The Past, Present and Future of Traditional Knowledge

Shubha Ghosh Vilas Research Fellow & Professor of Law University of Wisconsin Law School

















Varieties of TK

& Commons

& Distributive and Intergenerational Justice

Issues

& Economic

& Political

Commons

№ Representation

& Governance

№ Commodification

The devilish details

After the commons

- & Expertise
- & Civic Participation
- & Market Failure
- & Management

Justice informs the commons

& Social investment

Distributive Justice

- & Overlap with intellectual property
 - ø Multiple public domains
 - g Institutions for preserving and transmitting knowledge
 - g Tacit and codified knowledge
- & Bridging past, present, and future

Intergenerational Justice

& Beyond authors and inventors

& Users

& Preservers

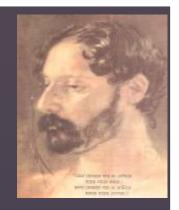
Constituencies

- № No one sui generis regime
- & Medicine, folklore, performance

Implementation

- & Legal meets the social
- - ø Clash
 - ធ Underground
 - g Parallel
 - ន Selective inclusion
 - ø Paternalism
 - g Romanticism
 - ø Co-evolution

Challenges



Where the mind is without fear and the head is held high
Where knowledge is free
Where the world has not been broken up into fragments
By narrow domestic walls
Where words come out from the depth of truth
Where tireless striving stretches its arms towards perfection
Where the clear stream of reason has not lost its way
Into the dreary desert sand of dead habit
Where the mind is led forward by thee
Into ever-widening thought and action
Into that heaven of freedom, my Father, let my country awake

--Rabindranath Tagore

13