversity. The ratification of the international Convention on Cultural Diversity was highlighted as a key development with significant implications for cultural policy in South Africa; and
- Preserving and developing intangible heritage resources that have also been ratified into a UNESCO convention, posing similar challenges for implementation in South Africa.

Mr Sewpaul ended his presentation with an outline of some cultural policy challenges for South Africa that included:

- Cultural management which includes the management of creative organisations, artists and workers, but also the resources of the sector;
- Ensuring that heritage/cultural tourism benefits the community and also contributes to cultural expression.

2.7. Arts, Culture and Heritage Policy: An African Perspective: Harriet Deacon

Dr Harriet Deacon from the HSRC in Cape Town provide some thoughts on how the policy development process could draw on good practice examples from countries on the African continent to identify appropriate intervention models. Dr Deacon, echoing Mr Sewpaul defined cultural policy as:

- An overarching policy statement against which legislation and strategies are devised.
- A framework broad enough to deal with a reasonable period but specific enough to speak to time.

In analysing policy, Dr Deacon provided a typology of older perspectives of cultural policy which saw high culture or institutionalised culture as better than vernacular culture, culture as entertainment or as an event. It also saw culture as a drain on the public purse and as an obstacle to development. Current cultural policy is a significant departure from this point of view, in that new policy regards cultural participation as a right and not a luxury, recognises the importance of culture as a tool for social cohesion and as an essential element of sustainable development.

Dr Deacon outlined the following conventions as the foundation of international cultural policy:

<i>The Value of Culture: Identity, Diversity and Peace</i>	<i>Culture and Development / Globalization</i>
<ul style="list-style-type: none"> ▪ 1970 UNESCO Intergovernmental Conference on Cultural Policy in Venice ▪ 1972 UNESCO Convention on World Heritage ▪ 1975 UNESCO Intergovernmental Conference on Cultural Policy in Africa, Accra ▪ 1976 OAU Cultural Charter 	<ul style="list-style-type: none"> ▪ 1982 World Conference on Cultural Policies in Mexico ▪ 1995 "Our Creative Diversity", the Report of the World Commission on Culture and Development ▪ 1998 Intergovernmental Conference on Cultural Policies for Development in Stockholm ▪ 2001 UNESCO Universal Declaration on Cultural Diversity ▪ 2004-5 UNESCO Diversity-dialogue-development paradigm to help revise cultural policies ▪ 2003, 2005 UNESCO Conventions on ICH and Cultural Diversity ▪ 2006 AU Charter for the Cultural Renaissance of Africa

While she cautioned against a “cookie cutter” approach to cultural policy, but she acknowledged that UNESCO has a strong influence on cultural policy in Africa which was revealed through her analysis for the presentation which incorporated recent cultural policies in developed in:

- South Africa (1996)
- Botswana (2001)
- Namibia (2001)
- Uganda (2003 - draft)
- Seychelles (2004)

Based on the review of the policies above, Dr Deacon recommended that the new policy incorporate the following:

- a definition of terms;
- context for the policy;
- general goals and principles or values;
- general priorities and strategies;
- general issues (such as development etc.); and
- statement of main stakeholders or agencies, their roles and lines of accountability

In addition, she identified the following as important activities in the review process:

- updating the policy context, definitions, values or principles;
- developing a clear and updated set of objectives and strategies to achieve them;
- reviewing the roles of stakeholders in the light of new legislation, activities and problems that have been experienced; and
- adding research on the arts, culture and heritage as a priority.

Dr Deacon also identified the following as areas to include in the discussions of cultural policy:

- African renaissance
- Globalisation
- Intangible heritage as part of national estate
- Intellectual Property issues especially Indigenous Knowledge Systems (IKS)
- Repatriation, human rights abuses within cultural practice
- Science and technology in relation to IKS; Religion

2.8. Strategic and Policy Issues on Social Cohesion: Dr Motshekga

Dr Motshekga, Director of the Kara Heritage Institute and a member of the Gauteng Provincial Legislature provided a conceptual input on social cohesion and the need for interventions true to an African perspective, lifestyle and tradition. Using the scientific evidence of the origins of humankind in Africa, Dr Motshekga outlined some key aspects of social cohesion from an Africanist perspective as follows:

- The evidence pointing to greater similarities than differences between the nations of Africa given the existence of a common language that gave rise to over 400 dialects in Africa south of the Sahara.

- A shared cosmology leading to shared lifestyles, spiritual traditions, rhythms, timing and activities.
- As such, an emphasis on unity, rather than diversity which is the current discourse which would result in, for example, a curriculum at schools in which a focus on Indigenous Knowledge Systems (IKS) is compulsory.

The use of an Africanist perspective, Dr Motshekga argued, would automatically shift policy away from western frameworks emphasising commerciality and personal gain to those embedded in community and communalism. In addition the values enshrined in Ubuntu would become the bedrock and inform all activities and also how the Constitution is interpreted.

2.9. Indigenous Knowledge Systems: Thulani Mabasa, IKS SA Trust

Mr Thulani Mabasa, the Operations and Administration Manager at the IKS SA Trust presented an overview of the objectives of the Trust and its current activities. Indigenous Knowledge Systems. He introduced on the policy agenda approximately 11 years ago when the Portfolio Committee on Arts, Culture, Science and Technology created a partnership with Universities of Venda, the North and Fort Hare, and the, HSRC and CSIR to discuss IKS in South Africa. The first activity was to host a conference in 1998 to develop a definition of IKS and identify practitioners. In 2002, with financial assistance from the Department of Arts and Culture IKS SA was formed.

The trust defines IKS as follows:

“Emanating from the human spirit, IKS are life experiences, organised and ordered in accumulated knowledge with the objective to utilise it to achieve quality of life and to create a liveable environment for both human and other forms of life.”

The assumption is that this knowledge resides within the community and is passed from one generation to another. The central pillars of IKS, as identified at the conference are:

- Social issues
- Institutions
- Technology
- Biodiversity (relating to flora and fauna)
- Liberatory processes

The aim of IKS SA is to:

- mobilise practitioners;
- identify projects against 5 pillars listed above and create conditions for innovation, protection, marketing and promotion;
- support DST & DAC in promoting and developing IKS products;
- collaborate with NEPAD; and
- co-ordinate IKS activities in the country.

Mr Mabasa went on to talk about a flagship project of the Trust which is the transformation of Vlakplaas. After a cleansing in 2002, the land was handed over to IKS SA to create a centre of healing and transformation to:

- study and research indigenous healing;
- databank for research in collaboration with institutions;
- develop and operate a simultaneous interpretation system;
- promote the multi-faceted professional practices in healing; and
- cultivate, develop and produce effective plant-based medicines

One of the current projects of the centre is the “Seek a cure” project and to find a cure for diseases that are afflicting South Africans, for example, HIV/Aids, Cancer, Diabetes, Stroke, Hypertension, TB, asthma and malaria. At present, protocols are being developed for clinical trials in collaboration with the Medical Research Council (MRC), the University of Pretoria and University of the North (Medunsa). Farms growing medicinal plants have been created as suppliers for the centre in KwaZulu-Natal and Limpopo. In addition, IKS SA hosts the National Living Treasures Awards to identify and honour those who have promoted and protected IKS.

Policy Challenges and Proposed Interventions

Introduction

On the second day of the workshop participants discussed the seven themes in commissions. The outcomes of the commissions are summarised below. More detailed reports on the discussions are attached as annexes. Based on the Discussion Document that was drafted by DAC, the themes were introduced by presentations in each commission which were discussed by panel members and commission participants.

The report back under each theme has been structured as follows:

- A short background highlighting key issues in the policy debates;
- Key challenges, which are numbered for cross-references;
- Three categories of recommendations dealing with
 - Policy and legislation, such as amending existing or formulating new policies and pieces of legislation, primarily within the arts, culture and heritage environment, but taking note of new directions in policy and legislation since 1996;
 - Strategies, particularly ones that provide direction to DAC initiatives in the arts, culture and heritage sector, but within the broader framework of national priorities, such as transformation and poverty eradication;
 - Action, referring to anything DAC can do in the institutional or organisational context, in order to realise the outcome of its policies, legislation and strategies, or to address challenges in these areas.

Theme 1: The arts, culture and heritage legislative framework

The legislation following the White Paper focused mainly on developing or transforming public institutions in the sector through legislation and funding. Besides cultural requirements, these institutions have to address the national imperatives of redress and equity. There is general agreement that this transformation process is incomplete, while the legislative context has become more complex. In addition, it has become clear that legislation for the arts, culture and heritage sectors easily leads to tensions between the needs of a dynamic, creative sector and the need to regulate public funding.

The current policy review offers an opportunity to review legislation to create an enabling environment for the arts, culture and heritage sectors, and align it with policies and legislation in other sectors. This includes:

- Identifying and resolving overlapping mandates;
- Clarifying institutional mandates;
- Improving institutional efficiencies; and
- Accelerating transformation of the arts, culture and heritage sector.

The commission addressed these issues using the legal background and the identification of problems in specific legislation provided by the discussion document.

Challenge 1: Transforming public entities

Today the South African arts, culture and heritage sector still wrestles with the apartheid legacy with regard to the distribution of resources and infrastructure. The White Paper defines the policy framework for transformation, but the challenge of inequality in the distribution of resources, access and governance remains. Participants asked for further analysis of the institutional arrangements, and an intensified dialogue with governance bodies of the institutions, in which civil society should be included and which should lead to redress without impairing service delivery. A second aspect was the need for government criteria for measuring the success of institutions to be broadened to ensure that in addition to their current financial focus they protect the constitutional rights of artists, cultural practitioners and audiences. This implies augmenting all legislation, including that from other sectors.

Recommendations

Policy and legislation

- Draft transformation policies for statutory bodies and public entities;
- Incorporate policies on cultural rights, including the rights of artists, into all legislation, for example labour law, social security, repatriation of cultural goods or persons and intellectual property.

Strategy

- Promote recognition of cultural rights as equal to other constitutional rights as a basis for the inclusion of cultural issues in all legislation.
- Increase the capacity of leadership in institutions to guide transformation processes.
- Increase the pool of qualified people from historically disadvantaged communities to enable easier access to senior occupations in institutions.
- Promote the right to use indigenous language as a mainstay of knowledge.
- Ensure equity in allocation of resources and funding.

Action

- Establish monitoring systems for transformation processes in institutions;
- Engage with funders to develop criteria for equality in allocations;
- Ring-fence specific allocations to public entities to ensure redress and equity; and
- Engage with the Commission for the Promotion and Protection of the rights of Cultural, Religious and Linguistic Communities (COPREC) to align strategies on cultural diversity and for cooperation.

Challenge 2: Aligning legislation to national priorities

Aiming to address the multiple challenges of a democratic South Africa the White Paper created a broad and varied legislative framework. However, in practice the White Paper led to a concentration on arts, culture and heritage based legislation. As the South African policy environment has moved towards an integrated, multi-sectoral approach, the DAC's mandate increasingly depends on policy and legislation

developed in other areas, for example education, social development, trade and industry and finance and treasury. DAC needs to improve co-operation with other departments to ensure that its legislation is aligned to that of other departments, and that other departments include culture and heritage issues in their legislation.

Recommendations:

Policy and legislation

- Update existing DAC legislation to include the requirements of national priorities, in consultation with relevant departments and interest groups;
- Amend existing legislation from other departments to ensure arts, culture and heritage issues are included.

Strategy

- Address national priorities in the policy review process;
- Promote the participation of civil society in cultural planning and policy making as an ongoing process, particularly at a local government level; and
- Engage with relevant departments to promote the inclusion of arts, culture and heritage issues in other legislation.

Action

- DAC to engage with the Department of Trade and Industry (DTI) to establish a memorandum of understanding on intellectual property issues and legislation;
- DAC to engage with the Department of Foreign Affairs (DFA) to establish a memorandum of understanding on cultural diplomacy;
- DAC to engage with Department of Provincial and Local Government (DPLG) to establish a memorandum of understanding on the promotion of culture in developmental local government and the promotion of intergovernmental co-operation on cultural development;
- DAC to revisit and activate the memorandum of understanding with the Department of Education (DoE) on the status of arts, culture and heritage in formal education, and on cooperation in the informal education sector;
- DAC to create forums for regular interaction with other departments to promote the inclusion of arts, culture and heritage into their policies and legislation, and include these forums in memorandums of understanding; and
- Develop guidelines for community involvement in local cultural policy and planning processes in collaboration with DPLG.

Challenge 3: Reviewing existing legislation

The complexities of the legislative environment and the urgency of the drafting process resulted in inadequate legislation, and in uncertainties and misinterpretations of policies. A major problem was caused by narrow interpretations and applications of Schedules 4 and 5 of the Constitution, which define minimum functional areas and competencies of the three spheres of government. As a result many municipalities refuse to accept culture as their mandate, despite later DPLG policies about developmental local government and integrated service delivery. Lack of clarity on constitutional mandates for language issues has confused the roles of DAC and the Pan South African Language Board (PANSALB). More recent legislation, especially

from DPLG and the Treasury, made aspects of DAC legislation outdated or inconsistent. There is also a lack of policy on intangible heritage, despite references to its importance in the White Paper.

Recommendations

Policy and legislation

- Define the roles of national, provincial, metropolitan and local government in arts, culture and heritage based on a broad interpretation of Schedules 4 and 5 and with a focus on decentralisation and localisation of services;
- Determine the role of traditional leadership in cultural development;
- Clarify roles, responsibilities and accountabilities of DAC and PANSALB in terms of clause 6 of the Constitution in national and provincial spheres;
- Develop policy and legislation for intangible heritage and align it to international conventions;
- Update and modernise designations and definitions as well as ensure consistency of institutional arrangements in DAC legislation;
- Finalise language policies as identified in the discussion document; and
- Draft and implement policy on legacy projects that also designates responsibility for the development, implementation and maintenance of these projects.

Strategy

- Promote the inclusion of arts, culture and heritage in developmental local government through interaction with DPLG, provinces and municipalities;
- Promote the inclusion of arts, culture and heritage in legislation through a rights-based approach; and
- Increase the role of provinces in cultural matters such as language, heritage conservation and geographic name change processes.

Action

- Engage with DPLG, provinces and municipalities through Intergovernmental Relations Framework (IGRF) structures and forums for the promotion of arts, culture and heritage as local government mandates;
- Engage with the heritage sector to formulate intangible heritage policy; and
- Engage with PANSALB to develop policies on language development and promotion.

Challenge 4: Developing institutions

Through legislation a number of institutions were established or transformed, but their relationships to DAC and each other are sometimes inefficient, duplicating or competitive, for example the National Heritage Council (NHC) and South African Heritage Resources Agency (SAHRA) or the playhouses and museums. There also seems to be a lack of clarity on the status of declared institutions or public entities. As these institutions became functional, it appears that legislation did not accommodate differences in their mandates and administration. Given that these institutions were initiated at national level, many do not function adequately at provincial level (for example the Provincial Arts and Culture Councils), or they are non-existent (for example the Provincial Heritage Councils).

Recommendations

Policy and legislation

- Determine through policy under which institution legacy projects should reside;
- Address duplications in mandates and responsibilities between NHC and SAHRA;
- Align all existing legislation to the Public Finance Management Act (PFMA) and the Public Access to Information Act (PAIA);
- Clarify the role, mandate and status of performing arts bodies as declared cultural institutions and review legislation to ensure that the requirements of these entities are adequately accommodated in the Cultural Institutions Act;
- Reconsider the museum flagship constellations with a view to basing them on core mandates, such as conservation areas, rather than geography; and
- Clarify the responsibility for undeclared sites and objects.

Strategy

- Investigate and promote strategies for increasing provincial involvement in heritage issues;
- Promote indigenous languages through national, provincial and local programmes; and
- Establish a task team (or provincial teams) to assist all public entities to find ways to comply with the PFMA, PAIA, and other relevant legislation.

Action

- Implement IGRF Act with regard to government spheres dealing with public entities and statutory bodies;
- Audit institutions to establish their specific nature, size, and degree to which status as a public entity is justified;
- Develop effective monitoring and evaluation systems for the performance of institutions in line with the PFMA and other relevant legislation; and
- Investigate the need to include the South African Geographic Names Council as a division of NHC.

Theme 2: Review of the arm's length approach

As proposed in the White Paper government maintains an arm's length approach (ALA) with arts practitioners and institutions that receive state funding. ALA gives such agencies operational autonomy. However, the question has been raised how relevant statutory bodies are in the present context of increased democratic maturity and accountability with regard to public sector funding. Arm's length assumes the existence of administrative and financial capacity in public entities, which would enable them to align to general accountability systems and practice. Ten years of operations have highlighted a number of problems with regard to the appropriateness and practice of ALA, including different interpretations of it, a lack of capacity in statutory bodies and government to implement it, and a lack of alignment between the administrations of the state and public entities. Such problems lead to tensions around vested interests, and ineffective and inefficient service delivery by public entities. It is important to note that the problems of ALA are mainly of an operational nature, and

as such they may be resolved without completely reformulating or removing ALA principles from policy.

Challenge 1: Developing a common understanding of the arm's length principle

There appears to be no common understanding of the meaning of ALA. This is often due to differences in objectives and functioning of public entities and government. Some institutions seem to interpret ALA as full autonomy, while government legislation requires full accountability for the operations of the public entity. It also appears that the concept of ALA should be differentiated and elaborated in terms of finances, allocations and artistic practices.

Recommendations

Policy and legislation

- Define arm's length with regard to each statutory body, public entity or declared institution taking the particular nature and purpose of the statutory body, public entity or declared institution into consideration.

Strategy

- Position debates about ALA within broader debates around democratisation, the relationship between the state and institutions, and accountability.

Action

- Engage in discussions with statutory bodies, public entities and declared institutions on ALA in terms of the PFMA and other relevant legislation.

Challenge 2: Reviewing the relevance of the arm's length approach

ALA functions best in arrangements based on clear agreements between the state and public entities. However, in South Africa such agreements are often vague enough to allow public entities to have objectives that differ from those of government or to continue with inappropriate practices. In some cases public entities ignore the imperative of redress or accountability in terms of the PFMA, or protect vested interests. ALA then prevents government from implementing its own policies or enforcing compliance. There is a growing consensus that the state must show its leadership by providing direction and resources through corrective measures.

Recommendations

Policy and legislation

- Revisit policies and differentiate the definition and appropriateness of ALA for each statutory body, public entity or declared institution, taking into consideration the entities' objectives, mandates, role in the arts sector, its size, and its links to national priorities (redress, equity, democratisation, poverty, job creation, youth, and so on).

Strategy

- Investigate the public institutional landscape with regard to the need to rationalise, consolidate, bundle or increase public entities to ensure the efficiency of their performance; for example consolidation of entities in terms of core mandates and functions or the increase of provincial entities;
- Revisit policies in consultation with statutory bodies, public entities, declared institutions and civil society;
- Consider using statutory bodies as funding channels or for the management of smaller public entities; and
- Consider placing PANSALB under DAC for financial and operational accountability.

Action

- Conduct an audit of statutory bodies and public entities to determine the appropriateness of their status and their capacity to fulfil accountability compliance and transformation imperatives within an ALA arrangement;
- Determine the operational challenges of making DAC and/or provinces responsible for the functioning of public entities or part of their governance and administration functions; and
- Assess the capacity of DAC and provincial departments to increase their responsibility for the management of specific public entities.

Challenge 3: Clarifying roles and responsibilities

Statutory bodies and public entities are often unsure about the roles and responsibilities of governing boards, CEOs and the entities themselves. There appears to be an inapplicable mix of financial, legal and governance expertise on core functions in several public entities. Often boards and councils are not informed on the PFMA and other governance requirements. Few entities have performance agreements between their boards and their CEOs, and performance appraisals are rarely conducted according to general labour market standards.

Policy

- Define roles, responsibilities and accountability in policies and legislation through a consultative process, involving government, statutory bodies, public entities and civil society;
- Define the functions and required competencies of board and council members in institutional policies; and
- Include performance agreement systems in the policies of statutory bodies and public entities.

Strategy

- Engage with public entities about the clarification of roles and responsibilities and the formulation of clear agreements.

Action

- Inform statutory bodies, public entities and declared institutions about uniform governance and administrative frameworks in line with general statutes of governance and treasury regulations;

- Establish or improve induction programmes for new board and council members; and
- Develop standard performance appraisal formats and methodologies that are conducted annually in accordance with legal stipulations.

Challenge 4: Aligning public entities with government planning and reporting systems

Since 1996 government has strengthened its planning and accountability system, particularly through the Medium Term Expenditure Framework (MTEF) and the PFMA. The former provides a coherent planning system that allows for intergovernmental cooperation, the latter clearly defines accountability rules to which public entities must comply. Administrative systems of most public entities differ from those of the state. For example, planning and reporting cycles and formats and dates of appointment of members do not coincide with those of government. Additional problems are created by the fact that legislation for accountability compliance was drafted by Treasury which has not taken into account the particular nature and needs of artistic and heritage institutions. The compliance regulations are not appropriate for all public entities, particularly small ones that do not have capacity for compliance.

Recommendations

Policy

- Create and/or amend institutional policies of public entities to align them to general government planning, budgeting and accountability legislation;
- Align appointments of senior staff and council and board members in public entities with the MTEF.

Strategy

- DAC to negotiate with Treasury about adapting the Treasury's accountability framework to meet the specific nature and needs of public entities in the cultural sector;
- DAC and provinces to consider the establishment of separate agencies to support public entities in addressing compliance requirements, for example in their central administrative functions; and
- Provinces should offer public entities the opportunity to locate the entities' administration within the provincial administrative system; this would alleviate the burden for accountability compliance and ensure that public entities don't have to appoint unaffordable specialist staff.

Action

- Engage with statutory bodies and public entities to determine how they can align their governance and administration to PFMA and MTEF requirements;
- Produce guidelines for aligning the strategic planning and accountability systems and practices of statutory bodies, public entities and declared institutions to those of government.

Challenge 5: Coordinating funding channels to public entities

Currently a varied number of funders and funding channels exist for statutory bodies and public entities. Some of these are within the state environment, some function according to ALA, others are independent and a number are within the private sector. Public entities receiving funds from different sources have problems in synchronising and harmonising their accountability requirements. Uncoordinated funding may lead to inequity, duplication and overlaps.

Recommendations

Policy

- Institutions should clarify their policies on receiving, using and reporting on funding from different sources.

Strategy

- Investigate the rationalisation of the funding landscape to increase synergy and exercise logical control.

Action

- Do an audit of existing funders that deal with statutory bodies and public entities;
- Engage with funders to improve inter-institutional communication and establish more coordinated accountability systems and procedures; and
- Assist public entities in developing policies and systems for dealing with different funders.

Theme 3: Contribution of arts, culture and heritage to the economy

The arts, culture and heritage sector have an important role to play in economic development as highlighted in the 1998 Cultural Industries Growth Strategy documents. In general, the economic value of the sector has not been effectively explored in South Africa because of a prevailing sense that the sector is a drain on the fiscus. This impression is compounded by the lack of adequate economic data on the sector that quantifies its value, scope and scale. Existing South African and international research findings have not been adequately used to promote the vision of arts, culture and heritage as economic contributors. In addition, the sub-sectors falling under the ambit of the White Paper have different needs, value chains and operating dynamics, which require a comprehensive and differentiated strategic focus. According to some participants, the sector is poorly organised and generally regarded as non-compliant with employment equity and Broad-Based Black Economic Empowerment (BBBEE). Many parts of the sector lack awareness of the potential for commercial development of the sector and access to technology, and in general skills in these areas are lacking. Yet, as part of the so-called second economy, arts, culture and heritage alleviate poverty by providing a vital source of income and livelihoods to thousands of households, while also contributing significantly to a wide range of sectors in the developed economy.

According to participants, despite the inclusion of the creative industries in high level government strategies, such as the Accelerated and Shared Growth Initiative for South Africa (ASGISA), and the inclusion of culture in national programmes, like the Extended Public Works Programme (EPWP), there is little government economic support for the sector in general. This is exacerbated by a lack of provincial creative industry strategies and a general lack of co-ordination between departments in all three spheres of government. This is in contrast with international and South African studies that highlight the economic value of arts, culture and heritage. The arts contribute to income of households where no alternative source of income is available, e.g. artists and crafters near game reserves and tourism destinations. Particularly heritage has important opportunities for income generation, e.g. heritage and cultural tourism routes, museum guides and shops, heritage sites in local economic development. DAC has commissioned several studies on the role of heritage in development, but the latter requires integration into other economic development strategies and plans.

Challenge 1: Aligning arts, culture and heritage with development priorities

Policy frameworks that are essential for the development of the economic potential of the arts, are varied and complex, ranging from industrial policy to tourism and conservation policy. In general, these policies do not explicitly concern themselves with the unique dynamics of cultural development, cultural enterprises and entrepreneurship in the sector. In addition, the fundamental cultural rights of individuals are not explicitly recognised in all legislation and development agendas.

Recommendations

Policy

- Develop policy on the role of the creative industries in the economy;
- Update existing intellectual property rights legislation to provide adequate protection for arts, culture and heritage practitioners and for heritage in the form of indigenous knowledge and other relevant knowledge systems; and
- Ensure the inclusion and consideration of culture, arts and heritage concerns in all policy formulation on economic development and in the promulgation of relevant legislation, in all three government spheres.

Strategy

- Develop updated sector-based strategies to guide investment from the public and private sectors;
- Develop investment incentives in the creative industries and provide access to financing systems, including tax-based incentives;
- Develop strategies to improve the use of resources and infrastructure in the sector and to improve access to resources and infrastructure; and
- Develop strategies to ensure compliance to BBBEE principles and employment equity in the workplace.

Action

- Conduct regular studies to ensure that the policy, strategies and associated programmes of action meet the needs of stakeholders;

- Develop national indicators to track progress and quantify the value of the sector to the economy and create the tools and framework for consistent monitoring and evaluation. Currently indicators exist within UNESCO and the affiliated Observatory for Cultural Policy in Africa (OCPA);
- Develop clear, concise, practical and measurable short, medium and long term development plans for the sector;
- Improve the investment climate, market development and access to funding; and
- Create strong public-private partnerships for the development of enterprises and opportunities.

Challenge 2: Improving Integration and Cohesiveness in Economic Development Programmes

There are a large number of government and private sector stakeholders engaged in development activities within the creative industries. These efforts generally lack coordination and integration, except at micro or programme level. The result is some duplication, a lack of clear roles and responsibilities and ineffective resource utilisation.

Recommendations

Policy

- Develop a coherent and practical policy framework that links up existing government economic policies and strategies with relevant initiatives in the private sector and the industry;
- Develop policy on financing and investment mechanisms for the sector.

Strategy

- Improve understanding of the sector and its economic needs across all spheres of government through focused advocacy strategies;
- DAC to engage with arts, culture and heritage sub-sectors for increased communication and development of co-ordination through partnerships and co-operation; and
- Identify effective financing models for creative enterprises that include short term financing, bridging funds, capital growth financing, grants for innovation and soft loan finance.

Action

- Develop inter-governmental forums to co-ordinate implementation of policies and strategies for the promotion of arts, culture and heritage in the economy;
- Develop sectoral and sub-sectoral forums for greater interaction between role players in order to make activities in these sectors more effective; and
- Research models for financing and investment in cultural enterprises

Challenge 3: Improving Data Collection

The lack of data at national, provincial and local level is a significant constraint on effective advocacy, investment and programme design in the creative industries. National data collection, such as STATS SA and the household surveys completely

disregards the sector and as such, the current information base is fragmented, often outdated and generally unreliable.

Policy

- Include national research agendas such as implemented by STATS SA and national research institutions, into cultural policies;
- Include in policies the identification and ring-fencing of funds for research into the sector; and
- Develop policy for the inclusion of cultural issues into national data collection in collaboration with data collection agencies.

Strategy

- Develop a strategy for collecting and regular updating of data on the sector;
- Promote cooperation with research agencies for regular mapping of the sector.

Action

- Continuation and extension of the current creative industries mapping project;
- Improving research collation mechanisms; and
- Develop national indicators to track trends, changes and the impact of programmes on the sector.

Challenge 4: Developing High Level Professional Skills

A lack of high level professional skills in all sectors is regarded as a major constraint on the development of the sector. While there are a number of ongoing initiatives through the Department of Education, the Sector Education and Training Authorities and private training providers, the lack of integration of these into broader development strategies and the lack of consultation with stakeholders is hindering the effectiveness of these initiatives.

Recommendations

Policy

- Develop the DAC Integrated HR Strategy of 2005 into policy in collaboration with relevant departments

Strategy

- Focus on skills development and upgrading in all sectors in accordance with broad policy objectives and sector needs;
- Identify needs and develop entrepreneurial ability in all sectors; and
- Identify and promote viable career opportunities in the arts, culture and heritage among youth and among practitioners.

Action

- Play an active role in skills development through representation on the relevant SETAs and SAQA;
- Focus on the development of capacity in arts, culture and heritage at all levels of government.

Challenge 5: Improving relations and communication

The arts, culture and heritage sector is characterised by a high degree of fragmentation and a general lack of organisation at all levels and in all sectors. Although specific institutions operate rather effectively, there is little cooperation and inter-institutional activities are often weakly coordinated. In addition, there is a prevailing sense that exploitative relationships exist between stakeholders in various sectors, especially the music and craft sectors, and that cultural producers and workers are not aware of their rights. This is compounded by a market that appears to value international products over local ones, to the extent that differential pay scales and contracts exist.

Recommendations

Policy

- Regulate and formalise relations within the sector using standard industrial structures, such as unions;
- Provide incentives for meeting equity targets which would promote the empowerment of Black South Africans, women, youth and people with disabilities.

Strategy

- Initiate a broad campaign, focusing on rural areas, to inform artists and cultural workers of their rights;
- Develop a BBBEE Charter for the sector; and
- DAC to encourage the sector to create stable, viable and representative collective organisations.

Action

- DAC to facilitate the initiation and maintenance of solid partnerships between the private sector, civil society and government through adequately funded forums and structures;
- Establish appropriate public/private partnerships vehicles to promote key policy objectives, particularly with regard to the financing needs of the sector; and
- Extend cooperation with BASA to increase partnerships with the private sector

Theme 4: Role of arts, culture and heritage continentally and internationally

Emerging out of decades of international isolation, South Africa currently enjoys significant arts, culture and heritage involvement and recognition internationally. This is reflected in part in the extensive list of multinational commitments and agreements South Africa has made in the areas of arts, culture and heritage since rejoining the international community. Examples are the Swedish-South African Cultural Partnership, the International Network on Cultural Policies and the UNESCO Convention on Cultural Diversity. The DAC's international relations directorate has been established to improve economic and other development opportunities for South African arts, culture and heritage continentally and globally through mutually

beneficial partnerships, thereby ensuring the sustainability of the sector. Its functions include optimising the impact of multilateral agreements.

Challenge 1: Building SA's cultural profile internationally

While the signing of cultural agreements has progressed apace, attention must now be directed to effective implementation, at all levels of government, and maximising benefits for all stakeholders.

Recommendations

Policy

- Future cultural policy needs to address cultural diplomacy in a comprehensive way.

Strategy

- The sector needs to be enlisted in realising broader foreign policy objectives, such as conflict resolution and advancing human security, and better aligned with socio-economic policies, such as youth development;
- Roles, responsibilities and communication channels with respect to South Africa's international cultural relations need to be clarified at all levels of government and implementation tools need to be consolidated.

Actions

- Revisit all declarations, treaties, agreements and conventions to which South Africa is a party and define implementation roles;
- Use the proposed cultural observatory to identify opportunities for international cooperation, particularly in Africa and for South-South cooperation; and
- Take note and respond to foreign cultural activities in South Africa through cooperation and coordination

Challenge 2: Developing our cultural diplomacy agenda

Currently, cultural promotion and development is underrepresented in South Africa's diplomatic missions abroad. Although major embassies have cultural attachés, there is opportunity for further cooperation between DAC and the embassies, and extension of cooperation to embassies and consulates that do not have cultural attachés

Recommendations

Policy

- DAC to make contributions to South African policies on representation in foreign countries;
- DAC to include international representation in its own policies on cooperation

Strategy

- DAC to become fully involved in training of cultural attachés

Actions

- DAC to produce promotional material for South African representative offices abroad;
- DAC to promote advertising of South African cultural activities in foreign embassies

Challenge 3: Improving engagement with international cultural policy thinking

The commission affirmed the need to re-integrate and align our policies to those of the continent and the international arts, culture and heritage environment. There is a vibrant cultural policy debate in Africa, and in South-South relationships. Although DAC is involved in such actions, e.g. with Brazil and Cuba, there is much space for extensions

Recommendations

Policy

- SA needs to re-integrate and align its cultural policies with those of the continent and the international arts, culture and heritage environment;
- Future cultural policy must involve indigenous communities and address the protection of copyright for both communities and individuals.

Strategy

- Relevant South African and international stakeholders need to be engaged in policy discussions, including civil society;
- DAC needs to develop a research agenda to support its international liaison initiatives in the policy field.

Actions

- DAC to increase its capacity for research through own staff and consultancies;
- DAC to revive its cultural observatory for the promotion of its cultural policy work and for interaction with foreign policy initiatives

Challenge 4: Clarifying the scope and role of government with regard to international relations

The current policy was negotiated in a spirit of caution with the emphasis on limiting government's involvement in the sector, yet calls were made for increased, appropriately constrained, engagement in the current policy environment. South Africa's new international cultural agreements have the potential to impact on the national department, provincial departments and all municipalities, presenting challenges for a coordinated response. The workshop also considered a greater role for government in assuring the quality of cultural exports.

Recommendations

Policy

- Future policy should recognise that international cultural policy has potential impacts on municipal or local government (for example through city twinning programmes, local cultural centre development, partnerships on programmes).

Strategy

- DAC needs to explore the maximisation of the use of culture resources in other government departments, such as the cultural attachés in Foreign Affairs;
- The desirability and feasibility of establishing 'cultural watchdogs' to regulate and monitor the quality of cultural exports should be explored.

Action

- Pursue structured dialogue with continental and international role players on cultural policy, for example United Nations Educational, Scientific and Cultural Organization (UNESCO) the Observatory for Cultural Policy in Africa (OCPA), the African Union (AU) and New Partnership for Africa's Development (NEPAD);
- Develop a management framework for city twinning programmes.

Theme 5: Review of human resources, research and development needs of the arts, culture and heritage sector

The 1996 White Paper identified the development of our human resources as a major object and vehicle for transformation and redress. In the period since then a number of departments in all three spheres of government as well as international donor agencies have managed the process of attaining democracy, and furthering education and training in the sector. The DAC first identified the need for a comprehensive human resource development strategy in 2002, and the resultant strategy was tabled in 2005 in the form of the Draft Integrated Human Resource Development Strategy (IHRS). The workshop affirmed the need to implement this strategy, and to align it with other human resource initiatives in government.

Challenge 1: Improving Human Resource Development (HRD) in the Sector

Participants noted the multiple levels at which human resource development needs to be pursued in South Africa. They expressed concern that the arts, culture and heritage sector is not aligning its HR development agenda with broader government policies, for example, by not effectively using the existing platforms created to identify and develop scarce skills (CreateSA, MAPPP and other SETAs). Speakers noted an absence of norms and standards, and, more generally, of an active HR development policy for the sector.

Recommendations

Policy

- Align and connect HR development at all levels, from schools to tertiary level and among both formal and informal sector practitioners. This necessitates harmonising cultural policy with education, labour, social, infrastructural and other relevant policies.

Strategy

- Recognise the sub-sectoral diversity within the sector and identify specific HR development needs for different sub-sectors;
- Expedite access to education and training for informal sector stakeholders, including access to the process and outcomes of cultural research, both as recipients and as service providers;
- Develop strategies to encourage a culture of life-long learning in the sector, and in government;
- Develop a strategy to encourage the retention of skills in the sector when skilled personnel change jobs; and
- Develop appropriate strategies for improving working conditions and remuneration within the sector.

Action

- Update and implement the IHRS for the sector;
- Pilot projects for effective mentoring, succession planning, learnerships, scarce skills identification and development, and so on across the sector;
- Develop an action plan for the use of community arts centres in arts, culture and heritage education, both formal and informal; and
- DAC to engage with the sector to develop policies and strategies for working and life conditions for art practitioners

Challenge 2: Developing and Implementing a National Research Agenda

The commission noted that the ACTAG report's recommendations on research policy and strategy were not reflected in the White Paper. These recommendations should be revisited and aligned with the current policy environment. Speakers asserted the central importance of research for the effective formulation, implementation, monitoring and review of policy (including the present policy review process) and called for a shift to a research-informed or evidence-based approach to policy making.

Recommendations

Policy

- Prioritise strategic research in future policy and commit the DAC to a research-informed approach to policy review, formulation and implementation.

Strategy

- Identify appropriate structures for supporting cultural research, such as an observatory, centres of excellence and so on;
- Develop and implement a research agenda for HR development.

Action

- Develop and assist in resourcing appropriate structures to support cultural research
- Initiate training in research as a management competency.

Theme 6: The arts, culture and heritage and social development

Colonialism and apartheid emphasised economic, political and social divisions and prejudiced the development of African culture and of a common identity, while promoting the culture of white South Africans. The 1996 White Paper identified the need to redress the balance. Arts, culture and heritage are vehicles for change, progress and healing. Art is also essential for achieving social cohesion and nation building. To date social development in the context of arts, culture and heritage has sought to make an impact in the areas of human settlements, spatial development, the built environment, creative spaces, arts access and economic empowerment of women and people with disabilities. To achieve nation building there is a need to design programmes that will include all people while specifically addressing past disadvantage in order to promote nation building.

Challenge 1: Promoting social cohesion and integration (national identity)

The government's report on macro-social trends (Policy Coordination and Advisory Services, 2006: 98) refers to 'a continuing struggle to affirm an Afrocentric consciousness against a mindset to glorify everything in developed countries as invincible and infallible'. Policy and practice need to promote African culture and values as a corrective to the colonial and imperialist imposition of western values. Arts, culture and heritage concerns everyone and government should engage with all role players and stakeholders.

Recommendations

Policy

- Initiate a national policy discussion on how to apply African culture and values such as Ubuntu to policies in all sectors and in all spheres of government;
- Look at ways to share indigenous knowledge as a way of promoting a common heritage; and
- Investigate ways that policy can guide or create social exchange that will build national cohesion in a framework of social justice and equity.

Strategy

- Set up a team in the Department to look at ways to take forward the inclusion of African culture and values in all policies;
- Set up a commission/team of experts in African culture and values to start a national dialogue on the issue

Action

- Develop educational material about African founders and African philosophy
- Recognise traditional African festivals as public holidays;
- Establish a liberation route along the lines proposed by UNESCO and initiated in the Eastern Cape Province to promote people's understanding of their past and future;
- Develop a discussion on how African values can help to resolve tensions between market-based competitive relations and the aspiration for equitable development in a caring society ;
- Develop memorandums of understanding with relevant government departments and agencies in all spheres of government;
- There is a need for platforms in DAC to deal with issues; it is recommended to develop social development platforms at provincial level to implement issues on behalf of DAC and programmes around poverty alleviation. These platforms should adopt an approach to social development that is specifically based on the principles of social justice and equity as set out in the Constitution and should address the needs of marginalised and disadvantaged demographic groups especially women, children and the disabled;
- Within five years time there should be an interdepartmental working committee to ensure that all other departments recognise the role of arts, culture and heritage in social development and structures to facilitate arts, culture and heritage within other departments;
- Determine costs of legislation processes to ensure that provincial and local government have the resources to comply with national government policies and strategies;
- Engage with DPLG to promote the delivery of arts, culture and heritage programmes in provincial and local government; and
- Engage with key private sector partners in social development. DAC should look at the example of the Department of Housing, which engaged with the banking sector to access money for social housing.

Challenge 2: Improving human settlements, spatial planning and the built environment

Apartheid spatial development separated people on the basis of race and culture and located poor (black) people far from workplaces and social amenities. In addition the built environment does not reflect African traditions and culture. The Discussion Document states that there is need for spatial development that 'enables people to observe their rituals ... without necessarily offending those who do not ascribe to them'. Spatial development should give poor people access to opportunities and amenities previously denied them and the built environment should reflect innovative solutions to meeting the demands of the disadvantaged.

Recommendations

Policy

- DAC should seek inclusion in the design and development of future policy on spatial development and the built environment

Strategy

- Set out and promote the benefits that will come from including arts, culture and heritage in an innovative approach to social housing
- Look at ways to incorporate African culture and values in spatial planning and development at national, provincial and local government level

Action

- Develop a DAC human settlement approach through a Human Settlement Task Team or unit in DAC.

Challenge 3: Integrating arts, culture and heritage education

Regardless of huge progress in extending educational opportunities access to, and quality of, education continue to play a major role in economic and social inequality. Learning and teaching are essential for the development of culture and integration into society. Arts education yields overall increased academic performance, reduces absenteeism and develops social and economic skills. South Africa lacks human and financial resources for effective arts education while at the same time existing resources in the form of creative arts practitioners and community art centres are underutilised. In addition there is insufficient co-ordination and co-operation with other institutions and agencies.

Recommendations

Policy

- Clarify the DAC's mandate to fund arts education and training in line with the White Paper's mandate for the promotion of arts, culture and heritage education;
- Develop a charter on the role of artists in society

Strategy

- Develop funding for arts education programming for schools and communities through community art centres;
- Advance the role of the artist in community and social development and promote the participation of all citizens in arts and arts appreciation; and
- Investigate the use of indigenous knowledge as a basis for education and ways in which curriculum development can promote Africanisation.

Action

- Finalise the DAC/DoE policy framework for co-operation;
- Develop and periodically revise teacher/learner activity materials and guides in cooperation with DoE;
- Promote the inclusion of arts and arts appreciation in all schools through inclusion in the timetable and through extra-curricular activities;
- Implement a human resource development strategy for the arts sector; and
- Promote heritage schools and institutions for children and adults.

Challenge 4: Supporting indigenous language development

Language is cultural capital and language policies should be viewed as drivers of cultural policies. While in practice English will remain the language of business and science locally and internationally, the Department should support publishing in indigenous languages and the consolidation of the Nguni and Sotho languages, a process stopped by colonisation and apartheid. It should also support the evolution of a specifically South African English usage that reflects indigenous influences and contributes to the collective identity South Africans want to achieve.

Recommendations

Policy

- Clarify the policy position of PANSALB and DAC in terms of African languages.

Strategy

- Extend the commission for the promotion of dialogue on Africanisation to include indigenous language experts and not only academics;
- Broaden the commission's task to include indigenous language; and
- Develop a strategy to promote the use of indigenous languages and their development including linking this to the proposed initiative around a liberation route

Action

- Link the proposed liberation route to writing and performance in the indigenous languages;
- Investigate ways in which the print and broadcast media can promote indigenous languages and cultural practices; and
- Develop guidelines on local content in the media

Challenge 5: Broadening arts access and promoting social integration

The Bill of Rights in our Constitution confers on all South Africans the right to participate in the language and cultural life of their choice. The impact of apartheid policies that have prejudiced participation and arts access amongst previously disadvantaged groups and communities remains visible. In addition, marginalised groups such as women, children, youth and the disabled require special attention. Building audiences and developing markets is also important. The White Paper notes that 'the future of the arts and cultural expression lies in the development of new audiences and markets. Current audiences are largely determined by the location of infrastructure, the availability of disposable income and the nature of artistic forms on offer, all of which generally reflect the legacies of our apartheid past.'

Recommendations

Policy

- Build an enabling legislative environment to foster universal arts access and social inclusion;

- Formalise arts, culture and heritage as a vehicle for rehabilitating offenders by amending the White Papers of the Departments of Arts and Culture and Correctional Services to ensure sustainability of the rehabilitation programmes; and
- Address the lack of specific coverage of disability in the 1996 Arts, culture and heritage White Paper.

Strategy

- Develop strategy and appropriate action programmes to promote arts access and audience development amongst previously disadvantaged communities and groups;
- Advocate and support training of early childhood development (ECD) trainers in arts, culture and heritage methodology;
- Address lack of integration of arts, culture and heritage in the Integrated National Disability Strategy; and
- DAC to play a role in transforming perceptions of healthy families and appreciation of the role of diverse family structures in providing services for different types of families (for example child headed) and creative programmes to strengthen family bonds.

Action

- Develop mechanisms to ensure universal arts access for youth in prisons and disabled;
- Facilitate co-operation between schools and community arts centres.

Theme 7: Arts, culture and heritage funding and financing models

The arts, culture and heritage environment is funded from a variety of different sources, including national and provincial allocations from the fiscus, statutory agencies such as the National Arts Council (NAC), the National Film and Video Foundation (NFVF) and the National Heritage Council (NHC), sponsorship and corporate social investment funding from the private sector, overseas direct investment and independent local agencies such as the Arts and Culture Trust. In general, there is a lack of planning and co-ordination with regard to the allocation and distribution of funds, and in addition, no shared funding models exist with regard to the nature of funding provided. As a result, the funding and financing environment is unstable and inconsistent, resulting in both an over reliance on grant funding in the sector and chronic instability within organisations, programmes and projects. The funding environment, and by definition the institutional framework, is also heavily tilted in favour of historically “advantaged” provinces like Gauteng, the Western Cape and KwaZulu-Natal.

Challenge 1: Develop new funding models that support sustainability, equity, transformation and redress

The lack of appropriate funding models is hampering the development of effective institutions and is also destabilising the sector. The focus on per year allocations rather than multi-year allocations restricts the effectiveness of programmes and projects, and also has the effect of minimising benefits to target groups and audiences.

Recommendations

Policy

- Investigate the appropriateness of current funding models in comparison to those in other sectors in order to amend policies;
- Develop a four-tier funding system as proposed in the ACTAG Report and develop it into policy.

Strategy

- Engage with funders in the sector to develop co-ordinated frameworks for fund management, grant allocation and investment;
- Develop a strategy to manage and remove funding reserves in all institutions.

Action

- Initiate a collective planning exercise for the planning and budget alignment between all spheres of government and institutions;
- Improve guidelines and application processes across all institutions in the sector to facilitate access to funds; and
- Introduce clear guidelines and funding policies for programmes and projects directly funded by national and provincial government departments.

Challenge 2: Providing equitable access to funding across provinces

Provincial allocations from the fiscus are highly differentiated. This is exacerbated by the uneven distribution of institutional infrastructure across the provinces. In general however, provincial budgets for arts, culture and heritage are under-funded. There is a need to link arts, culture and heritage funding at provincial level to other sectors in order to move towards an integrated development programme.

Recommendations

Policy

- Align policy and legislation across departments and government spheres with particular attention to the coordination of funding

Strategy

- Align national, provincial and local objectives, plans and budgets within every Medium Term Expenditure Framework (METF) for arts, culture and heritage and related sectors

Action

- Develop effective costing models to establish gaps in funding;
- Advocate for increased budgets at all levels, supported by evidence from economic and social impact studies; and
- Create multi-year planning cycles.

Challenge 3: Developing support mechanisms for audience development, local content production and quality content

Audience development is key to the promotion of arts, culture and heritage in general development. No specific policies or programmes exist for this purpose except quotas for local content. Globalisation has a major impact on audience preferences, and there is a need to balance overseas productions with local ones. Currently local content quotas exist in the broadcast environment only. These quotas could be useful tools for expanding markets, and resources for the arts, culture and heritage sector. A direct consequence of local content quotas is increased demand for local product. Any such intervention would also require an integrated approach to the development of high quality content.

Recommendations

Policy

- The introduction of local content quotas where appropriate;
- The development of an effective and efficient intellectual properties rights regime that supports and provides incentives for local production;
- The allocation of funding for research and development in all sectors; and
- Inclusion of audience development as a focal area in arts, culture and heritage policy at all levels.

Strategy

- Expansion of co-production relationships in the film and television sector, and the investigation of similar models in other sectors;
- The incorporation and prioritisation of content development issues into the human resource environment;
- The development of consistent and long term content development support programmes; and
- The inclusion of audience development programmes, indicators and obligations in programmes, projects and institutions at all levels.

Action

- Conducting research into the viability of increasing local content quotas and introducing quotas in various sectors;
- Development of regular mechanisms for tracking the impact of audience development across all sectors.

Challenge 4: Role clarification, status allocation and inter-departmental co-operation

The proliferation of funding agencies and institutions has created a chaotic environment for funding in the arts. There is confusion over criteria, impact statements and funding models in all sectors. This is compounded by lack of clarity on the status of institutions, namely whether they are of national, provincial or local importance. This status is accompanied by particular compliance requirements with regard to, for example, the PFMA and the Municipal Finance Management Act (MFMA).

Recommendations

Policy

- Ensure appropriate status allocation and the development of effective compliance frameworks that match the nature, scope and role of the organisation;
- Review the current institutional environment to assess viability, delivery and effectiveness of institutions; and
- Include compliance issues in new policy

Strategy

- Role clarification of all stakeholders in the arts, culture and heritage environment with regard to funding and performance accountability;
- The development of annual service level agreements (SLAs) with all institutions directly funded by government; and
- Engage with institutions and organisations about effective compliance systems

Action

- Put in place monitoring and evaluation systems to regulate combined funding and avoid “double dipping” and unjustified duplication of funding (blacklisting of funding recipients that do not declare duplication);
- Develop compliance frameworks including a penalty system to discourage non-compliance and
- Development of uniform reporting, monitoring and evaluation frameworks.

Gaps and Implications for the Policy Drafting Process

From inputs made by the Minister of Arts and Culture and keynote speakers, it is clear that the policy direction remains similar to that of the current White Paper on Arts, Culture and Heritage, namely a commitment to transformation and redress, while recognising the unique dynamics of the arts, culture and heritage sector. The key focal areas include improving human capital resources in the sector and improving policy implementation across all state entities.

However, there are a number of strategic questions that must inform policy development in the country to ensure that policy is guided by an overall vision and addresses underlying questions about arts, culture and heritage in society.

What is the role of arts, culture and heritage policy in South Africa?

Conceptually it is important to consider the ultimate goal of arts, culture and heritage policy in South Africa. The nature of policy drafted for artists may differ from policy drafted in the interest of national priorities. It is therefore essential for the policy to clearly identify its intended beneficiaries and design appropriate interventions for target groups. Many commissions raised the need for clarifying the roles and responsibilities of stakeholders at policy, strategic and operational levels. These issues will be difficult to resolve without a clear sense of what arts, culture and heritage policy aims to achieve at a macro level.

What is the relationship between arts, culture and heritage?

The current policy makes provision for a single overarching policy statement that engages with all aspects of the arts, culture and heritage. The ongoing heritage policy review process, a distinct process that intersects with the overarching policy review, does raise the question of the efficacy of a single policy statement to cover the diverse areas of arts, culture and heritage. Commission 1 highlighted the complexity of legislation created to deal with a range of different entities under one act. It is a significant challenge to develop appropriate tools for intervention that cover these diverse areas. It is critical however, that policy covers the cross-cutting issues, such as intangible heritage, without weakening policy statements that meet the individual needs of all component sectors in the arts, culture and heritage.

What are the policy approach and objectives?

In developing a policy approach and objectives, it is essential to consider the following issues.

Roles of stakeholders and role players in the arts, culture and heritage sector

Throughout the workshop participants indicated that there was a lack of clarity on the roles of the various institutions and role players in the sector. Unless these roles were clarified there would remain competition, gaps and duplication in various activities. This does not only apply to the institutional relationships, but also to more conceptual questions, such as the role of the state in relation to civil society and practitioners. Should the state, and in this case DAC, be an engineer of all policies and actions, or

should they have a facilitative role, enabling private initiative? These questions have been addressed in other sectors, and are prominent in African debates about the role of the state.

Role of Government

In each commission, participants raised the need to identify all role players and assign clear functions. It is also important to create a framework of objectives, shared values and measurable outcomes, that will assist in defining the roles and responsibilities of all role players and consolidating the role of DAC as a facilitator and co-ordinator of the arts, culture and heritage environment. In doing so, Commissions 1 and 2 identified a range of strategic issues that need to be engaged with including the clarification, definition and differentiation of the arm's length principle, reviewing the existing legislative framework, clear identification and differentiation of policy, strategy and operational issues and alignment with the Intergovernmental Relations Framework. From an operational perspective, the current funding models and government capacity at all levels need to be prioritised as intervention areas. All commissions raised concerns about the current levels of integration and co-operation between departments in all spheres of government. It is generally agreed that the development of the sector cannot be achieved without effective integration, co-operation and consultation across government.

Africanisation of Cultural Policy

Much policy implemented in the developing world, and indeed in South Africa, has used models from developed countries in its design. The current challenge is to ensure that the revised White Paper embraces African values and looks to the continent for solutions. The point was raised by a number of speakers and also dominated discussions in Commission 6 where, for example, the principle of Ubuntu was highlighted as a tool for social cohesion and development. From a strategic perspective, Commission 4 highlighted the importance of reviewing and enacting South Africa's obligations to continental and international conventions, to servicing cultural agreements and to examining constraints on the mobility of artists on the continent and to improving exchange, communication and economic opportunities. Operationally, the policy will need to consider creating effective linkages with institutions on the continent, developing meaningful and sustainable exchange programmes and incorporating indigenous knowledge systems (IKS) and local experiences into the policy, institutional and programming environment.

Improving Alignment to National Priorities

A critical challenge for policy in the arts, culture and heritage sector is the lack of articulation between cultural policy and other priorities, and the degree to which a concern for culture and cultural diversity is embedded in development agendas across the continent. All commissions highlighted the continued need for transformation, redress and the need to ensure that culture contributes to the national agenda. This issue applies to policy, strategy and action, and includes questions about coordination and integration in governance. In this regard, Commission 6 identified language development, access to knowledge resources such as libraries and the promotion of IKS as strategic challenges. In addition, implementation of existing policy such as employment equity and black economic empowerment were identified as priority areas. At an operational level, consideration must be given to infrastructure

development and creating a culture of reading and learning and to this end supporting indigenous publishing and other local content industries.

Measuring the Impact of Policy

Commissions 3 and 5 highlighted the importance of research and the current lack of data on the cultural sector and called for a shift from advocacy-based to evidence-based approaches to policy development and programme design. Good quality data was identified as an essential tool for effective implementation, monitoring and review. In addition, the policy design and development process must build in monitoring and evaluation mechanisms to assist with programme, strategy and policy review. Strategically, it will require the development of tools for examining social, economic and cultural impacts and creating a national agenda for cultural research. Operationally it is essential to collate knowledge resources and make them available, and also to develop the expertise to ensure that knowledge is applied effectively. Although the PFMA requires strict monitoring measures, the general practice of monitoring and evaluation is underdeveloped in the country, leaving much space for mismanagement and corruption.

Governance in the Sector

One of the most significant challenges facing the sector is the implementation of good governance principles across the sector and also improving the relationships between producers, distributors, creative workers, employers and retailers. Commissions 1 and 3 identified the importance of compliance with all relevant policy and legislation, including taxation, labour relations and intellectual property by government, the private sector and civil society. Strategically this will require the development of strong and organised frameworks for interaction between role players and the building of strong relations between all stakeholders. Operationally, the challenge is to build open and two-way communication channels between government, civil society and the private sectors.

Conclusion

The debates at the workshop and recommendations that were made all point to the importance of the policy review process. Many of the issues from the Discussion Document were raised again, often with new insights. It was generally acknowledged that policy making is an ongoing process, and that reviews should take place regularly rather than every ten years. There was also a sense of urgency in updating the existing policy and legislation to ensure that the potential of the arts, culture and heritage sector will be realised. Government and the public entities are responsible for the well-being of the sector at large, namely for thousands of artists and practitioners, established audiences and the general public. The upsurge of arts, culture and heritage as main role players in social and economic development in countries all over the world requires an appropriate response in South Africa. This response must be through action, with clear direction from policies and legislation. The seven themes that were used to structure the discussions proved most helpful, yet the debates need to move from talk to action.

Some of these actions are necessarily medium to long term. For example, Constitutional problems always take many years to sort out as they impact on other sectors of society. Human resource development is also a slow process, as basics have to be introduced at school level, and a pool of expertise has to be built up through the years. Some of the challenges are medium term, particularly those that reflect general trends in policy making in South Africa. One example is the need for integrated development, which necessitates intergovernmental cooperation. This makes arts, culture and heritage highly relevant to other government initiatives such as the Integrated Sustainable Rural Development Strategy and the Urban Renewal Strategy. A second issue is the need to engage with the Treasury or SARS about tax exemptions on donations for arts, culture and heritage purposes. Negotiation processes between departments require careful preparation, and the latter can be used during the policy rewriting process. At medium term DAC should strengthen its MoU with the Department of Education, and conclude MoUs with DTI, DPLG and DoL.

A number of immediate actions were identified during the workshop:

- The findings of the workshop have to be integrated into the Discussion Document. It is proposed that the Department's policy review team dedicates a person or consultant for this process. The integration should streamline the content and provide the basics for an action plan.
- The arts, culture and heritage policy review process has to speak to the heritage policy review to ensure coordinated outcomes. This means that the writers of the final discussion document must engage with the consultants that are involved in the heritage policy review process.
- Both policy review processes can only be valid if the arts, culture and heritage sector enjoy co-ownership in its widest sense. Participants at the workshop strongly felt the need to have more intense participation by the arts, culture and heritage sector at large. Particularly the representative organisations and the smaller public entities should have a chance to engage with the review process that goes beyond making an occasional input. This is particularly

important because attendance at the workshop and the earlier consultation meetings was dominated by government officials and institutional representatives. DAC, as the facilitator of policy making, should create an enabling environment for the stakeholders in and outside the sectors to contribute towards the final product through an iterative process. It is proposed that the final discussion document be made available through the internet and that hard copies be made available to stakeholders and organisations down to community level. This may involve an active role for DAC and provinces in the following way:

- invitations to stakeholder organisations to participate in the debates through their representatives
- promotion of proactive consultation processes organised by the stakeholders for their own constituencies (including material support where necessary)
- the creation of opportunities to discuss the policies from a collective point of view.

These actions could be done within a relatively short time if the communication process is intensified.

- Lastly, a number of complex issues will have to be scrutinised separately from the above consultation process. It is proposed that (a) conference(s) or national workshops be organised around issues of social cohesion, national identity and cultural diversity, use of indigenous languages and the role of indigenous knowledge systems in policy making and the arts, culture and heritage sector at large, and the arm's length approach. Although the national policy review workshop has delivered a number of proposals, these should be intensely discussed with the institutions that will be affected, and their stakeholder constituencies. The outcomes of such conference(s) or national workshops are expected to have a major impact on the overall policy framework.
- The building of research capacity in the arts, culture and heritage sector, and particularly of the ability to provide quantitative and qualitative evidence of the contribution of the arts to social and economic development. One option that could be considered at short notice is the cultural observatory for which the HSRC has done research in the past.

ANNEX A: REPORTS ON COMMISSIONS

Commission Theme 1: The arts, culture and heritage legislative framework

Chairperson: Mr Phakamani Buthelezi, Chief Executive Officer, South African Heritage Resources Association

Panel Members: DAC representatives (Mr Vusi Ndima and Mr Anil Singh), Provincial Representative (Ms Hannetjie Du Preez), Keynote Speaker (Mr Rudolph Jansen, National Director: Lawyers for Human Rights),

1. Introduction

The aim of the session as introduced by the Chairperson Mr Phakamani Buthelezi from the South African Heritage Resources Agency (SAHRA) was to:

- Examine the use value and relevance of White Paper;
- Look at acts beyond the scope of DAC;
- Review existing policy and legislation;
- Examine the rationale, management and governance of all Declared Cultural Institutions across heritage and the performing arts; and
- Recognise that legislation is a tool of policy and must be subject to the policy direction.

2. Key issues from key note paper and panel presentations

Mr Mbhazima Makhubela, Director of Heritage Policy at the Department of Arts and Culture provided an overview of the legislative framework in the sector and also engaged with the historical context of the legislation. In his presentation Mr Makhubela argued that the sector inherited both Apartheid infrastructure and legislation, which included institutions founded to serve a minority and act as overt statements of the ideals of the government of the time.

Parallel to this process was the arts and cultural components of the struggle against apartheid which coalesced into a conference in Amsterdam called "Culture in Another South Africa in 1987". The 1990s saw a great deal of discussion on the arts, culture and heritage policy framework outside of the Apartheid system, including the National Interim Coalition Committee (1990), the National Arts Initiative (1992), the National Arts coalition (1993) and the Culture and Development Conference (1993). In 1995, the Minister of Arts, Culture, Science and Technology appointed the Arts and Culture Task Group (ACTAG) in order to make recommendations to a White Paper development process.

Mr Makhubela used this historical context to argue for looking to the past for solutions and not reinventing the wheel, and also to note that a significant policy challenge remains the management of institutions established under Apartheid given that these, and other newer institutions absorb more than 90% of the Department's heritage budget. In his presentation, he also provided a brief overview of all legislation administered by DAC.

In closing, Mr Makhubela identified a range of challenges as follows:

- The inequality in the distribution of heritage resources and institutions across rural and urban areas, poor and wealthy local governments;
- The limited role for provincial government in certain aspects of heritage management, for example geographic place names;
- The challenges of managing PANSALB given the organisation's mandate with its roots in the Constitution; and
- The governance of Cultural Institutions and Statutory Bodies.

Mr Rudolph Jansen, Director of Lawyers for Human Rights provided a legal perspective on the legislative framework in arts, culture and heritage and identified some critical issues to be considered. Mr Jansen emphasized the point raised by Mr Makhubela that the Department has a broad and varied legislative framework and in addition, a focus area that is dependent on a great deal of policy and legislation developed in other areas, for example education and tourism. With regard to governance, Mr Jansen made the point that all public entities are subject to what he called "general statutes of democracy" which include the Public Finance Management Act (PFMA) and the Promotion of Administrative Justice Act, and called for thought to be given regarding how this legislation is being applied. He called for the review process to ensure that the legislative vehicles and enabling acts were drafted to facilitate the participation of all stakeholders, especially the private sector and civil society in the development of the sector.

In considering how the sector can influence legislation falling outside of its ambit, Mr Jansen acknowledged that this is a complex matter and that careful consideration should be given to the role of DAC at the level of policy before considering it in legislation. He cautioned against using legislation too freely because the driving force of the sector is spontaneous community level interaction and not regulation or the law, and argued that attention should be paid to the nature of support being provided, not just the legislative vehicle for doing so.

Inputs from the commission members emphasized the following areas

- The need to clarify the impact of Schedule 4 & 5 of the Constitution on implementation, especially in local government;
- A need to clarify the roles and responsibilities of government, for example the authority vested in structures such as MinMEC, at all levels in the development of the sector. It was pointed out that the heritage policy and legislative review process had specifically dealt with this area and could thus be a useful resource in other areas as well;
- The need for incorporation of international human rights conventions into legislation and in particular, effective management of resources and heritage issues around victims of conflict (Schedule 36 of the South Africa Heritage Resource Act);
- Ensuring the artists and creative workers rights are enshrined in legislation; and

- The challenges of implementing the international conventions on cultural diversity and intangible heritage and the incorporation of these aspects into the country's legislative framework.

3. Policy challenges

- Recognition of intangible cultural heritage;
- Transformation of institutions to reflect the diversity of the country and redress past imbalances;
- Lack of coherence and transparency in the development of institutional infrastructure and the formation of public entities in the sector; and
- Recognition of Cultural Rights as equal to other rights enshrined in the Constitution.

4. Strategic Challenges

- Further clarification of the implementation of SA Geographic Place Names Council Act and the provincial responsibilities in this regard;
- Challenge of impact of acts held in other departments; and
- Identification of language promotion as a strategic priority.

5. Operational Challenges

- Clarification and definitions for roles and responsibilities for all spheres of government, institutions, stakeholders and other role players;
- Resource constraints at provincial and institutional level, especially for libraries and museums, and under-funding of provincial arts portfolios;
- Effective implementation of World Heritage Convention Act which is administered by DEAT; and
- Improving management and governance at all levels in institutions

6. Recommendations

- Establishment of effective monitoring and evaluation systems;
- Further development of the DAC's role as a co-ordinator and facilitator of development in the sector;
- Effective utilisation of the Intergovernmental Relations Act as a framework for policy making and planning processes
- Reviewing the current roles of all public entities and development of strategies to align their activities with transformation and other government objectives;
- Effective engagement with intangible heritage across all sectors;
- Sourcing of additional funds for functions devolved to local and provincial spheres of government;
- Improvement of understanding of fair and just implementation of policy and legislation, especially with regard to infrastructure development and museums and libraries;
- Review of legislation at all levels especially by-laws, to promote institutional transformation and the development of a transformation strategy;
- Establishment of clear and coherent policy framework for the establishment of Public Entities, taking into the consideration the role of the entity, the size of

the council and the degree to which status as a public entity status is necessary;

- Strengthen the autonomy of the SA Geographic Place Names Council and review the legislation to establish an effective appeal system;
- Foster co-operation with regard to the administration of the World Heritage Convention Act by DAC and DEAT;
- Elevation of cultural rights in respect of other rights by examining labour law impact on cultural workers rights, social security matters for artists and the establishment of a benevolent fund for cultural workers;
- Development of a new national museums policy which incorporates the issue of regulatory authorities for the sector;
- Motivation for funding agencies and provinces to increase their funding allocations for arts, culture and heritage;
- Ensuring that language policy is implemented at all levels of government, e.g. translation of important documents into official languages; and
- Review of all current legislation to align them with the principles of the Constitution and to ensure alignment with key acts held outside of the Department.

Action Plan

- Review of roles and responsibilities of all stakeholders as part of the policy review process;
- Develop policy options with regard to a management structure for intangible heritage;
- Motivation for ring-fencing of funds for arts, culture and heritage in all resource frameworks;
- Drafting of national policy to create the framework for the management of provincial institutions/committees/councils established through national law;
- Development of transformation strategy for the sector;
- Initiation of strategic planning process by DAC with all institutions and departments to ensure the development of a shared five year vision;
- Initiation of a review of public entities to ascertain value, co-operation, legislative compliance and relevance and consultation with Treasury regarding the outcome of the review conducted of review of national public entities and its implications for the sector;
- Amend the SA Geographic Place Names Act and re-issue regulation to clarify the role of MEC and create a clear appeals process;
- DAC to develop a policy paper on issues of cultural rights and how it can be taken to another level in collaboration with the Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities;
- DAC to develop museums policy and overarching arts, culture and heritage policy; and
- DAC to conduct an economic impact study on arts, culture and heritage in order to motivate for further investment in the sector from government and the private sector.

Gaps (issues not addressed)

The following aspects could not be addressed in the commission due to time constraints:

- The need for legislation on Rights and Status of the Artists;
- Proactive legislation in the visual arts field to allow for a “sell on right” to accrue to artists when works are resold;
- Possible amendments to Income Tax Schedule 9 to ensure that the arts can be registered for donor-deductibility status;
- Improvement of accountability and transparency in the interpretation and implementation of the Cultural Promotions Act; and
- The stipulation of constitutions for institutions to enable accountability to government and stakeholders.

Commission theme 2: Review of the arm’s length approach

Chairperson: Mr Seelan Naidoo, CEO, National Arts Council

Panel members: Dr Tlhalo Radithlalo, University of Cape Town (Keynote speaker); Mr Irwin Langeveld (DAC); Mr Andrew Hall (HoD, SAC Northern Cape)

Keynote speech

Dr Tlhalo Radithlalo in his paper highlighted the imperative of writing, reading and reflection for deepening of the democratic process in South Africa. In this way he questioned the relevance of an arm’s length approach. In response to some commentators who criticize the reference to suffering in post-apartheid Black writing in a supposedly ‘normalised’ South African society, the speaker argued that:

- Inequity is continuing in South African culture, for example creative writing centres still primarily benefit white aspirant writers who have the resources to attend;
- Privileged individuals in the literary world show a lack of interest in the daily life stories of indigent communities, particularly when suffering under the apartheid regime is the subject;
- Creative writing centres are under-resourced in terms of management, trainers, technology and material;
- In terms of the promotion of literary skills, life in South Africa has not normalized, and it is dominated by whites;
- The need remains for the use of writing in a deepening of the democratization process, including the promotion of publishing in indigenous languages; and
- Under these conditions the state had a central role in providing direction and resources towards equity and redress, particularly in community arts and creative writing centres

Panel members’ presentations

Mr Andrew Hall (NC DSAC) highlighted some major problems with the concept of arm’s length (ALA):

- The concept of ALA applies primarily to institutions that were funded by the state;
- There remains a tension between the independence of the institution and the imperative of transformation and democratisation; institutions can become

vehicles of vested interests (e.g. with regard to ownership of museum collections; this can undermine the transformation process);

- Some institutions refuse to cooperate with government departments, particularly at a provincial level;
- The PFMA sets clear rules on accountability of statutory bodies, which limits their independence even in terms of their specific area of speciality (heritage conservation or art funding);
- Institutions compete for funding from Treasury, and may sacrifice their independence to ensure funding;
- The strategic planning system of government differs from that of most institutions; there is thus a need for checks and balances to ensure accountability and sustainability;
- There is a need to bring the statutory bodies back into the government system to ensure alignment with national priorities and accountability regulations;
- At a minimum the powers of institutions' councils have to be clearly defined; there is a need for diversification based on the mandate of the institutions; and
- At the same time there is a dire need to increase government funding to enable institutions to deliver effective services.

Mr Irwin Langeveld (DAC) presented an overview of the institutional relationships in national, provincial and local government spheres, from a national DAC perspective. He highlighted the following aspects:

- ALA is related to the pre-1994 framework autonomy;
- The purpose of ALA is to recognize the independent, community-based origin of institutions and to prevent political and bureaucratic interference at all levels. However, it was primarily implemented in statutory bodies and regularly-funded institutions;
- Arts, culture and heritage are constitutionally a concurrent function of national and provincial government;
- Government provides broad frameworks for institutional operations requiring some accountability to government; however, government objectives may differ from those of institutions;
- There is a tension between the need for arm's length and accountability as redefined in the PFMA; according to the PFMA institutions are 'owned' by the Minister, who can appoint/dismiss boards, CEOs, veto decisions by the board, etc. The PFMA also requires a more stringent report back system;
- Based on PFMA Treasury may withhold subsidies to institutions, which makes the latter more alert on accountability;
- In comparison to international standards, statutory bodies and institutions should be integrated into government systems, but with a focus on efficient and effective service delivery;
- Integration will force institutions to align visioning and strategic planning to that of DAC, and the appointment of senior staff according to MTEF timing;
- The challenge of effective ALA or independence is less a policy one than operational, as legislation is clear; and
- There is a clear need for induction of senior officials with regard to their responsibilities, alignment to national priorities, their support of transformation policies and application of performance management system.

General discussion

The chairperson, Mr Seclan Naidoo, CEO of the National Arts Council, proposed a structure for the discussion, which guided the subsequent general discussion.

1. Scope of the discussion

- There is no clear definition of ALA and it is not a monolithic concept. It can be described as the recognition of the need to create distance between the state and institutions that represent cultural interests of society in order to prevent political and bureaucratic interference that impact on the delivery of discipline-specific mandates by the institutions. The nature of ALA depends on the specific context of the institution, e.g. relevant legislative framework, location, function, mandate, etc.;
- The focus of ALA is on the relationship between state (DAC and provinces) and state-funded arts and heritage institutions within a complex institutional framework. Its main focus areas are resourcing (human and financial) and accountability. For practical purposes it was agreed that this did not relate to the relationship between the state and practitioners and the media;
- ALA is similar to the principle of Clause 156(4) of the Constitution that makes it compulsory to devolve decision-making power to the level/sphere where such issues can be managed most effectively;
- However, all decisions on ALA must ultimately serve the arts sector, and particularly help practitioners to produce and audiences to enjoy art products. One of the main aims of ALA is to protect artistic freedom; however, this does not preclude healthy criticism from the public domain; and
- There is a measure of distrust among institutions about the government's ability to govern them in an efficient way; examples were the problems around the NAC and museums.

2. Context

- South Africa in 2007 is 13 years into democracy, yet inequities and privileges still exist;
- South Africa's arts sector is largely determined by market forces, particularly in production; markets fail the communities that are disadvantaged
- Where markets fail, the state should intervene, by regulation towards equity and democracy, and by funding; this is applicable to developmental states like South Africa;
- The key issues are not at a policy level, but at an implementation one;
- The Constitution is clear about frameworks and mandates, but practice is often more complex and differentiated; there was agreement that institutions have to work within these frameworks, and that more stringent accountability regulations should be applied; on the other hand, PFMA regulations cause major problems in smaller institutions and less resourced provinces; and
- There are presently 28 institutions that receive state funding; question is whether they should be rationalized, partly integrated, or that the differentiation is more important to ensure focused delivery.

3. Motivation

- Despite the optimism during the constitutional and ACTAG process, reality forces us to accept that redress and equity have not achieved objectives; major recipients of state funds (playhouses) still receive most of the funding, while

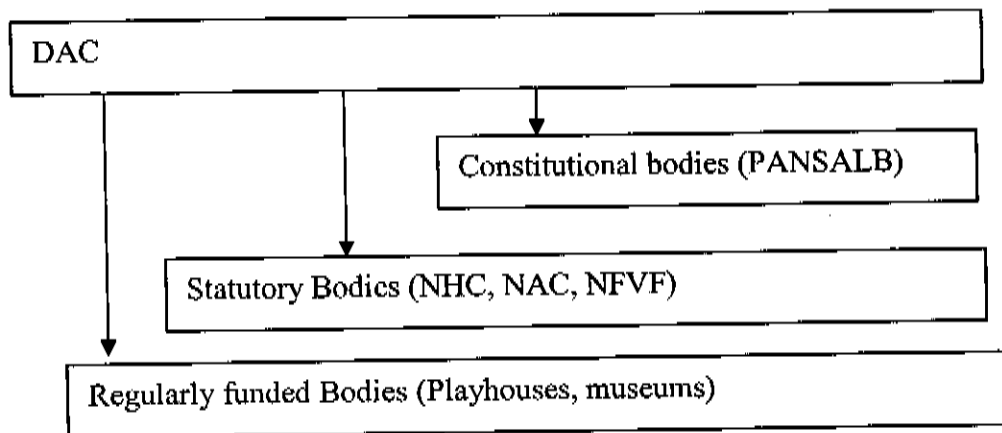
community-based organizations and NGOs are closing down. The national imperatives of a better life for all, including artists and audiences, remain; all stakeholders are responsible for contributing to these aims;

- There are serious questions about efficiency and effectiveness in the statutory bodies and regularly-funded organizations; large parts of the population still remain outside the services.

4. Levels of ALA

There are four institutional levels as illustrated below:

- DAC relates to Constitutional bodies like PANSALB and their relationship is often competitive;
- DAC relates to and funds Statutory Bodies, such as NAC, NHC and NFVF; although at arm's length, the funding implies the need for efficient accountability to the funder; and
- DAC funds regularly-funded bodies, such as playhouses and museums; there is a question why this funding should not occur through one of the Statutory Bodies, to prevent overlap, double-funding and competition.



Three functional levels are relevant:

- *Financial accountability*: this is obvious as public funds must be accounted for, not only in terms of the sub-sectors' own mandates but also government's priorities;
- *Strategic/allocative accountability*: to ensure that equity and redress are seriously accepted, recipient institutions should align their strategies to those of the government, but with sufficient independence about artistic judgment; and
- *Artistic/conservation practice*: this area should be fully independent as it relates to areas that cannot be decided on from a central position; however, provincial and local government could play a larger role, at least as part of the decision-making structure

5. ALA and compliance framework

- The PFMA and other compliance frameworks influence the effectiveness of ALA; public institutions that receive public or state funding have to build capacity which is often not feasible or affordable to smaller institutions; e.g.

the requirement to appoint high-level financial staff is often beyond the capacity of smaller museums; the question was raised at the plenary whether smaller institutions should not be linked up, at least in their management system;

- The compliance framework is driven by an agency/department that has little knowledge of the arts, culture and heritage sector; and
- Therefore DAC should engage with Treasury and the Auditor-General to find more efficient compliance regulations and systems, e.g. use of a single provincial administrative support agency for all relevant institutions; this would also allow for alignment and coordination of service delivery.

6. Recommendations

The commission proposed the following recommendations for consideration by the plenary and DAC, as well as institutions:

- The consultative process on ALA should be extended to include civil society, and the institutions that are affected;
- There is a need for more effective and differentiated use of current operational means of control to be exercised by DAC over constitutional and statutory bodies;
- Provincial department should become more involved in the governance of institutions that are presently funded by DAC;
- Funding of regularly-funded bodies should be managed by statutory bodies on behalf of DAC, but limited to funds that were provided by DAC;
- DAC and provinces should engage with Treasury and the Auditor-General to ensure alignment of the compliance system with the nature of institutions and statutory bodies; and
- Public institutions should start induction programmes for new senior staff members and their boards; the appointment of boards should coincide with the timetables of MTEF.

7. Gaps that were identified

- The relationship between National DAC, provinces and local government could be considered and regulated as an ALA approach;
- The multiplicity of funding agents and channels should be investigated in terms of ALA, and lead to the rationalization of the funding landscape to increase synergy and exercise logical control.

Commission Theme 3: Contribution of arts, culture and heritage to the economy

Chairperson: Mr. Eddic Mbalo, Chief Executive Officer, National Film and Video Foundation

Panel Members: Dr. Mongezi Guma, Chairperson of the Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities (Keynote Speaker)

Mr. Tale Motsepe, Department of Arts and Culture (DAC); Dr. Fikile Dilika, DAC;
Mr. Raj Govender, Kwazulu-Natal Province

1. Introduction

The recognition and appreciation that the cultural (i.e. arts, culture and heritage) sector has significant potential to contribute to the economic and social development is a relatively recent trend. During the course of the policy review process of the cultural sector, dialogue has emerged on its current and potential contribution to the economy of South Africa. Worldwide, the cultural industries are considered the fifth largest economic sector in terms of turnover, after the financial services, information technology, pharmaceuticals and bio-engineering and tourism.

2. Summary of presentations

The first paper presented by Mr. Tale Motsepe from the DAC, provided an overview of the cultural sector in terms of economic activities, highlighted some of the challenges within the sector and proposed some recommendations. The significance of the cultural sector is that it traverses (i.e. forms backward-forward linkages) and contributes significantly to all economic sectors. It is important to note that cultural industries includes but is not limited to the following categories:

- Publishing,
- Music and the performing arts,
- Visual arts,
- Crafts, design and architecture,
- Audio-visual and new media, and
- Cultural heritage.

The paper proceeded to highlight some of the reasons why the cultural sector does not seem to be fully appreciated in terms of its contribution to the overall economy. These were, *inter alia*,

- Dearth of data (i.e. how many people are employed in the sector, revenue generated by the sector, etc.);
- Lack of financial support – there is a perception by financial institutions that the cultural sector is not a “*long-term development industry*”; and
- Lack of understanding of *intellectual property rights* on the part of individuals/groups involved in the cultural sector – a lot of the creative knowledge that is being developed in the cultural sector falls prey to multinationals and/or individuals who “steal” these ideas, with little or no compensation to the originator of the idea.

The second paper presented by Dr. Mongezi Guma, outlined how the cultural ethos or heritage of a nation should be part-and-parcel of its political-economy or its development model. This is how most developed countries, i.e. Europe, USA, and the emerging “tiger nations” of south-east Asia have managed to garner sustained development.

The paper argued for that the current policy review process of the “*arts, culture and heritage*” sector should be guided by the cultural heritage of South Africa. The constitution of South Africa allows for the people to recoup their cultural identity. The paper highlighted that, in terms of economic development, whilst it is important to “borrow” ideas from the developed world, this should not be at the expense of omitting or marginalising the cultural heritage that exists in South Africa.

However, the paper presented some of the challenges that were being encountered in terms of having a cultural heritage. These are, *inter alia*,

- The education system does not contribute to the recovery of cultural heritage, e.g. most courses in humanities or liberal arts are no longer available at schools and universities due to budgetary constraints;
- The government budgetary allocation system seems to be hostile to cultural issues;
- There is need for political commitment to debate issues pertaining to culture; and
- The importance of the value-connect of culture to political economy.

4. Group Discussions

The following table presents the key issues emanating from group discussions. As indicated above, these discussions followed a structured format that was informed by the objectives of the workshop.

Challenges

Policy challenge	Issues
1. Lack of recognition of cultural endowment in South African (SA) policy development and legislative framework.	<ul style="list-style-type: none"> a. There is need to develop a policy on culture. b. It is important not to omit cultural heritage in the promulgation of SA laws. The existing SA legal framework is premised on the jurisprudence of countries from Europe, i.e. English and German laws.
2. Lack of policy and legal integration and cohesiveness	<ul style="list-style-type: none"> a. There is need to ensure a coherent policy and legal framework that recognises the role of the cultural sector.

Strategic challenges	Issues
1. Lack of cooperation amongst government departments.	<ul style="list-style-type: none"> a. It is important that issues pertaining to the cultural sector are known in all the relevant government departments. b. Government departments need to be aware of the current policy development in the cultural sector.
2. Lack of updated legislation on <i>Intellectual Property Rights (IPRs)</i> .	<ul style="list-style-type: none"> a. There is need to amend the IPR legislation that addresses patents and copyrights in light of current information technology, e.g. music can now be downloaded from the Internet for free, hence artists are losing revenue.
3. The cultural industry should be active in bodies such as South African Qualifications Authority (SAQA), SETAs, etc.	<ul style="list-style-type: none"> a. The broader cultural sector still considered an "informal" sector. However, recent developments indicate that it can contribute to long-term economic development. Hence, there is need for capacity building of people involved in the

Strategic challenges	Issues
	cultural sector, in terms of managerial skills, up-grading of artistic skills, etc.
4. Discrepancies in remuneration of international artists vis-à-vis local artists.	a. There is need to recognise all artists in terms of their contribution and to provide equity incentive packages b. Rural communities need protection on cultural productions and need to be made aware of their rights.
5. DAC needs to engage with civil society	a. Institutionalise public-private sector partnerships.
6. Lack of transformation in the cultural sector.	a. Introduce affirmative action. b. There is need to empower women to assume managerial roles. c. There is need to introduce broad-based black economic empowerment (BBEE).

Operational challenges	Issues
1. Lack of human and skills capacity in government	a. There is a need for capacity building of government officials so that they understand issues pertaining to the cultural sector.
2. Lack of financial resources.	a. There is a need to identify sources of finance for the cultural sector, i.e. tax incentives, government grants, etc. b. The financial institutions also need to develop mechanisms to finance the sector.
3. Lack of planning, monitoring and evaluation.	a. There is a need to develop short-, medium- and long-term plans as regards the cultural sector. b. There is a need to develop data gathering mechanisms and research. c. There is a need for monitoring and impact assessment of the sector.
4. Lack of industry bodies	a. The cultural sector is highly fragmented. It is important that an industry body is instituted so as to represent and lobby for the concerns of the industry.

5 Policy Review Process: Strengths and Weaknesses

The discussion also identified the strengths and weaknesses of the current review process:

Strengths -

- The issues concerning the industry are becoming clearer;
- There is political leadership in the process;

Weaknesses –

- Policy development is perceived to be elitist and superficial, i.e. that it is the national government who are driving the process. There is need for backward-forward linkages in the process and there should be consultation in all three tiers of government; and
- There is lack of engagement of relevant government departments.

6 Recommendations:-

- There is a need for research and recognition of cultural heritage in the policy review process;
- A Cultural Sector Charter needs to be drafted;
- Policy reviews should be regular;
- Policy reviews should incorporate all tiers of government;
- There is a need to establish [an] industry body/ies for the cultural sector; and
- There is a need to form public-private sector partnerships.

Commission Theme 4: Role of arts, culture and heritage continentally and internationally

Chairperson: Mr John Tsebe, the National Librarian, National Library

Panel Members: DAC representative (Ms Valerie Matlou), Provincial Representative (Ms Palesa Moahloli), Keynote Speaker (Mr Naren Sewpaul, Thomsons Research)

Emerging out of decades of international isolation, South Africa currently enjoys significant arts, culture and heritage involvement and recognition internationally. This is in part reflected in the extensive list of multinational commitments and agreements South Africa has made in the areas of arts, culture and heritage since rejoining the international community. The DAC's international relations directorate has been established to improve economic and other development opportunities for South African arts, culture and heritage nationally and globally through mutually beneficial partnerships, thereby ensuring the sustainability of the sector. Its functions include optimising the impact of multilateral agreements.

1 Challenges

Building SA's cultural profile internationally

While the signing of cultural agreements has progressed apace, attention must now be directed to effective implementation, at all levels of government, and maximising benefits for all stakeholders.

Developing our cultural diplomacy agenda

Currently, cultural promotion and development is underrepresented in South Africa's diplomatic initiatives abroad.

Improving engagement with international cultural policy thinking

The commission affirmed the need to re-integrate and align our policies to those of the continent and the international arts, culture and heritage environment.

Clarifying the scope and role of government with regard to international relations

The current policy was negotiated in a spirit of caution with the emphasis on limiting government's involvement in the sector, yet calls were made for increased, appropriately constrained engagement in the current policy environment. The national department, provincial departments and municipalities are all potentially impacted by South Africa's new international cultural agreements, presenting challenges for a coordinated response. The workshop also considered a greater role for government in assuring the quality of cultural exports.

2 Policy

- Future cultural policy needs to address cultural diplomacy;
- The sector needs to be enlisted in realising broader foreign policy objectives, such as conflict resolution and advancing human security, and better aligned with socio-economic policies, e.g. youth development;
- SA needs to re-integrate and align its cultural policies with those of the continent and the international arts, culture and heritage environment;
- Future policy should recognise that municipal or local government is potentially impacted by international cultural policy (e.g. with reference to city twinning programmes); and
- Future cultural policy must involve indigenous communities and address the protection of copyright for both communities and individuals.

3 Strategy

- Roles, responsibilities and communication channels with respect to South Africa's international cultural relations need to be clarified within government at all levels, and implementation tools consolidated;
- Relevant stakeholders need to be engaged in policy discussions, including civil society;
- There is a need to explore maximising the use of culture resources in other government departments, such as the cultural attachés in Foreign Affairs;
- The DAC needs to develop a research agenda in support of its internationalisation initiatives; and
- The desirability and feasibility of establishing 'cultural watchdogs' to regulate and monitor the quality of cultural exports should be explored.

4 Action

- Revisit all the declarations, treaties, agreements and conventions to which South Africa is party and define implementation roles;
- Pursue structured dialogue with continental and international role players on cultural policy, e.g. the UNESCO-affiliated Observatory for Cultural Policy in Africa (OCPA), the AU Charter, the NEPAD programme and UNESCO; and
- Developing a management framework for city twinning programmes.

Commission Theme 5: Review of human resources, research and development needs of the arts, culture and heritage Sector

Chairperson: Ms Elitha Van Der Sandt, Director: Print Industries Cluster Council

Panel Members: DAC representative (Dr Graham Dominy), Keynote Speakers (Prof Andries Oliphant, UNISA and Mr Brett Pyper, Wits University Arts School), Provincial Representative (Mr Zandisile Makina)

1 Introduction

The White Paper on Arts, Culture & Heritage of 1996 identified developing our human resources as a major objectives and vehicle for transformation and redress. In the period since the attainment of democracy, education and training has been managed by a number of departments in all three spheres of government, as well as international donor agencies. The DAC first identified the need for a comprehensive human resource development strategy in 2002, which was tabled in 2005 (IHRS). The workshop affirmed the need to implement this strategy, and to align it with other human resource initiatives in government.

2 Policy challenges

Human Resources

Participants noted the multiple levels at which human resource development needs to be pursued in South Africa. They expressed concern that the arts, culture and heritage sector is not aligning its HR development agenda with broader government policies, for example, by not effectively using the existing platforms created to identify and develop scarce skills. Speakers noted an absence of norms and standards, and an active HR development plan more generally, for the sector at a policy level.

Research

The commission noted that the ACTAG report's recommendations with regard to a research policy & strategy were not reflected in the White Paper of 1996 and should be revisited and aligned with the current policy environment. Speakers asserted the central importance of research for the effective formulation, implementation, monitoring and review of policy (including the present policy review process) and called for a shift to a research-informed approach to policy making.

3 Policy

- Align and connect HR development at all levels, from schools to tertiary level and among both formal and informal sector practitioners. This necessitates harmonising cultural policy with education, labour, social, infrastructural & other relevant policies; and
- Prioritise strategic research in future policy & commit the DAC to a research-informed approach to policy review, formulation and implementation.

4 Strategy

- Update and implement the Draft Integrated Human Resource Development Strategy for the sector;

- Recognise the sub-sectoral diversity within the sector and identify who is in need of what kinds of HR development;
- Expedite access to education and training for informal sector stakeholders, including access to the process and outcomes of cultural research, both as recipients and as service providers;
- Develop strategies to encourage a culture of life-long learning in the sector, as well as within government;
- Identify appropriate structures for supporting cultural research, e.g. an observatory, developing centres of excellence, etc;
- Develop and implement a research agenda for HR development;
- Develop a strategy to encourage the retention of skills, or their overflow from one position to another within the sector when skilled personnel change jobs; and
- Develop appropriate strategies for improving working conditions and remuneration within the sector.

5 Action

- Pilot projects for effective mentoring, succession planning, learnerships, scarce skills identification and development, etc. across the sector;
- Initiate training in research as a management competency.

Commission Theme 6: The role of arts, culture and heritage in social development

Chairperson: Prof Gesler Muxe Nkondo, National Library Board

Panel members: DAC representative: Ms Rosemary Mangope; Keynote speakers: Dr Mathole Motshekga, Kara Heritage Institute and Dr Sozinho Francisco Matsinhe;

Provincial representative: Ms Pontsho Mabelane

1 Introduction of the theme

MS Rosemary Mangope argued that arts, culture and heritage is a vehicle for change, progress and healing and it lies at the heart of cultural interchange and development, it is essential in achieving social cohesion and nation building. To date social development in the context of arts, culture and heritage has sought to make an impact in the areas of human settlements, spatial development, the built environment, creative spaces, arts access and economic empowerment of women and people with disabilities.

In the field of human settlements the goal is to promote an approach premised on cultural planning. Spatial development seeks to situate development close to services and amenities to ensure access for poor and disadvantaged people. Built environment initiatives require new and innovative approaches and solutions to the shaping of architectural edifices. Arts access is a means of drawing out people's untapped potential. The goal for economic empowerment of women is to integrate the development of the second economy based on cultural industries. For children it is to ensure access to quality integrated arts, culture and education programmes. For families it is to provide services tailor-made for the needs of different types of family

at risk, recognising that the family is the cradle of personalities and human development, and that culture is intrinsic to building families. For the disabled opportunities must be created to mainstream disabled learners and artists and to enable access to social and economic opportunities.

The intended outcomes of the workshop are to:

- assess the extent to which social development issues as reflected in the White Paper have been addressed;
- ascertain the extent to which the expectations of all the stakeholders are satisfied;
- determine whether or not the policy has achieved the desired results; and
- determine the relevance of the White Paper.

Weaknesses in existing arts, culture and heritage policies include the failure to create frameworks for social exchange that will enhance social cohesion and nation building and the neglect of social justice, which has made cultural and social equity increasingly elusive.

2 Policy issues for 2006-16

Promotion of social cohesion through a nation building framework that addresses all forms of discrimination, and a national identity framework that sets out South African cultural values. Developing human and social capital, counteracting emergent classism, expanding social networks, promoting human rights, developing the DAC human settlement approach, developing memorandums of understanding (MOUs) between relevant government departments in areas of mutual benefit, developing South African artists in the informal sector, particularly women, youth and people with disabilities and contributing to the formulation of an empowerment framework for previously disadvantaged artists.

The chairperson remarked that the speaker had outlined important areas that arts, culture and heritage initiatives need to focus on including the family and the working environment where people spend much of their time. Places of learning need to be redesigned to create a humane society, and arts, culture and heritage needs to ensure that everyone participates in policy making. There is a need to look at the way the media represents South Africa's people and society and a network of arts, culture and heritage projects is needed, which improve access to public resources for people on the ground.

3 Dr Mathole Motshekga

The discussion document and the discussions up to this point indicate that DAC is trying to determine the role of arts, culture and heritage without due regard for where South Africans come from. This is a strategic necessity if a humane caring nation has to be built in South Africa as an integral part of Africa. Cultural imperialism sought to suppress African culture and religion and is still used today to separate African people. To build a nation the majority must be united and then integrate other groups.

There is abundant evidence that before the slave trade and imperialism disrupted African society a common African culture originated in the area that is now southern Sudan. The study of history in southern Africa should be based on this common cosmology of African peoples. The African calendar needs to reflect the festivals and

rituals that marked African religion with its links to the agricultural cycle of planting, germination, first fruits and harvest and its emphasis on the importance of farming and a work ethic.

In conclusion, our current approach to arts, culture and heritage is based on beliefs and practices introduced under colonialism and there is a need to go back to our roots in the common African culture and religion.

The chairperson remarked that the presentation has set out the environment in which the implementation of arts, culture and heritage policy needs to take place. There is a need to look at how stakeholders can define mechanisms to translate these principles into policy.

4 Dr Sozinho Francisco Matsinhe

The relationship between development and culture has been downgraded through the exclusive focus on economic growth. Reviewing policy is an event that involves consultation but for the most part development strategies are designed in languages that the majority of people, who would like to be involved in their implementation, do not understand. There is a need to begin implementing policy in a way that will impact on the lives of everyone.

To do this the cultural element should be brought back into development. Culture is about sharing a common social space, common standards and beliefs and ways of evaluating things. Language is very important because culture is embedded in language. The ability to speak many languages is an asset, yet when it comes to development it is seen as a liability rather than something to build on.

In conclusion development without culture is development without a soul. There is a need to combine development and culture to ensure a horizontal and holistic approach to development. To do this a paradigm shift is required in the approach to development and DAC will have research ways to achieve this.

5 Key issues

- Culture is not just about aesthetics. There is a need to look at how it can be used to transform economic and industrial relations;
- Injecting African culture and values, such as ubuntu, is a challenge; So far this is limited to a number of studies on how to integrate ubuntu into business management; there is a need to look at how ubuntu can be incorporated into all aspects of policy and implementation;
- There is also a need to look at the tension between individual human rights and collective rights for example between communal land ownership and private ownership; this could be addressed by appointing a team of experts to look at reconciling neo-liberal and Ubuntu concepts of ownership; and
- In the sphere of work corporate hierarchies of power have to be challenged and the state placed at the centre; the state rather than the market must decide policy because only the state can bridge the gap between rich and poor.

6 Discussion

Discussions centred on two issues, the need to promote African culture and values, particularly in the form of ubuntu, and the language issue, specifically the use of

indigenous African languages. Other issues discussed were nation building and social cohesion, participation in the arts, culture and heritage and the policy process, policy implementation and a number of specific issues around section six of the discussion document. Gender issues featured as a cross cutting issues.

At the start participants agreed to endorse in principle the discussion document and the summary of policy issues presented by Ms Mangope.

Participation

In order to integrate all sections of the population into programmes including school children and adults it is necessary to accept that responsibility for the integration of arts, culture and heritage into social development goes beyond government to include civil society.

The lack of participation by other national groups is not surprising in view of the overemphasis on diversity and separation under apartheid. There is a need to put ubuntu in the foreground to give an overarching world view. There is an opportunity through the reports on the lekgotlas staged in Northwest Province to consult grassroots people on what should be done. There is also a need to consult more broadly. Artists are the cultural implementers and they need to be represented more in implementation. The role of creative workers within processes has to be investigated and how they relate to it.

Social cohesion / nation building

Arts, culture and heritage are essential for nation building. The White Paper has a gap here as a result of its focus on redress and conciliation. This needs to be updated to achieve nation building. There is a need to design programmes that will include all people. Is it possible to achieve the rainbow nation? Perhaps the country needs to pass through a cultural melting pot first. There is a need to research how practical it is.

Africanisation / Ubuntu

Participants indicated that ubuntu should be made an overarching framework for social development. To do this older people, learned people and grassroots people have to be consulted. South Africans should not apologise for being African. But at the same time there is a need to recognise that ubuntu shares common values with many other philosophies. Issues of African culture and religion need to be taken up by people with experience in African languages. Suggestions included setting up a team in the department to look at ways to take this forward and setting up a team of experts in African culture and values to start a national dialogue on the issue.

Some specific suggestions included educating children about African founders and African philosophy, building partnerships with the African heritage foundation, including traditional African festivals and religions in the calendar of public holidays and more generally looking at what ubuntu can offer and at how to apply ubuntu to policies in all sectors. The Department of Arts, culture and heritage has to make a direct input into culture and take up things like the issue of gay marriages, which is contrary to African tradition, in Parliament. Another suggestion was to set up a liberation route that will inform people's understanding of their past and future. This idea was suggested by UNESCO for the SADC and the Eastern Cape Province has taken up the initiative.

Some participants sounded a note of caution, pointing out that while ubuntu can provide a philosophical framework there is still a need to consult people on their current needs and build interventions to address those needs. There are many concrete things to deal with in people's lives. If there is no work, and people are hungry can one talk about the importance of a philosophy? When those things are worked out and needs are satisfied then it can become part of how people live their lives. However, there was broad agreement on the need to promote African culture and values as a corrective to the colonial and imperialist imposition of western values.

Language

Language policies should be viewed as drivers of cultural policies. Language is cultural capital. There is a need to have a strong language policy in order to implement cultural policy. The liberation route should be taken up at community level and should be linked to new literature to promote indigenous languages. The department should support community based research workers and encourage them to write in local languages. At present universities do not connect with people on the ground.

A suggestion was made that vernacular languages should be promoted as languages of business and science locally and internationally. The Minister intervened here to point out that Afrikaans, despite having all the resources of the state behind it had not been able to do this. A better focus would be on consolidating the Nguni and Sotho languages, continuing a process that had been stopped by colonisation and evolving a specifically South African English that reflects the influence of the indigenous languages. In this way one can find a common language that reflects the collective identity South Africa wants to achieve.

The Ubuntu Commission should address the language issue with the proviso that the commission should not only be composed of academics.

7 Gaps on theme 6 in the discussion document

Under Theme 6 – the role of arts, culture and heritage in social development – social cohesion, social justice, nation building and poverty alleviation is not dealt with satisfactorily in the discussion document. The introduction should address immediate issues facing people through policy and the department should take its mandate from the 2001 Social Development Act. Point 2 on social integration needs address the reality that South Africa is not socially integrated and take up issues like xenophobia that make integration difficult. Point 3 on culture and social justice and environmental rights does not discuss the meaning of social justice and how to apply human rights issues to social development. This needs to be linked to the constitution. Point 4 on culture and social cohesion is too wordy. There is a need to be succinct in addressing issues of science and race and how they are used to demean people's existence.

The document does not look at how to address issues of social cohesion. These include encouraging South Africans to talk across barriers and identify the fundamentals of social dialogue. Point 6 on culture as the foundation of indigenous knowledge and science needs to address the sharing of natural knowledge as common

human heritage and not to simply adapt peoples cultural identity to suit foreign imports. Point 6.1 should look at basing education on indigenous values to assist with Africanisation and look at models for cultural and heritage studies to contribute to curriculum development. Point 6.3 on culture and the media needs to look at the role of print and broadcast media in promoting South Africa's indigenous languages and cultural practices and encourage access to media by practitioners.

Issues of local content should be considered in conjunction with existing broadcast acts. There is a need to recognise the variety of indigenous languages. The first part of 6.7 on recommendations needs to be reworked to address the issues raised. In addition DAC needs to develop cultural policies at local government level and there is a need to integrate cultural policies into the built environment, which is currently imposed on communities from outside. There are opportunities here to get more people involved in building in their own communities by working with the Department of Labour.

8 Policy Implementation: institutions, mechanisms and strategies

- Legislation is not costed and provinces are expected to comply with national legislation without the funds to do so;
- The challenge is how to change people's attitudes to each other; UNESCO came up with the idea of a liberation route covering South Africa and other SADC countries; A liberation route should be planned that will inform people's understanding of their past and future; The Eastern Cape has taken this up and South Africa could link up with Tanzania and Zambia; The sector or DAC should create a national route task team;
- The department needs to provide leadership on heritage education; There is a need for heritage schools and institutions to children and adults;
- Holidays that will underpin the African spiritual and political heritage should be investigated, for example the formation of the AU on 29 May;
- Cost implications of the review suggest that there is a need to get economists to evaluate whether it is more costly to transform an old institution or to create a new one; A lot of money has been spent transforming old institutions but with limited success;
- There is a need for platforms in the Department of Arts and Culture to deal with issues; such as social development platforms at provincial level to implement issues on behalf of DAC and programmes around poverty alleviation; There should be a platform that addresses demographic groups around social development especially women, children and the disabled;
- Within five years time there should be an interdepartmental working committee to ensure that all other departments recognise role of arts, culture and heritage in social development and structures to facilitate arts, culture and heritage within other departments;
- There is a need for more transformation of the individuals in the institutions rather than the institutions; To put one progressive individual in to head an institution is not enough to lead to transformation;
- Bi-national agreements with other countries should be used to send people to study abroad while transforming universities;
- Rather than disposing of museums they should be used to support new cultural workers and sell crafts rather than allow them to be monopolised by established businesses;

- Who are the key private sector partners the sector should engage with in social development? There is a need to look at the example of the Department of Housing, which engaged with the banking sector to access money for social housing; and
- Social development should not be seen as a government responsibility only.

Commission Theme 7: Review of the arts, culture and heritage funding and financing model

Chairperson: Ms Nicola Danby, Director: Business and Arts South Africa

Panel Members: Mr Goodwin Mnisi (DAC representative), Dr Somadoda Fikeni (Keynote Speaker), Mr Gulam Mayet (Provincial Representative)

1 Summary of speeches

Gulam Mayet – North West Department of Arts and Culture

Mr. Mayet addressed the provincial funding and financing situation as opposed to the National framework. He referred to the funding from the Provincial Arts & Culture Councils (PACC's), their limited budgets, the problems regarding ownership of libraries, co-operation between provincial departments, the limited access to private sector funding in the North West Province, and lamented the lack of funding from the National Arts Council and Lotteries to the province.

His conclusions were that the “rules of the game”, (the funding game) needs to be clarified; the need for sustainability; weak evaluation and monitoring systems; and role clarity in government.

Goodwin Mnisi – National Department of Arts and Culture

Mr. Mnisi addressed the panel on the DAC funding allocation, 80% which is transferred to institutions. He drew attention to the funding surpluses at cultural institutions and the problems of managing funding surpluses, created with the “moth-balling” of the State Theatre, a couple of years ago. With reference to policy making, he stated that most Arts Culture and Heritage policy made in the last decade came from government (top-down) and perhaps its time to look at policy making being which is initiated by civil society and arts practitioners (bottom-up).

He concluded by reflecting on the fragmentation of funding allocation, the bias to institutional funding and the need to influence policy from grassroots level. He stated further that there was perhaps “now a need to address the mistakes made in the transformation process and that the State may wish to revisit the old funding model of Playhouses, instead of the concept of Receiving Houses. With reference to the playhouses he stated, “... we destroyed them and they collapsed”. He emphasized the need to address mistakes made in the transformation process and said that the DAC had expected boards to do so, but that the boards were not able to do so.

Dr Somadoda Fikeni – National Heritage Council

The thrust of Dr. Fikeni's input concerned the making of a case for arts, culture and heritage to ensure a foothold in national budget debates and allocations.

Dr. Fikeni addressed the issues of: Political influence; cultural issues making culture more relevant to nation building; diminishing foreign donor funding; and the President's prioritizing of culture through the "ubuntu principle".

He raised an interesting argument that the sector should "measure the cost of what will be lost if funds are not spent on Arts, Culture and Heritage", and questioned the validity of arguments around job creation and economic arguments which led to the commodification of cultural goods and services.

Furthermore he addressed issues of understanding of actual needs within the sector by all role-players, the research needed, evaluation and the monitoring measures needed.

He addressed the "personal bias of ministers towards certain disciplines within DAC (and other funding bodies)" and raised critical questions around the "vague illogic" of compliance reporting and the event driven focus of key decision makers. A key question was: "what drives decision makers in Arts, Culture and Heritage?"

Nicola Danby – Business and Arts South Africa

Ms Danby provided a perspective on the lottery, corporate funding and BASA. With reference to lottery she stated that they should be informed of the cultural sector's needs and that their processes were problematic and systems ineffective.

With regard to NAC funding patters she stated that it is not disbursed according to population demographics. With regard to Corporate Sponsorship there was an expectation of some sort of return to the corporate investor whereas with Corporate Social Investment Sponsorship there was no clear expectation by Corporate Investors.

The biggest problem in attracting business to the arts was perceived to be the lack of acknowledgement of the arts for tax exemption, a practice which attracts major funding to the arts in other parts of the world.

2 Key issues raised by speakers and respondents

Defining the Role of the State in Arts, Culture and Heritage

Serious questions were raised concerning the role of the state via the DAC in creating an enabling environment or to control or disburse funding. This issue relates to the classic cultural policy models of the state as the Patron, Facilitator, Architect or Engineer. In this paradigm the state veers from passive non-engagement of the free market to proactive structuring and control of a communist era.

The role of the state was raised in relation to:

- Incubation for upcoming arts practitioners and/or support for master artists;
- Limited provincial and local budgets for culture;
- Problematic funding/financing application and/or reporting processes;
- Clear criteria for state funded projects;
- Aligning different policies and legislation to a National Framework;
- Facilitate a framework in which Arts, Culture, Heritage and Cultural Industries will thrive; and
- Allowing the different spheres of government to tailor their own policies and strategies to the benefit of the cultural sector.

Criticisms of DAC Policy Direction

The extent of a critique of the DAC policy direction was the “perceived” political or “personal” bias in funding decisions by decision makers and an event-driven focus by government in relation to Arts, Culture and Heritage.

With specific reference to the performing arts, it was stated that Performing Arts Council transformation policy, nearly killed the playhouses and its legacy is malfunctioning playhouses that operate as “Receiving Houses”. This may not have been the intention of the policy direction towards receiving houses but the subsequent result was a lack of major production theatres, a far cry from the Apartheid glory days when these theatres were fully functional and creating many productions, although for a limited audience.

Respondents also raised issue with the need for content production across the arts, in performing arts, film, music, literature etc.

Fragmentation and lack of co-ordination

Amongst the more contentious issues raised by respondents was the fragmentation and lack of co-ordination of funding allocation. Although there are various funding agencies and substantial direct funding from DAC and other government departments, there seems to be a prevailing scenario that most funders are unaware of where and how funding is disbursed. This problem goes beyond public funds to corporate sponsorship and donor funding.

This lack of clarity in the funding landscape opens the door for “double dipping”, duplication of reporting and funders not being aware of the overall funding framework, the performance of projects, programs and organizations, the level of artistic output, value for money audits and more seriously, crooking the funding system. In some instances calls have been made that funded bodies guilty of such practices are “blacklisted”. It was felt that there is a lack of uniform monitoring and evaluation tools, not only economic indicators, concerning spending patterns, but a set of qualitative social and cultural indicators, to gauge the impact of a particular project or organization on society.

Bias towards institutional funding

On the basis of Goodwin Mnisi’s presentation some respondents questioned why 80% of the DAC’s funding goes to cultural institutions. The question was raised if there were too many institutions or too little money, and if this allocation to institutions was the right policy direction. In contrast to the point of too many institutions, an alternate response was that there were insufficient institutions and that these institutions are unevenly spread across the country.

Diminished foreign donor funding

Many of the Apartheid eras’ NGO’s (e.g. Sibikwa, Community Arts Project, Funda, Fuba, etc) carried the flag for arts education, the development and promotion of the arts prior to liberation and the establishment of a Department responsible for arts, culture and heritage. Ironically, these organizations which were the vanguard of the cultural sector, died when Overseas Donor Assistance dried up. These funds were either relocated by foreign donors or were channeled through the DAC. The funds

often did not filter through to organizations which were the intended recipients. This led to these stalwart cultural bodies being vulnerable and prone to organizational crisis placed in the same position as other survivalist arts organizations.

The irony often spelt out in the arts NGO fraternity, is that the arts in certain instances were more vibrant during Apartheid in contrast to post-apartheid South Africa¹. An alternative argument is that these bodies died a natural death, not being able to carve a niche in the New South Africa. Both these arguments may be valid in any particular situation, or may be a sweeping generalization, unless an audit of these “vanguard arts organizations” is completed.

3 Presentation summary

Policy challenges

- A primary challenge was the review of funding models and strategies;
- Review funding model;
- Decide on incremental or new funding/financing model;
- Even spread of institutions at provincial level;
- Addressing issues of local content quotas and production of quality content ;
- Alignment with social priorities may compromise the artistic integrity and or quality of productions, programs;
- Dealing with interdepartmental complexities;
- Clear criteria for defining institutions of national importance;
- Developing consumers and audiences for cultural products; and
- Clarify the definition of national, provincial and local institutions.

Strategic challenges

- Lack of co-ordination and management of funds;
- Dealing with funding reserves in institutions;
- Planning and budget alignment;
- Dealing with cumbersome compliance issues;
- National, Provincial and Local alignment;
- Alignment of policy and legislation across departments and government spheres;
- Propose four-tier funding system as proposed in the ACTAG process; and
- Monitoring and evaluation systems to be put in place to avoid “double dipping” and duplication of funding (blacklisting).

Operational challenges

- Logistical problems with regard to planning, joint strategies;
- Making it easier to access available funds (e.g. application process);
- Development of an Arts and Culture funding forum including private funds and the lottery;
- Developing Service level agreements with cultural institutions;
- Developing penalties for non-compliance;
- Tension created by arms-length principle and political decision making;
- Developing structured reporting templates e.g. uniform annual reports;

¹ Ruth De Bruyn Report on SIDA Funded Organisations

- DAC to provide clarity on direct funding policies which occur outside of institutions and are disbursed directly to service providers e.g. via Investing In Culture programme, events or otherwise; and
- Introduction of multi-year planning.

Gaps

- The funding/sponsorship priorities of various government departments (DAC/DTI/DOE/DOC/DOL/DFA) need to be clarified;
- Governance (DAC) firstly, with respect to the management of institutions addressing the arms-length relationships and secondly, governance within institutions with regard to the role of boards and their relations with the management authority (e.g. conflict of interests, codes of conduct and declarations of interests);
- Is the arts subsidy dependent or can it be assisted to become sustainable, operating independently of funders?
- Need for an effective Artists Union / Arts Lobby.

Making the argument for culture

- **Research** - defining needs / gaining statistics;
- **Research** - the way in which funding should be applied optimally, talking to the development of cultural indicators, beyond commodification and the money spent;
- **Research** - to develop the business case for Arts, Culture and Heritage;
- **Make the case for TAX** concessions;
- Investigate the possibility of Tourism levy reverting to Arts, Culture and Heritage;
- Measure cost or implication of limited or no arts, culture and heritage funding; and
- Use the 2010 Soccer World Cup - window of opportunity.

4 Way forward

Resources

More resources and increased planning for use of resources

Short Term

- Get alignment right in government;
- Develop mechanisms for co-ordination;
- Develop the Business Case for Culture; and
- Engage Research beyond commodification to quantify Arts, Culture and Heritage contribution to national economy and social development to make a case for more resources.

Medium Term

Review Policy Practice and Legislation in relation to funding and financing

Long Term Vision

Transformation and equity of the cultural sector linked to broad development plans for Arts Culture and Heritage resulting in strong institutions across the country

5 Policy review process: overall comments

The Policy Review Process should follow up with legislative review across departments which affect arts, culture and heritage and the spheres of government at local, provincial and national level that engage with Arts, Culture and Heritage.

ANNEX B: LIST OF PARTICIPANTS

Andrews	Alistair Watson	Sport, Arts and Culture
Appalraju	Premi	DAC
Basson	Kobus	NFI
Ben-Mazwi	Pam	DAC
Bolosha	Nomahlabi	DAC
Botha	Charmaine	Gauteng Sports Arts & Culture
Brislin	Dorothy	Film Resource Unit
Broodryk	Elmare	National Library of SA
Buthelezi	Phakamani	SAHRA
Christians	Shane Ricardo	Dept. Sport , Arts and Culture
Cloete	Dick	Facilitator
Cloete	Gerhardus	Media Directions
Constant	Michelle	SAFM/Radio 2000
Dalisile	Baneka	GAC Azania Delegation
Danby	Nicola	BASA
Dance	Thomas	Wits School of Arts
Davis	Shaun	Robben Island Museum
De Beer	Joan Frances	National Library of SA
Deacon	Harriet	Independent Researcher
Dilika	Fikile	DAC
Diphofa	Julie	National Arts Council
Dlamini	Phumla Zodwa	KZN Dept Arts, Culture & Tourism
Dominy	Graham	DAC
Dondashe	Xolelwa Amanda	Ministry of Arts and Culture,
Du Preez	Hannetjie	Dept. Cultural Affairs & Sport
Duggan	Jo-anne	Heritage Agency
Duma	Ndleleni Moses	Sport, Arts and Culture
Dzebu	Aifheli	Nat. Film and Video Found.
Fikeni	Somadoda	
Fokane	Matshana N Tusi	Nat. Film and Video Found.
Fortune	Colin Frederick	Dept. Sport , Arts and Culture
Gaffane	Mapula	DAC
Gcadinta	Busiswa	Dept Sport Arts and Culture
Gora	Bongani Michael	Dept. Sport , Arts and Culture
Govender	Rajendran	KZN Dept Arts, Culture & Tourism
Govender	Udhandan	KZN Dept Arts, Culture & Tourism
Grootboom	Patrick Similo	Sport Rec. Arts & Culture
Guma	Mongezi	CRL Rights Commission
Gumbi	Bandile	DAC
Gwebu	Vusi Silvester	Ghlanzeni Arts and Culture
Hagg	Gerard	Facilitator
Hall	Andrew	Dept. Sport , Arts and Culture

Hardwick	Clive	Airco Bula Music
Hlatshwayo	Lawrence	Mbonise Production House
Isaacs	Desmond	Dept. Sport , Arts and Culture
Jacobs	Mfahelo David	SACR
Jansen	Rudolph	Lawyers for Human Rights
Jeaven	Nerine	Cultural Affairs
Joemat	Andre	Dept. Sport , Arts and Culture
Jokweni	Wilson Mbulelo	DAC
Kekana	Barnato	MEDIA
Kgabocsele	Kitso	DAC
Kgoroadira	Mme Kenalemang	GAC Azania Delegation
Kgosidintsi	Thandiwe Florence	PACOFS
Kgositsile	Keorapetse	DAC
Khumalo	Dolly Margaret	KZN Museum Service
Khumalo	Ntombifuthi Cynthia	KZN Dept Arts, Culture & Tourism
Kumalo	Thembisile	KZN Arts, Culture & Tourism
Kwampe	Nokwanda	DAC
Langa	Paul	Robben island Museum
Langeveld	Irwin	DAC
Le Roux	Andre	SAMRO
Leballo	Flora	Dept. Sport, Arts and Culture
Ledwaba	Lesiba Steve	National Library of SA
Letsoala	Gilbert	
Levieux	Candice	National research Foundation
Lewele	Mack	DAC
Luxton	Andrea Petra	NCPA Provincial Achives
Maaba	Brown	Ifa Lethu Foundation
Mabalac	Dolphin	Rapporteurs
Mabasa	Hlengani	DAC
Mabaso	Thembinkosi	DAC
Mabaso	Thulan	IKSSA Trust
Mabelane	Pontsho	Dept. Culture, Sport and Rec
Mabizela	Phola Palcsa	DAC
Mabokela	Abueng	RBA
Machaba	Kgupi	DAC
Madlavu	Mzukisi	DAC
Madolla	Vusumzi	Creative Workers Union SA
Madumo	Kepi	Dept. Sport , Arts and Culture
Madumo	Tshidi	DAC
Madzimure	Tamrudza	SACOD
Magubane	Khanyisile	SABC
Mahlabe	Stoffel	Dept. Sport , Arts and Culture
Mahlangu	Jabulani Lukas	Dept. Culture and Sport
Mahlangu	Lucy	DAC
Maiphethlo	Tsolofelo	Dept. Sport , Arts and Culture
Makgolo	Makgolo	NFI
Makhanya	Bellan F. Ntokozo	KZN Dept Arts, Culture &

		Tourism
Makhaya	Andrew	Sports Rec. Arts & Culture
Makhubele	Peter	DAC
Makina	Zandisile Milton	Sports Rec. Arts & Culture
Malcbana	Jerry	Wits University
Malema	Lehumo	SA State Theatre
Mangope	Rosemary	DAC
Mantula	Sipho Gideon	GAC Azania Delegation
Martinis	Dimitri	MCM Digital Media
Masango	Mthokosizi	Wits School of Arts
Mashaba	Matshidiso	Mposelwa Marketing
Mashaba	Yvonne Victoria	Mposelwa Marketing
Mashamba	Freddy	Ministry of Arts and Culture
Mashamba	Happy Joycc	Limpopo Dept of Sports Art & Culture
Masokoane	Glenn Ujebe	DAC
Masuku	Edgar	Mposelwa Marketing
Masuku	Patrick	Mposelwa Marketing
Mathe	Linda	Musician
Matibe	Ruphus	DAC
Matsebula	Elliot Ngwenya	Dept. Culture Sport and Rec.
Matseda	Thapelo	GAC Azania Delegation
Matsinhe	Sozinho	Unisa
Mayet	Gulam Husien	Dept. Sport , Arts and Culture
Mbalo	Eddie	NFVF
Mdludlu	Mfuneko	Nelson Mandela Museum
Mdutyana	David Vusumzi	Dept. Sport , Arts and Culture
Memela	Sandile	Ministry of Arts and Culture
Mfafa	Xolile Telford	National Language Service
Mfenyana	Bubele Theophilus	Sports Rec. Arts & Culture
Mgijima	Nomso	DAC
Mhangwani	Sam	SA Promoters Association
Mkize	Sibongiseni	Market Theatre
Mnguni	Mphikeleli	DAC
Mnguni	Mpumelelo Bongani	Arts ,Culture & Tourism
Mnisi	Goodwin	DAC
Mnumzana	Susan Kelisaletse	Free State Provincial Gov
Moahloli	Palesa	DSAC
Modimoeng	Kcabetswe	Intern
Mofokeng	Jerry	J Mofokeng and Associates
Mogajane	Victor	Dept. Sport , Arts and Culture
Mogomotsi	Patience	DAC
Moipolai	T	Dept Sport Arts and Culture
Mokgabliidi	Amos Letsoalo	Rapporteurs
Mokoena	Motsamai Paulus	Rapporteurs
Mokoena	NJ	Zicelele Ihlombe
Mokwena	Kgereshi Petrus	Dept Sport Arts and Culture
Moleleki	Jane	Cultural Affairs

Mona	Godfrey Vulindlela	Sports Rec. Arts and Culture
Monkwe	Lizzy	DAC
Montsho	Shirley	Sports Arts and Culture
Motloenya	Buyiswa	
Motloug	Alota	SAHRA
Motsatse	Nicholas	SAMRO
Motsepe	Tale	DAC
Motshekga	Mathole	KARA Institute
Mpofu	Vuyani	Gauteng Sports Arts & Culture
Mpolweni	Irene	Dept. Sport , Arts and Culture
Mpumlwana	Khwezi	Nelson Mandela Museum
Mthembu	Phakamani	DAC
Mthembu	Tsakani Desmond	Film Resource Unit
Mthembu	Windy	VANSA
Mthembu	Phakamani	DAC
Mthembu	Tsakani Desmond	Film Resource Unit
Mthethwa	Eugene	AIRCO
Mujakachi	Linda	HSRC
Mukanga	Florence	Rapporteurs
Mulaudzi	Amos	SAHRA
Mxolisi	Lindile	Western Cape Arts & Culture
Myakayaka	Allen	DAC
Naidoo	Seelan	National Arts Council
Nawa	Regina Maletsoane	Eziko Production
Ndabankulu	Lulama	DAC
Ndebele-Koka	Lindi	DAC
Ndima	Vusi Themba	DAC
Ndimande	Mthunzi	SALR
Ndlhlovu	Samuel	MEDIA
Newton	Monica	Facilitator
Ngema-Nduneni	Xoliswa	Bassline
Ngiyambi	Antonio	Magazine Media
Nicolaides	Gia	702 Talk radio
Nkondo	Muxe	National Library of SA
Notuku	Njabulo Jimmy	Jim-Jack Arts & Culture
Nyandeni	Jabulani	Rapporteurs - Wits University
Nzolo	Kholisile Abinar	Sport, Arts and Culture
Oliphant	Andries	UNISA
Peter	Nolitha	Facilitator
Phili	Troy	SAHRA
Phinias	Joseph	Dept Sport, Arts and Culture
Pillay	Simmi	Facilitator
Pitso	Percy	PACOFS
Purkey	Malcolm	Market Theatre
Pyper	Brett	Wits School of Arts
Radebe	Lunga	Wits University
Raditlhalo	Tlhalo	UCT

Ramphela	Maphata	Sport, Arts and Culture
Rapoo	Shalala	Dept Sport Arts and Culture
Rauch	Nicola	SASFED
Reetsang	Willie	Dept Sport Arts and Culture
Sangweni	Christopher	DCSR
Sefo	Mario	Dept, Sport, Arts and Culture
Segone	Ian Levy	Dept Sport Arts and Culture
Sekhabi	Aubrey	SA State Theatre
Seleone	Thabiso	Gert-Sibande Art & Culture Forum
Selepe	Sydney	DAC
Serote	Wally	MP
Sewpaul	Naren	Thompson Research Services
Sibisi	Nomthetho rejoyce	KZN Dept. Arts, Culture & Tourism
Sibiya	Thokozile	Dept Arts and Culture
Sikhungo	Tebe	MEDIA
Singh	Anil	DAC
Slater	Carol Elizabeth	KZN Dept. Arts, Culture & Tourism
Speck	Phillip	Rapporteurs
Swanepoel	Barry	PACOFS
Swartbooi	Allen	Dept. Sport , Arts and Culture
Tembe	Welile	HSRC
Tenehi	Tedisa	Mamello Music Productions
Tetani	Nokuzola	Nelson Mandela Museum
Thokozile	Sibiya	DAC
Thusi	Nhlanhla Brian	Arts ,Culture & Tourism
Tladi	Peter	SANPA
Tolo	Bagudi Jonathan	ANC
Tsebe	John Kgwale	National Library of SA
Tumane	Tiro Moscs	Dept. Sport , Arts and Culture
Vallabh	Sunita	Dept. Sport , Arts and Culture
Van Der Sandt	Elitha	Print Industry Cluster Council
van Wyk	Emmerentia	Rapporteur - University of Free State
Victor	Julius	DG DAC
Vokwana	Dumile Sadiqa	Dept. of Arts and Culture
Vusani	Nopopi Margaret	Sports Rec. Arts and Culture
Wakashe	Themba	DAC
Walters	Lee	Executive
Waterman	Jill	Wits School of Arts
Webb	Arno	DAC
Wright	Corney	DAC
Xaba	Meshack	Sport, Arts and Culture
Xhamela	I	Dept. Sport , Arts and Culture
Zulu	Khehla John	Arts and Culture Forum
Zulu	Thandiwe	Sport, Arts and Culture