



VIEWING GUIDE

Presented by
the Intellectual
Property Issues in
Cultural Heritage
Project

LOCAL CONTEXTS: BECAUSE THE 'S' MATTERS TRADITIONAL KNOWLEDGE AND INDIGENOUS CULTURAL HERITAGE



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Video URL: <http://bit.ly/1j448JH>

SUMMARY

This presentation introduces Local Contexts, an educational website that includes an introduction to a set of innovative traditional knowledge (TK) license and labels being developed in a response to Indigenous communities' needs.

KEY CONCEPTS

Traditional knowledge, cultural protocols, digital heritage, commodification.

DISCUSSION QUESTIONS

1. What is Mukurtu? What needs inspired the development of this software? What were its goals?
2. What particular challenges arise in controlling the use of digital content relating to cultural heritage?
3. Kim outlines two ways that localcontexts.org seeks to enable Indigenous communities to have some control over their digitized heritage through traditional knowledge (TK) licenses and labels. What does each do and what are the differences between them?
4. In her presentation, Kim suggests that "legal frameworks often divide people." When it comes to protecting cultural heritage, in what ways do you think this might be true? Are there other ways that the opposite might be true?
5. Kim concludes her presentation by suggesting that the TK licenses and labels are "part of a social movement." What does she mean by this? Do you agree or disagree?



ACTIVITY / ASSIGNMENT

A. Cultural Heritage Appropriation/Commodification Case Study

1. Identify an example of where cultural heritage has been appropriated or commodified, and provide a short summary.
2. Outline the perspectives of at least three different groups on this example.
3. Identify any relevant professional heritage association Codes of Ethics concerning this issue. How could these be used to resolve conflicts?
4. What is the current situation of the case study? Was any conflict resolved?
5. Drawing on the points raised in Kim's presentation, what is your opinion on the use of cultural heritage in this example? Would you have done anything differently? Why or why not?

B. Indigenous Cultural Heritage and Professional Codes of Ethics

1. Identify five heritage/archaeological/anthropological organizations with Codes of Ethics (local, national and international).
2. Provide a summary of how each code addresses the responsibilities of professionals to:
a) heritage sites and objects, b) intangible heritage, c) Indigenous communities, and d) the public.
3. Do these codes address the issue of cultural commodification? If so, how?
4. How would you improve these codes to accommodate issues of appropriation and commodification? Use the issues and examples discussed by Kim to craft an additional statement addressing these concerns.

RESOURCES

Authentically Aboriginal Inc. (2013).
<http://www.authenticallyaboriginal.com>

Bell, Joshua, Kimberly Christen, and Mark Turin (2013). Introduction: After the Return. *Museum Anthropology Review* 7(1-2):1-21.

Anderson, Jane, and Kim Christen (2013). 'Chuck a Copyright on it': Dilemmas of Digital Return and the Possibilities for Traditional Knowledge Licenses and Labels. *Museum Anthropology Review* 7(1-2):106-126.

Creative Commons Website.
<http://creativecommons.org>

Hansen, Stephen, and Justin van Fleet (2003). Traditional Knowledge and Intellectual Property: A Handbook on Issues and Options for Traditional Knowledge Holders in Protecting their Intellectual Property and Maintaining Biological Diversity. *American Association for the Advancement of Science*. Washington, DC. <http://bit.ly/1im5M69>

Local Contexts Website. <http://www.localcontexts.org>

Muller, Manuel Ruis (2013). Protecting Shared and Widely Distributed Traditional Knowledge: Issues, challenges and options. Report prepared for the *International Center for Trade and Sustainable Development (ICTSD)*.
<http://bit.ly/1gy1ZV8>

Museum Anthropology Review 7(1-2) Special Issue — After the Return: Digital Repatriation and the Circulation of Indigenous Knowledge, edited by Kimberly Christen, Joshua Bell, and Mark Turin. 2013.
<http://bit.ly/1s3ZHVi>

Murkutu Website. <http://www.murkutu.org/>

World Intellectual Property Organization. *Traditional Cultural Expressions - Existing Codes, Guidelines and Practices*. <http://bit.ly/1n4tPcr>

World Intellectual Property Organization (2013). *Customary Law, Traditional Knowledge and Intellectual Property: An outline of the issues*. <http://bit.ly/1160eRH>

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