



VIEWING GUIDE

Presented by
the Intellectual
Property Issues in
Cultural Heritage
Project

OPENING REMARKS:

Cultural Commodification, Indigenous Peoples & Self-Determination Public Symposium



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

SUMMARY

This presentation provides an introduction to the issues associated with intellectual property and cultural heritage, as well as contextual information related to the complex processes known as “commodification”.

KEY CONCEPTS

Intangible, appropriation, commodification, heritage, authenticity.

DISCUSSION QUESTIONS

1. In his presentation, George states that “material objects have no value without their intangible quality.” What does he mean by this?
2. How would you define “commodification” when it comes to cultural heritage? What are some examples?
3. What do you think the benefits and drawbacks of commodification might be?
4. How would you define “fair and equitable use” of cultural heritage?
5. George suggests that possession of objects, images, and aspects of cultural heritage is a way that we celebrate cultural difference and relate to the past. What does he mean by this? Do you agree or disagree with this suggestion?
6. Can cultural heritage be “owned”? If so, by whom — an individual, a community, another culture?



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 George'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 George to craft an additional statement addressing these concerns.

RESOURCES

Authentic Aboriginal Website.
<http://www.authenticaboriginal.com>

Brown, Michael (2004). *Who Owns Native Culture?* Harvard University Press: Cambridge.

Harrison, Rodney (2013). *Heritage: Critical Approaches*. Routledge: New York, NY.

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

Nicholas, George P. (2012). Appropriation (?) of the Month: No Doubt and "Looking Hot." *IPinCH Blog*. <http://bit.ly/1pVFTPh>

Nicholas, George P., and Kelly Bannister (2004). Copyrighting the Past? Emerging Intellectual Property Rights Issues in Archaeology. *Current Anthropology* 45(3).

Nicholas, George P. and Alison Wylie (2013). "Do not do unto others...": Cultural Misrecognition and the Harms of Appropriation in an Open-Source World. In *Appropriating the Past: Philosophical Perspectives on the Practice of Archaeology*, edited by G. Scarre and R. Coningham, pp.195-221. Cambridge University Press: New York, NY.

Keene, Adrienne. *Native Appropriations*. <http://nativeappropriations.com>

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