

## Facts in Fictions

Hello, my name is Nada Faris. I'm a Kuwaiti writer who publishes articles, poems and fiction in English, and I'm very interested in this topic, to base fiction on real life, because my motto is that I write to get back at people.

The World Trade Organization defines intellectual property rights as "rights given to persons over the creations of their minds." In essence, writing about real people, places, and events in a fictional narrative is the product of imagination. If writers publicize their work as fictional and if they present the person or event on whom the text is based in a good light, or if they successfully conceal the identity behind the inspiration, their text will function as a creative, imaginative endeavor. Hence, in countries that adhere to strict intellectual property and copyright laws, writing about real people, places, and events in a fictional narrative becomes a matter of legal counsel. What happens when writers fictionalize real life in countries that do not abide by international property laws? In other words, in countries that do not possess a legal definition of imagination?

I would like to focus this discussion on my own experiences in publishing in Kuwait. Kuwait is a very small country. It is, furthermore, a rich country that developed its wealth by selling oil and cultivating its business relations around the world. It thus produced a magnificent consumer culture that is active in its pursuit of the latest, the newest, and the most advanced commodities. In fact, the word commodity itself has become the synonym of every sector of society whether scientific, cultural, educational, or even athletic. A very opinionated population exists today that would go to extreme lengths in order to defend their own views, even if they lacked professional expertise. I think they do it more in the spirit of, "the customer is always right."

Kuwait continues to maintain its position on the United States' Watch List of countries that do not uphold the sanctity of intellectual property rights. The 2013 report highlights the United States' serious concern that "key IPR legislation remains pending in Kuwait, including amendments to the 1999 copyright law that have been drafted for several years but have not yet been submitted to Parliament." Kuwait's inability to implement the law regarding foreign culture points to a deficiency in understanding the creative process in general, but Kuwait does not deem imagination as an essence of creativity, especially when it comes to audio-visual culture.

For example, in 2005 a caricaturist by the name of Mohammad Thallab Al-Suwaid began drawing comic strips based on daily life in Kuwait using social stereotypes. Each day, a new strip would pit stock characters against one another. The most popular of the two characters became the focus and title of a TV series called *BuQutada and BuNabeel*. BuQutada is a fundamental Kuwaiti Islamist who is best friends with BuNabeel, a liberal Kuwaiti merchant. The series used the same characters and the same farcical tone that the comic strip had employed successfully since 2005.

But once the characters were removed from their original genre and were transported into a television set, they lost their freedom of expression. They were no longer seen as comically poking fun of society, and instead, were taken as representations of Kuwait. Hence, numerous complaints were levied at the TV show, citing incendiary intentions and the desire to magnify differences among Kuwaiti groups, whereas the newspaper comic strip, which had used the same jokes and characterizations, enjoyed success for years. In 2010, an episode about a trip to Morocco elicited complaint even from abroad. Moroccan officials asked, not the writers of the animation, but Kuwait's government to apologize for misrepresenting Morocco, and the Kuwaiti government complied.

In "Circumscribed Criticism," a short story about a Kuwaiti feminist, I wrote about Kuwait's Blue Revolution, where women stormed the parliament demanding equality. There is a line in the story where I explain that the Prince and parliament members encouraged the protagonist, and later on rescinded their support. At first, I was petrified that I might be penalized. But thankfully nothing happened. Then, I realized that if I wanted to write about real people, places, or events in a fictional form,

I could do two things: a) write in English, and b) avoid popular genres, which includes anything presented on TV.

In my poetry, for example, I've written specifically about people, and sometimes not in a flattering manner, but I've done it in English, and they were poems, so they never broke out of their target audience, as a TV show might. Until we develop official guidelines that demarcate imagination from representation, I will have to continue to write articles, poems and fiction in English. After all, I got used to saying: Hello, my name is Nada Faris, and I write to get back at people.