

survey of the pre-existing work on Lagoon people, and the effects of colonization on the area, it is probable that Visonà's work cannot be bettered.

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CLOTH AS FOLKLORE AND INTELLECTUAL PROPERTY

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The Copyright Thing Doesn't Work Here: Adinkra and Kente Cloth and Intellectual Property in Ghana. By BOATEMA BOATENG. Minneapolis: University of Minnesota Press, 2011. Pp. 216, b/w photographs, color plates, index. \$75, hardback (ISBN 978-0-8166-7002-4); \$24.95, paperback (ISBN 978-0-8166-7003-1).

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In *The Copyright Thing Doesn't Work Here*, Boatema Boateng engages several historical perspectives – cultural, social, economic, and political – in addressing the question of why intellectual property law, as presently constituted, is so problematic – ‘doesn't work’ – in the Ghanaian context. Indeed, Boateng pushes this question further, asking why intellectual property laws *should* work in Ghana in the first place. As she explains, these laws grew out of Western concepts of individualism and ownership. Boateng's analysis problematizes assumptions about intellectual property law which, she argues, reinforce economic and political positions of power. She compels readers to think deeply about what various iterations of UN-sanctioned intellectual property law mean for those living in relatively smaller nation-states, where those working under distinctive systems of cloth production and authorship operate at a disadvantage in the larger global system. In five chapters, along with an introduction and conclusion, Boateng focuses on why the one-size-fits-all approach of intellectual property law is ill-suited for protecting what is referred to as ‘folklore’ – in this case, the knowledge of producers of the renowned cloths, *adinkra* and *kente* – which is considered to be communal and hence available to all.

Boateng examines the history of intellectual property law in Ghana, which is closely related to colonial rule and to independence. While the Paris (1883) and Berne (1885) conventions which established copyright and industrial property laws coincided with the Berlin Conference of 1884–5 and the British Imperial Copyright Act was enacted in 1911, in the early years of British colonial rule of the Gold Coast, the Ghanaian Copyright Act was instituted in 1961, almost immediately after independence. Through subsequent acts and decrees, Ghanaian officials sought to refine intellectual property protection, first through the 1973 Textile Designs Registration Decree (which served to strengthen individual property protection of manufactured textiles but not of hand-woven and -printed textiles). However, by 1985, the Copyright Act was reformed to include folklore as subject to copyright protection, which was revised in 2005 specifically to include individual ownership of *kente* and *adinkra* cloth designs.

Yet these recent national copyright laws have been undermined by intellectual property rulings set out by successive international trade organizations, represented by a thicket of acronyms: WIPO (World Intellectual Property Organization), TRIPS (Trade-Related Aspects of Intellectual Property Rights), WTO (World Trade Organization), and GATT (General Agreement on Tariffs and Trade). With

the exception of the local non-governmental organization, CEFIKS (Centre for Indigenous Knowledge Systems), trade organizations have been dominated by Western interests, which favor the protection of software and pharmaceuticals, rather than the interests of *kente* and *adinkra* producers, whose work is covered by the recent 2005 Ghanaian Copyright Act.

Even as the Ghanaian state has refined its intellectual property laws concerning folklore, the question of how such protection would benefit *kente* and *adinkra* producers is unclear. Some *kente* and *adinkra* producers question the Ghanaian state's legitimate control over their work in the first instance. For them, the history of these cloths is related to the history of the Asante kingdom; it is the Asantehene as well as the ancestors and their successors who legitimately 'own' these cloths and their distinctive techniques, patterning, colors, and weaves. Boateng outlines this disjuncture between national and ethnic claims as well as disputes over geographical origins and ownership of *kente* and *adinkra*. She captures the complexity of these intersecting local, national, and global interests by considering *kente* and *adinkra* production in relation to time – for producers, as well as African-American consumers, who see this work in relation to the past, and for state officials who see these cloths as supporting a Ghanaian national identity and the modern nation state.

Boateng's analysis of intellectual property law from the perspective of *kente* and *adinkra* producers and Ghanaian state officials as well as her discussion of possible ways forward with state officials, cloth producers, and intellectual property activists working together to establish a transnational commons-based system for managing cultural production is thorough and comprehensive and it seems churlish to ask for more. Nonetheless, her citation (p. 190, fn. 26) to Doran Ross's reference to an industrially-produced *adinkra* cloth being marketed by the British in the late nineteenth century suggests that a bit more on the textile history of industrial production of *adinkra* and *kente* cloths would be a useful addition.¹ For just as African-American demand for textiles with patterns associated with Africa make reference to the history of the slave trade and the African Diaspora, the history of textile manufacturers' interest in African textile patterns and color preferences underscores manufacturers' long-standing participation of this process. Indeed, Christopher Steiner juxtaposes a portion of an *adinkra* cloth collected by T. E. Bowdich in 1817, with a cloth of similar design but of European manufacture from the Musée de l'Homme collection.² By the end of the nineteenth century and continuing through the early twentieth-century textile traders, such as Charles Beving who was based in Manchester, collected textiles from West Africa, which were used as models for printed cloth manufactured in Britain for the African market. Thus Ghanaian women cloth traders – decried by Asokwa *adinkra* makers, who say that traders take newly designed *adinkra* cloths to Abidjan to be duplicated in factories there (pp. 79–80) – are part of a long historical process, as are ideas about cloth authorship, ownership, and alienability in Ghana, which Boateng so brilliantly shows.

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¹ D. ROSS, *Wrapped in Pride: Ghanaian Kente and African American Identity* (Los Angeles Fowler Museum, 1998).

² C. STEINER, 'Another image of Africa: toward an ethnohistory of European cloth marketed in West Africa, 1873–1960', *Ethnohistory*, 32:2 (1985), 91–110.