



June 20, 2018

Dear Sofia Hernandez Chong Cuy:

Thank you for your letter of March 29, 2018. NourbeSe Philip has been travelling and we have only now had an opportunity to respond to your letter. Rana Hamadeh has written to NourbeSe Philip in the interim which has generated further questions for us. For instance, your letter states that you met “several times with Rana Hamadeh ... to read and discuss” our March 21, 2018 letter. You also state that it was on the advice of WdW that Rana Hamadeh sought permission from NourbeSe. You state that Rana Hamadeh “reconsidered her initial idea” by September 2, 2018. However, in Rana Hamadeh’s letter to M. NourbeSe Philip on April 6, 2018, Ms Hamadeh writes that she believed NourbeSe Philip had given her permission for Ms Hamadeh to use her work. It is surprising that after speaking several times with Ms Hamadeh as you write, she did not reveal to you that she believed she had permission.

As I’m sure you realize we are confused and would like to know which of these explanations is true.

You have stated that Ms Hamadeh did not include pages of *Zong!* in her WdW installation yet in her April 6, 2018 letter she states that she gave a public lecture on February 25, 2018 at the Sonic Academy in Amsterdam in which she said she did that she did in fact include pages of *Zong!* Which of these is true? Ms Hamadeh in that letter does state that she was not telling the truth to the audience but that she believed she had NourbeSe Philip’s blessing in any event. But she and WdW have said that she changed her show because she realized she would not get permission in time.

We would like some clarification on how RH reconsidered her idea since according to her letter of July 31, 2017 she writes that she was “taking *Zong!*’s pages’ layout and the way the layout builds its intensity throughout the book as (her) reference.” She would have had very little time to change her approach to the show — some 5 weeks by August 1, 2017 and some 6 days by September 2, 2017, by which time you write she realized she had to change her show. Ms. Hamadeh also alludes to this change and the need for it in her April 6, 2018, letter, although she also claims she believed she had permission.

We would like to know what the policies of the WdW are re due diligence regarding their artists having permissions. Your letter states that Ms Hamadeh had been working under your auspices for over a year, yet permissions are only sought on your suggestion some 5 weeks before a show open. This suggests a lack of concern with permissions or an assumption that the artist in question, NourbeSe Philip would agree to use of her work. Both of these alternatives are problematic.

In her April 6, 2018, letter to NourbeSe Philip Rana Hamadeh claims that when she mentions or talks about Gregson vs. Gilbert she feels she should talk about Zong because she believes it is an important “project.” Based on at least two articles this is not the case. In one interview in Mousse, Ms Hamadeh speaks at length about the case and does not mention either NourbeSe Philip or Zong!, which she claimed in her July 31, 2017 letter had become an “important theoretical and affective scaffolding.” We strongly object to Zong! being configured as scaffolding, but even if we stay within Ms Hamadeh’s unfortunate metaphor, scaffolding is the structure that allows another structure to be built. Zong! is the *sine qua non* of a significant, if not entire aspect, of Ms Hamadeh’s work.

We protest strongly her using a work that comes out of the historical trauma and devastation of African peoples and construing it as scaffolding for her own work. If Ms Hamadeh understood the import of this work, she would have understood that the work is rooted in mourning and a profound desire and need to unforget these people who had their names erased. We protest the egregiously appropriative, assaultive even, act of wresting and severing Gregson vs. Gilbert from Zong! where it is at the core of the work, providing the word store for the poem. She destroys the integrity of the work. She then uses the Gregson vs. Gilbert in a similar way in which NourbeSe Philip uses it in her work, entirely erasing the seven years of work Ms Philip engaged in to produce the work. While Gregson vs. Gilbert exists as a legal text in an archive but it was NourbeSe Philip’s work and her creative imagining that has made it a cultural document. Ms Hamadeh would not have known anything about Gregson vs. Gilbert without Zong!. For her to say that she “kept referring to Zong! as a source of inspiration, becausee (she) still felt it was too important a project to ignore in the context of speaking for the *Gregson and Gilbert* case” would be risible if it weren’t such an egregious case of a breach of Ms Philip’s copyright and moral rights.

We asked that a written apology be placed on your website and you have not said whether you are willing to comply. This apology must be detailed and we would be happy to draft what we think is appropriate.

Your amended accreditation is not a” slight edit” and does not meet our concerns in light of what Ms Hamadeh wrote in her July 31, 2017 letters. She writes of *Zong!* becoming “a major influence and reference, in fact a daily ritual that grew slowly throughout (her) working process into becoming an important theoretical and affective

scaffolding within the work.” In her April 6, 2018 letter she writes about using Gregson vs. Gilbert and the need to talk about *Zong!*. It is clear that *Zong!* is more than a “dear bibliographical reference” as Ms Hamadeh refers to it.

We had not realized that the links that you put at the end of your last letter were time sensitive and we did not access them in time. Would you be so kind as to resend those links.

Regarding our request for a fee: we understand that WdW was not involved in the Prix de Rome, but your gallery failed to carry out due diligence which led to unauthorized use by Rana Hamadeh of NourbeSe Philip’s work, *Zong!*. We believe a fee must be paid retroactively by either you and /or Ms Hamadeh for this use.

Finally we would like Ms Hamadeh to provide us with the name of the gallery and the contact person so that we can arrange for all the material related to her use of Gregson vs. Gilbert in the Prix de Rome installation , which she referred to in her April 6, 2018 letter be sent to us.

Ms Hamadeh in her April 6, 2018 letter suggests that she would be willing to destroy the organ book. Ms Philip would be in agreement with that, although we would like a third party to verify it.

We can’t comment any further re remedies until we see the material from Prix de Rome, and the libretto and the book.

Thank you very much for your continuing understanding and rsponsiveness to this matter.

Yours,

A handwritten signature in black ink, appearing to read 'Suzanna Tamminen', with a horizontal line extending to the right from the end of the signature.

Suzanna Tamminen
Director and Editor in Chief
Wesleyan University Press

cc M. NourbeSe Philip