

TK Databases and other Forms of TK and TCEs Documentation: Intellectual Property – related Objectives and Methodologies for the Establishment of Databases.

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Traditional Knowledge (TK) generally refers to the long standing traditions and practices of certain regional, indigenous, or local communities. It encompasses the wisdom, knowledge, and teachings of these communities. In many cases, TK has been orally passed for generations from persons to persons and some are expressed through stories, legends, folklore, ritual, song and even laws.

Such knowledge typically distinguishes one community from another and for some communities; traditional knowledge takes on a personal and spiritual meaning. Traditional knowledge can also reflect a community's interest and some communities depend on their traditional knowledge for survival. This is particularly true of traditional environmental knowledge, which refers to a "particular place-based knowledge of the diversity and interactions among plant and animal species, landforms, watercourses, and other qualities of the biophysical environment in a given place.

Likewise the indigenous Fijian community has not at any given time documented their stories. The continuity of Fijian cultural identity and its practices had rested mostly on oral transmission and informal learning by custodians. Much had been lost because there had never been an extensive survey done before to document all that comprise Fijian language and culture. Indigenous youths are being caught within the forces of the rural-urban migration trend. There are fewer avenues for the elderly and traditional educators/practitioners to pass on their knowledge and skills, hence when they pass away, the ability (talent) and know-how is buried with them. This has prompted calls both at the national and regional level on the urgent need to facilitate protection and promotion of indigenous Fijian Traditional knowledge.

National Inventory Program

Fiji's National Inventory Project is a relatively new program with the initial idea mooted in 2003 when the need arose to set up a formal structure to effectively accomplish a proposed legislation, known widely in the South Pacific as the "Model Law on Traditional Knowledge and Expressions of Culture". The model legislation is rooted in community or rather communal intellectual property rights, and requires the consideration of options and mechanisms for its proper implementation, hence, the choice for the inventorying of the vast aspects of Fijian Culture and its traditional holders. It is important to note that at this stage of formalization, Fiji had less familiarity with the "2003 Convention for the Safeguarding of the Intangible Cultural Heritage" and its requirements, particularly Article 12 which stipulates that "...state parties shall draw up, in a manner geared to its own situation, one or more inventories of [ICH] present in its territory..."

Prior to the formalization of the latter, rigorous consultations, although it is still ongoing, between stakeholder institutions that represent the indigenous population and the Ministry of

Fijian Affairs, Culture and Heritage was undertaken to facilitate the delineation of a framework to successfully execute the project. This task was designated to an “Indigenous Intellectual Property Rights Committee” formed by the Ministry to undertake the necessary preparatory work required to effectively build the inventory system – documentation of traditional knowledge and expressions of culture. The secretariat obligations of the project, however, vested with the Institute of Fijian Language and Culture. Although, there had been minor inventories existing in cultural institutions, such as the Fiji Museum, there is none as complete as the format that the Institute of Fijian Language and Culture is utilizing. Besides, Fiji’s inventory is yet still in its infant stage, still learning, facing challenges, welcoming suggestions, changing its approaches and adopting that which suits its situation the most.

OBJECTIVES OF THE INVENTORY

Although, generally, Fiji’s national inventory was devised to meet the requirements predetermined in its model legislation, currently being refined, and later the 2003 convention, other major objectives ascertained include the need to: Establish a framework for the purpose of identifying existing traditional knowledge and expressions of culture and their customary owners in Fiji; Create and build links between custodians and the younger generation in order to encourage the transmission of knowledge and know-how related cultural expressions in danger of disappearing; Establish a network of custodians of ICH for a Living Human Treasures Registry; Appropriate and proper dissemination of “almost lost heritage” information, with the consent of custodians, to interested individuals and parties, particularly youths; Effectively enforce Fiji’s proposed legislation regarding Traditional Knowledge & Cultural Expressions, and Intellectual Property; Ensure that custodians are properly recognized, identified for the non-commercial and commercial use of their ICH; Harnessing of traditional knowledge and expressions of culture for development and wealth generation. Provision of employment opportunities to custodians and their descendants, and to empower them to take the initiative to protect and promote rights to their cultural expressions as exclusive owners of traditional knowledge; improve educational policies for the inclusion of culture, language and arts in primary and secondary schools curriculum; Majority of Fijian youths who reside in villages have migrated overseas for work opportunities leaving no avenue for elderly custodians to transmit the knowledge and skills that they possess.

Hence, the inventory will substitute for the former and will, in the near future, upon the death of custodians will serve as a fountain with which Fijians living abroad can learn from.

NATURE AND SCOPE OF INVENTORY

Designated in Fijian as Na ituvatuva ni kilaka itaukei kei na kena matanataki or “National Inventory for Traditional Knowledge and Expressions of Culture”, Fiji’s national inventory envisages the diverse expressions of intangible cultural heritage that explicitly exist within 14 provinces of the itaukei (Fijians). The scope of Fiji’s inventory derives from the concepts of traditional knowledge and cultural expressions which in essence are derivatives of emerging concepts of Intangible Cultural Heritage. Traditional knowledge refers to the knowledge, innovations and practices of indigenous and local communities around the world. Developed from experience gained over the centuries and adapted to the local culture and environment,

traditional knowledge is transmitted orally from generation to generation. It embraces all kinds of scientific, agricultural, technical, architectural, herbal, medicinal and ecological knowledge. Expressions of culture, on the other hand embrace the conceptual and the creative aspects of traditional culture. Encompassed within this aspect are all forms of literary and artistic works such as music, dance, song pageantry, myths, legends, language, rock and ground painting, drama, ceremonies, rituals, and traditional visual designs and crafts. More precisely, it is believed and agreed that Intangible cultural heritage is comprised of tangible and intangible aspects. All or most tangible materials are a derivative of human ingenuity and creativity (aspects of knowledge = ICH). Outlined herewith are some aspects of traditional knowledge and expressions of culture encompassed within our national inventory:

“Genealogical/ kinship information, totems, rank, and number of extended families, clans, tribes/phatries &s; Heritage sites specific to a particular clan, tribe, village or province; Emigrational information; Traditional forms of award for bravery during war; Traditional ceremonies, rituals and practices; Traditional beliefs/ religious systems; Dialects; Names of persons, places, and sites having cultural meaning attached or significance; Traditional Medicine; Traditional Healing practices; Traditional fishing methods; Traditional Agriculture; Traditional crafts and designs; Traditional forms of performing art; Traditional food preparation methods & culinary practices; Traditional Midwifery; Traditional rites of passage – life cycle focused e.g. Circumcision &s; Traditional games; Tales, Legends, stories &s; Traditional costumes; Traditional hairdressing; Traditional forms of reciprocity, & exchange; Navigational skills.”

Most of the above conform to the five domains integrated within the 2003 Convention; however, others can be categorized separately. But, personally, I would suggest that, we as countries, with distinct ICH heritages, should utilize sub-domains as those highlighted above within our inventories, yet, when necessary submit those we believe satisfy the requirements or the criteria of ICH elements submitted for consideration for the Representative List of Humanity Humanity, and the List of ICH in need of urgent safeguarding safeguarding, organized by UNESCO, as outlined in Article 16 and 17 of the 2003 Convention.

CRITERIA FOR SELECTION

The underlying objective of Fiji’s National inventory is to collect all aspects of ICH that still exist in local villages. This is simply because most elements of ICH in Fiji were unrecorded and their existence and survival till now rested pivotally on their continual usage through oral transmission. However, upon collection and prior to input of edited data into the database the following factors are often but not always considered since elements of ICH, as agreed by many experts in international meets, is constantly evolving:

- is obtained with the prior and informed consent of the traditional custodian (either formally or informally);
- identify the distinctiveness of one of the above expressions of culture to a specific cultural locality. Cultural data collected should be distinct within the locality where information is collected. It should not be appropriated nor duplicated from another clan, tribe, district or province. It should be specific to that area in question;
- Degree of disappearance danger;

- Integrity of information provided by the informant;
- establish that the heritage is associated with a particular community and is communally owned and not individually owned;
- should be appropriate to the village that which information is collected;
- Non-secret/sacred information. However, this option varies from one village to the next, since most custodians when properly informed, will provide secret/sensitive data cautiously to the researcher. But in cases when there is no outright consent from the informant, then, researchers have to respect the non- consent and continue with a separate topic.

EXECUTION OF INVENTORYING ACTIVITIES

Advancement of a structure – cultural mapping

Current ideology/method utilized for Fiji's inventory involves 'cultural mapping'. For Fiji, our understanding of this term denotes visitation of cultural localities and the collection of cultural data, including the identification of traditional custodians of aspects of ICH. It also involves prior research in libraries and archives of documented materials on aspects of ICH. This process (archival research) is essential as it will guide researchers to a fruitful and wholesome collection of information on an element of ICH known to a region. Moreover, the entire program would not be worthwhile if there is no ultimate objective for cultural mapping, i.e., usage of card system or more recently, the use of electronic databases, for the proper storage of information collected and edited.

A. Development of questionnaire and informed consent forms

Substantiating a technique used for data collection in Fiji's national inventory, a questionnaire was developed and tested to assist recruited researchers in gathering information from informants. The questionnaire covers all topics relating to Fijian culture (outlined in the scope of the research). Each issue/topic has consecutive subquestions sketched out to function as guides to the researcher whilst gathering data. To supplement information gathered from the questionnaire, researchers act as observers and participate whenever possible in any undertakings such as rituals, traditional dances and so forth, however, concurrently maintaining their neutrality. Upon completion of field visit, researchers prepare a final edited report on information gathered to be perused and scrutinized by informants and village heads prior to its final input into a special database.

Informed consent forms to formally seek the endorsement of village heads and informants were drawn up and given to both the former and the latter, by the researcher, prior to the question and answer session.

B. Pilot Testing

In 2004, the Institute undertook a pilot of the proposed mechanism of inventorying ICH in 2 villages and 1 district in Fiji. The following variables were tested during the pilot:

- Probable duration for undertaking research in a village or district.
- Human resources to facilitate a fully-fledged process of inventory making.

- Number of researchers needed per village in a given duration.
- Funds consumed or should be allocated towards the proposed visit to a village.
- Duration it takes to complete all processes of inventorying, include editing, vetting and the return of reports from informants.
- Cycle of research and turn-over of answered questionnaires from one village to the next.
- Awareness raising mechanisms – elements needed to effectively promulgate the idea of inventory-making.
- Accessibility to and from villages/areas.
- Gauge the extent to which the Fijian Administration can be utilized to assist in the project.
- Gauge questions asked, and the response and/or informant's understanding of the questions.
- Identify additional questions and aspects of Traditional knowledge and expressions of culture (ICH) yet to be identified [Proposed review of initial questionnaire and questions outlined]. These variables were also regarded as challenges, initially for the Institute, and that which should be improved upon in the coming years, especially with the limited resources we have.

C. Awareness-raising

Prior to data collection, an awareness raising campaign, (although it begun at a small scale), was undertaken in the proposed sites for piloting. Provincial councils responsible for the cultural locals piloted were briefed accordingly of the purpose/objectives of the visits; and their assistance were also rendered in the promulgation of the entire process to grassroots living in villages. Since then, the theme of awareness-raising is used to formally spread the 'good news' of a visit and to seek villagers consent for research to be undertaken in their respective localities. Researchers travel to villages (two – three days) for awareness-raising, prior to the actual research is undertaken. Besides the prior visitation, other mediums with which information on the cultural mapping project is publicized include:

- A weekly program (every Tuesday) in a Fijian radio station;
- Publication of brochures and posters for dissemination to schools, villages and provincial councils.
- At the request of Provincial Administrators, presentations were made to village headman who frequent provincial offices to collect their monthly allowances.
- Presentations by the Institute and researchers at Tikina (District) Councils during their scheduled meetings which varies in date and duration.
- Request by groups/individuals/NGOs for presentation on the initiative.
- Participation in workshops/panel discussions and debates organized by local indigenous groups/NGOs/Government Departments &cs.

Interestingly, awareness raising brings about many positive results like the following issues: an informed community on the proposed research initiative; many lamented and often shed tears that 'it is about time' a plan/scheme is implemented to document their unwritten history, for it has been neglected for a long time and also their future generations can rely on; most proposed that the research and documentation process will enhance sustainable development in their provinces and districts.

D. Recruitment of Researchers

Due to budgetary constraints and limited resources we currently experience, the Institute recruited 6 qualified researchers with varying experiences in fieldwork to initiate the task of collecting data this year (2005). An intensive recruitment process was undertaken culminating in the above staffing. An intensive one-week workshop/training, funded by UNESCO cultural mapping funds, was held, accommodating the 6 researchers and other staff of the Institute, on Fiji's national inventory making initiative and the cultural mapping procedures discussed earlier. A simple, yet not so academic/professional, manual was developed and prepared, with the assistance of two international anthropologists who at an opportune time, were in Fiji for different reasons altogether. [Copy of the manual could not be attached to document due to its large volume but will remain with secretariat for perusal purposes].

The training was essential as it not only acquaint new field workers with the current works of the Institute and the project but exchange of ideas and notes which culminated in the development of a proposed guideline recommended to the Institute for present and future researchers to follow whilst undertaking research in Fijian villages. Later, the guideline was adopted by the Institute and Ministry as an SOP or "Standard Operating Procedure". This (SOP) arose because of the issues of misappropriation, promulgation of sacred/sensitive data, and agreements often made between researchers and custodians on implementation of research outcomes.

E. Development and Employed Research Methodology

Often inventories tend to be brief but this could not be applied to Fiji's case as there is an urgent need to record in detail aspects or elements of ICH whose bearers are currently alive. In the past, the survival of Fijian culture rested on oral transmission, hence, there were less recording and documentation done to accommodate their successful safeguarding and revitalization. Besides, with the national inventory, a great concern for the Institute is a proper research methodology to utilize. An approach considered was to combine both qualitative and quantitative methods/ techniques due to the enormity of cultural topics to investigate within a short span of time and simultaneously taking into consideration the sensitivity of information accumulated. To be specific, techniques deemed appropriate include an amalgamation of the following: survey, field research, and historical-comparative research method. The first two methods can be forthcoming but the historical-comparison method serves to facilitate the collection and utilization of existing documents and statistics to supplement information presented by the informant or often those that may no longer exist in the villages concerned. Besides, these are carefully scrutinized by all stakeholders prior to their inclusion in the database system. Moreover, researchers are tasked (besides the normal routine of audio recording) with taking photographs and video images of elements of ICH researched.

F. Schedule of Field Work and Data Collection

The main goal of the project is to complete the 1000 (+) villages that exist in Fiji, by the year 2012 – a funding and output-achieved agreement with government. Current outlook forecasts that extra resources is needed to facilitate a fully-fledged workshop by the year specified, hence, the prompt completion of project depends entirely on the availability of needed funds. Currently, the 6 researchers have completed successfully more than 300 villages that

encompass Five provinces in Fiji – Namosi & Serua. Rewa, Tailevu & Lomaiviti Researchers are paired – a male and female fieldworker – to accommodate the different questions which target specific gender and sometimes a combination of both. Researchers spend two weeks in the field (maximum of two villages) collecting all necessary data. A third week is spent in the office preparing for the forthcoming trip and most importantly creating awareness in areas prior to the actual research.

G. Documentation and archiving of ICH

A database system was specifically developed for the project to facilitate the input of final edited data collected from respective villages and provinces. The system will enhance the proper storage of information accumulated from the field and ensure that each cultural expression is filed appropriately. In this way, the data will be retrieved easily and efficiently if it needs to be accessed by custodians and individuals/parties with the traditional bearer's consent. Records entered into the database are based on the domains outlined earlier in the following format: text, images (digitalized photos), audio recordings and accompanying film footages.

Hence, each Fijian village will have entries of aspects of ICH in our database.

INVENTORYING PROCESS IN FIJI

Action Plans: Heritage Management Activities

Although Fiji's experience in inventory making is rather new, and still in its infant stage, the approach is quite timely, as we were able to simultaneously undertake an activity which is a requirement for our model legislation (TK & EC) and also the 2003 Convention on ICH. Moreover, it has generated new standpoints and the facilitation of many programs that would ensure a realistic safeguarding of ICH in Fiji:

- First and foremost the establishment of a repository for all elements of ICH in Fijian villages.
- Re-establishment of Living Human Treasurers Program.
- Identification and surveying of once unknown historical sites that could be submitted to Fiji's Heritage Foundation for consideration and inclusion in the national heritage listings.
- Formulation of a Cultural Research Policy in Fiji. Earmarked to counter current system of screening local and overseas researchers who wish to undertake research in cultural localities.
- Instigation of the 'Revival of once-endangered heritage' workshops. This program although had commenced earlier prior to the notion of a national inventory but at a slower pace because of the inaccessibility to information by coordinators. The program is undertaken in three phases: PHASE 1 - Field Officers visit villages and gather information. They then, with the consent of traditional custodian(s) identify a heritage element in danger of disappearing. PHASE 2 involves community participation and activities, especially youths, in the form of workshops. The bearer of the tradition becomes the facilitator of the workshop. The concluding phase (PHASE 3) entails an evaluation of the project: documentation of findings, experience gained, and report on anticipated ongoing applications and benefits.

Samples of workshops conducted include pottery making, traditional house building, traditional fishing net-making &cs.

- Proposal to make Fijian the national language in Fiji through the current language policy developed and earmarked for implementation in 2006.
- Publication of the first-ever monolingual Fijian dictionary – this entails Fijian words defined only in the Fijian language.
- Digitalization of historical/heritage information, in the form of DVD's for educational purposes. Traditional custodians often request the Institute to edit footages taken in their villages and collate it as a production of cultural heritage evident and often in need of revitalization.

CURRENT CHALLENGES

- Funding obligations and constraints. Although Government is committed to the project, its funding is rather limited and is budgeted year by year for a period of three years. Besides, majority of the funds is spent on administration and less on action plans that are a resultant of the inventory/research.
- Each day that passes we forecast the loss of important information that should have been properly documented. Thus, when a custodian passes away, metaphorically, a “library is completely burnt to the ground”.
- Integrity of information given by informants is always questionable.
- Disputes between members of the local community regarding ownership is quite a challenge since it can affect the integrity of information provided by original custodians of information and also prolong of inventorying process, as the dispute needs to be resolved first.
- Less of qualified human resources available to the Institute to undertake data collection.
- Cultural stakeholders and academics are often at loggerheads on issues relating to the project.
- The mentality (psychology) of most Fijian villagers is focused more on monetary gains rather than cultural safeguarding and revitalization. Hence, it is often difficult to convince them to take up the initiative themselves, considering an apathetic youthful population in local communities.
- The focus of Fiji Government is more on economic development and less on cultural development.
- Promulgation of an effective outreach program for communities. (How to reach the communities?)
- Often villages are less enthusiastic about the initiative. (How committed are the communities in the inventorying and safeguarding of their ICH?) More then often there were signs of non-interest shown by communities of tradition holders.

LESSONS LEARNT AND IMPORTANT POINTS FOR CONSIDERATION

- Involvement of local communities and custodians.

A priority for the project is to engage local villages (communities) to participate fully in the recognition, collection, verification and promotion of aspects of their intangible cultural heritage. The role of the Institute and researchers is simply to facilitate and coordinate the collection of appropriate data. The local communities have an immense task to play in terms of making provisions for the dissemination of appropriate and distinct information; the effort to initiate transmission of knowledge to the younger generation through requests for cultural mapping workshops; identification of living human treasures within their villagers; establish networks with other custodians; and identifying income-generating projects for the village that could be assisted by the Ministry. These objectives, the Institute intends to gauge and hopes will eventuate at the end of this initial project year (2005) and subsequent years.

- Evolving elements of ICH. Certain aspects of elements of ICH evolves, thus, this has to be taken into consideration for years to come. Hence, it should be a priority that the inventory is regularly updated to cater for the evolving nature of ICH.

- Utilization of current systems. Limited funds and qualified human resources is an on-going challenge in most developing countries, like Fiji, that are trying to undertake a project of such magnitude. Hence, a proposal that we would consider for 2006 is a move to utilize the current Fijian Administration System which filters right down to village level. In fact, officers monitoring the system had to be approached initially before an agreement is reached to enter a village. Each village has an appointed turaga ni koro or village headman who is a representative of the Provincial Council Office and the Fijian Administration. The proposed idea is to utilize these village headmen to identify endangered heritages and traditional bearers who have reached a critical age and are about to pass away so that our limited researchers can move quickly to record and document these heritages before they are completely lost.

- Collaboration with Cultural Institutions. Other government bodies, statutory bodies, and non-government organizations have in one way or another, organized mini inventories of Fijian cultural elements. The plan is to coordinate collaboration, through MOUs, with such institutions so that information they have already gathered is shared or given directly to the Institute, with the prior consent of traditional custodians. The approach will not only create a realistic and a wholesome national inventory but would necessitate less 'double job' on our part.

- Human resources. A tertiary (educational) institution in Fiji has shown great interest in the national inventory and has proposed that students during semester breaks be recruited as volunteers (with stipend given) to undertake research on the Institute's behalf. Their participation to constitute a percentage of their total results for the semester.

- Funding. Requisition of funds from other sources other than the government's treasury. Prior to my concluding remarks, I wish to reinforce the importance of bearer community's participation at all stages of the inventory making process. Their ideas and thoughts need to be taken into consideration at all levels, for without their input there will be no inventory/ies.

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