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It has been reported (although I have not been able to find independent confirmation) that in the USA patents may be granted on a person's chromosomes if that person has had tissue taken as part of medical treatment. If this is in fact the case, it would mean that someone, other than the individual involved, owns that individual. The individual would not be able to do anything with their body that would infringe on the patent-holder's rights.

Patent law has also been used to curtail a community's traditional agricultural practices and, thus, their livelihood. Basmati rice has traditionally been grown in the Punjab area (partly in India and partly in Pakistan). In 1997 a small USA company, RiceTec, was granted a patent in the USA for 'novel' genetic material and the name of Basmati.¹ This would prevent traditional growers in the Punjab from exporting to the USA without paying royalties to RiceTec. This is a cynical attempt by RiceTec to gain ownership of a well-known and lucrative product which it has taken local farmers centuries to perfect through selective breeding. RiceTec has contributed nothing to the development of Basmati rice.

The Indian and Pakistani governments have been fighting the patent, but it is not clear whether the fight is over. Thousands of small landholders rely on the production of Basmati rice for their livelihood and the variety is clearly identified with that region.

Patent rights are property rights, therefore anyone granted a patent is granted ownership rights. Patent law was developed to encourage people to invent and innovate, by giving them some expectation that they would benefit financially from their ingenuity and hard work. Patents have a limited life, designed to offer a return to the inventor and allowing others to further develop whatever the patent was granted for after a reasonable time, thus not stifling progress. To grant patents on something which has not been invented, or even developed, by the applicant for the patent flies in the face of the underlying rationale and actually stifles progress.

Who else owns you?

There is an increasing number of laws which curtail our freedom to do what we want, where we want, on the premise that we need to be protected from harm that may come from our chosen activities. We can argue for or against any of these laws individually, but it is interesting to look at some of them in order to get a feel for what is happening. Most of the following apply in most, if not all, of Australia.

We are not allowed to ride a motorbike or bicycle without wearing a helmet.

We are not allowed to drive or be a passenger in a car without wearing a seatbelt.

We are not allowed to indulge in the ingestion, injection or smoking of a host of substances.

We are not allowed to jump off most high structures.

Remember, all of these proscriptions are designed to protect the individual who might do any of these things and no-one else. Again, I point out that I make no argument for or against, merely remind you of these restrictions.

There is also a larger number of laws which are designed to protect people around you, as well as you. The following are things we were allowed to do in the past and which are curtailed in at least parts of Australia. Again, I make no argument for or against these laws.

We used to build cubbyhouses and tree houses without worrying about permits.

We used to remove trees from our land as we saw fit, without permits.

We used to plant whatever ornamental vegetation we desired without being told that only plants indigenous to the area are allowed.

We used to burn rubbish and garden waste in incinerators in the back yard.

We used to walk our dogs without leads in parks and on beaches at any time of the day and at any time of the year.

We used to babysit and look after friends' and neighbours' children in our homes (sometimes overnight) without needing a police clearance.

We used to be able to drive more than ten kilometres through the suburbs without encountering a traffic light.

We used to 'dink' friends on our pushbikes.

We used to stick our arms and feet out through car windows when driving on hot days.

We used to do lots of things which may or may not have been healthy, safe or a good idea.

We used to rely on common sense. What has happened to common sense? Have we become lazy or is it that we are more bloody-minded? Are we relying increasingly on governments to tell us what is safe for us and those around us, instead of working that out for ourselves?

There is a debate raging in parts of the USA about the wearing of pants in such a way that underpants show. Debating is good. There are campaigns by some city councils and state governments to get young men to 'pull up your pants'. However, there are now a number of States where the wearing of pants below a certain level can result in a hefty fine or even jail.²

Whatever the rights and wrongs of the laws, they increasingly restrict us.

1. See <http://www1.american.edu/ted/basmati.htm>
2. See for instance <http://www.huffingtonpost.com/huff-wires/20110927/us-sagging-pants/>