

Attachment to the dissertation *Contemporary performance practice of art music in South Africa: a practice-based research enquiry* by Dr Mareli Stolp

30 October 2013

Outcome of an investigation into a possible breach of ethical research principles in respect of the dissertation

Stellenbosch University conducted a thorough investigation into a formal complaint of a possible breach of ethical research principles in this dissertation, laid by the Chair of the Department of Music. The relevant report, findings and recommendations of the Investigating Committee, accepted and endorsed by the Vice-Rector for Research and Innovation, are appended to this document. In summary, the outcome is as follows:

- The Committee found that the author of the dissertation is not guilty of research misconduct as understood under the traditional definition. The degree would not be withdrawn and no formal investigative or disciplinary processes are required.
- The Committee found that some aspects of the dissertation could potentially put the university at risk, because they compromise the integrity and professional reputation of identifiable individuals. On a directive from the Vice-Rector the identity of such individuals is made unrecognisable by blacking out the relevant sections.
- The Committee found that the inability of individuals and the Stellenbosch University Music Department to exercise their right of reply to allegations in the dissertation was problematic. On a directive from the Vice-Rector the Music Department is afforded the opportunity to respond to such allegations, to be attached to the dissertation.
- To prevent the infringement of intellectual property rights the Vice-Rector requires that any recorded concert performances for which no appropriate approval was obtained be removed from the dissertation. For that reason the recording of the performance of *Pierrot lunaire* by Arnold Schönberg is removed.

These stipulations have now been adhered to, and the thesis is made available in the public domain with the following attachments:

Appendix 1: Response from the Stellenbosch University Music Department

Appendix 2: Report from the investigation committee (Professors Leslie Swartz; Lesley le Grange and Narisscia Botha)

Appendix 3: Letter from Professor Eugene Cloete, Vice-Rector: Research and Innovation

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Appendix 1

Response from the SU Music Department to the dissertation *Contemporary performance practice of art music in South Africa: a practice-based research enquiry* by Dr Mareli Stolp

The Music Department has been afforded the opportunity to exercise its “right of reply” in response to certain statements in the dissertation that compromise the integrity and reputation of the Department. The following is a general response to this opportunity and not an attempt to expose every single point in the dissertation that is open to criticism on ethical grounds. It goes without saying that the Department respects, even actively supports the right of any researcher to engage critically with the work and offerings of the Department if such research adheres to accepted norms, as summarised, for example, in the *Singapore Statement on Research Integrity* of July 2010 (and subsequently adopted by the University). Therefore the Department’s response pertains to sections in the dissertation that “fail to report conflicting data” or data that support a contradictory point of view and as a consequence “undermine the trustworthiness of the research” (*Singapore Statement*, par. 11).

Chapter 5.2 of the dissertation is devoted to the discussion of a project to perform Arnold Schönberg’s infrequently heard *Pierrot lunaire* (p. 129-136) under the auspices of the Department’s committee for the performance of contemporary music KEMUS (acronym for Komitee vir eietydse musiek). The concert formed part of the Endler Concert Series. The author was the organiser and artistic director of this project. The highly negative tone in which this project is described in the dissertation, and in which an alleged lack of support for the project by the Department is lamented, culminates in the following sentences (pp. 134-135): “The lack of engagement and assistance on the part of the institutional management suggested a lack of interest in the performance of music from outside the typically accepted canon. Presenting a performance, while knowing the structures that are supposed to support the performance are opposed to its presentation, added an extra level of tension ... The performance was not attended by the ..., nor by the ... or ..., which further added to the feeling of being isolated in the endeavour of performing new music in Stellenbosch.” There is much evidence that would prove this account to be inaccurate. KEMUS was founded in 1980 with the explicit brief to perform contemporary classical music, including music by SA composers. Over the years many highly significant performances of such music took place two or three times annually. During the 2000s a “KEMUS Ensemble” was formed and achieved country-wide recognition for its innovative performances of avant-garde music. This added greatly to the reputation of the Stellenbosch Music Department as a place where the performance of contemporary music was alive and well. In 2011 the author took on the position of temporary organiser of KEMUS, a job for which she was paid. *Pierrot lunaire* was one of the most expensive projects to which the Endler Concert Series committed itself during that year. The participating artists were paid for their work. In addition, the Department, in the persons of the Artistic and Production Administrators and the Chair, provided a great deal of moral and logistical support as well as publicity. Envisaged subsequent community performances of the work received enthusiastic moral support and the promise of additional funding from the institution.

To summarise: from the perspective of the Department there was no opposition to the project under discussion, in fact, the evidence suggests that quite the contrary was the case. – The institution takes particular pride in promoting contemporary and specifically South African contemporary music, under conditions that are as difficult here as everywhere else. The Department finds it important to make this point.

The statement on p. 133 that conducting students at Stellenbosch University are rarely if ever allowed to conduct anything written after 1890 is not correct.

The statement on p. 133 that at Stellenbosch University “practical examinations require the performance of three compositions, which does not have to include anything composed after 1900”, is not correct.

The statement on p. 133 that “that the institution ... is enforcing ... a balance towards a ‘dominant, culturally privileged “historic music” ... of the eighteenth and nineteenth centuries’” is incorrect. The academic curriculum, concert programmes and the repertoire performed by the various ensembles in the institution, as well as the Department’s vision and mission statement provide quite a different view.

The section “Bums on seats” (p.134) is inaccurate. The Department of Music does not have a position that fits the description given here nor a person whose “job security is contingent on full concert halls”. It also does not have a policy according to which concerts are summarily cancelled if pre-sales of concert tickets are low. Least of all does it have such a policy for concerts of contemporary music, where audience numbers are never very high.

Mention of the departmental guidelines on p. 123 and their full quotation in Appendix A should have been accompanied by an explanation of their defunct status at the time of their discussion in the dissertation. It should also have been mentioned that these guidelines were drawn up with the criteria of a DMus degree in mind. The university-wide decision during 2010 to change the name of all doctoral qualifications to PhD had far-reaching consequences for the DMus programme (which in turn had been approved shortly before in accordance with all institutional processes and requirements and therefore was a perfectly legitimate programme at the time of its coming into effect). The resulting differences of opinion amongst staff about the nature of a PhD degree that included musical performance could not be resolved immediately. As a consequence the internal guidelines were subjected to a lengthy process of revision to allow for varying interpretations of an integrated PhD. This turned out to be an extraordinarily difficult process. Whatever the outcome of this revision, the revised guidelines could not have been made applicable retroactively to the project of the author (as is incorrectly stated on p. 124-125).

The Department of Music appreciates the opportunity to respond to sections of Dr. Stolp’s dissertation which it finds problematic on ethical grounds. By exercising its “right of reply” the Department is able to present its perspective on the matters raised here and thereby to set the record straight.



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28 August 2013

Dr Lyn Horn
Research Integrity Officer
Division of Research Development
Stellenbosch University

Dear Dr Horn

Thank you for asking Professors Botha, Le Grange, and me to constitute a committee to investigate allegations of ethical misconduct surrounding the thesis awarded to Dr M Stolp in December 2012.

On behalf of the committee, which elected me as chair, I am happy to enclose our report (overleaf)/

With best wishes

(Prof) Leslie Swartz

c:\users\lswartz\documents\rec enquiry phd\report on committee to inverstigate allegation of misconduct stolp phd august 2013.pdf



Departement Sielkunde • Department of Psychology

Report of investigating committee regarding allegations of research misconduct concerning the PhD thesis awarded to Dr Mareli Stolp in December 2012.

The committee, consisting of Prof Narisscia Botha (Retired, formerly of Social Work) Prof Lesley le Grange (Education), and Prof Leslie Swartz (Psychology, nominated by the committee members as chair) was asked to address the following questions in connection with the PhD thesis awarded to Dr Stolp:

1. What action, if any, should the university take with respect to the thesis, the student, the supervisor, the head of department?
2. What recommendations, if any, should be made to the Dean of the Faculty with respect to the handling of similar cases?
3. What recommendations, if any, should be made to the University to improve or clarify relevant policy, rules or procedures?
4. Any other recommendations that the IC would like to make?

Background

The committee was appointed by Dr Lyn Horn, Research Integrity Officer of the university. Dr Horn provided the committee with background material and copies of correspondence regarding the matter. Early on in the life of the committee it was made clear to the committee that Dr Stolp had concerns about whether the correct university procedures had been followed on a number of issues, chiefly

- a. the procedure followed to withdraw the thesis from SunScholar (Dr Stolp and her supervisor were not consulted about this); and
- b. the process whereby the committee itself was constituted (again, Dr Stolp and her supervisor were not consulted about the formation of the committee).

In the light of these concerns (and the second one in particular), a decision was made to roll back the process of establishing a committee to ensure that procedures in line with the university's policies would be followed. In a telephone conversation with Dr Stolp, however, the Vice-Rector (Research and Innovation) offered that the university would pay for her to come to Stellenbosch from Grahamstown (where she is now living) to be interviewed by the committee, and that he would transport her personally from the airport to Stellenbosch and have a discussion with her about the matter. Following these offers, Dr Stolp chose to continue to attend an interview with the panel on 24 July 2013 in Stellenbosch and to cooperate fully in the process.

It is the view of the committee that there were indeed deviations from university policy in terms of this matter, and it notes further that it was not party to the discussions between the Vice-Rector and Dr Stolp. We believe that though mistakes were made materially, that none were made in bad faith and that none was of a nature to impede the independent workings of the committee, and we were thus satisfied that with the cooperation of the main parties concerned we could continue with our work.

In addition to perusing various documents and emails made available to us, and to meeting both electronically and face to face on a number of occasions, the committee interviewed in person on 24 July 2013 Prof W

Lüdemann, Chair of the Department of Music, Prof S Muller (supervisor of Dr Stolp) and Dr M Stolp (author of the thesis under consideration). There were substantial differences of opinion amongst the people the committee interviewed, including disputes concerning matters of fact, and different recollections of how events transpired through the process of research for the thesis and its writing up. These differences of opinion and memory are similarly reflected in documentation made available to the committee. Such differences and conflicts about what really happened at various points are to be expected, and memory is always affected by strong emotion. It is beyond the brief of the committee to adjudicate on what happened at various points in the process of this research endeavour, and the committee does not wish to position itself as an arbitrator in ongoing disputes concerning practices and procedures in the Department of Music. The committee noted the great distress experienced by all parties in this matter, and was grateful to all of them for their cooperation, openness, and thoughtfulness with which they approached the investigative interviews. Despite very strong, and hurt, feelings on all sides, all the participants spoke frankly and helpfully.

It was also clear to the committee that this dispute and investigation is taking place within the context of serious ongoing tensions within the Department of Music. Part of what is at stake here is the impact of staff conflicts on student experiences. This difficult context is clearly very distressing to all involved. Though it is beyond the brief of the committee to comment in any way on the nature of the conflict and the responsibilities of various role-players in it, an environment such as this cannot but be conducive to disputes about research focussing on departmental issues and challenges.

The committee noted that this research (especially in its early stages) was undertaken at a time when formalised ethical procedures were rather new in the faculty. Given the innovative and unusual nature of the research itself, furthermore, it is not altogether surprising that there are differing interpretations on the part of different players regarding what were and should have been the correct ethical processes to follow in relation to the study and the collection and reporting of data. This is probably inevitable where an institution and a student are simultaneously grappling with a new form of degree; the conflicts and differences of opinion take on added impetus within an already conflicted environment where levels of trust amongst the parties do not appear to be optimal. It was beyond the brief of the committee to comment on the academic value of the PhD. The PhD had already gone through the accredited examination process of the university, and the committee had no reason to query this process. This said, though, the committee noted the innovative use of methods which are contested in some academic circles. Though it is not the place of the committee to comment on the use of these methods, it will be noted from the committee's findings that the committee did consider the implications of the candidate's interpretation of her methods for decisions she took regarding ethical questions.

Findings and recommendations

1. The PhD degree awarded to Dr Stolp was examined and passed according to the standard university procedures. The committee could find no

reason (such as fabrication of data) to recommend that the degree be withdrawn. It should be noted that the committee was not asked specifically to address this question, but the impression was gained that there could be some anxiety about this from some of the parties, and it is for this reason that we have chosen to make this clear statement.

2. The conflict and contestation around this degree has clearly occurred within a context of broader conflicts within the Department of Music. Though robust debate and differences of opinion are important to any academic institution, especially at a time of social change and transformation, it appears that in this case there has been some breakdown in the collegiality necessary to sustain such conflicts and debates in a constructive manner. It was beyond the brief of the committee, as has been mentioned before, to investigate the academic climate of the Department of Music as a whole, but the committee is of the view that if this underlying issue is not addressed adequately, an atmosphere conducive to further splits, allegations and counter-allegations will continue. We recommend that efforts to resolve conflicts within the Department continue, preferably with the assistance of neutral outside facilitators.
3. In conversation with Dr Stolp, the committee was able to see how her perception of the way she was treated as a student by some members of the department, a perception largely shared by Prof Muller, but not shared by Prof Lüdemann, helped facilitate a view of herself as a student as relatively powerless within an hierarchical power system. This perception, which was clearly acutely felt by Dr Stolp, provides some of the context for the manner in which she conducted herself during the process of data collection and for the tone in which she chose to write up her thesis.
4. Early in the thesis, Dr Stolp notes the importance of taking subjectivity and phenomenology seriously for the methods she uses. These methods are innovative and not uncontested, but all methods (even the most canonical) are open to contestation. From the committee's conversation with Dr Stolp, and from the way in which the thesis itself was written, the committee came to the view that Dr Stolp appears to have conflated two issues. There is a difference between taking subjectivity seriously and giving it due weight, and of selectively privileging the subjective experiences of the author. Though it is correct to say that a subjective interpretation of events is important to understand and to respect and embrace, this is not the same as implying that the views of the author (in this case Dr Stolp) should not be subject to the same sceptical scrutiny as those of others. Dr Stolp does address this issue distally in her

early chapters, but there are occasions when she discusses her findings that she does not seem to entertain as seriously as she could the possibility that her interpretation is but one of many ways of understanding what has occurred. This is a difficult issue, as it is her right methodologically and intellectually to use her own subjectivity as data, but the problem here is the privileging of this subjectivity. It was clear from our discussions with her that Dr Stolp felt to some degree victimised by the Department of Music, and this was indeed part of her experience. What she seems to have taken less cognisance of, in her writing of the thesis, was her own power and agency (admittedly within the context of asymmetrical power relationships in which she was structurally in a less powerful position).

There is a substantial literature on the ethical dilemmas and challenges associated with life-writing and with studying one's own institutional context. This literature comes from authors who, like Dr Stolp, place great value on subjectivity as something worth taking seriously in research. A more comprehensive engagement with this literature might have assisted Dr Stolp to take a more reflexive view of her own feelings and experiences in her work.

5. In light of the above, the committee believes that some people identified or identifiable in the thesis were not fully and clearly informed of the nature of the research work, or of what would be said about them. In research of this nature, it is not uncommon for people about whom the author is writing to be given sight of what the author intends to write, and to reply. The author does not have to agree with the opinions of others about her interpretations, but does have a responsibility to reflect the fact that her own views, like the views of all others, are necessarily partial, and to give due weight to the possibility that she herself may have made errors of interpretation.
6. It is clear to the committee that the thesis was written in an atmosphere of conflict and power asymmetry, to which we have earlier. This goes a long way to explain and provide a context for many of the choices Dr Stolp made regarding her data collection and write up. The committee noted that from Dr Stolp's point of view (though this would be contested by Prof Lüdemann), some attempts she made to create an open and collegial atmosphere around her work were rebuffed. The fact is though that outside readers of the thesis would not have access to this contextual information.
7. The thesis as it stands does not reflect well on the reputation of some identifiable individuals or on the university, and not everything was done to ensure to allow or entertain alternative interpretations in the thesis (these could have been entertained and

the same conclusions reached - the issue here is not with the candidate's conclusions but with whether she reached them fairly and taking full account of her ethical responsibilities as a scholar and author). The committee recommends that the thesis should not be available on SunScholar, but should be available on request provided in the versions that are made available to other scholars, due care is taken to edit posters and other identifying materials shown in the thesis so that individuals are not identifiable.

8. Regarding the question of the implications of this case for policy in the faculty and the university, the committee is of the view that the more recent institutionalization of clear ethics procedures would make the recurrence of such a conflict around a thesis unlikely in the future. The committee does not believe that additional formal procedures are necessary.
9. This matter makes clear in a painful way for all concerned that important but contested new methods in the social sciences may lead to strongly divided opinion on ethical issues, and on issues of representation in general. In this regard, the committee recommends that the Division of Research Development convene a workshop as soon as possible for staff and graduate students on questions of subjectivity and the politics of research, with the aim of using this workshop as a basis for further ongoing discussions on these questions. Members of the committee, should this be helpful, would be happy to assist with this.

In conclusion, this has been a painful and divisive matter for all concerned. The committee does not believe that attempting to apportion blame for what has occurred would be fruitful. The committee would like to thank the Division of Research Development and those people with whom we consulted for their cooperation. Despite the widespread hurt and pain around this matter, it has the potential to contribute to improvements in the university and to scholarship as a whole.



Professor Leslie Swartz

on behalf of the committee: (Profs Botha, Le Grange, Swartz)

28 August 2013



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4 September 2013

Dr M Stolp
Department of Music
Rhodes University
GRAHAMSTOWN
South Africa

Dear Dr Stolp

RE: INVESTIGATION OF AN ALLEGATION OF BREACH OF PRINCIPLES OF ETHICAL RESEARCH INVOLVING A PHD THESIS

A formal complaint was received in May 2013 regarding an alleged breach of ethical research principles in the research leading to your PhD degree. This complaint was lodged by Professor Winfried Lüdemann, Chair of the Music Department at SU.

The committee who undertook the formal evaluation of these allegations comprised three senior SU academics from the broader social sciences environment. The feedback report produced by this committee was shared with all parties involved on 30 August 2013.

I have accepted the report and recommendations made by the committee, and expressed my gratitude to them for their thorough evaluation of the matter. This letter serves to communicate the formal outcome of this process.

The findings:

1. Although the SU procedural document is titled "Procedure for the investigation of research misconduct" (which traditionally refers to *data falsification, fabrication or plagiarism*) the RIO's brief to the committee has referred to an allegation of the breach of ethical research principles. The report therefore also makes specific mention of the fact that data falsification,



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fabrication or plagiarism was not found, and that the respondent is therefore not guilty of research misconduct as understood under the traditional definition. I concur with this finding, and would like to confirm that the redrafting of the institutional procedure to allow for a wider interpretation of its purpose is currently underway.

2. The committee did not find any academic grounds on the basis of which to propose that the university withdraws the PhD degree, which has passed academic scrutiny by a number of appropriately appointed examiners. Given the strict processes followed by SU academic departments in this respect, I concur with this finding.
3. The committee found that no further formal investigative or disciplinary processes are required to address the complaint received in May 2013. I concur with this finding.
4. The committee found that it was not reasonable to expect that ethical approval for the project should have been obtained given the lack of an institutional policy in this regard at the time of registration. I concur with this finding, and am reassured by the fact that SU has since adopted appropriate policies and practices regarding research ethics.
5. The committee identified specific concerns related to the methodological approach that was followed. While to some extent the motivation for this approach could be understood given the context, the committee found that some aspects of the thesis as a public document could potentially put the university at risk. I concur with this finding, and have therefore put forward specific stipulations below that are aimed at addressing this risk.

Requirements related to the public availability of the thesis:

The committee recommended that the thesis not be made available in full via SUNScholar, the institutional repository of the university. I concur with this recommendation and would like to stipulate, in addition, that the thesis should not be made available in its current format on any public platforms or on request to other parties unless the requirements listed below have been addressed. This stipulation is in view of the committee's concerns related to the methodology followed by the author, as highlighted in the report. In particular it relates to the committee's finding that the methodological approach did not include sufficient reflection on alternative views, and that the inability of the identified individuals and the SU Music department to exercise their right of reply (the

right to defend oneself against public criticism in the same venue where it was published) is problematic.

The points that should be addressed prior to allowing access to the document in the public domain include the following:

1. **That any parts of the thesis that allows for the personal identification of research participants should be blackened out.**

No editing of the text is allowed in the final version of the thesis, but the relevant text/images should be shaded out to prevent the reader from accessing this information. It is the responsibility of the author, in collaboration with the SU Music department, to identify and black out relevant areas of the thesis where individual identification would be possible. This should at a minimum include the poster indicating performers' names, as well as any descriptive text that allow for the identification of individuals. The changes made in this regard should be ratified formally by the SU Music Department. These changes to any publically available copies of the thesis are required as the identification of individuals in the thesis without their consent can put the university, as copyright owner of the thesis, at risk of legal action.

2. **That a reply from the SU Music Department in response to allegations made in the thesis should be attached to copies of the thesis appearing in the public domain.** This provides a retrospective way of addressing the "right of reply" principle that the SU Music department may wish to exercise, and which is in accordance with widely accepted principles of fairness in publication. Any rebuttal should be factual, not extensive in length, and should be ratified by the Research Integrity Officer, Dr Lyn Horn, in consultation with my office. This opportunity will be communicated to the complainant via my office. This stipulation is only valid if the department indeed uses this opportunity to exercise their right of reply within one month following the date of this letter.

3. **That any recorded concert performances should be removed as attachments to copies of the thesis in the public domain, unless the appropriate approval of such inclusion has been obtained.** This is to protect the university against any potential risks related to copyright or intellectual property infringements. The university has experts on copyright

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and intellectual property matters, which can be requested to advise the author in this regard. Please feel free to contact my office if such advice is required.

I trust that the findings and recommendations contained in this letter and the accompanying report will be considered helpful, and may assist you in your approach to similarly innovative research projects in the future. I wish you well for your future academic career.

Yours sincerely

A handwritten signature in black ink, appearing to read 'TE Cloete', enclosed in a thin black rectangular border.

Prof TE Cloete
Vice-Rector (Research and Innovation)

Copies to: Professor S Muller, Department of Music, Stellenbosch University
Professor J Hattingh, Dean: Faculty of Arts and Social Sciences, Stellenbosch University
Dr T Theron, Senior Director: Research and Innovation, Stellenbosch University