



WHO OWNS NATIVE CULTURE?

MICHAEL F. BROWN

Who Owns Native Culture

Susan Hegeman



Who Owns Native Culture:

Who Owns Native Culture? Michael Fobes Brown, 2003 The practical and artistic creations of native peoples permeate everyday life in settler nations from the design elements on our clothing to the plot lines of books we read to our children Rarely however do native communities benefit materially from this use of their heritage a situation that drives growing resistance to what some denounce as cultural theft *Who Owns Native Culture* documents the efforts of indigenous peoples to redefine heritage as a proprietary resource Michael Brown takes readers into settings where native peoples defend what they consider their cultural property a courtroom in Darwin Australia where an Aboriginal artist and a clan leader bring suit against a textile firm that infringes sacred art archives and museums in the United States where Indian tribes seek control over early photographs and sound recordings collected in their communities and the Mexican state of Chiapas site of a bioprospecting venture whose legitimacy is questioned by native rights activists By focusing on the complexity of actual cases Brown casts light on indigenous claims in diverse fields religion art sacred places and botanical knowledge He finds both genuine injustice and among advocates for native peoples a troubling tendency to mimic the privatizing logic of major corporations The author proposes alternative strategies for defending the heritage of vulnerable native communities without blocking the open communication essential to the life of pluralist democracies *Who Owns Native Culture* is a lively accessible introduction to questions of cultural ownership group privacy intellectual property and the recovery of indigenous identities

Who Owns Native Culture? Michael F. Brown, 2009-07-01 Documents the efforts of indigenous peoples to redefine heritage as a protected resource Michael Brown takes readers into settings where native peoples defend what they consider to be their cultural property By focusing on the complexity of actual cases Brown casts light on indigenous grievances in diverse fields He finds both genuine injustice and among advocates for native peoples a troubling tendency to mimic the privatizing logic of major corporations Jacket [Beyond Blood Identities](#) Jason D. Hill, 2009-01-01 *Beyond Blood Identities* uncovers the social psychology of those who hold strong blood identities In this highly original work Jason D Hill argues that strong racial ethnic and national identities which he refers to as tribal identities function according to a separatist logic that does irreparable damage to our moral lives Drawing on scholarship in philosophy sociology and cultural anthropology Hill contends that strong tribalism is a form of pathology *Beyond Blood Identities* shows how a particular understanding of culture could lead to a new theoretical approach to enriched human living Hill develops a new version of cosmopolitanism that he calls post human cosmopolitanism to solve a number of challenges in contemporary society From the problem of defining culture the failure of multiculturalism the question of who owns native culture the identification of Jews as post human people and the problem of their status as chosen people in a modern world the author applies a cosmopolitan analysis to some of the major problems in our global and interdependent world He posits a world in which community has been dispensed with and replaced by its successor term sociality_ the broad unmarked space in which creative social intercourse

takes place Hill applies a new cosmopolitanism to ideate a new post humanity for the twenty first century **Engaging Native American Publics** Paul V. Kroskrity,Barbra A. Meek,2017-07-14 Engaging Native American Publics considers the increasing influence of Indigenous groups as key audiences collaborators and authors with regards to their own linguistic documentation and representation The chapters critically examine a variety of North American case studies to reflect on the forms and effects of new collaborations between language researchers and Indigenous communities as well as the types and uses of products that emerge with notions of cultural maintenance and linguistic revitalization in mind In assessing the nature and degree of change from an early period of salvage research to a period of greater Indigenous self determination the volume addresses whether increased empowerment and accountability has truly transformed the terms of engagement and what the implications for the future might be **Thomas Eakins and the Cultures of Modernity** Alan C.

Braddock,2009-03-31 Thomas Eakins and the Cultures of Modernity is the first book to situate Philadelphia s greatest realist painter in relation to the historical discourse of cultural difference In this study Alan C Braddock reveals that modern anthropological perceptions of culture which many art historians attribute to Eakins did not become current until after the artist s death in 1916 Braddock finds in the work of Thomas Eakins a lifelong engagement with aesthetic and social currents that extended well beyond his native city of Philadelphia indicating the persistence of a worldly sensibility long after he had concluded his formative studies in Europe during the 1860s Braddock shows how Eakins developed a localized cosmopolitanism all his own based in Philadelphia but tapped into a global field of visual production Jacket **Who Owns Culture?** Susan Scafidi,2005-05-18 It is not uncommon for white suburban youths to perform rap music for New York fashion designers to ransack the world s closets for inspiration or for Euro American authors to adopt the voice of a geisha or shaman But who really owns these art forms Is it the community in which they were originally generated or the culture that has absorbed them While claims of authenticity or quality may prompt some consumers to seek cultural products at their source the communities of origin are generally unable to exclude copyists through legal action Like other works of unincorporated group authorship cultural products lack protection under our system of intellectual property law But is this legal vacuum an injustice the lifeblood of American culture a historical oversight a result of administrative incapacity or all of the above Who Owns Culture offers the first comprehensive analysis of cultural authorship and appropriation within American law From indigenous art to Linux Susan Scafidi takes the reader on a tour of the no man s land between law and culture pausing to ask What prompts us to offer legal protection to works of literature but not folklore What does it mean for a creation to belong to a community especially a diffuse or fractured one And is our national culture the product of Yankee ingenuity or cultural kleptomania Providing new insights to communal authorship cultural appropriation intellectual property law and the formation of American culture this innovative and accessible guide greatly enriches future legal understanding of cultural production **Stories of Culture and Place** Michael Kenny,Kirsten Smillie,2014-11-20 This original introduction

to cultural anthropology is a textbook like no other Structured as a narrative rather than a compendium of facts about cultures and concepts it invites students to think of anthropology as a series of stories that emerge from cultural encounters in particular times and places These moments of encounter are illustrated with reference to both classic and contemporary ethnographic examples from Coming of Age in Samoa to Coming of Age in Second Life allowing readers to grasp anthropology's sometimes problematic past while still capturing the excitement and potential of the discipline

Not Native American Art Janet Catherine Berlo, 2023-09-26 Explores the making and meaning of so called Native American art The faking of Native American art objects has proliferated as their commercial value has increased but even a century ago experts were warning that the faking of objects ranging from catlinite pipes to Chumash sculpture was rampant Through a series of historical and contemporary case studies Janet Catherine Berlo engages with troubling and sometimes confusing categories of inauthenticity Based on decades of research as well as interviews with curators collectors restorers replica makers reenactors and Native artists and cultural specialists Not Native American Art examines the historical and social contexts within which people make replicas and fakes or even invent new objects that then become traditional Berlo follows the unexpected trajectories of such objects including Northwest Coast carvings Navajo rugs made in Mexico Zuni mask replicas Lakota style quillwork and Mimbres bowl forgeries With engaging anecdotes the book offers a rich and nuanced understanding of a surprisingly wide range of practices that makers have used to produce objects that are not Native American art

The Long Journeys Home Nick Bellantoni, 2014-04-30 The moving stories of two Indigenous men in the United States and the return of their remains to their homelands Henry Opkahaia ca 1792-1818 Native Hawaiian and Itankusun Wanbli ca 1879-1900 Oglala Lakota lived almost a century apart Yet the cultural circumstances that led them to leave their homelands and eventually die in Connecticut have striking similarities Opkahaia was orphaned during the turmoil caused in part by Kamehameha's wars in Hawaii and found passage on a ship to New England where he was introduced and converted to Christianity becoming the inspiration behind the first Christian missions to Hawaii Itankusun Wanbli Christianized as Albert Afraid of Hawk performed in Buffalo Bill's Wild West to make a living after his traditional means of sustenance were impacted by American expansionism Both young men died while on their journeys to find fulfillment and both were buried in Connecticut cemeteries In 1992 and 2008 descendant women had callings that their ancestors wanted to come home and began the repatriation process of their physical remains Connecticut state archaeologist Nick Bellantoni oversaw the archaeological disinterment forensic identifications and return of their skeletal remains back to their Native communities and families The Long Journeys Home chronicles these important stories as examples of the wide reaching impact of American imperialism and colonialism on Indigenous Hawaiian and Lakota traditions and their cultural resurgences in which the repatriation of these young men have played significant roles Bellantoni's excavations his interaction with two Native families and his participation in their repatriations have given him unique insights into the importance of heritage and

family among contemporary Native communities and their common ground with archaeologists His natural storytelling abilities allow him to share these meaningful stories with a larger general audience Bellantoni recovers from obscurity the remarkable life journeys dreams and deaths of two Native men and the two worlds they lived in Paul Grant Costa Yale Indian Papers Project Based on meticulous forensic research Bellantoni's tale of two indigenous youth from different cultures and time periods and their struggles to survive cultural upheavals clearly reveals the chaotic effects of American colonialism on Native peoples The book is a major contribution to the field of Postcolonial Studies Lucianne Lavin author of Connecticut's Indigenous Peoples

Reading Native American Literature Joseph L. Coulombe, 2011-03-17 In this volume Joseph Coulombe argues that Native American writers use diverse narrative strategies to engage with readers and are writing for connection with both Native and non Native audiences

Parodies of Ownership Richard L. Schur, 2009-06-04 Richard Schur offers a provocative view of contemporary African American cultural politics and the relationship between African American cultural production and intellectual property law Mark Anthony Neal Duke University Whites used to own blacks Now they accomplish much the same thing by insisting that they own ownership Blacks shouldn't let them A culture that makes all artists play by its rules will end up controlling new ideas and stifling change Richard Schur's fine book explains why Richard Delgado Seattle University What is the relationship between hip hop and African American culture in the post Civil Rights era Does hip hop share a criticism of American culture or stand as an isolated and unique phenomenon How have African American texts responded to the increasing role intellectual property law plays in regulating images sounds words and logos Parodies of Ownership examines how contemporary African American writers artists and musicians have developed an artistic form that Schur terms hip hop aesthetics This book offers an in depth examination of a wide range of contemporary African American painters and writers including Anna Deavere Smith Toni Morrison Adrian Piper Colson Whitehead Michael Ray Charles Alice Randall and Fred Wilson Their absence from conversations about African American culture has caused a misunderstanding about the nature of contemporary cultural issues and resulted in neglect of their innovative responses to the post Civil Rights era By considering their work as a cross disciplinary and specifically African American cultural movement Schur shows how a new paradigm for artistic creation has developed Parodies of Ownership offers a broad analysis of post Civil Rights era culture and provides the necessary context for understanding contemporary debates within American studies African American studies intellectual property law African American literature art history and hip hop studies Weaving together law literature art and music Schur deftly clarifies the conceptual issues that unify contemporary African American culture empowering this generation of artists writers and musicians to criticize how racism continues to affect our country Richard L. Schur is Director Interdisciplinary Studies Center and Associate Professor of Interdisciplinary Studies at Drury University Visit the author's website <http://www2.drury.edu/rschur/index.htm> Cover illustration Atlas by Fred Wilson Fred Wilson courtesy Pace Wildenstein New York *Blackfoot Religion and the*

Consequences of Cultural Commoditization Kenneth Hayes Lokensgard, 2016-04-15 This book explores the exchange of Blackfoot medicine bundles within contemporary Blackfoot culture and between the Blackfoot Peoples and Euro Americans. These ceremonial bundles which are circulated as gifts in their native context are robbed of their statuses as living beings or persons when they are treated as symbolic objects or commodities by cultural outsiders. Much of the original ethnographic data presented in this book deals with the attempts of some Blackfeet to repatriate ceremonial materials from Euro American hands. This book represents a valuable study of contemporary Blackfoot religion as well as the repatriation movement. Kenneth Lokensgard also contributes to the studies of material culture and exchange central to his investigation is the critical examination and reapplication of the interpretative terms gift and commodity. Careful use of these terms Lokensgard argues can better help scholars appreciate how different peoples perceive the worlds they inhabit.

Native North American Art Janet Catherine Berlo, Ruth Bliss Phillips, 2015 This lively introductory survey of indigenous North American arts from ancient times to the present explores both the shared themes and imagery found across the continent and the distinctive traditions of each region. Focusing on the richness of artwork created in the US and Canada, *Native North American Art* Second Edition discusses 3 000 years of architecture, wood and rock carvings, basketry, dance, masks, clothing and more. The expanded text discusses twentieth and twenty first century arts in all media including works by James Luna, Kent Monkman, Nadia Myre, Jaune Quick to See Smith, Will Wilson and many more. Authors Berlo and Phillips incorporate new research and scholarship examining such issues as art and ethics, gender representation and the colonial encounter. By bringing into one conversation the seemingly separate realms of the sacred and the secular, the political and the domestic and the ceremonial and the commercial, *Native North American Art* shows how visual arts not only maintain the integrity of spiritual and social systems within Native North American societies but have long been part of a cross cultural experience as well.

Indigenous Intellectual Property Matthew Rimmer, 2015-12-18 Taking an interdisciplinary approach unmatched by any other book on this topic, this thoughtful Handbook considers the international struggle to provide for proper and just protection of Indigenous intellectual property (IP). In light of the United Nations Declaration on the Rights of Indigenous Peoples (2007), expert contributors assess the legal and policy controversies over Indigenous knowledge in the fields of international law, copyright law, trademark law, patent law, trade secrets law and cultural heritage. The overarching discussion examines national developments in Indigenous IP in the United States, Canada, South Africa, the European Union, Australia, New Zealand and Indonesia. The Handbook provides a comprehensive overview of the historical origins of conflict over Indigenous knowledge and examines new challenges to Indigenous IP from emerging developments in information technology, biotechnology and climate change. Practitioners and scholars in the field of IP will learn a great deal from this Handbook about the issues and challenges that surround just protection of a variety of forms of IP for Indigenous communities.

Cultures and Globalization Helmut K Anheier, Yudhishtir Raj Isar, 2008-09-17 The world's cultures and

their forms of creation presentation and preservation are deeply affected by globalization in ways that are inadequately documented and understood The Cultures and Globalization series is designed to fill this void in our knowledge In this series leading experts and emerging scholars track cultural trends connected to globalization throughout the world resulting in a powerful analytic tool kit that encompasses the transnational flows and scapes of contemporary cultures Each volume presents data on cultural phenomena through colourful innovative information graphics to give a quantitative portrait of the cultural dimensions and contours of globalization This second volume The Cultural Economy analyses the dynamic relationship in which culture is part of the process of economic change that in turn changes the conditions of culture It brings together perspectives from different disciplines to examine such critical issues as the production of cultural goods and services and the patterns of economic globalization the relationship between the commodification of the cultural economy and the aesthetic realm current and emerging organizational forms for the investment production distribution and consumption of cultural goods and services the complex relations between creators producers distributors and consumers of culture the policy implications of a globalizing cultural economy By demonstrating empirically how the cultural industries interact with globalization this volume will provide students of contemporary culture with a unique indispensable reference tool

The Cultural Return Susan Hegeman, 2012-01-09 This insightful book tracks the concept of culture across a range of scholarly disciplines and much of the twentieth and early twenty first centuries years that saw the emergence of new fields and subfields cultural studies the new cultural history literary new historicism as well as ethnic and minority studies and came to be called the cultural turn Since the 1990s however the idea of culture has fallen out of scholarly favor Susan Hegeman engages with a diversity of disciplines including anthropology literary studies sociology philosophy psychology and political science to historicize the rise and fall of the cultural turn and to propose ways that culture may still be a vital concept in the global present

The Ethics of Cultural Appropriation James O. Young, Conrad G. Brunk, 2012-02-13 The Ethics of Cultural Appropriation undertakes a comprehensive and systematic investigation of the moral and aesthetic questions that arise from the practice of cultural appropriation Explores cultural appropriation in a wide variety of contexts among them the arts and archaeology museums and religion Questions whether cultural appropriation is always morally objectionable Includes research that is equally informed by empirical knowledge and general normative theory Provides a coherent and authoritative perspective gained by the collaboration of philosophers and specialists in the field who all participated in this unique research project

Native America Michael Leroy Oberg, Peter Jakob Olsen-Harbich, 2022-08-26 The latest edition of an accessible and comprehensive survey of Native America In this newly revised third edition of Native America A History Michael Leroy Oberg and Peter Jakob Olsen Harbich deliver a thoroughly updated incisive narrative history of North America s Indigenous peoples The authors aim to provide readers with an overview of the principal themes and developments in Native American history from the first peopling of the continent to the present by following twelve

Native communities whose histories serve as exemplars for the common experiences of North America's diverse Indigenous nations. This textbook centers the history of Native America and presents it as flowing through channels distinct from those of the United States. This is a history of nations not merely acted upon but rather of those that have responded to, resisted, ignored, and shaped the efforts of foreign powers to control their story. This new edition has been comprehensively updated in all its chapters and expanded with wider coverage of the most significant recent events and trends in Native America through the first two decades of the twenty-first century. *Native America: A History*, Third Edition, also includes a survey of pre-Columbian North American traditions and the various ways in which these traditions were deployed to comprehend and respond to the arrival of Europeans. In-depth examinations of how Native nations navigated the challenges of colonialism and fought to survive while marginalized behind the frontiers of European empires and the United States. Nuanced analyses of how Indigenous peoples balanced the economic benefits offered by assimilation with the cultural and political imperatives of maintaining traditions and sovereignty. An accessible presentation of American tribal law and the strategies used by Native nations to establish government-to-government relationships with the United States despite the repeated failures of that state to honor its legal commitments. Perfect for undergraduate and graduate students seeking a broad historical treatment of Indigenous peoples in the United States. *Native America: A History*, Third Edition, will earn a place in the libraries of anyone with an interest in seeking an authoritative and engaging survey of Native American history.

Intellectual Property and Traditional Cultural Expressions in a Digital Environment Christoph Beat Graber, Mira Burri Nenova, 2008-01-01. This book is a very significant contribution to the question of protecting traditional cultural expressions. It is filled with fascinating ideas and perspectives that challenge the reader to rethink the law once again. Jamil Ammar, *European Intellectual Property Review*. Legal protection for traditional cultural expressions is an area of contemporary policy making characterized by widespread concern and considerable controversy. Intellectual property scholars have a dire need for informed perspectives on the history of this subject area and the lucid commentary on its social and political implications that the authors of these cogent interdisciplinary essays provide. This impressive volume promises to be quickly acknowledged as an indispensable guide to the issues in this field. Rosemary J. Coombe, *York University, Canada*. The first wave of scholarship on cultural appropriation was often better at denunciation than at grappling with the complexities of cultural heritage and its protection. *Intellectual Property and Traditional Cultural Expressions in a Digital Environment* launches a second wave, nuanced interdisciplinary looking past accusation toward flexible solutions. For all that it is no less committed to social justice. By bringing together leading edge scholarship from law, the arts, communications, anthropology, history, and philosophy, the editors have taken research on heritage protection to the next level of sophistication. Michael F. Brown, *Williams College, US* and author of *Who Owns Native Culture*. In the face of increasing globalisation and a collision between global communication systems and local traditions, this book offers innovative transdisciplinary analyses of the value of traditional cultural

expressions TCE and suggests appropriate protection mechanisms for them It combines approaches from history philosophy anthropology sociology and law and charts previously untravelled paths for developing new policy tools and legal designs that go beyond conventional copyright models Its authors extend their reflections to a consideration of the specific features of the digital environment which despite enhancing the risks of misappropriation of traditional knowledge and creativity may equally offer new opportunities for revitalising indigenous peoples values and provide for the sustainability of TCE This book will appeal to scholars interested in multidisciplinary analyses of the fragmentation of international law in the field of intellectual property and traditional cultural expressions It will also be valuable reading for those working on broader governance and human rights issues

PROCEEDINGS OF THE SECOND INTERNATIONAL CONFERENCE ON GLOBALIZATION: CHALLENGES FOR TRANSLATORS AND INTERPRETERS Youbin Zhao, Wei Lin, Zhiqing

Zhang, 2017-07-04 This two volume book contains the refereed proceedings of The Second International Conference on Globalization Challenges for Translators and Interpreters organized by the School of Translation Studies Jinan University China on its Zhuhai campus October 27-29 2016 The interrelation between translation and globalization is essential reading for not only scholars and educators but also anyone with an interest in translation and interpreting studies or a concern for the future of our world's languages and cultures The past decade or so in particular has witnessed remarkable progress concerning research on issues related to this topic Given this dynamic The Second International Conference on Globalization Challenges for Translators and Interpreters organized by the School of Translation Studies Jinan University China organized by the School of Translation Studies Jinan University China was held at the Zhuhai campus of Jinan University on October 27-29 2016 This conference attracts a large number of translators interpreters and researchers providing a rare opportunity for academic exchange in this field The 135 full papers accepted for the proceedings of The Second International Conference on Globalization Challenges for Translators and Interpreters organized by the School of Translation Studies Jinan University China were selected from 350 submissions For each paper the authors were shepherded by an experienced researcher Generally all of the submitted papers went through a rigorous peer review process

This book delves into Who Owns Native Culture. Who Owns Native Culture is a crucial topic that needs to be grasped by everyone, from students and scholars to the general public. This book will furnish comprehensive and in-depth insights into Who Owns Native Culture, encompassing both the fundamentals and more intricate discussions.

1. This book is structured into several chapters, namely:

- Chapter 1: Introduction to Who Owns Native Culture
- Chapter 2: Essential Elements of Who Owns Native Culture
- Chapter 3: Who Owns Native Culture in Everyday Life
- Chapter 4: Who Owns Native Culture in Specific Contexts
- Chapter 5: Conclusion

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6. In chapter 5, this book will draw a conclusion about Who Owns Native Culture. This chapter will summarize the key points that have been discussed throughout the book.

This book is crafted in an easy-to-understand language and is complemented by engaging illustrations. This book is highly recommended for anyone seeking to gain a comprehensive understanding of Who Owns Native Culture.

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