


**Policy library ID
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Indigenous Knowledge Systems Policy

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Responsible Department	IKS
Related WSU policies	
Policy name	Policy Name
Language	
Copyright and Intellectual Property	
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1. Introduction

The core Vision and Mission of Walter Sisulu University (WSU) is to develop innovative and transformative curricula, research methodologies and community engagement practices that will produce a new cadre of highly skilled graduates in multidisciplinary theory and practice. This cadre will be able to transfer and apply this knowledge to respond to a myriad of political, socio-economic and health challenges confronting rural and urban communities in the Eastern Cape Province and beyond. Based on its location in the rural areas of this province, WSU is strategically positioned to develop innovative and transformative curricula, pedagogy, research methods and community engagement practices that are rooted in Indigenous knowledge - IK (*ULwazi Lwemveli*).

Therefore, the establishment of the IKS Policy at WSU is congruent with her Vision and Mission Statement to develop innovative academic programmes. These programmes are intended to offer a unique way in which WSU can affirm her commitment to the establishment of an educational system that interfaces indigenous/African worldviews, ancestral knowingness, philosophical foundations and languages without compromising academic quality and rigor. Therefore, the adoption of this policy has a potential to make substantial improvements in the education system, lives and living conditions of citizens locally, provincially, nationally and globally.

It also provides a framework for governing the rights and responsibilities of all stakeholders in relation to research, teaching and training and other creative processes arising from these activities.

Recent developments in national legislation such as the promulgation on 2 August 2010 of the Intellectual Property Rights from Publicly Financed Research and Development Act (Act 51 of 2008), the Indigenous Knowledge Systems Policy of 2004, National Environmental Management: Biodiversity Act, (Act 10 of 2004) and exchange and access and benefit sharing regulations, IP Amendment Act of 2013 have required the need to develop the policy.

1.1 Definition of Key Concepts:

For purposes of this policy, the following terms related to indigenous knowledge shall have the following meanings

- **Indigenous Knowledge (*ULwazi Lwemveli*):** Indigenous Knowledge (IK) is a collective name for all forms of knowledge systems and values within local or traditional communities. It exists as tangible and intangible asset that is informed by the community's worldviews, spirituality, cultural values, philosophical foundations and languages.
- **Erosion of IK:** During colonial and apartheid eras IK was marginalized and dismissed as outdated, archaic and superstitious beliefs that could not be scientifically verified.
- **Interfacing:** Denotes a process through which both indigenous-based and western-based knowledge systems are affirmed and validated within curricula in their own right.
- **Prior and Informed Consent (PIC),** means that a community or individual has the right to give or withhold its consent to proposed projects that may affect the lands, knowledge they customarily own, occupy or otherwise use

2. Indigenous Knowledge Systems Guiding Principles and Ethics

2.1 In research and community engagement, the following guiding principles must be complied with:

- **Principle of Fully Informed Consent**
This principle recognizes that research should not be conducted until there has been full consultation with all potentially affected communities and individuals, and such community and/or individual has approved the research after full disclosure. Consultation and negotiation should achieve mutual understanding about the proposed research.
- **Confidentiality or non-disclosure agreements**
This principle recognizes that communities, at their sole discretion, have the right to exclude from publication and/or to have kept confidential any information concerning their culture, traditions, mythologies, or spiritual beliefs. Furthermore, researchers and other potential users shall guarantee such confidentiality.
- **Traditional Structures**

This principle recognizes traditional leadership and structures in accordance with customary law and practices

- **Access and Benefit Sharing**

This principle recognizes the tenets of the Nagoya Protocol ratified by South Africa in 2013. This protocol explains access to resources, fair and equitable sharing of benefits arising from their utilization).

- **Material and information transfer agreements**

This principle recognizes that any agreement signed must be under mutually agreed terms.

2.1.1 Historical Overview

One of the legacies of colonialism in Africa and globally, is that academic arrangements of disciplines at universities entrenched only western-based ways of knowing. This tradition systematically ignored and regarded as inferior the existence of IK. The result was that IK pertaining to specific fields such as agriculture, arts and crafts, indigenous languages, health, spirituality, etc., which for millennia formed the backbone of rural communities was not validated. The rationale for the IKS Policy at WSU is aimed at elevating and interfacing IK within curricula, research methods and community engagement activities. These programmes have a potential to produce knowledge that is contextually and culturally relevant and a cadre of scholars who will contribute to sustainable development within rural contexts. Academic programmes that are steeped in indigenous frameworks and cultural values will not produce intellectuals that mirror European cultural values and ideals. Rather, have a potential to maximize and broaden scholars' intellectual horizons, enhance the potential to build their characters, promote their sense of stewardship and moral obligation.

2.1.2 South African IKS Policy: The WSU-IKS Policy builds on the South African IKS Policy which is an enabling framework to strengthen contributions of indigenous knowledge for economic, political and social development in South Africa.

2.1.3 World Intellectual Property Organization (WIPO): The WSU-IKS Policy also draws on WIPO's Convention, Treatise and Protocols.

According to the IP amendment Act of 2013, the indigenous knowledge Intellectual Property Rights are represented by the different types, namely: Traditional Marks; Traditional Designs, Traditional Works and Geographical indicators (GI).

2.1.4 Intellectual Property Rights at WSU: WSU undertakes to ensure in all its actions that:

- Local communities and individuals will be acknowledged as owners of IK;
- IK will not be developed or used as exploitation or gain without taking the copyright and intellectual property rights of local communities into account; and where-ever there is an opportunity for commercialisation of IK, the necessary negotiations to the benefit and empowerment of the owners of this knowledge will take place.

2.1.5 WSU Statute:

IKS Policy at WSU is in line with the University Statute.

2.1.6 Applicability:

This Policy applies to all employees and students of the University. It will also apply to visitors, in the absence of any written agreement to the contrary, and who make use of WSU Resources and who through their use of WSU Resources. Employees who permit visitors access to WSU Resources and resources of the community with their prior informed consent shall ensure that the visitor has been notified of this Policy and obtain written acknowledgement from the visitor that they are aware that they are equally bound by this Policy in the absence of any written agreement to the contrary.

3. Purpose of the IKS Policy at WSU

The IKS policy at WSU serves as an Instrument to institutionalize IK across all disciplines and programmes. This is to give recognition and enhancement of IK in a pro-active manner in the core activities of knowledge production, capacity building, dissemination and systematization of this knowledge in teaching, research and community engagement practices. The establishment of this policy will also ensure that as one of leading institutions of higher education within the Eastern Cape Province, WSU will be a champion for integrating IK within curricula. It will therefore play a leading role in affirming and validating IK across all disciplines at WSU, and will serve as a model for other universities.

4. Scope

As an Institutional Policy, Management will ensure that IK is visible not only in certain programmes, but is applied at all levels across the university. This IK Policy is not intended to be comprehensive in all respects, but forms part of WSU's integrated management model and should be read in conjunction with the University's other policies.

5. Policy Content

The commitment of WSU to indigenous knowledge involves the following concrete steps in different fields:

5.1 Management

The WSU Policy Administration Division will drive the implementation of the IKS Policy.

5.2 Teaching and Learning

The emphasis on integrated and culture-sensitive teaching mandates that:

- WSU lays the obligation on faculty Deans and Heads of Departments to integrate relevant IK dimensions within curricula, pedagogy, research methodologies and community engagement practices;
- Lecturers integrate IK within curricula and teaching methods in such a manner that it is culture-sensitive and gives expression to the transformation of the teaching culture;
- WSU supports real efforts to address the acute shortage of teaching and learning material with a focus on IK;
- The proposed Bachelor of Indigenous Knowledge Systems (B. IKS) Degree will be a conduit to affirm and validate the IKS Policy within WSU; and
- WSU environment across campus including the signs and names of buildings are expressed in both English and isiXhosa.

5.3 Training and Development (Capacity Building)

The Center for Learning, Teaching and Development (CLTD) will coordinate and:

- Organize training workshops for WSU Stakeholders, teachers and community IK holders; and
- Assessment of individual skills in IK for Certification to recognize Prior Learning (RPL).

5.4 Research

Research is informed by indigenous knowledge, worldviews and theoretical frameworks. This will ensure WSU's declared prioritization of research that is contextualized and relevant for sustainable development in the following ways:

- Acknowledgement that IK research is mostly interdisciplinary, complex and time-consuming.

- Application of philosophical research pillars such as African/relational ontology, epistemology, axiology, etc. that undergird indigenous research.
- Use of research methodologies that are rooted in indigenous paradigms.
- Development of fieldwork manuals and indigenous protocols that emphasize respect for IK holders and indigenous cultures as well as rituals that must precede research and be followed after the completion of research.
- Linking of IK research to sustainable development and livelihoods within rural contexts.
- Creation of research databases on IK and IK technologies for teaching and research purposes.
- Creation of internal discussion forums for knowledge production, capacity building, dissemination and systematization of this knowledge

5.5 Community Engagement Service

As IK underpins the knowledge basic to the life of local communities, it is understandable that WSU in its pursuit of community engagement practices will develop aspects of IK to:

- Acknowledge local communities fully as partners and utilize knowledge for reciprocal advantage;
- Use IK as theoretical basis of a participative community engagement;
- Utilize cultural values underlying IK as part of an inclusive culture.
- Customary Practices of Communities

6. Statutory structure to approve, adjust and review the policy

WSU Council is responsible for the approval of the policy. The adjustment and review of the policy is within the scope of WSU Policy Administration Division.

7. Administration and Implementation Plan of IKS Policy

7.1 Administration and enforcement of the IKS Policy is the responsibility of WSU Deputy Vice Chancellor for Academic and Research. The DVC in collaboration with the SARChI IKS Research Chair will provide a framework of implementation that will include identification of champions within the faculties to drive the Policy.

7.2 Any disputes internal/external or questions of interpretation arising under this Policy must in the first instance be referred to clauses in the main Policy of the University for resolution, at the request of any interested party. If the matter cannot be resolved under the dispute resolution clause of the Universities Policy, then the dispute or question of interpretation must be referred to the Vice Chancellor or his/her nominee for referral to an appropriate

authority or panel for mediation or arbitration. WSU undertakes to ensure that alternative dispute and mediation mechanisms are accorded to indigenous and local communities.

8. Custodianship of Policy

The IKS Policy is an Institutional Document therefore, is the property of WSU Council.

9. Conclusion

In establishing this IKS Policy, WSU, in striving to be a knowledge partner for government, the private sector and society, recognises and affirms the indigenous knowledge held and maintained by communities. Furthermore, it is intended that application of this IKS Policy will take into consideration the principles of openness, full disclosure, and fair and equitable benefit sharing when indigenous knowledge is accessed WSU staff.

References

World Intellectual Property Organization (WIPO), 2006

South African Indigenous Knowledge Systems (IKS) Policy, 2004

University of Free State (UFS) IKS Policy 2010

Copyright and Intellectual Property Policy at WSU (in progress)

Walter Sisulu University Language Policy (in progress)