

cal imagery, and “chronopolitics” (how other subjects are thought of with respect to our and their positions in time), they may want to skip over this chapter in their first reading and return to it after having read the rest of the book.

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Protection of Intellectual, Biological, and Cultural Property in Papua New Guinea, edited by Kathy Whimp and Mark Busse. Canberra: Asia Pacific Press; Port Moresby, PNG: Conservation Melanesia, Inc, 2000. ISBN 0-7315-3663-0; xiv + 216 pages, table, abbreviations, notes, bibliography, index. A\$32.00.

Conferences on intellectual property rights have given rise to a number of publications over the last decade. What places this volume apart is that it focuses specifically on the situation in Papua New Guinea. As a World Trade Organization member, Papua New Guinea has obligated itself to develop intellectual property laws. Whimp and Busse's volume provides some insight into the questions such a decision raises for a Third World nation.

The contributors to the volume do not address the *need* for one or more laws on intellectual, biological, and cultural property; that is more or less accepted as a given. The questions raised concern how these laws should be realized, what they should cover, and how the laws should be implemented within the specific context of Papua New Guinea.

The contributions were originally

presented in Port Moresby in August 1997 at a seminar on intellectual property rights in biological and cultural materials. The contributors are from a variety of backgrounds: anthropology, biology, pharmacology, archaeology, ethnomusicology, and law. This clearly indicates the scope of the problems addressed. The development of intellectual property laws in Papua New Guinea has received various stimuli throughout the 1990s: Papua New Guinea's signing of the Convention of Biological Diversity in 1992, its adoption of the Agreement on Trade-Related Aspects of Intellectual Property, and its membership of the World Intellectual Property Organization.

The first three chapters focus on the wider context involved in the discussion of intellectual property rights. Busse and Whimp specify the main concepts involved and provide a brief historical overview of English (intellectual) property law. With England and Australia as primary colonial influences in Papua New Guinea, this choice for historical background is logical, although it is more usual to look at United States law as a context for debate. Harroun presents a useful overview of existing approaches to intellectual property rights and the rationale behind their use. Strathern provides a perspective on intellectual property in Papua New Guinea itself, giving specific attention to the communal rights usually held by indigenous peoples. What becomes clear in all three chapters is that intellectual property rights are a western legal concept that does not automatically or by definition fit the Papua New Guinea situation.

In the next four chapters, the vari-

ous aspects of safeguarding indigenous culture by legal means are looked at in the context of specific cases. Busse follows the gradually developing legal protection of cultural property from the early English colonial regime to the present-day National Cultural Property (Preservation) Act. Simet and Muke provide further explorations of the meaning of intellectual property in the indigenous context, and as such provide examples for some of the arguments made by Strathern. Niles appraises the effects the application of copyright would have on the local music business. He shows the effects to be ambiguous. While copyright would protect indigenous musicians from the theft of their music by western musicians, the same practice by Papua New Guinea musicians would also be halted in its tracks, hugely inflating the costs of producing music locally.

The chapters by Kambuou, Matainaho, and Whimp explore not only the possibilities for protecting genetic resources provided by (inter)national law, but also the implications such protection has for indigenous peoples, and the steps needed to reach agreements whereby both science (and, implicitly, the pharmaceutical industry) and indigenous peoples may profit.

In the concluding chapter, Tobin explores the possibilities of developing a "sui generis" or "special purpose" regime for the access to intellectual, biological, and cultural property in Papua New Guinea, starting from local needs instead of international laws and agreements. Though his efforts focus on the protection of biodiversity, they apply in general to the wider context of intellectual and cul-

tural property. What is interesting is that Tobin signals a need to blend national and international measures to ensure comprehensive and effective protection, even where this effects indigenous and community interests. Most of the contributors to the volume share the opinion that introducing intellectual, cultural, and biological property rights will destroy the communal rights currently used by large parts of Papua New Guinea's population. The question whether this opinion is based on fact or extrapolates from a perceived contradiction between western and nonwestern thought remains unanswered.

The appendix to the volume provides an overview of the six discussion groups that made up the 1997 seminar. The specific problems addressed range from what needs to be protected, and the best methods for protection, to how much sovereignty over Papua New Guinea's own unique resources would be lost once protection is put in place. For each of these groups a brief summary of the discussion is given, as well as the recommendations made and questions developed by the participants. The appendix enables the reader to appraise the wide-ranging issues that face any community wishing to productively develop and exchange ideas on the protection of intellectual, cultural, and biological property. By providing a blueprint to the seminar as a whole, the appendix helped me place most of the individual contributions to the volume.

Overall, the volume is narrowly focused on the specific situation in Papua New Guinea and should be read against this background. Still, Papua New Guinea is in many

respects representative of many Third World nations struggling to integrate themselves in an ever more global economy, trying to optimize the use of their intellectual, cultural, and biological resources without sacrificing control. The contributions to the volume represent a variety of disciplines and in that respect show the subject of intellectual property rights to be widespread in its implications. A downside to the volume's multidisciplinary approach is that contributions are at times too specific and not all that informative, but as I said earlier much of this falls into place against the general overview provided by the appendix. I would have liked to have perhaps read more on the implications of all this for local culture, but that is more dictated by my specific interests and background than by any lack in the way the volume is organized. This volume is certainly a worthwhile contribution to the growing literature on the subject.

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*Hawai'i's Russian Adventure:
 A New Look at Old History*, by
 Peter R Mills. Honolulu: University
 of Hawai'i Press, 2002. ISBN
 0-8248-2404-0; xi + 295 pages,
 tables, figures, maps, photographs,
 notes, bibliography, index. Cloth,
 US\$39.00.

Is Fort Elisabeth merely a Russian fort, as western narratives portray, or is it also a structure sharing similarities to Hawaiian heiau, as the author of this book suggests? Certainly, the

Russians did construct a fort near the mouth of the Waimea River on the west side of Kaua'i in 1816. Equally undeniably, Native Hawaiians participated in its construction during the period when paramount chief Kaumuali'i asserted sovereignty and independence from Kamehameha. The historical narratives pertaining to Fort Elisabeth detail the agendas, activities, and perspectives of the Russians and other westerners, but they ignore earlier Native Hawaiian historical associations with this place. Peter Mills believes the lack of Native Hawaiian perspectives in these historical narratives must be redressed if we are to develop a more balanced narrative of the history of this structure and its environs and a better understanding of our collective past.

The author argues three points. First, by focusing extensively on the few years of Russian association with the fort, historical narratives fail to portray the more than thirty year history of Native Hawaiian association with this structure. Second, an integration of Native Hawaiian narratives is essential if we wish to obtain a more accurate and collective narrative of the history of this structure, its environs, and its historical roots. Fort Elisabeth sits on a sacred landscape on the east bank of the Waimea River. Descriptions of this sacred landscape in early western narratives indicate that Native Hawaiian chiefly residential complexes and heiau (religious structures or places) were present; that it was used as a pu'uhonua (place of refuge); and that it was a battleground for contending rulers of Kaua'i. Third, recent archaeological studies of the structural remains, features, and artifacts, both inside the fort ruins and