

Conventional Knowledge: A Great Challenges to Preserve in Contemporary Knowledge



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Abstract

Conventional knowledge Indigenous knowledge and local knowledge generally refer to knowledge systems embedded in the cultural traditions of regional, indigenous, or local communities. Indigenous peoples around the world have preserved distinctive understandings, rooted in cultural experience, that guide relations among human, non-human, and other-than human beings in specific ecosystems. These understandings and relations constitute a system broadly identified as Indigenous knowledge, also called traditional knowledge or aboriginal knowledge. Some forms of traditional knowledge find expression in stories, legends, folklore, rituals, songs, and laws. Traditional knowledge is knowledge, know-how, skills and practices that are developed, sustained and passed on from generation to generation within a community, often forming part of its cultural or spiritual identity. Local and indigenous knowledge refers to the understandings, skills and philosophies developed by societies with long histories of interaction with their natural surroundings. For rural and indigenous peoples, local knowledge informs decision-making about fundamental aspects of day-to-day life. It was a way to protect, preserve and develop traditional indigenous skills and cultures. Education is a significant step towards empowering indigenous peoples to participate more fully in their communities. Indigenous people needed cultural diversity and believed in unity through diversity. When community members innovate within the traditional knowledge framework, they may use the patent system to protect their innovations.

Keywords: Conventional Knowledge, Indigenous People, Skill and Practice

Introduction

“Vidya Dadati Vinayam, Vinaya Dadati Paatrataam
Paatravta Dhanamaapnoti, Dhanaat Dharmam
Tatah Sukham.”

This shloka in Sanskrit means true/complete knowledge gives discipline, from discipline comes worthiness, from worthiness one gets wealth, from wealth one does good deeds, from that comes joy. This ancient Sanskrit proverb resonates of the power and value of knowledge. It also echoes the need for protection of traditional knowledge. Traditional knowledge, indigenous knowledge and local

knowledge generally refer to knowledge systems embedded in the cultural traditions of regional, indigenous, or local communities. Some forms of traditional knowledge find expression in stories, legends, folklore, rituals, songs, and laws “a cumulative body of knowledge, know-how, practices and representations maintained and developed by peoples with extended histories of interaction with the natural environment. These sophisticated sets of understandings, interpretations and meanings are part and parcel of a cultural complex that encompasses language, naming and classification systems, resource

use practices, ritual, spirituality. Traditional knowledge is knowledge, know-how, skills and practices that are developed, sustained and passed on from generation to generation within a community, often forming part of its cultural or spiritual identity. Indigenous knowledge refers to the understandings, skills and philosophies developed by societies with long histories of interaction with their natural surroundings.

The term “indigenous” has prevailed as a generic term for many years. In some countries, there may be preference for other terms including tribes, first peoples/nations, aboriginals, ethnic groups, adivasi, janajati. Occupational and geographical terms like hunter-gatherers, nomads, peasants, hill people, etc., also exist and for all practical purposes can be used interchangeably with indigenous peoples. Indigenous Peoples are culturally distinct societies and communities. The land on which they live and the natural resources on which they depend are inextricably linked to their identities, cultures, livelihoods, as well as their physical and spiritual well-being. There are approximately 370 million Indigenous people in the world, belonging to 5,000 different groups, in 90 countries worldwide. Indigenous people live in every region of the world, but about 70% of them live in Asia, and they account for about 15 percent of the extreme poor. Indigenous Peoples’ life expectancy is up to 20 years lower than the life expectancy of non-indigenous people worldwide. Indigenous peoples are those groups specially protected in international or national legislation as having a set of specific rights based on their historical ties to a particular territory, and their cultural or historical distinctiveness from other populations. They hold vital ancestral knowledge and expertise on how to adapt, mitigate, and reduce climate and disaster risks. Much of the land occupied by Indigenous Peoples is under indigenous customary ownership, and yet many governments recognize only a fraction of this land as formally or legally belonging to Indigenous Peoples. Insecure land tenure is a driver of conflict, environmental degradation, and weak economic and social development. This

threatens cultural survival and vital knowledge systems.

Status of Conventional Knowledge

Traditional knowledge generates value that is currently not recognised and compensated adequately, and its holders are not adequately rewarded when their knowledge is appropriated by the system currently in place. Indigenous knowledge can help to meet the broader objectives of society, for instance conserving the environment, developing sustainable agriculture and ensuring food security, while its protection encourages the maintenance of traditional practices and lifestyles. Traditional knowledge typically distinguishes one community from another. In some communities, traditional knowledge takes on personal and spiritual meanings. Traditional knowledge can also reflect a community’s interests. Some communities depend on their traditional knowledge for survival. Traditional knowledge regarding the environment such as taboos, proverbs and cosmological knowledge systems provide a lot of conservation ethos for biodiversity preservation. Some social scientists conceptualize knowledge within a naturalistic framework and emphasize the gradation of recent knowledge into knowledge acquired over many generations. These accounts use terms like “adaptively acquired knowledge”, “socially constructed knowledge,” and other terms that emphasize the social aspects of knowledge.

Conventional knowledge is at the core of indigenous identity, culture, languages, heritage and livelihoods, and its transmission from one generation to the next must be protected, preserved and encouraged “We need to ensure that our educational practices, languages, environmental conservation and management is acknowledged and respected globally, not only by Governments, but by all peoples,” Traditional knowledge is transmitted between generations through stories, songs, dances, carvings, paintings and performances. However, global histories of colonialism, exploitation and dispossession continue to undermine and

undervalue these aspects. In many countries, indigenous children and youth are not taught in their native languages. Calling for financial and technical support from Member States and the United Nations, she encouraged “all of us make sure our children and our youth are connected to their indigenous community and their culture, which is inextricably linked to their lands, territories and natural resources.”

India and Conventional Knowledge

India, as in all other regions of the world, local communities who have long history of interaction with their natural environment are a treasure trove of a cumulative body of knowledge, know-how, practices and representations. This local and indigenous-traditional knowledge is a key resource for empowering communities against marginalization, poverty and impoverishment. Intellectual property and the country's laws that govern intellectual property right (IPR) grant protection to the individuals/communities from whom the creative endeavour or knowledge is derived. Indigenous knowledge comes from a diverse range of populations and occupational groups, such as traditional farmers, pastoralists, fishermen and such others whose knowledge is linked to a specific place and is likely to be based on a long period of occupancy spanning several generations

India is home to the largest population of indigenous peoples of any country in the world. Roughly a quarter of the world's indigenous population – around 80 million people – are scattered across India, their numbers a staggering diversity of ethnicities, cultures and socioeconomic situations. They range from some of the last uncontacted indigenous communities in the world, like the Sentinelese of the Andamans, to some of the largest, such as the Gonds and Santhals of central India. They include not only communities who live under conditions of extreme destitution, but also communities with social indicators well above the national average. But across circumstances and areas, like other indigenous communities around the world, India's indigenous peoples do share one

characteristic – social, political and economic marginalisation. Traditional

Value and Ethics (TVE) is linked to traditional cultural practices which prioritize dos and don'ts in the aspects in relation to natural resource harvesting, conservation, and equitable sharing etc. During the process, it evolves the concept of sacred species, space, forests, water bodies, etc. This involves seasonality based practices like restriction of fishing during breeding season, harvesting forest resources during flowering period, etc. Sometimes institutions are developed to manage human habitation, controlling human practices related to health and sanitation, like restriction of food in different seasons, restriction of waste disposal, norms for location of animal sheds, toilets etc

Challenges for Conventional Knowledge with Contemporary Knowledge

India is home to about 700 tribal groups with a population of 104 million, as per 2011 census. These indigenous people constitute the second largest tribal population in the world after Africa. As industries encroached upon their lands, many communities were displaced and some continued to wage a struggle to either protect their homes or demand a fair compensation. These tribal communities have traditionally controlled vast tracts of land and its resources, such as forests and coal, through well-established community institutions. They are now eager to exercise their ownership over oil. The Centre has for long protected their autonomy through various Constitutional provisions. The state governments have acknowledged this. But as the value of natural resources touch an all-time high; the governments turn their eyes to the largely untapped region, perhaps the most resource-rich landscape in the country. The hydrocarbon reserves in Nagaland may increase India's on-shore oil and natural gas production potential by 75 per cent. The coal reserves in Meghalaya are worth 10 times the state's GDP. In Arunachal Pradesh and Mizoram, 60 per cent and 30 per cent of forests are with communities

Traditional Knowledge is essentially culturally oriented or culturally based, and it is integral to the cultural identity of the social group in which it operates and is preserved. "Indigenous Knowledge" is an open-ended way to refer to tradition-based literary, artistic or scientific works; performances; inventions; scientific discoveries; designs; marks, names and symbols; undisclosed information; and all other tradition-based innovations and creations resulting from intellectual activity. The definition of Indigenous Knowledge used by the World Intellectual Property Office (WIPO) includes indigenous knowledge relating to categories such as agricultural knowledge, medicinal knowledge, bio-diversity related knowledge, and expressions of folklore in the form of music, dance, song, handicraft, designs, stories and artwork. Process leading to the creation of Indigenous Knowledge may not be formally documented in the way that much scientific and technological information is recorded. The apparent non-systematic manner of creation of traditional knowledge does not diminish its cultural value, or its value from the point of view of technical benefit. In recent years concern has been expressed in relation to the recognition of traditional knowledge as prior art. Patents have been granted for traditional knowledge related inventions which did not fulfill the requirements of novelty and inventive step when compared with the relevant prior art. This prior art consisted of traditional knowledge that could not be identified by the patent-granting authority during the examination of the patent application. Indigenous Knowledge documentation data constitutes an important form of non-patent literature with specific characteristics. Some of those characteristics may necessitate specialized measures for traditional knowledge data to be adequately integrated and recognized as relevant non-patent literature. The development of new technology and the new use of traditional knowledge based products today is the major threat to the survival of many of these communities. The modern cultural industries as well as the manufacturing industries now

commercially exploit the Indigenous Knowledge based products using new technology without the permission and sharing of profits with the communities. It is possible today to bring out new products or find out new use of existing products based on Indigenous Knowledge utilizing the technological developments in the field of biotechnology. This is proved beyond doubt particularly in the field of medicines, agriculture etc. The development of new products or new use of existing products enable the industries to get protection for these products through the formal intellectual property laws.

Recommendations

Traditional Knowledge is a valuable and sophisticated knowledge system developed over generations by local communities in various parts of the world. This knowledge's is validated over time in a way that is different to the western empirical system. It is important to develop an indigenous paradigm to discuss the issues related to Traditional Knowledge, identify the problematic areas and develop solutions. The debate and its content must be generated indigenously. We need a national legislation specifically to protect Traditional Knowledge. This should be followed by negotiations at the international level for an International Agreement to protect Traditional Knowledge and the rights of local communities. The real challenge before us is to develop a sui generis system to protect the Intellectual Property of communities in the field of Traditional Knowledge related to biological resources. This is the new, least understood and most controversial area and needs the most attention.

Conclusion

Knowledge is wealth and traditional knowledge has immense potential to resolve man's budding problems. Exploitation of this knowledge is extremely important but it must be coupled with protection, promotion and benefit sharing. However, traditional knowledge as such - knowledge that has ancient roots and is often informal and oral is not protected by conventional

intellectual property systems. Some countries have specific legislation protecting this kind of knowledge while some other countries feel their existing IPR regime protect such knowledge. A regional policy has to be developed for the protection of indigenous knowledge related to biodiversity which includes cultural, agriculture, medicinal, ecological related knowledge; and also for the protection of other traditional knowledge relating to folklore. Traditional knowledge systems are today being gradually replaced with modern lifestyle preferences and unsustainable development practices. For instance, traditional architecture is fast becoming extinct due to the emergence of concrete structures; hydraulic technologies are being replaced by a network of pipes and hand pumps; traditional medicinal systems have given way to allopathic treatment; and, traditional metallurgy has been wiped out by non-stick cookware.

But growing public interest in indigenous people and a long process of international negotiations involving indigenous organizations prompted the international community to proclaim 1993 as the International Year of the World's Indigenous People, and then the period 1995-2004 as the International Decade of the World's Indigenous People, to focus on issues of concern to indigenous people. Traditional knowledge has the potential of being translated into commercial benefits

by providing leads/ clues for development of useful practices and processes for the benefits of mankind.

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