

architecture, business, data processing and electronics, to advertising and the media, office furnishings, transportation, and travel.

Second, to sharpen this reference book as a marketing tool, we have tried to broaden the thumbnail sketches for each consumer magazine to explain – in the limited space available – what kinds of articles it carries. This is useful because so many magazines have names that give little or no indication of what they really are, who reads them, and, consequently, the kinds of articles or short pieces of fiction they buy. No one would ever guess, for instance, that a monthly Vancouver magazine called *Kinesis* is a forum for feminists. Nor would they necessarily think that rather than report on the entertainment world, Winnipeg's *Class Act* gives local high-school students fashion news and career-planning tips. And far from being a farm publication, as one might immediately suspect, *Grain* is a spunky little literary publication that has been produced quarterly in Regina since 1973.

We use the term "publication" often throughout this book because, strictly speaking, many of its listings are not really magazines as we have come to know them, but news bulletins or tabloid newspapers that feed the needs, sometimes sporadically, of a smallish group of loyal readers. Others, however, are magazines in the truest sense: glossy, highly professional consumer or trade journals that boast respectable circulations. The word "publication," then, seems to safely cover all listings, both large and small.

Much more important to the writer is that all these publications provide opportunities both for established freelancers wanting to break fresh ground and for neophyte writers seeking to have their work published. Each magazine listed accepts outside contributions with varying frequency and for equally varying fees.

Some publications, particularly among the scholarly journals and the literary and arts magazines, do not pay their writers at all. Others, such as *Reader's Digest*, *Saturday Night*, and *Equinox*, pay fees that are among the highest in North America, and expect high standards of writing and reporting in return.

Marketing

Too few novice writers understand that marketing is as vital an element of their craft as style and subject matter. Without a successful marketing strategy, their words and ideas may never see print.

The professional way to sell your writing is with a coherently written proposal. This eliminates the risks inherent in producing work on speculation. When an idea is accepted, the writer and the editor discuss fee, deadline – an *obsession* in the business, by the way – and the preferred writing style for the finished article.

Writers should always study the magazines for which they would like to write so they can immediately address the question, "What does this particular editor want?" Ultimately, though, they are aiming to satisfy not the editor but the editor's readers, and the only way to find out what *they* like is by reading the kind of material they have been purchasing in the past.

Another sure-fire way of becoming acquainted with a specific group of readers, and getting a feel for what they want, is to take careful note of the type and quality of the advertising within the magazine. In other words, you can only really know what to suggest to an editor after diligently studying his or her issues – and lots of them – as regularly as you can, in libraries, on the newsstands, or in doctors' offices.

Unquestionably, the hardest writing to sell is the novel. No matter how timely or ingenious a story may be, the effect a piece of fiction ultimately has on readers will depend almost entirely on how well it is constructed and written. Some of this, of course, also applies to non-fiction writing, particularly first-person experience pieces so much a part of the writer, and essays that must intelligently set out opinions and arguments. But, whereas the worthiness of most suggestions for magazine articles can be demonstrated aptly in a proposal, the power of a novel really cannot.

Some publishers are able to judge the merits of a piece of fiction from two or three sample chapters accompanied by a synopsis of the entire work. Ideally, this should explain the plot and show the very thing that holds fiction together – the theme. On the basis of this initial work, some publishers will give an experienced writer a contract

and an advance against royalties to complete the book. Usually, though, they only commit themselves to novels submitted by an unknown author after seeing the completed text.

To help sell their work, fiction writers often seek out agents – like those we have listed in the Literary Agents section. But don't expect agents to possess magic wands that they can wave to find a market for everything that crosses their desks. On the contrary, they must work extremely hard to sell whatever they can, and their best acquisitions, usually from experienced writers, are nearly always the first to find a buyer. So, to make their lives easier, reputable agents only ever handle a work they think will sell so well that it will be financially beneficial for both themselves and their clients.

In some large cities in the United States, agents also place magazine articles and essays, but only those written by frequently published authors who are exceptionally well-known. In Canada, however, this is not the case. Virtually all articles are sold directly to magazines and publishing houses by authors themselves – with well-crafted proposals.

Not surprisingly, then, the query letter to an editor and the full, detailed proposal or outline that follows it, may well be the most significant piece of work the beginning writer ever undertakes. It not only sells a suggestion, after all, but the writer with it. It should serve to demonstrate to an editor that, beyond any shadow of doubt, the person who conceived the idea and refined it really *is* the one best able to turn it into a strong, informative piece of writing for a lot of readers to enjoy.

Copyright

Whatever you sell, and by whatever means you choose to do it, one of the most crucial legal elements of the writing craft is copyright. This is usually discussed the moment an editor responds favourably to a writer's suggestion.

Copyright is an *extremely* complex part of law, and writers are advised to read up on it all they can before negotiating the sales terms of their work, thus putting themselves in a stronger bargaining position. A helpful booklet, *Copyright Questions and Answers*, is available from the Department of Consumer and Corporate Affairs, Copy-

right and Industrial Design Branch, 5th Floor, 50 Victoria Street, Place du Portage, Tower 1, Hull, Que. K1A 0C9.

Put simply, copyright means the sole right to reproduce – or allow others to reproduce – a literary or artistic work. It begins upon creation rather than on publication, and exists until fifty years after the creator's death.

The *assignment* or *licensing* of copyright is what is negotiated in any deal between a publisher and a writer. Depending on the nature of the contract, as you will see, the author can sell rights in many different ways.

Some publishers, often book publishers, will ask an author to assign copyright. This means that the publisher has control of all aspects of the copyright, including subsidiary rights such as translation rights, reprint rights, or even film rights, for the period of the agreement. The work is then published with copyright in the publisher's name. Such a contract will generally stipulate that once the publisher has allowed the book to go out of print, the rights then revert to the author. The writer will likely find that it is preferable to *grant a licence* to a publisher, specifying the rights of the publisher with respect to territory and time. In this way, the publisher is given the right to use the work in different markets or at a later date, and will be able to negotiate separately for subsidiary rights.

Terms of a copyright agreement may vary greatly in nature or content – a contract, after all, can include whatever conditions one party feels pertinent – but not in principle. Canadian magazines with large circulations most often buy North American rights – the right to publish an article to be read by an audience scattered across the entire continent. Some large Canadian magazines are content simply to buy Canadian rights – the right to publish a work that will be read only within the country. Some acquire serial rights – the right to publish a work in a sister publication without having to pay extra for it.

A few smaller publications, however, simply buy one-time rights. Under this type of agreement, copyright ownership automatically reverts to the writer, either immediately upon publication or shortly afterwards, depending on the agreement. This leaves the writer legally free to sell the same article in the same words to what is called a "secondary market." If that new market also buys only one-time rights, the same article may then be re-sold to a third magazine

without the need for any alteration, then a fourth, and so on down the line.

Another variation of one-time rights, which is preferred by many of the larger magazines, is for *first-time* rights, giving the publisher the right to be the first to publish an article. In other words, they may indeed want one-time rights, but these must be first-time.

This usually leaves writers with two main options. They can either sell a story several times over to those magazines willing to buy one-time rights, not caring if these are first, second, or even third, or they can take what most experienced freelancers have come to regard as the more lucrative road. That is, they can write a piece for a top fee from a large magazine first, then try selling the same idea to smaller magazines later.

Be careful here, though. While ideas can't be copyrighted, the words used to express or explain them can, and are. This is why our copyright laws came into being: to prevent people from taking and using something – in this case words, phrases, expressions, literary structures – that do not belong to them. So if you have sold North American, Canadian, or even world rights to a magazine, remember that before being offered elsewhere, your piece must be totally rewritten and restructured. As it passes from the original buyer to others wanting first-time rights, each text must avoid any of the original word combinations, structures or “echoes.” If, on the other hand, you have sold one-time rights and the copyright has reverted to you, you may send off your article in its original, unaltered form as many times as you wish.

Some magazines – *Reader's Digest*, for example – buy what are known as “reprint” rights, yet another corner of the maze of copyright. Under this agreement, editors may “pick up” and re-publish articles that have appeared elsewhere so long as they pay the original publishers, and/or the writers, fees for their one-time use. This practice is always restricted to publishers and must *never* be confused with recycling. It is merely an arrangement made between two magazines, with the copyright laws in mind, which gives the writer a little extra money as a bonus for his or her initial efforts.

Here, however, are some of the most frequently posed questions about copyright, with general answers:

Is every piece of written work copyrighted?

No. In Canada, copyright on a work lasts for the life of the author

plus fifty years. After that, the work falls into the public domain and may be legally copied at will.

How can I tell who the rightful owner of a copyright is?

In the first few pages of a book or magazine there is a copyright notice. Typically, it will read: Copyright Josephine Blow, 1992; or Joseph P. Blow & Sons, Publishers, 1992. Beneath this will usually appear the publisher's address. Even if the copyright is held in the author's name, it is generally the publisher who has the right – by contract – to authorize reprints of excerpts. If, however, the author has retained these rights exclusively, which may sometimes be the case, he or she can be contacted through the publisher.

How does copyright infringement occur?

Usually through carelessness or ignorance. Few writers, after all, deliberately set out to steal something that doesn't belong to them. They either quote too much of someone else's work without first seeking permission to do so, or use previously written words without making a sufficiently concerted effort to rework them.

What is “too much” of someone else's work?

The answer to this isn't easy. It depends on several factors, principally the quantity and quality of the portion taken and whether its use will detract from the impact and/or the marketability of the original. No one loses sleep if a writer uses a line or two from a book and attributes its source; to reproduce three or four key paragraphs without permission, however – even *with* attribution – could lead to problems. The writer is always advised to contact the copyright holder, quoting the extract(s) he or she wants to use in full, giving a true indication of context, details of format (magazine article, script, or book), and size of audience, and ask for permission to reproduce it. A neophyte writer wanting to use 100 words for publication in a small magazine probably will not be charged what a “name” writer would be expected to pay for a similar-sized extract in an article for one of the big players. Many copyright holders, however, do not charge for so few words.

How can I copyright my work?

The moment you have written something it is automatically copyrighted. If, however, you feel there is a chance someone may one day say your manuscript is theirs, you may register it for a fee with the Federal Department of Communications' Copyright and Industrial Design Branch. If your work is registered in this way, should a

dispute over copyright arise, you would be in a much stronger position if the case ever went to court. It would be up to the other party to prove that you are not the creator of your work. You can also mail a copy of your manuscript to yourself in a registered package. This would provide you with a dated receipt, which you would be able to produce when opening the package before a judge, should the manuscript's rightful ownership ever become a legal issue.

If I work for a newspaper, who owns the copyright on my work?

Usually, if you are employed by a company, it automatically owns the copyright of everything that is published by it in the course of your work. This cannot be reproduced or re-sold in any form without first obtaining permission. Often, newspapers generously allow articles, or portions of them, to be reprinted without charge.

Can a magazine editor steal the idea contained in my story proposal and assign it to someone else to write?

Yes, but the good ones won't. For this reason, it is not necessary to write "copyright" on your proposal. You would be wasting words anyway. Ideas – like titles – are in the public domain and cannot be protected by copyright laws unless they are part of an invention. And that is yet another branch of copyright law. If you intend to sell movie scripts in Hollywood (in which case you will definitely need an agent to negotiate rights on your behalf), have faith in the people you deal with. Good magazines and publishing houses stay in business because their editors are ethical.

Should I copyright the book I have been contracted to write before sending it to the publisher?

No. All publishers will copyright your work for you, under either their name or yours, depending on the terms of the contract you should already have signed. They will also register it for you, at the National Library in Ottawa, as an original Canadian work.

Libel

Jonathan Swift, in *A Tale of a Tub*, complained loudly and logically that writers were no longer able to lash out at particular people for particular vices and had to content themselves with general satire on mankind. More than two hundred years later, we still must take heed. We must do our best not to make any direct, unfair, or

inaccurate allusion to the living that might shed bad light upon their reputations.

Libel suits are notoriously complex – and the traps are wide. Many writers hold the mistaken belief that the use of fictitious names, or a statement saying that any resemblance between the characters in the book and living persons is purely coincidental, will automatically protect them from the possibility of a libel suit. This assumption is wrong. If the average reader associates a character described in a manuscript with an actual person, and the description reflects unfavourably on that person's reputation or integrity, there is always the danger of libel.

Fiction writers must always strive to assure that the resemblance really is coincidence, and most certainly avoid the intention. Apparent *intention* to libel an actual person, even in fiction, could be interpreted by legal minds as a personal attack, and could possibly lead to an action.

All writers need to understand enough about Canadian libel laws to protect both themselves and their publishers against court action. This is absolutely necessary since nearly all publishers' contracts provide for indemnification by the author in cases where a person maligned in a manuscript resorts to a suit.

Libel in Canada is mostly covered by civil law and comes under provincial jurisdiction. Its principles are based on English common law for all provinces, except in Quebec, where the law stems directly from the French Civil Code. But the principles remain: libel is a printed statement or picture that exposes a person to hatred, ridicule, or contempt, and imputes to that person immorality, crime, or disorderly conduct, or tends to injure that person in the pursuit of a profession, office, or trade. In short, anything which might discredit a person may be construed as libellous. And under some circumstances, this can also apply to corporations or their individual members.

If such a statement or picture is printed, the publisher must be prepared to defend his publication on three fronts, listed below: truth of the statement; privilege; and fair comment on a matter of public interest. If the author's statements are accurate and true, there may be no basis for a civil action for libel, but any false or defamatory statement that tends to harm a person's reputation may constitute libel.

Privileged reports fall into two classifications: absolute privilege and qualified privilege. If published at the same time as they took place, a fair and accurate report without editorial comment on proceedings heard before a court of justice is absolutely privileged. Qualified or conditional privilege is enjoyed by reporters while covering proceedings in any government body, whether legislative or administrative, any commission of inquiry or organization whose members represent any public authority in Canada, or municipal council, school board, or board of health meetings.

The defence of qualified privilege extends to the findings or decisions of those Canadian organizations formed to promote the interests of any art, science, religion, or learning; any trade, business, industry, or profession; any game, sport, or pastime to which members of the public are invited as spectators or participants.

Fair and honest comment on matters of public interest, as long as it is true, is privileged. An author who comments on current affairs or writes a biography is permitted to express honest opinions or fair criticism of someone's works or accomplishments because this is usually in the public interest and serves to promote a useful purpose. Fair comment extends to criticism of books, magazines, articles, plays, and films.

Another defence often resorted to by newspapers and magazines is mitigation of damages based on a retraction of a statement that was made in error. While this action does not absolve the publication from libel, it nevertheless tends to show that any injury was purely accidental, and this may lessen the amount of the damages levied by the court.

Simultaneous submissions

There is absolutely nothing wrong with writers sending the same article, proposal, or book manuscript to more than one potential market at the same time. It is their work, after all, so they can do whatever they please with it. But unless they are sending off material simultaneously to those magazines that are happy to buy second, third, or fourth rights, they could run into problems.

The practice can sometimes be unethical. Busy magazines need about a month to assess an idea or a manuscript properly, sometimes

more. During this time, several people may be assigned to the job of writing an informed critique explaining to both the writer and the senior editor how the manuscript or article is effective, how it isn't, and what revisions may be necessary.

In publishing houses, this work takes considerably longer and is correspondingly more expensive. Judging a promising book proposal or an intriguing manuscript of several thousand words usually means that an editor must set aside present work. If the editor is rushing to complete a book for the upcoming spring list, an outside reader might have to be hired to do this job instead. Readers are also hired for their specialized expertise, to judge whether a writer has covered a topic, fact or fiction, properly and accurately. If an idea or manuscript appears tempting, the publisher may recruit market researchers to assess its sales potential. By sending the same material to several houses, the writer may automatically involve them all in the expense of assessing something only one of them would eventually be able to acquire.

Indeed, to established writers, the idea of simultaneous submissions is distasteful. Knowing how busy editors can be, they give them reasonable time to respond – about six weeks on a magazine and as long as three months in a publishing house. If after that they have heard nothing, they fire off a reminder, then turn immediately to other productive work. The publishing business is notorious for its slowness and, unfortunately, this is something all writers have to learn to accept.

Photocopies

Simultaneous submissions almost invariably means sending out photocopies of manuscripts, rather than the original. Editors on good magazines will sometimes refuse to read photocopies – they immediately suspect that they have been sent a copy because other copies are in the process of being offered elsewhere. And why should editors bother investing time in something they are not quite sure they will even have the chance to buy?

But there is also a strong argument for keeping originals safe to preclude their getting lost in the mail. It is usually wise to explain to an editor that you are sending a photocopy for precisely this purpose,

manuscript can be produced does not necessarily depend on how good or expensive your printer is, but how suitable. Your printer should provide a clear, draft-quality text in an easy-to-read typeface. Script typefaces resembling italics or Old English should be avoided because they are harder to read. This rule applies to both a computer and a typewriter, electric or otherwise.

Another component of the home computer, and one more integral to comfort than any other, is the piece of equipment you must stare at for hours on end – the screen. Many efficient home computers are sold with colour screens. These are fine for games and, for some graphics, imperative. But for simple word processing, they are not only superfluous, but expensive. Conversely, other computers come with much cheaper screens that show bulky, disjointed lettering that is difficult and uninviting to read.

Ideally, the writer should aim somewhere between these two extremes. The advice is to get what is called a “high-resolution” screen. This not only costs significantly less than a colour screen, but helps to reduce eyestrain. Suffice it to say that endlessly watching your work spring to life on a screen you are not comfortable with will make word processing a chore, and certainly not a pleasure.

Before buying a word processor, shop around, and talk to other writers to ascertain what computers and software packages *they* bought, and why. Judge your needs by theirs. And make certain that your sales clerk understands the amount of revising and polishing you will be doing, so that you obtain the type of software best suited to the writer’s needs.

Manuscripts

It goes without saying that manuscripts that have been poorly typed and are littered with spelling errors look amateurish. Editors don’t necessarily expect word processed texts, but they should be well-prepared and double-spaced on white bond letter-size paper, with a covering page bearing a title. If your article is accepted, it is doubtful that the title you gave it will survive. It is likely to undergo several changes as editors put their heads together to dream up something that suits it better, according to the style of their magazine. When

first submitting a piece, then, its title is of little consequence. Your job is to merely call your work *something* so it can be recorded as such when the editorial department receives it.

Much more of a priority is other information you must put on the title page – your name, complete address, and telephone number.

Some writers think that folded or stapled manuscripts have less chance of being published. They are wrong, of course, because editors are much more interested in such ingredients as uniqueness or importance of subject, and whether it has been properly covered and deftly illustrated with anecdotes. They look, too, for good writing – this does not translate to clever or fancy as much as it does to clear and coherent. Editors do find, however, that a neat manuscript is infinitely more inviting to read than an untidy one.

When submitting a book manuscript, each new chapter should be denoted as such by starting partway down the page. All pages must be numbered, double-spaced, and have margins about an inch wide. The text will require a title page, too, and others devoted to a full, accurate listing of any permissions the author needed to acquire to be legally entitled to quote from copyrighted works.

While editors used to like to see an entire manuscript, this is no longer the case. Many publishing houses will not accept unsolicited manuscripts, and if you do manage to convince a busy editor to take a look at your work, a sample – two chapters plus synopsis – will be sufficient. You can always courier the balance of the manuscript if required.

When using a computer it is always wise to co-ordinate your efforts with those of the publisher so that your disks will not be useless. Many instructions are specific to the type of software used, but some are general: 1) each article or chapter should have its own file; 2) never fill your disks – always leave room, at least 40K “working space” on each, for the typesetter’s format instructions; 3) always make back-up disks; 4) never centre or justify the text, which makes it difficult for the publisher to obtain an accurate word count and creates problems for the typesetter during formatting; 5) set your margins so that there are no more than sixty characters per line; 6) never hyphenate a word at the end of a line unless that word has a hyphen already; 7) make very clear your codes for accents, currency symbols, fractions, footnote or endnote numbers, and don’t overuse bold and italic typefaces.

Style

By style, most book and magazine editors mean the conventions of spelling, punctuation, and capitalization. There is, of course, no generally accepted manual for style because it varies from periodical to periodical, publishing house to publishing house, not to mention from fiction to non-fiction, from genre to genre, and from discipline to discipline. Writers should remember, however, that style is an integral part of their craft and, by showing a blatant disregard for it, they can quite inadvertently prejudice an editor against their work.

Writers are expected to observe at least *some* of the basic house rules, and these should be obvious in what has already been published by those magazines and book publishing houses for which they aspire to write. If they are not, the writer is always wise to find out as much as possible about what these rules are, and what stylistic traits – as idiosyncratic as many may appear to be – are preferred.

Canadian newspapers generally follow *The Canadian Press Style-book* (which also contains some good tips on reporting, by the way), and magazines tend to develop their own standards and preferences from one authoritative source, or a compilation of several. Book publishers, however, almost always adhere to well-known manuals. A selection of the best style and resource books is provided at the end of this book.

Very often, a publishing house has compiled its *own* guide to house style, and the aspiring writer should never be afraid to ask for a copy of this.

The word count

The number of words a manuscript contains is another consideration for editors. A large part of their job is to ensure that stories will fit into an allotted space. When they order 2,000 words, the manuscript should not be appreciably longer, and preferably 100 words or so less.

For books, the word count is more crucial, because cutting, even merely trimming to a publishable size, is a lot more work than many writers realize. Doing it properly almost always means having to

judiciously remove material – a sentence here or a couple of paragraphs there – throughout an entire text and not just from one part of it. The time involved explains why authors lament that they have had potentially good works either rejected out of hand, or returned swiftly to them, for drastic shortening.

Always remember that the real skill in writing is being able to tell a story, fact or fiction, in the shortest number of necessary words. To achieve this, good writers develop keen powers of self-criticism. They are constantly scrutinizing their work for wordiness, clutter, unnecessarily long quotes, or characters that do nothing to enhance the subject of their story, or move the action along. The moment they come upon any of them, they ruthlessly pare away the superfluous material so as to make their text tighter.

They also check regularly to see how many words they are writing. A simple way to count them is to set the left-hand margin of the typewriter or word processor at twenty and the right at seventy-five so that each line of type will then contain an average of ten words. Twenty-five double-spaced lines on a standard-size page, therefore, will equal roughly two hundred and fifty words.

Postage

Nearly all magazine and publishing houses, particularly the smaller ones, insist that you submit your work with a self-addressed, stamped envelope, so that it can be returned without cost. (Some houses will assume that you do not want your material back if a SASE is not included, and will simply throw it away.) Postage rates have soared in recent years and so, for any business that relies heavily on our mail system, they represent a bigger expense than ever.

Income tax

In Canada, the Income Tax Act is good to writers, allowing them to deduct legitimate work expenses from their taxable incomes. In return, writers are trusted to show all their earnings, particularly fees that are unsupported by T4, T4A, or T5 slips from magazines and publishing houses that have printed their work.