

power means to resolve conflicts. The fight against poverty and dehumanisation surely will require more time and collective effort by the international community than the use of military force. However, without attending to these core challenges, any attempts at addressing conflicts would be superficial, leaving potential for conflict to reignite.

Endnotes

1. The World Factbook 2001: <http://www.cia.gov/cia/publications/factbook/>
2. Tsunesaburo Makiguchi (1871-1944) was a Japanese educator whose life and thinking contain many parallels to John Dewey. His writings on education contain references to Dewey and he acknowledged an intellectual debt to the pioneering American educator.
3. Dr. Daisaku Ikeda is the President of Soka Gakkai International. Soka Gakkai International (SGI) is a Buddhist association that promotes world peace and individual happiness based on the teachings of the Nichiren school of Mahayana Buddhism. http://www.eddiv.homestead.com/files/John_Dewey_and_Tsunesaburo_Makiguchi.htm

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Indigenous Knowledge Systems, Sustainable Livelihoods and the Intellectual Property System: A Peace Action Perspective

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Preamble

It has been stated that to work for peace is to work against violence. This involves analysing its forms and causes, predicting in order to prevent it, and then acting preventively and curatively. To work for peace is to build liberation, well-ness in a world of peace with nature, peace between genders, generations and races, where the excluded are included but not by force, and where classes, nations and states serve neither direct nor structural violence. Peace theorist Johan Galtung has specifically urged people working for peace to make the effort to identify the ABC triangle of *deep attitudes*, *deep behaviour* and *deep contradictions* that lies at the base of every conflict and situation of violence. He has also elucidated the three levels of violence — *direct*, *structural* and *cultural*. He emphasised that of these three types of violence, structural and cultural violence are most obtuse and most often escape deep scrutiny when all eyes are fixed on surface forms of violence (Galtung 1996:2).

Structural violence is the violence built into the very social, political, and economic systems which govern societies, states, and the world. It is the different allocation of goods, resources, and opportunities, between different groups, classes, genders, nationalities, etc., because of the structure governing their relationship such as that of apartheid, patriarchy, slavery, colonialism, and imperialism. Cultural violence is those aspects of a culture that legitimise structural or direct violence. It can work either by obscuring the particular form of the violence, or by actively dehumanising the other, making them seem somehow 'less,' 'unworthy', and ascribing to them entirely negative, self-serving, or even 'evil' motives (Galtung 1996).

The Indigenous Knowledge Systems Initiative as Peace Action

In order to comprehend the magnitude of the violence that needs to be confronted in the domain of IKS, one has to undertake a completely fresh diagnosis, and then prognosis. Soon, it becomes clear that one of the consequences of colonialism and apartheid for indigenous knowledge systems was the fundamental erasure that was effected over the rich knowledge heritages of non-Western people. Colonialism and colonialists began by declaring non-western lands as 'empty' — that is, devoid of people or ideas, and the diverse sciences and innovations that steered and maintained those societies as 'non-science'. In this strategy of 'conquest by naturalisation', the cultural and intellectual contributions of non-western knowledge systems were systematically erased.

Colonising religions, and Christianity in particular, labeled forms of worship of African societies as satanic, and the work of evil (Mbiti 1969). IKS were not taught in schools, and they were omitted from

history textbooks. IKS were not allowed into public domains, which were then exclusively reserved for knowledges, heritages, cultures, institutions, norms, and idiosyncracies of western society. Most public institutions, including universities throughout Africa, are still structured in this way.

Piracy, and later bio-piracy, associated extractions without recompense, exploitation, violence on the other including slavery and forced removals, was established as the natural right of the coloniser. Today, bio-prospecting still renders invisible the fact of prior use, prior knowledge, and prior rights associated with bio-diversity. As the original economic and ecological systems disappear, the western prospector is projected in an omnipotent status as the only source for medical or agricultural uses of bio-diversity.

The IKS project and the attendant policies and legislations seek to lay out the framework for recognising, protecting, developing and promoting IKS. Protection, a crucial component of this undertaking, assumes two forms. Defensive, or 'negative protection' generally entails protection *from* something, i.e. improper appropriation without due compensation or prior informed consent. This protection seeks to outlaw bio-piracy and prevent other misuse or theft of indigenous knowledge (IK) and related heritages. This form of protection can be achieved by legislative means either through reform of existing systems or by introducing new laws altogether. In some instances, *sui generis* laws may have to be developed to respond to the peculiarities of IK systems which do not need to be squeezed into existing legal frameworks.

The second type of protection is positive protection. Here, the appropriate imagery is 'incubatory' protection, akin to the process of tending seedlings in a protected seedbed till they are strong enough to be

transferred to the open fields to face the elements of nature. This form of protection requires that safety zones for the recovery of knowledge and cultural practices, norms, and philosophies be created and earmarked well into the public spaces. In this way, policy makers would have to be explicit as to precisely how they intend to respond to this urgent developmental challenge.

The innovations to emerge would make for genuine grassroots, organic initiatives that are community owned and controlled, even as they work to form partnerships with the private sector wherever appropriate. In the case of South Africa, the IKS initiative has the multiple role of making South Africa become an inventive society and global leader in sustainable technologies. This will ensure the evolution and diffusion of grassroots innovations, provide institutional support for grassroots innovations, build linkages between excellence in formal scientific institutions and informal knowledge systems, and link the various stakeholders in knowledge production and application.

Indigenous cultural and scientific knowledge has always been an open treasure box for the unfettered appropriation of items of value to the western civilisation. While we assiduously protect rights to valuable knowledge among ourselves, indigenous people have never been accorded similar rights over their cultural knowledge. Existing western intellectual property laws support, promote and excuse the wholesale, uninvited appropriation of whatever indigenous item is attractive or promises profit, with no obligation or expectation to allow the originators of the knowledge a say or share in the proceeds (Greaves, cited in Mugabe 1999:97).

Of the 119 drugs developed from higher plants and on the world market today, it is estimated that 74% were discovered

from a pool of traditional herbal medicines (Laird cited in Mugabe 1999:102). Other reports state that plant derived prescription drugs in the US originate from 40 species of which 50% are from the tropics. The species from the tropics generate about US\$4 billion for the economy of the USA (Posey, cited in Mugabe 1999:103, <http://www.acts.or.ke/paper%20-%20intellectual%20property.htm>)

When development analysts, policy makers and the academe discuss poverty, basic human needs, and even human rights, they do not look at the cognitive injustice and epistemological disenfranchisement. However, their maintenance is critical for the continued entrenchment of the structural violence that has already led to so much impoverishment as if it was ordained by God.

It is also recognised that many activities and products based on IK are important sources of income, food and healthcare for large parts of the populations in many developing countries. Yet, no connection is built between this and the fact that valuable traditional knowledge is oftentimes appropriated, adapted and patented by scientists and industry with little or no compensation to the custodians of this knowledge and without their prior informed consent (PIC), or consideration for benefit sharing.

Thus, although trade in medicinal plants from developing countries has increased, few, if any, benefits accrue to those countries and traditional communities. Total trade in herbal remedies and botanicals in 1995 yielded over US\$56 billion, and the only payments to the communities was for the manual labour involved. According to Posey, less than 0.001% of profits from drugs developed from natural products and traditional knowledge accrue to traditional people

(Posey, cited in Mugabe 1999:103). Intellectual property and economic benefit sharing linked to these endeavours have to be resolved if we are to foresee any justice in our lifetime.

Apart from medicinal plants and products, indigenous people all over the world have stated that their arts, crafts, sciences, literature, medicines, music, heritage, are the *subject* of research, and eventual commercial exploitation by others, while they are denied not only the financial benefit, but also the respect and official recognition. Contractual agreements made by corporations are concluded with local universities or scientific research institutions. Indigenous or local communities are usually not mentioned in these agreements, and there is never any guarantee, or legal, or moral obligation that they should ever be consulted (Burdekin 1999:8).

The policy and legislation to emerge across the African continent therefore needs to address several issues. An important first point is how to legitimate and formalise IKS on its own terms by creating authoritative enabling environments for the internal development and articulation of all the domains of IKS and establish it as a source of innovation. This requires the development of regulative mechanisms for ensuring quality control, developing and monitoring benefit sharing and value addition to IKS. A second issue is how to manage its interface with the dominant dehumanising frames of reference that still govern the mainstream institutions and policy frameworks. This requires intensive analysis of the deep culture, that is, the shared precognitions in the collective subconscious (Galtung 1996:80) of a civilisation or, as is the case in the context of IKS, the collective subconscious of the formal institutions. Such an analysis should lead to the development of codes of conduct and protocols to govern further interaction between these systems in order

to denounce existing practices and construct the requisite new futures.

IKS and its links with education, rural development, improvement of existing skills and grassroots innovations, job creation, and enhancement of the entrepreneurial spirit, primary health care, and human resource development in general needs to be articulated and strengthened. Here, the IKS process is seen as helping to facilitate and engender mind-set change in all public institutions with regards to IKS in particular. On a wider scale, it is seen to be contributing to people-centred development and knowledge, as a way of developing UBUNTU — the feeling of ‘turned-towardness’, of interrelatedness, caring and empathy traditional to Africa (Apffel-Marglin 1998:230-236).

The powerful systems of science and technology however, must not be let off the hook. They need to find their roots and meaning in the ordinary domains of people’s lives. Science and technology need to be democratised, and the trust and confidence of marginalised communities proactively cultivated by investing in the promotion of rural based science and technology activities, strengthening community participation in information gathering and ownership of research processes and findings, and developing mechanisms, protocols, and codes of conduct for value addition.

A fact repeatedly documented since the Earth Summit in Rio in 1992, is that poverty continues to threaten the majority of Africa’s and Third World rural communities. The protection, development, and promotion of IKS will help to improve livelihoods and economic well being of local communities by ensuring equitable and fair benefit sharing by local communities in the utilisation of the nation’s resources. IKS will also necessitate

the development of capacity of rural communities, among other things, in legal and cultural education, information technology, and management.

Finally, any national IKS strategy should strengthen regional and African collaboration, and among developing countries on intellectual property rights in the context of World Intellectual Property Organisation (WIPO). A national strategy should also strengthen benefit sharing in the context of World Trade Organisation Trade Related Intellectual Property Rights (TRIPs) and the Convention on Biodiversity. It should also strengthen benefit sharing on research and development, manufacturing and marketing of IKS products, quality control, professional exchange and capacity building, and infrastructure development.

Conclusion

While it may seem so distant, on 10th December 1948 that the international community adopted the Universal Declaration of Human Rights (UDHR) — a common standard that recognises the inherent dignity, equality and fundamental rights of all people in all nations. This customary international law is considered to be the single, most authoritative source of human rights. The right to freely participate in the cultural life of the community, to enjoy the arts, and to share in scientific advancement and its benefits is enshrined in the UDHR. Article 27 of UDHR further states that everyone has the right to the protection of moral and material interests resulting from any scientific, literary or artistic production of which he/(and of course *she*) is the author.

The appropriation of knowledge by industrialised country firms and scientists without fair compensation, reward or recognition to indigenous peoples is now seen as contravening fundamental moral, ethical, and legal norms that protect people from any form of ecological, political and social abuse. Secondly, the knowledge of

indigenous people is seen as their property, and there is no reason why international law should discriminate against them and create barriers to their enjoyment of the rights in that property.

Although the international community, legal experts and politicians have consistently treated civil and political rights as more significant than economic, social and cultural rights, read together, these covenants constitute a solid universal bill of rights that set minimum standards of decent social and governmental practice. They form the edifice upon which international law of human rights rests.

For its part, the African Charter on Human and People's Rights emphasises the right to dignity, and protection from exploitation or degradation. Each citizen must have equal use of the country's public service or public property. Article 17 states that each person has the right to cultural life, and that the State has the duty to protect and promote morals and traditional values recognised by the community. Article 19 affirms that all groups must be equal and have the same rights. Nothing can justify the domination of one group by another. Article 20 refers to the right to self-determination and freedom from any kind of foreign domination. Article 21 refers to the people's rights to their country's natural resources and wealth without foreign exploitation. Article 22 states that all people have the right to their economic, social and cultural development, and that States have the duty to ensure these rights.

IKS therefore reminds us that it is a fitting time to reaffirm the commitments made 50 years ago to strive for even more effective, rigorous, and balanced implementation of human rights for all. Within this, the relationship between intellectual property and human rights lies in the confluence between traditional knowledge, the right to health, the obligations of democracy and

transparency demanded of science in its links with society, in cultural heritage, and in the principle of non-discrimination.

To work for peace in this situation requires that within the academy, we move beyond appraisals of the work of individual scientists, beyond the assessment of the output of particular research teams, and beyond the competitive acumen of research centres. We must question what type of knowledge is being generated, what type of research questions are being asked, and what is not being asked. A geopolitical consciousness would enable us to look at the deep structures of the international system and realise that the apparent economic dependency on the north has its scientific and epistemological dimension. Its existential expression is seen in the absence of any articulation of authentic African experience in routine academic work, including disciplinary arrangements¹.

We need to make profound changes in existing rules and regulations governing scientific activities and to interrogate the progressive but conquering heuristic activities currently taking place in universities. We need to explore more deeply into the interface between epistemology and democracy, and develop the potential for true exchange and reciprocal valorisation among knowledge systems. Most urgently, we need to engage in critical evaluation of IKS, to recognise their inner truths and coherence in order to facilitate their active re-appropriation into current, living research work². We need to explore the intrinsic efficiency of orality in order to expose the semantic shift that has turned the illiterate from someone who is ignorant of the alphabet, to an absolute ignorant. We also need to explore the equation of what is not written as being thoughtless — which is central to the strategic disempowerment that African societies have undergone³.

Finally, we need to re-centre Africa by a

critical but resolute re-appropriation of African cognitive heritage as part of a new global compact of rehumanising the world. We should accomplish this by developing a mutual enriching and sharing that encompasses transformation in world-views and ethics of humankind, a forward looking liberation of substance and a shared paradigm shift⁴. This would constitute a new social contract for an expanded citizenship—an alternative project of globalisation!

Peace and development workers need to work towards active de-colonisation. This means affirming the wholeness that IKS systems symbolize and practice. It means rejecting the diagnosis, biased by adverse interests that seek to deactivate people's food self sufficiency. It means recovering UBUNTU, building liberation, and restoring well-ness (Galtung *et al* 2002:xi).

Endnotes

1. Hoppers, O. 2002, 'IKS and the integration of knowledge systems. Towards a conceptual and methodological framework', in Hoppers, O. 2002, *IKS and the Integration of Knowledge Systems. Towards a Philosophy of Articulation*, Cape Town: New Africa Education Publishers.
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3. *Ibid*.
4. Fatnowna, S. & Pickett, H. 2002, 'Establishing the protocols for an indigenous directed process: Perspectives from Australia and the region', in Hoppers C.A.O. ed. 2002, *Towards a Philosophy of Articulation: Indigenous Knowledge and the Integration of Knowledge Systems*, Cape Town: New African Education Publishers.

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After Johannesburg, where to for the Movements for Global Justice?

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Progressive advocacy at Johannesburg's World Summit on Sustainable Development (WSSD) culminated on August 31 (A31) in a formidable 10 km march of 20,000 local and international activists. They marched from Alexandra township up to the ultra-bourgeois conference site of Sandton. What was at stake, for the global political balance of forces? What was accomplished by the grouping calling itself 'Social Movements United' — community militants, Jubilee debt activists, landless people, pro-Palestinians, some trade unionists and various others?

Commentators searched, in both this 'anti-WSSD' (anti-WSSD) march and in the year of post-11 September mobilisations (mainly in mass protests in southern Europe) for nothing less than the heart and soul of the Movements for Global Justice, also known as anti-globalisation, anti-capitalist or new social movements. In contrast, a second rally and march 'against world poverty' and in favour of the WSSD had been called for the same day by the larger trade union and ruling African National Congress (ANC). It was endorsed by some of the international NGOs which attended the 'official' parallel summit of the Global Civil Society Forum. The Forum, held in the Nasrec Convention Centre, more than 45 minutes away from Sandton, was a site of great conflict from last December through February. The conflict was only temporarily resolved when pro-ANC labour and NGOs expelled the independent social movements.

In the event, the more radical Social Movements United trumped the official civil society and government forces. The small turnout (fewer than 5,000) to hear