

REVIEW

Reinventing Hoodia: People, Plants and Patents in South Africa, by Laura A. Foster (University of Washington Press, 2017)

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In June 2003, BBC Two broadcast a report from South Africa called “The Anti-Fat Pill and the Bushmen,” a title that crudely summarizes the rich stew of colonial past, postapartheid present, traditional knowledge, bioscience, intellectual property, Western diet culture, and plants that Laura Foster’s *Reinventing Hoodia* tackles with nuance. Foster uses historical and ethnographic methodologies within a feminist decolonial science studies framework to consider three meanings of the plant now classified in Western science as *Hoodia*. She begins with *Hoodia* as an object of colonial science and as known to San peoples (whom the BBC referred to by their colonial designation “Bushman”). She then considers its “reinvention” through contemporary bioscience and law as a source of patents granted to scientists from South Africa’s Council for Science and Industrial Research (CSIR) and as a cultivated herbal supplement advertised as an appetite suppressant to weight-conscious Westerners (pp. 3-4). Both the patents and the supplement offered the dream of almost unlimited riches through sales of an “anti-fat pill.”

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As the BBC report highlights, these reinventions of *Hoodia* have been an object of interest for over two decades among the media, scholars, and South African activists.¹ Foster brings expertise in both law and gender studies to the topic, as well as the fruits of nearly a decade of fieldwork. In the first book-length treatment of this long-running saga, *Reinventing Hoodia* evaluates the earlier hype and optimism that a benefit-sharing agreement between the San people and CSIR signed in 2003 would be a model for sharing the benefits of technoscience with Indigenous groups. Foster is an emerging leader in the use of postcolonial science studies to develop a feminist decolonial approach to technoscience, taking up challenges that have been discussed recently in *Catalyst* and elsewhere.² In this book, she uses four axes of analysis to link ways of knowing to the materialities of the plant in order to “reframe patent ownership as it has been understood within racialized, indigenous, and gendered colonial histories” (p. 10). To law and materiality, Foster adds “scale,” as she follows plant from field to lab, and “belonging,” to consider not only citizenship in postapartheid South Africa but also ownership and attachment (pp. 10, 16). She sets herself the goal of using her analysis of *Hoodia*’s reinvention to identify “possible sites of intervention in patent law” and to identify better ways of “doing and governing scientific research through benefit sharing” (p. 6). To meet this challenge, Foster concludes the book with two brief appendices, one offering information on community protocols and guidelines for working with Indigenous Peoples, and the other a collection of legal arguments for use by Indigenous Peoples in challenging a US patent in court (pp. 133–36).

The CSIR began to seek patents related to *Hoodia* in the early 1990s, and then partnered with pharmaceutical companies to create an anti-obesity drug. A public controversy about the commercialization of the traditional knowledge of San peoples in South Africa that *Hoodia* could serve as an appetite-suppressant and digestive aid led to the benefit-sharing agreement between the CSIR and the San Council. Foster began her research in 2008, when that triumphalist moment turned sour as the CSIR lost its first international commercialization partner. She followed a

second commercialization attempt and the rise of a herbal supplement market for *Hoodia* as an unregulated weight-loss aid. To date, there have been no riches for the San people from *Hoodia*.

Foster's primary research modality was ethnographic, and she uses interviews with members of key communities to structure each of the book chapters: San people, non-San South African scientists, and Afrikaner farmers. She explains that she interviewed San people in ways that attempted to avoid reinscribing colonial categories and hierarchies, an example of her feminist decolonial theoretical approach translated into practice. She supplements her interviews with examination of the materialities of the laboratory, the field, the law, and the market. These materialities include the text of patents and other legal documents, scientific practices, and *Hoodia* plants in the veld and under cultivation, as well as on websites and product labels.

The rich source material, and Foster's attention to the colonial past and postapartheid present, makes for interesting reading and persuasive analysis. The few limitations of Foster's book lie in its ambitious peripheries. The historical aspects are the least well-developed and include a few errors. For example, an opening timeline of events cites the 1710 Statute of Anne as "further establishing modern patent law" in Great Britain (p. xvii). The Statute of Anne is, rather, the basis of modern copyright law. Her second appendix, "Strategies for Patent Litigation," consists of a few paragraphs of legal arguments that she suggests might be used by Indigenous Peoples seeking to invalidate patents under US law, suggesting the courtroom as one of the "sites of intervention" she seeks. While the courtroom is such a site, the appendix is so cursory that it is of limited practical use. A bibliography of the most relevant legal scholarship and cases might have been more helpful to those seeking to craft legal arguments if Foster's goal is to provide ammunition for future legal challenges. For scholars who wish to build on Foster's efforts to critically examine postcolonial nations, Indigenous Peoples, intellectual property, and benefit sharing, however, she does provide such information. Foster deliberately and generously collects the prior scholarship on the San-*Hoodia* controversy as well as the

interdisciplinary scholarship that informed her theoretical position, which will provide a valuable starting point to others pp. (138-45).

In the best traditions of interdisciplinary scholarship, Foster has written a book that is both theoretically sophisticated and accessible. As such, the book will interest scholars of intellectual property, South Africa, colonialism, and science and technology studies (STS), and will contribute to the growing body of feminist STS scholarship represented by the University of Washington Press's Feminist Technoscience series, to which *Reinventing Hoodia* is a notable addition.

Notes

¹ For examples of scholarship about *Hoodia*, see Wynberg (2004); Vermeylen (2007); Swanson (2007); Wynberg, Schroeder, & Chennells (2009); and Osseo-Asare (2014).

² For Foster's earlier work in postcolonial and decolonial science and technology studies (STS), see Foster (2016); and Subramaniam, Foster, Harding, Roy, & TallBear (2017). For feminist decolonial STS, see Lyons, Parrenas, & Tamarkin (2017); and Pollock & Subramaniam (2016).

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Bio

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