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SELLING THE COMMONS > Genes

There's a great north-south issue here.

You can't create a gene de novo in the laboratory. This is an extractive industry, like oil. Well, you know, oil's found in the Middle East. Well, genes are found in the equatorial countries of the southern belt, because that's where most of the genetic diversity of the planet is. So now we've got these global genomic companies bio-prospecting in places like Brazil. They find a rare gene; if it has commercial value, they immediately seek a patent in various governments.

Now, the southern countries, like Brazil, are crying, "Bio-piracy!" They're saying, "Hey, come on. These are our resources, we should have compensation." The northern companies are saying, "No, we put in all the time and effort, we need to be compensated for our work."

My position is: these genes don't belong to Brazil, I'm sorry. And these genes don't belong to Celera or Monsanto. The gene pool exists a priori and independent of governments or corporations. We're talking about millions of years here, of biological legacy. And I think that if we allow the gene pool to be the political property of governments, or the intellectual property of companies, I guarantee every parent watching this interview, I guarantee you, your children or at least your grandchildren, will have gene wars. We fought wars over oil in the Industrial Age, we fought wars over metals during the Mercantilist Age, and a lot of people suffered and died. I think we should do the right thing here, and the right thing is to ask the right question: Will our children be well served, and our grandchildren, and our great-grandchildren, if they grow up in a world where they think of all of life as intellectual property? The genes, the proteins they code for, the organs, the tissues, the organisms.

To show you how out of control this corporate policy is: Doctor Willmott, who cloned the sheep, his company PPL, has a patent covering the cloning process. And the British government has granted him a patent on all cloned animals, and the British government did something else. They gave his company a patent on all cloned human embryos up to the blastocyst stage of development. That's the stage where you develop the stem cells that are so important for medical research.

Now think about this for a moment. In the nineteenth century we had a great global debate: Can you own an individual human being as commercial property after birth? We had an anti-slavery movement. It spread across the world. We abolished slavery. But now, these life science companies have technologies that allow them to own an individual human being at the conceptual through gestation stage. So now, one of the great political issues of the twenty-first century, should

corporations be able to own life at it's earliest stage from conception to birth? The British Patent Office has said, "Yes". The right thing here - we need to craft a great global treaty, to establish the gene pool as a commons as a trust.

We're talking about millions of years of evolution here. It's a great legacy. This doesn't belong to governments or companies. You know, when we discovered the last continent, Antarctica, we did the right thing. We violated thousands of years of the human territorial imperative, and we did the right thing. We said, "Look. Antarctica, no government owns it, no company exploits it. It's a trust. We'll set up a treaty." We should at least do the same with millions of years of evolution. Allow the gene pool to be a shared legacy. Create a great treaty so every government becomes a signatory, and make this our finest legacy. Then, we can enter the Age of Biology, and maybe it'll be a renaissance, and not a period of dark, social upheaval.

SELLING THE COMMONS > Commercial Eugenics

Companies don't bring us products because they think we're going to hate them. They bring us products they think there'll be a market for. So, the new commercial eugenics really is a partnership between our desire as consumers to bring predictability into the last remaining unpredictable part of life, which is life itself, and the corporations' desire to make some profit by being able to control the technology upon which the life process is involved. The problem is that commercial eugenics at the end of the line, and at the end of the day, could be every bit as dangerous and as insidious as the social eugenics dogma at the earlier part of the twentieth century.

We could be, we could, well it may be, it may be that willingly, step by step, gene by gene, product by product, technology by technology, we all walk swiftly into this brave new world, and out of consent, because we didn't think of the deeper issues involved. Look at some of these issues. Let's take a look at genetic discrimination. Genetic discrimination is going to be as powerful a social engine as discrimination based on gender, religion, race and ethnicity was in our long past as a species. We're mapping the genome. We're increasingly going to be able to have a genetic profile of every human being on earth in the next ten years. Should your employer know your genetic profile? Should insurance companies have this information? Should the government, or your school board know the genetic profile of your child? Genetic prejudice is likely to be a very virulent form of prejudice.

For example... Let's say an employer is hiring at a corporation, for a fast-track executive position, and you have three candidates, all equally qualified. One has however, a genetic predisposition for prostate cancer, the second has a genetic predisposition for breast cancer, the third has no genetic predisposition in the profile, and they did a test.

Who are they going to hire on the corporate fast-track? Well, here's the problem. Just because you have the genetic predisposition for those cancers, doesn't mean you're going to get them. It may be the first two candidates live well, they don't smoke, they don't drink excessively, they exercise, they eat low on the food chain - a vegetarian diet, and maybe they don't get the cancer. Maybe that third candidate without any predisposition is a walking time bomb. Six-pack of beer a day, three packs of cigarettes, never exercised a day in their life, and maybe that person gets the cancer. Discrimination comes in here when you judge people purely by their predispositions, genetically. The gene is not all-powerful. The gene is not the recipe, it's just the ingredients. The gene interacts with environmental cues and triggers. It is truly nature/nurture - gene and environment. But, corporations are going to seriously think about the bottom line.

And they'll have some compelling arguments. Let's say you're hiring for air traffic controller. Do you want to hire someone who has a genetic predisposition for bipolar manic depression? But she may not get it, she may have it under control with therapy and pharmacological intervention. It may be that other person who had no predisposition, had a bad day with his wife at home and lost focus at the control tower. So I think we're going to have to do, is say look, there's some very valuable information that's going to come out of the Genome Project. I would like to be screened for genes, and my family would, for prevention purposes, for health. But I sure don't want that genetic information to be in the hands of other institutions who could use it and abuse it and make me the victim of it.

I think we need airtight legislation in every country. And that is to make it illegal for any institution, political or commercial, to use my genetic information without my expressed approval. And I would say, "one strike you're out". If it's used, I would say, "one strike you're out." If this genetic information is used by corporations, they should lose their charter, and long prison sentences for the principals. Anything short of that, like a, a slap of the wrist, you're not going to be able to prevent this being used, because in an Age of Information, genetic information's going to flow freely. But we can make sure institutions don't use it. But only if the punishment, the legal consequences are serious enough so they'll think twice when it comes to the bottom line.

STRATEGIES FOR CHANGE > Culture First

What is culture? It's all the activities you and I engage in that are not commercial and not government. Church, secular, paternal, sports, arts, civic. It's where we have play. It's where we have reciprocal relationships. It's where we explore our humanity. It's where we revel in each other for the sheer joy of being a human being, and where we explore our relationship to our fellow creatures in the earth we live in. Culture is where we explore play. And create intrinsic value. The human story. Commerce is where we create deep work and utility. In the real world, we live by play and work. We live by intrinsic and utility

values. The key question is which comes first? The community or the corporation and commerce?

What I would argue, and it's common sense, is that communities precede commerce, and therefore corporations are not the central organizing principle of our life, but they're an augment. And should only be an essential augment but not sufficient to define who we are. So, what we need to do is bring back the culture. The problem is that civil society, the culture, the community, has been marginalized and colonized by either corporations or governments. In fact, we call the culture the third sector in public policy. As if commerce is the first sector, government's the second sector and then where we live our lives and create our stories is the third sector. And think of the language we use. This is a total colonized institution. In Canada and Europe, you call organizations in the civil society, non-governmental organizations. Meaning, not government, but dependant on. Totally colonized.

In the U.S., we call these organizations in the culture non-profit. Not corporate, but dependant on the commercial arena. We need to decolonize the civil society, re-embolden it, bring back cultural diversity, understand that the human story is the center of our identity. Then, we can put the corporation in its proper role. We can put the market and the networks in their proper role. Their role is to create utility. But utility is not the end of human existence, it's simply an augment to human culture. And if we can begin to reestablish culture as the center where people's power is, then there's a role for corporations. And there's a role for government. But those roles are to be attended to, not dominant over the place where people have their story told and where they live out their community values.