

Religion and Intellectual Property  
December 12, 2010

There's a religious debate currently raging, although "raging" may sound too hyperbolic. At least, there's a debate going on which I find provocative for probably all the wrong reasons.

You may find it strange that so close to Christmas I have selected a reading from the Hindu tradition, but essentially, this is what the debate is all about: Does religion have intellectual property rights? And the debate plays out with the Hindu American Foundation launching a campaign labeled: "Take Back Yoga."

Yoga seems to have reached peak acceptance among Americans, with an estimated 15 million practitioners and probably half our congregation counted among them. Whether Americans practice Yoga to become more spiritually centered, more trim and fit, less stressed and more awake, or whether they have any clue at all as to why they are engaged in Yoga at this time in their lives seems beside the point. The Hindu American Foundation wants credit and acknowledgment that Yoga *belongs* to the Hindu tradition. This begs the question: Does anyone own Yoga?

In 2007, a Yoga instructor named Bikram Choudhury won a U.S. patent for 26 Yoga poses he packaged as Bikram Yoga. In response, the Indian government began making digital copies of ancient drawings showing more than 4000 Yoga poses to dissuade any other yoga entrepreneurs from venturing out on their own.

The Hindu American Foundation claims that with Yoga thriving independently of its Hindu roots, Hinduism as a religion has lost control of the "brand." Dr. Aseem Shukla, the driving force behind the Take Back Yoga movement, insists "that Hinduism has become a victim of overt intellectual property theft." He maintains this was made possible by a generation of Hindu Yoga teachers who had "offered up a religion's spiritual wealth at the altar of crass commercialism."

The debate has taken some interesting twists and turns. The popular New Age writer, Deepak Chopra (who has certainly cashed in on the mystique of it all as though he were its fountain of inspiration) has dismissed the charges as mere "Hindu nationalism." But you have to love the position taken by Albert Mohler, president of Southern Baptist Theological Seminary. He agrees that Yoga is primarily and fundamentally Hindu...which proves that the practice of Yoga imperils the souls of Christians who engage in it. (I must have been absent that day in seminary when Hindu practice was linked to the detriment of the Christian soul).

Who owns Yoga? For that matter, who owns Hinduism or Christianity or any faith tradition? Has any sacred scripture ever been copy written? I doubt it, because that would leave Christians liable for stealing intellectual property since Jesus was hardly the first one born unto a virgin. The concept has been used plenty of times long before Jesus. And the foretelling of miracle births are a dime a dozen.

Intellectual property refers broadly to the creations of the human mind. Intellectual property rights protect the interests of creators by giving them property rights over their creations. So even God can't qualify for a patent for the cosmos because IP applies only to human creations.

Intellectual property rights protect the following:

- 1- Literary, artistic, and scientific work
- 2- Performances of performing artists, phonograms, and broadcasts
- 3- Invention in all fields of human endeavor
- 4- Scientific discoveries
- 5- Trademarks, service marks, and commercial names and designations
- 6- Protection against unfair competition

Is religion entitled to Intellectual Property rights? Well, who first came up with the creation or trademark...or performance? It all gets kind of blurry.

For example: John Henry Hopkins wrote the immortal Christmas Carol, *We Three Kings of Orient Are*, referring to the gifts they bring the Christ child. The only problem is that the Bible never mentions three kings – only some wise men from the East. And they were not given any names. Who were those mysterious visitors bringing frankincense, gold and myrrh?

The answer predates the origins of Christianity, Judaism, and Islam, going back about a thousand years before Christ to the Persian prophet Zoroaster. Evidence from the Dead Sea scrolls and ancient Persian texts, inform us that our concepts of evil, heaven, hell, last judgment and angels, all originated in Zoroastrian teachings.

The “magi” the only word of Persian origin in the original Greek Bible, were evidently priests of Zoroastrianism which was the official religion of Persia. Imagine something as ludicrous as a Zoroastrian American Foundation beginning a campaign called Take Back the Magi. (And we thought a crèche in the public square was controversial?)

The birth of Zoroaster was indeed quite remarkable and perhaps my favorite. The moment he was born he burst out laughing...and the whole universe rejoiced with him. Now that's a kid worth celebrating.

About five centuries before the birth of Christ, Maya, the mother of Buddha had quite the immaculate conception herself. After several incarnations, The Great Being finally chose the time and place for the birth of Buddha and also announces who the mother will be. Maya fell asleep and dreamed that four angels carried her to the Himalayan Mountains where their queen bathed and dressed her. In her dream, The Great Being entered her womb from the side, in the form of a white elephant. When she awoke she told her dream to the Raja who summoned 64 eminent Brahmins to interpret it.

The Brahmins said: "Be not anxious, O King. Your queen has conceived and the fruit of her womb will be a male child. And if he adopts a householder's life, he will become a king, a Universal Monarch. But if leaving his home he adopts the religious life, he will become a Buddha, who will remove from the world the veils of ignorance."

The Buddha left his mother's womb unsoiled by any impurities from contact with her womb. He was born pure and fair, shining like a gem.

Doesn't all of religion share the same DNA? I'm not saying all religions are the same, for they surely are not. But the starting point for all religions, as phrased so simply by Stephen Prothero from Boston University...the starting point of all religions is that something is wrong with the world.

We feel it now; it has been felt from the beginning. Every prophet has tried to lift the veil of ignorance. In this world, something has gone awry. The Hopi Indians have a word that means: "Life is out of balance." Religions differ as to what has gone wrong, and they disagree with the diagnosis of the problem and how to resolve it. But they all start from the same premise: something is wrong with the world. And life is out of balance.

In Yoga, the point is to learn how to use body and breath to transport you from ignorance to wisdom. There's no intellectual property here because nobody can own that idea; it's all in the same stew: Prophets of long ago and even longer ago, trying to introduce correctives to a world off-kilter. They have their own style and methods, but the goal remains the same: Knock some sense into us stupid human beings.

I give the Buddha a slight edge in this line of work because he actually had a choice of material well-being or the spiritual life. He turned his back on the palace of opulence and took the begging bowl instead. Christ had no choice. He merely fulfilled the plan schemed up by his father. He did a good job, but never had to close the palace doors behind him.

Jesus and Buddha, Mohammed and Confucius, all tried to lift the veil of ignorance. Something is wrong with the world; always was and probably will always be so. Our church's activism offers an indication of just how much injustice does prevail. We are steeped in ignorance.

No one person or body of belief owns the origins of religion. Religion didn't spring out from somebody's imagination who might have said one day: "Hey, I have a good idea. Let's start a religion and remove the veil of ignorance."

I don't want to get into the middle of the debate between Hinduism and Yoga. But clearly, yoga is a practice; it is a means to an end. It is a vehicle to growth, a tool for peace. And so, too are prayer and meditation and any discipline resulting in an

epiphany, and where a bit of our ignorance is illumined and we take the necessary steps towards getting life back into balance.

And this brings us round to Christmas, doesn't it? The time is ripe for an epiphany if we are astute enough to catch it. But there are also all these silly questions: How can Unitarians celebrate Christmas if they don't accept the virgin birth? It's as though there's a copy write on Christmas and any deviation from the "original idea" constitutes a threat to intellectual property.

Maybe Unitarians should organize and "Take Back Christmas." Take it back because a Unitarian minister, Charles Follen introduced the Christmas tree to America and the Unitarian, Edward Hamilton Sears wrote *IT Came Upon a Midnight Clear*, and the Unitarian Charles Dickens gave us *A Christmas Carol*. I think Unitarians own Christmas and Scrooge and the Christmas tree. And Jesus was a religious liberal, after all.

Or perhaps the germination of Christmas actually began before anyone ever heard of Christianity or even Judaism. Take Christmas Back to the time when a baby was born laughing and the whole universe rejoiced with him. Take Christmas back to where we understand that no prophet who ever walked this earth was a consumer of goods, but instead saw limitless consumption as the source of our suffering and ignorance.

How can Unitarians celebrate Christmas if they don't believe in angels heralding the birth of the savior? But there have always been angels heralding the birth of saviors. We wouldn't have any story at all if angels didn't announce the coming birth of one who will bring peace to the world and open our eyes and hearts to the suffering around us. Angels are a necessary part to announcing the beginning of each and every story of wonder. How else would anyone know and prepare for the event? Or is "wonder" protected by intellectual property laws? I don't think so.

And nobody owns the patent on transformation. Not even the caterpillar who emerges one day as a butterfly. Yet transformation seems the task of all religions, each in their own specifically unique ways. In the case of Jesus, the argument goes, he did not take on a human body just to save us from our sins. The point of the Incarnation is that Jesus demonstrated how to inhabit a human body. Humans have the capacity for love and compassion; humans can work towards peace and harmony; humans can transform the world and themselves. Isn't that why Jesus was born in the first place, to lift our veil of ignorance?

In my reading of world religions over these many years, I have discovered that the common call urged by all the leaders is to become fully human. Ignorance prevents us from realizing our full humanity and if we should ever be so enlightened as to grow into the fullness of our humanity, we will experience, as all the prophets tell us, no separation between divinity and a fully awake human being. The call is not to

emulate the various prophets but to learn for ourselves what it means to exercise the gifts...the gifts of justice and love and peace.

That's why I simply love the old tale of the 18<sup>th</sup> century Hasidic rabbi Zusya. It is told that when Rabbi Zusya reaches the next world, God will not ask him, "Why were you not Moses?" but "Why were you not Zusya?"

Today's sermon is one I cannot copy write. The ideas expressed spring from my heart, but there is no originality. I did not create a new artistic or scientific creation. I just wanted to remind myself of the messages going back to antiquity about addressing a world gone tilt with its self-absorption. The ignorance we run into is that we cannot see another's woes; we prefer not to rise to our fullest human potential. With this in mind I prepare myself for Christmas: the angels, the virgin birth, the wise men, and a poor child who suffered greatly for trying to lift the veil. I sometimes think how different the story might be if Jesus was born laughing, or Mary impregnated by God in elephant form. But in the end it really doesn't matter. Nobody owns the stories. They belong to all of us.