

Hodinohsoni/Rotinohsyonni Intellectual Rights and Responsibilities

Indigenous Knowledge Centre Six Nations Polytechnic

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Knowledge is not personal or collective property. Hodinohsoni/Rotinohsyonni knowledge is bundle of values, ethics, beliefs, traditions and morals that help individual fulfill our collective responsibility to Creation, to each other, to our nations, to the Confederacy and the world.

The best way to understand this in English is to consider what the term *cultural patrimony* means. Cultural Patrimony generally means the objects, ideas and symbols of a culture that are collectively owned. However the term also means other legal entitlements inherited from (or through) one's father, especially if it has been handed down through generations in the same family, birthright. In the Hodinohsoni/Rotinohsyonni case, this inheritance comes from both the male and female blood lines. Therefore, neither is adequate.

We chose to use the following definition as we develop the program of the IKC:

öHodinohsoni/Rotinohsyonni knowledge, as other forms of Indigenous Knowledge, is held collectively for the sake of the future generations. The oral history, sacred objects, traditional practices, as well as the underlying philosophy and beliefs, cannot be protected from exploitation because they represent a worldview and mind-set that can only be understood by its active practice. The IKC will endeavor to assist those wish to uphold their duty to the knowledge in ways appropriate to the culture, as expressed through our Knowledge Guardians.ö

The challenge we face is clarify what that bundle of knowledge includes as theory and practice. For Hodinohsoni/Rotinohsyonni knowledge is also revealed through the practice. We do not have a philosophy that exists in isolation. Therefore the best way to preserve öHodinohsoni/Rotinohsyonni knowledge is to preserve to excel at Hodinohsoni/Rotinohsyonni practice.

With the increase in technology and communications, the Hodinohsoni/Rotinohsyonni are concerned with protecting our own culturally-based ideas, values and beliefs. These ideas, values and beliefs that define who we are as the Hodinohsoni/Rotinohsyonni may be in speeches, ceremonial language, sacred traditions, and life ways. However, we do not believe in Western notions of copyright and intellectual property as they go against our philosophy that knowledge and skill are gifted from higher powers that cannot be regulated by secular law.

Instead, we propose that all Hodinohsoni/Rotinoonhsyonni people have an equal right to the knowledge of our ancestors. No one individual, group, organization or government can restrict our right to our own culture. In fact, we all have a responsibility to share, teach and mentor others in what we know to be true.

Elders, cultural practitioners, artists and language speakers have an obligation to freely share their knowledge. Part of that sharing is learning and respecting the proper protocols for some of the sacred texts and ceremonial language and songs. Much of that kind of sharing belongs best in the social, cultural and spiritual organizations and societies that currently exist in our community. The IKC can assist, if asked, to provide historical documents, archival materials, or technologies for preservation, as those organizations and societies may request. However, all of the intellectual and cultural patrimony of those societies remains under their care. The IKC will not interfere in the well established cultural mechanism of the community.

They may also be reflected in music composition, computer programs, television, and other media. This intellectual and cultural knowledge is owned collectively by the Hodinohsoni/Rotinoonhsyonni and is not meant to be exploited. Intellectual and cultural knowledge requires a responsibility to protect the integrity of that information. The knowledge contained in this production is intended for the exclusive use of the Hodinohsoni/Rotinoonhsyonni. It is a learning guide to stimulate thinking and reflection to help our own people better understand the Hodinohsoni/Rotinoonhsyonni world view.

However, no one production can present all of the information in its proper context. Our elders and Faithkeepers are concerned that sacred information and perspectives not be committed to an electronic or published form that could allow the information to escape from our authority and be exploited by others. Critical information has therefore been excluded from this production. You will still need to seek out the details and sacred connections of this knowledge with respected elders, oral historian and ceremonial leaders in your community. It is best to look at the knowledge contained in this production as a starting point on your journey of discovery of what it means to be Hodinohsoni/Rotinoonhsyonni. There is much to learn beyond what is presented here.

Another important thing to remember as you use this production is that in presenting information in English limits the real meaning and understanding that we can share with you. Our Hodinohsoni/Rotinoonhsyonni languages contain the key perspectives, images and connections that make this information complete.

Over the last century, the intellectual property rights of Hodinohsoni/Rotinoonhsyonni have been violated for the benefit of many other, non-Hodinohsoni/Rotinoonhsyonni people that have proven to be detrimental. Our ancestors shared many ideas, values, beliefs, and traditions with the newcomers, and often, that exchange was well intended. However, the newcomers (missionaries, teachers, military officers, government agents, and scholars) did not comprehend the true significance of this knowledge and often wrote about the knowledge in incomplete terms. Numerous stories told to scholars, writers, artists and strangers that were later published in books without the storytellers' permission. This resulted in incorrect information and improper use of the knowledge. Many of our ceremonial dances, tape recorded copies of sacred music were

collected, and then sold to outsiders. The Hodinohsoni/Rotinoḥsyonni people that recorded such materials did not have the right to ḡsellḡ their knowledge, skills or performance of our collective knowledge. They can be no exploitation unless our people provide access to the knowledge. We are responsible for what we do.

Designs from our traditional arts have been duplicated by non-Hodinohsoni/Rotinoḥsyonni. Sacred images have been duplicated, exploited and marketed despite the objections of the Hodinohsoni/Rotinoḥsyonni. Clothing items, musical instruments and implements of ceremonial dancers have been acquired, photographed, and described without appropriate the Hodinohsoni/Rotinoḥsyonni permission. Photographs of the ceremonies have been included in books without expressed permission of the people in the photos or the sanction of the Hodinohsoni/Rotinoḥsyonni. Although the Hodinohsoni/Rotinoḥsyonni believe the ceremonies are intended for the benefit of all people, we also believe benefits only result when ceremonies are properly performed and protected. All of these actions are breaches of Hodinohsoni/Rotinoḥsyonni intellectual and cultural property rights, used by non-Hodinohsoni/Rotinoḥsyonni for personal and commercial benefit without Hodinohsoni/Rotinoḥsyonni permission.

Through these expropriations, sacred rituals have been exposed to others out of context and without Hodinohsoni/Rotinoḥsyonni permission. Some of this information has reached individuals for whom it was not intended (e.g., youth, members of other clans, or non-Hodinohsoni/Rotinoḥsyonni). This creates a misperception of the intended use of such material.

Respect for Hodinohsoni/Rotinoḥsyonni Knowledge

We also ask our own people to respect the collective rights of our people to share and use this knowledge was intended. Knowledge and Wisdom are sacred trusts. We must assure that the intellectual and cultural property that we have inherited from our ancestors is protected and passed on for the sake of the future generations. It is for our well being, not for commercial gain. Our language and modes of thought belong to all of the Hodinohsoni/Rotinoḥsyonni.

Hodinohsoni/Rotinoḥsyonni tradition does not share the world view of the dominant society in regard to cultural ḡpropertyḡ and the ḡright to knowḡ. We do not consider sacred knowledge to be property that can be exchanged, sold or given away to outsiders. Knowledge is not a commodity; it is a sacred gift from the Creator, the spirit world, and our ancestors. It was freely given to us so that we could live a happy and healthy life. The abuse of the intellectual and cultural knowledge has contributed to the destabilization of our society. There is a price to be paid when we violate our sacred trust.

To the Hodinohsoni/Rotinoḥsyonni, certain activities are considered the private domain of specific clans, societies, or individuals. Therefore, Hodinohsoni/Rotinoḥsyonni individuals typically will not inquire about specific sacred matters concerning certain ceremonies and practices from other community members. This helps guard the integrity of specific cultural knowledge for those members who are privileged to that knowledge. You need to respect your boundaries and the limitations that productions such as this have.

