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Treasured Possessions: Indigenous Interventions into Cultural and Intellectual Property

By Haidy Geismar. 2013. Durham: Duke University Press. 328 pages. ISBN: 978-0-8223-5412-3 (hard cover), 978-0-8223-5427-7 (soft cover).

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Haidy Geismar's *Treasured Possessions* sheds light on how global forms of intellectual and cultural property interplay with situated indigenous practice. Conceptualized as a comparative ethnography of the Pacific nations of New Zealand and Vanuatu, the book traverses a breadth of topics central to current discourses on indigenous rights, from copyrights on traditional carvings and trademarks denoting indigenous origin, to museum practices, art auctions, and indigenous alternative economies. Geismar makes use of Chakrabarty's concept of "provincialization" (2007) and Kirsch's "reverse anthropology" (2006) to illustrate how intellectual and cultural property regimes are reimagined and transformed by Ni-Vanuatu and Māori in their respective national contexts. Rather than looking at how global property norms are translated into local contexts, the book shows how these norms and frameworks themselves are appropriated and become part of discourse and practice in indigenous entitlement and sovereignty.

The introductory first chapter lays out the book's theoretical framework. "Global forms of cultural and intellectual property" are argued to be "redefined and altered by everyday people and policy makers" (1). In processes of "indigenization" and "provincialization" (3), Geismar argues, property relations in local contexts are not unilaterally shaped by global property regimes. Rather, the convergence of intellectual property frameworks with local practice allows for new ways of thinking about entitlements to culture and social structure based on custodianship, sustainability, self-determination, and reciprocity (12). For Geismar, property and ownership are in this regard possibilities to assert indigenous identity and sovereignty (20) by means of cultural property claims.

Chapter 2 provides the contextual backdrop against which the ethnography of property relations in Vanuatu and New Zealand unfolds. The condensed, yet concise presentation of the colonial and national histories of the two countries maps the interconnections between social groups and systems of governance over time. The discussion of the development of New Zealand's model of biculturalism between Māori and Pākehā (non-Māori New Zealanders) nicely illustrates the change in perception and application of treaties regulating the rights of indigenous people (41 f.) that is emblematic for the legal instruments surveyed in this book. Chapter 3 ("Indigeneity and Law in the Pacific") more specifically introduces the reader to the space of indigenous discourse in New Zealand's settler-colonial society with 15% indigenous population and a 95% indigenous majority in Vanuatu. This is where Geismar's comparative approach comes to fruition. While the two states are fundamentally different in terms of social and economic structure, the way in which indigeneity and indigenous entitlement are constructed in both settings follow similar dynamic processes. Both constitute "political subjectivities" (47) by stressing difference within a set of options that is prescribed by society. Yet, as the ethnographic examples around cultural and intellectual property in the book show, this is done in imaginative ways that transcend these prescriptions as they influence policy and legislation.

The paired chapters 4 and 5 feature case studies on intellectual property in Vanuatu and New Zealand. In chapter 4, Geismar sheds light on the genesis of the Vanuatu national copyright act and how it influences property rights regarding traditional carvings. Drafted on the basis of UNESCO and WIPO copyright

guidelines (62), the bill's language and provisions had quickly been absorbed into local "structures of power and authority" (63) and discourses of indigenous entitlement. Competing claims to traditional carving styles and the merchandizing of carved drums, as Geismar vividly illustrates, are mediated in local normative frameworks (*kastom*) by referencing global property regimes as a means to assert "indigenous political and economic authority" (85). Chapter 5 deals with the case of the "Toi Iho"-trademark in New Zealand and analyzes how the branding of Māori products is not constricted to commercialization and commodification of traditional artefacts. Rather, as the history of the trademark shows, it had the potential to establish an "ethics of appropriateness" (100) regulating how indigenous intellectual property is perceived and dealt with. Both chapters show how legal instruments are incorporated into social systems as a tool for indigenous agency, and how this affects national policy and legislation.

Chapter 6 illustrates how museums in Vanuatu and New Zealand play a crucial role not only in the presentation and safeguarding of cultural artefacts, but also in setting "cultural, political, social, and economic" (128) agendas. Geismar describes how the museum becomes a place where indigenous protocols and perspectives are recognized and change museological practice. By using indigenous concepts like *kastom* (Vanuatu) and *taonga* (New Zealand) instead of "artefacts," "antiquities," etc. as frameworks for understanding the social entanglement of museum objects, indigenous actors are able not only to introduce their viewpoints, but also to implement alternative strategies of representation and accentuate control over cultural property.

Chapters 7 and 8 are, like chapters 4 and 5, paired ethnographies of art auctions in New Zealand and "pig banks" in Vanuatu as alternative economies. The auctioning of Māori *taonga*, influenced by global and national legislation and increasingly also by museum curators and indigenous activists (153), are described as a place for indigenous intervention by discouraging sale and bidding, as well as by co-establishing alternative protocols for auctions and introducing "alternative values" (173). The chapter on Vanuatu pig banks, an example for customary currencies, shows how indigenous economies and their ties to social structure translate into national currencies, and how this has an influence on the relation between local contexts and the state. The two chapters illustrate that indigenous "economic imaginaries" (206) do not presuppose a rejection of the market, a perception that has been influential in policy discussions on the global level. Rather, Geismar shows how economic categories (like global forms of property) are incorporated in situated social practice in processes of provincialization and indigenization, thereby using them as tools to shape property relations in alternative ways.

The strength of Geismar's book lies in its comparative contextualization in New Zealand and Vanuatu: it is not only ethnographic description, but also expands to frameworks and perceptions of property, heritage, and social dynamics. Bringing together legal anthropology, material cultural studies, and museology, Geismar makes a strong case to rethink the ways we think about the influence of global legal categories in local contexts. She illustrates how international norms are entangled in complex local contexts beyond simple dichotomies of property regimes and indigenous perspectives, creatively making use of legal categories made available by discourses on cultural and intellectual property.

What remains unclear is the scope of the notion of sovereignty and its relation to property. While Geismar, in her discussion of the pig bank project, asks the question about the applicability of such projects at more than the grassroots level (206), there is an emphasis throughout the book that indigenous sovereignty can be achieved by means of "indigenous interventions." Yet, the ethnographic examples and discussions on land rights do not elucidate to what extent such sovereignty is really achievable in the face of constrictions of legal and economic systems, both national and international. The pragmatic approaches by indigenous actors portrayed in the book seem to suggest that "sovereignty talk" (20) is mostly an enabler of "sub-sovereignty" practice.

Treasured Possessions is a vital read for scholars and practitioners in the field of cultural and intellectual property, illustrating how global legal regimes are put to use in indigenous discourses. The book's findings are relevant to indigenous issues, and more generally constitute a counterpart to research on the emergence of global norms and shed light on the interplay between international processes and their

implementation in local contexts.

Works Cited

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