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In Conversation with Darrell Posey

As the century draws to a close, the phrase "you bought it, you own it" echoes around the world. [Darrell Posey](#) maintains that this pervasive, largely, Western concept of intellectual, cultural, and scientific property and rights threatens our planet's biodiversity and perhaps life itself. With the publishing of "Beyond Intellectual Property" Posey and co-author [Graham Dutfield](#) attempt to halt the process of genetic and cultural erosion by providing the much needed tools to those who they believe can best preserve it - indigenous and traditional peoples.

In this interview with Reports, Darrell Posey shares his thoughts on the need to move beyond the narrow, legal confines of intellectual property rights and embrace the more broader notion of traditional resource rights.

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You wrote this book with a particular audience in mind, who were they?

The book was developed for indigenous and traditional communities to have as a manual to the issues and actions that can guide their peoples in dealing with the practical aspects of working with scientists, photographers, collectors, bioprospectors and companies. But, having said that, it is probably as useful to the "collectors", "researchers" and "product developers", as anyone, since it also points out the sensitivities of indigenous peoples and the unique views they have on ownership, stewardship and the use of nature -- all of which differ dramatically from the "you buy it, you own it" mentality of industrialized society. The book might also prove useful as a textbook for students of anthropology, ethnobiology, law, ethics, conservation and planning.

Why should these groups read your book?

There are few books of this sort. Most intellectual property rights discussions are about patents and technical instruments for "protecting" property under western legal regimes. This book is about rights. It calls for new systems of protection and valuation and points out the inadequacies of existing intellectual property rights systems. I know of no other book that deals with environment, human rights and intellectual property rights as one integrated issue; they must be dealt with together, as a whole, in order to

preserve the planet's biological and cultural diversity.

What new light does your work shed on the subject of intellectual property rights?

Intellectual property rights are generally seen as a legal issue. This book shows that they are fundamentally an ethical and moral issue and that they are surrounded by existing human rights instruments enshrined in international law. Thus much of what happens, with the unauthorized exploitation of indigenous and traditional peoples' resources, is contrary to international law and ethical practice. The book provides a framework for this "integrated rights approach" and suggests how special new systems (sui generis systems) can begin to develop.

Then, the key messages in *Beyond Intellectual Property* are?

In Situ conservation requires protection of local communities. Local communities are being undermined and their valuable knowledge, that has protected local biodiversity, is being lost as a result. Consequently, enhancement of local communities' rights and their control over land and resources is necessary. Existing intellectual property rights instruments do not do this. On the contrary, they facilitate and accelerate the destruction of local cultures. New intellectual property rights systems must be developed that recognize indigenous and local peoples' value systems. These value systems are usually collective and are based on trusteeship and stewardship, not ownership. Thus "property rights", per se, are inappropriate since things are not owned, but held for past and future generations. New mechanisms are necessary and these must be based on human rights and not economic interest.

Were there any surprising findings in your research?

Perhaps, not surprising, but I have been impressed with the resistance of the scientific community to recognizing the basic traditional resource rights of indigenous peoples. It is surprising that environmentalists often ask the question: What do intellectual property rights have to do with conservation? Many still want to save species, not realizing that species depend upon habitats in ecosystems that have very often been managed and protected by indigenous and local peoples; in fact, the ecosystems ARE as result of coevolution with human societies.

What would you recommend to the decision makers, researchers and development experts involved in the intellectual property rights issues?

Globalization undermines the long term stability of society in order to achieve short term gain. If biological and cultural diversity are to be conserved in order to maintain the complex and adaptive base that underlies human life, then local values and traditions must be, not only protected but, enhanced. There is adequate evidence to show that loss of languages and cultures accelerates the loss of ecosystems. Anyone who does not work in ways that support indigenous and traditional peoples is knowingly working against the wellbeing of themselves, their children and grandchildren, and the entire planet.

This book is written almost as a handbook, how should it be used?

Communities can use this book to understand the intellectual property rights' issues, which are alien to most indigenous peoples; the book provides a basic explanation of the western view of intellectual property rights and "ownership" of culture and natural resources. Specialists can use the book to understand the breadth of the issue, instead of seeing it in a limited and restricted way, such as only a legal issue. Students of all areas can read the book and discover why indigenous peoples are angry over the exploitation of their culture and cells and discover what many groups are doing about it.

What do you plan as a followup to this book?

It is now important to get this book into languages available to indigenous peoples. English and French editions are out, but Spanish and Portuguese versions are yet to appear; other editions are needed in

African and Asian languages. I had hoped to adapt the book to produce training manuals for special courses for indigenous leaders, but the funding for this never appeared.

Dr. Darrell Addison Posey is Director of the Programme for Traditional Resource Rights of The Oxford Centre for the Environment, Ethics and Society and a Fellow of Linacre College, The University of Oxford. He is a Titled Researcher for the Brazilian National Council for Science and Technology at the Goeldi Museum, Belem, Brazil. He is also President of the Global Coalition for Bio-Cultural Diversity under whose auspices he coordinates the Working Group on Traditional Resource Rights. He was Founding President of The International Society for Ethnobiology and Convenor and President of The Earth Parliament, an assembly for indigenous and minority groups, during the 1992 Earth Summit in Rio de Janeiro. He was recipient of The Sierra Club's first "Chico Mendes Award for Outstanding Bravery in Defense of the Environment" and a recipient of the United Nation's "Global 500" award. He has published over 154 scientific articles and five books, the most recent of which is "Beyond Intellectual Property: Toward Traditional Resource Rights for Indigenous Peoples and Local Communities".

*Graham Dutfield is Research Coordinator for the [Working Group on Traditional Resource Rights](#). He holds degrees in Latin American studies, from Portsmouth University, and environment and development, from Cambridge University. Mr Dutfield has addressed international conferences in India, the Netherlands, and the United Kingdom on issues concerning the resource rights of indigenous peoples and local communities. His work has been published by the International Union for the Conservation of Nature (IUCN) and the journal *Biodiversity and Conservation*.*

Related Links:

- [Beyond Intellectual Property: Toward Traditional Resource Rights for Indigenous Peoples and Local Communities](#) by Darrell A. Posey and Graham Dutfield. Read the [Introduction](#) or [order](#) the book.
 - [Sustainable Use of Biodiversity](#). An IDRC Program Initiative whose general objective is to enhance the capacity of local and indigenous peoples to protect, access and sustainably use biodiversity and knowledge of biodiversity.
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Other Publications from IDRC BOOKS:

- [People, plants, and patents: The impact of intellectual property on trade, plant biodiversity, and rural society](#) IDRC 1994, ISBN 0-88936-725-6, **full text online**.
 - [Traditional ecological knowledge: Concepts and cases](#) IDRC 1993, ISBN 0-88936-683-7.
 - [Lore: Capturing traditional environmental knowledge](#) IDRC 1992, ISBN 0-88936-644-6,
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