Christoph Wulf   *Editor*

# Handbook on Intangible Cultural Practices as Global Strategies for the Future

## Twenty Years of the UNESCO Convention on Safeguarding Intangible Cultural Heritage

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# Heritage Studies

The idea to publish this scientific series emerged as a result of the transformation process of heritage from a cultural and natural asset that provides history and identity to a commodity with economic interests. Its contextual framework is provided by the UNESCO Convention Concerning the Protection of the World Cultural and Natural Heritage (1972), the UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage (2003) and the UNESCO Memory of the World Programme. The research focus of the series is the wide range of applications and constructions of heritage associated with the above-named standard-setting instruments and their corresponding perceptions and paradigms. The reason for this is the fact that despite – or perhaps because of – these standard-setting instruments on the protection of heritage, there is an enormous variety in the understandings of what heritage is, could be or should be.

Different interpretations of heritage are evident in diverse structures and perceptions, from material to immaterial, from static to dynamic or even from individual to social or cultural. These interpretations were expressed in paradigms formulated in very different ways, e.g. saying that heritage has an inherent cultural value or ascribing importance for sustainable human development to heritage. Diverse perceptions of heritage are associated with conservation and use concepts as well as with their underlying disciplines, including inter- and transdisciplinary networks. Regionally and internationally, theoretically and practically, individually and institutionally, the epistemological process of understanding heritage still finds itself in its infancy. Insofar the new series Heritage Studies is overdue.

The series aims to motivate experienced and young scholars to conduct research systematically in the broad field of Heritage Studies and to make the results of research available to the national and international, theoretically- and practically-oriented, disciplinarily and interdisciplinarily established heritage community.

The series is structured according to the key UNESCO conventions and programmes for heritage into three sections focusing on: World Heritage, Intangible Cultural Heritage and Memory of the World. Although the conventions and programmes for heritage provide a framework, the series distinguishes itself through its attempt to depart from the UNESCO-related political and institutional context, which dominates the heritage discourse today, and to place the theme of heritage in a scientific context so as to give it a sound and rigorous scientific base. To this end, each of the three main sections addresses four dimensions of the heritage discourse broadly framed as Theory and Methods, Paradigms, History and Documents, and Case Studies.

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The original submitted manuscript has been translated into English. The translation was done using artificial intelligence. A subsequent revision was performed by the author(s) to further refine the work and to ensure that the translation is appropriate concerning content and scientific correctness. It may, however, read stylistically different from a conventional translation.

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# Acknowledgments

# Contents

# About the Editor

**Christoph Wulf**, PhD, is Professor of Anthropology and Education, member of the Interdisciplinary Centre for Historical Anthropology, the Research Training Group 'Body Stagings' (1997–2006), the Collaborative Research Centre 'Cultures of the Performative' (1999–2010), the Cluster of Excellence 'Languages of Emotion' (2007–2014), and the Research Training Group 'InterArts Studies' (2006–2015) at Freie Universität Berlin. His books have been translated into 20 languages. He was founding secretary of the 'Education Commission' of the 'International Peace Research Association', president of the 'Network Educational Science Amsterdam', initiator and chairman of the Commission on Pedagogical Anthropology of the German Society for Educational Science. He is vice president of the German Commission for UNESCO. His visiting professorships and research stays include: Stanford, Paris, Rome, Lisbon, Vienna, Basel, Stockholm, Amsterdam, London, Tokyo, Kyoto, Mysore, New Delhi, Beijing, Shanghai, Saint Petersburg, Moscow, Kazan, Sao Paulo. His main research interests include: historical-cultural anthropology, pedagogical anthropology, aesthetic and intercultural education, performativity and ritual research, diversity and emotion research, mimesis and imagination research, cultural education, Anthropocene research.

# Chapter 1
# Living Cultures in the Anthropocene: Taking Stock of Intangible Cultural Heritage Initiatives across the World

**Christoph Wulf**

**Abstract** The following article is an introduction to the handbook "Intangible Cultural Practices as Global Strategies for the Future". 20 years after the UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage. The book takes stock. It is divided into five sections dealing with the following topics: (1) Living heritage as an initiator of change; (2) Colonialism, minorities, inequalities and the struggle for human rights; (3) Identity formation, participation and conflicts; (4) Living culture in aesthetic encounters; (5) Challenging issues, future developments and new fields of research. With the help of numerous interdisciplinary and international contributions, the following are examined: (1) intangible and tangible heritage; (2) the selection of practices of intangible cultural heritage; (3) the body and performativity; (4) the mimetic production of intangible cultural practices; (4) community and participation; (5) sustainable development; (6) education for sustainable development, global citizenship and peace; (7) digitalization. The aim of these analyses is to take stock and work out which developments are desirable and possible in the future in order to live as non-violently and sustainably as possible.

**Keywords** Heritage · Living culture · Intangible cultural practice · Body · Mimesis · Performative · Sustainable · Global citizenship · Anthropocene

## 1.1 Introductory Remarks

Culture is a global public good, something of which more and more people are becoming aware (UNESCO, 2022, Mondiacult). Culture shapes the economic, ecological and social aspects of life. This is an era in which people have a strong influence on the fate of the planet, recognizing at the same time how dependent they are on the condition it is in. They realize that they have caused many negative developments that endanger life on the planet and that radical changes are needed to

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rectify this. All social transformation that is necessary in the medium and long term also requires cultural changes, which can become the engine of such social transformation. The corrections and innovations that are needed in the present, to which all countries of the global community have committed themselves in the form of the Sustainable Development Goals 2015 in New York, require comprehensive cultural changes.

Ever since the World Conference on Cultural Policy in Mexico in 1982, "culture" has been seen in a broad sense "as the totality of the unique spiritual, material, intellectual and emotional aspects that characterize a society or a social group. This includes not only art and literature, but also ways of life, basic human rights, value systems, traditions and beliefs" (German Commission for UNESCO, 1983, p. 121).

In the context of the extensive UNESCO programmes to preserve and shape the common heritage of nature and culture, the importance of "living heritage" is becoming increasingly clear. This is the heritage that is passed on from one generation to the next. The practices of intangible cultural heritage form a central part of this (UNESCO Convention, 2003). Awareness is spreading worldwide that these practices are an important part of living cultures and offer opportunities for the creative shaping of the Anthropocene with regard to the Sustainable Development Goals. Living culture is of central importance for communities, nations and regions—for the coexistence of people in the globalized world of our planet. It is created when women and men, old and young, or people with different cultural backgrounds live together. The common and different desires, values, attitudes and behaviours play an important role in this. As they clash, conflicts are resolved, new communities develop and the vibrancy of culture emerges.

The practices of living culture differ depending on social structures (Wulf, 2013; Tauschek, 2013). They develop their dynamics through reference to historically developed forms and models that are taken up and shaped by the members of each generation. In this process, imprints of cultural forms and behaviours are taken which then become the starting point for changed or new practices (Wulf, 2022b). Combining cultural elements from one's own culture with innovative elements from other cultures not only creates the vitality of cultural practices, but also generates their potential for social transformation.

When the Convention for the Safeguarding of Intangible Cultural Heritage was adopted 20 years ago at the instigation of many countries in the Global South, it was by no means clear how important this Convention would become for the global community in the 20 years of its existence (Goncalves de Carvalho & Rodriguez, 2023). This book takes stock. What has been achieved? What are the most pressing unanswered questions? What changes are needed to ensure that the contribution of these practices to the realization of the Sustainable Development Goals continues to grow? Without claiming to be exhaustive, we demonstrate here the significance of these practices of living culture for the present and future of the global community.

## 1.2    Intangible and Tangible Heritage

The UNESCO "Convention for the Safeguarding of the Intangible Cultural Heritage" (2003) has made many countries around the world aware of how important cultural practices are for individuals, communities and societies. This has led to a new awareness of the importance of cultural heritage for social development. Such practices enable people to live together under different conditions; they influence, for example, how we deal with the diversity of animal life and the wealth of forms in nature. Nature and culture are so closely interwoven in people's lives that both can only be understood in their interrelationship. This is all the more the case since there are hardly any areas of our planet today that are not influenced by the effects of human activity (Wallenhorst & Wulf, 2023; Haraway, 2016; Meyer-Abich, 1990).

The practices of intangible cultural heritage are central to the cultural heritage of humanity, which comprises practices from a plethora of different cultures. These practices play an important role in the cultural identity of human beings. "The 'intangible cultural heritage' means the practices, representation, expressions, knowledge skills – as well as the instruments, objects, artefacts and cultural spaces associated therewith – that communities, groups and, in some cases, individuals recognize as part of their cultural heritage" (UNESCO, 2003, article 2). These almost 700 practices in 180 countries are found in the following domains:

- oral traditions and expressions, including language as a vehicle of the intangible cultural heritage (the diversity of legend-telling in Mecklenburg-Western Pomerania; Alheda'a, oral traditions of calling camel flocks, Saudi Arabia, Oman, United Arab Emirates)
- performing arts (Caporeira, Brazil; Bolero in Cuba and Mexico; Ingoma Ya Mapiko, Mozambique)
- social practices, rituals and festive events (Dabkeh, traditional dance in Palestine; Maltese Village Festa, Malta; Nguon, rituals of governance and associated expressions in the Bamoun community, Cameroon)
- knowledge and practices concerning nature and the universe (traditional irrigation: knowledge, technique, and organization, Austria et al.)
- traditional craftsmanship (rickshaws and rickshaw painting in Dhaka, Bangladesh; traditional craft skills and arts of Al-Mudhif building, Iraq; construction metallurgy, France et al.)

This Convention expands the concept of culture, which is based on the understanding of culture in cultural anthropology and ethnology (Wulf, 2013). Culture is not limited to the unique works of high art, nor to the visual and performing arts, music and literature. It is defined more broadly as intangible cultural heritage, which is "transmitted from generation to generation, is constantly recreated by communities and groups in response to their environment, their interaction with nature and their history, and provides them with a sense of identity and continuity, thus promoting respect for cultural diversity and human creativity" (UNESCO, 2003, article 2).

Intangible cultural heritage is an anchor for our rapidly changing society (Wulf, 2024a). Studies show that in a changing world that is under pressure to homogenize, people soon perceive new conditions as "normal" and no longer question development processes. The encounter with practices of intangible cultural heritage allows

the creeping processes of "shifting baselines" to become visible and allows us to experience the present in an overarching historical context and to perceive the openness to change (contingency) of our concrete life worlds (Wallenhorst & Wulf, 2022, 2023). Intangible cultural practices can be strategies of political empowerment and become increasingly relevant the more people are afraid of not being able to consciously shape their lifeworld.

The world's heritage contains both tangible and intangible assets that are equally important to individuals, communities and humanity as a whole and have intergenerational significance. Heritage is an open generic term for all those tangible and intangible assets inherited from a past to which individuals, communities, or humanity as a whole attach salient importance. What is heritage for a community emerges as a consequence of a complex dynamic of determination and selection as well as of proving, updating, transforming and appropriating through practice and interpretative approaches.

UNESCO has developed several programmes for the conservation and promotion of heritage, all of which have different emphases. The intangible cultural heritage practices are part of extensive efforts within UNESCO to raise awareness of the importance of the heritage of nature and culture for shaping the present and the future.

### 1.2.1 World Heritage Programme

The best known of these programmes is the World Heritage Promotion Programme, which began with a convention in 1972 (UNESCO, 1972), since when it has recognized 1199 World Heritage sites in 195 countries around the world. These World Heritage sites are outstanding testimonies to past cultures (933) and unique natural landscapes (168). They are sensory testimonies to the diversity and dignity of cultures. What they have in common is their high universal value—their significance not only for national or local communities, but for humanity as a whole. The protection and sustainable preservation of these sites is therefore the responsibility of the entire international community. Examples of World Heritage Sites are Machu Picchu in Peru and the Acropolis in Greece as well as the Great Barrier Reef in Australia and the Serengeti National Park in Tanzania. Five C's are adopted, which constitute the strategic objectives of the convention:

- Strengthen the *Credibility* of the World Heritage List;
- Ensure the effective *Conservation* of World Heritage Properties;
- Promote the development of effective *Capacity-building* in States Parties;
- Increase public awareness, involvement and support for World Heritage through *Communication*.
- Enhance the role of *Communities* in the implementation of the World Heritage Convention.

## *1.2.2 World Documentary Heritage*

Since 1992, the World Documentary Heritage has contained important testimonies of cultural turning points in history. There are almost 500 documents from almost 30 countries that are part of UNESCO's Memory of the World programme. These are of exceptional value—they raise awareness of the significance of historical events and developments and serve as sources of knowledge for shaping present and future societies. They are safeguarded and made accessible in archives, libraries, and museums. These testimonies include the Gutenberg Bible, Beethoven's Ninth Symphony and the colonial archives of Benin, Senegal and Tanzania.

## *1.2.3 Geoparks*

UNESCO Geoparks are regions with important fossil sites, caves, mines or rock formations. They offer the opportunity to better understand Planet Earth and the conditions of life by following in the footsteps of the past. Currently 195 geoparks in 48 countries have been designated worldwide. These geoparks are model regions for sustainable development. They work on viable future options for a region's landscape and address global societal challenges, such as the fact that natural resources (especially geological resources) are finite and climate change. Examples of geoparks include the Bergstrasse-Odenwald, the Swabian Alps, the German-Polish Muskauer Faltenbogen/Łuk Mużakowa.

## *1.2.4 Biosphere Reserves*

UNESCO, with its 727 biosphere reserves worldwide, identifies model regions and places of learning for sustainable development in 131 countries and makes clear how in a concrete landscape sustainable development can succeed and nature conservation and economy can be brought together. More than 275 million people worldwide live in these biosphere reserves. In Argentina these include the delta of the Paraná, in Ethiopia Lake Fana, and in Brazil the Central Amazon.

In recent years, many World Heritage Sites, World Documentary Programmes, Geoparks and Biosphere Reserves have intensified their efforts to make their areas part of "living culture" through intangible cultural practices. To this end, they have drawn on existing intangible cultural practices. Above all, however, new intangible cultural practices were developed in cooperation with these programmes, with the help of which the values and norms, goals and concerns of these programmes were passed on to the next generation.

## 1.3   Selection of Intangible Cultural Heritage Practices

How intangible cultural heritage practices are identified and selected for the various lists in different countries and regions of the world is quite complex. Since these practices are linked to the structures of the respective societies, the selection processes must be understood in the context of these structures and the political forces at work within them. Case studies can be used to illustrate the connections between the structures of society and the practices of intangible cultural heritage. Historical studies can specify the context of the emergence and further development of these practices. Many of them originated in social subsystems and are still linked to them today. These include, for example, religion, crafts, music and the performing arts. The political system also plays a role in the emergence and shaping of intangible heritage practices. Many practices survive the changes in political systems or even play a productive role in shaping them. This has been the case in the Baltic countries, Poland (cf. *Hanna Schreiber*), Japan (cf. *Pier Luigi Petrillo*) and Korea (cf. *Hanhee Hahm*) in recent decades.

In other parts of the world, colonialism has used intangible cultural practices for the brutal subjugation of indigenous peoples. This has led to a destruction of their imaginary, replacing it with a new "Christian-European" imaginary (Todorov, 1999). As postcolonial studies show, the effects of colonialism, capitalism and imperialism still have a strong impact (Chakrabarty, 2018, 2021). In other cases, practices of intangible cultural heritage contributed to the exclusion of minorities, such as Jews in medieval festivals or refugees and immigrants in the cultural activities of the majority society. Overt and covert racism were, and still are, part of many intangible cultural heritage practices (cf. *Nina Graeff* or *Michelle Stefano*). Therefore, on the basis of the 2003 Convention, intangible cultural heritage practices strongly oppose all forms of discrimination and exclusion of minorities and the racism in the name of human rights (cf. *Kristin Kuutma & Elo-Hanna Seljamaa*). One example of this is the controversial revocation of the UNESCO award for the Aalst Carnival due to accusations of anti-Semitism. Countering racism through education is still a very important task (UNESCO, 2024).

One reason for the successful engagement of intangible cultural practices against racism, exclusion and discrimination lies in the careful decision-making processes that lead to the identification and designation of intangible cultural practices. Sometimes conflicts arise in these processes among the supporting groups themselves or between the supporting groups and political representatives, conflicts in which stakeholders from other groups may also be involved. Different perceptions of values and priorities play a role in these disputes. Some of these conflicts have an influence on what is considered intangible cultural heritage in a society and what is rejected. In all States Parties, there are different forms of organization and decision-making that lead to the selection of intangible cultural heritage practices. Put simply, there are two different ways decisions are made. On the one hand, this happens in a top-down process by ministries and their administration. On the other hand, decisions are made in bottom-up processes, in which the organizations responsible for

the practices can apply and in which the decisions are reached by politically independent civil society commissions. These decisions, which are based on extensive expertise and careful scrutiny, are generally adopted by the political authorities. In most countries the selection processes have developed hybrid forms of both procedures.

In some countries, specific legislation provides the framework for dealing with intangible cultural heritage. In the case of Japan and Korea, this serves to create the basis on which decisions are made. In countries such as Switzerland, Germany and the Netherlands, procedures based more on the bottom-up model have been developed, which give civil society considerable influence.

In Japan, after the Second World War, intangible cultural heritage was identified as one of the most important areas for the reform of cultural programmes. Legislation helped to ensure the importance of intangible cultural heritage for the preservation of Japanese identity in crisis (Petrillo, 2019; Kono, 2019).

In Korea, since the Cultural Property Protection Act (CPPA) of 1962, which was intended to help safeguard Korean identity after the long period of Japanese occupation, there have been extensive legislative measures to secure an appropriate frame of reference. Initially, Korean legislation provided an important impetus for the drafting of the 2003 Convention. In 2023, suggestions were then made by the UNESCO Convention while working on the "Framework Act on National Heritage", which led, for example, to the term "cultural property" being replaced by "heritage". In the Korean Intangible Cultural Heritage System, six characteristics can be distinguished that are taken into account when dealing with and selecting ICH (cf. *Hanheh Hahm & Yong Gu Kim*):

- originality and quality of practice (the principle of archetype);
- prioritizing the proposals mentioned by the municipalities (selective protection approach);
- recognizing and supporting selective holders and trainees (hierarchical transmission system);
- influence of the government on transmission activities;
- operation of two protection laws, (a national law and the 2003 UNESCO Convention);
- insufficient community protection.

In Germany, which joined the Convention in 2013, a relatively strong bottom-up procedure was chosen. Anyone can apply and submit their application to the relevant body in their federal state, where it will be reviewed by a commission. As each of the 16 federal states in Germany is responsible for culture and education, a commission appointed there also decides whether the application will be forwarded. Each federal state can forward up to 4 applications. Considering that the federal states vary in size, this is a structural problem. Up to 64 applications are submitted to the Intangible Cultural Heritage Expert Committee, which makes a recommendation for the national list, which must then be confirmed and legitimized by the Standing Conference of the Ministers of Education and Cultural Affairs (KMK), the joint representation of all the federal states. Several federal states offer applicants advice. Some, such as Bavaria and North Rhine-Westphalia, also have their own lists for intangible cultural heritage. From the practices selected by the German Expert Committee for the national list, a proposal is made every two years for the

international nomination, which must be confirmed by the KMK, the Federal Foreign Office, and the Federal Ministry of Culture.

The Expert Committee has developed the following criteria for the acceptance or rejection of applications for intangible cultural heritage practices, which should help its members to make the right selection decisions. They are of fundamental importance for the selection process:

- the demonstrable vitality of the cultural expression,
- processes of passing on skills and knowledge are presented,
- active doing or performing is at the centre of the proposal,
- active tradition bearers who might or would win partners for preservation and
- development measures within the framework of a preservation plan.

As important as these criteria are, which are continually being revised, they are only used to support the evaluation and decision-making process by the members of the expert committee. In Switzerland (cf. *Stefan Koslowski & Julien Vuilleumier*) and the Netherlands (cf. *Sophie Elsper*), too, the selection and awarding of prizes tend to take place in bottom-up processes.

## 1.4 Body and Performativity

In contrast to cultural world heritage sites such as the Acropolis or the Taj Mahal, which are built of stone, the carrier of intangible cultural heritage is the human body and its performativity. In the first case, the task is to preserve the world heritage site as an outstanding testimony of its culture and time. In the second case, the human body is the important feature of intangible cultural practices. In order to understand the complex anthropological significance of examples of intangible cultural heritage, it is necessary to examine their physicality and performativity. In festivals, rituals, artistic representations or craft practices and forms of traditional knowledge of nature and the cosmos, the body is the medium of enactment and performance (Kraus & Wulf, 2022; Michaels & Wulf, 2010, 2012). Whereas the sites of world cultural heritage remain unchanged, changes to traditional performative practices of intangible cultural heritage are essential for these practices. In every staging, every performance of rituals, artistic representations and craft practices, a combination of traditional and innovative moments is created. Each production and performance is different from the next. The design of the elements that make up the practice is a task that is solved differently from case to case, from context to context.

The aspect of acting, speaking and behaving that is closely linked to the human body and has to do with staging and performing is known as performative. The performative view of human activity differs from reading the symbolic structures of actions as though they were texts and analysing them hermeneutically. Focusing on the performative character of interaction reveals a fundamental difference between how human behaviour is staged and performed and how it is interpreted. Initially an action takes place which requires the application of skill for its execution. In a

second stage, the interpretation of the action takes place after the event and this interpretation requires hermeneutic skills. Practical knowledge is required to carry out actions; hermeneutic knowledge is required to interpret them. When focusing on the performative, one difficulty consists in detecting how the performative aspects of social and aesthetic practices actually come into being (Spivak, 2012).

Three aspects are important in understanding the performativity of intangible cultural practices (Wulf, 2013). One is developed in the field of cultural anthropology and relates to different forms of cultural performances (*Milton Singer*, cf. Singer, 1959). The second aspect is developed in the philosophy of language and looks at performative utterances (*John L. Austin*, cf. Austin, 1962). The third aspect relates to the aesthetic side—performative art. The core of this last concept is the staging and performing of the body and its ability to portray and express itself. In these aesthetic performances, there is no text as in the theatre, and therefore there are quite new opportunities to do this. Performativity is used as a derivative term which designates all these aspects, and which can be defined as the combination of cultural performance, speech as action and the (aesthetic) staging and performing of the body (Wulf, 2013, 2022a, c).

Intangible practices create cultural performances. According to Milton Singer, these include "particular instances of cultural organization, e.g. weddings, temple festivals, recitations, dances, musical concerts, etc." (Singer, 1959, XIII). Such performances are used to express and represent the self-image of a culture to its members and to outsiders. "For the outsider these [cultural performances] can be conveniently taken as the most concrete observable units of the cultural structure, for each cultural performance has a limited time span, a beginning, a place and occasion of performance" (ibid.). The term performance, in its pure sense, can also be applied to everyday actions. In this case, performance is understood as the corporeality, the staging and the event character of social actions. Social and cultural activity is more than just the realization of intentions. This additional aspect has to do with the manner in which people fulfil their intentions by staging and performing them. The reasons behind the modus operandi for these actions can be found in the historical and cultural circumstances, in the specific features that make up the individuality of the participants and the event nature of social action and practice.

Verbal utterances that are also actions are performative. Performative utterances have four features that distinguish them from other utterances. The first of these is the self-referential character of performative utterances. They often feature the word "herewith". In this case something is done as something is said, e.g. "I herewith christen you Louise". The second feature is the declarative character of such utterances. Making a statement is sufficient for it to become a reality. Performative utterances are frequently linked to social institutions. This is the case, for example, during wedding ceremonies, the conclusion of contractual negotiations and appointments to an office. Finally, performative utterances consist of utterances formulated in advance, which have a repetitive or stereotypical character. If one uses the term performative in a broader sense, then the focus shifts to the performative character of language and thus to the relationship between body and language. In this connection, it is possible to analyse intangible cultural practices in terms of their performativity.

How can the relationship between language and use of the body be determined? How are feelings, laughter and gestures staged and performed? How do literary genres differ in regard to their performativity, etc.?

The third aspect of the performative relates to the creative performance. The nature of these performances is determined by three different factors (Wulf et al., 2001). These are, firstly, the materiality of the performance, which is determined by the location (theatre, factory, public space) and the body of the performer, its movements, the accessories (language, music, etc.); secondly, the mediality of the performance and how it is presented to the audience—the use of pictures, excerpts from films or virtual reality; thirdly, the aesthetic aspects of the performance, which are largely determined by its event characteristics (Wulf, 2022a; Hueppauf & Wulf, 2009). Ludic elements and spontaneous actions play an important role here, as well as the fact that there is no script to dictate proceedings.

When performativity is discussed in intangible cultural practices, the cultural performance and language as action aspects and also the aesthetic aspects of the staging and performing are considered in relation to each other. This may be done, for instance, in studies or research into rituals and the way social behaviour is engendered by the performative nature of ritual actions. Here the focus is on the social and cultural shaping of the body and the performative, practical knowledge stored within it. This knowledge is corporeal, ludic and ritualistic; it is also historical and cultural. Performative knowledge evolves in face-to-face situations and is semantically ambiguous. It is aesthetic and evolves in mimetic processes. It also has imaginary components, contains a multiplicity of meanings and cannot be reduced to intentionality alone. It is expressed in the performances and staging of everyday life, literature and art (Wulf, 2022a).

## 1.5    Mimetic Production of Intangible Cultural Practices

The practices of intangible cultural heritage are passed on from one generation to the next. At the centre of this transmission are mimetic processes. These are directed towards heritages, social communities and other people and ensure that such practices are kept alive in the imaginary of the next generation. Mimetic learning is a sensory, body-based form of learning in which images, schemas and movements are learnt in order to perform cultural and social actions. It means relating to other people or other 'worlds' with the intention of becoming similar to them. Mimetic behaviour or action is an important part of the practices of intangible cultural heritage and has a productive function at the same time (Gebauer & Wulf, 1995; Wulf, 2013, 2022a, b, c, e). The capacity to identify with an intangible cultural practice is linked with the desire to perform and to understand it. This desire is a prerequisite for understanding the intentions of other people as they communicate them in gestures, symbols and other constructions.

Unlike processes of mimicry, where the person simply adjusts to the given conditions, mimetic processes produce both similarities to and differences from the cultural practices to which or whom they refer (Deleuze, 1994; Wulf, 2022b). By "making ourselves similar" we experience culturally shaped practices and acquire the ability to orient ourselves in a social field. By participating in the cultural practices we expand our own life-worlds and create new ways of acting and experiencing for ourselves. In this process, receptivity and activity overlap and the given cultural practices become interwoven with our individuality as we relate to them mimetically. We recreate cultural practices and make them our own by duplicating them. We make ourselves similar to the cultural practices and change in the process. In this transformation our perceptions of the cultural practices and of ourselves are altered.

We can describe social and cultural actions as mimetic if, firstly, as movements they refer back to other movements, secondly, they can be understood as physical performances or stagings and, thirdly, they are stand-alone actions that can be understood in their own terms and that refer to other actions or worlds. This means that actions such as mental calculations, decisions or reflex behaviour, and also one-off actions and actions that break the rules, are not mimetic (Gebauer & Wulf, 1998; Wulf, 2022a). There are seven aspects that help us to better understand the cultural significance of mimetic processes:

1. The linguistic origin of the term 'mimesis' and the historical context of the way it was originally used point to the role that mimetic processes play in the staging of cultural practices and the culture of performativity (Gebauer & Wulf, 1995).
2. Mimesis must not be seen as simple copying as in making copies. What it is, is far more a creative human capacity which assists in the creation of new things (Wulf, 2013, 2022a, c; Lawtoo, 2022).
3. The performativity of social and cultural actions and behaviour is an important prerequisite for mimetic learning processes (Wulf et al., 2001, 2021; Wulf, 2013).
4. In the arts and in aesthetics, mimetic processes play an important role. However, it is important to recognize that mimesis is not restricted to aesthetics. It is, in fact, an anthropological concept which has a distinct aesthetic element (Wulf, 2021, 2022a).
5. It is through mimetic processes that the collective and individual imaginary of intangible cultural heritage come into being. In the imaginary an interweaving of past, present and future takes place. It is a centre upon which social and cultural action are based (Hueppauf & Wulf, 2009; Wulf, 2022a, d; Resina & Wulf, 2019).
6. Through mimetic processes we gain practical knowledge, which is silent, body-based knowledge and is important for how we live with our fellow human beings (Wulf, 2016; Kraus et al., 2024).
7. Mimetic processes do not only have positive effects. Through their blurring of boundaries and contagious nature they can also lead to violence. This happens, for example, when rivalry is whipped up through mimetic processes, or when

scapegoats are created or responsibility is delegated to groups and crowds (Girard, 1977, 1986).

Recent studies in the field of primate research have shown that although elementary forms of mimetic learning can be found in other primates as well, human beings are especially capable of mimetic learning. In the light of the research into the social behaviour of primates and comparing ourselves with them, studies in the field of developmental psychology and cognitive psychology over recent years have managed to pin down some characteristics of mimetic learning in humans at a young age and ascertain the special nature of mimetic learning in babies and small children (Tomasello, 1999, 2014).

These insights are confirmed by research in the neurosciences that began to prove that humans differ from other primates in that they are equipped in a special way to discover the world in mimetic processes (Rizzolatti & Sinigaglia, 2008; Jacoboni, 2008). This research also makes clear why mimetic processes are so important for the learning and transfer of intangible cultural heritage. The reason for this is the mirror neuron system. The analysis of the way mirror neurons function shows how recognition of other people, their actions and intentions is dependent on our capacity for movement. The mirror neuron system appears to enable the human brain to relate observed movements to our own capacity for movement and to recognize the importance of this. Without this mechanism we would perceive the movements and actions of other people but we would not know what their actions mean and what they are really doing. The mirror neurons are a physiological condition for us to be able to act not only as individuals but also as social beings. They are important in mimetic behaviour and learning, gestural and verbal communication and understanding the emotional reactions of other people (Wulf, 2021; Wulf et al., 2021). The perception of someone's joy activates the same areas of the brain that would be activated if we were feeling these things directly ourselves. Although there are also non-human primates that have mirror neurons, the system is more complex in human beings. Unlike non-human primates, humans have the capacity to differentiate between transitive and intransitive movements and to select types of action and the sequence of actions that constitute these types. Mirror neurons can also become active in actions that are not carried out in reality but are merely imitated. The mirror neuron system enables us to grasp the actions of other people, and not just isolated actions but also sequences of actions.

Mimetic learning often occurs unconsciously and is responsible for the lasting effects that play an important role in all areas of cultural development (Kraus et al., 2024; Kraus & Wulf, 2022; Wulf, 2022c). In the appropriation of practices of intangible cultural heritage, there is the opportunity to leave egocentrism, logocentrism and ethnocentrism behind and to be open to experiences of otherness (Wulf, 2006, 2016). However, mimetic processes are also linked to aspirations to forms and experiences of higher levels of life, in which vital experiences can be found. As with the experience of love, mimetic movements invoke the power to see similarity in the dissimilar. No knowledge is possible without the production of similarities, without mimesis. It is certainly accepted in scientific knowledge that mimesis is

indispensable in the process of knowing. Cognition itself cannot be conceived without the supplement of mimesis, however that may be sublimated. Without mimesis the break between subject and object would be absolute and cognition impossible (Adorno, 1984). If a mimetic element is indispensable in knowledge, it is also at the heart of cultural experience (Michaels & Wulf, 2020). Mimetic processes in the context of intangible cultural heritage, therefore, are of central importance for our understanding of the human situation in the globalized world of the Anthropocene (Gil & Wulf, 2015; Wallenhorst & Wulf, 2022, 2023).

## 1.6 Community and Participation

Mimetic processes play a central role in the staging, performance and transmission of intangible cultural heritage practices. They are directed towards the creative reception of cultural heritage. First they take up elements from intangible cultural practices and bring them into the present. Secondly there is a reciprocal mimetic reference between the people involved in the performance of the practices. This can be illustrated using the example of a city festival. In the first phase, traditional elements of the ritual festival are selected. In order to perform them "correctly", a mimetic interplay between the people involved in the festive ritual is also required. In order for feelings of community to arise in intangible cultural practices this two-fold mimetic relationship is needed. Only when both mimetic processes are successful do the rituals of the festival engender happiness and joy. A third type of mimetic process takes place when observers watch the performance and, by doing so, participate in it. In this process the following aspects are important:

### 1.6.1  Flow Experiences

The mimetic interplay in intangible cultural practices leads to a "flowing" of feelings between the people involved. In this context, Csíkszentmihályi (1990) has aptly spoken of "flow" experiences. People experience this "flow" in joint actions as the success of their actions, and as meaningful and satisfying. This "flow", which can also arise between people who do not know each other, leads to an intensification of one's own feelings and to the development of a sense of community that dissolves the distance between people and is experienced as joyful. Music, rhythmic movements and words support these processes and intensify the formation of community. These processes also play an important role in other areas of intangible cultural heritage, such as collaboration between craftspeople for example. Here, it is the task-based collaboration that can lead to "flow" experiences and the creation of a community between the craftspeople. The collaboration between craftspeople from several European cathedral construction companies during the restoration of Notre Dame Cathedral in Paris is an example of this.

Flow experiences and feelings of community contribute to self-assurance and the development of identity. With the help of intangible cultural heritage practices, identity can be formed in different time periods and cultures. In or after crisis situations in which identities are shaken, the consolidation of existing identities or the formation of new ones is particularly important. Such situations arose, for example, after the long Japanese occupation of Korea and after the occupation of Japan by the Americans following the Second World War. In both cases, the practices of intangible cultural heritage helped to develop new forms of identity within the newly emerging democratic systems by incorporating existing traditions (cf. *Hanhee Hahm & Yong Gu Kim;* cf. *Pier Luigi Petrillo*).

## 1.6.2   Intergenerational Learning

With the help of their productions and performances, intangible cultural practices can highlight differences between generations, genders and social classes, and between minorities and the majority culture, and deal with them constructively. Many practices make it possible to live with these differences, at least temporarily. In many countries, carnival is a practice recognized as intangible cultural heritage that has a number of common elements, but at the same time stages and performs them differently. In most carnival events, participants come from different social classes and belong to different generations and genders. Nevertheless, here they have the opportunity to take part in the festive rituals together. The same applies to children and young people from different social classes. Some children take part in the preparations for the carnival processions months in advance and gain important social experience in the process. Important learning processes take place in intergenerational preparations. Intergenerational learning plays an important role in most practices of intangible cultural heritage. In participating in intangible cultural practices through mimetic processes related to the adults the young people learn *how* to perform the practices. They acquire a practical knowledge which has not only skill but also social and emotional components important for their future life. The adults enjoy their own role in these processes and the fact that the young people are learning. They discover new ways of handling familiar things and have refreshing new experiences through communicating with the young people.

## 1.6.3   Gender-Specific Learning

In practices of intangible cultural learning, gender-specific learning takes place, meaning that variations are also possible. The spectrum ranges from more traditional gender behaviour to the development of new gender-specific attitudes and behaviours. In the case of carnival and its preparations there are many traditional norms and also numerous actions that transcend them. Examples of more traditional

behaviour include the girls' and women's leg-swinging dances, the different roles of women and men in the parades and festive events, the carnival speeches, the singing interludes, the duets and ventriloquism. In the carnival atmosphere many actions that transcend traditional gender roles are permitted that would be almost impossible on other days. The extent to which these actions affect everyday behaviour is an open question (Janse, 2022).

### 1.6.4  Inclusivity

The practices of intangible cultural heritage help to create a sense of community and identity. As part of UNESCO's selection of intangible cultural practices, care is taken to ensure that the feelings generated in the practices do not lead to the exclusion of other people. The cultural practices must be open enough not to exclude people with different feelings, attitudes and behaviours, but to give them the opportunity to become part of the community with their differences. Inclusion instead of exclusion, participation instead of marginalization is intended.

## 1.7  Sustainable Development

The practices of intangible cultural heritage have a strong influence on people's lives in the Anthropocene. The reasons for this are manifold and vary depending on the historical and cultural context. Since industrialization, and especially since the discovery and use of nuclear energy and the tremendous acceleration of life in the second part of the twentieth century, a situation has arisen on our planet in which humankind is confronted to a great extent with the ambivalent effects of its actions. The developments of climate change and environmental destruction, which began in the past, affect the present and threaten the future. They trigger justified fears for the future among many people. Long unrecognized, then downplayed and now unavoidable we find negative developments of modernity that are almost impossible to put right. These also include the destruction of biodiversity, non-renewable resources and biochemical circuits. They cause ocean acidification, pollution and the excessive cultivation of almost half of the land's surface by humans (UNESCO, 2015a; Wulf, 2020, 2022b). In the Anthropocene we find the threat of planetary tipping points, with irrevocable negative consequences (Wallenhorst & Wulf, 2023).

Comprehensive changes are needed to stop these developments and move in the direction of sustainability, particularly in the areas of the environment, the economy and social affairs. Sustainability can be defined with the help of the 17 Sustainable Development Goals adopted by the UN General Assembly in New York in 2015. The aim of these goals is to change human behaviour on the planet. They are intended to guide the development of world society towards stopping the negative effects of modernity by 2030 (Wallenhorst & Wulf, 2023). Under the paragraph

entitled "Culture as a Transformative Driver of SDGs", the G20 New Leaders' Declaration reaffirms culture as a transformative powerhouse for sustainable development. It points out that the cultural and creative sector accounts for 3.1% of GDP and 6.2% of all jobs. "We call for the full recognition and protection of culture with its intrinsic value as a transformative driver and an enabler for the achievement of the SDGs and advance the inclusion of culture as a standalone goal in future discussions on a possible post-2030 development agenda" (UNESCO, 2023a, 31). In this globally large social area, the practices of intangible cultural heritage are of considerable importance for the transformation of society in terms of sustainability.

How can intangible cultural practices help to remedy the situation? There are two complementary perspectives that aim to transform the negative aspects of the Anthropocene (Wulf, 2023). One is based on the Sustainable Development Goals, the other on the practices of intangible cultural heritage. In order to contribute to the transformation of society towards sustainability, both perspectives must be related to each other. The Sustainable Development Goals of the 2030 Agenda and their plans for action can be separated into five interrelated areas (the '5 Ps'). In each of these areas, intangible cultural heritage practices can be identified that already contribute to the Sustainable Development Goals or can do so through appropriate modifications:

1. *Planet*: The tasks here are the creation of an ecologically healthy environment for humans, animals and plants and the preservation of biodiversity.
2. *People*: The goals are to reduce hunger and poverty, enable all people to live in dignity and create a healthy environment.
3. *Peace:* It is necessary to reduce violence, especially the potential for manifest violence (more than 10,000 atomic and hydrogen bombs), and to create social justice for all people.
4. *Prosperity*: The aim is to improve living conditions through economic and technical developments in such a way that the well-being of all people becomes possible.
5. *Participation*: Since the problems of the Anthropocene are not only local and regional, but also global, worldwide cooperation is required.

In each of these areas, practices of intangible cultural heritage increase the awareness of the importance of sustainability and peace for the future of humanity and the planet. They can create an awareness of the uniqueness of the planet and of human co-responsibility for it. They can support people in leading a peaceful life oriented towards prosperity for all, in which participation and solidarity are of central importance. In recent years, however, it has also become clear that there are contradictions and conflicts within the many discourses on sustainability. A precise analysis of the term and its use shows that the reference to sustainability often leads to dilemmas in which solutions are only found through problematic weightings and additional assumptions (Singer-Brodowski, 2023).

The example of the multinational intangible cultural practice of "rafting" shows how rivers have been used to transport wood in a sustainable way since the Middle Ages. Even if this technique is no longer of economic benefit, many communities and

clubs develop an understanding of nature as a shared environment (*Mitwelt*) through the construction and use of rafts. The design possibilities offered by nature are used without harming it. Important community experiences are gained through the practice of reduced violence in dealing with the forces of nature. In many communities, this helps to develop a lively interest among the younger generation in continuing and maintaining this tradition. Older and younger members of rafting clubs enjoy their activities. Many clubs report that people with a migrant background also take part in their community-building activities. Reduced violence in dealing with nature also leads to less violence between people. In addition to valuable experiences of nature, important social experiences are created that contribute to people's well-being.

The spectrum of intangible heritage practices that contribute to sustainability is broad; it encompasses the central fields of the Convention already mentioned above: oral traditions and expressions, performing arts, social practices, rituals and festive events, knowledge and practices concerning nature and the universe, traditional craftsmanship. In their fields, intangible cultural practices create social realities and can therefore also realize social transformations. The intensity of their effects lies in their being based on the physicality of people, in their performativity, encompassing language, imagination and behaviour, and in their effects on education and socialization. According to an analysis by UNESCO, most of the 700 intangible cultural practices on the "Representative List" can be assigned to one or even several Sustainable Development Goals. 505 elements were linked to SDG 16 (Peace, Justice and Strong Institutions), 109 to SDG 2 (Zero Hunger), and 144 elements to SDG 12 (Responsible Consumption and Production). These links can be explored further through the Dive into Intangible Cultural Heritage platform on the UNESCO website.

According to the UN, the realization of the Sustainable Development Goals is a planetary task and therefore must be supported by global citizenship. This is based on the fact that we belong to a planetary community and requires the consideration of corresponding rights and duties. Thus, all human beings have, within the scope of their abilities, a responsibility for the planet. "Global citizenship is the umbrella term for social, political, environmental, and economic actions of globally minded individuals and communities on a worldwide scale. The term can refer to the belief that individuals are members of multiple, diverse, local and non-local networks rather than single actors affecting isolated societies. Promoting global citizenship in sustainable development will allow individuals to embrace their social responsibility to act for the benefit of all societies, not just their own" (https://www.un.org/en/academic-impact/global-citizenship). The development of a sustainable pluriversal world community is at the centre of a new view of people and the world which includes social and cultural participation. It commits the individual to the world community and the world community to the individual (Bhabha, 2004; Dussel, 2013; Escobar, 2018).

The concept of pluriversality is intended to demonstrate that sustainable development and global citizenship are not homogeneous concepts. Depending on the region, depending on the type of influence of colonialism and racism, the concept of pluriversal global citizenship contains many contradictory and even conflicting elements. Human rights can serve as a common frame of reference for these

differences (Ishay, 2007). They are "rights inherent to all human beings, regardless of race, sex, nationality, ethnicity, language, religion, or any other status. Human rights include the right to life and liberty, freedom from slavery and torture, freedom of opinion and expression, the right to work and education, and many more. Everyone is entitled to these rights, without discrimination" (United Nations, 1948). This does not always lead to clear interpretations. In addition to biological and individual differences, historical and cultural differences play an important role. The simultaneity of the non-simultaneous between countries and regions, states and their political systems determines the quality and intensity of feelings, and thus also the feeling of belonging to a community. As such, the formation of a pluriversal world community connects desires and imaginations, rational cognitions and differing sensations and releases energies for action and behavioural energies (Wulf, 2006, 2016, 2021; Michaels & Wulf, 2012, 2014; Wulf & Merkel, 2003).

## 1.8 Education for Sustainable Development, Global Citizenship and Peace

Education for sustainable development, global citizenship and peace pursue similar objectives. They cannot always be clearly distinguished from one another. Rather, the transitions between them are fluid. Depending on the region and culture, these three fields of education have different focuses. They all aim to provide a general education in which differences are of constitutive importance. Their aim is a planetary pluriversal education for all people, in which intangible cultural practices play an important role. These practices also have the as yet underutilized potential to reduce violence against nature, other people and people against themselves. A wider public is gradually becoming aware of the important contribution that intangible cultural heritage practices make to educating people (Wulf, 2023). Such practices help people from different social and cultural backgrounds to lead meaningful and fulfilling lives. Education in intangible cultural practices must be developed in such a way that sustainability, peace and global citizenship work together wherever possible (Vare & Scott, 2007; Hallinger & Nguyen, 2020; Tryggvason et al., 2023; Wulf, 2022b).

### 1.8.1 Education for Sustainable Development

Education for sustainability is not limited to school education—it is a lifelong task. Children, young people and adults all take part in many practices, in intergenerational communities. Young people are involved in festivals, rituals and artistic performances. In mimetic processes, they experience how members of the adult generation shape these practices. In doing so, they perform sensual and linguistic, physical and social processes whose educational character cannot be

overestimated (Kraus & Wulf, 2022; Kraus et al., 2024). Due to the emotional relationships between members of different generations, the experiences in these practices are intense and formative. They create foundations on which other educational processes later build.

The practices of intangible cultural heritage can be used specifically to promote education for sustainability. This includes education with reference to gender, heritage and indigenous peoples. Intangible cultural practices are vital to education for sustainable development, i.e. to achieving

- *inclusive social development*: food security, health care, equitable access to clean water, social cohesion, gender equality;
- *environmental sustainability*: to protect biodiversity, local knowledge and practices concerning research on environmental sustainability, community-based resilience to natural disaster and climate change;
- *inclusive economic development*: to develop livelihoods of groups and communities, generate revenue and decent work,
- innovations for development, benefit from tourism;
- *peace and security*: prevent or solve disputes, restoring peace and security, to last peace and security (UNESCO, 2015c).

Intangible cultural heritage practices can supplement school lessons in many subjects. They cover programmes of formal and non-formal learning and can be used in technical and vocational education, in mother tongue and multilingual education and teacher training (UNESCO, 2019a). Gender equality is a central value (UNESCO, 2015d), and they create gender identities, diversity of gender concepts, and new gender roles for men and women (Janse, 2022). Intangible cultural practices are also crucial for indigenous people. They can be strengthened through the transmission of their heritage, resulting in the sustainable development of their identities and cultures (UNESCO, 2019b). Furthermore, the question arises as to whether and to what extent indigenous cultures have knowledge that contains important insights for the shaping of the future relationship of humans with nature and for human self-understanding (de Medeiros & Panzanesi, 2024; Smith, 2021; Land, 2015; Mignolo, 2011).

In a vivid and experiential way, practices of intangible cultural heritage help to convey the values, attitudes and experiences that are central to sustainable education. By engaging with these practices, young people acquire a lively knowledge of foreign cultures, which is of central importance in a pluriversal global world. The practices of intangible cultural heritage contribute to making the general concept of education for sustainable development applicable in different cultural contexts. Education for sustainable development should be *inclusive, equal, high quality and lifelong*. It is based on a vision of education and development which is derived from human rights and dignity, social justice, security, cultural diversity and shared responsibility (UNESCO, 2001, 2005). Education is seen as a common good and a fundamental human right. Realizing these goals is necessary for the achievement of peace, human self-realization and sustainable development.

Education for sustainability does not aim to impart encyclopedic knowledge, but must select its content carefully (Fischer et al., 2022). In this context, it is particularly important to engage with the central values of a pluralistic education that strives to realize human rights and to critically reflect on societal, cultural, social and everyday life processes. Amazement *(thaumazein)* plays an important role in both aspects. Why is the world like this and not different? Why are people the way they are and why not different? Amazement can become a starting point for the transformation of outdated social structures. Education for sustainability using practices of intangible cultural learning requires research-oriented learning. Searching questions arise that can become important components of critical educational processes. Amazement, curiosity and personal questioning lead to educational processes that are of central importance for the development of sustainability, peace and global citizenship (Wulf, 2024b).

### 1.8.2   Global Citizenship Education

The aim of global citizenship education is a political education of the world community that focuses on sustainability and peace. On the one hand, global citizenship education claims to be worldwide, i.e. universally valid, but on the other hand it can only develop through specific content. It must therefore relate local, national, regional, global and planetary thinking and action to each other and thus contribute to a new understanding of transformative education in the twenty-first century (Andreotti, 2014; Knobloch, 2022). Structural and individual perspectives play an important role in this. In normative terms, they can contain neoliberal or more liberal-critical aspects. The former are based more on the OECD's understanding of education with its international comparative tests. The latter are more inspired by critical theory or pedagogues such as the Frankfurt school of critical thinking or Paulo Freire. They focus on the after-effects of colonialism, imperialism and Eurocentrism. The aim is to teach human rights and democratic behavior and to overcome colonialism and exploitation (Oxley & Morris, 2013; Tarozzi & Torres, 2016). Transformational global learning is required in which knowledge of non-knowledge is a constitutive element. Global citizenship education aims at a planetary political general education in which pluriversal thinking is constitutive.

According to UNESCO (2015b), global citizenship has three dimensions: "*Cognitive*: To acquire knowledge, understanding and critical thinking about global, regional, national and local issues and the interconnectedness and interdependency of different countries and populations; *Socio-emotional*: To have a sense of belonging to a common humanity, sharing values and responsibilities, empathy, solidarity and respect for differences and diversity; *Behavioural*: To act effectively and responsibly at local, national and global levels for a more peaceful and sustainable world."

How can intangible cultural heritage practices help to engage people in global citizenship? In this process, the cognitive, socio-social and behavioural dimensions

must be taken into account and people must be given an understanding of global structures and different cultural identities. To this end, the values and attitudes evident in the practices must be analysed and critically assessed. At the same time, it is important to develop empathy for others and their diversity and to develop a willingness to take responsibility for global issues and to align one's own actions accordingly (Costa et al., 2024).

The entries on the "Representative List" of Intangible Cultural Heritage show how diverse the practices listed from the different cultures are. The broad spectrum of these practices makes it possible to experience how these events are dealt with in foreign cultures, for example by means of festivals, their rituals, dances and songs. The spectators at these festivals are "infected" by the joy and enthusiasm of the festival participants. They perceive similarities in the behaviour of the foreigners and experience their alterity while at the same time feeling a sense of familiarity (Wulf, 2006, 2016). For example, the rituals commemorating the day the first atomic bomb was dropped and the re-examination of the whole issue of nuclear power provoked by this can be used to promote global citizenship. The craft practices of the builders who constructed and maintained the great cathedrals of the Middle Ages, or the skills required for organ building and organ music as well as for the maintenance of Japanese gardens also provide experiences in which familiarity and alterity are interwoven. At the same time, we become aware of the potential of many practices to convey "glocal" experiences, experiences in which there is an overlap between the local and the global. This is extremely important for the development of global citizenship. The more complex the social conditions in the globalized world become and the more difficult it becomes to combine tendencies towards universalization with the demands for cultural diversity, the more important it is to make the global dimension of local educational processes clear.

Global citizenship education can be understood as a combination of *general education* and *civic education*, incorporating many of the approaches developed over the years within the UNESCO framework, such as "education for sustainable education", "human rights education" and "peace education". The list goes on and on. Global citizenship education is not a completely new approach to education, but rather refers to the interaction of many interconnected forms of educational knowledge. A critical attitude towards colonialism, imperialism, racism, post-colonialism and post-humanism also plays an important role today. This is clearly understood as being constitutive of global citizenship education. It draws attention to the fact that global citizenship education is a pluriversal education that focuses on overcoming Eurocentrism through interweaving the universal and the particular. The aim is to develop a sense of belonging to a planetary community. Global citizenship education encompasses local, national, regional and global elements and structures, the cooperation of many different communities and an understanding of existing power structures. It requires not only cognitive engagement, but also a social-emotional approach and attitudes of solidarity with them. Global citizenship has two poles: the pole of individual education and the pole of social transformation. The practices of intangible cultural heritage are already making a contribution to both, but their potential must be further developed in the future (UNESCO, 2015b; Knobloch, 2022).

### 1.8.3   Human Rights Education

To create a sense of belonging to the planetary human community, education and socialization must be based on human rights (United Nations, 1948). "Human rights education and training comprises all educational, training, information, awareness-raising and learning activities aimed at promoting universal respect for and observance of all human rights and fundamental freedoms" (United Nations, 2011). The goal is to reduce human rights violations in all areas of social coexistence. Human rights education is a task for all, from early childhood on, regardless of their nationality and social status. It is a lifelong task that involves the formation of and reflection upon attitudes, actions and behaviours. Such a task involves the communication of relevant information, sensitization to injustice, the development of reflective and critical knowledge about the origins of injustice, as well as helping people to exercise their rights and help others do so (United Nations, 2022).

### 1.8.4   Education for Peace

A great number of intangible cultural practices relate to education for peace and to the attempt of education to contribute to the reduction of violence. This does not ignore the fact that war and violence are often macro-structurally caused systemic problems, which education can do little to diminish. Education for peace today assumes that the constructive confrontation with the planetary problems of violence that affect humanity is part of a lifelong learning process that begins in childhood and is to be continued in later life. Education for peace is a conscious intention. It can contribute to the preservation of peace, but it cannot secure it. It aims to develop peace by promoting the ability of people and societies to develop peace and make extensive efforts to reduce violence (Wulf, 1973a, b, 1974; Heitmeyer & Soeffner, 2004; Obrillant et al., 2017). In a culture of peace, people's actions are guided by the values of peace and contribute to shaping social structures accordingly. In the manifesto announcing the "International Decade for a Culture of Peace and Nonviolence for the Children of the World" published by UNESCO in the year 2000, the following values of a culture of peace are mentioned:

1. respect for human dignity,
2. non-violent conflict resolution,
3. solidarity,
4. civil courage and willingness to engage in dialogue,
5. sustainable development,
6. democratic participation.

Which of these values are achievable, and to what degree, depends also on the respective social conditions and the historical and cultural context. Although the values themselves do not differ, the forms of peace culture and peace education

differ in the regions of the world. The implementation of a culture of peace requires the consideration of general principles and norms (UNESCO, 2002; United Nations Resolution, 2018).

## 1.9 Digitalization

Digital culture and artificial intelligence have become a defining media of the future for education and social development (Braeger & Rolff, 2022). They have both a constructive and a destructive potential. In the area of intangible cultural heritage, it is their constructive possibilities that can be utilized. How this can be done is currently being considered by the many people involved in these practices. Through visual ethnographic recording digitalization contributes to make intangible cultural heritage practices known and visible to a large public. Often the digital medium is being used to safeguard practices of intangible cultural heritage threatened with disappearance. In the case of indigenous cultures it archives practices and saves them from being forgotten (Ernst, 2013). In many cases the digital medium is used to further develop existing practices. As with the "Demoscene", digitalization even sometimes enables the development of new practices of intangible cultural heritage (Jörissen, 2023; Jörissen et al., 2023).

In contrast to digital communication, which is accompanied by a visualization and transformation into the digital medium and its language, the practices of intangible cultural heritage are initially characterized by their materiality and physicality. Artistic representations, rituals, customs and traditional craft techniques focus on their physicality and performativity. Their staging and performance create the special experiences of intangible cultural practices for the actors and spectators, leading to the emergence of a sense of community and the formation of identity.

Can these effects also be experienced in digitalized performances, or do the physical and sensual experiences of a live performance differ fundamentally from the digital ones? There are undoubtedly differences between the experiences of those involved in intangible cultural heritage practices and the spectators of these practices. But how large are the differences between the experiences of those who experience the practices live and the people perceiving them in the digital medium? These questions require more research (Nassehi, 2019). Based on what we know so far, we can assume that direct participation in the practices as spectators generally leads to more intense experiences.

However, the digital recording of intangible cultural heritage practices offers new opportunities for communication. Supporting groups can, for example, revise, improve and pass on their practices with the aid of recordings and analyses based on them. This opens up new possibilities, particularly for transmission to the next generation. Digital mediation also offers a way to enable people who are otherwise excluded from participation, such as the sick or elderly, to take part in the practices of intangible cultural heritage. It also opens up new possibilities for the archiving of intangible cultural heritage practices.

The globally accessible UNESCO lists with their various film recordings of practices already make an important contribution to safeguarding these practices. In addition, digital recordings offer researchers new ways to explore performativity and expand our understanding of "living culture". Digitally recorded practices of intangible cultural heritage make it possible to use them in education. Firstly, they can play an important role in capacity building, as relevant parts of the practices can be viewed and analysed repeatedly and, if necessary, improved. Secondly, they can play an important role in schools, as digitalized recordings of intangible cultural practices can be used in the classroom. Finally, this opens up opportunities to learn about practices from other cultures and to experience foreignness and alterity.

Digitalized practices of intangible cultural heritage are particularly suitable for intercultural education, global citizenship and peace education. They offer young people the opportunity to view the recorded practices, to immerse themselves in them, to analyse them and to experience alterity. Video conversations with the people involved in these practices provide deeper insights into their actions and motives. With the help of intangible cultural heritage practices, groups of pupils, from UNESCO model schools, for example, or from different countries, can exchange ideas. This helps them to learn how the same phenomena are perceived as both the same and different due to different cultural backgrounds. This offers important opportunities for the development of sustainability, peace and global citizenship.

Digitalizing intangible cultural heritage practices can help to give more people the opportunity to participate in forms of "living culture", to acquire cognitive, emotional and practical knowledge and to lead good and fulfilling lives. It is obvious that this development also harbours the dangers of racism, discrimination and exclusion. It is therefore necessary to monitor digitalization from an ethical perspective, as called for by UNESCO (2021, 2023b) and the European Union (2019). Both recommendations make it clear that the field of AI is broad. It is therefore important to establish values and criteria for the ethically appropriate use of artificial intelligence. This is all the more necessary as new forms of artificial intelligence also entail the dangers of deception and manipulation, with an increase in fake news and the dissemination of half-knowledge.

The UNESCO recommendation of 2021 adopted by 193 member states focuses on four values that must be taken into account when using digitalization and artificial intelligence in connection with intangible cultural heritage practices: (1) Respect, protection & promotion of Human Rights and Fundamental Freedoms and Human Dignity; (2) Living in peaceful, just and interconnected societies; (3) Ensuring diversity and inclusiveness; (4) Environment and Ecosystem flourishing.

These values result in ten further aspects to be considered in the use of digitalization in connection with intangible cultural heritage: (1) Proportionality and Do No Harm; (2) Safety and Security; (3) Right to Privacy and Data Protection; (4) Multistakeholder and Adaptive Governance & Collaboration; (5) Responsibility and Accountability; (6) Transparency and Explainability; (7) Human Oversight and Determination; (8) Sustainability; (9) Awareness & Literacy; (10) Fairness and Non-Discrimination. (UNESCO, 2021). In any case, there are new possibilities

in the field of digitalization that need to be further explored and taken into account in the development of intangible cultural heritage.

## 1.10 Structure of the Book

The practices of intangible cultural heritage make up an essential part of living culture. The cultural, social and political significance of these practices, which are identified, protected and developed worldwide within the framework of the 2003 UNESCO Convention, is shown below. The book examines how these practices came about and how they are dealt with in different countries. In five sections our book provides an overview of the most important developments over the last twenty years. Of central importance in all the articles is the question of the potential of intangible heritage practices to transform societies in the direction of sustainability and peace. The spectrum of articles is wide-ranging. The result is a complex picture of living culture on all continents, where commonalities and differences are interwoven.

### 1.10.1 Living Heritage as Initiator of Transition

The discovery of culture as a medium and strategy for local, national and global transformation is of central importance. It makes us aware of the indissoluble connection between nature and culture. It also leads to a focus on sustainable development and cultural diversity in the practices of cultural heritage, in the way they promote human rights and international solidarity. Many of these practices are related to one, or even several, of the Sustainable Development Goals. The "Operational Directives on safeguarding intangible cultural heritage and sustainable development" help to strengthen the focus on sustainability. This development is supported by the obligation of all State Parties to submit a report every five years on what has been achieved. The aim is to contribute to an initiative on climate change and to strengthen the potential of intangible cultural heritage to promote sustainable development and peace.

The first article describes, from UNESCO's perspective, the objectives and profound experiences that arise from the complex connections between people, nature and culture. In them, sustainable development and cultural diversity are intertwined. Fascinating practices are emerging with new forms of capacity building that promote education for sustainability and peace. A common framework and a periodic reporting mechanism contributes to maintaining the quality of these practices (*Susanne Schnüttgen*).

One task of these practices is to further develop the potential of living heritage, as part of the global public good, to reform and to contribute to identity building and to the realization of the sustainable development goals. The focus on human rights and

global citizenship at both local and global level is crucial (*Pier Luigi Petrillo*). The potential of intangible cultural heritage for transformation can be developed by ensuring that as many communities as possible make a contribution to sustainability and structural change. To this end, new values, mindsets, attitudes and behaviours must be developed and incorporated by community members.

The contribution of intangible cultural heritage practices to sustainable development is of particular importance. It is shown where their potential lies and how it can be further developed. The bottom-up character of the practices leads to participation, intra- and intergenerational cooperation, regional networking and territorial intermediation. In this way, existing identities are developed and modified (*Marlen Meissner*).

Intangible heritage practices are also linked to other forms of heritage promotion (e.g. world cultural heritage, world documentary heritage, geoparks, biosphere reserves). This is illustrated in the articles comparing UNESCO's tangible "World Heritage" and "Intangible Cultural Heritage". They both examine similarities and differences and explain how both conventions came about and how they complement each other (*Marie-Theres Albert; Thomas Schmitt*). It is precisely in the way the various forms and programmes of heritage complement each other that there is an opportunity to bring about cultural and social transformation in bottom-up processes.

### 1.10.2 Colonialism, Minorities, Inequalities and the Struggle for Human Rights

The first article examines the importance of the practices of intangible cultural heritage for cultures in Africa. This can be seen in clothing, music and dance, religion and the extensive influence of rituals and other practices on communities and individuals. These practices often involve the preservation of traditions that were destroyed or impaired as a result of colonialism and racism. Even today, these practices are often destroyed or disappear through excessive urbanization, famine and political conflicts and therefore require safeguarding in order that their function of creating community, meaning and transformation is retained (*Michael Omolewa, Emmanuel Orihentare Eregare & Rose Eyefujinrin Ebohon*).

It is not only in Africa, but also in Brazil and Latin America, that we encounter the effects of colonialism with inequalities and discrimination against minorities in the practices of intangible cultural heritage. A Brazilian case study on the "Samba de Roda de Recôncano Baiano" examines the African Ancestry of Afro-diasporic musical heritage by unveiling intangible dimensions of Samba de Roda that correspond to African perceptions of the cosmos. The subject of this study is just one of many possible musical examples from Afro-diasporic cultures that persist despite Western musical normativity and have retained their significance for the culture of minority groups (*Nina Graeff*).

In the USA, as well, which has not ratified the 2003 Convention, practices of intangible cultural heritage play an important role, especially for minorities. These practices highlight deep-seated inequalities and discriminations and support minorities in preserving their identity and defending it against discrimination. In various cases, these practices are also used today to combat the climate crisis and are used digitally. In some cases, these practices are also misused in a fascist context (*Michelle L. Stefano*).

In Indonesia, intangible cultural heritage practices are influenced by a long colonial history. Nevertheless, their great diversity results from the fact that Indonesia is made up of a broad spectrum of different nationalities, languages and religions. The question therefore repeatedly arises as to how the differences between the islands and provinces can be brought together into a national unity. Several examples show how this happens and what difficulties and conflicts arise and have to be dealt with (*Lydia Kieven & Christoph Antweiler*).

How can intangible cultural practices contribute to the reduction of inequalities? We must first take into account that "minorities" are the result of a construction process. This is determined by historical and cultural developments, the ethnographic research that constructs the minority, the policies of the majority society with regard to national heritage and the minorities, as well as the "silence" of the latter with regard to their self-image and the demands for equality and belonging (*Kristin Kuutma & Elo-Hanna Seljamaa*).

How decision-making processes take place at national and international level is important here. How can decision-making processes be carried out that have no cultural bias and do justice to the multi-layered contexts of the practices? There is a thought provoking article analysing the decision-making processes of the "Evaluation Body" in recent years, showing how difficult it often is to reach consensual decisions on inclusion in the "Representative List," where aesthetic criteria that are difficult to grasp linguistically play a role (*Kuminková, Vol'anská, Andrade Perez*).

### 1.10.3 Identity Building, Participation, and Conflicts

The first article describes how the practices of intangible cultural heritage have played a significant role in the rediscovery and further development of Polish national identity following the country's independence after the end of the Soviet Union. As in many countries, the Convention stimulated intensive debates on questions of national, European and global identity, where critical voices are also to be found (*Hanna Schreiber*).

In the presentation of the Swiss system, it becomes clear how participation and decision-making processes are linked. The various levels of dealing with intangible cultural practices are included in the identification and selection processes in Switzerland's highly decentralized democracy (*Stefan Koslowski & Julien Vuilleumier*).

In Germany, too, the Convention is implemented in a bottom-up process that allows representatives of civil society a high degree of participation. In principle, any

individual, any group, any community can apply for a cultural practice to be included in the Federal German List. Each of the 16 federal states can submit up to four applications in each application phase to an independent Expert Committee at the German Commission for UNESCO. This Expert Committee makes the proposals for the national and international list. These proposals are approved and legitimized by the Standing Conference of the Ministers of Education and Cultural Affairs (KMK) who have sovereignty over cultural and educational issues. They are already represented in an advisory capacity by three representatives on the Expert Committee, where the Federal Ministry of Culture and the Federal Foreign Office each have an advisory vote. So far, there have been no essential conflicts between the political and the expert representatives of the Expert Committee (*Benjamin Hanke*).

The next article describes the dynamics of the implementation of the 2003 Convention in the Netherlands. It analyses the current situation and research related to it. The article shows how the practices of intangible cultural heritage support people in developing identity. It emphasizes the importance of the senses and especially the significance of smells (*Sophie Elpers*).

The following article shows how the Intangible Cultural Heritage System came into being in Korea. We see the importance of intangible heritage for Korean cultural heritage and the formation of a Korean identity following the long Japanese occupation. A detailed reconstruction of four phases of historical development is followed by a systematic analysis of the current system and its central processes of transformation. In Korean democracy, the decisions of government administration are linked to the legislative processes (*Hanhee Hahm & Yong Gu Kim*). There then follow case studies on several countries.

Inspired by the Convention, a shift from folkloristics to art studies took place in China. As a result, 23 "National Cultural Ecological Protection Experimental Zones" were founded in which local and regional cultures are promoted. The aim is to revitalize traditions, appreciate their characteristics and support collaboration across regions and provinces. Due to the rising standard of living and the increase in leisure time, people have more opportunities to engage in cultural practices and enjoy a fulfilling life. The aim is to use these practices to reduce the negative developments of modernity and improve the quality of social life (*Anying Chen*).

Using examples of Colombia and South America the next author examines how the practices of intangible cultural heritage contribute to the formation of identity at local, national, regional and global levels. This comprehensive analysis clarifies the role played by social conditions and the significance of colonialism and intercultural developments in Cali, Colombia and Latin America (*Viviana Polo-Florez*).

As in many countries, a transition from "folklore" to a conscious approach to the practices of intangible cultural heritage is also taking place in the Arab world. The following aspects are considered in a description of the situation in Arab countries: institutional and legislative measures, intangible cultural heritage in the context of academic and scientific research, capacity building activities, inventorying projects, the contribution of civil organizations in safeguarding intangible cultural practices,

promotional and awareness-raising activities, and recommendations for improvement (*Hani Hayajneh*).

### 1.10.4   Living Culture in Aesthetic Encounters

Music plays a central role in many intangible cultural heritage practices. Musical environments and soundscapes create a feeling of togetherness. As living heritage, they help to create communities through mimetic reproduction and to form the identities of individuals and groups, to preserve them and to pass them on to the next generation (*Tiago de Oliveira Pinto*).

In dances, the movements brought into harmony by the music are added, intensifying the aesthetic and social effects. In the practices of modern dance, new ways of moving the body are discovered. These are accompanied by creative forms of expression and body techniques of dance. Previously unknown bodily experiences emerge that need to be further developed and passed on (*Vicky Kämpfe*).

With reference to the Sardinian pastoral songs of the "Canto a tenore", there follows an examination of the following central characteristics of intangible cultural practices: the human body as medium, practices of communication and interaction, mimetic learning and practical knowledge, performativity of cultural learning. Central structural and functional elements of the practices are then examined and focal points for future work are identified (*Christoph Wulf*).

In recent years, museums around the world have become places where intangible cultural heritage is communicated. It is true that their exhibits are part of the material heritage. However, their significance is only really to be seen by looking at how they are used in social and cultural practices. This is why more and more museums are trying to stage their exhibits as "props" of intangible cultural practices and thus convey them to visitors as objects of living culture. This is done by demonstrating their use. This is often referred to as "edutainment". Museum objects enable cultural activities to be enacted or re-enacted. This strategy, which helps to bring museum objects to life, has proved particularly successful in communicating museum objects to the next generation (*Hartwig Lüdtke*).

The Humboldt Forum in Berlin provides an example of how material cultural heritage requires intangible practices in order to reveal its effectiveness. This is understood as a *glocal* self that unfolds its cultural significance in the context of cultural mediation and aesthetic education. It has two dimensions. One is the architecture of today's Humboldt Forum, its Prussian history and its colonial museum. The other concerns architectural ruptures and the Forum's open-minded reflection and diversity (*Julius Heinicke*).

The final contribution in this section shows how, in an international Danish-Indian collaborative project, intercultural arrangements and rituals are used in performative processes to create changes in cultural heritage by drawing on culturally different traditions (*Sharmistha Saha*).

### 1.10.5  Challenging Issues, Future Developments and New Areas of Research

In this section, a number of topics are addressed that deal with aspects of intangible cultural heritage that are important for its further development. The first contribution examines the significance of the concept of "care", which is a constitutive element of intangible cultural practices. In these practices, there is an appreciation of values and behaviours that have an economic function, but are much more than that. The term "care" refers to the cultural and social, non-monetary appreciation of these practices. Care leads to cultural economics, to the formation of communities, to the development of identity, to responsible action in networks (*Gertraud Koch, Julia Rausch & Anna Stoffregen*).

The complexity of dealing with intangible cultural heritage continues to increase due to its interconnectedness with the digital and post-digital world. The example of the creation of the computer game "Kisima Innitchupa/Never Alone", in which the main narrative and the form of transmission are closely linked to Inûpiat culture, shows how the game is also designed with the help of participatory media structural translation. This reveals a moment of collective curatorial practice, which is decolonial and empowerment-oriented, an organizationally structured actor network linked with NGOs, and a hybrid of technological networks. Intangible cultural heritage is understood as a repository of apparatuses for the agential emergence of cultural knowledge. This follows on from an understanding of intangible cultural heritage as digital or post-digital cultural practices (*Benjamin Joerissen & Leopold Klepacki*).

The communication of living heritage to children and young people with the help of social media and digital platforms such as Facebook, Snapchat, YouTube, WhatsApp, weChat, TikTok and Instagram has certainly had a positive impact on the creative use of intangible cultural heritage practices. Programs developed in cooperation with UNESCO such as "Google Arts and Culture" are proof of this. At the same time, however, it has become clear that these media are not without risk for the quality and vitality of these practices. For this reason, a comprehensive capacity-building program was developed within the framework of UNESCO. The Asia-Pacific Program, which has been in existence since 2013 and covers 12 countries, with its numerous workshops, is one example of this. The "Impacts of Digitalization: from Pros and Cons to the Dangerous" became clear and must be taken into account when digitally communicating intangible cultural heritage to the younger generation (*Suzanne Ogge*).

The role of metaphors is another interesting feature. Metaphors are not only linguistic tools but powerful cognitive devices that help us to understand the intangible aspects of cultural practices. We see in three types of urban gardens—walled gardens, amusement parks and protest parks—metaphors for what we understand by intangible cultural heritage in historical, transnational and transcultural terms (*Payal Arora*).

In the next contribution, an example from Mexico, the Voladores ceremony, is used to examine the contribution cultural anthropology or ethnology can make to the analysis of a ritual practice of intangible cultural heritage. The research that led to the inscription of the Voladores ritual on the UNESCO Representative List proved to be invaluable in the debate with the Brewery Marketing Campaign, which wanted to use the ritual for advertising purposes, but then refrained from doing so due to the ethnological research and the ethical arguments based on it. This demonstrated the social and political relevance of relevant research (*Cristina Amescua-Chávez & Montserrat Patricia Rebollo Cruz*).

In the above example, the inscription of an intangible cultural practice on the "Representative List" helped to prevent it being abused by commercial interests. The next article focuses on another example of what can be achieved by such practices. In view of the efforts to promote the quality of life in the countryside in comparison to the increasingly attractive life in the cities, the preservation and maintenance of intangible cultural heritage in rural areas is of considerable importance. The authors describe a research project which shows how the resilience of residents can be promoted with the help of intangible cultural practices in rural regions in Germany (*Manuel Trummer & Mirko Uhlig*). This depicts a new area in which these practices can perform important social tasks.

Finally, a contribution from Japan, with reference to two projects, shows a new field of intangible cultural practices that is becoming increasingly important in view of current global developments. These practices can contribute to dealing with disasters in a way that reduces hardship and suffering. They can help people who have to give up the environment in which they live to familiarize themselves with new surroundings and gradually come to feel at home there. Given the likely increase in such situations as a result of wars, accidents and climate change, these practices can help the people affected feel joy and meaning in their lives again (*Tomo Ishimura*).

## 1.11   Perspectives

In order to promote education for sustainable development, peace and global citizenship through intangible cultural practices, support is needed in the following five fields of action:

- In the first field of action, it is policy-makers who must create and promote the framework conditions for intangible cultural heritage practices and the educational processes associated with them.
- The second field of action focuses on the holistic transformation of learning and teaching environments with the help of intangible cultural practices.
- In the third field of action, the task is the realization, preservation and further development of these practices by the bearers of intangible cultural heritage.

- The focus of the fourth field of action is on young people, whose commitment is to be mobilized and strengthened through participation.
- In the fifth field of action, intangible cultural heritage practices are developed at local level. These effects can be extended regionally and globally through cooperation in networks.

Intangible cultural practices are an important part of living culture, the preservation, maintenance and further development of which will become increasingly important in the coming years. Our book focuses on the central question of the contribution intangible cultural heritage practices can make to the transformations required in the Anthropocene. The problems this raises require a local, national, regional and global approach, to which the numerous articles in this book make valuable contributions.

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# Part I
# Living Heritage as Initiator of Transition

# Chapter 2
# Living Heritage—A Contribution from UNESCO

**Susanne Schnüttgen**

**Abstract** This article offers insights into the evolving awareness of the role of intangible cultural heritage in addressing contemporary and planetary challenges. It focuses on the Convention for the Safeguarding of the Intangible Cultural Heritage (hereinafter 'the Convention'), a landmark UNESCO international standard-setting instrument that celebrated its twentieth anniversary in 2023. It starts with examining the link between safeguarding intangible cultural heritage and sustainable development in the text of the Convention and then highlights key achievements and milestones, that underscore the role of safeguarding intangible cultural heritage for sustainable development and the wellbeing of the communities, groups and individuals that create, practice and transmit their living heritage. It concludes by outlining future directions for safeguarding intangible cultural heritage for sustainable development and peace, drawing on reflections undertaken during the twentieth anniversary year of the Convention.

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## 2.1 Introduction

Climate change, biodiversity loss, the rising number of natural hazards stand out as some of the most critical challenges of our era, also referred to as the Anthropocene.[1] Effectively addressing these issues requires new ways of thinking about our actions and relationship to the planet. Central to this transformation is the recognition of the profound interdependence that exists between people, nature, and culture.[2]

Intangible cultural heritage—or 'living heritage'—establishes a profound connection between people, nature and culture. It encompasses a range of domains, including knowledge and practices concerning nature and the universe that communities have developed in close interaction with their natural environment. This includes, for instance, knowledge about local flora and fauna, traditional farming techniques, healing systems, seasonal rituals, initiation rites, cosmologies and specific oral traditions and expressions that communities pass on from generation to generation. Living heritage is continuously evolving and changing. It underpins our identity and shapes who we are, what we value and how we see and act in the world today. In the Anthropocene, the safeguarding of intangible cultural heritage has never been more important.[3]

This article seeks to offer insights into the evolving awareness of the role of intangible cultural heritage in addressing contemporary and planetary challenges

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[1] According to a report by the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) released at UNESCO in 2019, around three-quarters of the land surface is significantly altered by multiple human drivers and around two-thirds of the ocean area is experiencing increasing cumulative impacts. Human actions are said to threaten more species with global extinction now than ever before; around one million animal and plant species already face extinction. For the full report see: Global Assessment Report of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystems. Copyright © 2019, Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) at https://www.ipbes.net/global-assessment. For the term 'Anthropocene', the Glossary of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) at https://www.ipbes.net/node/40686 (consulted in January 2024) provides the following explanation: "A proposed term for the present time interval, which recognizes humanity's profound imprint on and role in the functioning of the Earth system. (. . .) A proposal to formalize the 'Anthropocene' as a defined geological unit within the Geological Time Scale remains under discussion by the 'Anthropocene' Working Group for consideration by the International Commission on Stratigraphy." For further discussion on the concept, see also the UNESCO Courrier, April–June 2018: Welcome to the Anthropocene! © UNESCO 2018: https://unesdoc.unesco.org/ark:/48223/pf0000261900/PDF/261900eng.pdf.multi

[2] See Keynote Presentation: Re-defining the Relationship Between Humanity and Nature by Ernesto Ottone Ramirez, Assistant Director-General for Culture in UNESCO at the 2020 World Forum for Intangible Cultural Heritage on Human, Nature, and Intangible Cultural Heritage—Online Forum due to the COVID-19 Pandemic, organized by the International Information and Networking Centre for Intangible Cultural Heritage in the Asia-Pacific Region under the auspices of UNESCO (ICHCAP), 23 September 2020 at 2020 World Forum for Intangible Cultural Heritage – ichworldforum. See also: 'UNESCO's actions for biodiversity. Making peace with nature' (2022), at: https://unesdoc.unesco.org/ark:/48223/pf0000383600

[3] idem.

over recent decades. The focus is on the adoption and implementation of the Convention for the Safeguarding of the Intangible Cultural Heritage (hereinafter 'the Convention'), a landmark UNESCO international standard-setting instrument that marked its twentieth anniversary in 2023.[4]

The article will commence by reviewing the text of the Convention and exploring how far the instrument reflects an awareness of the relationship between the safeguarding of intangible cultural heritage and sustainable development. Subsequently, it will cast light on the key achievements and milestones attained in the past twenty years that show increased awareness of the role played by intangible cultural heritage safeguarding in advancing sustainable development objectives. The article will conclude by presenting future directions for safeguarding intangible cultural heritage—or 'living heritage'—for sustainable development and peace with reference to reflections undertaken during the twentieth anniversary year of the Convention.

### 2.1.1   Sustainable Development and Cultural Diversity in the Convention

The Convention text acknowledges the significance of intangible cultural heritage in the context of sustainable development. The Preamble underscores intangible cultural heritage as a "mainspring of cultural diversity" and "a guarantee of sustainable development," while also emphasizing the threats posed by deterioration, disappearance, and destruction of intangible cultural heritage in the context of globalization and social transformation.

The preamble furthermore expresses awareness for the universal will and common concern of the international community to safeguard this heritage, aligning with the UNESCO Universal Declaration on Cultural Diversity (hereafter 'the Declaration') adopted two years prior in 2001. The Declaration underscores the relationship between nature and culture, stating that cultural diversity, is "as necessary for humankind as biodiversity is for nature." It continues to say "In this sense, cultural diversity is the common heritage of humanity and should be recognized and affirmed for the benefit of present and future generations."[5] The Declaration served as an important foundation for the Convention, which in turn marked an important moment in international policy. With the adoption of the Convention in 2003, the international community formalized acknowledgment for the necessity to provide

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[4]The final text of the Convention for the Safeguarding of the Intangible Cultural Heritage was officially adopted at the 32nd session of the General Conference on 17 October 2003. The Convention entered into force on 20 April 2006, three months after the deposit at UNESCO of the thirtieth instrument of ratification: https://ich.unesco.org/en/convention

[5]UNESCO Universal Declaration on Cultural Diversity (2001), Art. 1 in: UNESCO Universal Declaration on Cultural Diversity: a vision, a conceptual platform, a pool of ideas for implementation, a new paradigm, © UNESCO 2002 at https://unesdoc.unesco.org/ark:/48223/pf0000127162

comprehensive legal and programmatic support for the safeguarding and promotion of intangible cultural heritage—encompassing practices, knowledge, and expressions that had previously lacked such backing.[6]

The Convention thereby complemented other international heritage instruments focusing on tangible heritage, notably the Convention Concerning the Protection of the World Cultural and Natural Heritage.[7] The older Convention focuses on protecting monuments and sites, while the younger Convention primarily aims to safeguard cultural practices, expressions, knowledge, and skills that communities, groups and, in some cases, individuals recognize as part of their heritage. The full definition is provided in Article 2 of the Convention,[8] which also mentions that the heritage may be manifested in multiple domains, such as oral traditions, performing arts, social practices, rituals, festive events, knowledge about nature and traditional crafts, as defined in Article 2. The dynamic notion of intangible cultural heritage, that communities, groups, and, in some cases individuals, constantly recreate when transmitting it to future generations, as well as, in some cases, its connection with nature are explicit in the definition and the domains.[9]

The definition establishes certain limits, stating that consideration is given exclusively to intangible cultural heritage compatible with existing international human rights instruments, mutual respect and sustainable development. The Convention's safeguarding approach emphasizes community involvement and consent, and recognizes that "communities, in particular indigenous communities, groups and, in some cases, individuals play an important role in the production, safeguarding, maintenance and recreation of the intangible cultural heritage" (Preamble).

The above shows that the importance of intangible cultural heritage for sustainable development has been discussed since the early days of the Convention, explicitly incorporating the principles of sustainable development, cultural diversity, human rights and international solidarity. The Convention text does not provide

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[6]For more information on the process leading to the Convention, see Infokit 2011—Working towards a Convention. Intangible Cultural Heritage © UNESCO. Link: https://ich.unesco.org/doc/src/01854-EN.pdf

[7]The Convention Concerning the Protection of the World Cultural and Natural Heritage was adopted by the General Conference at its seventeenth session, Paris, 16 November 1972 at: https://whc.unesco.org/archive/convention-en.pdf

[8]The 'intangible cultural heritage' means the practices, representations, expressions, knowledge, skills—as well as the instruments, objects, artefacts and cultural spaces associated therewith—that communities, groups and, in some cases, individuals recognize as part of their cultural heritage. This intangible cultural heritage, transmitted from generation to generation, is constantly recreated by communities and groups in response to their environment, their interaction with nature and their history, and provides them with a sense of identity and continuity, thus promoting respect for cultural diversity and human creativity. For the purposes of this Convention, consideration will be given solely to such intangible cultural heritage as is compatible with existing international human rights instruments, as well as with the requirements of mutual respect among communities, groups and individuals, and of sustainable development. See Article 2 of the Convention for the Safeguarding of the Intangible Cultural Heritage at: https://ich.unesco.org/en/convention

[9]Idem.

further direction on what makes intangible cultural heritage compatible with sustainable development and does not explain the linkages between the two, as noted in UNESCO's Internal Oversight Service's 2013 evaluation on its implementation.[10] This gap was to be addressed gradually, as further discussed below.

## 2.2 Twenty Years of Implementing the Convention: Achievements and Milestones

The twentieth anniversary of the Convention in 2023 was an occasion to take stock of achievements and develop directions for the future. A key event was a global meeting organized in Seoul in July 2023 which summarized key achievements in a vision document.[11] It highlighted that in twenty years of implementation, the Convention had significantly broadened the concept of cultural heritage to include cultural practices, expressions, knowledge systems and skills passed down from one generation to the next. Before the Convention, only a few states had policies and programmes for safeguarding intangible cultural heritage. Two decades later, with 182 states having ratified the Convention (November 2023), the value of intangible cultural heritage is widely recognized in national policies worldwide. This progress along with 676 elements inscribed on the Convention's Lists and 217 accredited NGOs at the time, shows that the Convention has achieved one of its key objectives: to raise awareness of the importance of safeguarding intangible cultural heritage.[12] Furthermore, the implementation of the Convention has paved the way for increased consideration of the role of living heritage in strategies and programmes for sustainable development and peace in the future. This progress can be traced through the following milestones.

### 2.2.1 A Comprehensive Global Capacity-Building Programme for Safeguarding Intangible Cultural Heritage for Sustainable Development

As early as 2009, UNESCO developed a capacity-building strategy for the implementation of the Convention, which it started rolling out in 2011. While initially

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[10] See (Document ITH/13/8.COM/5.c): Evaluation by the Internal Oversight Service of UNESCO's standard-setting work of the Culture Sector. Part I: 2003 Convention for the Safeguarding of the Intangible Cultural Heritage, UNESCO 2013.

[11] See the Seoul Vision for the Future of Safeguarding Living Heritage for Sustainable Development and Peace (2022) at: https://ich.unesco.org/doc/src/61291-EN.pdf

[12] See the Seoul Vision for the Future of Safeguarding Living Heritage for Sustainable Development and Peace (2022) at: https://ich.unesco.org/doc/src/61291-EN.pdf

focusing on the core aspects of the Convention, such as ratification processes and the Convention's mechanisms, as well as core actions for safeguarding, which include community-based inventorying, safeguarding plans and nominations to the Lists of the Convention, it has gradually taken on other issues, notably policy and legal development and the integration of living heritage in sustainable development strategies and programmes. UNESCO's capacity-building strategy is supported by a comprehensive curriculum of training materials, including more than 65 thematic units.[13] It offers a combination of training, advisory services and pilot activities delivered by a network of more than 200 facilitators (November 2023), who tailor the training content to specific country needs.[14] As of December 2023, the global programme has benefitted more than 150 countries from across the world.

The programme developed the first thematic unit on intangible cultural heritage and sustainable development in 2015 when UNESCO engaged actively in debates on culture and sustainable development in the context of preparing the 2030 Agenda for Sustainable Development. Five years later, when UNESCO reoriented the capacity-building programme to include more online formats, the programme dedicated its first Massive Open Online Course to the topic of Living Heritage and Sustainable Development. The six-week course, led by international experts of intangible cultural heritage, seeks to enhance understanding on the links between intangible cultural heritage safeguarding and relevant development areas, such as gender equality, cultural diversity and creativity, education, health, income generation, disasters, climate change and peace building.[15] Accessible since January 2022, more than 3500 learners from 160 countries had enrolled by the end of 2023. The course has attracted youth, who are key actors for safeguarding living heritage and harnessing its potential in addressing the planetary challenges of our times.

UNESCO furthermore developed specialized training materials in specific thematic areas, such as intangible cultural heritage and disaster risk reduction and gender. Recognizing the relevance of intangible cultural heritage to addressing disaster risk, for instance, these materials mark the expansion of the programme's focus to actors from other development areas. They seek to sensitize stakeholders on the role of intangible cultural heritage in disaster risk management, and outline approaches for integrating awareness for disaster risk into community-based inventories for intangible cultural heritage.

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[13] See the repository of training materials here: https://ich.unesco.org/en/capacity-building-materials

[14] See brochure on Living heritage and capacity building at: https://ich.unesco.org/doc/src/45455-EN.pdf

[15] See https://ich.unesco.org/en/massive-online-open-course-mooc-01228

### 2.2.2 The Lists and Register of the Convention

During the first two decades of implementing the Convention, 676 elements have been inscribed on the Convention's Lists and Register (November 2023).[16] The Lists have put these elements in the spotlight and raised awareness for the importance of intangible cultural heritage at global and national levels.

Through its Lists, UNESCO has generated evidence on the contribution of living heritage to sustainable development. For example, in 2023, UNESCO analysed some 670 inscribed elements against the 17 Sustainable Development Goals (SDGs). It found that almost all elements had some connection to at least one SDG and a remarkable 505 elements were linked to SDG 16, Peace, Justice and Strong institutions, 109 to SDG 2, on Zero hunger, and 144 elements to SDG 12, on Responsible Consumption and Production. These links can be explored further through the Dive into Intangible Cultural Heritage platform on UNESCO's website.[17]

Evidence thus shows that living heritage represents not only a body of accumulated practical adaptations to specific ecological and social challenges, but also critically underpins societal values, outlooks, resilience and general well-being.

### 2.2.3 Operational Directives on Safeguarding Intangible Cultural Heritage and Sustainable Development

In 2016, the General Assembly of States Parties to the Convention adopted an entire chapter in the Operational Directives dedicated to the safeguarding of intangible cultural heritage and sustainable development at the national level (Chapter VI).[18] This was significant because States Parties confirmed that the safeguarding of intangible cultural heritage can and should contribute to sustainable development. Moreover, the new Operational Directives articulated the relationship between the safeguarding of intangible cultural heritage and sustainable development and provided guidance on how to integrate living heritage into development strategies and programmes at national level.[19]

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[16]The Convention has two Lists, the Representative List of the Intangible Cultural Heritage of Humanity and the List of Intangible Cultural Heritage in Need of Urgent Safeguarding as well as a Register of Good Safeguarding Practices. See the webpage on browsing the Lists at: https://ich.unesco.org/en/lists

[17]see Dive into intangible cultural heritage! - intangible heritage - Culture Sector - UNESCO

[18]See Resolution 7 of the sixth General Assembly of States Parties to the Convention in document ITH/16/6.GA/Resolutions. The full Chapter VI on Safeguarding intangible cultural heritage and sustainable development is also available in: Basic Texts of the Convention, 2022 edition. © UNESCO 2022 https://ich.unesco.org/doc/src/2003_Convention_Basic_Texts-_2022_version-EN_.pdf

[19]For more information see document ITH/15/10.COM/14.a on Draft amendments to the Operational Directives on safeguarding intangible cultural heritage and sustainable development presented to the tenth session of the Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage in December 2015.

The structure of the Chapter VI is based on the outcome document prepared for the United Nations Summit for the adoption of the post-2015 development agenda entitled Transforming our world: the 2030 Agenda for Sustainable Development.[20] This document constitutes a plan of action addressing the three dimensions of sustainable development (economic, social and environmental) through 17 Sustainable Development Goals (SDGs) as highly interdependent spheres of action that inform development pathways at all levels. Accordingly, the Chapter VI demonstrates that intangible cultural heritage can effectively contribute to sustainable development in each of these three dimensions, as well as to peace and security.[21]

The Directives include sub-categories such as food security, health care, quality education, gender equality and access to clean and safe water as part of inclusive social development; income generation and sustainable livelihoods, productive employment and decent work, and impact of tourism on safeguarding intangible cultural heritage and vice versa, as part of inclusive economic development; knowledge and practices concerning nature and the universe, environmental impacts in the safeguarding intangible cultural heritage and community-based resilience to natural disasters and climate change as part of environmental sustainability; and social cohesion and equity, preventing and resolving disputes, restoring peace and security, and achieving lasting peace as part of the contribution of safeguarding of intangible cultural heritage to foster peaceful and inclusive societies. Living heritage contributes to such broad areas as sustainable agriculture and food systems, health care practices, natural resource management, ecosystem services and the management of ecological resources. Living heritage safeguarding may contribute to food security (SDG 2), health systems (SDG 3), quality education (SDG 4), gender equality (SDG 5), productive employment and decent work (SDG 8), sustainable cities (SDG 11) and the fight against climate change (SDG 13).[22]

The Operational Directives recommend that States Parties take specific action, such as adopting legal, technical, administrative, and financial measures and promoting scientific studies. They emphasize the importance of preventing potential negative impacts of development strategies on intangible cultural heritage and concerned communities, groups and individuals. The Directives aim to assist States Parties in effectively using the Convention as a tool for sustainable development. They have provided a framework for integrating the 2030 Agenda in the Convention's work, paving the way for stronger engagement of the Convention in addressing planetary challenges.[23]

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[20] See Transforming our world: the 2030 Agenda for Sustainable Development | Department of Economic and Social Affairs (un.org).

[21] see document ITH/15/10.COM/14.a.

[22] See Culture and public policy for sustainable development, Forum of Ministers of Culture, UNESCO © 2019 at: https://unesdoc.unesco.org/ark:/48223/pf0000371488/PDF/371488eng.pdf. multi

[23] See also: UNESCO's Work on Culture and Sustainable Development. Evaluation of a Policy Theme. UNESCO Internal Oversight Service, document IOS/EVS/PI/145 REV.5, Evaluation Office, November 2015 at: https://unesdoc.unesco.org/ark:/48223/pf0000234443/PDF/234443 eng.pdf.multi

### 2.2.4  An Intersectoral Programme on Living Heritage and Education to Contribute to Education for Sustainable Development

In 2017 UNESCO launched the programme on Safeguarding intangible cultural heritage in formal and non-formal education. Both the culture and education sectors saw a strategic advantage for the programme, since the integration of living heritage into education reinforces the relevance of education, while providing a practical approach to broad-based living heritage safeguarding that brings communities and educational institutions closer together.[24]

An important programme focus is the close relationship between the safeguarding of living heritage and education for sustainable development (ESD) which involves learning to live sustainably and be a global citizen, appreciating cultural diversity and recognising the role of culture in development (see SDG 4, target 4.7). UNESCO's global programme on ESD for 2030 provides an innovative response to the urgent challenges the planet faces, aiming to bring about the personal and societal transformation that is necessary to change course.[25]

The programme on living heritage and education has benefitted stakeholders in more than 70 countries to date, providing examples and practical tools of how to integrate living heritage in education.[26] One example is the "Learning with intangible cultural heritage for a sustainable future" pilot in four schools in Lebanon. The integration of living heritage elements (e.g. Jezzine cutlery, arak artisanal distillation, wooden fishing boat industry, olive soap making) in the school curriculum led to increased awareness of and respect for living heritage among school officials, teachers and students and demonstrated how this heritage can be transmitted through school programmes. Selected teachers collaborated with communities and local organizations in developing the lessons, conducting community-based inventorying activities and building relationships with bearers of the heritage. Using examples from the students' immediate environment and strengthening the link between the

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[24] See UNESCO brochure Living heritage and education at: https://ich.unesco.org/doc/src/46212-EN.pdf. The 2003 Convention refers to the "transmission, particularly through formal and non-formal education," as part of the proposed intangible cultural heritage safeguarding measures (Article 2.3). It also calls on States Parties to "ensure recognition of, respect for, and enhancement of the intangible cultural heritage in society" through education programmes (Article 14). For more information see Annex D. Assessment of the Living Heritage and Education Programme in: Evaluation of UNESCO's action in the framework of the 2003 Convention for the Safeguarding of the Intangible Cultural Heritage, November 2021, document IOS/EVS/PI /200

[25] ESD Programme webpage at: https://www.unesco.org/en/sustainable-developmen/education

[26] The Clearinghouse on living heritage and education is a UNESCO initiative to consolidate and share knowledge, examples and tools on intangible cultural heritage—or 'living heritage'—and education at: https://ich.unesco.org/en/clearinghouse-education

schools and practitioners living in the communities enhanced pride and their sense of belonging to the community.[27]

### 2.2.5  Establishing an Overall Results Framework for the Convention and the Periodic Reporting Mechanism

The question of how to monitor the implementation of the Convention was discussed in depth a decade after its adoption, following a recommendation of UNESCO's Internal Oversight Service (IOS) to develop an overall results framework for the Convention, linked to a Convention Theory of Change and including clear objectives, time-frames, indicators and benchmarks.[28] Five years later the General Assembly of State Parties to the Convention approved the Overall Results Framework in 2018, encompassing 26 indicators and 86 assessment factors.[29] The framework is based on the provisions of the Convention and the Operational Directives. At the highest level, the impact statement mentions sustainable development as follows: "Intangible cultural heritage is safeguarded by communities, groups and individuals who exercise active and ongoing stewardship over it, thereby contributing to sustainable development for human well-being, dignity and creativity in peaceful and inclusive societies." Furthermore, several indicators and assessment factors are relevant for generating information on the contribution of intangible cultural heritage to sustainable development, such as for instance indicator 13 on the extent to which policies as well as legal and administrative measures in fields other than culture reflect the importance of intangible cultural heritage safeguarding. The assessment factors request information on measures and actions that contribute to addressing situations of conflict, natural disasters and inclusive economic development.

Data to populate the framework has since been collected through the periodic reports that States Parties prepare on the implementation of the Convention at national level. To this end the periodic reporting form was aligned with the results framework and a system of regional cycles of reporting introduced. States received support through a comprehensive capacity building programme and the high submission rates of reports are a noteworthy achievement: 100% submission rates in

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[27]See Learning with Intangible Cultural Heritage for a Sustainable Future. Pilot project in four Lebanese public and private schools in Lebanon, UNESCO, 2019 at: https://ich.unesco.org/doc/src/Learning_for_ICH_for_a_sustainable_future.pdf

[28]See Evaluation of UNESCO's Standard-Setting Work of the Culture Sector, Part I—2003 Convention for the Safeguarding of the Intangible Cultural Heritage, document ITH/13/8.COM/INF.5.c, Paris, 4 November 2013 available at https://ich.unesco.org/en/overall-results-framework-00984

[29]The Overall results framework of the Convention and more information on the process leading to its adoption can be found at https://ich.unesco.org/en/overall-results-framework-00984

two regions, namely Europe and the Arab States region, and more than 80% in Latin America and the Caribbean and in Africa.[30]

The data gathered include many examples of policies, measures and programmes that were implemented in reporting countries to promote living heritage as a lever and driver of sustainable development and peace. UNESCO undertook an analysis per region of the periodic reports submitted by States Parties in Latin America and the Caribbean, Europe, and the Arab States to present some of the findings in a consolidated manner to the Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage.[31]

For instance, regarding the indicator of integrating living heritage safeguarding in the policies other than culture and according to the reports from Latin America and the Caribbean (LAC) nearly four fifths of the countries have taken intangible cultural heritage into consideration in broader policies and administrative measures for inclusive social development, environmental sustainability and inclusive economic development. In Europe (EUR) and in the Arab States region (ARB) this was the case for a third of all reporting countries. In LAC, examples of policies included protecting and promoting traditional access to sustainable use of environmental resources in nature reserves; inclusion of intangible cultural heritage in land use planning; recognition and support for traditional agriculture; provisions for access and benefit sharing agreements in regard to traditional knowledge associated with genetic resources; and support, recognition and regulation of traditional health care practices. Seven countries mentioned in their reports that they were working in the framework of the Food and Agriculture Organization of the United Nations (FAO) or its Globally Important Agricultural Heritage Systems (GIAHS) designations to safeguard intangible cultural heritage. In many European countries, according to the reports, the customary rights and institutions of communities are recognized by the authorities regarding the management of pastures, forests and access to wild foraging, fisheries or water resources.[32]

In addition, a wealth of evidence is available in the regional analysis, showing how measures and programmes considered in the reports relate to sustainable

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[30]2021 cycle (Latin America and the Caribbean), 2022 cycle (Europe), 2023 cycle (Arab States), 2024 cycle (Africa), 2025 cycle (Asia and the Pacific). For more information see document LHE/23/18.COM/7.c Rev.: Update on the regional cycles of the Convention's periodic reporting and proposal for related amendments to the Operational Directives.

[31]For the Analytical Report of the first cycle of periodic reporting on the implementation of the Convention and on the current status of elements inscribed on the Representative List of the Intangible Cultural Heritage of Humanity by States Parties in Latin America and the Caribbean see document LHE/22/17.COM/INF.6.c Rev. at: https://ich.unesco.org/doc/src/LHE-22-17.COM-INF.6.c_Rev-EN.pdf; for the Analytical Report for Europe see document LHE/23/18.COM/INF.7.c at: https://ich.unesco.org/doc/src/LHE-23-18.COM-INF.7.c_EN.docx; and for an assessment of the Reports from the Arab States Region see document LHE/23/18.COM/7.b Rev. at: https://ich.unesco.org/doc/src/LHE-23-18.COM-7.b_EN_Rev..docx. The analytical overviews for Africa and Asia and the Pacific are due for submission to the Convention's Intergovernmental Committee in December 2024 and December 2025.

[32]Idem.

development along the different thematic areas of the Overall Results Framework. These range from institutional and human capacities, transmission and education, inventorying, and policies, to the role of intangible cultural heritage and its safeguarding in society, awareness raising, and the engagement of communities and other stakeholders. Many countries in the LAC region for instance, responded to the challenge of supporting sustainable development by including social, cultural, environmental and economic values as considerations in the criteria for inventorying intangible cultural heritage.

The periodic reports thus provide an important source of information for the monitoring of policies and programmes at the junction of living heritage safeguarding and sustainable development.

### 2.2.6   Operational Principles and Modalities for Safeguarding Intangible Cultural Heritage in Emergencies

During the second decade of implementing the Convention, UNESCO was increasingly approached to provide help to countries affected by the rising number of emergencies, including conflicts and disasters. To this end, UNESCO undertook a reflection on the role of intangible cultural heritage in emergencies. This reflection culminated in the elaboration and adoption of the Operational principles and modalities for safeguarding intangible cultural heritage in emergencies by the General Assembly of States Parties in 2020.[33]

The operational principles and modalities offer guidance to States Parties and other relevant national or international stakeholders on how best to ensure that intangible cultural heritage is most effectively engaged and safeguarded in the context of various types of emergencies. They do not aim to define an exhaustive list of actions to be undertaken in an emergency, but rather present underpinning principles and modalities for interventions related to safeguarding intangible cultural heritage in emergencies that can be adapted to diverse contexts.

The work, undertaken by the Convention's Secretariat, on emergencies contributes to the Organization's wider action to protect culture in emergencies. The operational principles and modalities are in line with the Strategy for the reinforcement of UNESCO's action for the protection of culture and the promotion of cultural pluralism in the event of armed conflict[34] and its Addendum concerning emergencies

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[33] Operational principles and modalities for safeguarding intangible cultural heritage in emergencies - intangible heritage - Culture Sector - UNESCO. They were endorsed by the Intergovernmental Committee at its fourteenth session in Bogota, Colombia, December 2019 (**Decision 14.COM 13**) and adopted by the General Assembly at its eighth session in September 2020 (**Resolution 8.GA 9**)

[34] Reinforcement of UNESCO's action for the protection of culture and the promotion of cultural pluralism in the event of armed conflict. Document 38 C/49, 2 November 2015. Original: English, https://unesdoc.unesco.org/ark:/48223/pf0000235186

associated with disasters caused by natural and human-induced hazards.[35] They aim to support Member States to implement the 2003 Convention in emergency situations through better preparedness and response. In recognizing that tangible and intangible heritage are often inextricably linked in an emergency, they also seek to foster greater cooperation and collaboration across the fields of heritage safeguarding.

One example of UNESCO's action, for instance, is a project that addresses the severe threats from disasters to the transmission and viability of intangible cultural heritage in five Small Island Developing States (SIDS) in the Caribbean and the Pacific, notably Belize, the Bahamas, Fiji, Tonga and Vanuatu. It aims to integrate living heritage safeguarding into disaster risk reduction strategies, helping communities prepare for, respond to, and recover from emergencies through capacity-building approaches. Actions include community-based needs assessments and training, establishing national mechanisms and strategies through multi-stakeholder consultations, and intra- and inter-country cooperation through information exchange and networking.[36]

### 2.2.7  A Thematic Initiative on Climate Change

Following the adoption of Operational Directives on Safeguarding intangible cultural heritage and sustainable development, UNESCO launched three thematic initiatives to provide more guidance on the safeguarding of intangible cultural heritage in specific thematic areas, one of them on safeguarding intangible cultural heritage and climate change.[37] The importance of integrating cultural heritage into international discussions on climate change was underscored in the Final Declaration adopted at MONDIACULT 2022, which encouraged the development of operational guidance on the subject in the framework of the UNESCO conventions.[38]

In this context, UNESCO is undertaking a reflection on the roles and risks associated with intangible cultural heritage within the framework of climate change. The focus is on exploring how the 2003 Convention and its mechanisms can actively contribute to climate action. Notably, the thematic initiative on climate change recognizes the dual role of intangible cultural heritage in emergency situations. It

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[35] Report on the Implementation of the Strategy for the Reinforcement of UNESCO's action for the Protection of Culture and the Promotion of Cultural Pluralism in the Event of Armed Conflict. Document 39 C/57, 24 October 2017, Original: English, https://unesdoc.unesco.org/ark:/48223/pf0000259805

[36] See the Convention's project page to find more information on the project: https://ich.unesco.org/en/project

[37] For more information on this thematic initiatives and the other two thematic initiatives, notably on economic dimensions of safeguarding intangible cultural heritage and the safeguarding of intangible cultural heritage in urban contexts, see Document LHE/23/18.COM/12 Rev., Kasane, 6 December 2023, Original: English, https://ich.unesco.org/doc/src/LHE-23-18.COM-12_EN_Rev..docx

[38] UNESCO World Conference on Cultural Policies and Sustainable Development—MONDIACULT 2022 - Final Declaration at: https://www.unesco.org/en/mondiacult2022

aims to provide guidance to State Parties for developing and implementing policies and measures that support communities in safeguarding their heritage while also harnessing it as a resource for mitigation, risk reduction and adaptation.[39]

## 2.3   Charting Future Directions: Unleashing the Power of Living Heritage for Sustainable Development and Peace

The above achievements and milestones have illustrated how States Parties to the Convention have given increasing attention to the links between the safeguarding of intangible cultural heritage and sustainable development and the wellbeing of the communities, groups and individuals that create, practice and transmit their living heritage. The global capacity-building programme, the inscriptions on the Convention's Lists, statutory directives, the Living heritage and education programme, online tools and reports on action at country level have contributed to a deeper understanding of the relationship between living heritage and sustainable development and provided examples of its power to address sustainable development in all its dimensions and as a transversal force. Communities are at the centre of the Convention and have become recognized internationally for their role in creating, maintaining and safeguarding their intangible cultural heritage. Finally, the integration of an entire chapter for safeguarding intangible cultural heritage and sustainable development in the Operational Directives is symbolic of States Parties' commitment to undertake more work at the junction of living heritage and sustainable development challenges.

And indeed, much remains to be done as was discussed at the global meeting on the twentieth anniversary of the 2003 Convention, held in Seoul, Republic of Korea (July 2023). Living heritage around the world is still under considerable threat, be it due to demographic shifts, economic pressures, environmental degradation or changing values and attitudes. Many of these threats are beyond the control of the custodian and practitioner communities, often leading to their disempowerment and destabilization, ultimately triggering negative consequences for cultural diversity and humanity.[40]

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[39] See Document LHE/23/18.COM/12 Rev., Kasane, 6 December 2023, Original: English, https://ich.unesco.org/doc/src/LHE-23-18.COM-12_EN_Rev..docx

[40] The meeting brought together representatives of the States Parties to the Convention, thinkers, living heritage holders, experts, civil society representatives and young people. Under the theme "Unleashing the power of living heritage for sustainable development and peace," the meeting celebrated the achievements of the past twenty years of implementing the Convention and outlined a vision for its future direction. Four thematic panels explored living heritage in relation to (i) sustainable livelihoods, (ii) the natural world, (iii) quality education and (iv) the digital environment. The conference recordings are accessible at: https://ich.unesco.org/en/events/celebration-of-20th-anniversary-of-the-2003-convention-in-seoul-00974

Moreover, it is important to recognize the vastly different contexts in which living heritage is practised today compared to twenty years ago. Large sections of the world's population lack sustainable livelihoods, the effects of climate change are increasingly apparent, education systems are struggling to meet the real needs of learners, hate speech in the form of xenophobia, racism and other types of intolerance are fuelled by online platforms, and migration and rapid urbanization require urgent and innovative responses.

The global meeting affirmed that as the Convention continues to evolve, it is tasked with envisioning ways to safeguard living heritage in the face of these developments. Ultimately, the global community can unleash the power of living heritage to address these contemporary planetary and social challenges, towards achieving sustainable development and peace.[41] Noting the substantial contribution of living heritage to peaceful and inclusive societies and environmental sustainability, it is essential that sustainable development strategies integrate living heritage safeguarding and acknowledge its importance across the many sectors related to sustainability. Highlighted in the 2022 MONDIACULT Declaration adopted by 150 States, culture is a public good which must be supported by robust policy for its protection and sustainability and be integrated as a goal in the development agenda beyond 2030.[42]

The Seoul Vision for the Future of Safeguarding Living Heritage for Sustainable Development and Peace[43] recognizes that the time has come to harness the power of living heritage for peaceful and sustainable societies. It presents a set of concrete actions required to this effect with a view to enhancing solidarity and inclusion, preserving biodiversity and oceans, and responding to education, health, social and economic crises. The following statement is particularly poignant for the discussion on challenges of the Anthropocene:

> We reaffirm the central role that living heritage can play in tackling the pressing global environmental challenges facing our lives and the planet, in not only providing time-tested solutions, but in shaping and reaffirming our relationship to the natural world. Living heritage expressions foster values of respect, custodianship and reciprocity towards nature and promote awareness and understanding of the diverse value systems and concepts that local communities have in relation to the natural world.[44]

Similarly, the Call for Action that was adopted at the landmark UNESCO Conference on Cultural Heritage in the twenty-first Century in Naples (November 2023), provides important guidance for how safeguarding intangible cultural heritage can contribute to sustainable development. UNESCO brought together at an international conference experts coming from both tangible and intangible heritage. The

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[41] See the Seoul Vision document at: https://ich.unesco.org/doc/src/61291-EN.pdf

[42] UNESCO World Conference on Cultural Policies and Sustainable Development – MONDIACULT 2022 – Final Declaration at: https://www.unesco.org/en/mondiacult2022

[43] See the Seoul Vision document at: https://ich.unesco.org/doc/src/61291-EN.pdf

[44] See the Seoul Vision document at: https://ich.unesco.org/doc/src/61291-EN.pdf

conference generated the Naples Call for Action that sets out eleven major commitments to ensure the long-term protection and transmission of heritage. It stresses adaptation to climate change, the introduction of sustainable tourism policies—as opposed to mass tourism—and the need to involve and ensure the well-being of local communities and indigenous peoples living in and around heritage sites.[45]

UNESCO is pursuing its action to address planetary and social challenges in the framework of the Convention considering the vision and future directions provided in the context of celebrating the twentieth anniversary of the Convention, such as in the Seoul Vision and the Naples Call for Action. It will thereby contribute to implementing the 2022 MONDIACULT Declaration for holistic cultural policies for sustainable development.

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[45] For more information and conference recordings, see: https://www.unesco.org/en/culture/naples-conference

# Chapter 3
# Living Heritage as a Global Public Good and Sustainable Development

**Pier Luigi Petrillo**

**Abstract** The paper analyses the evolution of the legal protection of intangible cultural heritage from a comparative perspective and verifies the impact produced by the UNESCO Convention on intangible cultural heritage in 9 countries (Mexico, Brazil, Italy, Jordan, Cyprus, Spain, Burkina Faso, Korea and Japan) to try to demonstrate how the protection of ICH is necessary for sustainable development.

**Keywords** Cultural rights · Heritage · Identity · UNESCO convention on intangible cultural heritage · Sustainable development

## 3.1 Foreword: Why This Essay

The Convention for the Safeguarding of the Intangible Cultural Heritage adopted in Paris on 17th October 2003 by the XXXII session of the General Conference of the United Nations Educational, Scientific and Cultural Organisation (UNESCO) imposed an updating of the concept of 'culture' no longer linked to its material dimension (the monument, the architecture, the landscape, the individual artefact) but an expression also of its intangible dimension.

In the text of the 2003 Convention, with a deliberately broad definition, intangible cultural heritage is defined as that set of "practices, representations, expressions, knowledge, skills – as well as the instruments, objects, artefacts and cultural spaces associated therewith – that communities, groups and, in some cases, individuals recognise as part of their cultural heritage" specifying that "this intangible cultural heritage, transmitted from generation to generation, is constantly recreated by communities and groups in response to their environment, their interaction with nature and their history, and provides them with a sense of identity and continuity, thus promoting respect for cultural diversity and human creativity".

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The elements that are useful, therefore, for the clear legal definition of this concept can, on the one hand, be traced back to the mode of expression of the cultural factor (practices, representations, knowledge), and on the other to the mode of transmission of these factors (intergenerational nature, constant re-creation of cultural factors, sense of community identity).

Article 2 of the same Convention further specifies this concept by identifying five 'domains' that are illustrative, but not exhaustive, of the cultural factor that connotes the intangible nature of this heritage. According to Article 2, therefore, intangible cultural heritage includes oral traditions and expressions, including language, as a vehicle of intangible cultural heritage, performing arts, social practices, ritual and festive events, knowledge and practices relating to nature and the universe, and traditional know-how. These areas of intangible heritage are not, however, exhaustive, both because of the difficulty of assigning precise classifications and predefined schemes to the notion of culture, but also because of the cross-sectoral nature of some oral traditions, as in the case of food practices for example, since they are integrated with systems of social relations and collectively shared meanings.

Such a definition re-imagines the very notion of 'cultural heritage' basing it on an anthropological conception[1] according to which 'culture' is to be understood as 'that complex whole which includes knowledge, beliefs, art, morals, law, custom and any other skills and habits acquired by man as a member of a society'[2] and, therefore, includes any human production with which the members of a given community identify themselves.[3]

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[1] On this point, see T. Kono, *The impact of uniform laws on the protection of cultural heritage and the preservation of cultural heritage in the 21st Century*, Leiden 2010. See also P.L. Petrillo, The Legal Protection of Intangible Cultural Heritage. A Comparative Perspective, Springer 2020 and L. Arizpe, *The genealogy of intangible cultural heritage*, in J. Csergo, C. Hottin, P. Schmit, *Le patrimoine culturel immateriel au seuil des science sociales*, Editions de la Maison de Sciences de l'Homme, Paris, 2020, pp. 78 ff. For an anthropological approach see C. Wulf, *Anthropology. History. Culture. Philosophy*, Athens: Pedio, 2019, esp. pp. 23 ff.

[2] E.B. Tylor, *Primitive Culture*, London, J. Murray 1871. On this issue see J. Blake, *Safeguarding Intangible Cultural Heritage*, in F. Francioni, A. Filipa Vrdoljak (a cura di), *The Oxford Handbook of International Cultural Heritage Law,* Oxford Handbooks, 2020, pp. 347 ss. e spec. p. 348; M. Cornu, *Defining the perimeter of the intangible cultural heritage*, in M. Cornu, A. Vaivade, L. Martinet, C. Hance (eds.), *Intangible cultural heritage under national and international law*, Cheltenham, Elgar 2020, pp. 54 ff. Likewise the internationalist T. Scovazzi, *The definition of intangible cultural heritage*, in S. Boreli, F. Lenzerini, *Cultural heritage, Cultural rights, Cultural diversity*, Martinus Nijehoff Publishers, Leiden 2012, pp. 179 ff., T. Kono, UNESCO and Intangible *Cultural Heritage from the viewpoint of Sustainable Development*, in A.. Yusuf (ed.), *Standard-Setting in UNESCO*, vol. 1, Paris, 2007, pp. 237 ff. and J. Sola, *Quelques reflexions à propos de la Convention pour la Sauvegarde du patrimonine culturel immateriel*, in A. Nafziher, T. Scovazzi (eds), *Le patrimoine cutlurel de l'humanitè*, Leiden 2008, pp. 487 ff.

[3] A. Vaivade, *ICH as a source of identity*, in C. Waelde, C. Cummings, M. Pavis, H. Enright (eds), *Research Handbook on Contemporary Cultural Heritage. Law and Heritage*, Elgar 2018, pp. 165 ff.; F. Lenzerini, *Intangible Cultural Heritage: The Living Culture of Peoples*, in *The European Journal of International Law*, 1, 2011, pp. 101 ff. On the definition see C. Bortolotto, *Le trouble du patrimoine culturel immateriel*, in *Terrain*, 1, 2011, pp. 21 ff. See also T. Scovazzi, Sustainable development and intangible cultural heritage, in L. Pineschi (eds.), Cultural Heritage, Sustainable Development and Human Rights, Routledge, Abingdon, 2024, pp. 211 ff.

After the 2003 Convention, according to international law, "cultural heritage" is "a set of resources inherited from the past that populations identify, regardless of who owns them, as a reflection and expression of their values, beliefs, knowledge and traditions, in continuous evolution.[4] It encompasses all aspects of the environment that are the result of the interaction over time between peoples and places"[5] and, therefore, includes, as autonomous expressions of each other, both tangible cultural heritage and intangible cultural elements.

The implementation of the Convention has contributed to defining a common regulatory framework of legal instruments for the protection of these heritages and highlighted the close correlation between ICH and sustainable development.

This essay focuses on examining the legal protection of intangible cultural heritage and how this protection can significantly contribute to the sustainable development of an area.

First, therefore, we will look at some legal systems to see how they have implemented the 2003 UNESCO Convention and how they have amended their national legislation accordingly. Then we will try to investigate how these examples of legislation have impacted policies for sustainable development, and we will conclude with concrete cases that show how living heritage is essential to protect the environment and society in which we live and ensure productive development compatible with democratic values.

## 3.2  Heritage and Sustainable Development

Heritage—cultural and natural, tangible and intangible—is an evolving resource that supports identity, memory and 'sense of place', and has a crucial role in achieving sustainable development.

The 2030 Agenda for Sustainable Development, adopted by the United Nations in 2015, is a plan of action for 'People', 'Planet', and 'Prosperity', which seeks to strengthen universal 'Peace' through the 'Partnership' of all countries and stakeholders (the '5 Ps').

Founded on the principle of human rights, this holistic plan connects all recent global agendas.

It sets out 17 Sustainable Development Goals (SDGs), calling on the world to take the bold and transformative steps that are urgently needed to heal and sustain our planet, in the face of the interlinked challenges of climate change, biodiversity loss, socio-economic disparities and health crises:

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[4]Thus J. Blake, *On Defining the Cultural Heritage*, in *The International and Comparative Law Quarterly,* 1, 2000, pp. 61 ff.; M.N. Craith, *Intangible Cultural Heritages*, in *Anthropological Journal of European Cultures*, 1, 2008, pp. 54–73; P.L. Petrillo, The legal protection of biocultural diversity between cultural rights and sustainable development. A comparative perspective, in L. Pineschi (eds), Cultural Heritage, Sustainable development and Human rights, Routledge, Abungdon 2024, pp. 382 ff.

[5]These are the terms of Article 2 of the Council of Europe Framework Convention on the Value of Cultural Heritage for Society (the so-called Faro Convention of 2005).

Each "goal" has a series of targets many of which refer to culture and intangible cultural heritage. For example the introduction of the SDGs refers to the need to respect cultural diversity (para. 8) and pledges member states to foster intercultural understanding, tolerance and mutual respect, while acknowledging the natural and cultural diversity of the world, recognizing that all cultures and civilizations can contribute to, and are crucial enablers of, sustainable development (para. 36). At the same time, under Goal 4 to 'ensure inclusive and equitable quality education and promote lifelong learning opportunities for all', Target 4.7 stresses the need for education to promote 'a culture of peace and non-violence, global citizenship and appreciation of cultural diversity and of culture's contribution to sustainable development', or under Goal 8 to 'promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all', and Goal 12 to 'ensure sustainable consumption and production patterns', Targets 8.9 and 12.b refer to the need to devise and implement 'policies to promote sustainable tourism, including through local culture and products', and the need to develop suitable monitoring tools in this area. Again under Goal 11 to 'make cities and human settlements inclusive, safe, resilient and sustainable', Target 11.4 highlights the need to 'strengthen efforts to protect and safeguard the world's cultural and natural heritage'. This is the only target dedicated to a cultural theme, thus serving as the anchor of much cultural heritage work, although this does not preclude the relevance of other targets in the full spectrum of the SDGs.

Cultural heritage is one of the tools through which we ensure sustainable development, combat climate change and mitigate its devastating effects. It is a cross-cutting issue: for this reason, there is no single goal dedicated to this issue since the goal of protecting and preserving cultural heritage shapes all other goals.[6]

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[6]This has come under strong criticism from the international community to the extent that the Ministers of Culture of more than 180 states signed a declaration in Mexico City, during the proceedings of the UNESCO-organized World Conference on Culture, in which they "call on the UN Secretary General to firmly anchor culture as a global public good, and to integrate it as a specific goal in its own right in the development agenda beyond 203" (cf. UNESCO, Mondiacult, 2022, https://www.unesco.org/en/articles/mondiacult-2022-states-adopt-historic-declaration-culture)

In this context, living cultural heritage plays an essential role. It is one of the tools through which it is possible to ensure the achievement of these goals.

And in fact, for each of the 730 elements included in the Lists the 2003 UNESCO Convention identified a direct *connection* or *strong relation* to at least one specific SDG, according to the following table (UNESCO; Dive into intangible cultural heritage! - intangible heritage - Culture Sector - UNESCO, open access).

| Sustainable Development Goal (SDG) | Elements connected | Strongly connected |
|---|---|---|
| 1 - No poverty | 30 | 4 |
| 2 - Zero hunger | 105 | 40 |
| 3 - Good health and well-being | 96 | 26 |
| 4 - Quality education | **387** | 47 |
| 5 - Gender equality | 251 | 34 |
| 6 - Clean water and sanitation | 12 | 4 |
| 7 - Affordable and clean energy | 14 | 4 |
| 8 - Decent work and economic growth | **244** | **102** |
| 9 - Industry, Innovation and Infrastructure | 20 | 7 |
| 10 - Reduced inequality | 72 | 14 |
| 11 - Sustainable cities and communities | 136 | 30 |
| 12 - Responsible consumption and production | **156** | 32 |
| 13 - Climate action | 19 | 8 |
| 14 - Life below water | 19 | 6 |
| 15 - Life on land | 103 | 28 |
| 16 - Peace, justice and strong institutions | **514** | **134** |
| 17 - Partnership for the goals | 71 | 20 |

The living heritage tells where we come from and describes who we are; at the same time, it outlines the road we will travel, defining our future. It is a heritage composed of knowledge, rituals and practices that bind each of us to our community.

As noted on the ICH UNESCO website, local and indigenous communities around the world have learned to know and respect their environment and its climate. This holistic traditional knowledge shapes how natural resources are managed, and

is transmitted through oral tradition, ritual practices and belief systems. Intangible heritage can contribute, for example, to eradicating extreme poverty for all. Something undertaken in full respect of intangible heritage values can provide access to basic services and infrastructures, as well as access to traditional water and sanitation systems. Safeguarding ICH can support productive activities, decent job creation, entrepreneurship, creativity and innovation that make use of local resources and skills. Intangible heritage, including indigenous knowledge and local skills, can help to reduce exposure and vulnerability to climate-related extreme events and other environmental shocks and disasters.

We will take some concrete examples. Let us take Goal 2: Zero Hunger. The diversity of intangible heritage serves as a cornerstone, essential for the sustenance and resilience of global human life. Food security takes multiple forms, including traditional farming systems, indigenous agricultural and fishing systems, and the traditional knowledge associated with herbs and medicines. All these sustainable practices support biodiversity, help in the adaptation to climate change and offer the potential for toxin-free environments that thrive through organic means without agrochemicals. These intangible heritages are threatened by modern, intensive agricultural and animal farming, and unsustainable development infrastructure.

We can consider the case of the Mediterranean Diet that involves a set of skills, knowledge, rituals, symbols and traditions concerning crops, harvesting, fishing, animal husbandry, conservation, processing, cooking, and particularly the sharing and consumption of food. It was recognized by UNESCO in a multinational nomination: Italy, Spain, Greece and Morocco (2010), and then Portugal, Croatia and Cyprus were added in 2013. Eating together is the foundation of the cultural identity and continuity of communities throughout the Mediterranean basin. The Mediterranean diet emphasizes values of hospitality, neighbourliness, intercultural dialogue and creativity, and a way of life guided by respect for diversity. It plays a vital role in cultural spaces, festivals and celebrations, bringing together people of all ages, conditions and social classes. It includes the craftsmanship and production of traditional receptacles for the transport, preservation and consumption of food, including ceramic plates and glasses. Women play an important role in transmitting knowledge of the Mediterranean diet. Markets also play a key role as spaces for cultivating and transmitting the Mediterranean diet during the daily practice of exchange, agreement and mutual respect.

For another concrete case, we can consider Goal 13, Climate Action. To strengthen the resilience and adaptive capacity in the face of climate-related disasters; to integrate climate change measures into policies and planning; to create our knowledge and capacity to meet climate change: these form the main target of the Goal 13. As the global community faces the realities of climate change, it stands to benefit from local communities' understanding of the climate, ways of mitigating disasters, and adapting to environmental change. Consider the case of the traditional agricultural practice of cultivating the 'vite ad alberello' (head-trained bush vines) of the community of Pantelleria, a small Island in the South of the Mediterranean, that was inscribed in 2014 in the ICH UNESCO List. Vines are grown in bushes in the ground 20 centimetres deep because there is no water and there is a lot of wind. This

cultivation technique, in addition to the dry stone wall technique, serves to keep the agricultural landscape intact and to counteract hydrogeological disruption. In 2020 and 2022, the island was hit by an abnormal typhoon in the Mediterranean. Land cultivated using this method was not swept away by the typhoon, while land abandoned or cultivated using modern techniques was completely destroyed by the typhoon's fury.

This is a clear case of how the preservation of a living heritage, passed down from generation to generation, enables communities to meet the challenges of climate change and concretely achieve the Millennium Goals and the targets they set.[7]

The issue, then, of the legal protection of intangible cultural heritage becomes essential not only as such but insofar as through such heritage it is possible to ensure and guarantee sustainable development for the planet.

That is why we must now ask ourselves what are the normative models of reference, to which we must look in order to understand how concretely to safeguard this heritage.

## 3.3  Intangible Cultural Heritage and Public Policies: The Best Practice of Japan and Korea

Japan and Korea are the archetypal global examples of how to protect living heritage. They have adopted organic regulations on intangible cultural heritage since 1950 and 1962, respectively, and thus served as a model for the drafting of the 2003 UNESCO Convention.

In strongly regulated models, such as Japan and Korea, specific legislation on intangible cultural heritage has been in place since 1950 and 1962 respectively.

Japanese legislation came into being in the aftermath of the end of the Second World War, with the approval in Parliament on 22nd April 1949 of the guidelines for the reform of cultural programmes, indicating intangible cultural heritage as one of the five most important policies.[8] The 1950 law was passed in a specific context: the values of Japanese society had to be restored, claiming the origin and richness of the traditions of a people strongly affected, also emotionally, by the devastation of the Second World War.

The intangible cultural heritage law of 1950 thus became the legal instrument for Japan to reaffirm its identity even in the face of the US occupation forces (as is well known, Japan only became an independent state again with the signing of the Treaty of San Francisco in 1952). A similar factor may have been in play with the

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[7] For consideration of another UNESCO programme related to the eco-system in general see Möller, L., *Biosphere*, in Wallenhorst, N., Wulf, C. (eds) *Handbook of the Anthropocene*, Springer, Cham, 2023.

[8] T. Kono, *The legal protection of the Intangible Cultural Heritage in Japan*, in P.L. Petrillo (ed.), *The legal protection of intangible cultural heritage,* cit., pp. 55 ff. as well as Kono in this Review.

legislation adopted in South Korea in 1962: following the war between the two Koreas, a legal system was needed to preserve the identity of the peninsula in order not to disperse the heritage of knowledge, traditions and practices that, handed down from generation to generation, had always united the two states in the same territory and distinguished the Korean peninsula from both neighbouring China and Japan.[9]

In Japan and Korea, therefore, for obvious historical reasons, the legal protection of intangible cultural heritage became one of the ways of affirming the cultural rights of the communities, recognising the identities and differences within the same communities. To confirm this interpretation, consider the definition given in the two legal systems of intangible heritage: performing arts, traditional music, handicrafts and other elements with a particular historical and artistic value, including '*living human treasures*', i.e. natural persons with '*highly sophisticated skills and know-how*' so important that they are protected per se.[10]

The Japanese law of 1950 was then supplemented and strengthened in 1975 with the inclusion, in the legal notion of intangible cultural heritage, of rites, practices and cultural expressions linked to everyday sociality and considered to mark the identity of sections of the same society. Finally, in 2004, the notion was further supplemented by including traditional techniques such as traditional shipbuilding in the Tsugaru region or salt production in the Noto region.

An identifying element of this regulatory system, in Japan as in Korea, is the aforementioned provision of 'living human treasures'. To obviate the excessive 'volatility' of such heritages, the two laws, in fact, contained the proviso that, for each intangible cultural element, a 'bearer' should be indicated, identified among those whom the community recognises as possessing high, specific and unique knowledge of that practice. To this 'bearer', defined, precisely, as a *living human treasure,* the legislation assigned a series of responsibilities in the protection of the practice and in the dissemination of related knowledge. The bearer was provided, to this end, with a salary by the State and given a specific budget. They also had special powers with particular reference to school education and the organisation of events related to the practice.[11]

The 'strong regulation' introduced here was therefore based on three elements: an organic law specifically aimed at regulating the matter, a definition of intangible cultural heritage linked to individuals with the responsibility for safeguarding that

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[9]In these terms N. Kazuhino, *Japanese Approach and Practice for Cultural Heritage in Post-disaster Situations*, in T. Kono, J. Okahashi (eds), *Post-trauma and the Recovery Governance of Cultural Heritage.* Springer 2023, pp. 57 ff. where the author points out how the Japanese legislature, like the Korean one, intervened with special legislation on the subject in order to reconstruct the national identity of the two peoples after the tragedy of the Second World War.

[10]S. Koo, *From Korea to Japan: A Transnational Perspective on South Korea's Important Intangible Cultural Properties and Zainichi Korean Artists*, in *Korean Studies*, 45, 2021, pp. 89–116.

[11]On this mechanism, see J.E Park, *The Legal Protection of ICH in the Republic of Korea,* cit., esp. pp. 72–75.

heritage, and a system of identification and inventorying of that heritage entrusted to a specific authority under the control of the government.[12]

In Japan and Korea, since the ratification of the 2003 UNESCO (respectively the 15th June 2004 and the 9th February 2005), the legal notion of ICH has changed, and *ad hoc* bodies dedicated to the protection of elements listed in national inventories have been strengthened. Following ratification, new laws specifically dedicated to the protection of ICH were passed: in Japan in 2004, in Korea in 2015.

According to Japanese legislation (most recently amended in 2018), there are three types of intangible cultural heritage subject to protection: 'important' intangible cultural elements; 'important' intangible cultural elements pertaining to folklore; and cultural techniques to be preserved. In the first type of heritage, there are essentially those traditions professionally performed by individuals or groups (such as a ritual dance) considered to be of particular importance nationally; in the second type there is the identity heritage of specific sections of society, practised by a plurality of people, which the law defines as 'communities' in line with the 2003 Convention; in the third are traditional production techniques, agricultural and food practices. It emerges, therefore, that in Japan, the 2003 Convention raised the level of protection and extended the typology of cultural elements subject to protection, providing the same operational tools for all: identification, documentation, research, funding, education in schools and informal contexts, and the introduction of a system of indirect guarantees linked to the management of physical spaces where these traditions can freely express themselves.[13]

Likewise in Korea, where the 2015 legislation rewrote the previous legislation, also devoting substantial economic resources to the protection and promotion of the cultural elements listed in the national inventory.[14] Specifically, the 2015 framework law introduced a far broader notion of intangible cultural heritage[15] and, most importantly, revised the protection discipline based on the recognition of 'living human treasures': it is now envisaged that some practices may provide for such an 'expert bearer' to be entrusted with tasks of collective responsibility (rewarded with a salary) but that, if this is impossible, the responsibility for protection falls to the

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[12] Thus Y. Jongsung, *Korean Cultural Property Protection Law with Regard to Korean Intangible Heritage*, in *Museum International,* 1–2, 2004, pp. 180 ff.

[13] The 2004 legislation envisaged a dual system of inventorying: firstly at the level of individual prefectures or municipalities and secondly at national level. Inclusion in the national inventory is only possible if the cultural element is already listed in a local inventory and if the ad hoc group of experts set up at the Ministry of Education—which coordinates this activity—considers the cultural expression to be strongly identifiable at national level.

[14] J. Li, *A Comparative Study on the Inheritance of Intangible Cultural Heritage in China, Japan and South Korea*, in *Academic Journal of Humanities and Social Sciences,* 2, 2022, pp. 16 ff.

[15] It includes traditional performative arts, knowledge related to handicrafts, cooking, medicine, agriculture, fishing, art, oral expressions, social practices related to clothing, food, urban planning, social rituals such as religious rituals, traditional games, martial arts and ritual festivals (*Korean Act on the safeguarding and promotion of ICH*, 2015, art. 2).

level of government closest to the practising community or, if this is spread through-
out the country, to the state.[16]

## 3.4 Global Common Good, Living Heritage, Sustainable Development and Fundamental Human Rights

UNESCO has thus helped individual States Parties to the Convention to define
models of legal protection of ICH consistent with the changing nature of intangible
heritage, through participatory processes of identification and inventorying of cul-
tural elements, dedicated national programmes, ad hoc funds to support communities
in identifying, safeguarding and enhancing cultural elements, and ad hoc protection
bodies. At the same time the 2003 UNESCO Convention demonstrates the strength
of the relationship between ICH and sustainable development.

While tangible cultural heritage is easily protected by the classic instruments of
positive law, i.e. the introduction of obligations and prohibitions on the holders of
those goods, for intangible heritage, given its elusive nature, protection passes
through the protection of cultural rights and identity rights. In fact, even before
protecting individual traditions or practices, the legal systems considered have
introduced norms aimed at ensuring the rights of individuals and different social
groups to express their cultural diversity, to manifest their identities, opposing any
phenomenon of homologation and assimilation.[17]

As has just been mentioned, the issue of the protection of ICH is closely linked to
the affirmation of multicultural policies: in fact, it is clear that in those systems where
assimilationist policies prevail, according to which the diversity of communities
must be substantially annulled in favour of a common (often artificial) national
identity, there can be no room for intangible cultural heritage. On the contrary, if
intangible cultural heritage is to be safeguarded, the rights to cultural diversity must
first be guaranteed.[18]

This is the crux of the entire reflection: intangible cultural heritages, representing
those cultural expressions that identify peoples with their communities of reference,
are, by their very nature, manifestations of cultural diversity. It is no coincidence
that, in the international sphere, two years after the adoption of the 2003 Convention,
UNESCO adopted the Convention for the Protection and Promotion of Cultural
Diversity in which, taking up the definitions and legal instruments introduced in

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[16] J.E. Park, *The Legal protection of ICH in Korea,* cit., esp. pp. 76–78.

[17] C. Wulf, *Anthropology. A Continental Perspective,* Chicago und London, The University of
Chicago Press, 2013.

[18] See C. Hance, *The judicialization of the tension between the cultural identity of states and
intangible cultural heritage*, in M. Cornu, A. Vaivade, L. Martinet, C. Hance (eds.), *Intangible
cultural heritage under national and international law,* cit., pp. 171–178.

2003, it specifies how all of this ultimately aims to protect cultural diversity.[19] In this sense it is a global public good, as affirmed during the Mondiacult UNESCO Conference organized in Mexico City in 2022.

At the same time, the protection of cultural diversity is an indispensable tool for the full realisation of fundamental human rights.[20] Comparative law shows, in fact, how the issue of the legal protection of intangible cultural heritage has arisen in various legal systems to ensure the effectiveness of certain cultural rights such as those related to linguistic, religious and food diversity.[21] For many of these rights, the protection of intangible cultural heritage is an essential prerequisite to ensure their effectiveness,[22] as, *inter alia,* recalled by the Inter-American Court of Human Rights in the *leading case* that pitted the State of Suriname against a Moiwana community.[23]

In the present time, the relentless onslaught of globalisation, although it has produced positive results in some contexts, has tended to nullify diversity, making everyone and everything homogeneous.[24] In an era characterised by the frenetic search for similarity, for appearing similar to others so as not to be marginalised or excluded from the 'group', we are naturally inclined to abandon our cultural baggage, flattening our culture to that of the dominant groups. These phenomena, widely examined by anthropological sciences, together with the dramatic loss of biocultural diversity also due to climate change, have produced profound alterations in the cultural heritage of peoples, putting at risk precisely that type of heritage that, not connected to any tangible manifestation, has appeared to be of lesser importance as a testimony of civilisation and identification with the community of reference.[25]

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[19] See M. Cornu, *La Convention pour la protection et la promotion de la diversitè des epressions culturelles*, in *Journal du droit international*, 3, 2006, pp. 929 ff. and spec. pp. 967–971.

[20] F. Lenzerini, *Intangible Cultural Heritage: The Living Culture of Peoples*, cit. p. 114 and P.L. Petrillo, The legal protection of biocultural diversity, cit., p. 390.

[21] J. Blake, *International Cultural Heritage Law,* Oxford University Press, 2015, pp. 271–311; C. Hance, *The interactions between intangible cultural heritage and human rights*, in M. Cornu, A. Vaivade, L. Martinet, C. Hance (eds.), *Intangible cultural heritage under national and international law*, cit., pp. 81 ff.

[22] F. Lenzerini, *Intangible Cultural Heritage,* cit., p. 115.

[23] Reference is made to the case *Moiwana Village v. Suriname*, 124, 2005: the case concerned a community in Moiwana Village that was prohibited from holding a funeral according to an ancestral rite. The community challenged the State ban at the Inter-American Court of Human Rights; the Court condemned the State for violation of Article 5 of the American Convention of Human Rights. On the case see T. M. Antkowiak, *Moiwana Village v. Suriname: A Portal into Recent Jurisprudential Developments of the Inter-American Court of Human Rights*, in *Berkley Journal of International Law*, 2, 2017, pp. 101 ff. See P.L. Petrillo, The legal protection of biocultural diversity, cit., p. 383.

[24] A. A. Adewumi, *Protecting intangible cultural heritage in the era of rapid technological advancement*, in *International Review of Law, Computers & Technology*, 1, 2022, pp. 19 ff.

[25] Y. Donders, *Protection and Promotion of Cultural heritage and Human Rights*, in C. Waelde, C. Cummings, M. Pavis, H. Enright (eds), *Research Handbook on Contemporary Cultural Heritage. Law and Heritage*, Elgar 2018, pp. 54 ff.

Safeguarding the intangible cultural heritage of a community has thus become, in the final instance, an instrument to protect the cultural rights of peoples and, with them, the very right to survival,[26] so much so that this concept has become part of the legal category of global common good.

There is one underlying issue, which is barely mentioned here. The instruments of international law relating to intangible cultural heritage have been adopted over the years to protect cultural minorities: this logic shapes the entire 2003 UNESCO Convention, but is found extensively in, for example, the 1948 Universal Declaration of Human Rights as well as in the UN Convention on Political and Civil Rights (ICCPR), which was adopted in 1966 and entered into force in 1976. The latter, in Article 27, states that in those states "in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practise their own religion, or to use their own language". As the UN Human Rights Committee pointed out in its comment No. 23 on Article 27 of the ICCPR Convention, it is necessary, in implementation of this article, for each State to act to ensure the effectiveness of cultural rights both when they are collective in nature and when they are individual rights. "Positive measures by States", the Committee points out, "may be necessary to protect the identity of a minority and the rights of its members to enjoy and develop their culture and language and to practise their religion, in community with the other members of the group".[27]

When a national legal system, therefore, sets itself the objective of ensuring the protection of intangible cultural heritage, it does so in order to secure the cultural rights of minorities. On the other hand, it is sadly well known that, during armed conflicts, the first objective of the victors is to destroy every cultural symbol belonging to the defeated: the voluntary destruction of a cultural asset is always aimed at destroying what that asset represents in order to erase or eliminate from the territory the symbols that might represent the history, traditions and identity of the defeated people. This 'memoricide'[28] has repeatedly been considered by the international community, and also by the International Criminal Court, a crime against culture and therefore a crime against humanity.

However, the same legal instruments can be used, at the same time, to affirm the cultural rights of majority groups and help consolidate a set of common symbols that define the identity of the nation. In other words, if it is true, on the one hand, that the protection of ICH essentially serves to ensure the effectiveness of the cultural rights

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[26]L. Pineschi, *Cultural diversity as a human rights?*, in S. Boreli, F. Lenzerini, *Cultural heritage, Cultural rights, Cultural diversity*, Martinus Nijehoff Publishers, Leiden 2012, pp. 29 ff. in which the author examines *General Comment* No. 21 of the UN Committee on Economic, Social and Cultural Rights.

[27]UN Human Rights Committee, General Comment No. 23, Article 27 ICCPR, UN Doc. HRI\GEN\Rev,1\1994, para 6.2.

[28]To use the expression coined by J. C. Toufeksian, *Memoricidio: o la destruccion cultural y el negacionismo*, in N. Boulgourdijan, J. C. Toufeksian, C. Alemian (eds), *Los derechos humanos y la vida historica*, Buenos Aires, 2002, p. 151.

of minorities, it is also true that through its safeguarding, the preservation of traditions with which the majority groups of a people also identify is ensured. The regulatory measures taken in Japan or Korea are emblematic in this regard. The challenge lies in balancing, therefore, the legal instruments in order to ensure, on the one hand, respect for the cultural diversity of minority groups and, on the other, the recognition of a nation's common and proper identity without this second objective being used to *annihilate* the first[29] or without majority groups being able to appropriate the traditions of minority groups and radically transform them.[30]

Clearly this requires, first of all, overcoming a nineteenth-century idea of culture closely linked to its material dimension and that *snobbish* view according to which there are cultures of different 'levels' depending on the medium of expression (painting or sculpture rather than voice or body); secondly, there is a need for a profound rethinking of the instruments for the protection of cultural heritages, both tangible and intangible, which can no longer ignore comparative law or the global context; thirdly, there is a need to rethink the model of the relationship between public and private, between State and individuals, between local authorities and communities, because the protection of intangible cultural heritages places at the centre the people who live off those heritages and who, by their existence, make them vital. It is an epoch-making challenge that, however, many democracies have already faced and overcome.

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[29] In this regard, it must be observed that the candidatures put forward by States in the UNESCO Representative List of Intangible Cultural Heritage are often inconsistent with the logic of protecting cultural diversity and minorities. Often, in fact, States have used this instrument to claim 'ownership' and exclusivity of a certain tradition in the face of an identical request from other States: reference is made, by way of example, to the aforementioned case of the candidature of Airang popular music, typical in Korea but claimed by China; or to the "Kotor Bay festival" proposed by Croatia and Montenegro in an absolutely conflicting logic; or to the culinary tradition of Borsch, a traditional dish of Ukraine and claimed by Russia, which has become a further reason for conflict between the two governments.

[30] This is the case of so-called 'cultural appropriation', which has different nuances: on the one hand, majority groups appropriate the traditions of a minority group, transforming the cultural assumptions, even with the aim of annihilating these diversities; on the other hand, groups or companies or states completely unrelated to the community that practises a certain element, appropriate that cultural expression, often misrepresenting it for profitable purposes. This is the case, for example, of an advertisement that stages a completely decontextualised tribal dance or of a high-fashion company that markets clothes recreating the traditional embroideries of an indigenous people. For the most interesting cases on the subject, read Y. Kawamura, *Cultural Appropriation in Fashion and Entertainment*, Bloomsbury, London 2022, esp. pp. 149 ff. See M. Siems, *The law and ethics of cultural appropriation*, in *International Journal of Law in Context*, 4, 2020, pp. 408 ff.

# Chapter 4
# Giving a Voice to the People: Intangible Cultural Heritage in Transformation and Structural Change

Marlen Meissner

**Abstract**  Intangible cultural heritage (ICH) is well-suited for designing bottom-up policies which are the prerequisites for successful structural change. First, the article provides definitions of transformation and structural change, including their success factors. Second, it provides examples of the beneficial role of culture and cultural heritage in such strategies, showing that cultural heritage has been either ignored as a promoter of structural change or was integrated in a top-down approach, which meant that its potential was not fully harnessed. Finally, the article shows how ICH fosters participation, intra- and intergenerational cooperation, regional networking, territorial intermediation, and how it may support the reinterpretation and revaluation of identities as necessary components of structural change.

**Keywords**  Intangible cultural heritage · Sustainable development · Transformation · Structural change · Participation

"To transform our world for the better by 2030" is the common goal of 193 states who anonymously adopted the Agenda 2030 for Sustainable Development in 2015 (United Nations, 2015a, b, § 91). As a follow-up to the Millennium Development Goals (United Nations, 2000), the international community agreed to put their strengths into achieving the economic, social, and environmental aspects of sustainable development. This global transformation process is directed at an all-encompassing improvement of the worldwide quality of life by ending poverty and hunger, fear, violence and illiteracy and by ensuring access to safe drinking water, sanitation, education and safe habitats as well as reliable and sustainable energy. To put this global transformation into operation, 17 Sustainable Development Goals (SDGs) were defined, adhering to the three-pillar model of sustainability indicated above (United Nations, 2015a, b). Just as economic, social, and ecological sustainability are closely intertwined and dependant on each other, progress cannot be made in the 17 SDGs in isolation. For example, ensuring healthy lives and

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69

promoting well-being for all at all ages (SDG 3) cannot be promoted without ensuring the availability of clean water and sanitation for all (SDG 6), equitable quality education (SDG 4), and achieving gender equality (SDG 5). Poverty and hunger cannot be ended (SDGs 1 and 2) without combatting climate change (SDG 13), establishing sustainable consumption and production patterns (SDG 12), as well as ensuring access to sustainable and modern energy for all (SDG 7).

As one of the UN's Member States, Germany adopted Agenda 2030 and set up a national sustainability strategy to advance economic, technological and social transformation processes (German Federal Government, 2020). Moreover, as a member of the EU, Germany is committed to the European Green Deal and, thus, has pledged to contribute to making Europe the first climate neutral continent by 2050 (European Commission, 2023). In this regard, energy transition is a pressing issue, as Germany put nuclear phase-out into effect in 2023 and additionally decided to end the use of fossil energy by 2038 at the latest.[1] These decisions strongly affect the whole country, but especially specific regions that have supplied Germany and neighbouring states with energy for decades. These regions are facing more intense transformation processes than other parts of Germany in that they are going through dramatic structural change. This applies especially to the mining regions in Germany, such as the Ruhr or the Saar area, where hard coal is mined, and also the four lignite mining districts of Helmstedt,[2] the Central German mining district, the Rhenish mining area and Lusatia (Dahlbeck et al., 2019). Several transformation strategies have been developed for these regions, however most of the areas are still lagging behind the German average in terms of economic prosperity and social equality. As will be shown, culture and cultural heritage have been considered as being rather marginal in the structural change strategies of these regions. In cases where culture or cultural heritage were integrated, this happened mostly in a top-down manner (cf. ESPON, 2021; Grütter, 2023; Hagemann, 2023), which did not harness their full transformational potential. In order to implement structural change more successfully in the coal phase-out regions in Germany, to the suggestion has been made that intangible cultural heritage be considered as something that promotes transformation processes because it may stimulate participation, facilitate regional networking and territorial intermediation and can function as a basis for the reinterpretation and revaluation of identities.

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[1] In autumn 2023, the German federal government intends to submit a report which examines the possibilities of bringing forward the coal phase-out even to 2030.

[2] In Helmstedt, the coal phase-out has already been accomplished as the district no longer has any open-cast mines and is now a prosperous area with a flourishing industry and high gross domestic product (cf. Dahlbeck et al., 2019).

## 4.1   Transformation and Structural Change: Characteristics and Interrelations

Transformation processes in general are characterised by periods of profound and far-reaching change, affecting several or—as in the case of Agenda 2030—all part systems of society. A central condition of transformation is structural change. Structural change manifests itself in the fact that economic or financial systems and/or the raw material base of the economy undergo severe alterations (Jacob et al., 2015). In the case of the regions mentioned above, current processes of structural change are associated with phase-outs of either lignite or hard coal mining. These alterations of the economy's raw material base have profound consequences for financial, ecological, social, and cultural aspects of the regions as a whole. For some of these regions, this is not the only structural change with which they are confronted in recent history. For example, the biggest structural change for Lusatia before the current coal phase-out was the radical transformation it underwent after the reunification of Germany in 1989. This multifaceted structural change of the economic, financial and social system is still ongoing, with Lusatia still lagging behind the general economic development of Germany (DBFZ, 2023). The transformation process of the Ruhr area, in comparison, is directly associated with the end of the coal mining industry and has been going on since the late 1950s. Since then, several measures, such as the support of specific firms or sectors, have been unsuccessful, whereas investment programmes in the educational sector have shown positive effects. Central to all processes of transformation is that, with structural change in a system's resource base or its economic structure, long-established institutions, branches of the economy, and educational qualifications lose their significance. Even more importantly, values, norms and whole ways of life are devalued (Jacob et al., 2015). It follows that transformation processes, if they are as profound as the ones just mentioned, are closely connected to the reinterpretation of regional, local, and individual identities (BMI, 2021).[3]

In current research, according to Jacob et al. (2015), there are two basic lines of thought as to how transformation processes should be managed. On the one hand, there is the view that concepts of transition or change management and structural policy require regulation. On the other hand, state regulation is seen as conserving established structures and, thus hindering real transformation, especially in the context of industrial revolutions and transformations that lead to sustainability (Jacob et al., 2015).[4] Further approaches promote a balance between regulation and a 'let it do its own thing' attitude, with vision and agenda-building on the one

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[3]The expert commission for spatial development of the German Ministry of the Interior and Community (BMI) even determined cultural identity as a resource for structural change (BMI, 2021).

[4]Nevertheless, it is mainly actors in the political field, who steadily postulate the necessity of an all-encompassing transformation of politics, economy and society. This is true especially of Agenda 2030, which, as a global policy, is necessarily top-down, at least in the first instance.

side and a trial-and-error approach through learning and experimentation processes on the other (Rotmans et al., 2007). However, regardless of how much regulation there is, research on transformation suggests that the involvement of the local population, i.e. bottom-up approaches, are central factors of success (Dahlbeck et al., 2019; ESPON, 2021; Jacob et al., 2015).

In the ESPON study of 2021, it is stated very broadly that "a great deal of attention must be paid to (...) the general interest of the local population" and that the "major obstacle to the deployment of energy transition lies in the problem of social acceptability" (p. 9). More precisely, the study argues that "successful structural change is defined locally, but poorly taken up in local action" (ESPON, 2021, p. 14). This problem is said to originate in the general top-down nature of structural change policies and in a "difficulty in conceptualising local solutions" (Ibid.). More and more of these limitations are revealed, with the study predicting a "return to the local," not only with regard to a "reinforcement of the geographical proximity of actors and/or activities" but also to local levels of action, organisation and identity building (Ibid., p. 16). Moreover, in cases of people's opposition to transformation projects, the authors of the study recommend "territorial intermediation" as it allows "for a better understanding of how the territory, through the relations of the coordination of actors, functions and organises itself in complexity" (ESPON, 2021, p. 10). Similarly, Dahlbeck et al. (2019) argue that a local context in structural change projects is necessary in order to ensure the involvement and, more importantly, the commitment of the stakeholders. However, they also reveal a "dilemma" that arises in bottom-up approaches in structural change management, saying that "there is less willingness to get involved in regions affected by structural change than in economically prosperous regions" (Dahlbeck et al., 2019, p. 55). Ways of overcoming this dilemma are seen in the creation of "special support services" for the involvement of civil society and in the interweaving of structural change policies with other strategies such as, for example, gender mainstreaming, participation or inclusion (Dahlbeck et al., 2019, p. 59). They conclude that successful structural change requires multi-dimensional and multi-hierarchical approaches as it is of the highest importance that the active shaping of the transition process is "not left solely to an 'elite with a voice' or to those who are pursuing their particular interest" (Dahlbeck et al., 2019, p. 60). For Beer and Holz, successful structural change is based on "a collective search for intra- and intergenerationally responsible management of natural resources" which can be best accomplished "in a networked rather than additive manner" (p. 114).

## 4.2  The Role of Culture and Cultural Heritage in Transformation and Structural Change

Agenda 2030 explicitly acknowledges cultural diversity and recognises that "all cultures (...) can contribute to, and are crucial enablers of, sustainable development" (UN, 2015a, b, SDG 4.7). The protection and safeguarding of the world's natural and

cultural heritage is considered as a part of SDG 11, aiming at making cities and human settlements inclusive, safe, resilient and sustainable. There are not many more references to culture or cultural heritage to be found in the document, which is why there have been intensive debates on the possible integration of culture as a separate SDG or as a fourth pillar of sustainable development. The advocates of a more explicit integration of culture into Agenda 2030 (UCLG, 2008; UNESCO, 2013; Lewis et al., 2020) argue that climate change, for example, has cultural activities at its root and therefore that sustainability can only be attained by means of cultural approaches. Therefore, culture should be a separate reference point in this global policy. Other models conceptualise culture as a self-evident condition of economic, ecological and social development, which encompasses sustainable development anyway (cf. Streimikiene et al., 2019; Vries, 2020). Thus, in their view, a separate reference is unnecessary.

Whether understood as a separate element or as self-evident part of sustainability, it is widely acknowledged in modern academic discourse that culture contributes to sustainable development. The same holds true for global policy, considering that, for example, UNESCO's cultural conventions (1972, 2003, 2005) are grounded on the interrelation of culture and sustainable development. However, regarding the role of culture specifically in transformation processes or structural change, not much research data can be found, yet. One reason might be that culture and cultural heritage are just being discovered as catalysts of structural change in theory and practice.

Merkel and Möller (2017) state that transformation towards sustainability requires the development of new values, mindsets and habits, which is why they define transformation as a 'cultural project' (p. 110). Following a widened concept of culture,[5] they introduce five aspects in which culture can function as a promoter of transformation. Culture may be a medium to encourage participation and, in the form of cultural and artistic knowledge or skills, culture can be a resource for transformation. Further, culture may stimulate change by initiating civil action, by being an instrument for intercultural and transcultural negotiation, and by encouraging systemic thinking (Merkel & Möller, 2017). Meanwhile, such benefits of culture in transformation processes have also penetrated structural change policies in Germany. In 2018, the German government appointed an expert commission to forge broad social consensus on how structural change should be designed in the regions affected by coal phase-out. The so-called 'coal commission' stated in its final recommendations, in line with the studies mentioned above, that structural change can only be successful if there is broad acceptance, with the active participation of

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[5]Before the 1980s, a 'material' or 'static' concept of culture had prevailed, referring mainly to what is understood as 'highbrow culture' today. This view changed with the introduction of a widened, holistic understanding of culture at the World Conference on Cultural Policies (MONDIACULT) in 1982 in Mexico City. The Mexico Declaration defines culture as "(. . .) the whole complex of distinctive spiritual, material, intellectual and emotional features that characterize a society or social group. It includes not only the arts and letters, but also modes of life, the fundamental rights of the human being, value systems, traditions and beliefs (...) (UNESCO, 1982, Preamble).

civil society and that it should also be directed towards the cultural identity of the people affected (BMWi, 2019). The commission further recommended the promotion of civil engagement and the support of arts and culture with funding programmes. The recommendations were to be implemented by means of regional policies for structural change in the affected regions. In the structural change policy of the Ruhr area, which was drafted long before the recommendations were published, culture is mentioned only very marginally (Städteregion Ruhr 2030, 2008).[6] The spatial strategy of the Rhenish lignite mining area addresses cultural aspects at least as a cross-cutting issue. Yet culture appears somewhat implicitly, in concepts such as 'cultural landscape,' 'cultural education' and 'architectural cultural heritage' (Zukunftsagentur Rheinisches Revier, 2021). In contrast, the development strategy of Lusatia refers quite explicitly and prominently to 'cultural diversity' in its mission statement and relates one of its three priority areas to arts and culture (Wirtschaftsregion Lausitz, 2020). Here, it is explicitly stated that culture, arts, and creativity are motors of innovation and the economy that have been underestimated so far. Culture and cultural heritage are deemed to support the social and ecological transformation process and to contribute to a positive perception of sustainable development. In this regard, references to sociocultural initiatives, traditions, festivities and customs are made, often referring to the cultural practices of the Sorbian minority[7] living in the area. In contrast, architectural or industrial cultural heritage are addressed as having 'enormous potential' but as having not yet been successfully utilised to promote structural change in a noticeable way (Wirtschaftsregion Lausitz, 2020, p. 56).

This almost parenthetic remark points to a rather static understanding of culture and how it might contribute to transformation and structural change. Such an understanding which was - and in some cases still is - very common in structural policy. Transformations related to a change of the raw material base of the economy are often valorised in the form of industrial cultural heritage ('Industriekultur'). Mostly publicly funded and in cooperation with museums, tourism or marketing actors, the former workplaces of the mining industry are transformed into historicised destinations or venues (Hagemann, 2023). Responsible strategists often speak of 'lighthouse' or 'flagship' projects with national or even international appeal, representing the shift from an industrial labour market towards a tourism-oriented economy. For example, one of the most ambitious German flagship projects

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[6]In the Ruhr area, there have been also projects where cultural heritage and structural change were conceptualised together from the outset (e.g. International Building Exhibition IBA Emscher Park (1989–1999) or Capital of Culture Essen 2010). However, they tended to be planned as renowned 'flagship' or 'lighthouse' projects, not taking full account of the integrative potential of culture in its widened, holistic meaning (as explained in more detail later in this article).

[7]The Sorbs are one of four legally recognised German minorities, who live in Lusatia, spreading across the federal states of Brandenburg and Saxony. The Sorbs are of West Slavic origin and speak Upper or Lower Sorbian, nowadays also German. Especially in Lower Lusatia they are also known as Wends. For reasons of simplicity the term Sorbs is meant to include Wends in this article.

was IBA 'Fürst-Pückler-Land' (2000–2010),[8] transforming the former open-cast coal mines of Lusatia into Europe's biggest navigable lake landscape, the 'Lausitzer Seenland'.[9] Other examples are the former briquetting plant 'Energiefabrik Knappenrode,'[10] which is now a museum, or the closed-down Overburden Conveyor Bridge F60, which is a visitor mine and event location today.[11] A comparable project in the Ruhr area is the UNESCO World Heritage site 'Zeche Zollverein', and currently being planned is the transformation of one of the biggest former coal power plants, 'Kraftwerk Frimmersdorf', into a cultural centre in the Rhenish area.[12]

These cultural flagship projects may be successful in attracting visitors and can thus contribute to the creation of jobs in the tourism service sector (Tourismusverband Lausitzer Seenland e.V., 2023). However, they do not seem to comprehensively address the role culture plays in transformation that we identified above, such as the involvement of the local population in structural change strategies or the reinterpretation of local, regional, and individual identities. As field research of Hagemann (2023) in Lusatia shows, such industrial heritage projects are often implemented with an outward focus, with the strategy of attracting visitors. A focus inwards, i.e. on the inhabitants of the affected areas is rather rare, and if it does happens, then it is where the local population is involved in the creation of something of economic value.[13] Also new regional identities, in terms of industrial heritage, are conveyed mainly to the world outside, whereas the inhabitants themselves do not perceive industrial heritage as being part of their cultural heritage (Hagemann, 2023, p. 193). This shows that if a static perception of culture determines the planning of such industrial heritage flagship projects, the results will also be static, often focusing on the preservation of historical buildings and not so much on the involvement of the people living nearby. These observations confirm the findings of the above-mentioned ESPON study in terms of the top-down character of many structural change policies, ignoring the fact that local action is a crucial factor for successful transformation. Similar conclusions are drawn by Grütter (2023) with reference to the cultural development in the Ruhr area. He points out that the transformation of the Ruhr was based on strong political willpower and enormous financial input with the aim of firmly holding back economic decline. This approach is criticised as being a top-down strategy which ignores the needs of the local population who are affected by unemployment and social deprivation (Grütter, 2023).

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[8]http://www.iba-see2010.de/en/index.html

[9]https://www.lausitzerseenland.de/en/start.html

[10]https://web.saechsisches-industriemuseum.com/en/knappenrode.html

[11]https://www.f60.de/en/

[12]https://dom.lvr.de/lvis/lvr_recherchewww.nsf/0/F6C86921B0C27592C125875E00273B59/$file/ Niederschrift_Oeff_Ku_20210908.pdf (cf. Point 8 and presentation in attachment, slide 14 ff.)

[13]In Lusatia, for example, former coal miners are offering guided tours through museums of their former work places.

## 4.3 Intangible Cultural Heritage as Integrative Approach to the Promotion of Structural Change

Until now, the majority of transformation policies seem either to have either ignored culture and cultural heritage as a resource for structural change or else integrated them in a static top-down manner, not fully harnessing their integrating potential. One reason might be that, especially in the Eastern part of Germany, the protection and conservation of built heritage was a pressing issue shortly after German reunification, because the restoration of historical buildings had often been neglected in the German Democratic Republic (Wirtschaftsregion Lausitz, 2020, p. 56). But even in the strategies of the Ruhr or the Rhenish area, culture, if it has been considered at all, has largely been understood in a static, material way, overlooking the broadened understanding of culture as "modes of life, (. . .) value systems, traditions and beliefs" (UNESCO, 1982, Preamble).

In this section we see how intangible cultural heritage (ICH)[14] may offer solutions to such shortcomings and how it can be used as a basis for implementing transformation and structural change policies in a more participatory manner. Furthermore, ICH[15] can offer successful ways of meeting the success factors for structural change identified by the studies previously cited. Intangible cultural heritage is not only a "guarantee of sustainable development" (UNESCO, 2003, preamble), it is also well-suited to of the promotion of bottom-up approaches because it cannot be separated from its practitioners.[16] Moreover, it can be utilised as a medium to support intra- and intergenerational cooperation and regional networking. ICH can be an appropriate source for territorial intermediation as well as for the reinterpretation and revaluation of identities. Finally, ICH can give people a voice in times of disruption and convey feelings of safety in phases of social insecurity.

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[14] In the Convention for the Safeguarding of the Intangible Cultural Heritage ICH is defined as "practices, representations, expressions, knowledge, skills—as well as the instruments, objects, artefacts and cultural spaces associated therewith—that communities, groups and, in some cases, individuals recognize as part of their cultural heritage. This intangible cultural heritage, transmitted from generation to generation, is constantly recreated by communities and groups in response to their environment, their interaction with nature and their history, and provides them with a sense of identity and continuity, thus promoting respect for cultural diversity and human creativity." (UNESCO, 2003, Art. 2.1)

[15] In contrast to some researchers who have suggested that ICH comes into being only as a consequence of a UNESCO listing (Kirshenblatt-Gimblett, 2004) this article follows the view that ICH does exist beyond the 2003 Convention in the form of inherited knowledge and skills. Thus, the statements made on the potential effect of ICH practices on transformation and structural change relate to both cultural practices which are officially denominated by UNESCO or inscribed in a national register as ICH and those which are not.

[16] I have provided a comprehensive analysis on the potentials of ICH for human and sustainable development elsewhere (cf. Meissner, 2021).

Using the example of urban gardening, Koslowski illustrates how ICH functions as a medium of participation. This trend in Swiss municipalities, which is based on transmitted knowledge and skills, brings together people from different social backgrounds, such as working-class milieus, middle classes, and migrant groups. By jointly carrying out gardening projects, they consciously put themselves into a relationship with, for example, the city of Zurich and enter into dialogue with the administration and political representatives. This way, formerly closed groups are directly or indirectly influencing urban planning strategies by implementing socially and politically relevant projects and, above all, increase the quality of life in their residential areas. Also, Jacobs and Keller observed that ICH promotes participation with regards to the cultural practices of the Lusatian Sorbs. These practices were officially listed in the German national inventory of ICH in 2014. Due to the listing, the cultural heritage of the Sorbs attracted particular attention amongst the members of the 'coal commission' and in this way the safeguarding of Sorbian ICH held a prominent place in their final recommendations for structural change (BMWi, 2019). As a result, financial resources were provided for important and far-reaching research projects on the value of Sorbian heritage and its potential for regional structural change. In this case, the ICH listing ensured the participation of Sorbian groups in the Lusatian transformation process and, at the same time, was an important catalyst for policy on minorities (Jaobs & Keller, 2022). As a positive side effect, it promoted the recognition of cultural heritage in general as a factor in the transformation of Lusatia.

Apart from providing examples of how ICH practices may initiate political and social participation, the above cited studies also testify to the potential of ICH in the building of networks and in fostering intra- and intergenerational cooperation. Koslowski, for example, mentions that urban gardening is practised throughout different social strata, and has different meanings for the different groups it brings together. For some, it means home, while others understand it as a part of their identity, and for others again urban gardening is a means of social, ecological or political engagement. That a plurality of meanings can be allocated to one and the same form of ICH is also illustrated by a case study on a Lusatian choral festival, the 'Finsterwalder Sängerfest' (Meissner, 2021). Reasons for wanting to participate in this ICH practice range from meeting family and friends, eating, drinking, or enjoying the general atmosphere, as well of course as choral singing, the actual core of the tradition. At the same time, the survey showed that the different reasons for participating in the ICH practice correlate to the different social backgrounds of the practitioners. While elderly females with a higher level of education, for example, tend to participate for the traditional choral singing, younger males with a lower level of education go for the food and drinking or just the general atmosphere (Meissner, 2021, p. 117 ff.). The important insight of these analyses is that, irrespective of their different motivation and their belonging to different social groups, all of the interviewees identify strongly with the choral festival, join heritage associations and build ICH networks, just as the different groups in the Swiss case do with relation to urban gardening. Apart from showing that transmission of ICH works *inter*generationally in that it brings together different age groups, the two

examples testify to the additional potential of ICH to interconnect different social strata *intra*generationally under the umbrella of one cultural practice.

Different reasons for practising heritage and thus different interpretations of its meaning often result in conflicts among ICH practitioners. Usually, such conflicts are discussed extensively and resolved by the different groups themselves (Meissner, 2021, p. 151 ff.). In such cases, ICH provides spaces where different opinions are negotiated, which is a necessary skill not only for maintaining a peaceful community life, but even more in structural change processes. In this context, Koslowski suggests that ICH is an instrument of social self-reflection and can therefore contribute to democratic societies. Jacobs and Keller observed how the steady collective reflection activated by ICH practices builds strong local networks, involving private actors, political representatives and academics. In this context, the intangible cultural practices of the Sorbs even serve as a connection between different UNESCO sites in the area, working together in the project 'UNESCO 5.'[17] Here two UNESCO Biosphere Reserves, one UNESCO Global Geopark and one UNESCO World Heritage site, situated in the settlement area of the Sorbs, are cooperating in order to jointly support the sustainable transformation of Lusatia. ICH is able to connect different UNESCO sites with each other, showing plainly that intangible practices are also transmitted in and related to the preservation of Biosphere Reserves, Geoparks and World Heritage sites. Moreover, the project also demonstrates that there is a geographical dimension to ICH. Research-wise, first analyses of the potential of ICH for understanding and mediating territorial structures of regions affected by structural change are on their way.

In their series "Derive", Enders & Reicher mapped regional identities and living heritage in the Rhenian mining area (2023a), the Ruhr area (2023b) and Lusatia (2023c). From the angle of urban planning, where new spatial concepts for structural change regions are usually 'designed top-down and predetermined by administrative borders' (Enders & Reicher, 2023c, p. 8) they attempt to make ICH local in order to make cultural identities visible to be considered in strategies for structural change. This is necessary because, according to Enders, ICH is rarely considered in strategies for structural change, precisely because of its intangibility. Things which are literally 'not tangible' are often omitted in political negotiation processes (LVR-Kulturkonferenz, 2022). This happens partly due to their complexity or out of a fear of overburdening the strategies, which would consequently have to deviate from the classic instruments and layers of spatial planning (e.g. economy, mobility, tourism, landscape). Thus, Enders & Reicher (2023a, b, c) approach this problem with a combination of participatory observation, structured interviews and visual research methods such as mapping and architectural ethnography. Their work shows that making ICH local helps to identify spatial dimensions, urban and rural cultural phenomena, polycentricities, inner and outer boundaries of habitats. The mappings literally illustrate how ICH can serve as a bedrock to better understand the structure

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[17]Project description available in German at https://www.spreewald-biosphaerenreservat.de/unesco5/

and internal organisation of a region. This, in turn, is a precondition for effective and integrative structural change management and may also be useful for 'territorial intermediation' in cases of local opposition to transformation projects (ESPON, 2021).

Opposition to structural change is closely connected to the loss of the importance of long-established institutions and to the devaluation of norms, values, and whole ways of life as central features of transformation processes (Jacob et al. 2015). Old truths become invalid, established power structures dissolve and are replaced by new forms of organisation, causing uncertainty and feelings of being left behind. Jacobs and Keller's work suggests that ICH may be a remedy in this regard, as it helps to identify unique features of a region. This allows inhabitants to distinguish themselves from other regions, contributing to local self-assertion and providing them with a feeling of cultural security. ICH means "'becoming conscious of ourselves'" and thus contributes to local and regional identity building. Intangible cultural practices can also help to reinterpret regional, local and individual identities as well as to create new values. Although ICH is rooted in the past and transmitted over generations, it can be a strong component of contemporary identity construction as it is not static, but constantly negotiated and recreated (UNESCO, 2003). Other works have conceptualised the transmission of ICH as incorporation of cultural capital in the understanding of Bourdieu, revealing how ICH practices contribute to identity building (Meissner, 2021). Moreover, the creation of heritage-related products and services can provide sources of income for small entrepreneurs and thus create social and economic values which may foster sustainable regional development. This is especially relevant for the support of sustainable regional economies, as people are willing to spend more money on products related to their local tradition than on comparable ones that do not have such a connection (Meissner, 2021, p. 115 ff.). Knowing this, creative handling of ICH practices may revaluate regional features that were formerly held in low esteem and create new local values, not only in the social but also in the economic dimension of sustainability.

Finally, the inscription of cultural practices into national inventories of intangible cultural heritage or, to take it one step further, their nomination as 'Intangible Cultural Heritage of Mankind' by UNESCO, create attention and recognition on national and international levels to what was simply regional. Besides potentially attracting visitors and generating local profits through heritage tourism, UNESCO nominations help to make the local population and policy makers aware of the cultural resources of their region. The listing of Sorbian cultural practices as national German ICH did not only lead to a growth of public cultural funding, as described above. In addition it stimulated cultural tourism and an increase in interest among scientists to conduct research into Sorbian heritage. Simultaneously, and even more importantly with regards to participation in structural change, there was an increase in individual initiatives on ICH safeguarding and a strengthening of civil engagement in the regional heritage sector. In this regard, the UNESCO values of peacebuilding and respect for cultural diversity and sustainable development can serve as reference points for the creation of new regional identities. It is clear that

they are a necessary component in successful structural change policies, as the 'UNESCO 5' project demonstrates.

To conclude, the protection and restoration of built heritage is important for ensuring the visibility of historical *monuments and sites* as the physical remnants of a region's past. However, the safeguarding of intangible cultural heritage brings visibility to the *people* inhabiting the region, to their past, present, and future aspirations. It provides them with the means to express and position themselves, to make themselves heard in political processes. And the other way round, it offers policymakers and transformation strategists a point of contact for addressing the local population and getting them involved in structural change. In comparison to top-down approaches, development processes based on the intangible aspects of cultural heritage require more time and patience and run the risk of leading strategies in unforeseen directions. However, they are worth the risk, because the safeguarding, the (re)creation and the valorisation of ICH is not the privilege of social, political or administrative elites, and thus promises true bottom-up involvement in structural change and transformation. Intangible cultural heritage reaches far beyond those in power; it reaches out to those who are not normally able to make themselves heard. Intangible cultural heritage gives a voice to the people.

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# Chapter 5
# World Heritage and Intangible Heritage— What Connects it and What Differentiates It?

**Marie-Theres Albert**

**Abstract** Heritage creates and shapes identity while providing security and contributing to sustainability. In this context, the world's diverse tangible and intangible heritage is recognized as the result of human creativity, which should be used for sustainable development. Protecting humankind's heritage is, therefore, a challenge for civil society and the international community's responsibility. In response to this challenge, the international community have adopted and implemented the "Convention for the Protection of the World Cultural and Natural Heritage" on the one hand and the "Convention for the Safeguarding of the Intangible Cultural Heritage" on the other. This article discusses and reflects on how, despite their distinct goals and objectives, these conventions converge in their overarching potential for building and protecting identity and fostering sustainability.

**Keywords** Tangible and intangible heritage · Heritage conventions · Cultures of the world · Identity · Sustainability · Civil society · Human responsibility

## 5.1 Introduction

> Since wars begin in the minds of men, it is in the minds of men that the defences of peace must be constructed.[1]

This is one of the most important statements in the UNESCO Constitution, signed on 16th November 1945. It contains a fundamental message about how and where war is constructed and how to prevent it. Ultimately, it is the international community that must bear the responsibility for the realization of peace in the world, both "in the minds of men" and in reality. Attributing people with a responsibility for peace in the world presupposes that they also have rights that need to be maintained and protected in the long term. This allocation of rights and obligations and the

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[1] UNESCO (1945). Constitution, Preamble.

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associated responsibility of the international community is also the basis of the "Universal Declaration of Human Rights" adopted in 1948.[2] One of the main focuses of this declaration is the personal responsibility that people must assume for the protection of human rights, which is equally important for the protection of heritage.[3]

One of the first great expressions of shared international responsibility for protecting heritage occurred in the 1960s when the planned construction of the Aswan Dam in Egypt posed a significant threat to the temples of Abu Simbel. The risk to the temples caused global alarm during a time characterized by widespread interest and social awareness regarding industrial development. UNESCO's response demonstrated a strong commitment to the international community's responsibility for its material heritage. Not only did the organization initiate efforts to move the temple to higher altitudes for preservation, but it also mobilized people around the world to protect this irreplaceable heritage. These actions formed the basis for a future responsible approach to humanity's heritage.

In the following years, under the direction of UNESCO, the "Convention concerning the Protection of the World Cultural and Natural Heritage"—commonly known as the World Heritage Convention—was drawn up and officially adopted on 16th November 1972.[4] Analogous to interpretations of culture in that period of industrial development, the World Heritage Convention was founded on the idea of protecting material culture or "tangible" culture in UNESCO's own terminology, which it evaluated in relation to its significance for heritage. The World Heritage Convention connected this tangible culture and heritage through an understanding that cultural or natural sites should be protected and recognized as world heritage if they have "outstanding universal value" (OUV).[5]

The "Convention for the Safeguarding of the Intangible Cultural Heritage", adopted in Paris on 17th October 2003, has a very different context.[6] Commonly referred to as the Intangible Cultural Heritage Convention, this agreement is not so much about protecting the past; its central aim is to protect diverse life expressions and habits from the impact of globalization on life, work and communication structures. This convention does not focus on tangible culture and heritage but on the people themselves and the culture they create. The Intangible Cultural Heritage

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[2]United Nations (1948). *Universal Declaration of Human Rights*. https://www.un.org/en/about-us/universal-declaration-of-human-rights

[3]On the topic of heritage and responsibility, see Albert (2022).

[4]UNESCO (1972). *Convention Concerning the Protection of the World Cultural and Natural Heritage*, Adopted in Paris, 16 November 1972. https://whc.unesco.org/en/conventiontext/

[5]OUV is the prerequisite for inscribing a heritage as a World Heritage site. OUV is defined in the "Operational Guidelines" for the implementation of the World Heritage Convention (World Heritage Committee, 2013). The source here is the criteria published by the World Heritage Committee in 2013. https://whc.unesco.org/en/guidelines/

[6]UNESCO (2003). *Convention for the Safeguarding of the Intangible Cultural Heritage*. https://ich.unesco.org/en/convention

Convention emphasizes a need for people's culture to be developed sustainably through both tangible and intangible heritage.

Comparing the two conventions, it is evident that the World Heritage Convention and its corresponding documents were based on an understanding of heritage defined exclusively as tangible and natural assets and an aim to promote peace in the world, like all UN[7]and UNESCO constitutions.[8] The World Heritage Convention's perspective on tangible heritage was based heavily on the "Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict" (1954),[9] the "European Cultural Convention" of the Council of Europe (1954)[10] and the UNESCO "Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property" (1970).[11] For natural heritage, the World Heritage Convention draws from the UNESCO "Man and the Biosphere Programme" (1971)[12] and the "Convention on Wetlands of International Importance especially as Waterfowl Habitat" (1971),[13] also known as the "Ramsar Convention".

In contrast, the Intangible Cultural Heritage Convention is based on an understanding of culture that encompasses the entirety of expressions of human life. It recognizes heritage as a force that shapes human development, incorporating past experiences with a view towards a sustainable future. In this respect, this convention is based on the "Universal Declaration of Human Rights" (1948), the "International Covenant on Economic, Social and Cultural Rights" (1966a)[14] and the "International Covenant on Civil and Political Rights" (1966b).[15] Further milestones for the Intangible Cultural Heritage Convention include the adoption of the "Mexico Declaration" at the "World Conference on Cultural Policy" in Mexico (1982),[16] the

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[7]See footnote 2.

[8]See footnote 1.

[9]UNESCO (1954). *Convention for the Protection of Cultural Property in the Event of Armed Conflict*. https://en.unesco.org/protecting-heritage/convention-and-protocols/1954-convention

[10]Council of Europe (1954). European Cultural Convention. https://rm.coe.int/168006457e

[11]UNESCO (1970). *Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property*. https://en.unesco.org/about-us/legal-affairs/convention-means-prohibiting-and-preventing-illicit-import-export-and

[12]UNESCO (1971). *Man and the Biosphere Programme*. https://www.unesco.org/en/mab

[13]Ramsar (1971). *Convention for the Protection of Wetlands of International Importance, Particularly as Habitat for Waterfowl and Wading Birds, of International Importance*. https://www.ramsar.org/

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[16]UNESCO (1982). *The Mexico City Declaration on Cultural Policies*. https://unesdoc.unesco.org/ark:/48223/pf0000055903

"Brundtland Report" (1987),[17] the UNESCO "Recommendation on the Safeguarding of Traditional Culture and Folklore" (1989)[18] and the UN "Universal Declaration on Cultural Diversity" (2001).[19]

There are important aspects that distinguish the cultural concepts, political intentions, and international agreements that have characterized and shaped these two conventions. However, in my opinion, their shared characteristics are more significant than what separates them. It is these common features that place both conventions within international law.

## 5.2 What Do the "World Heritage Convention" and the "Intangible Cultural Heritage Convention" Have in Common?

Fifty-one years have passed since the General Conference of UNESCO adopted the World Heritage Convention, and in 2022, its 50th anniversary was celebrated worldwide with huge success.[20] As of this year, it protects 1157 monuments in 167 countries. Of these 1157 monuments, 900 heritage sites are classed as cultural heritage, and 218 are natural heritage. Thirty-nine sites represent both cultural and natural heritage. The justifications for protecting the heritage of humanity have undergone many adjustments in the last 50 years, going beyond the original concept of OUV. The recognition of the role of all heritage in creating and maintaining identity is one of the most important developments in the justification for its protection, and this recognition is inherent in the World Heritage Convention.[21]

Humanity's heritage—whether tangible or intangible—is an irreplaceable resource, not least because it creates and maintains identity. Identity formation through heritage occurs by transferring and developing people's tangible and intangible products, including the values that bind them, from the past to the present and from current to future generations. The importance of heritage in creating and

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[17] Officially, the *Report of the World Commission on Environment and Development: Our Common Future* (United Nations, 1987). https://sustainabledevelopment.un.org/content/documents/5987our-common-future.pdf

[18] UNESCO (1989). *Recommendation on the Safeguarding of Traditional Culture and Folklore.* https://en.unesco.org/about-us/legal-affairs/recommendation-safeguarding-traditional-culture-and-folklore

[19] United Nations (2001). *Universal Declaration on Cultural Diversity.* https://www.un.org/en/events/culturaldiversityday/pdf/127160m.pdf

[20] Albert et al. (2022).

[21] This fundamental statement theoretically refers to the classic cultural studies perspectives of Ernest Jouhy (1985) and Michel Leiris (1985) with their focus on social sciences and ethnology. Their work continues to have a strong influence on my own. See Albert (2022)

preserving cultural identity was one of the main motivations for the international community[22] to protect and equally recognize the diverse heritage of all cultures.

At the closing of the World Heritage Convention's 30th-anniversary celebration in Venice in 2002, one year before the adoption of the Intangible Cultural Heritage Convention, Koichiro Matsuura, Director-General of UNESCO, said the following: "The identity of peoples and the cohesion of societies are deeply rooted in the symbolic tissue of the past. Or in other words, the conditions for peace reside, to a large extent, in each individual's pride in their cultural roots, and the recognition of equal dignity of all cultures".[23]

On UNESCO's 60th anniversary in 2005, three years after the adoption of the Intangible Cultural Heritage Convention, Claude Lévi-Strauss, a prominent figure in the UNESCO context, further emphasized the significance of heritage in shaping and maintaining identity and thus contributing to sustainable human development and fostering peace in the world. In his speech, he reiterated many of the ideas present in earlier works:

> The true contribution of a culture consists, not in the list of inventions, which it has personally produced, but in its difference from others. The sense of gratitude and respect which each single member of a given culture can and should feel towards all others can only be based on the conviction that the other cultures differ from his own in countless ways, even if the ultimate essence of these differences elude him or if, in spite of his best efforts, he can achieve no more than an imperfect understanding of them. The notion of world civilization can only be accepted therefore, as a sort of limiting concept or as an epitome of a highly complex process. There is not, and can never be, a world civilization in the absolute sense in which that term is often used, since civilization implies, and indeed consists in, the coexistence of cultures exhibiting the maximum possible diversities. A world civilization could, in fact, represent no more than a worldwide coalition of cultures, each of which would preserve its own originality.[24]

The role of heritage in shaping identity and fostering peace has also often been the motivation behind its destruction. This tendency is notably evident in the targeted destruction of tangible heritage during wartime, as historically witnessed in the destruction of built heritage during the First and Second World Wars. Similar patterns emerge in numerous contemporary regional conflicts worldwide, with Russia's war of aggression against Ukraine being a particularly stark example. Heritage is destroyed in these conflicts precisely because it builds identity, thereby opposing the needs and priorities of the new power.

Securing rule and exercising power go hand-in-hand with the rigorous severing of people's roots. This strategy has been evident throughout the world, irrespective of specific political or societal systems. Important tangible or intangible expressions

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[22] "Diversity" does not only encompass forms of expression represented in the two conventions mentioned, but also the "normative instruments" adopted for them. Of particular note is the "Memory of the World Program", which was adopted on 22 June 1992 and is considered the third category for the protection of heritage. See also Edmondson et al. (2020).

[23] Matsuura (2003, p. 52).

[24] Lévi-Strauss, C. (1952, p. 45).

of a given human culture and identity are destroyed, desecrated, or dishonoured with the aim of creating the space and a framework for the introduction of new power structures. This approach offers new rulers the scope to establish their own ideologies without further entrenching the old ballast.[25] This has been the case since ancient times; it was the decided strategy of colonialism and continues to the present day.

The adoption and application of the two conventions created the opportunity to retrospectively honour humanity's heritage with an eye toward people's future well-being and interests. It also established a framework for reflecting on the destructive and constructive potential inherent in historical and contemporary human processes, which should allow us to learn from these processes and, if necessary, take corrective actions.

Historically, the realization of heritage's role in creating and preserving identity–as already explained above—emerged with the construction of the Aswan Dam in Egypt and the danger it posed to the temple due to the flooding of Abu Simbel and Philae. Preserving these temples became the international community's guiding motive in defining heritage as a fundamental principle of civil society in the World Heritage Convention. Thus, the protection of heritage is seen as a permanent challenge for this community. The rescue of the temples was, therefore, not only a technical masterstroke but also a success for the international community in protecting humanity's cultural heritage.

For the first time in its history, the international community acknowledged the identity-shaping role of cultural heritage. This recognition marked the international dissemination of a broader concept of culture, extending beyond tangible or spiritual achievements. The rescue operation was also accompanied by an awareness of a more holistic concept of culture, which was reconceptualized as a representation of all aspects of people's lives within a specific time and space.[26] This fostered an understanding that culture inherently comprises both tangible and intangible components, neither of which has any value without the other.[27]

UNESCO Ambassador Wole Soyinka commented explicitly on this in the World Heritage Centre's Newsletter No. 37 (2003). He highlights that without intellectual interpretation, cultural assets are reduced to temporally and spatially tailored constructions of cultural objects. No matter how authentic the material, production method or technology may be, it remains worthless without its ideologically and historically interpreted context. Only the interaction between the object and its interpretation creates representative values and, thus, identity. In this idealistic sense, the rescue of the Abu Simbel temples can also be described as a process that heightened the international community's awareness of the importance of

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[25] See Soyinka (1999) and (2003, p. 28).

[26] These positions arise from the approaches of the cultural and social scientists and anthropologists mentioned above: Ernest Jouhy, Michel Leiris and Claude-Lévi Strauss. They are also relevant to the World Heritage Convention, although—as stated—it focuses on the OUV of tangible heritage.

[27] Van Hasselt (2001, p. 281).

sustainable heritage protection for their own identities. Consequently, it logically follows that individuals bear cultural, social and, importantly, individual responsibility for safeguarding their heritage.[28]

UNESCO's ethical, social and cultural values also serve as the fundamental principles of the World Heritage and Intangible Cultural Heritage conventions. These values not only form the basis of their shared principles but also facilitate their diversity. I will explain the differences between the two conventions in the following section.

## 5.3   What Is the Difference Between World Heritage and Intangible Heritage?

### 5.3.1   World Heritage in the Twenty-First Century

The differences between the two conventions are explicitly demonstrated by the different cultural concepts upon which they are based, which also shape their definitions of the heritage intended for protection. The World Heritage Convention focuses on culture as a static tangible structure, while the Intangible Heritage Convention sees it as a living, evolving expression of life. World heritage is still based on the tangible concept of culture and the associated approach to sustainability, which essentially focuses on the protection of built monuments. The World Heritage Convention relies on a concept of culture that interprets the tangible objects designated as world heritage as being "extraordinary" for individuals and societies. Consequently, the protected status of these objects is also derived from this interpretation.

According to Wikipedia, "material culture . . . . (as) the totality of devices, tools, weapons, buildings, clothing and jewellery and other material items produced by a culture or society. . . . Culture and material objects are inconceivable without each other. Only the connection between the material and the immaterial enables access to understanding the everyday life of ethnic groups and societies. No connection can be created with an object if its intellectual expressions in language and text are not considered in connection with the craft. Knowledge and actions—as well as material objects—are different in every culture and must therefore be examined again and again."[29]

The fascinating element about this conservative and static concept of culture, particularly in the context of the World Heritage Convention, is its overarching relationship to UNESCO and its goals. As already noted, the historical development of the UNESCO Conventions, including the World Heritage Convention, emerged as a further development of the 1954 Hague Convention. This international

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[28] Soyinka (2003, p. 28).

[29] Wikipedia. *Materielle Kultur.* https://de.wikipedia.org/wiki/Materielle_Kultur

agreement for the security and preservation of cultural assets in the event of armed conflict was one of the first conventions to address the destruction of heritage during the two world wars. Since then, it has aimed to protect cultural assets from destruction, looting or theft during armed conflicts and thus formed an important basis for the creation and adoption of the World Heritage Convention. The Hague Convention's central message is that cultural assets carry strong symbolism and have an identity-forming function for the population, which is the basis for the functioning of our society. It was adopted "being convinced that damage to cultural property belonging to any people whatsoever means damage to the cultural heritage of all mankind.".[30]

Thus, although the general understanding of culture is becoming more and more holistic, the protection of tangible heritage remains essential. This is clearer than ever in the context of the Russian war of aggression in Ukraine and cannot be communicated enough.

### 5.3.2   Intangible Heritage—A Construct for the Future

The Convention for the Safeguarding of the Intangible Cultural Heritage was only adopted in 2003, 30 years after the World Heritage Convention. It was a response to a wider recognition of the diversity of cultural expressions that developed in the 1980s and 1990s, which was accompanied by a critical examination of the legacy of colonialism and the effects of globalization. This cultural diversity and the international effort to preserve and further develop it were among the main motivations for the adoption of the Intangible Cultural Heritage Convention.[31]

Due to Europe's dominance on the World Heritage List, many non-European regions have been keen to move beyond seeing cultural expressions purely in terms of tangible heritage.[32] The effects of Eurocentrism are very clear: over 50% of all inscriptions on the World Heritage List originate from Europe. This Eurocentric implementation of the World Heritage Convention was a great motivation for non-European countries to push the adoption of the Intangible Cultural Heritage Convention. Therefore, it is not surprising that the main initiators of this convention were non-European states such as Japan and China, both of which were also among its first signatories.

Of the other 28 initial signatories that were required for the Intangible Cultural Heritage Convention to enter into force, only seven came from the European bloc: Iceland, Belarus, Croatia, Latvia, Lithuania, Luxembourg, and Mongolia.[33] Other

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[30] https://en.unesco.org/sites/default/files/1954_Convention_EN_2020.pdf

[31] See Meissner (2021), especially Chap. 2.

[32] See Missling (2010).

[33] See the list of State Parties and when they ratified it on the Convention for the Safeguarding of the Intangible Cultural Heritage website. https://www.unesco.org/en/legal-affairs/convention-safeguarding-intangible-cultural-heritage#item-1

countries, particularly those that boasted World Heritage sites, were slow to ratify this convention. Germany, for example, which has a very strong presence on the World Heritage List, only ratified the Intangible Cultural Heritage Convention 10 years after its adoption.

The key distinctions between this convention and the World Heritage Convention lie in the interpretation of intangible heritage as opposed to world heritage. The crucial difference is that intangible heritage is not only to be preserved but also further developed for the benefit of future generations. This is about fostering the ongoing diversity of expressions of life that are encapsulated in intangible heritage. UNESCO's own "Questions and Answers about Intangible Cultural Heritage" answers the question "What is intangible cultural heritage?" with the following:

> Cultural heritage does not end at monuments and collections of objects. It also includes traditions or living expressions inherited from our ancestors and passed on to our descendants, such as oral traditions, performing arts, social practices, rituals, festive events, knowledge and practices concerning nature and the universe or the knowledge and skills to produce traditional crafts. While these may not be tangible – they cannot be touched – they are a very important part of our cultural heritage. This is intangible cultural heritage, a living form of heritage which is continuously recreated and which evolves as we adapt our practices and traditions in response to our environment. It provides a sense of identity and belonging in relation to our own cultures.[34]

This interpretation of intangible heritage not only captures the contrast to world heritage but also aligns with the concept of culture I discussed earlier, akin to the perspectives of Ernest Jouhy (1985), Michel Leiris (1985) and Claude Lévi-Strauss (2005, in UNESCO 2008). This interpretation also highlights facets of this concept of culture that influence the objectives and efforts for preserving and developing intangible heritage. The Intangible Cultural Heritage Convention emerged as a counter-model to the World Heritage Convention and embraced an expanded concept of "cultural development" rather than the "conservation of cultural property".

A final point, which is inherent in the distinction between the World Heritage Convention and this convention, is the clarification of the term "safeguarding". It clarifies the connection between safeguarding and "sustainability" and also presents methods for the "safeguarding" process: "... safeguarding does not mean protection or conservation in the usual sense, as this may cause intangible cultural heritage to become fixed or frozen. "Safeguarding" means ensuring the viability of the intangible cultural heritage, that is, ensuring its continuous recreation and transmission. Safeguarding intangible cultural heritage is about the transferring of knowledge, skills and meaning. It focuses on the processes involved in transmitting, or communicating it from generation to generation, rather than on the production of its concrete manifestations, such as dance performances, songs, musical instruments or crafts."[35]

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[34]UNESCO (2009, p. 2). *Questions and answers about... intangible cultural heritage.* https://unesdoc.unesco.org/ark:/48223/pf0000189124.locale=en

[35]UNESCO (2009, p. 3). *Questions and answers about... intangible cultural heritage.* https://unesdoc.unesco.org/ark:/48223/pf0000189124.locale=en

In this context, the Intangible Heritage Convention can also be seen as a driving force for human development and an important instrument for the establishment of peace in the world, especially considering current developments in international society.

## 5.4  Outlook

The World Heritage Convention and Intangible Cultural Heritage Convention were important milestones in the implementation of UNESCO's goals since its founding in 1945. They establish a direct connection between heritage and people, fostering the enduring integration of heritage into people's consciousness. Consequently, they are indispensable tools in the pursuit of global peace. With 1157 World Heritage sites in 167 countries[36] and 678 intangible heritage registrations in 140 countries,[37] these conventions have also received the global recognition they deserve. This recognition underlines their importance and relevance to UNESCO's goals as two of its most successful conventions.

At the same time, as peoples' cultural expressions continue to evolve, so do the needs associated with the preservation of tangible, intangible, and natural heritage. This also corresponds to UNESCO's self-perception. Addressing this evolution involves integrating protection and sustainable use concepts for heritage that prepare people for challenges such as climate change, global migration, the commodification of culture, pandemics, war, and the future impacts of developments such as artificial intelligence (AI), as Stephen Hawkins puts it in the Frankfurter Allgemeine Zeitung.[38]

Educational projects for schoolchildren[39] and students[40] and continuing education courses[41] for various target groups are essential in preparing people for these challenges. Considering its remit as an educational institution, it is interesting that

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[36] UNESCO (2023a). *World Heritage List.* https://whc.unesco.org/en/list/

[37] UNESCO (2023b). *Browse the Lists of Intangible Cultural Heritage and the Register of good safeguarding practices.* https://ich.unesco.org/en/lists

[38] Frankfurter Allgemeine Zeitung (2017). *Stephen Hawking: Wir müssen die Erde verlassen!* Frankfurter Allgemeine Zeitung. https://www.faz.net/aktuell/wirtschaft/stephen-hawking-nennt-groesste-betreiben-der-menschheit-15294869.html

[39] For example, the Young Climate Action for World Heritage from the Institute Heritage Studies (2023): https://heritagestudies.eu/category/projekte/laufende-projekte/

[40] For example, the World Heritage Studies course (https://www.b-tu.de/en/worldheritage-ma) that I, Wolfgang Schuster and Michael Schmidt founded in Cottbus in 1999.

Another example is the UNESCO Chair in Heritage Studies *Feasibility Study—Implementation of the UNESCO Convention for the Preservation of Intangible Cultural Heritage (2003) in Germany* also prepared at BTU Cottbus in 2011.

[41] ICCROM (https://www.iccrom.org/) is the main representative for further training in world heritage matters. The offerings for further training in intangible heritage are diverse and interdisciplinary. The Ministère de la Culture also offers special training in several languages: https://www.culture.gouv.fr/en/Thematic/Intangible-cultural-heritage/Teaching-and-Research/Training-in-the-field-of-intangible-cultural-heritage/Permanent-training

UNESCO has expended limited educational effort to emphasize the significance of heritage to specific target groups or to foster sustainable practices for the future. Addressing this gap is crucial for ensuring the sustainable implementation of both conventions.

Finally, it must also be emphasized that the quantitative success of the conventions has been accompanied by their commodification and, thus, loss of value. Applications for the registration of tangible and natural assets and intangible heritage are increasingly based on tourism and economic interests and less on a mandate to sustainably protect heritage for future generations. This results in a loss of their cultural, political and ethical effects and alters their overall purpose. These kinds of applications are motivated by a desire for enhanced product sales, increased visitor numbers during rituals and festivals, and other similar economic considerations. Focusing only on tourism to the detriment of the historical values of sites for the population is counterproductive. The realization of economic interests should not be rejected on principle but must not be contrary to the original objectives of the Convention. Unfortunately, ensuring that countries' rationale for nominating heritage is related to the core values of the conventions is not yet on the agenda of the UNESCO conventions and should, therefore, be seen as an important task for civil society supporting UNESCO.

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# Chapter 6
# UNESCO's World Heritage Convention, the Intangible Heritage Convention and the Masterpiece Programme: An Analysis of Mutual Relations, References and Distinctions

**Thomas Schmitt**

**Abstract** The article highlights selected relationships between the two currently best-known UNESCO heritage conventions, the 1972 World Heritage Convention and the 2003 Convention for the Safeguarding of the Intangible Cultural Heritage. Although the latter was modelled on the former—with the important intermediate step of the UNESCO programme for Proclamation of the Masterpieces of the Oral and Intangible Heritage of Humanity (1998)—there are important differences between the conventions and the respective heritage regimes. The article examines in detail the delimitation of the subject areas of both conventions and the relationship between the key concepts of "outstanding" versus "representative". Other aspects are also addressed in a condensed form, such as the question of the preservation concepts of both conventions and their implicit cultural geographies.

**Keywords** World heritage convention · Intangible heritage convention · Masterpieces of the oral and intangible heritage of humanity · UNESCO · Safeguarding

## 6.1 Introduction

The UNESCO World Heritage Convention (in full: *Convention for the Protection of the World Cultural and Natural Heritage*) of 1972 and the UNESCO *Convention for the Safeguarding of the Intangible Cultural Heritage* of 2003 (hereinafter referred to as ICH Convention or 2003 Convention), as well as the regimes established by these conventions, are interwoven in many ways. This applies to their genesis, the regime designs including the listing principle, the professional debates on their basic concepts and also their public perception. The lists of the two different heritage

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regimes are often confused with each other in public discussions; for example, the German-language media often use phrases such as "intangible UNESCO World Cultural Heritage". This may surprise, amuse or irritate professionals, but in view of the genesis of the ICH Convention, such a perception by laypeople is understandable.

There are several source texts on the relationship between the two heritage regimes (Yamato Declaration 2004; cf. Buckley, 2004). A number of studies are dedicated to the paired concepts "tangible/intangible heritage" (for instance Rudolff, 2007). In publications that focus on one of the two heritage regimes, reference is often also made to the other (e.g. Schmitt, 2011; Hafstein, 2018).

As far as the limited scope of a book chapter allows, this contribution aims to compare the two heritage regimes from selected points of view and to illustrate the relationships between them. The article discusses the question of the relationship between the subject areas of the two conventions, which appears trivial at first glance, and explains the complex relationships between their central basic concepts of "outstanding" versus "representative". The more detailed draft versions of this article covered further aspects, such as the discussions of "authenticity" in both heritage regimes, their different concepts of preservation, their explicitly and implicitly mediated cultural geographies, and their similar but not identical forms of governance. For reasons of space, these points can only be touched upon in this article (cf. Sect. 6.4).

The article also draws on findings from the author's own research on both conventions, which dates back to the early 2000s. Specifically, the following analysis draws primarily on the Convention texts of 1972 and 2003 (both of which have remained unchanged since their adoption, as is not unusual with international treaties) and the *Operational Guidelines* (in the case of the World Heritage Convention) or the *Operational Directives* (in the case of the ICH Convention). The guidelines/directives are adopted by the respective Intergovernmental Committee of the convention; an examination of their older versions is also instructive for the analysis.

In order to explain the relationship between the two heritage conventions and regimes, a discussion of UNESCO's so-called *Masterpiece Programme* of 1998 and its genesis, which anticipated central concepts and procedures of the 2003 Convention in a simplified form, is also essential. For those readers who are not familiar with it, here is a summary. The UNESCO programme for the proclamation of the *Masterpieces of the Oral and Intangible Heritage of Humanity* was adopted in 1998; its structure was deliberately modelled on that of the World Heritage regime, albeit in a slimmed-down form. In three rounds between 1998 and 2005, a total of 90 Masterpieces were proclaimed, selected from national applications by an international jury of experts. The Masterpiece Programme defines the concept of intangible heritage with reference to the concept of folklore in the UNESCO *Recommendation on the Safeguarding of Traditional Culture and Folklore* of 1989, which, still as soft law, prepared the ground for the idea of the international safeguarding of intangible heritage. To a certain extent, the adoption of the 2003 Convention can be seen as a logical development of the earlier activities of

UNESCO or its member states. In addition to the adoption of the UNESCO Recommendation, these included a remarkable resolution by the UNESCO Executive Board, initiated by South Korea, on the "establishment of a system of 'living cultural properties' (living human treasures)" with the possible long-term goal of institutionalising "a world list of 'living cultural properties'" (UNESCO, 1993: 22–23; cf. Hafstein, 2009: 94). However, as the author of this article was able to reconstruct on the basis of interviews and internal UNESCO documents, an external impetus was needed which led directly to the development of the Masterpieces programme, and, secondarily, to the 2003 UNESCO Convention. This was an initiative by the renowned Spanish writer Juan Goytisolo (1931–2017), who approached the then UNESCO Director-General Federico Mayor in 1996 with the request that UNESCO should protect the traditions of the Jemaa el Fna square in Marrakech, Morocco as "*oral heritage of humanity*" before they disappeared in the course of a planned urban modernisation project (Schmitt (2008); Schmitt (2011): chap. 8). In comparisons of the two heritage conventions of 1972 and 2003, reference is also occasionally made to UNESCO's *Memory of the World Programme* of 1992. Although, like the former Masterpiece Programme, it does not have the status of international law, it has also attracted the attention of the interested public as part of UNESCO's heritage award instruments.

## 6.2   The Subject Areas of the Two UNESCO Heritage Regimes

Numerous publications, including those of UNESCO, suggest that the World Heritage Convention of 1972 and the ICH Convention (2003) should be seen as complementary and that the heritage regimes they form complement each other (cf. Matsuura, 2001: 2). Accordingly, a "newcomer" to the subject might plausibly assume that the two conventions, taken together, would cover the entire field of cultural heritage, both "tangible" and "intangible", or—since the 1972 Convention is also dedicated to World *Natural* Heritage—the entire conceivable field of societal heritage. However, this is not the case for several reasons, as will be explained below.

A closer look reveals that the World Heritage Convention is by no means intended to cover *all* material cultural heritage artefacts. In the field of cultural heritage, the Convention explicitly aims to safeguard monuments, groups of buildings (ensembles) and sites (cf. UNESCO, 1972: Art. 1); cultural landscapes were implicitly subsumed under the latter from the outset, and explicitly after 1992/1994 (Operational Guidelines 1994, §§ 35–42). *Mobile artefacts* are not covered by the Convention (as clearly stated in the current version of the Operational Guidelines (2023: § 48)). Movable cultural property, in addition to buildings and ensembles, can be safeguarded under the *Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict* of 1954 and its supplementary protocols of 1954 and

1999; this convention is also supervised by UNESCO. However, the Hague Convention, and even more so the (national) lists of objects protected by it, receive significantly less public attention than the World Heritage Convention; moreover, possible synergies between these two UNESCO heritage regimes have not yet been developed satisfactorily (cf. von Schorlemer (2016): 622). The UNESCO *Memory of the World Programme,* on the other hand, protects archives and individual documents, and thus potential movable heritage. Through a broad understanding of "document", artefacts such as the Bronze Age Nebra Sky Disc or the Behaim Globe dating from 1492 are also included. However, movable objects are now also making it onto the World Heritage List in an indirect way. This is possible if movable objects of great heritage significance can be linked to a spatially delimited site; the latter is placed under protection following the usual procedure of the World Heritage regime. A striking example from the field of cultural heritage is the World Heritage Site *Caves and Ice Age Art in the Swabian Jura*, Germany. The artefacts of Ice Age hunter-gatherer cultures found in the Swabian caves through excavations document an important stage of human prehistory, universally unique to date. Flutes, the figurine of the "Lion Man" or the female figurine called "Venus of Hohle Fels" demonstrate the artistic development of Ice Age man and allow conclusions to be drawn about his religious-spiritual or magical ideas (Kind & Conard, 2023); it can be asserted that an outstanding universal value can attributed to these *artefacts,* for the reconstruction of human prehistory. An outstanding cultural significance can *solely* be claimed due to their status as sites where the artefacts were found, where they were used and presumably also produced. After the excavations were completed, these caves were, in a sense, culturally emptied; the artefacts are no longer there but in various museums. The nomination and inscription in the World Heritage list of the "Ice Age caves", as the sites where the artefacts were found, can be understood as an acceptable *auxiliary construction* in this individual case, acknowledging, at least implicitly, the importance of the mobile artefacts. It can be concluded that there is a lack of an adequate safeguarding regime for such artefacts.

The ICH Convention by no means covers all (intangible) objects that could be regarded as cultural heritage. For unbiased observers, this is often surprising. If educated citizens or scholars of the humanities who are not familiar with the 2003 Convention were asked what they consider to be intangible cultural heritage, they would (depending on their own culturalisation) probably mention cantatas, masses, operas and symphonies by well-known composers such as Bach, Mozart and Beethoven, Gregorian chants, epic works, prose and poetry by well-known writers, perhaps also philosophical writings, and religious traditions such as the texts of the Bible, of Patanjali or the sermons of the Buddha. Apart from the ontological question of whether a work such as Bach's Mass in B Minor "exists" at all beyond concrete sheet music and/or performances or recordings, in the ICH Convention and its implementation, intangible cultural heritage is defined in such a way that an essential criterion for listing includes the *intergenerational transmission of* practices, and their permanent *recreation* and *recognition* as heritage by, ideally, "communities" (cf. UNESCO, 2003: Art. 2.1). A Mass in B Minor existing in our imagination or in a Platonic realm of ideas could therefore not be protected per se by this

convention. The UNESCO *World Documentary Heritage Programme,* on the other hand, safeguards selected *material representations of* such cultural property, such as autographs of the B Minor Mass or Beethoven's Ninth Symphony. Can comparable opportunities be found to draw attention to Bach's musical works, for example, by means of the ICH Convention? It would be easy to identify potential organisations as "bearers" dedicated to the preservation of the composer's works, such as the *New Bach Society*, and a perhaps only vaguely defined "community" of amateur and professional musicians and choral singers could probably be identified who repeatedly perform such works. In this case, it would be hard to find a plausible argument against accepting a soundly formulated application for inclusion of the *practice of performing* Bach's works in the Representative List of the 2003 Convention: as intellectual works typical of a high culture.

There may also be a certain reluctance to submit such an application in view of the fact that the ICH Convention was initially associated primarily with "popular culture", evolving from the above-mentioned UNESCO *Recommendation on the Safeguarding of Traditional Culture and Folklore* of 1989. In contrast to the provisions of the Masterpiece Programme, the terms folklore and popular culture are no longer mentioned in the ICH Convention (except as a quotation from the UNESCO Recommendation of 1989). In this respect, this text would no longer be a fundamental argument against nominating, for example, a Bach festival for one of the ICH lists.

This sub-chapter shows that the potential subject areas of the two UNESCO Heritage Conventions of 1972 and 2003 are neither (a) complementary, nor (b) can they be defined unambiguously, as the rhetorically favoured binary opposition tangible/intangible might suggest. In addition, (c) inherent contradictions can be found between original intentions and later inscription practices. This makes it clear that the development and adoption of the conventions has not followed an overarching, systematic "master plan", but that, just like the later, sometimes inconsistent implementations, they are the result of contingent negotiation processes (cf. Schmitt, 2011: 359). If their implementation is assessed here as *factually* inconsistent, this is expressly not an *ethical* value judgement. For, just as in everyday life, it is clear that in international regimes a rigid, consistent adherence to scripts can lead to unfavourable solutions for those involved. Such challenges are the rule rather than the exception in international agreements.

Two additional comments on the relationship between tangible and intangible in the two conventions conclude this sub-chapter:

- It is often pointed out in the literature that *intangible practices* generally require *material artefacts* for their implementation, which are often characterised by a specific design. The 2003 Convention includes them in its definition of ICH (cf. UNESCO, 2003, Art. 2). Craft practices are generally used to produce material objects. Conversely, *material artefacts*, including those on the World Heritage List, are an expression of implicitly or explicitly inscribed cultural beliefs, worldviews, norms and aesthetic ideas, i.e. "*intangible property*"—first

new insight and then common knowledge for anyone with a basic interest in art history.
- It is often pointed out that some intangible practices on the ICH lists are associated with sites included in the World Heritage list. This applies to the practices presented (in Schmitt, 2008) as the origin of the ICH Convention, namely the oral traditions of Jemaa el Fna square; the latter is located in the UNESCO World Heritage site of the old town of Marrakech (inscribed in 1985).

## 6.3 *Kulturwissenschaftliche* Distinctions Between ICH and World Heritage: "Outstanding" Versus "Representative"

While the governance structure of the ICH Convention is largely modelled on that of the World Heritage Convention, the different *kulturwissenschaftliche* (an approximate translation of this German adjective would be 'relating to the scientific study of cultural phenomena') terminology of the two conventions is striking. While the World Heritage Convention requires that the nominated objects must be of "outstanding universal value", the 2003 Convention, in contrast to the Masterpiece Programme, dispenses with the rhetoric of the exceptional and merely speaks of a "representative" list of the intangible heritage of humanity. The concept of "outstanding" has often been intellectually discussed and dissected, both in the interested sciences and in UNESCO-related forums, e.g. Cameron (2009), Schmitt (2009), the apparently harmless-sounding counterpart *"representative"* of the main ICH list has not been discussed to date: a serious omission.

Here, we will briefly (1) discuss the problems of both concepts and (2) clarify the extent to which the central concept of one convention is also relevant for the other.

With the label "outstanding universal value" (OUV), the World Heritage Convention calls for superlatives. As Titchen (1995) points out, both legitimacy considerations and the capacity limits of an international regime made it necessary to restrict the instrument of the World Heritage List to "exceptional" objects, since not every object worthy of being preserved can be safeguarded by an international regime. In accordance with a deliberate decision (Titchen, 1995), a definition of OUV was omitted from the Convention text; however, at least in Art. 2, less so in Art. 11.2 (UNESCO, 1972), it suggests an originally essentialist interpretation of the concept: the values thus appear to be intrinsic to the object. While IUCN explicitly adhered to such a "realist" interpretation of OUV until the 2000s, the constructivist understanding preferred by ICOMOS became established, at least in policy documents (Schmitt, 2009: 110; Schmitt, 2011: 127). Here, ICOMOS followed the tradition of Michel Parent, who already in the early 1980s spoke of the "dilemma of universality" (Parent, 1984) in the recognition of values. For Parent, the attribution of value always depends on a particular standpoint, on one's own culturalisation or own culture. Therefore, it cannot (at least not automatically) be binding for others

and certainly not universally; it is culturally bound. For Parent, this aporia might be a reason not to use the OUV concept, at least in theory, although it may be acceptable in practice.

To avoid such dilemmas, a solution could be a *narrow* concept of OUV which is linked to *global history* or globalisation history[1] (and not simply to impressive *iconic sites,* as is claimed for the early World Heritage List, cf. Cameron (2009)). Such a World Heritage List would include (only) those sites that are associated with the development of those global ideas and institutions that spread globally, in the sense of a "world society" (John Meyer) *or* that stand for the development of humanity as a whole. Inevitably, such a list would be even more Eurocentric than the existing World Heritage List. The ruins of Athens and Rome could be inscribed, as could those sites of ancient civilisations which, for example, stand for the development of writing, such as Uruk. It would also include the sites of early proven works of human art (such as the Ice Age caves mentioned above), or the Potala Palace of the Dalai Lama as an architectural icon of a globally received variant of Buddhism. With great numbers of inscribed World Heritage sites, it would not be possible to plausibly demonstrate such a narrowly understood universal value. If one looks at specific statements[2] on the OUV of sites, it becomes apparent that for a number of sites a universal historical significance has not been proven at all, but that this proof has at best been simulated. This applies, by way of example, to the old towns of Wismar and Stralsund in northern Germany, which I hold in high esteem. They were inscribed according to the criteria (ii) and (iv)[3] with the argument that they "contributed to the development and diffusion of brick construction techniques and building types, characteristic features of Hanseatic towns in the Baltic region, as well as the development of defence systems in the Swedish period." Based on these factual descriptions, it is plausible to infer a *regional historical value*, but it is hardly possible to justify a *global significance*. This is possible only if one allows the (initially not self-evident) construction that the OUV can be attributed to suitable *representatives* of *any* "cultural tradition" (cf. criterion iii) or processes in a "cultural area" (cf. criterion ii). To avoid misunderstandings, it must be said that the author considers this ethical position, which has long been common in the UNESCO context, to be desirable. It is in line with positions of *historicism,* for example, as represented by the historical theorist Leopold von Ranke in the mid-nineteenth century: "every epoch is immediate to God, and its value is not at all based on what emanates from it, but in its existence itself (...) each epoch must now be regarded as something valid in itself and highly worthy of scrutiny" (von Ranke, 1971, orig. 1854: 59–60; translated; see Seiffert, 1991: 66–69). This basic attitude is extended in universalism and especially in the UNESCO context from the temporal

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[1] I am not aware of any such argumentation in the literature to date.

[2] These formulations are adopted by the World Heritage Committee, which generally draws on formulation proposals from the advisory bodies and the nomination dossiers.

[3] The OUV concept of the convention text is operationalised in the Operational Guidelines by means of various content-related criteria that have changed several times over the course of time.

dimension (epoch) to a spatial one (other world regions and cultures) and is also transferred to their legacies (buildings, practices, etc.).

As the example shows, the World Heritage List, and not just the ICH Convention, also involves a concept of representativeness. It could be surmised that such a "representative" understanding of the World Heritage List is a comparatively recent phenomenon, to be understood as a departure from the original spirit of the Convention for the safeguarding of truly universal sites, as has been suggested by Christina Cameron (2009: 133), who sees a temporal shift from "the 'best of the best' (...) towards 'representative of the best'". However, as a simple "archaeology" proves, the concept of "representativeness" was already anchored in the early years of the Convention. In both versions of the Operational Guidelines of 1977 and 1978, the asserted OUV of a site could also be derived from its representativeness for certain cultures:

> The definition of 'universal' in the phrase 'outstanding universal value' requires comment. Some properties may not be recognised by all people, everywhere, to be of great importance and significance. Opinions may vary from one culture or period to another. As far as cultural property is concerned, the term 'universal' must be interpreted as referring to a property which is highly *representative* (emphasis: T.S.) of the culture of which it forms part (UNESCO, 1977: § 6).

In later versions of the Operational Guidelines, after 1978, this passage was simply deleted. If the current practice of inscriptions on the World Heritage List can be partially described as an implicit intention of recognising cultural representatives, this could be explained as a convergence in the sense of an adoption (possibly unconscious) of the practice and terminology of the ICH Convention. However, it is in line with the once explicit (and no longer known to many of today's stakeholders) recognition of this principle of cultural representativeness for UNESCO World Heritage governance.

The notion of *masterpieces,* with which the 1998 programme for the safeguarding of oral and intangible heritage began, did not survive after the adoption of the 2003 Convention. It clearly takes up the highly culturally charged rhetoric of the World Heritage Convention (*outstanding*; *human genius*), even enhancing it and linking intangible traditions, as suggested by Simon (2001: 123), to a "more 'romantic' conception of authorship". How, and by whom, the problematic *masterpiece* wording, which even at the end of the 1990s seemed incompatible with ideas of what was then contemporary cultural anthropology, was incorporated in the development of the UNESCO programme, is unclear to me (and to the literature reviewed): it obviously did not originate from Juan Goytisolo.

As a result of criticism from the scientific community, a "disarmament" or departure from this terminology prevailed in the development of the ICH Convention. The alternative notion of "representativeness" chosen for the main ICH list seems more innocuous, and appears to be more directly understandable. The fact that it is not explained in the Convention text is to be expected, given the analogy with the World Heritage Convention. However, in contrast to the more detailed provisions on OUV in the *Operational Guidelines* of the World Heritage Convention, representativity remains (as yet) unexplained in the *Operational Directives* of the

ICH Convention; this is where the analogy between the two conventions ends. Incomprehensibly, Blake et al., 2020, a comprehensive commentary on the Convention, does not explain this term in any detail. Implicitly, the Convention and Operational Directives only contain *teleological* provisions for the inclusion of a new element in the Representative List. According to the current Operational Directives (2022: I.2), it should, among other things, "contribute to ensuring visibility and awareness of the significance of the intangible cultural heritage and to encouraging dialogue, thus reflecting cultural diversity worldwide and testifying to human creativity." In contrast to the analogous case of the OUV explanations in the Operational Guidelines to the 1972 Convention, the Operational Directives merely add a further aspect in the corresponding Article 16.2 of the ICH Convention, with reference to testifying to human *creativity,* but do not provide any real operationalisation of representativity. Further, it is required that the nomination should fulfil formal and procedural criteria (participation, consensus of communities).

Anyone familiar with empirical social research knows that there can be markedly different concepts of representativeness. A representative sample in *quantitative* social research is drawn according to a different logic and usually leads to a different composition of elements than in *qualitative* sampling, in which, in addition to cases considered "typical", "extreme cases" may also be deliberately taken into account, depending on the research interest; this is referred to as *conceptual representativeness* (cf. Strübing, 2015). This example shows that the term "representative list" is potentially ambiguous, and different interpretations can empirically be identified. One could interpret an entry in the "representative list" (or the list as a whole as the sum of the entries) as being "representative" of certain *regions of the world* or *countries*, and thus reproduce spatial container concepts of the cultural which are not unproblematic and often criticised. An element could also be understood as being representative of certain ICH *genres*: according to this idea, the list as a whole should cover all conceivable genres. But is an individual element within a genre then *arbitrary* (randomly drawn, so to speak), "*average*" (however determined), or perhaps *special* (original, impressive or sophisticated)? It could also be asked *how many* different elements within a region or genre, for instance Carnival practices, should reasonably be included in the Representative List. It would then be necessary to decide on a cut-off point after which new nominations would have to be rejected—with some similarities to the practice of "comparative analysis" established over time for the 1972 World Heritage Convention. Or should *all* elements of an approved genre be inscribed? *Further distinctions* are conceivable, which should be appropriately represented on the list, such as rural versus urban, female versus male, or religious versus non-religious practices or connotations. Finally, one could think of a *multidimensional matrix* with a regional dimension, a genre dimension and many dimensions for the other aspects of interest mentioned: each area of the matrix should be covered by at least one element of a representative list understood in this way.

However, if the current Operational Directives of the ICH Convention are taken as a benchmark, such considerations should not play a role in deciding on

inscription, provided that new nominations contribute to better *visibility* of the ICH concept. The idea of protection or safeguarding, which is central to the World Heritage List (it is concerned with safeguarding *specific* monuments, sites and natural features) and also to Goytisolo's impetus for the new ICH instruments, is already being pushed into the background in the wording of the ICH Convention. The idea of safeguarding *concrete* practices is retreating in favour of their use for general awareness of ICH. As a result, the "positive" meaning of the term "representativeness" remains to this day extremely vague. This term was intended in a "negative" sense to mark a deliberate break with the "superlative" rhetoric surrounding the World Heritage Convention. As explained above, the World Heritage Convention also (increasingly) shows characteristics of a "representative" list: the OUV rhetoric is maintained for the public, but internally the concept is being tacitly abandoned - an admittedly pointed, but not implausible interpretation. A further convergence between the two listing systems can therefore be observed here. From a normative perspective, the loss of "exclusivity" of the World Heritage List can be overcome as long as the member states make adequate efforts to protect the sites concerned.

## 6.4 Intangible/Tangible Heritage Regimes of UNESCO: Further Relations, Common Challenges—Outlook

So far, this contribution has attempted to highlight some of the key links between the two UNESCO Conventions of 1972 and 2003, without falling into the common trap of simplistic comparisons. It has been shown that, on the one hand, the 1972 Convention was an important source of inspiration for the Convention on ICH and, on the other, that the debates on both conventions and their central concepts and instruments often overlap and that concepts are understood and evaluated in a competing manner—with quite surprising findings. For reasons of space, however, it has only been possible to discuss a few selected aspects. Some other important aspects of the relationship between the two conventions are briefly addressed below:

- The question of the *cultural geographies* produced by the two conventions and their lists: the visual language of UNESCO publications conveys an image of the *planetary diversity* of both World Heritage and intangible heritage. However, the naked map of the distribution of World Heritage sites of the 1972 Convention still shows the great predominance of European World Heritage sites, which can be explained by an inherently Eurocentric concept of culture (already Rössler, 1995: 345), complemented by the "production conditions" of World Heritage, which favour richer states with well-developed cultural administrations (Schmitt, 2009: 110–113; Schmitt, 2011). The Masterpiece Programme and the launch of the ICH Convention were also promoted by UNESCO as suitable means of compensating for the imbalance in the representation of the Global South on the World Heritage List with the new instruments (cf. the then UNESCO Director-General Koïchiro

Matsuura (2001)). If one looks at the geographical distribution of the 90 master-pieces inscribed by 2005 (e.g. in UNESCO, 2005: 8–9), the goal of an appropriate geographical representation of the Global South seemed to have been fairly well achieved; in addition to some empty areas in the Global South (e.g. in East Africa), the emptiness in parts of the "Global North" (North America, Australia) is striking. While some European states, for instance, were initially hesitant to ratify the ICH Convention, numerous European entries can now also be found on its lists; an (imaginary) map of the ICH lists resembles to some extent that of the World Heritage Convention. The effect known from the World Heritage List is that richer states, once they have discovered the charm of the ICH Lists, tend to find it easier to submit applications than poorer states—even if applications for the ICH Lists entail a significantly lower workload than those for the World Heritage List. In normative terms, this development can be assessed in different ways: while some may see a growing under-representation of the Global South now also in the field of the ICH, others may welcome the fact that the ICH concept is also being recognised in European societies.

- The concepts of *preservation/ safeguarding/ conservation* in the two conven-tions: based on debates over theoretical monument conservation in the nineteenth century, the *Venice Charter* (1964/1965) regarded the *conservation* of a monu-ment (as opposed to restoration or reconstruction) as the ideal for appropriate monument preservation, in the sense of keeping its form and material substance as unadulterated as possible, with reconstructive interventions allowed only as an exception. With regard to conservation practices, especially in East Asia, this ideal was at least partially relativised (although not necessarily for the European building tradition) in the famous *Nara document on authenticity* (1994), whose Appendix 2 attempted to introduce a "broad"—ultimately rather empty—concept of conservation. In the specialist discussion on intangible heritage, however, conservation was quickly identified as an undesirable objective: attempts to "conserve" traditional cultural practices would mean a "freezing of culture". A "living heritage" is generally only compatible with *dynamic transmission,* which must allow changes to the (usually informal) scripts. As far as the central objective of *safeguarding* cultural heritage is concerned, the ICH Convention, and to some extent the Masterpiece Programme, contain an astonishing expansion of the term. By definition, this now also includes, in a prominent position, certain *scientific* practices, namely "identification, documentation, research" on intangi-ble heritage (UNESCO, 2003: Art 2.3). In the understanding of the Venice Charter (ICOMOS, 1964), such activities would be regarded as *essential prepa-ratory work* for the adequate protection of a monument or site, but not as an actual protective measure. To some extent, this "definition" of safeguarding seems like a major job creation programme for scholars of cultural anthropology and related disciplines, and at the same time demonstrates embarrassment regarding an answer to the self-imposed question of how to adequately safeguard intangible cultural resources.

- Similarly, the concept of *authenticity* receives completely different assessments within the contexts of the two heritage regimes. However, this discrepancy is not necessarily a deficiency, but is understandable and reasonable in view of the

different objects (material artefacts and sites versus practices) and their different evaluation in the basic sciences, scientific heritage conservation versus cultural anthropology (cf. Schmitt, 2011: 128–133).

- The *governance structures* of the two heritage regimes conventions are very similar, albeit with different degrees of independence and autonomy for the scientific advisory organisations. However, they tend to have very different *national "substructures"*. In many countries, national or local authorities for the protection of monuments and nature were established before the introduction of the World Heritage Convention, while the ICH Convention only stimulated the increased establishment of national authorities for this subject area in many countries. Both heritage regimes can be described as complex multi-level governance systems (Schmitt, 2011, 2015).
- The two heritage regimes share similar problem areas. This is due to the fact that, although the World Heritage regime directly targets artefacts and non-human nature, it also indirectly affects *people* and *communities* or *societies*. The consequences of listing for people and communities are potentially ambivalent; it can result in a variety of irritations (see, for example, Schmitt, 2005); indigenous groups in particular do not see themselves adequately represented in the two regimes (cf. Disko & Tugendhat, 2013).
- The list of overlapping phenomena and common challenges for tangible cultural heritage, natural heritage and ICH can now extend to many other issues The ongoing climate crisis with its effects on world heritage and ICH, touristification and commodification, nationalist appropriation, and also the diagnosed "politicisation" (cf. Schmitt, 2009; Meskell, 2015) of the intergovernmental committees are all urgent topics.

The World Heritage Convention predates the ICH Convention by 31 years, and in general the accumulated experience with the possibilities and limits of preserving material culture is significantly greater than with regard to safeguarding intangible practices. The author considers that intangible heritage has a positive individual and social significance, above all where it (1) brings people together, and (2) addresses deep dimensions of human existence.

If we look into the long-term future of global society, we can make fairly plausible estimates of the extent to which material architectural evidence of the past will still exist in a hundred or two hundred years' time, taking different scenarios, such as different scenarios of expected climate change, into account, and provided there is no Third World War, for example. Does this also apply to the elements of the ICH lists? Any answer to this question must be much more speculative—given the acceleration of social and cultural change since the beginning of modernity.

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# Part II
# Colonialism, Minorities, Inequalities, and the Struggle for Human Rights

# Chapter 7
# Africa's Response to Intangible Cultural Heritage Convention

**Michael Omolewa, Emmanuel Orihentare Eregare, and Rose Eyefujinrin Ebohon**

**Abstract** Intangible culture is at the very heart of development in Africa. Greetings and salutations are therapeutic, as considerable energy is invested into greetings and questions about an individual's welfare. Dress carries a message from the person wearing it, as it demonstrates the state of the mind of the person. Music features prominently at every stage of the life of the individual: there is music when a woman conceives, music at the birth of a child, music at wedding and music at death and funeral celebrations. The Convention for the Safeguarding of the Intangible Cultural Heritage was an answer to the prayers of Africans for the protection and preservation of the important and yet intangible cultural heritage with immense impact on the individual, community and people in general. Embraced with enthusiasm, the convention dominated discourse was well received. Urbanization, competition with the tangible cultural heritage, poverty and sometimes differences between political leaders and policy makers have adversely affected the performance of Africans in the implementation of the 2003 Convention, as demonstrated in this paper.

**Keywords** Intangible cultural heritage · Convention · Safeguarding · Implementation · Africa

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## 7.1   Introduction: Background to the Convention

Prior to the 1977 Convention, there had been progressive ground breaking developments in the understanding, preservation and promotion of the diversity of global cultural heritage (G0.CH) (Baird-Jackson, 2015, p. 52). In line with this, the understanding of the 1972 Convention on Cultural Heritage states that cultural heritage consists of "important cultural, social, artistic, scientific, technology or industrial development" (UNESCO 20 October, paragraph 7, iv). Observing this definition critically, the content embraces both the safeguarding of the tangible cultural heritage and the future of the intangible cultural heritage (ICH) through the socio-cultural lens. (Blake & Lixinski, 2020, pp. 1–60; See also Aikawa-faure, 2004, pp. 137–149). Further, in the definition, the emphasis on the social–cultural aspects imply aspects of the socialization of individuals, group and communities that characterize the intangible cultural heritage.

The 1972 Convention on tangible cultural heritage, however, underwent revisions from 1980 to 1984, which became a threat to the intangible cultural heritage. This threat involves the removal of the socio-cultural dimension of persons which goes against one of the fundamental factor of identifying core intangible cultural heritage. Intangible cultural heritage covers the respect of individuals, groups and communities. Nonetheless, the revisions made of the 1977 Convention introduced the Eurocentric past as linear and progressive (Aikawa-faure, 2009, pp. 13–44), which is predominantly centred on values that center on economic factors. The Eurocentric convention also posed significant threats to the safeguarding of the rich intangible cultural heritage. Furthermore, the Eurocentric criterion for identifying cultural heritage then focused purely on a type of structure or a type of building and architectural ensemble, which is described as the tangible cultural heritage.

From the African perspective, the intangibles are defined as the cultural heritage that cannot be seen but, among the numerous ones that exist in Africa, are especially beliefs and practices for the cohesion or solidarity and collaboration of the African people. Intangible cultural heritage comprises the religious beliefs, moral codes, moral laws, language, taboos and value system of the society, while tangible heritage focuses on cultural heritage that is products of technology and physical objects produced by humans in any particular society (Eregare, 2023, p. 33; See also Blake & Lixinski, 2020, pp. 3–30; Uchechukwu & Adeyemi, 2011, pp. 17–19).

In 2001, the Universal Declaration on Cultural diversity was adopted. This paved the way for the 2003 Convention for the Safeguarding of the Intangible Cultural Heritage which was adopted by the General Conference of UNESCO in 2003, at its 32nd session. This established the necessary measures that States should take in the safeguarding of Intangible Cultural Heritage in order to incorporate the international concern for the safeguarding of the global cultural heritage. Safeguarding ICH involves the transferring of knowledge, skill and meaning from one generation to another. This safeguarding gives Africans a sense of identity and belonging (Antons & Logan, 2016, pp. 34–74). It means linking the African past to the present and to future generations through oral tradition, particularly language, which is the vehicle

for the transmission of culture. The safeguarding also involves the strengthening of performing arts, social practices like festivals (Daniyan, 2022, pp. 1–7) and rituals performed by Africans in their African Traditional Religions. The concept of safeguarding also covers the protection or transfer of practices relating to nature and the universe, and African craftsmanship by the Africans for the Africans. Mostly these practices and beliefs were inherited from their ancestors and passed on from one generation to another.

The 2003 convention includes both tangible and intangible cultural heritage in the diversity of the global cultural heritage. However, since the convention there had been much discussion as to how exactly to measure it and how to identify its character and content as needing protection (Blake & Lixinski, 2020, pp. 3–35). These debates by scholars open up another window for the Fribourg declaration in 2007 which lay emphasis on the cultural rights of any group or nation or community. This was known as the Fribourg Declaration on Cultural Rights. This was important for the adoption of policies that enable the implementation of the intangible cultural heritage. The emphasis in this declaration lay on human rights and cultural rights which are linked to the acknowledgment of the intangible cultural heritage. It is upon this that a progressive development in intangible cultural heritage has been built (Bailie & Chippindale, 2006, pp. 174–176).

Ever since the 2003 Convention on ICH, Africans have been active in safeguarding their intangible cultural heritage. The implementation of the 2003 Convention has been to a large extent executed. Reports show that there are about 50 regions in Africa coming together for the sole reason of implementing African living heritage throughout their diverse regions, which plays a major role in building a strong cultural identity (Bakker & Muller, 2010, pp. 245–246) and values for sustainable development. The African Union has in their vision what is known as the African Union Agenda 2063 and Agenda 2030, which is based on the safeguarding and capacity building of the intangible cultural heritage. A report also has shown that UNESCO does not simply sit back and watch Africa in the implementation of the 2003 Convention. UNESCO provides support for African communities, national and local authorities for the effective implementation of the safeguarding of the African living intangible cultural heritage (UNESCO, 2023, n.p.).

Institutions, bodies and individuals have made various efforts towards the implementation of the intangible cultural heritage in Africa. Africans have been on this journey through several capacity building programmes by the African—UNESCO partnership, and numerous other partners. These have been in the form of projects, meetings and workshops. For example, recent workshops, meetings or projects have been: "Institutional Capacity Building for the Implementation of the Convention for the Safeguarding of the Intangible Cultural Heritage", "Ratification of Benin – What Next?", "Training of Trainers of Community-based Inventorying of Intangible Cultural Heritage", "Training Session on the Development of Inventories of Intangible Cultural Heritage", "Board of Trustees Meeting of the Center for Black Culture and International Understanding", and "Africa Regional Forum on the Implementation of the UNESCO 2005", to mention just a few.

There have been regional Methodology Workshops to train African experts in mapping out plans to protect and promote diverse cultural expression, particularly in Africa's intangible cultural heritage. The major centres pioneering this regional methodology of accessing and creating a database of intangible cultural diversity and protection are in Kenya, Mozambique and Nigeria. The particular aspects of culture focussed on were in the areas of dance, dress, language, environment and indigenous science and technology (Africa, A UNESCO Priority 2023, n.p.; See also Okebukola, 2014, pp. 1–204). Our study here undertakes to establish Africa's response to the intangible cultural heritage through the following sub-themes using historical research methodology: (1) Implementation of the Intangible Cultural Heritage in Africa, (2) The Centrality of Intangible Cultural Heritage in Africa, (3) Constraints and Challenges of Intangible Cultural Heritage, and (4) Future Prospects.

## 7.2 Implementation of the Intangible Cultural Heritage in Africa

Africans have played a vital role in implementing the safeguarding of the intangible cultural heritage both at national and also international level through the NGOs (partnership and networks), and at the same time in collaboration with UNESCO in different parts of Africa. Nonetheless, the Institute for African Culture and International Understanding (IACIU) has organized numerous projects, summits and meetings in collaboration with many readily available NGOs to support the promotion of the Convention for safeguarding the intangible cultural heritage from the time of its adoption. At national level, the NGOs play a significant role in the Convention for the implementing of the intangible cultural heritage through their collaborative function with the various African communities and governments. Their primary duties are to identify, define and provide measures to safeguard the intangible cultural heritage in Africa. At international level, the role of the NGOs is significant and indispensable; they play supervisory and advisory roles in the implementation of the intangible cultural heritage, once endorsed by the Committee. Further, the NGOs specifically make recommendations to the Committee on the most urgent safeguarding practices (UNESCO, Intangible Cultural Heritage, 2010, n.p).

African countries play an important role in the process of the adoption of the 2003 Convention. However, although efforts have been made to implement the convention, little progress has been made. On 7th December 2020 the Centre for Black Culture and International Understanding based at Oshogbo, Osun State of Nigeria organized, a workshop of non-governmental organizations, NGOs, affiliated to UNESCO, to consider the state of the art in the implementation of the 2003 Convention. The workshop brought together a wide representation of key federal and state agencies, experts on intangible cultural heritage and NGOs from several parts of the country. Papers were presented which encouraged the implementation of the 2003 Convention (Okebukola, 2014).

Another effort made by Africans to safeguard their intangible cultural heritage is the creation of oral and humanity cultural heritage by Wande Abimbola, a professor and a recipient of the UNESCO Ifa. This work of Professor Wande Abimbola, who sponsored the inscription of Ifa in the intangible cultural heritage list in Africa, Ifa training project, is being co-sponsored by Japanese funds and has gained wide coverage as an example of safeguarding. In addition to the support the Ifa project receives from foreign investors, in November 2005 UNESCO also proclaimed Ifa oral and human cultural heritage as one of the 86 masterpieces of African traditions of the world. UNESCO did not stop here but encouraged all other nations to support the oral and human cultural heritage of Ifa for continuity (Abimbola, 2023, n.p). Furthermore, UNESCO sponsored a project called, "Safeguarding the Ifa Divination System", which led to the establishment of an institute known as the Ifa Heritage Institute. The institute is a two-year course, and the local language "Yoruba" is used as the official teaching language for the study of Ifa (Abimbola, 2023, n.p).

UNESCO did not limit the scope of its implementation campaign to any one Committee member or the NGOs but to all genders and classes of people in Africa. This is evident in the fact that the UNESCO sponsored summit was aimed specifically at women and youth. The summit was called "Regional Conference of Women and Youth in the promotion of Cultural Security in Africa". The summit was attended by about 300 participants from Benin, Botswana, Ghana, Kenya, Uganda and Nigeria, to mention a few. Youth leadership among students' associations was well represented. The objectives of this summit include adopting cultural security through a constructive union of women and youth and development of the safeguarding of the intangible cultural heritage. The involvement of women and youth represented the highest demographic status of Africa. It was clear that this target group would be effective in safeguarding the intangible cultural heritage.

In the course of safeguarding the intangible cultural heritage in Africa via national, regional and global representatives, its implementation has been taken to grassroots level, involving young people from secondary schools. The Category 2 institute, which is the Institute for African Culture and International Understanding in Africa, sponsored grassroots cultural competition through traditional poems, renditions, cultural dance, and native drumming, among other activities, in order to sustain the development of safeguarding the intangible cultural heritage in Africa (Okebukola, 2014, pp. 1–111).

The Institute for African Culture and International Understanding in Africa promoted intangible cultural heritage also through the platform of the *Isukuti Dance* in Kenya, which literarily means a *conical dance*. This is viewed as "the drum or voice of the people". The *Isukuti* is used to identify or describe a deeper significance of the cultural heritage of the Isukuti dances, as it is one of the living heritages of the people of Kenya. It depicts their expressions and experiences (Okebukola, 2014, pp. 1–111). The IACIU, in collaboration with UNESCO, sponsored the *Chitonga* dance in Mozambique. This dance is common to the Dombe people in the Sussundenga and Machaze District of Mozambique. This represents female initiation rites and marriage; the dance involves preparing the taking of a traditional drink known as *Kombe*. This marriage initiation rite involves a process to

ensure the virginity of the girl who is about to be given in marriage. The parents, married persons and family members are present to give advice on marriage to the prospective bride. This is done to promote and preserve the intangible cultural heritage in Africa (Abimbola, 2023, n.p).

## 7.3   The Centrality of Intangible Cultural Heritage in Africa

Africa has remained under siege from external powers since the period of slave trade when human capital was removed to support the development initiatives of western countries, especially Europe and America. The meeting called by the German Chancellor Otto Von Bismarck, from November 1884 to February 1885, led to the partitioning of Africa by the European powers, with the USA and the Vatican acting as observers. The Berlin Conference facilitated the exploitation of Africa's natural resources and further weakens the capacity of the region to embark on major visible development.

Africa continued to excel in the practice and use of intangible cultural heritage where the region derived considerable confidence, status and expertise. For example, dance and music feature prominently at all important occasions. Africans dance at child birth, at celebrations of weddings and at death and funerals. Songs are often an integral part of dancing, and songs are composed in consideration of events and activities. Story-telling, sometimes under the shade of trees, huts and palaces, are woven into the journey of life of the African. These stories sometimes lead to celebrations of special days, festivals, events, individuals and communities. For example, heroes and heroines are celebrated based on stories of communities. The point, therefore, is that these activities, inspired by songs, various forms of dance and stories, constitute major components of the intangible cultural heritage. Intangible cultural heritage is part of the culture of the African society which defines Africans, their past, and their expectations of the future. Africans established a form of identification through the inscription of the face marks with which an individual, ancestry or ethnic association is known. Africans also have their various special greetings in times of happiness and celebrations, and special greetings for mourning and death, special greetings out of respect. These elements of intangible cultural heritage constitute the pillars upon which the Africans lives are built. To take them away can be likened to killing, destruction or devastation of the African. It is for this reason that the protection and preservation of intangible cultural heritage was most welcomed by the African countries as was the UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage in Paris in 2003. Intangible cultural heritage is used as an instrument for maintaining peace and stability in various communities in Africa. It is also used to encourage the respect for diversity and difference among several communities.

When Africans were exported to Europe and America as slaves, they carried with them their intangible cultural heritage as greetings, salutations, dance, masquerades, language, storytelling, worship and dress as shown by the practice among the

various communities and countries in which they were settled, such as Cuba, Brazil, the Caribbean, the United Kingdom, and the United States.

Another major element of intangible cultural heritage is the language. Africa is indeed very rich in languages. For example, it is believed that Nigeria alone has over 500 languages, the bulk of which are not written but spoken. Language is the best expression of an individual and it is believed that people often dream in their own language. It is for this reason that the research at the University of Ife (now Obafemi Awolowo University) concluded that Africans learn best in their mother tongue. The denial of the mother tongue to the African is like uprooting the substance with which the individual can develop curiosity, independent judgment, and provoke the use of their various innate talents and abilities.

## 7.4 Constraints and Challenges of Intangible Cultural Heritage

Some non-governmental organizations have made considerable progress with the implementation of the intangible cultural heritage convention. For example, Joseph Ogeriakhi, a programme director of the West Africa Coalition for Indigenous People's Rights, states that his organization is involved in the five domains of ICH with strong collaboration with the practitioners and indigenous people for the safeguarding of their intangible cultural heritage. He also stated the need for a pragmatic approach towards the implementation of the 2003 Convention and stressed the significance of ICH in the eradication of poverty, the promotion of peace and security and intercultural dialogue. He further stated that his NGO is currently compiling a compendium on traditional medicine and its latest knowledge and is also involved in environmental sustainability by helping communities to be aware of biodiversity, especially with the establishment of a biocultural protocol regarding the felling of trees. (Communique Drafting Committee on UNESCO 2003 Convention and Cultural Institutions in Nigeria, 2020, p. 4).

Funding has remained a major factor in the furtherance of goals and aspirations in the region. Enthusiasm generated by an idea is sometimes quickly lost by the lack of adequate resources for the desired goal. Generally, it has been observed that tangible cultural heritage such as buildings and monuments are given considerable support and investment. This is perhaps because they are seen and can be marketed. With intangible cultural heritage it takes a much longer time for the effect to be noticed. Therefore, investment in what is not seen becomes a more difficult enterprise. The Europeans seem to appreciate intangible cultural heritage in Africa more than Africans themselves. This assumption is demonstrated by the donation of one million dollars to the African world heritage fund set up by Africans to support the promotion of world heritage for Africans. National budgets are less favourably disposed to support intangible cultural heritage than tangible cultural heritage. Indeed, globally, intangible cultural heritage is often viewed as the project for the poor while tangible cultural heritage is being promoted by the rich. It is not true that intangible cultural heritage has failed to evolve over the years. On the contrary, there

has been a considerable development in many aspects of intangible cultural heritage such as dress and general fashions and designs. In the area of music, for example, there was once a time when *highlife* was a favourite music provided in Ghana and Nigeria (Oyelami, 2022, pp. 1–2). The *highlife* was then supplanted by Gospel music which describes itself as 'highest life' and therefore 'higher' than the *highlife* music. *Juju* music, *afrobeat* music have been popularized by artists such as Sunny Ade, Victor Olaiya and Fela Ransome Kuti. Fela has since changed his name from Fela Ransome Kuti to Fela Anikulapo Kuti, complaining that the Ransome in his earlier name was too English for his comfort and that Anikulapo means someone who captures death in his hands.

The truth is that intangible cultural heritage in Africa has persistently faced competition by the steady flow of imported and often superior products from more technologically advanced countries. The neo-colonial mentality of the African, which sweeps away the African element in preference to the European and American culture, also plays a major part. The genres, the adoption of American slang and names, and the fascination for the classical music of Mozart and Beethoven pose constant threats to Juju music and are of different formats.

The English language has clearly conquered many of the African languages. It is not unusual to have children being named after their parents with the word junior added. Yet in Africa, the name is a product of circumstances of birth. Those born in the New Year are called *Abiodun* (in Yoruba) namely the child that arrived during a festival such as New Year. Every day in Igbo land carries the name bearing the special week day. Religion has also come under much attack as sacrifices of twins and other human beings have been listed as criminal activities. Those who sought to limit the potency of intangible cultural heritage are also those who had described the Africans as backward and lacking in civilization (Ade Ajayi, 1989, pp. 1–140).

During the Colonial period, there was a deliberate effort made to suppress elements of intangible cultural heritage. For example, the language of the colonial masters was actively promoted, to the disadvantage of African languages (Bamgbose, 2016). European language became dominant and schools responded by increasing the hours of teaching of the colonial language, whilst the local language was described as vernacular. Pupils and students who spoke the vernacular were punished. Some were placed on imposition and detention, and some were made to write "I will never speak vernacular again" many times. The colonial language was compulsory to obtain the certificate which would qualify the students for admission to a higher level. In an attempt to decolonize the educational system, African languages were included in the curriculum, but were not made compulsory. The process of decolonization was limited in its scope of operation and practice for livelihood.

The colonial rule also made intangible cultural heritage unattractive. The educated elites who were aspiring to become like their colonial masters embraced the elements of intangible cultural heritage, especially the dress and music. Classical music such as Beethoven and Mozart became symbols of favourable adoption of European music. The suit and tie were visible evidence of the patronage of cultural practice. In countries like Ghana and Nigeria where "highlife" music was fervently embraced, the educated elite opted for slow dances and styles of European dance.

Music, dance and dress appeared to divide African society: the poor continued with the indigenous music and dress while the new rich upper class was proud to be associated with the European style.

Indigenous African greetings are also intangible cultural heritage affected by the modern system. In traditional African society, greetings were therapeutic and used as a tool to demonstrate concern for the welfare of the community. Thus, a person being greeted was welcomed to a new day, questions were asked and were then encouraged about how the person slept, if they had had any dreams or worries during the night and they were then given hope for a new dawn. Greetings took some time. The coming of the Europeans led to the modification of greetings, especially among the educated elites. The brief greetings of "hi" or "hello" were considered brief and efficient and were subsequently adopted to replace the rich expression of interest in the pre-European period.

Beliefs were also affected by the introduction of a modern system and governance in Africa. For example, the traditional rulers who wielded enormous influence and whose words were considered final on any subject were soon challenged by the new educated Africans who had been exposed to the Western system of governance. Some practices such as the killing of twins were targeted as evil, wicked and superstitious and were discouraged. Many of the practices, especially those that discriminated against women were also targeted. However, some practices have survived the assault, and in some parts of Africa, women are not allowed to come out at different times of the day during some specific festivals. There is no doubt that the restrictions were an erosion of the human right of women and families.

The decolonization of thoughts and practices of intangible cultural heritage is ongoing but slowly. New colonialism, which encourages the continued use of European values such as language and dress, continues to pose a threat to the African intangible cultural heritage (Eregare, 2023, pp. 47–58). Unfortunately, most African governments are more interested in investing in elections, foreign tourism and physical infrastructures. The Director General for the National Commission for Museums and Monuments in Nigeria has observed that "the major challenge facing the effective implementation of UNESCO 2003 Convention is lack of coordination between the relevant cultural institutions across Africa and, in particular, Nigeria" (Communique Drafting Committee of the Workshop, 2020, p. 3). There has been little progress made in the local implementation of the 2003 Convention. The appropriate bodies and institutions have not been able to establish a national heritage committee to promote and sustain intangible cultural heritage.

## 7.5  Future Prospects

There must be an enhanced advocacy drawing the attention of the government, policy makers, civil society, and organizations to the importance of intangible cultural heritage for development. There is an urgent need for strong collaboration among stake holders in Africa. Experts must work out a strategy for the promotion of

intangible cultural heritage. There need to be national inventories indicating areas of strength and weakness in the implementation of intangible cultural heritage. There also needs to be a sustainable regular budget for the promotion and protection of intangible cultural heritage. There is also a need to revitalize Africa's rich depositories of intangible cultural heritage which will not only bring international recognition and assistance, but will reposition Africa among the continents of the globe within the intangible cultural heritage of humankind. Additionally, the streamlining or revitalization of the joint efforts of the Federal Ministries of Information and Culture and its parastatals in working with the NGO UNESCO ICH experts in Africa to fine-tune and execute the identified ICH Agenda Programme is much needed. There is also a need for synergy of the various cultural institutions and other stakeholders in achieving the objectives and goals of the intangible cultural heritage in Africa. There is an urgent need for budgetary annual allocations for all the African cultural institutions for the safeguarding and implementing of intangible cultural heritage.

It is recommended that training and retraining of personnel for the protection and promotion of intangible heritage should also be embarked upon. Women should be more actively involved in the promotion because women play a dominant role in language and skill acquisition, promotion of language, development of appropriate ethics and values of the intangible cultural heritage. The funding organizations should be encouraged to pay special attention to cultural heritage advancement. Finally, there should also be a digitalization of the intangible cultural heritage.

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# Chapter 8
# Notes Nobody Notes: *Samba as* Musical Heritage of African Ancestry in Brazil

**Nina Graeff**

**Abstract**  Samba de Roda do Recôncavo Baiano was Brazil's first music and dance practice to enter UNESCO's list of Intangible Cultural Heritage. It represents one of various music practices in which Afro-diasporic cultures have been able to find and further develop a common heritage of ancestral bonds, while undergoing processes of cultural maintenance very different from European ones. Yet, aspects of music practices that escape Eurocentric modes of perception shaped by Western musical norms tend to be disregarded. This contributes to their invisibility in Heritage research and safeguarding. This article seeks to highlight the African Ancestry of Afro-diasporic musical heritage by unveiling intangible dimensions of Samba de Roda that correspond to African cosmoperceptions.

**Keywords**  Samba de Roda · Musical Heritage · Afro-diasporic Cultures · Afro-Brazilian Music · Western Musical Normativity

## 8.1  Introduction

The oldest samba form, known as Samba de Roda do Recôncavo da Bahia, was proclaimed Masterpiece of the Oral and Intangible Heritage of the Humanity in the year 2005. The music and dance tradition is practised in the region of the Recôncavo da Bahia in Northeastern Brazil, which has received thousands of enslaved people from Africa since the beginning of Brazil's colonization. With the migration of Bahian people to Rio de Janeiro in the mid-nineteenth century, Samba de Roda was taken to Brazil's capital at the time, giving rise to the national samba forms that spread throughout the world.

Samba de Roda means "circle samba" and is usually characterized as a tradition involving music, dance and poetry. It has different styles which vary according to the time and place of the performance, including *samba corrido*, *barravento* and *samba*

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*chula*. The latter, also known as *samba de viola* or *samba de parada*, will be the focus of this article. The style has different names according to diverse aspects that characterize it: *chula* stands for a verse, which is improvised in Portuguese by a main singer and his partner, singing in parallel thirds or sixths, who provocatively challenge (*desafio*/competition) another singing duo (*parelha*) to reply through improvisation; *viola caipira* is the name of a ten-string guitar with five courses of strings arranged in pairs that used to be very common in the Recôncavo da Bahia region and other rural parts of Brazil, and this distinguishes samba de viola from other samba forms that are only percussive; *parada* (stop) refers to the moment in which dancers stop dancing in order to pay attention to focus on the improvisation of verses. As other samba styles, *samba chula* is always accompanied by percussion instruments, especially *pandeiros*, by the dance, handclapping, and singing of everyone taking part in the circle.

The African, and specifically bantu, origins of samba are recognized among practitioners and researchers (Kubik, 1979; Mukuna, 2006, Pinto, 1991; Sandroni, 2001; Graeff, 2015). What constitutes samba is considered to be (1) oral transmission and communitarianism; (2) rhythmic formal principles, such as the presence of time-line-patterns of 16 elementary pulses; (3) the predominance of percussion instruments; (4) the importance of improvisation against repetitive patterns; (5). *Umbigada*—a dance movement in which the belly of a dancer touches the belly of another as an invitation to dance in the circle. These characteristics have been assessed according to the standards of European classical music. European classical music is composed individually; it gives precedence to harmony and melody over rhythm, which is based on symmetric, binary or ternary beats; thus, it favours melodic and harmonic instruments, while percussion instruments, whenever present, play mere accompaniment or embellishment roles; finally, with a few exceptions, it is never danced.

Musicological discourses on the cultural characterization of music practices tend to single out African, Arab, Asian, indigenous "heritage" or "influences". They consider other musical languages and systems as mere accessories of "normal music", that is, of a Eurocentric norm that defines what is and what is not Music with a capital M, a phenomenon that I refer to as "Western Musical Normativity" (Graeff, 2020). Within an ideology that takes Europe as the cradle of culture, especially in colonized countries the European influence on music is taken for granted. Brazil was colonized by the Portuguese and other Europeans; its population speaks Portuguese and learns European foreign languages such as English and Spanish; it employs instruments and teaching methods of European origin in its conservatories, its orchestras are of European format, and books on "world history" and "music" are purely concerned with the reality of Europe and, in some cases, the United States of America.[1] Following this logic, Brazilian music would be nothing more than the reproduction of European musical legacy, with the addition of mere "influences" from other cultural regions, left behind by "heritages" from a distant past.

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[1] On the coloniality of the formal learning of music in Brazil, see Pereira, 2014 and Queiroz, 2017.

The musical heritage of the African diaspora underwent cultural processes very different from European ones. It cannot be represented by long-lasting physically sophisticated "treasures" that humanity[2] has been conserving for centuries, such as the "Organ craftsmanship and music" of Germany, the "Traditional violin craftsmanship in Cremona" (Italy), the Byzantine chant (Cyprus and Greece) of the Greek Orthodox church over 2000 years, or the "Musical art of horn players" of France, Belgium Luxembourg and Italy. It was possible for all these practices and instruments of the Representative List of the Intangible Cultural Heritage of to be maintained, preserved and passed on for centuries because they received financial support, whether from the Church, patronage or the State, and because they could more or less retain a territory to stay in and flourish.

If we are to address and understand the heritage of the African diaspora, in turn, we have to recall its violent past, as well as the racism against black people that still exists throughout the world:

> The Africans forcibly transplanted to the Americas through the black diaspora had their bodies and their corpus deterritorialized. Torn from their family domus, such bodies, both individual and collective, found themselves occupied by the emblems and codes of the European, who took possession of them as a master, imprinting on them his linguistic, philosophical, religious and cultural systems, as well as *his worldview*. Subjected by the perverse and violent system of slavery, rendered foreign, objectified, the Africans who survived the inhuman conditions of the transcontinental sea crossing were stripped of their humanity, deprived of their symbolic systems, belittled by Westerners, and reinvested by an alien gaze, that of the European.[3] (Martins, 2021:30, trans. by author)

Forms of African-American musical heritage such as marimba music, traditional chants and dances from the Colombia South Pacific region, Tumba Francesa (Cuba) and Samba de Roda were born and preserved by descendants of different African ethnic groups that were torn from their territories, communities, rituals, languages, and forcibly brought together to Latin America. In music practices, Afro-diasporic

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[2] The indigenous philosopher and activist Ailton Krenak questions whether the concept of humanity indeed encompasses all human beings "if more than 70% are totally alienated from the minimum exercise of being? Modernization has forced these people from the countryside and the forest to live in slums and on the outskirts of towns, to become labour in urban centres. These people have been torn from their collectives, from their places of origin, and thrown into this blender called humanity." (Krenak, 2019:9, transl. by author, "Como justificar que somos uma humanidade se mais de 70% estão totalmente alienados do mínimo exercício de ser? A modernização jogou essa gente do campo e da floresta para viver em favelas e em periferias, para virar mão de obra em centros urbanos. Essas pessoas foram arrancadas de seus coletivos, de seus lugares de origem, e jogadas nesse liquidificador chamado humanidade")

[3] "Os africanos transplantados à força para as Américas, através da diáspora negra, tiveram seu corpo e seu *corpus* desterritorializados. Arrancado de seu *domus* familiar, esse corpo, individual e coletivo, viu-se ocupado pelos emblemas e códigos do europeu, que dele se apossou como senhor, nele grafando seus sistemas linguísticos, filosóficos, religiosos, culturais, sua visão de mundo. Assujeitados pelo perverso e violento sistema escravocrata, tornado estrangeiros, coisificados, os africanos que sobreviveram às desumanas condições da travessia marítima transcontinental foram destituídos de sua humanidade, devestidos de seus sistemas simbólicos, menosprezados pelos ocidentais e reinvestidos por um olhar alheio, o do europeu."

cultures were able to find and further develop a common heritage of ancestral bonds. In the new continent, this common heritage managed to thrive, despite being prohibited by law, persecuted by the State, demonized by the Catholic Church and still discriminated against in the current day. Hence, forms of musical heritage of African ancestry stand for essential and enduring cultural tools of resistance of people of African descent in the Americas, representing "at the same time a movement of continuity and affirmation of Black cultural values"[4] (Sodré, 1998:56, trans. by author).

Consequently, the tangibility and intangibility of the musical heritage of African ancestry go far beyond music parameters as defined by Western music theory, such as rhythm, harmony, form and melody, that determine the aesthetic criteria for the definition of the quality and excellence of music, while being racialized (Ewell, 2020). Whereas music is tangible in that it can be seen and touched in musical instruments, in the movements of practitioners' bodies or in the places of performance, its intangible aspects—e.g. sonic and aesthetic features, symbolism, emotional and healing power—may encompass various dimensions that are not visible or perceptible by people who are familiar predominantly with Western music. Such invisibility contributes to the disappearance if not the erasure, of non-Western forms of music making and perception.

This article examines intangible dimensions of Samba de Roda that correspond to African "cosmoperceptions"[5] (Oyěwùmí, 2002). These escape the Eurocentric perception modes which are shaped by the Western musical normativity that is predominant in music research and, consequently, in heritage discourses and practices. The article seeks to make musical epistemologies of African descent more visible. The first section will demonstrate how the *viola machete*, an instrument of Portuguese origin existing only in a specific part of Recôncavo da Bahia, was given a special position in relation to other instruments, especially percussion instruments of African origin that are valued equally or more highly by *sambadores* (samba practitioners). Sections 8.2 and 8.3 point out intangible aspects of samba related to nature that correspond to African epistemologies; Sect. 8.2 focussing on the importance of natural materials for the construction of instruments and Sect. 8.3 on female/male dualities that permeate different dimensions of the practice.[6]

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[4]"O samba é ao mesmo tempo um movimento de continuidade e afirmação de valore culturais negros".

[5]Nigerian researcher Oyèrónkẹ Oyěwùmí proposes "cosmoperception" as a more inclusive concept than the Eurocentric term "cosmovision" for encompassing all possible senses used by different cultures in the ways that the world might be perceived.

[6]The results presented in this paper were partially published in Portuguese elsewhere (Graeff, 2023a). They integrate a series of publications (Graeff, 2023a, b, c) arisen from the research project "Tons de Machete", which received funding from DAAD (German Academic Exchange Service) from August 2019 to January 2020. Link to the project's summary: http://ninamundi.com/tonsdemachete

## 8.2    Viola Machete: Musical Instruments and Heritage

> Thanks, cavaquinho, thanks for saving my place. I was extinct, but they started to build me again. Excuse me, cavaquinho, the queen will come back. Viola is the queen of samba, the queen of samba, the queen of samba.[7] (Samba by Mestre Jaime do Eco, trans. by author)

The viola machete is a small, handcrafted guitar[8] of Portuguese origin that became a symbol of tangible and intangible losses (Graeff & Pinto, 2012), as well as of the safeguarding of the practice of Samba de Roda. The last famous viola machete builder in the region, Clarindo dos Santos, died in 1980, leaving no-one to inherit his wisdom and knowledge and no more guitars for samba masters. The first measures to safeguard Samba de Roda included the reconstruction of the instrument and also workshops on construction and playing techniques (IPHAN, 2006). Sambadores and sambadeiras from a specific region of the Recôncavo da Bahia consider this instrument to be the "queen of samba" for various reasons. However, the guitar was the sole instrument, among a diversity of mostly non-European percussive instruments and traditional forms of singing, to stand out in heritage discourses; it was prioritized among the safeguarding actions and occupied two of the four short-term objectives of the safeguarding plan accompanying the inventory (IPHAN, 2006: 92), which was published in 2006 (IPHAN, 2006).

None of the other musical instruments, playing or singing practices are mentioned in the safeguarding plan. Only the sections describing the singing and instruments used in samba (IPHAN, 2006: 39–48) briefly mention percussion instruments and other chordophones such as viola, cavaquinho, and mandolin, as well as some accordions and even a *realejo* harmonica. In addition, some groups "complain about the 'imposition' of the viola machete [...], because they claim that in their local traditions it has never been played or is not so important, so they prioritize the guitar or the three-quarter viola"[9] (Döring, 2016: 89, trans. by author).

At the time of the nomination, the risk of disappearing was a criterion for applying for UNESCO's Intangible Cultural Heritage programme, which in the case of Samba de Roda was the "Masterpieces of the Oral and Intangible Heritage of Humanity". Thus, the gradual disappearance of handmade viola machetes, their know-how and their playing, which were so valued in samba chula that it was given its other name, samba de viola, were important arguments when making the application (IPHAN, 2006: 75). It is true that safeguarding actions targeting the various Samba de Roda instruments individually would be highly challenging, if ever feasible. Even so, the imbalance in the focus of safeguarding actions and discourses

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[7]"Obrigado cavaquinho, obrigado cavaquinho por guardar o meu lugar. Eu estava em extinção, mas começaram a fabricar, licença cavaquinho que a rainha vai voltar. A viola é a rainha do samba, a rainha do samba, a rainha do samba."

[8]In Brazil, violas are commonly understood as guitars with double and/or triple chords. Viola machete has five double strings, a total of ten strings.

[9]"Se queixam da 'imposição' da viola machete [...], porque alegam que em suas tradições locais ela nunca foi tocada ou não teria importância, portanto priorizam o violão ou a viola três-quarto".

contributes to the rendering of other instruments, players, practices and values of the various sambas of the Recôncavo invisible.

Such invisibility is expressed on different levels. One is that heritagization has promoted a proliferation of groups of musicians and concerts outside of everyday and traditional contexts, so that young musicians began to join and even to found new Samba de Roda groups, bringing in musical concepts, practices and instruments from other musical contexts. Instead of the continuation of an organic process of transmission and adaptation, this has fostered the erasure of certain traditional forms. An example of this is the recent introduction of the surdo and the electric bass, already mentioned elsewhere (Graeff, 2015), and of instruments such as the triangle, which, according to Mestre Jaime, "was taken away from samba chula"[10] (Mestre Jaime do Eco, NO SOTAQUE-JAIME, 2020, trans. by author).

Meanwhile, handmade construction and the use of natural materials to build musical instruments is increasingly rare. Percussion instruments such as *pandeiro* or *rebolo* (a type of drum) which are as, or more, important to samba chula as the viola, can be easily acquired when made from synthetic leather, while handmade instruments made from mammal leather are increasingly rare, and those made from boa leather forbidden. Even so, boa leather is so highly esteemed by ancient masters that it continues to be used and traded illegally and covertly by some of them, as I have witnessed. The protection of the construction of *pandeiros* and *rebolos* made from boa constrictor leather is an example of a relevant agenda that the safeguarding plan could have prioritized, as was the case with the process of heritagization of the construction techniques of *viola de cocho*, which involved the use of prohibited and controlled types of wood (see Vianna, 2005).

Furthermore, the reiteration of the importance of the viola machete has crystallized a model, if not a stereotype, of how the "Samba de Roda do Recôncavo Baiano"—a category created by heritagization –, should ideally sound (Graeff, 2016). Whereas in 2005 many groups didn't use chordophones, today their presence in a group is almost imperative. This crystallization also defines which instruments and sambadores (samba players and dancers) belong to this model, erasing the importance of others: the two old violeiros who still master machete techniques today, Mestre Aurino from Maracangalha and Mestre Celino from Terra Nova, who also play other instruments such as the accordion, are not included in the inventory. Only years after the publication of the inventory their knowledge of viola machete was "discovered". After all, their viola machetes had been broken for years, so they were left to play larger violas, guitar, and cavaquinho, all of which were industrialized. It was only in 2015 that both mestres had access to a viola machete again, through the project "Essa Viola Dá Samba"[11] coordinated by the musician Milton Primo, in which guitar luthier Rodrigo Veras from Pernambuco offered workshops on viola machete building for sambadores—including Mestre Celino himself—to

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[10]"Foi tirado do samba chula".

[11]Link of the project for more information: https://corpodusom.blogspot.com/2015/02/essa-viola-da-samba-sao-francisco-do.html

learn how to build their own machetes. The project also donated some of its newly handmade viola machetes to older masters such as Mestre Aurino.

The young Mestre Jaime do Eco from São Francisco do Conde, a chula singer with a talent both for percussion and stringed instruments, resents not having been awarded a viola machete by the project. Mestre Jaime is one of the few young sambadores who grew up within the tradition and who hasn't abandoned it; on the contrary, Jaime do Eco strives daily to ensure its continuity through his practice and constant activity on social media. As many other cavaquinho players from the Recôncavo, he has received no attention from researchers and his performance and title as "Mestre" is constantly criticized by older masters from other regions.

However, in the place of a young man who plays instruments that are considered modern and foreign to Samba de Roda—cavaquinho, mandolin and Bahian guitar -, Mestre Jaime plays a unique role in the region by establishing a bridge that no safeguarding policy or research would ever be able to. His lifelong experience as a sambador, and also of accompanying his father and great samba chula master in the cutting and harvest of sugar cane since the age of six, bridges an intergenerational divide in which old masters died without leaving heirs to inherit their knowledge and instruments:

> This comes from old times: the masters feel love for their instruments, so the masters would die and the families would put the instruments in their coffi; it was the master's request. There came a time when the instrument makes who made the violas died, and the viola disappeared from samba. The violas were buried with their masters, and the viola makers died too. After that, when one arrived at a samba chula, who was there? Those who had always accompanied the viola [machete]: cavaquinho, mandolin, viola três quartos, viola regra inteira. These are the instruments that took over the disappearance of the viola.[12] (Mestre Jaime do Eco, No Sotaque-Jaime…, 2020, trans. by author)

Mestre Jaime didn't play the viola machete, not because he didn't know how to or didn't want to, but because he didn't have access to the instrument until November 2021, after years of unsuccessful attempts. The "blindness" of researchers did not see a viola machete in Jaime's hands, nor a great master in his young face. In the meantime, his samba experience and knowledge kept ringing out in his high-pitched voice that echoes far and wide,[13] which can tune in with any viola tonality and "shout out" with any duo of chula singers. They can be heard in the dexterity of his extremely light fingers, which adapt the viola thumb-index finger technique to the plectrum on the cavaquinho, mandolin or Bahian guitar like nobody else's. Jaime explains that he sings "chula, on the cavaco, on the mandolin, on the guitarra baiana"

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[12]"Isso é da antiguidade: os mestres sentem amor pelos seus instrumentos, então os mestres iam morrendo e as famílias iam botando os instrumentos dentro do caixão, era um pedido do mestre. Chegou um tempo que os oficineiros que faziam as violas foram morrendo, e a viola foi sumindo do samba. As violas foram sendo enterradas com seus mestres, e os oficineiros de viola foram morrendo também. E aí quando eles chegavam no samba chula quem é que tava lÁ? Aqueles que sempre acompanharam a viola [machete]: cavaquinho, bandolim, viola três-quartos, viola regra inteira. Foi eles que assumiram o sumiço da viola".

[13]Mestre Jaime's artistic name is Jaime do "Eco", echo in Portuguese.

by placing his "cavaquinho on the tuning of the viola machete, producing the same tone"[14] (No Sotaque-Jaime, 2020, trans. by author).

To the criticism of the use of plectrum, an element seen as an innovation since it didn't exist in ancient times, Mestre Jaime responds by recalling that the ancients always used their thick thumb nails for the same purpose, as Mestre Aurino still does nowadays. There is, however, a difference between the use of the thumb nail and the plectrum, as the latter is held by the thumb and forefinger, making it impossible for the player to strum more than one note at the same time and thus employ the thumb-forefinger technique that characterizes machete playing techniques (Pinto, 1991; Graeff & Pinto, 2012). Although Mestre Celino confesses his preference for using his fingers to "pontear" his viola, i.e. to improvise melodically, he increasingly uses a thumb pick both to play and to teach, encouraging his students to play the viola in different ways. However, Mestre Celino's thumb pick is not held by two fingers like Mestre Jaime's plectrum, but, by being attached to the thumb by a ring, it doesn't limit the movements of the index finger as the plectrum does.

Listening to Mestre Jaime also reveals a myriad of Samba de Roda knowledge that was buried with masters. It reveals that Jaime was inspired and encouraged by Mestre Aurino to learn samba from an early age: his first cavaquinho was made by the master at the age of three, from a fish crate, four wires and wooden pegs. In addition, Mestre Aurino would take Jaime by the arms and put him on the sambadores' bench so that he could observe them, in a very different way to most of the old masters, who refuse to instruct and support the younger ones, possibly because they weren't treated like this in their youth, but instead were constantly challenged by other masters in samba circles.

In samba de viola, chordophones traditionally form a set with two different functions in samba de viola, as Mestre Jaime stated: "Since I was born, the guitar has always played the "bordão" with thick strings – not thin strings. It is the viola that has thin strings. There was always a viola accompanied by a guitar, or a viola accompanied by cavaquinho" (Mestre Jaime, No Sotaque-Jaime..., 2020, trans. by author). The instruments with "thick" and lower-pitched strings, such as the guitar or the larger viola *regra-inteira*, play a "bordão", a low-pitched melodic line, over which the instruments with "thin" and higher strings, such as the viola machete, the cavaquinho or even the mandolin, play their grooves (*toques*) and improvisations.

This also reveals how chordophones were used in different shapes, sizes and quantities in samba chula. Nowadays, given the importance given to the viola machete in heritage narratives, almost every Samba de Roda group performs with a guitar or viola *regra-inteira* playing a bass line, and a cavaquinho improvising and playing tones similar to one specific playing technique and tonality, the Toque in D Major (Graeff, 2015, 2016). The groups usually call on certain well-known players to accompany their performances on their guitars, violas *regra-inteira* or cavaquinhos, while the few viola machete masters perform in their own groups.

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[14] "Eu canto chula, em cima do cavaco, em cima do bandolim, em cima da guitarra baiana... coloco o cavaquinho em cima da afinação da viola machete, aonde vai dar a mesma tonalidade".

> Now the viola is making a strong comeback, but we're not going to take the truth away from those instruments that made up for the disappearance of the viola machete: cavaquinho, mandolin, guitarra baiana, guitar, viola regra inteira, viola três quarto. We can't be cruel to those who took over those who were no longer in samba, right? (Mestre Jaime, No Sotaque-Jaime..., 2020, trans. by author)

It is only since 2015 that the viola machete has made a comeback in samba, thanks to the workshops in the "Essa viola dá samba!" project, as a result of which masters like Celino and Aurino have been able to play the instrument again. The new viola machetes are not the same as the old luthiers of the region used to make: they are built using the latest construction tools and techniques. This gives them, among other things, greater durability, tuning stability and the possibility of amplification, aspects that are now indispensable in Samba de Roda contexts today (see Graeff, 2023a, b, c).

Mestre Jaime, the samba player who is underrated because he's young and plays instruments that are considered exogenous to Samba de Roda for being modern, reveals through his testimony how "Samba de Viola" gets its name not because it contains a viola or has it as its main instrument, but because of the importance of various chordophones in the practice. He calls for the other chordophones to be valued, even more so because they have "made up for the disappearance" of the viola machete. Therefore, the viola machete may have been, and continues to be, in certain contexts, the "queen of samba"; but samba has many kings and queens, who are succeeded by "younger" and more modern people, more adaptable to the current contexts of the practice.

## 8.3  The Nature of Musical Instruments

The viola machete holds a special fascination for those who listen to it and dance to it. Violeiros tell mystical stories involving the instrument, such as pacts with the devil to learn how to play it, promises to saints and orishas, and the practice of putting a rattlesnake inside it. Brazilian violas sound very different from their most popular relative, the classical guitar. The Brazilian instrument has five orders of double steel or metal strings generally tuned in unison in the first two orders and in octaves in the three lower orders, which also makes the second string of the third order sound higher than the strings of the first order, a factor known as "re-entrant tuning" (*afinação reentrante*). The result is a rich palette of natural harmonics much broader than that of single-string instruments like the guitar and cavaquinho, or even of double-stringed ones tuned in unison, like the mandolin. This palette becomes even more diverse by their various tuning types and possibilities of micro-tuning each string of an order.

Unpitched sounds that cover a wide harmonic spectrum without being concentrated in specific frequencies, as the ones produced by most percussion instruments, are considered to be noise in Western musical aesthetics. However, in African cultures they are highly appreciated and function as integral parts of musical and

choreographic practices (Nketia, 1974). In addition, they fulfill more than just an aesthetic function, being also able to awaken spirits (Silambo, 2020) and act on human health and well-being:

> Cluster or raw harmonics imperceptibly massage and soothe brain and body tissues. Melorhythm instruments constructed with natural materials are, therefore, healing instruments. The sonic energy of the vibrations along with their functional structures can calm or agitate a state of being. In this regard the design as much as the material for constructing melorhythm instruments is crucial—the type of wood, skin, mineral element such as iron, soil, etc. (Nzewi & Nzewi, 2009: 20)

Nigerian professor Meki Nzewi's statement, which stems from his extensive experience as a researcher and master drummer-dancer, coincides with evidence from Western music therapy, which recognizes that, "because sound and music form a complex energetic system, their influence on the energetic system of the body is a means through which music, sound, and vibrational therapies can interface with physical functioning" (Kearl, 2017: 28). The interesting work of the American music therapist seeks to understand how the vibrations of the harmonics of a monochord built for therapeutic purposes act physiologically on the body.

The understanding and practice of African instruments as tools for maintaining and improving human well-being also involves the forms, ritual contexts and materials with which they are built:

> African tradition researched extramusical potency of natural environmental materials, which are preferred for the construction of indigenous African musical instruments. The choice of natural materials, and animal skin is made on health grounds. For instance, the cast iron preferred for constructing indigenous bells corrects iron deficiency and boosts human body iron, whereas modern instruments constructed with random mineral products like aluminium, copper, synthetic skin etc. impair body health. (Nzewi, 2020: 110)

There are several examples of such "continuum" of the African perspective in Brazilian musical expression, especially within those forms that explicitly maintain their spiritual link: the *gãs* (cowbells) and *atabaques* (drums) of the Bahian Candomblé religion, the *ilús* (drums) of the Batuque religion from Rio Grande do Sul, the *gonguês* (cowbells) of Maracatu from Pernambuco, are all handmade with natural materials, undergoing certain rituals therefore. Hence, the importance of boa leather for making pandeiros and drums, as well as other natural materials in various instruments, is not mere traditionalism, but a cornerstone of samba. It's even possible that the vibrations of the leather affect the physical and emotional state of those who play and witness it being played, as proposed by Nzewi regarding the use of natural materials in the construction of African instruments.

An instrument made of animal skin, like the drum of the Mozambican Xigubu, "carries within it the soul of the sacrificed animal, a soul that attracts or enchants the heart",[15] so that those who play it "recognize that they are playing/touching (not simply beating the drum), but feeling and caring for the soul of another animal that helps them create an experience of enchantment and mobilization of the freedom of

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[15] "Carrega dentro de si a alma do animal sacrificado, uma alma que atrai ou encanta o coração".

each participant"[16] (Silambo, 2020: 51, trans. by author). The same notion is expressed by Mestra Ana do Coco in relation to the *bombo* of *coco de roda*: "inside the *bombo* there is a piece called the 'soul' which is what holds the structure of the *bombo* together and there are the hides of the animals that were taken to put in this instrument, which also had a soul. So it's soul, it's pulsation, it's life"[17] (Rodrigues, 2020: 207, trans. by author).

These perspectives demonstrate that continuing certain aspects of traditional musical practices is not the result of the attachment, conservatism or traditionalism of practitioners, especially elders, but of fundamental wisdom handed down from generation to generation since ancient times. The reasons therefore can be invisible to researchers, outsiders and even young people with little experience of the tradition. After all, pandeiros made of boa skin or a factory-made synthetic sound similar and can fulfill the same function in a samba circle. The differences beyond the sound and shape of the instruments are only visible, comprehensible to and, thus, valued, by experienced masters:

> If we lose the essence of our ancestors, of our past, of our black colour, our samba will soon have drum set, keyboard, right? It will have things that we did not live in our ancient ancestry. [...] What I want to leave behind to the world is that we need to leave an imprint of what we do, of what we live and of what we learn: that's samba chula, which is very different from samba de roda.[18] (Mestre Jaime, No Sotaque-Jaime..., 2020, trans. by author)

Modern instruments such as drum sets and keyboards were not part of the ancestry of samba, that is, of the experiences of old masters and of their ancestors; an ancestry that, in Brazil, goes back to the first Africans in Bahia. Mestre Jaime makes a distinction between the samba he performs, samba chula, and Samba de Roda. While samba chula has many rules to be respected by participants, such as the *parade* (stop), mentioned above, while the singers improvise the chula, Samba de Roda, is an umbrella category (Döring, 2016) that brings together various forms of samba and embraces more innovations, such as the use of *surdo* and electric bass (Graeff, 2015). Samba chula is a samba of *antigos* ("ancients"), being sung mostly by elders, who narrate their own life experiences and those of their predecessors by means of the chula verses. Thus, leaving "an imprint" of what sambadores "do, live and learn" and seeking to maintain certain practices, rules and music instruments, is fundamental for respecting and giving continuity to samba chula's ancestry.

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[16]"Reconhecem que estão tocando (não simplesmente batendo o tambor), mas sentindo e cuidando da alma de um outro animal que os ajuda na criação de uma experiência de encantamento e mobilização da liberdade de cada participante".

[17]"Dentro do bombo tem uma peça chamada 'alma' que é o que segura a estrutura do bombo e tem os couros dos animais que foram tirados pra colocar nesse instrumento, que tinham alma também. Então, é alma, é pulsação, é vida".

[18]"Se a gente perder a essência do nosso ancestral, do nosso passado, da nossa cor negra, o nosso samba vai daqui a pouco estar com bateria, como vai estar com teclado, né? Vai estar com as coisas que a gente não vivemos na nossa ancestralidade antiga. [...] O que eu quero deixar aqui para o mundo é que a gente precisa deixar carimbado o que a gente fazemos, o que a gente vivemos e o que a gente aprendemos: [...] é samba chula, que é muito diferente do samba de roda".

## 8.4   Female and Male Dualities

The African continuum manifests itself also in traditional cosmoperceptions that do not separate human beings from nature, nor from the instruments humans make with their bodies. In the words of Santana "the drum, as a black entity in community, is at the same time person and nature; event and hole; artifice and organic substrate" (Santana, 2020: 153, trans. by author). This may be the reason why instruments embody both the feminine and the masculine essence, not only in symbolic and affective terms, as violeiros do in relation to their guitars by often giving them female names (Graeff & Pinto, 2012). Another dimension is that in African music, "opposing pairs such as father/mother, boys/girls, male/female, men/women, and mother/child are regularly designed to express a dichotomy between low and high voice registers" (Kubik, 1999: 131).

   Thus, the knowledge surrounding the materials the instruments are made of and what they express musically is also based on a duality of masculine and feminine energies: the hides used in two-skin drums generally come from one animal each; the lower hide coming from a male and the higher from a female. This is the case with the *bombo*, a drum of Bantu origin sharing the same name and a very similar type of construction in *coco de roda* from Paraíba, Northeastern Brazil, and Marimba from the Colombian South Pacific region. A traditional instrument maker from this region, explained to Ethnomusicologist Maria Ximena Burbano distinctions between female and male bombos. The first have narrower and rounder inner cavity which is considered to be the "womb" of the instrument. The bombo macho, in turn, has a smooth and inner cavity. Each of these construction techniques results in different sonorities, with the female reaching a higher pitch and lower volume, resulting from the air "faltering" in the womb cavity, and the male being more straight and powerful, due to the passage of the air through the wood without any barriers. The construction process must, according to the master, take into account that women's voices produce higher and thinner sounds and men's voices lower and thicker voices (cf. Burbano, 2022).

   Sambadores from the Recôncavo also distinguish sonorities through the male-female duality reflected, for example, in "thick" and "thin" strings and materials. This goes beyond discussions of gender hierarchization and identity,[19] whereby outsiders often criticize the fact that samba is usually played by men and danced by women. In fact Samba de Roda's cosmoperception seems to be based on such duality in various forms. A sambadeira (female samba dancer and choir singer) once said that dancers (women) need men's groove since women rarely play, while women accompany the male musicians through their voices and feet, and if a person arrives at a samba event made ony by men, she does not stay (s. Döring, 2015). The fact that "women rarely play" does not pose a problem, given that their role of

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[19] On the subject, the work of Oyèrónkẹ́ Oyěwùmí (2002, 2021) is worth reading. Based on Yoruba epistemologies, she deconstructs universalist conceptions of gender hierarchy typical of Western thought.

dancing, of interacting with the grooves by dancing and singing through their own bodies, and not necessarily by means of an instrument, is fundamental to the point of making people "stay" within the samba event. In such interdependent relationship there's no gender hierarchy; both music played by men and danced by women is essential to samba. In fact,

In samba chula, the male-female duality as a reflection of nature is also seen in its musical conceptions. Mestre Celino, explains about a specific viola machete groove called *Riúna* or *Graúna*, a regional name for the chopi blackbird, that "to make the *riúna* it takes a male and a female" and that "one speaks thicker, the other speaks thinner; one doubles [the melody], the other doesn't" (Mestre Celino. . ., 2021, trans. by author). Next, Celino demonstrates the dialogue on the viola machete between the melody played on the high strings and its "bending" or response on the low strings. The "female" melody played by the master, by interspersing high notes with a repeated low note, is very similar to the song of the Graúna bird.[20]

Further examples are offered by Mestre Jaime. The first is reflected in his dissatisfaction with today's industrialized pandeiros, whose *chuás* (regional name given to pandeiro's metal jingles), are concave and turned against each other in such a way that their sound become muffled, heavy and "male". In handmade pandeiros, in turn, *chuás* used to be made from beer cans, positioned straight and parallel to each other that resulted in a sharp and high-pitched sound. As Jaime explained, these were female *chuás* that "married" the heavy sounds produced by the instrument's hide. The second example refers to the samba chula's performance rules, which also manifest male/female dualities both in the role played by men and women in the roda and in the dialogues between low and high pitches:

> Within the chula, when we're singing the chula, we're in a low register, and when a woman is inside the circle, we go to the high register, to the instrument's thin strings. So when you're in the low register, you're helping the chula singer's vocal chords; he'll be totally on a low register: the low sounds of the viola machete, the low sounds of the hide instrument, as well as his singing voice will be all associated with a thick string tone. When, in turn, he's singing there and you're on the first and higher sounding string of the viola, he will be where? in a high synthony.[21] (Mestre Jaime do Eco, No Sotaque-Jaime..., 2020, trans. by author)

The duality can also occur between two viola players playing in two different tunings, as Mestre Aurino and Mestre Jaime have demonstrated in a live-streamed interview video.[22] In the demonstration, the tuning named *natural* is considered to be the female and expected to play the solo, while the *traversa* tuning is the male

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[20]To hear this comparison of Mestre Celino's toque riúna and the singing of a chopi blackbird, listen to minute 27′12 of his videoclass on https://youtu.be/1b7i7ZZIu5Y and the following audio of the bird on https://youtu.be/5S3ddcPoeZk

[21]"Dentro da chula, quando a gente está cantando a chula, a gente está no grave, e quando a mulher está na roda a gente está no agudo, que é corda fina do instrumento. Então, quando você está no grave, você está ajudando as cordas vocálicas do cantador de chula. Então, ele vai estar totalmente num grave único: grave instrumental da viola machete, grave instrumental do instrumento de pele e a sua voz vai estar associada a uma tonalidade de cordas grossas. Então se ele tá cantando lá e você tá na prima da viola, na segunda corda da viola, ele vai tá onde? em uma sintonia aguda."

[22]Link to the video: https://www.youtube.com/live/Tif6zB6dCZo

who plays the accompanying bass line (*bordão*). The resulting successful combination of both tunings and playings Mestre Aurino calls a "marriage" (*casamento*).

These brief examples open up the perception of holistic worldviews of music-making, which understand it as a balance—a balance of nature, between feminine and masculine energies, between those present in the roda, between instruments and their sounds. It is a balance that involves everything that integrates the performance, not separating professional musicians from dancers and the audience; nor the body that plays from the one that dances and from the one that emits the sounds, the instrument; nor considering instruments as mere tools that are separate from nature and from the human being, who is part of it, who touches and is touched, enchanted, by the instrument, if they don't also build it.

In traditional African cultures, "a successful instrumentalist is one who knows how to make their own instrument, [...] developing an intimacy with it" (Mucavel, 2018: 110). When it is not the players themselves who build their instruments, their relationship with the luthiers and the making process is very close, so that they can build a personalized instrument according to their preferences and needs, specifying "size, tuning and tone" (Mucavel, 2018: 110). Thus, such cosmoperceptions do not separate the processes and materials used to build instruments, nor does the instrument in the making process separate itself from the practitioner who will *enchant* and entice others into samba.

## 8.5   Final Considerations

This article began with a critique on the normativity of Western (mostly European classical) music. Due to colonialism and imperialism, Europe's musical heritage, i.e. its theory, teaching methods, instruments, orchestras, etc., became a common heritage among people from diverse countries and sociocultural backgrounds, who speak different languages as well. Even the European concept of music as the art of combining sounds is shared worldwide. This common heritage shapes the way people understand and live music:

> In the West, with the (capitalist) reinforcement of individual consciousness, music, as a meaning producing practice, has asserted its autonomy in the face of other semiotic systems of social life, converting itself into the art of solitary individuality. In traditional African cultures, on the contrary, music is not considered to play an autonomous function, but to represent one form linked to others—dances, myths, legends, objects—in charge of triggering the interaction process among humans as well as between the visible world (*aye*, in Yoruba) and the invisible world (*orun*, in Yoruba).[23] (Sodré, 1998: 21, trans. by author)

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[23] "No Ocidente, com o reforçamento (capitalista) da consciência individualizada, a música, enquanto prática produtora de sentido, tem afirmado a sua autonomia com relação a outros sistemas semióticos da vida social, convertendo-se na arte da individualidade solitária. Na cultural tradicional africana, ao contrário, a música não é considerada uma função autônoma, mas uma forma do lado de outras—danças, mitos, lendas, objetos—encarregadas de acionar o processo de interação entre os homens e entre o mundo visível (o aiê, em nagô) e o invisível (o orum)."

This African holistic cosmoperception of music pervades samba; even the word samba refers at the same time to samba's rhythm, song, dance and event. *Sambadores* use to say that a real *sambador* can play, sing and dance; in their view, a *sambador* is not merely the member of a samba group, is not merely a percussionist, a singer or a musician. The *sambador* is the person able to master all the knowledge and ability needed for a samba performance to successfully take place, engaging a whole community, and for samba's heritage to thrive. Mestre Jaime do Eco always states that he is not a musician. That he does not know nor need to know the names of any notes or music theory in order to make samba. To "know samba" is to know how to dance, to samba, to play and to pass on samba at the appropriate moments and in the appropriate contexts.

Instead of a sense of individual demonstration of virtuosity, in samba a sense of communal syntony predominates. As in forms of Afro-Colombian Marimba music, "the musical result is a collective endeavour that arises from an embodied experience between the individual and their surroundings, situating them in a specific space and moment of their existence in the world"[24] (Burbano, 2022: 130, trans. by author). Musical heritages of African ancestry establish and cultivate a communal syntony that embraces every participant, whether human, animal or plant; whether physically or spiritually present.

The highly nuanced cosmoperceptions permeating traditional forms of Samba de Roda presented here are not visible nor tangible. They cannot be systematized in music treatises, museums, not even in sound archives. They can only be lived, experienced; and they can only be lived collectively, synchronously through the presence of various individuals at a samba performance. Furthermore, they can only be passed on collectively as well, in a diachronous way that recalls, re-enacts and reveres ancestral wisdom. The music and dance performance of samba is, therefore, only one visible and audible part of a much broader heritage of resistance and communal strength.

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[24] "El resultado musical es una construcción colectiva que surge de una experiencia incorporada entre el individuo y su entorno, situándolo en un espacio y momento determinado dentro de su existencia en el mundo".

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# Chapter 9
# Threats and Approaches to the Safeguarding of Intangible Cultural Heritage: A View from the United States

Michelle L. Stefano

**Abstract** In this third decade of the twenty-first century, we face an array of interconnected challenges that threaten not only the sustainability of intangible cultural heritage, but the livelihoods and wellbeing of those who give it life. And while communities across the world continue to safeguard and innovate their living cultural traditions, practices, and expressions, reinforcement of their efforts by heritage professionals may be needed more than ever. In this chapter, I explore these challenges from historical, economic, political, ecological, and technological perspectives, examining how they ought to shape collaborative safeguarding approaches that are guided by ethics and equity. I draw on examples from the U.S., including from the discipline of public folklore, and stress the need for a reprioritization of heritage resources in striving for a more just and livable tomorrow by rooting out the very real problems of today.

**Keywords** Intangible cultural heritage · Sustainability · Decolonization · Collaboration · Challenges

In this chapter, I stress the need for collaborative approaches to the safeguarding of intangible cultural heritage (ICH) that prioritize tackling the issues of today through an exploration of the very serious reasons as to why. Despite the U.S. not taking part in UNESCO's 2003 *Convention for the Safeguarding of the Intangible Cultural Heritage*, I largely situate discussions from a U.S. perspective, based on my work as a public folklorist for over a decade—and at the American Folklife Center (AFC) in the Library of Congress since 2016—on activities that are relatively comparable to those recommended and spurred by the Convention. Accordingly, I set out with a humbling overview of a number of twenty-first century challenges that threaten people's livelihoods—and, thus, the vitality of their ICH—from historical, economic, political, ecological, and technological perspectives. The issues that threaten ICH are global; although it is possible to argue that the U.S. offers an illuminating

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view of where a number of troubling 'trends', and oppressive legacies left rooted, can lead. I discuss how these challenges can shape collaborative ICH efforts, drawing on priorities and practices of the longtime discipline, sector, and profession of U.S. public folklore.

I write with my fellow counterparts in mind: professionals and researchers in the arts, heritage, and public sectors, and those involved with the implementation of the 2003 Convention, and the improvement of its impacts at the local level. After all, cultural communities and social groups are safeguarding their living traditions, practices, and expressions, and many in changing continuation over centuries. Yet, with the mounting challenges of today, allied support, such as from heritage actors and their institutions and organizations, may be increasingly needed, especially when efforts support politically, economically, and socially marginalized communities who continue to be affected the most. Focusing on the very real and multifarious problems that threaten ICH may come across as cynical, but the following overview seeks to elucidate the overt and insidious ways in which they affect people's lives in order to better inform the choices we make as heritage professionals. Ultimately, helping to uplift human cultural expression in all its wide-ranging diversity—in terms of race, ethnicity, gender and sexuality, religion, class/occupation, geography, and intersections thereof—is optimistic, guided by a vision of a better future. And to ethically and equitably work with the experts of ICH, its keepers and communities, is to enact a more just and livable tomorrow in the present.

## 9.1   Real Talk: Some Current Threats to ICH

It is difficult to tease out the seemingly-various threats to ICH, as they are deeply interconnected. For instance, with the escalating ecological crises we face, threatening all life on Earth, there are a number of underlying forces at obvious and simultaneous play: from deep-seated social inequities, unfettered global capitalism, and the economic inequality that thereby grows, to the phenomenon of 'climate change denial', and the political attacks on factuality that conveniently underpin it, and serve to fuel profit-making and social division even more. Indeed, there is substantial scholarship on these topics, across an array of fields, adding to the challenge of being concise here. In this light, I attempt to peel back some of these layered forces, illuminating how they can gravely affect people's lives and, thus, their ICH—undeniably impacting women, often the keepers and innovators of living cultural traditions, far more than men (see Oxfam, 2019). As such, I tie into discussions how these issues have taken root within and shaped the heritage sector, highlighting their implications for ICH-focused safeguarding efforts.

## 9.1.1   Colonial Legacies, Deep-Seated Inequities

It may be useful to start by bridging the past to the present, surfacing the longstanding racial and social inequities that, anchored through colonialism, remain alive and well today. I write with compassion and a conviction to help eradicate social injustices, and decolonize the field in which I am fortunate to work; hence, my choice of topic here. Nevertheless, I write as a White person, and someone who identifies as a cisgender, heterosexual woman. And while I certainly come up against the patriarchy on a regular basis, in my career and personal life, I have benefited from not being wholly minoritized, privileged from birth due to my race alone. Such privilege has brought economic, political, and social advantages, such as in having an easier path of access to quality education and professional opportunities. This path was paved by my immigrant grandparents who, in early-twentieth century New York, may have experienced discrimination, but were able to make better lives at a time when so many people of color were subject to racist *laws*, policies, and treatment in every facet of their lives—the legacies of genocide, slavery, and countless injustices on which the nation has been built.

Lest one thinks these structural and systemic inequities are long gone, there is no denying that the Covid pandemic brought them into the bright light of day, providing a clear, neon-lit example of their persistence, such as in terms of who suffered and was—and still is—affected the most. For example, in the U.S., a disproportionate burden of sickness and mortality was placed on minoritized populations, showing the relationships between racial, ethnic, and social marginalization and socioeconomic status (Abraham et al., 2021; Massion et al., 2022). We have also seen the efforts of the World Health Organization, among others, in striving to address the Covid "vaccine apartheid" (Tedros Adhanom Ghebreyesus in Cohen, 2021), tracing in considerable part the deep-seated, colonial legacies in place over centuries on a global scale.

The cultural heritage enterprise does not exist in a vacuum; its colonial roots are well known and documented, privileging for centuries (hetero)patriarchal, Western/White histories, heritages, and narratives (Kreps, 2003; Smith, 2006; Lonetree, 2012). Over recent decades, the colonial ideologies and practices underpinning heritage identification, preservation, interpretation, and dissemination have come under rightful attack, to differing extents and from a number of disciplinary perspectives. Indeed, the 2003 Convention and precursor initiatives represent a course-correcting turning point in the global heritage enterprise by widening the spotlight on to the living and changing heritages of populations, communities, and groups across the world, expanding 'heritage' with the needed room for greater cultural diversity (Aikawa-Faure, 2009).

In the U.S., a somewhat similar movement gained strength in the 1960s, with concerted efforts to legitimize and uplift the folklife of diverse communities countrywide, disrupting the Western/Eurocentric mainstream arts and culture sector with greater inclusion and, importantly, financial support for what is effectively people's 'ICH'. In brief, these efforts, which included lobbying lawmakers at the highest

level, laid the foundations of the public folklore discipline, profession, and nation-wide infrastructure that remain robustly active today (see Feintuch, 1988; Baron & Spitzer, 2007). As discussed later, public folklorists, ethnomusicologists, and allied professionals collaborate with culture keepers, artists, and their wider communities in co-creating the time and space for centering them and their folklife, in all its rich diversity, by raising wider awareness of it and in supporting their approaches to its safeguarding.

Together, the 2003 Convention framework and U.S. public folklore can be considered decolonizing forces, bringing needed attention to minoritized and marginalized communities in the heritage, arts, and culture sectors, with the strong potential to further uproot longstanding inequities therein. As monuments to patri-archal White supremacy continue to be toppled, decolonizing efforts remain needed in every corner, nook, and cranny of the sector, which includes practice: the mindsets and methodologies at the core of all heritage activity. For so long, heritage actors have been empowered as the default authority in 'collecting' and interpreting diverse people's histories, heritages, and cultures, enjoying unquestioned entitlement to speak for them, such as in museum and archival contexts. This power imbalance extends into the realm of 'ICH'; it may be a concept born through the 2003 Convention, but what it represents has a longer history as the subject of colonial/settler colonial study, extraction, and exploitation, bringing the history of anthropology into the mix.

A crucial undercurrent of colonial heritage thinking and practice is the dehuman-ization and objectification of people, particularly racialized and ethnicized peoples, as was certainly put on display in nineteenth and twentieth century public exhibitions, festivals, and presentations in Europe and North America, as examples (see Fig. 9.1). On the World's Columbian Exposition in 1893 Chicago, curator Stewart Culin provides a helpful glimpse into the seamless melding of colonialism, anthropology, and museology to form a so-called 'scientific' framework for the White supremacist study and classification of diverse peoples. With respect to a large area of the event, where human beings were objectified to perform their 'customs', he explains:

> The Midway Plaisance, in which were located the principle foreign concessions, was a field for wide and important investigations. The natives dwelling in the Plaisance included Turks, Arabs, Syrians, Armenians, Egyptians, Kabyles, Soudanese, Chinese, Japanese, Malays, Javanese, Hindoos, Parsees, Persians, Laplanders, Samoans, Fijians, Hawaiians, together with representatives of several American tribes – Sioux, Penobscots, Winnebagoes, and Navajos, as well as some Pueblo Indians from Laguna. (Culin, 1894, p. 55)

The human beings on display were also viewed as sources of data, ripe for the picking, as part of this 'extraordinary opportunity' for scientific pursuits. In lamenting its ephemerality, he regretfully states that the "many opportunities at the Exposition for systematic study in folk-lore as well as other branches of anthropology has passed away without more direct and permanent contributions having been made to science [. . .] little attempt was made towards collecting data from the people who had been brought together from so many lands" (Culin, 1894, p. 59). Accordingly, in future events he calls for a dedicated person "to keep an account of the

**Fig. 9.1** A person believed to be Javanese in an exhibit at the World's Columbian Exposition, Chicago, Illinois, 1893. (Photo by Frances Benjamin Johnston. Johnston (Frances Benjamin) Collection, Prints & Photographs Division, Library of Congress. LC-USZ62-103124)

physical traits, customs and legends, of the visitors from remote lands", through which "no more important and lasting result could be afforded to the student of anthropological science" (ibid.).

Insidiously, these legacies have persisted well into the twentieth century, carried through ethnographic methodologies in a range of unethical and—what could be considered now—illegal practices still grappled with, such as in terms of source and descendant community reclamation of museum and archival collections inherited from the "colonial collecting project" by institutions worldwide (Christen, 2015). As was the norm, the study of culture was extractive, with a grave lack of recognition of those being studied as equals in research endeavors, and as the authorities and owners of their cultural expressions. Gaining their consent was rarely considered, nor was securing their permissions for being documented, and negotiating compensation for their participation and resultant products (e.g. commercialized musical recordings; see King, 2010). Indeed, from a legal standpoint, the extracted documentation and information was hardly acknowledged as their intellectual property, to be protected from third-party misappropriation and exploitation, a worthy pursuit of the World Intellectual Property Organization (WIPO) over recent years (see WIPO, 2023).

With ethnography as a key methodological basis for the identification, documentation, and 'inventorying' of living heritage, as recommended by the Convention, 'ICH' is not without baggage, heavy with colonial ideology and unethical practice. In 2015, UNESCO launched a set of twelve principles underscoring the continued need for ethical mindsets and processes, such as emphasizing "transparent collaboration" built on free, prior, and informed consent (UNESCO, 2015a). Geared toward external actors, such as those involved with Convention implementation, they represent a step forward in safeguarding against the seeping of these colonial legacies into ICH efforts by prioritizing the central role to be played by its keepers, which one may think should not be needed in the twenty-first century. Nonetheless, the duty to engage ethically with ICH communities—so as *to do no harm*—falls on the heritage professional. As both the Convention and public folklore frameworks promote collaborations between heritage professionals and ICH keepers, we are rightly called on to heed the shameful lessons of past thinking and practice, and to actively level the historically-fraught playing field in our heritage work—and in this world where deep-seated inequality persists.

### 9.1.2   Interrelated Economic Inequities

Using the Covid pandemic as a clarifying lens, the fault lines of income inequality, and the global forces behind it, have also been brought to beaming light. In the U.S., a hypocritical rhetoric around labor rose to prominence in 2020—namely, the idea of 'essential workers'. Essential workers *were* healthcare professionals, overwhelmed to breaking points, and people working in industries and services, such as transportation and food delivery, who were relied upon to keep the economy moving and market afloat, often in dangerous situations, despite being deemed most 'essential'. Lines of socioeconomic privilege were starkly drawn, as those more fortunate were able to work from home, myself included, where we were relatively safe from virus transmission, with undisrupted paychecks to be spent on essentials and comforting shopping sprees on Amazon.com. Yet, in the U.S., these lines are, indeed, very sharp; healthcare is criminally expensive and typically tied to having a job, bringing a dark twist to the word *essential*.[1] With mirror-like precision, these lines reflect the greater forces at work: out-of-control capitalism and neoliberal policies that subject all facets of life to the market, and that, above all, ensure that profits continue to increase for the few.

It is undeniably challenging for so many—from low-income workers through the middle classes—to make a living and cover increasing costs of housing, food,

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[1]Bhattacharyya et al. (2021, p. 184) note that, in the U.K., "'Key-worker' migrants, working in the [National Health Service], in transport, as refuse collectors, were told they were needed more than ever and must put themselves and their families at risk to save a people who so recently elected a government on the promise that it would rid the country of people like them".

healthcare, childcare, education, transportation and more. According to the Oxfam report, *Survival of the Richest*, "poverty has increased for the first time in 25 years. As millions of people face extreme hunger and crushing inflation, the very richest in our society have become dramatically richer and corporate profits have hit record highs – driving an explosion of inequality" (Oxfam, 2023a). In this broad and profoundly disturbing sense, when people's livelihoods are difficult to secure and stabilize, so too are their wellbeing and cultural livelihoods, as a result of the weakening of baseline economic foundations that aid cultural expression and continuity.

In addition, neoliberal policies of deregulation fuel the privatization of all sorts of public services and resources, as well as the loss of public spaces, such as recreational centers, plazas, and parks (Peterson, 2006). Where I write in Baltimore, top-down, market-driven gentrification—typically of longstanding African American neighborhoods for reasons touched on earlier—continues apace, razing homes and displacing residents, and erasing people's cultural histories and heritages (Pietila, 2010; King et al., 2019). In its wake is the destruction of cultural places and spaces, longtime neighborhood hubs and businesses, where communities have come together, strengthening bonds needed for cultural activities and shared traditions (see City Lore, 2023).

Unsurprisingly, when reading nomination files for ICH inscribed on UNESCO's *List of Intangible Cultural Heritage in Need of Urgent Safeguarding*, reasons for their decline correspond to issues outlined throughout this section, including capitalistic forces that challenge people's livelihoods and the continuity of their cultural practices, such as gentrification, rising costs of living, and subsequent economic migration (see UNESCO, 2023; Stefano, 2022a).

Of course, the heritage enterprise is not immune to profit-making market forces, and the 2003 Convention itself was in part a response to growing concerns about globalization, particularly the homogenization of culture (Blake, 2002), which is at heart about economic power. Tied to the efforts of the WIPO in attempting to reach international consensus on the legal protection of ICH,[2] endeavors that were once co-signed by UNESCO decades ago, it is evident that unfettered global capitalism and associated economic inequality, which foster the commercialization of culture and misappropriation of ICH, are serious longtime threats. However, as rightly underscored by Peter J. M. Nas (2002), an inherent paradox of the Convention concerns its goal to protect ICH against the globalization of culture via a system that serves to globalize it, ushering people's traditions more easily to the market, such as through its *Representative List of Intangible Cultural Heritage of Humanity*, on the coat-tails of the World Heritage List.

One well-known interface between global capitalism and the heritage sector is tourism, a widespread example of how market forces can influence the commoditization and branding of 'heritage' for visitor consumption, whether in museums or at heritage sites. With ICH, the worry is that market values overpower people's own

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[2] Or 'traditional cultural expressions' (WIPO, 2023).

reasons and needs for sustaining their cultural traditions, without their having control over such processes and income-generating schemes (Lixinski, 2019). External systems of value can also decontextualize, itemize, and isolate cultural heritage from its holistic and often-complex relationships to people, place, and historical and contemporary contexts. Aiming to keep that holism, contextualization, and vitality intact is a worthy goal of many within the heritage sector.

Current discourses on sustainable tourism and, by extension, sustainable development cast in high relief the underlying economic inequities that can be intensified if not addressed. In a UNESCO policy on sustainable development and World Heritage, it is recognized that the "conservation and management of World Heritage properties should therefore contribute to reducing inequalities, as well as its *structural causes*, including discrimination and exclusion" (UNESCO, 2015b; my emphasis). Indeed, 'reducing structural causes' of present-day injustices, including economic, should fall under the purview of the heritage sector, and within the scope of concerns of heritage actors. And any tendency to apply external systems of value, such as market values, to cultural heritage for the purpose of achieving aims like economic development—*without* the involvement of those whose heritage it is— will only maintain the status quo of increasing inequality, let alone weaken ICH (Stefano, 2023a). Ensuring community leadership of such processes is one of the only paths forward in safeguarding against the dangers of hitching 'sustainability' to the "deregulated neoliberal economic system" that is responsible for "climate change, global inequality and social polarisation in the first place" (McCloskey, 2019, pp. 155–156).

### 9.1.3   The Climate Crisis

Early in the pandemic, as human activity drastically slowed down, it appeared that there was a collective stock-taking of our destructive impacts on the environment, at least in terms of news items and viral social media posts. Stories like *Dolphins returning to the canals of Venice!* encapsulate the then sense of a unified rooting for nature and, perhaps, longing for (romanticized) pre-industrial times. And while some of these 'feel good' stories were debunked (see Daly, 2020), they represent moments full of promise that—depending on where one was, such as in the U.S. and U.K.— may have resembled a turning point, laced with a taste of what our world can be in the face of "neglect and withdrawal of the state in all other functions but the punitive" (Bhattacharyya et al., 2021, p. 194). Nonetheless, what the pandemic surely made clear, signposted in blinking neon lights, are the solutions: the radical actions required for mitigating climate change, bringing into piercing view ever-thriving capitalist exploitation and its ever-growing reinforcement by political leaders.

Yet, our climate crisis, and the escalating disasters it brings, cannot be blamed on the majority of Earth's inhabitants, despite efforts to attribute the Anthropocene to "*all* humans disregarding histories of empire, patriarchy, and capitalism, erasing

non-Western approaches to living on this planet".[3] In fact, what has also become crystal clear are the culprits: the industries, corporations, and governments—those in control—who have willfully ignored the alarm bells for decades, greedily and conveniently on the cushy foundations of racial and social inequality laid through colonialism onward. According to Oxfam, it is the "richest people, corporations and countries" who are "destroying the world with their huge carbon emissions. Meanwhile, people living in poverty, those experiencing marginalization, and countries in the Global South are those impacted the hardest" (Oxfam, 2023b). It is, then, the wealthy and powerful who can contribute most to fighting the crisis—to redirecting us off this path toward destruction.

It may be obvious that ecological devastation detrimentally affects ICH, as it impacts people's entire environments—rural, urban, and suburban—and, thus, their physical health and broader wellbeing, heightening also the risk of new pandemics (Chang et al., 2023). And the problems are overwhelmingly mounting: from rising temperatures and sea levels, and worsening wildfires, cyclones, and floods, through to the loss of land, waterways, and biodiversity, and rising food insecurity, scarcity of cultural resources/materials, and forced migration. Significantly, as stressed by Bryony Onciul,[4] the frontline communities of the climate crisis, particularly Indigenous peoples, are disproportionately burdened with bearing the brunt, and are made even more vulnerable in the continued colonial quest of unsustainable growth and extraction at their expense. With a holistic understanding of ICH and its integral ties to place, but also the fault lines that have deepened through centuries of racial and social injustice, we are aware that its sustainability is undoubtedly under threat, too.

Compounding these challenges is the phenomenon of climate change denial, as mentioned earlier. A decades-long movement, strongest in the U.S. and other "Anglo nations", it aligns an array of unsurprising bedfellows through the (short-term) benefits that environmental destruction brings—namely, corporations, especially in the fossil fuel industry, politicians and mutually-benefiting constituents, as well as those who coordinate its public relations by "manufacturing uncertainty regarding scientific evidence, attacking climate scientists, and portraying climate science writ large as a controversial field" (Brulle & Dunlap, 2021; see also Bohr, 2021).

Political efforts to undermine scientific experts and studies were certainly on full display when the Covid vaccines were rolled out, gaining strength from pre-existing 'anti-vax' movements and continuing today, thanks largely to the instantaneous and widespread reach of social media. It can be said that these movements form part of a larger assault on truth, with the seductive and unmooring rise of dis- and mis-information, conspiracy theories, and lies, taking purposeful root in the fertile ground of the Internet, and armed with the mind-bending language of 'hoaxes' and 'fake news'. As discussed next, such deceptive tactics conveniently serve the

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[3] Bryony Onciul, "The Critical Potential of Heritage for Indigenous Rights in the Anthropocene", forthcoming.

[4] Ibid.

interests of the increasingly intertwined economic and political elite in fueling the social divisions needed for the consolidation of power, and the conditions that make ripe the growth of anti-democratic rule.

### 9.1.4   Layering in Fascism

Wealth and political power have long gone hand-in-hand in the coziest of ways, clutched today in the hands of a concentrated, transnational few who pilfer and privatize resources (and publicize the costs), accumulating seemingly never-ending capital at the expense of ecosystems and workers' wages and wellbeing, and weakening democratic structures to further enable these pursuits. Added to this is an advantageously linked flourishing of populist, authoritarian, and neo-fascist movements gaining control of governments across the world (Robinson, 2019). In many places, we are seeing a growing attack on human rights, such as in the U.S., not only in terms of rights to health and participation in democratic processes, but with respect to attacks on identity expression, and sharing, learning about, and uplifting marginalized people's histories and cultures, through school curricula censorship and revision, book bans, and assaults on public libraries, to name some examples.

In the face of longstanding fights for freedom, justice, and basic rights like voting, there is an intensifying political and ideological movement that is White supremacist at heart. As was blatantly obvious during the Trump administration, the fascist playbook is turned to for fueling the social division needed for the consolidation of political power by the economic elite (Snyder, 2018). Demographic shifts are used to stoke terror, and the increasing demonization and criminalization of racialized and minoritized people is justified through false, fearmongering propaganda (and increasing militarized response to their resistance) (Robinson, 2019). Vigorously renewing the ethos of colonialism in the twenty-first century, the *Othering* of minoritized people serves many objectives, including blaming them—e.g. immigrants and asylum seekers—for worsening economic conditions, in an attempt to mask the real culprits (Robinson, 2019; Canizales & Agius Vallejo, 2021).

Here, I emphasize the justification component of this neo-fascist[5] project, and how 'ICH' can be mobilized and distorted to meet its needs, as a repressive threat to both ICH and efforts toward its safeguarding and wider promotion. In the U.S., the glorification of a fictional and romanticized White past has escalated in potency, expressed seamlessly through the thinly-veiled racist slogan, "Make America Great

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[5] Robinson (2019, p. 165) explains that twenty-first century fascism, or 'neo-fascism', "involves the fusion of transnational capital with reactionary and repressive political power—an expression of the dictatorship of transnational capital". After all, "unprecedented global inequalities can only be sustained by ever more repressive and ubiquitous systems of social control" to fulfil the "economic need to perpetuate accumulation [by the transnational capitalist class]", breaking free of nation-state constraints (p. 160).

Again", traced back to Ronald Reagan and used most notably by Trump (Bobo, 2017). Embedded in this notion are a number of populist ideas, such as ethnonationalist foreign policy (e.g. 'America first'; Restad, 2020). Moreover, 'returning' to a mythical time when 'America was great' activates visions of White supremacist rule and White, Christian nationhood—ideas of ethnoreligious 'purity' built on a resurgence of colonial dehumanization of racialized and minoritized people, and fear of cultural difference.

Significantly, the use of 'ICH' for legitimizing nation-building, as well as fascistic ideologies, is not new. In nineteenth century Europe, folklore studies were "central to nationalistic claims for legitimacy, derived from association with the 'true' people identified through folk culture" (Baycroft, 2012, p. 5). Folklore was instrumentalized to prop up mythic conceptualizations of the 'nation' and 'national identity', based on a "distinguishing feature of a group of people which could be identified as a nation through their folkloric cultural practices, stories, traditions, dwellings, songs, music, costume, dialect, cuisine", and where they "acquire national symbolic meaning through the action of political elites who consciously try to further their own interests" in developing a "national identity among a population which identifies itself with the tradition" (Baycroft, 2012, pp. 1–3). As a system of selection lending 'authenticity' to imagined nationhood, and its 'community' and cultural glue, it serves also to systematically demonize and exclude a great many people and their cultural heritages, legacies still being reckoned with, as noted earlier. This was surely clear in Nazi Germany, when folklore was utilized for unifying, nationalist aims, and in justifying alleged racial hierarchies, in which race offered: "an easy explanation for any downfall and everything negative, all of which is laid at the feet of 'foreigners'"; a "formula for an anti-Semitism"; and a "provocative counterimage from which the German-Nordic type could be distinguished" as the nation's true "bloodline" and ideal (Bausinger, 1994, p. 17).[6]

Cultural heritage can continue to be used to essentialize cultural difference, underpinning constructed notions of nationhood and belonging with the time-tested idea of 'us vs. them'. Outside the U.S., right-wing political movements are seizing these same ideas and instrumentalizing heritage for populist and/or neo-fascist objectives. In Europe, Tuuli Lähdemäki et al. (2020, pp. 4–5) note that beyond a rise of state-led, nationalist heritage and commemorative activities, particularly in Central and Eastern EU member states, the narrative of a shared 'European heritage' is also being used by "populist and radical right-wing parties" across the continent to "justify xenophobic, anti-immigration, Islamophobic, and monocultural political attitudes and actions", aimed at "excluding people by emphasizing 'our' heritage that is not 'yours', if you do not share 'biological-generational' cultural roots in Europe".

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[6]Bausinger (1994) discusses also the romanticization of rural 'peasants' in the construction of Nazi nationhood. Nonetheless, on a related, but more recent note: Trump has repeatedly stated in 2023 that undocumented immigrants are "poisoning the blood of our country" (see Gold, 2023).

Even with good intentions, heritage work is inherently based on selection processes, and the valorization of certain heritages over others, where the power lies with who gets to decide (Kirshenblatt-Gimblett, 1998, 2004; Hafstein, 2009). As for the UNESCO-ICH framework, one concern lies with its default setting of nationalizing ICH 'elements' due to the governmental intervention and endorsement needed to nominate them for UNESCO/global attention, and the political and economic benefits that that may bring (Bortolotto, 2017). In this sense, the potential exists for the framework to be instrumentalized by political actors advancing populist and/or neo-fascistic aims, as part of efforts to essentialize 'national culture' and obscure and demonize cultural diversity, even in subtle ways.

Yet, at the same time, efforts that help strengthen people's cultural traditions, practices, and expressions—whether via the 2003 Convention infrastructure or not—can also be *anti-fascist*. First, by its very nature, 'ICH' is about cultural difference, and supporting the multifarious ways in which people express and keep alive their cultural knowledges, identities, and values. Second, ICH frameworks and approaches, including the Representative List, can be understood as tools for not only promoting cultural diversity and the plurality of people's histories and heritages, but for countering these anti-democratic movements that paint cultural difference as something to be feared and suppressed. In this light, 'ICH', and the initiatives it inspires, can be prioritized to be a *humanizing* force that fights against the dehumanization of people, bringing needed attention and support to people's full humanity, their cultural expressions and relationships to place, the contextual richness of why their cultural traditions and practices are important to them, and the issues they face.

Furthermore, as professionals who are committed to the uphill struggle of safeguarding ICH, we are inherently optimistic, despite the disheartening challenges and enraging reality we share. Indeed, to believe that cultural traditions, practices, and expressions have a tomorrow, and to help work with their keepers in sustaining them for younger generations, is driven by a vision of not only a future, but a better and more just one. As exemplified by "Make America Great Again", a concept that orients its followers toward a fictitiously-glorified past, it simultaneously lacks any future; or rather, it strategically constructs a terrifyingly grim vision of what lies ahead—i.e. more of the present (Snyder, 2018)—if we do not retreat into the bright, white light of yore. In this sense, the optimism intrinsic to heritage work, and the dedicated time and effort on which it is built, is also anti-fascist, particularly if addressing the problems of today is explicitly integrated into cultural policy and action, so that a more equitable and healthy tomorrow can be reached. And with the lessons of nationalist and fascist uses of ICH, and the flourishing of right-wing movements, we should prioritize the support of marginalized and oppressed culture keepers, artists, and communities, while knowing how the frameworks in which we work can be appropriated by political actors that rely on their cultural

essentialization, dehumanization, and increasing criminalization (Gomberg-Muñoz, 2018).[7]

### 9.1.5 Artificial Technologies

As mentioned, the Internet and social media are wildly helpful in spreading false narratives, undermining truth, and hindering solidarity against these forces (González-Bailón & Lelkes, 2023). In recent years, we have also been experiencing the fast development and adoption of so-called 'artificial intelligence' (AI), including machine learning and generative AI applications. It should go without saying that, in the wrong hands, AI algorithms can be used to further manipulate and deceive, including for neo-fascist aims, as well as violate and exploit people's data and intellectual property (McQuillan, 2022)—hence, the growing discourse and activities around its regulation and ethical usage (see UNESCO, 2019; WIPO, 2020; European Parliament, 2023).

With respect to ICH, AI may exacerbate the already fraught area of protecting traditional knowledge and expressions from misappropriation by third parties, such as noted earlier in relation to WIPO efforts. In fact, the WIPO is currently convening meetings on these broader issues, where questions are raised on legally protecting AI-generated literary and artistic works, and the implications of potential copyright infringement: "An AI application can generate creative works by learning from data with AI techniques such as machine learning. The data used for training the AI application may represent creative works that are subject to copyright" (WIPO, 2020, p. 8). While "copyright and related rights, geographical indications, appellations of origin, and trademarks" (WIPO, 2023) are being used to protect ICH in a number of cases, a process that can require substantial resources, people's ICH remains vulnerable to misappropriation and exploitation, especially concerning generative AI, and those without the means to protect themselves against such prospects.

Recently, an AI application was used to mimic the voices of popular artists Drake and The Weeknd—without their involvement—in the creation of a new song, which has "intensified alarms that were already ringing in the music business, where corporations have grown concerned about A.I. models learning from, and then diluting, their copyrighted material", as stated in the *New York Times* (Coscarelli, 2023). Although they likely have the means to pursue legal recourse, I think of all the ICH that is available—particularly online, legally 'protected' or not—for possible AI ingest, use, and/or manipulation.

Specifically, I think of ICH in the documented, archival context, and especially online, such as on the AFC/Library of Congress and UNESCO websites; that is, the

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[7]See May (1999) for a helpful discussion of ways to foster a 'non-essentialist critical multiculturalism' that examines power and inequality.

photographs, videos, and sound recordings of people's traditions, including oral histories and interviews, that have been made more accessible via the Internet in the commendable spirit of heritage preservation, awareness-raising, representation, and inclusion. Issues regarding ownership of and public access to people's archival materials, such as ethnographic collections and source and descendant communities represented therein, are the subject of substantial discourse; and it is an area of highly-considered ethical and legal practice at the AFC, home to one of the oldest and largest ethnographic archives in the world (see Library of Congress, n.d.; Gray, 1996; Shankar, 2010; Anderson & Christen, 2019; Stefano & Wendland, 2020).

Interestingly, the archives field is being looked to for ways in which data collection and dataset usage, which are integral to machine learning processes, can be more intentionally controlled through interventionist approaches (Jo & Gebru, 2019). Data collection is key to machine learning and deserves more scrutiny, as datasets can be skewed due to their reflection of aforementioned societal biases (McQuillan, 2022). As reasoned by Jo and Gebru (2019, p. 309), "datasets, such as those crawled from the internet, must have an interventionist layer in order to address these inequities at best and at least be used conscientiously". They argue that current archives theory and practice relating to "consent, power, inclusivity, transparency, and ethics and privacy" can be drawn on for more equitable control of dataset creation and use, and in enhancing representativeness (Jo & Gebru, 2019). However, there is also something to be said for *not* wanting one's data to be included in the datasets from which machines 'learn' for a variety of reasons, such as privacy, signaling the need for mechanisms to protect against unsanctioned data use and tools to block web-crawling bots (see Samudzi, 2019). In any case, these 'frontier technologies' pose serious questions for the safeguarding and promotion of ICH in the digital world, as well as the boom of ICH documentation and 'inventories' of people's traditions, often sacred and sensitive, spurred in large part by the 2003 Convention.

## 9.2   Safeguarding ICH: Rising to the Challenge(s)

In spite of these tough times, people—old and young, together or connected online—continue to sustain and innovate their ICH, and new cultural expressions continue to emerge. My aim in exploring issues that challenge ICH sustainability is not to deny this vitality, but to make urgently clear the solidarity needed within the heritage sector to fight against, at the root level, the glaring and insidious ways in which people's livelihoods are threatened, armed with ethics and equity to collaboratively reinforce their safeguarding efforts. It is clear that the challenges facing ICH bridge past systems of inequality and exploitation to present-day structural inequities and injustices that endanger—at quickening speed, and in a range of systemically and outright violent ways—the majority of people across the world. Compounding this is the fact that funding for arts, humanities, and heritage organizations and programs is difficult to raise as budgets are cut, reflecting neoliberal

policies that foster the thieving of money meant for public services and *goods*. Taken together, these problems signal the need for re-assessment: that is, a reprioritization of how and where it is best to use the resources heritage actors and professionals remain privileged to manage, or have better access to (and can advocate for), such as funding, and also logistical, technological, and promotional resources, as well as our very own labor and time.

With promise, such efforts have been underway; museums and archives are allocating resources to serve as spaces of resistance, supporting marginalized communities and social justice initiatives (see Message, 2014; Janes & Sandell, 2019; Caswell, 2021; Stefano, 2022b). Moreover, support of community-led organizations and initiatives is being increasingly prioritized, exemplified by the UNESCO-adjacent ICH NGO Forum[8] and certain programs on UNESCO's *Register of Good Safeguarding Practices* (Stefano, 2023b), though also promoted for years through ecomuseology, community museology, and community archives (see de Varine, 1973; Davis, 2011; Corsane, 2006; Stefano, 2010; Flinn, 2007; Caswell et al., 2016).

As for ICH in the U.S., the discipline and profession of public folklore has focused on bolstering people's cultural livelihoods for over six decades, particularly through the development of a nationwide infrastructure of funding and other support dedicated to sustaining their cultural traditions, practices, and expressions. Despite challenges, the public folklore infrastructure is a decentralized system of folklife institutions and programs at multiple geographic scales, with the AFC, Smithsonian Center for Folklife and Cultural Heritage, and the Folk and Traditional Arts program of the National Endowment for the Arts, among others, at the national level. Most commonly at the state level, supported in part by federal and state funding, folklife programs are also regional, city-based, and local in terms of their geographical scope, including community-led organizations, museums, and centers (see NEA, 2019).

As I examine elsewhere (Stefano, 2022a), public folklore is interventionist by nature, but in decades-long reflexive and tried and tested ways (i.e. 'co-interventionist'). In basic terms, it is comprised of a wide array of programming—in-person and online, short and longer term—geared toward connecting public audiences to culture keepers so as to learn from them about their cultural practices and the issues they face, in their own words and on their terms (see Cadaval et al., 2016). In playing a supportive role, public folklorists and allied professionals have equally prioritized bolstering community-led safeguarding initiatives and approaches, including apprenticeships among culture keepers—a longstanding area of practice (and grants administration) across the field. A driving force guiding much of these outward- and inward-facing programs, and the resource decision-making at its core, is ensuring equitable access to them, in direct response to aforementioned economic, political, and social inequities (Kodish, 2011).

It should be stressed that much of the activity I am outlining here is grounded in relationship building with culture keepers, where ethnographic methods are drawn

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[8] See https://www.ichngoforum.org/

**Fig. 9.2** Modesta Yangmog interviewing master lavalava weaver Conchita Leyangrow of Lamotrek Atoll in Talguw, Yap Island, Federated States of Micronesia, as part of the 2022 AFC Community Collections Grant project, *The Warp and Weft of the Remathau*. (Photo by N. Mellen, courtesy of Habele Outer Island Education Fund)

on for taking the time to meet people where they are, to talk and listen, and learn how our agendas can meet. This is when principles of ethics—in terms of correcting the deep-seated power imbalances inherent in heritage work—and equity—in terms of derailing the growing marginalization and dehumanization of racialized and minoritized people—can be put into action. And this is where the decision-making on resources we, as heritage professionals, are privileged to have access to can be led by the true authorities of ICH for more informed and effective use.

To end on a positive note, and reflect public folklore priorities and practice more concretely, I conclude with an overview of a current program, the AFC's Community Collections Grants (CCG), with which I have been involved since its 2022 start. While funded by the Mellon Foundation, as part of the Library of Congress *Of the People: Widening the Path* initiative, it could be adapted where similar efforts have yet to take root. In short, the grants support projects led by cultural communities and social groups in documenting their contemporary folklife, such as via photography, videography, and/or audio interviews, where the focus and methods are decided and controlled by them. Thus far, the twenty-nine, wide-ranging CCG projects center on: coffee production in Puerto Rico; women's weaving traditions in Micronesia (see Fig. 9.2); Soul line dancing of African American communities in and around Philadelphia; Latinx community celebrations in Western Kansas; impacts of the climate crisis on practices of coastal Louisiana Houma communities; culturally diverse uses of a public plaza in Queens, New York; and the living heritage of Thai community members in Los Angeles, to name a few (see Library of Congress, 2023).

In serving to remove the often high financial and logistical barriers to cultural documentation, the CCG program also provides support in the preservation of project documentation, as the materials generated become collections in the AFC archives, made available for source and descendant community members, researchers, and the public. As there can be materials they prefer to keep within the community, project teams determine the extent of the documentation submitted for inclusion in the historical (and cultural) record that the Center's archives represent, as part of the 'nation's library'. Accordingly, staff collaborate with team members throughout their projects, and in the preparation of their materials for accession, offering one-on-one training in a range of documentation and archival practices, as applicants do not need any credentials in such work. In addition to discussions on copyright, which they retain, and any needed access limitations, the metadata that brings context and 'discoverability' to their collection items is created by them, in collaboration with AFC archivists, so that their collections are conceptualized and presented—in the Library catalog and online—in their culture-specific words and on their terms.

The CCG program builds on similar AFC grants and decades-long efforts of Center folklorists, archivists, and librarians in uplifting (and institutionalizing) community authority over their ICH, and in fostering their leadership and self-representation in heritage processes (Stefano & Fenn, 2022). Behind the scenes, and despite ample funds for grantees, the program requires substantial time and effort in working individually with multiple project teams at once, from discussions on project planning through archival preparation, and all the back-end administration in between. Yet, in my view, it exemplifies—in all its challenging and rewarding ways—what ethical and equitable uses of resources can look like and entail, particularly from within a national heritage institution, and for bolstering community control of core 'ICH' processes: ethnographic research, documentation, preservation, and wider public engagement with it. In solidarity, and with optimism, let us be guided by the urgent needs to decolonize heritage and eradicate inequality through a myriad of supportive co-interventions across the world.

**Disclaimer**   The views expressed here are mine alone, and not those of the Library of Congress.

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# Chapter 10
# Controversial Intangible Heritage in Indonesia

**Lydia Kieven and Christoph Antweiler**

**Abstract**  This article documents and discusses intangible cultural heritage in Indonesia. Dealing with intangible cultural heritage in Indonesia must be seen in the context of a long period of colonization, extremely high cultural diversity and a still young nation. In Indonesia today, intangible heritage exists in a diverse political context of cultural policy, museum policy and religious policy. It also plays a role in national art debates and as an economic resource, for example for tourism. Controversies arise from conflicting local, regional and national interests. The current debates are strongly influenced by the postcolonial relationship between Indonesia and the Netherlands as a former colonial power and revolve heavily around repatriation.

**Keywords**  Post-colonial Asia · Southeast Asia · The Netherlands · Revitalisaton · Restitution

## 10.1  Colonialism and Multiple Diversity as Context

Indonesia forms an archipelago of continental size in the equatorial part of Southeast Asia. With more than 270 million inhabitants, Indonesia is the fourth most populous country in the world. Indonesia is also a country with extremely high cultural diversity. Hundreds of languages can be found here in addition to the national language *Bahasa Indonesia*. Until the end of the 1990s, Indonesia was one of the most centralised countries in the world. This changed as a result of the decentralisation policy—from 1998 and increasingly from 2002—which gave the regions significantly more autonomy, including autonomy in cultural policy. However, the

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island of Java with the capital Jakarta remains the political centre and Yogyakarta the culturally dominant centre.

The country has a long history of complex pre-colonial social forms in the form of Hindu-Buddhist kingdoms and Islamic principalities. As a modern state, it is a young nation. The country experienced centuries of intensive regional and trans-regional trade relations (with Europe, Arabia, India and China) and a long and varied colonisation by Portugal, Spain, Great Britain, the Netherlands and briefly by Japan. After a fierce resistance struggle (1945–1949), Indonesia was only recognised as independent by the Netherlands at the end of 1949 following its own declaration of independence in 1945 after long conflicts and external assistance (for a recent account cf. Van Reybrouck, 2022).[1]

The country's borders are defined by the external borders of the former Dutch colony, so that culturally and linguistically completely different collectives came together in a spatially artificial entity. In view of the enormous diversity, the question of whether and how this nation can be held together in the long term is still a big issue today. The intensive phase of nation-building took place in the 1950s and 1960s. However, nation-building is still ongoing in some respects, for example in the Irian Jaya region or—according to indigenous and political activist interpretations—West Papua on the island of New Guinea, where the majority of the inhabitants are culturally more Australian-Oceanic.

As in the whole of Southeast Asia, cultural heritage in the sense of UNESCO is a recent topic in Indonesia (cf. King, 2013, 2015). Even though the first World Heritage Sites of tangible cultural heritage and natural heritage (then still combined) were established early on (First Convention 1972)—the earliest UNESCO entries were only made in 1991—there have only been intensive debates on intangible cultural heritage in Indonesia for a good ten years. This article sheds light on current discussions about cultural heritage in Indonesia. In Indonesia, this heritage is usually less strongly linked to concrete cultural values or individual contents, but rather firstly to historical claims, cultural dominance, collective identity and regional interests, and secondly to commerce and tourism. Not only the concept of cultural world heritage, but also the concept of heritage conservation is a relatively new idea in Indonesia, as in the whole of Southeast Asia, and is not yet deeply and widely established. The colonial old town (*kota lama*, *kota tua*) and Jakarta's old harbour (Tanjung Priok), for example, were only actively seen as heritage to be protected and restored accordingly in the 1990s.

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[1] The Netherlands did not officially recognise the date of Indonesia's independence (17 August 1945) until 2021. This has yet to be corrected in the Dutch history books.

## 10.2   Cultural Heritage Policies as a Young Topic in a Post-colonial State

In this paper, we look at the cultural context and, to some extent, the historical background of cultural heritage in Indonesia. For this reason, we use the term "intangible cultural heritage" in a sense that goes beyond the UNESCO definition. This definition includes the following aspects: orally transmitted traditions and forms of expression, performing arts, tradition, ritual and craftsmanship (Art. 2 from Convention ICH 2003). In Indonesia, the word for "culture" (*kebudayaan*) encompasses all monuments, objects, rituals, performing arts and texts, usually with the attribution of high historical significance or artistic quality. The word "art" (*kesenian*) is often used in this context, usually referring to the visual arts.

The Republic of Indonesia sees itself as a secular and democratic state. In fact, however, both politics and the population have a strong religious orientation, which is reflected in the mono-theistically orientated national philosophy *Pancasila* ("five pillars"; Damshäuser & Brehm, 2022 for an overview, Antweiler, 2022 on different interpretations). Islam dominates the population (88%). With a current number of around 191 million Muslim believers, this exceeds the total population of all Arab countries combined. Islam in Indonesia is considered moderate and tolerant, but this does not exclude increasingly Saudi Arabian-influenced tendencies and sometimes extreme tendencies (Slama, 2008; Feillard & Madinier, 2010). Islam is followed by Christianity with 10%, which in absolute numbers (26 million) represents a large proportion of world Christianity. In addition, there is Confucianism among Indonesians of Chinese origin as well as an enormous number of local faiths that are not officially recognised as "religions".

In Indonesia, as a country with many different nationalities, firstly the Indonesian language and secondly religiosity are the two central brackets that make up the unity of Indonesia. For many, the Islamic orientation is the most likely to promise unity. In a colourful party landscape, each of the parties, which often differ little in terms of content, must take a clear stance on Islam. In addition to hundreds of ethnic minorities, some of which represent millions of people (such as Madurese, Bugis, Makassarese), Indonesia has long been home to a large number of citizens of Chinese descent (3%). They represent a special minority that is generally distinguished from "Indonesians in the narrower sense" (*pribumi*). To this day, the Indonesian population of Chinese origin is sometimes viewed with suspicion and marginalised as "Chinese people" (*orang Cina*).

The challenge is to organise and utilise diversity in a large post-colonial society. The state motto is "unity in diversity"; the focus of the governments and almost all actors is clearly on unity. Among the hundreds of different ethno-linguistic groups, some are emphasised in the constitution as "summits of regional cultures" (*puncak-puncak di kebudayaan daerah*). However, most minorities, especially the smaller ones, are marginalised both economically and politically. Broad civic participation would require an inclusive approach. In this respect, Indonesia is still a project. Conflicts continue to unfold around religious issues, especially minorities in Islam,

gender issues, e.g. LGBT. The most important pending problem is to install common secular orientations in a deeply religious society.

In the dominant cultural policy, diversity is broken down to one ethnic group per province or island. This domestication of diversity affects not only the number of communities, but also the content. Individual ethnic groups that are singled out are condensed into stereotypical characteristics such as clothing, house construction and objects, especially weapons, as well as music and dances. This stereotyping can be seen in school textbooks and provincial museums as well as in theme parks, very often following the *Nusantara* principle (Acciaioli, 2001; Antweiler, 2019 using the example of the province of South Sulawesi).

Cultural objects and practices are used by various interest groups in Indonesia to clearly differentiate themselves from neighbouring Malaysia, which is similar in many respects (e.g. language, Islamic dominance, culturally Malay-influenced region). This has also been successfully implemented in the intangible UNESCO cultural heritage. For example, batik, i.e. textiles produced using the wax reserve technique, was nominated as "Indonesian" batik in 2008. Similarly, the Malay short sword, the *kris* dagger, which is also widely used and symbolised in Malaysia, was included as an "Indonesian" *kris* in 2009. The situation was different for the Malay poems called *pantun*, which were included as "Pantun Indonesia-Malaysia".

The debate on cultural heritage gained momentum in Indonesia around 2008, even though intangible cultural heritage had already been formally established at UNESCO since 2003. One example is the monumental temple complex of Borobodur, which has been recognised as a UNESCO World Heritage Site since 1991, but has only been discussed under the term cultural heritage (*Warisan budaya*) since 2010 (see Table 10.1 in the Appendix). The current dynamics on the part of national politics are reflected in a wealth of new laws and bodies, such as the Cultural Heritage Act (*Cagar budaya*, 2010) and the Cultural Heritage Research Authority (*Balai Penelitian Cagar Budaya*, *BPCB*). The term "*cagar budaya*" essentially refers to antiquities, i.e. tangible cultural heritage. The authority was merged with the Cultural Preservation Authority (now: *Balai Purbakala dan Kebudayaan*, *BPK*) in 2022, reflecting the expanded understanding of "cultural heritage" to include intangible cultural heritage. There is a general increase in awareness of the special nature of both tangible and intangible cultural heritage, which manifests itself in the distinction between heritage of objects (*warisan benda*) and non-objects (*warisan non-benda*). This awareness is initiated and established by official bodies on the one hand, and strengthened and realised in many creative ways by private initiatives at community level on the other (for examples cf. Adams, 2020; Wirayudha, 2023).

Relevant to our topic is the fact that nationalism has been on the rise in the country for around ten years. Many of those in favour of a strong Indonesian nation often refer to old historical sources. The above-mentioned "archipelago" approach (*Nusantara*), for example, refers to the Majapahit kingdom, the last of the pre-Islamic Hindu-Buddhist kingdoms (ca. 1300–1500 CE), and in particular to the fourteenth century manuscript Nagarakrtagama, in which the name "Nusantara"

is mentioned for the first time. This manuscript has been part of the UNESCO Memory of the World since 2013. This shows that intangible cultural heritage in today's Indonesian context is not only, and perhaps not even predominantly, seen as the heritage of humanity, but as a currently important and possibly also politically utilisable component of culture (cf. King, 2013, 2015; Hitchcock, 2010 on issues related to UNESCO sites and on Southeast Asia and Hauser-Schäublin, 2011 on Angkor Vat in Cambodia, Silva et al., 2022 on Landscape heritage in Southeast Asia).

## 10.3 Indonesian Cultural Heritage—Examples, Contexts and Problem Areas

As of April 2023, the UNESCO Indonesian Intangible Cultural Heritage List comprises eleven entries, the Tangible Cultural Heritage and Natural Heritage List has nine entries and the Memory of the World List has eight entries. To understand the scale of this UNESCO heritage at an international level, a comparison should be made with Germany: Intangible Cultural Heritage with 144, Tangible Cultural Heritage and Natural Heritage with 51 and World Documentary Heritage (Memory of the World) with 25 (see Table 10.1 in the Appendix).

The *wayang kulit* shadow play (Fig. 10.1) was the first Indonesian intangible cultural heritage to be recognised by UNESCO in 2009. *Wayang* means shadow,



**Fig. 10.1** Shadow play *wayang kulit* with shadows of the puppets on the screen

*kulit* means skin or leather. The shadow puppet theatre known in Java, Bali and Lombok has its roots in the pre-Islamic period in Indonesia, when large parts of the archipelago were dominated by Hinduism and Buddhism (cf. Keeler, 1987). These religions were established in the earliest centuries of the Christian era in the course of trade contacts with India and the associated cultural influences, particularly in Java and Sumatra. Hindu-Buddhist kingdoms characterised a lively art in the form of temples, statues, temple reliefs, poetic literature and music that was increasingly detached from Indian models.

The shadow play has its roots in this same ancient Javanese culture. The great Indian epics Ramayana and Mahabharata are performed in their own Javanese creations. Flat puppets made of buffalo leather represent the protagonists: the "good guys" on one side and the "bad guys" on the other. A set can contain up to 350 puppets and the fine punching and painting with—originally—natural colours and gold show a high level of craftsmanship (Angst, 2007).

The shadow puppeteer (*dalang*) holds the puppets behind a screen on which a light source casts the shadows. The movement of the puppets and the *dalang*'s chanting bring the individual characters to life. A shadow puppet performance is a ritual that is performed, for example, for the healing of a family or village member or at a wedding or housewarming. Offerings and prayers are important parts of the ritual. The knowledge and skills of both the *dalang* and the puppet makers are passed down from generation to generation. The *wayang kulit* thus encompasses all the various aspects of intangible cultural heritage listed in the UNESCO Convention of Intangible Heritage).

Interest from the population had declined drastically over the previous 20–30 years, probably due to modernisation and globalisation and, above all, a lack of interest from the younger generation in the "old-fashioned" customs. Through its inclusion as a UNESCO cultural heritage site, shadow theatre has now been given a new appreciation. This traditional form of theatre is now taught in degree courses at arts academies, but those who have learned from childhood with the previous generation are still considered by far the most recognised. Performances with famous actors can attract hundreds of spectators.

The shadow play is accompanied by *gamelan* music (Fig. 10.2). A *gamelan* orchestra consists of up to 40 instruments—gongs, kettle gongs, metallophones, xylophones, drums and others—as well as singers (Fig. 10.3). The orchestra is set up behind the *dalang*, so cannot be seen from the shady side.

It is worth noting that *gamelan* was only declared a UNESCO Intangible Cultural Heritage in 2021, which may seem surprising at first. Gamelan is an integral part of shadow puppetry, but it also has other functions: The music accompanies various forms of dance, such as the mask dance (*wayang topeng*), scenic dances (*wayang orang*) from the Ramayana repertoire, courtly dances such as the *Bedhaya*. Gamelan music can also be performed purely in concert. The inclusion as a UNESCO cultural heritage site also indirectly enhances the aforementioned theatre and dance forms.

**Fig. 10.2** Shadow puppet performance in the Sultan's Palace in Yogyakarta: traditionally dressed Javanese (note the *kris* dagger in the belt at the back) play gamelan while the *dalang*, seated behind the screen, moves the shadow puppets



**Fig. 10.3** Gongs in the *gamelan* set in the Sultan's Palace in Yogyakarta

Gamelan music has been taught at art academies for more than 30 years, and not only the musical skills but also the historical and musicological framework are taught. At the same time, amateur groups of varying size, knowledge and talent continue to exist. An essential core characteristic is *rasa* (feeling). A piece of music

itself has *rasa*, the musicians have *rasa*, the audience experiences *rasa*. A study by the French ethnomusicologist Marc Benamou (2010) on the development of gamelan music in recent times provides an interesting picture—while academics interviewed emphasised the musical quality of the art, academy graduates, representatives of traditionally practised gamelan music spoke of a loss of *rasa* in favour of exactness, purity, cleanliness, perfection.

This phenomenon is a frequent intrinsic problem in the official recognition of cultural assets by UNESCO: traditions that have developed over years and centuries are normalised and standardised and lose their values according to the Indonesian *rasa* model.

The list of Indonesian UNESCO cultural properties, especially those included early on, reflects the pronounced Java-centricity in Indonesia—this applies to historiography as well as to art and politics in general. Nevertheless, some non-Javanese traditions have been adopted more recently, such as the knotting technique *noken* (Irian Jaya) or the *Saman* dance (Aceh, Sumatra Island). Indonesia seems to want to document the much-cited and praised diversity.

The UNESCO category "Memory of the World" (established in 1992) is little recognised in the public and academic world and is often mistakenly regarded as intangible cultural heritage. This includes manuscripts and printed works that represent outstanding cultural achievements. One example in Germany is a manuscript of the Song of the Nibelungs from around 1200, while in Indonesia, the Nagarakrtagama, a text handwritten on the leaves of the lontar palm, was recorded in 2013; this extraordinary poetic poem describes the historical circumstances of the emergence of Nusantara and is often emphasised as Indonesian national heritage. *Panji* manuscripts with mythological tales about Prince Panji—preserved in well over 300 copies in libraries in Jakarta, Leiden, London, Cambodia and Thailand—were recognised as "Memory of the World" in 2017 (Fig. 10.4).

The *Panji* traditions, which had already experienced a revitalisation in the form of masked dance, shadow puppetry and other forms of theatre as well as in educational formats since the late 1990s, have since been increasingly presented on the big stage (Kieven, 2013, 2020, 2021; Kieven et al., 2020). While the values of the *Panji* tradition—simplicity, relentless pursuit of set goals, accepting and overcoming obstacles, part of agrarian rituals—were initially in the foreground, more recent developments have focussed more on performative and entertaining forms. Nonetheless, the increase in public knowledge about the tradition, which had already been considered forgotten and lost, is noteworthy. Knowledge, understanding, appreciation and the resulting willingness to preserve and maintain cultural heritage are manifested here in a unique way. As with all the examples mentioned, the revitalisation of *Panji* traditions also means commercialisation, the struggle for regional or national prestige and standardisation. All of these are typical side effects of "Borobudurisation" to the detriment of intrinsic, historically grown content and values.

In 2008, the *kris*, a Malay short dagger, was recognized by UNESCO as an Intangible Cultural Heritage, explicitly, as mentioned above, the Indonesian *kris*.

**Fig. 10.4** Manuscript Panji Jayakusuma, text and illustrations, British Library, MSS Jav 68, ff. 11v-12r

It reflects the conflict with neighbouring Malaysia, where the *kris* is also considered an important heritage. Pictorial representations of *kris* are already present in reliefs at Javanese temples of the Hindu period. The *kris* is a ceremonial weapon whose production goes through many highly complicated stages; a *kris* blacksmith learns his trade from his father or other male relatives. He himself, as well as his product, is said to have magical power, or *sakti* (Gronemann, 2009).

The *sakti* transmits to the owner of the *kris*; thus the *kris* becomes a sacred-like family heirloom (*pusaka*) and is honoured accordingly. For example, the *kris* must be ritually cleansed on certain days in order to renew its *sakti*. Even today, the *kris* is worn by men at traditional events and ceremonies as well as at the princely courts. In 2017, the *Kris* Nusantara Museum in the Javanese city of Surakarta was inaugurated by President Joko Widodo: a modern, massive building with four levels expresses national grandeur with around 300 pieces.

The return of the Diponegoro-*kris* from the Netherlands to Indonesia in 2020 represented a significant step in the context of recent restitutions. Prince Diponegoro led the so-called "Java War" against the colonial power in 1825–1830; he is considered an early independence fighter—"pahlawan Indonesia". After the mystery of the long-unknown storage location in the Netherlands was finally solved, it was quickly returned. The terms *repatriasi*, *restitusi*, *pengembalian*, *pemulangan*—repatriation, restitution, return back, bringing home—are discussed in many ways and quite controversially in Indonesia but are often used synonymously.

However, "repatriation" is currently preferred, especially by the Ministry of Culture, represented by the Director General Hilmar Faried, a historian. With

*repatriasi*, the return from the former colonial power to the "fatherland" is emphasized. National pride was expressed in the public presentation of the restitution ceremony on 10 March 2020: the Dutch royal couple handed over the *kris* to the Indonesian President Joko Widodo in the presence of the Minister of Culture and the Director of Culture. The media was full of reports about this event. The ceremony was preceded by negotiations on the question of who the repatriation should go to: the descendants of Prince Diponegoro, i.e. the Sultan family of Yogyakarta, or the Indonesian state as the "successor" of the independence fighters. These negotiations and discussions as well as the final decision can be seen as a blueprint for conflicts between the claim on the part of the communities of original owners and on the part of the nation, as has happened in other restitution processes over the last three years.

The significant combination of *kris* as a UNESCO cultural heritage site and the restitution of the Diponegoro-*kris* is probably the most memorable result of the processes to strengthen national self-confidence.

## 10.4   Outlook

Even if they do not have UNESCO status, several other repatriations of cultural assets from the former colonial power the Netherlands to Indonesia are causing a stir in both countries. It remains to be seen in what form the valuable statues from the East Javanese temple Singosari (thirteenth century), which were kept in the Netherlands for almost 200 years and were returned in July 2023, will be presented in the National Museum in Jakarta. Critical voices of Indonesian intellectuals fear a ceremony with pomp and pageantry for the latest immortalisation and visual presentation of the great Indonesian past and to strengthen the nationalist self-image. Other Indonesian voices are even questioning whether the statues are actually being kept and displayed in Indonesia according to their value or whether they would not have been better left in the Dutch museum in Leiden. The recent fire at the National Museum on 16 September 2023 will keep such questions "burning". There are also demands from the province of East Java to "repatriate" the statues to their original location. Conflicts are inevitable—it's about local heritage versus national heritage versus world heritage![2]

**Photo Credits**   All photos by Lydia Kieven, unless otherwise stated.

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[2]This essay was written in November 2023 and, by its very nature, leaves open the further developments, especially those that can be expected within the few months before the presidential election in February 2024, and then during the new political "era".

# Appendix

**Table 10.1** UNESCO Heritage in Indonesia (as of April 2023) [http://whc.unesco.org/en/statesparties/id] Cultural Monuments/

| Heritage |
| --- |
| Cultural Properties |
| Ombilin Coal Mining Heritage of Sawahlunto (2019) |
| Cultural Landscape of Bali Province: the Subak System as a Manifestation of the Tri Hita Karana Philosophy (2012) |
| Sangiran Paleontological Site (1996) |
| Buddhist temples of Borobudur (1991) |
| Hindu Temple of Prambanan (1991) |
| Natural Properties |
| Tropical Rainforests of Sumatra (2004) |
| Lorentz National Park (1999) |
| Komodo Islands National Park (1991) |
| Ujung Kulon National Park (Java) with Anak Krakatao volcano (1991) |
| **Intangible heritage** https://ich.unesco.org/en/lists?text=&country[] = 00104&multinational = 3#tabs Comparison: Germany: 144 (example: Rhenish Carnival with all its local variants) |
| Gamelan (2021) |
| Pantun Indonesia-Malaysia (2020) |
| Traditions of Pencak Silat (2019) |
| Pinisi, art of boatbuilding in South Sulawesi (2017) |
| Three genres of traditional dance in Bali (2015) |
| Noken, multifunctional knotted or woven bag, handcraft of the people of Papua (2102) |
| Saman-Dance Sumatra (2011) |
| Indonesian Angklung (2010) |
| Indonesian Batik (2009) |
| Indonesian Kris (2008) |
| Wayang shadow play (2008) |
| **Memory of the World** |
| [*http://www.unesco.org/new/en/communication-and-information/memory-of-the-world/register/access-by-region-and-country/id/*]. |
| Comparison: Germany: 25 (example: Autograph of the Mass in B minor by Johann Sebastian Bach) |
| Borobudur Conservation Archives (2017) |
| The Indian Ocean Tsunami Archives (2017) (with Sri Lanka) |
| Panji Tales Manuscripts (2017) (with Cambodia, Netherlands, Malaysia, UK) |
| Asian-African Conference Archives (2015) |
| Babad Diponegoro or Autobiographical Chronicle of Prince Diponegoro (1785–1855). A Javanese nobleman, Indonesian national hero and pan-Islamist (2013) |
| Nāgarakrĕtāgama or Description of the Country (1365 AD) (2013) |
| La Galigo (2011) |
| Archives of the Dutch East India Company (2003) |

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# Chapter 11
# Intangible Heritage and the Complexities of Inequality in the Politics of Belonging

**Kristin Kuutma and Elo-Hanna Seljamaa**

**Abstract** This article elaborates on marked silences and inadequate affordances of belonging for minorities in the UNESCO-related living heritage framework. How is the ICH Convention implementation addressing possibilities for reduction of inequalities? What role does academic research play in generating a representation of minorities in the living heritage configuration? Our discursive perspective on the academic heritage scholarship in policy-making contexts, and analysis of the politics of belonging or marked representational silences draws on ethnographic examples mostly from Estonia—an East European setting where identity construction and claims reflect the twentieth century changes in the socio-political history and positions.

The goal of this article is to discuss the issue of notable silences or omissions and an inadequate inclusion of minorities[1] in UNESCO's living heritage framework. The key question here is how the implementation of the ICH Convention addresses the challenge of reducing inequality. We also look at what role academic research plays in ensuring that minorities are represented in the living heritage configuration. We recognize the importance of academic research practices that affect heritage regulation, and we also note the growing necessity to analyse heritage processes in combination with the notion of geocultural mobility.

The international legal instrument of the UNESCO 2003 Convention for the Safeguarding of the Intangible Cultural Heritage (hereafter: the ICH Convention)

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[1] In this study, we focus on ethnic minorities while acknowledging the existence of various minority groups. However, a number of concerns raised and arguments presented understandably pertain to the (mis)representation of other minority groups in the living heritage framework tackled here.

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was adopted two decades ago. Its successful recognition has fundamentally transformed the fields of heritage and culture studies, i.e., academic research in the fields of folklore, ethnology and cultural anthropology. The powerful role of UNESCO, with cultural heritage protection programmes targeted at monuments and sites as well as living culture, impacts the studies of traditional cultural practices and expressions (cf. Smith & Akagawa, 2009). Academic knowledge and research play a role in shaping global and local heritage policies, including those concerning minorities, and play a role in determining our perception of what intangible cultural heritage is (Kuutma, 2016). This century has seen an increasing multivocality in the constitution of heritage where, instead of a uniform, singular 'regime' as a system of identification and managerial governance, multiple heritage claims are created across various scales (Bendix et al., 2012), which has led to a change in the regulation of heritage politics. Heritage and the notion of belonging are changing processes rather than firmly fixed in history.

The influence of the ICH Convention on living heritage policies also affects academic heritage scholarship, generating new concepts that alter both research as well as policy-making contexts. Concepts are not neutral explanations, because their meanings are "engineered": the way we talk about things not only defines but also constructs them (Kuutma, 2012). A prominent heritage scholar Laurajane Smith (2006) acknowledged the "discursive turn" in heritage studies by introducing the concept of "authorized heritage discourse" (AHD), indicating the dominance of Western assumptions, as well as the significance of examining the construction and the situated experiences of heritage. In his critical heritage research, Rodney Harrison further emphasises discursive approaches, advocating a dialogical model of heritage and drawing attention to a range of possibilities in relation to heritage (2013a, b).

An investigation of contemporary discourses of cultural heritage will allow us to examine general ideas about the construction heritage and the processes involved, to ascertain the licence of agency provided by living heritage and the aspect of belonging. Our discursive perspective is based on an analysis of the politics of belonging and the omissions or silences in what or who is represented. The goal is to provide insights into the framework within which minorities are represented.

The ethnographic examples we use to support the arguments we present come mostly from Estonia, thus focusing on an East European setting, where identity construction and claims may clash due to the profound changes in socio-political history during the twentieth century. Kristin Kuutma has studied the ICH driven politics of representation issues from an anthropological perspective both internationally and nationally in the capacity of observer on policymaking governing bodies, including the responses of local communities. Elo-Hanna Seljamaa has used discourse analysis and ethnographic methods to examine how integration policies in post-Soviet Estonia have conceived of minority cultures in narrow terms of ethnic origins and heritage to be nourished and preserved without, however, including in the category of intangible cultural heritage the traditions of Soviet-era newcomers and their descendants. This category appears to be reserved for traditions that represent the ethnic majority culture, the linguistic kin of Estonians or minorities

who have been residing in the territory of Estonia for centuries. The situation in Estonia appears to be local as a small state and also regional due to historical contingencies with neighbours and past imperial powers (among them Russia). And at the same time it is global, if not for any other reason then because of war with corollaries in global connections and balances, thus providing a complex example of the heritage configuration.

## 11.1  Heritage and National Constraints

Cultural heritage has become 'an engaged universal' with a global response that requires constant reflection on various scales and settings. This notion is loaded with connotations embedded also within international cultural politics led by global organizations like UNESCO (see, for example, Logan et al., 2016; Meskell & Brumann, 2015; Waterton & Watson, 2015; Stefano & Davis, 2017).[2] Heritage processes vary according to cultural, national, geographical, and historical contexts. Most of the literature on cultural heritage converges on its role in the construction of collective identity among ethnic, religious, or political groups. Heritage researchers have considered both local and global effects of heritagization (see Bortolotto, 2011; Bendix et al., 2012; Kuutma, 2016, to name only a few). This value-laden concept employs moral traditionalism, entangled with a nationalist restorative nostalgia and group identity (see Duyvendak, 2011).

What is important to point out here is that heritage unfolds as well as intervenes in the context of governmentality, demonstrating domestic geostrategic interests, such as the governance of ethnic minorities or the fostering of cultural nationalism. The field of critical heritage studies unravels a political device that responds to contemporary concerns in heritage politics, which are state administered and selective in what they celebrate (see, for example, Harrison, 2013a; Winter, 2015; Kuutma, 2019). The collective imaginary of shared cultural propositions of nation-ness emphasise spatially bound belonging, related to locality/territoriality that generates national, or nationalist, attributes of heritage construction (see Yuval-Davis, 2011). However, current heritage processes are charged with the impact of globalization and competing questions of identity in modern multicultural societies. It is therefore important to investigate the increasing effects of migration that reconfigure the dynamism of living heritage while raising questions about its established imaginaries of belonging.

The national discourse on cultural heritage is guided by the representational agenda and politics that become apparent in the constraints of national inscriptions and listing nominations. Discourse is simultaneously a praxis and a product, a construction and a performance, thus reflecting ideological constructs and systems of signification (Johnstone, 2002). Discourse reflects strategic aspects of social

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[2]We selected only more substantial handbooks from the plenitude of relevant publications.

recognition, which is particularly pertinent from the perspective of a minority perspective when analysing structural conventions and ideological or political intentions. Thus a multimodal discourse analysis notices deficiencies (Schröter, 2013), intentional and unintentional silences or omissions, which also include strategic concealment in political discourse.

Living heritage, as the perceived substance of national identity, is construed and bounded in spatial, temporal and emotional terms. It is also instrumental in the act of strengthening or, in turn, oppressing, identities and feelings of belonging, while unavoidably creating or maintaining hierarchical power relations. In the UNESCO intangible heritage configuration, the main promotional lists (the Representative List and the Urgent Safeguarding List) provide a more detailed understanding of the actual recognition of minorities. A closer analysis of ICH lists reveals the prevailing agenda of reinforcing the nation state system and nationalism at global level (Ichijo, 2017). In China, for example, the state cultural agenda profoundly influences sub-national heritage-making and heritage registration (see, for example, Wu, 2019), which denotes intentionally orchestrated collective identities. Also, the state can reinforce national borders by enlisting the trans-border culture of ethnic minorities that then simply entrenches the dominance of the majority (Lee, 2020). Such national-level identification of ICH may violate minority community values (see Anonymous, 2021). Being guided by a reflexive critical stance, we should likewise acknowledge the constraining impact of collective identities of race, ethnicity, nationality, religion, gender, sexuality—these emergent complexities in the heritage context have been examined, for example, in African states (see Ndoro et al., 2018) but deserve broader attention in the future.

What is obvious also in the Estonian case is the state agenda in compiling national inscriptions and in seeking nominations in the ICH listing that reflects the national imaginary, which dictates the configurations of belonging of minorities. At the same time, the national context of representativity for (ethnic) minority groups seems to be inherently related to (previous) academic research practices and interests on the ground. The Seto, who are prominently represented, are a staple minority who have been, and continue to be, well researched by folklorists and ethnologists in Estonia and beyond. The Seto, whose representative singing traditions have been inscribed, are a tiny ethnic group in the south-eastern border zone with Russia, with a distinct Balto-Finnic regional language, agrarian culture, and Greek Orthodox practices. Thus, the major significance falls to groups with roots in a more distant past while selective inclusion overlooks the larger migratory groups from the Soviet period, who, together with their descendants, constitute around one third of Estonia's population of 1.3 million.

Representational practices concerning minorities that are discernible in academic research and interest, are gradually seeing a transfer in interest from heritage studies to heritage regulation policies. In the gradually growing acknowledgement of the (de)colonial framework complexities, heritage-related actions attempt to dismantle the historical and ongoing imbalance in power through a rights-based approach to heritage practices and ownership agendas (Logan, 2014). In its Operational Directives and the reports of related committees to the ICH Convention, the Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage has

consistently reaffirmed the importance of ensuring that the implementation of the treaty conforms with the international human rights norms, especially of vulnerable groups. And yet, regardless of the loud rhetoric by state officials attending the Intergovernmental Meetings to enhance the pursuit of justice and (cultural) rights, often nation states avoid rights-based approaches to heritage management.

## 11.2 Representational Belonging

A politics of belonging comprises specific geocultural and political projects aimed at constructing belonging. Promotional manifestations of collective identity or claims to translocational positions are in line with the concepts of 'scales of belonging' and 'geographies of belonging' (Wood & Waite, 2011; Lähdesmäki et al., 2016). In the context of research on the activities and programmes of engaged heritage institutions, the concept of 'representational belonging' has been applied: enhancing representation that furthers ethical and equitable recognition, inclusion, and promotion of diverse voices and experiences, especially those of marginalised communities (Stefano & Fenn, 2022). The new term 'representational belonging' indicates explorations that describe how marginalized groups are misrepresented or absent in a variety of symbolic contexts, be they archives, museums, media or public lists of recognition (Caswell et al., 2016), such as the promotional lists of UNESCO. Representational belonging encompasses and projects autonomy and authority. When applied to or by major heritage institutions, it operates on an epistemological, ontological and social level with the potential of empowerment by establishing, enacting, and reflecting on the presence of minorities as a counterbalance to their symbolic annihilation, either through silence or non-belonging.

A careful analysis of 'belonging' discerns its spatial, intersectional, multiform features, including the aspect of non-belonging. In fact, belonging was first theorized as a critique of identity that intersected further with politics of belonging in the context of migration, citizenship, integration, multiculturalism, borders and transnationalism (see, for example, Anthias, 2008; Yuval-Davis, 2011). Both Floya Anthias and Nira Yuval-Davis contest the concept of naturalised, binary and static forms of identity and shift the focus to a translocational positionality: they have highlighted the notion of intersectionality (cf. Crenshaw, 1989). Such a focus would likewise elucidate the living heritage configuration in a more nuanced and effective way from the perspective of an inclusive, or non-inclusive, representation of minorities. At the national level of representation, intersectionality is an instrumental political factor where the social categories of gender, class, ethnicity and nationality become inscribed and interlinked in the official narratives relayed by the public actors of heritage management (Ween, 2012). In addition, an analysis from the discursive perspective differentiates the politics of belonging that generates, justifies or resists forms of socio-spatial inclusion and exclusion (see Youkhana, 2015).

The current situation whereby minorities are given insufficient recognition is in a way the effect of scholarly heritage studies that ignore emergent geocultural shifts, thus generating issues of belonging and representational omissions that confirm

existing exclusive identities. The construction of minorities and the concomitant representational silences may be detected in previous folkloristic and ethnological studies that have become part of national living heritage initiatives and the implementation of the UNESCO ICH Convention. Particularly in Europe, but also elsewhere, the existing policies serve the 'old' long-standing minorities, whereas with the 'new minorities' the emphasis is on their integration. This downplays their empowerment or the keeping of their heritage on an international level, leaving it primarily a national, regional, or local responsibility where the cultural heritage of refugees and new migrants may escape attention (cf. Xanthaki, 2019).

However, when we take a closer look at how agency may be acquired, the picture becomes more complex as agendas emerge that contest prescribed representations. In Estonia, a minority that has attracted interest amongst heritage scholars and has been highlighted by cultural experts are the Russian Orthodox Old Believers in Eastern Estonia. Their ancestors migrated to these lands after refusing the mid-seventeenth century Russian church reforms, presenting today a staple Slavic minority in the national imaginary, defined by religious and agricultural practices, language and seclusion. The Ministry of Culture officials had foreseen their recognition on the representative registry but the community leaders decided to turn down this offer at the time, possibly due to traditional practices of isolation and a historic mistrust of the government. Such a deliberate refusal of the state-sponsored intangible heritage configuration becomes even more poignant in the case of the ethnic Russians who are the second largest population group in the country. It may well be that the position of minority does not appeal to the descendants of cohorts that migrated to Estonia under the Soviet regime. The internal heterogeneity of the Russophone population enables the state also to cherry-pick its partners and to dispute any one group's claims to representation. The historical framing of belonging can thus generate a dissent of non-belonging.

At the same time, one of the complications in this situation may also arise from the established principle for evolving a national ICH database in Estonia, i.e. it is based on voluntary submissions. This has created certain difficulties with the heritage practices of the community of Ukrainian descent that the governmental heritage experts have tried to endorse for years in their formalized inscriptive recognition process. Like the Russian population, Estonia's Ukrainians are diverse in background, language skills and in their attitudes to post-Soviet developments. They also are organised into different cultural organisations, which complement each other, on the one hand, and compete over people, attention, money and other resources, on the other.

## 11.3   Representational Silences

The aspect of belonging in our discourse analysis extends also to silence as a communicative form and function. Situated silence is communicative and representational, it reflects the currency of power and suppression of presence in relevant

interactive situations, thus constructing identities (see Achino-Loeb, 2006). Macro-level silences and silencing serve affective and social functions but manifest themselves at the micro-level of interaction (Seljamaa, 2013, 2016).

Silences mark (representational) inequalities, which have an impact on academic or representational practice. Silences have been written into historic records and subsequent living heritage scholarship in archival institutions where representational strategies may include symbolic annihilation (Caswell, 2014). This powerful metaphor stands for a social phenomenon which, in institutional and intercultural contexts, signifies moments when communication is avoided or undesirable, due to a threat to the established system (Seljamaa & Siim, 2016). Our aim in this study is to point out the interconnectedness of representational silences within institutional settings of the living heritage framework, both in academia and in UNESCO-related activities. Silence in institutional settings has mostly been studied in courts, hospitals, business, classrooms and, most recently, museums, whereas there are hardly any studies of silence and silencing in international organizations like UNESCO. Based on observations made at the forums focusing on the implementation of the UNESCO ICH Convention, there is a noticeable analytical silence that sustains inequalities by hindering inclusive representational belonging for minorities (cf. Kuutma & Vaivade, 2021).

The action of silencing is accompanied by social and political judgements. On the other hand, silence is an integral part of remembering, which incites the process of public display and recognition: silences occur in historical collections, in the collusion of external pressures and internal choices, or structures of knowledge and museum displays which produce silence (Seljamaa, 2021). Gaps in museum collections are symptomatic of a lack of scholarly engagement with cultural practices of minorities who arrived in Estonia or whose numbers started to grow when Estonia was part of the Soviet Union. Such older representational silences breed new ones to the extent that they are conducive to narrow interpretations of the ICH that exclude Soviet-era newcomers from this category and also more recent immigrants. The (UNESCO-related) living heritage framework and its implementation appears not to address sufficiently the emerging dynamics in geocultural ramifications with mass-migrations in the twentieth century. Needless to say, migration has always been part of the human condition, but in modern times the distances have changed. At the same time, the abundance of literature on migration tends to overlook its cultural heritage aspects, while the ICH discourse largely neglects dislocated communities. Even in the field of critical heritage studies, which explores the relationships between people, heritage, and power, diasporic heritage practices remain in the background (Dellios & Henrich, 2021). The argumentation about the overarching and powerful trends of globalization in recent decades likewise affects heritage positions and the consideration of territoriality. What comes across as being important is to recognise that global movements create local infrastructures that unavoidably transcend the local (García Canclini, 2014: 215).

The UNESCO procedures for both tangible and intangible heritage recognition are being increasingly challenged at the receiving end of migratory flows, which calls for acknowledging the transformative and dynamic potential of ICH in relation

to modifying migratory statuses (see Giglitto et al., 2022; Amescua, 2013). The premise for safeguarding the living heritage of immigrants requires overcoming their absence in the official heritage discourse by envisaging the ICH of minorities as part of heritage the future of heritage that allows participation in the political spectrum (see Holtorf et al., 2019; Smith, 2006).

This highlights another notion, that of heritage being dynamic (Nikielska-Sekula, 2019), by which we mean the process of recreating inherited practices within the circumstances of migration. Adaptations to host-country realities bring out the vulnerable conditions of migration, involving the physical and mental challenges of severed attachments, moments of up-rooting or re-grounding that affect people's sense of belonging and heritage ownership.

## 11.4    Rights of Belonging and Heritage Provenance

Global trends are transforming economic, political, social and cultural arrangements. Even if cultural heritage initiatives have been claimed to work in a homogenising way at global level, there is diversity at local level (Mozafarri & Jones, 2019; Anheier & Isar, 2011; Labadi & Long, 2010). In the international ICH framework, everyday heritage discourse concerns the state-controlled representation and management of heritage which often does not recognize cultural negotiation and participation in relation to indigenous communities, especially in postcolonial conditions. There is a call for heritage management as rights-based cultural practice (see Logan, 2012, 2014; Blake, 2011). Cultural rights form an essential part of participatory heritage regimes that build on prior consultation processes with indigenous collectives, individuals and subgroups. A pluralistic understanding of cultural practice directly addresses rights-based approaches, while heritage regimes remain oriented towards selective recognition; they depend on the benevolence of governments and the rationale of the sovereign state (Eichler, 2021).

In sum, to belong means having special rights to resources. Therefore governmental motivation affects whether the heritage of different minority groups is acknowledged. In destination regions like Europe, diaspora, immigrant or indigenous communities have a clear but vulnerable position in these processes. The reason is the possible compromises concerning marginalised groups when nation-states are the primary bodies responsible for heritage identification. They tend to favour dominant social groups (Arokiasamy, 2012; Whittington, 2021) and minorities with an established place in the national imaginary. The institutionalised contexts promote homogenisation by default, thus subsequently also suppressing the self-defining voices of indigenous peoples. Indigeneity is likewise a discourse that communicates claims for agency and cultural recognition to counter the assimilationist emphasis of most state-sanctioned heritage policies. As vulnerable stakeholder groups, their interest in protecting intangible heritage is often embedded in an environmental or biocultural context, where different terms are used to indicate ethno-ecology, traditional or indigenous local knowledge. Heritage institutions and

participating academics work with an explicit remit to redress existing institutional goals or priorities, which also include the capacity of institutions to redefine inclusive heritage, equality and diversity.

In the Estonian case, previous academic research and institutionalised interest has substantially shaped current imaginaries concerning indigenous minorities, particularly the Finno-Ugric indigenous population groups in Russia. There is a historical (ideological) interest among heritage studies scholars in Estonia towards the peoples belonging to the same language family, residing mostly by the Volga River and in the Arctic region. Closer connections flourished particularly in Soviet times, since they were subjugated under the same imperial rule, but facilitated by border-free travel. In the sociocultural imaginary these peoples were able to claim a larger cultural distinction with indigenous rights, customs and repertoires that testified to an age-old traditional knowledge, heritage and identities that contested the Soviet present. However, all these connections with Russia have been severed due to the state of war in which, sadly, the Russian citizens of Finno-Ugric descent are involved. Disturbingly, such an effect of socio-political circumstances also reverberates with the minority groups of Finno-Ugric descent who have migrated in the past decades to Estonia, even though their presence in the public and government-endorsed heritage framework was welcomed and growing in prominence. They are considered to be the least complicated among the Russian-speaking population. Their prominence in the context of the ICH management configuration could be said to stem directly from the long-lasting academic research activities by folklorists and ethnologists and linguists. These groups are regarded as having retained more archaic cultural traits of the one-time common Finno-Ugric origin.

The living heritage configuration entails geocultural scenarios that are both spatial and temporal, which require the insight of transnational and geopolitical anthropology that helps to discern networks, flows, and coalitions (Hannerz, 2019). In this article our goal is to highlight the significance of a situational analysis of living heritage practices of descendant, indigenous and immigrant minorities, with the intent of proposing new pathways. Heritage scholar Tim Winter has theorized the 'geocultural' further to combine spatial and cultural elements which go beyond the territorial or temporal confines of a nation state, working towards detecting new forms of knowledge, power and ways of interacting with history (e.g., Winter, 2019).

## 11.5  Opportunities Created by Heritage Diplomacy

With our interpretation of what is at stake when certain discourses, imaginaries and practices of heritage circulate, we call for a complex engaging with 'living heritage' as a practice and policy area and a space for critical enquiry and conceptual development, in order to craft a future for heritage with a more inclusive representation of minorities. As indicated above, the framework of UNESCO depends on geocultural power aspirations within international relations as well as on versatile professional expertise to implement the governance of heritage. This can be

accomplished only through multi-national cooperation in heritage diplomacy. The grounds for heritage diplomacy have been discussed so far chiefly in the framework of the 1972 World Heritage Convention, focusing on built and natural heritage (see, for example, Winter, 2015; Meskell & Brumann, 2015; Lähdesmäki, 2021).

To expand and refine our understanding of the complexities of heritage, its representational effect, and what it can mean for minorities, we need to explore the instrumental dimensions for furthering heritage diplomacy as a concept, a space of critical enquiry and policy area. Living heritage recognition is politically negotiated in the workings of heritage diplomacy within the procedural frames of heritage governance and state-society relations that are translated into the language of intercultural dialogue. Heritage diplomacy generates international or governmental activities in heritage stewardship by building cohesive relations: how it is discussed and managed prompts concrete effects. What is worthwhile underscoring here is the argument that within the established nation-states of the present world, cultural heritage configuration is both implicated in and informed by policies on human rights, climate change, issues of sustainable development or inequality. Thus, there is hope that by enhancing reciprocity the dialogical model of heritage will concurrently generate agency and opportunities for the 'stakeholder' communities involved.

A reflexive exploration of the geographical reach of ICH policy and how it impacts various groupings or individuals, sheds light on the scales upon which it can operate for institutions, civil servants and scholarly experts as complex social actors operating in the heritage web. Heritage diplomacy lends a conceptual framework with critical purchase (Winter, 2023), to draw attention to situations where the production of heritage involves processes of representation, communication and negotiation for collaborative relationships with a potential for heritage futures. An ethnographic approach to diversity as well as inequality in representation unravels the mechanism of the representational silences of minorities (i.e., ethnic, indigenous, intersectional, etc.) with an intent to contribute to the potential implications of making the ICH Convention more operational for minorities.

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# Chapter 12
# On Reaching a Consensus: A Paradigm for the Inscription of Elements on the UNESCO Lists of Intangible Cultural Heritage

**Eva Kuminková, Ľubica Voľanská, and Martín Andrade Pérez**

**Abstract** In the 2003 Convention for the Safeguarding of the Intangible Cultural Heritage framework, consensus works like a magic word, an incantation. Why is a collaborative decision-making process so important in this context and how is it expressed? The authors of this paper have followed the Convention for more than ten years. They discovered that consensus building is a crucial concept used across all levels of governance. It is a paradigm that everybody relies on and calls for when diverging opinions appear. The paper examines how the 2003 Convention uses consensual decision-making as a collaborative process that involves the views of all stakeholders to reach a joint decision. It requires that all available options are discussed, their advantages and disadvantages are considered and that the final decision addresses everybody's concerns. How does this process work in reality? And does it always bring the desired results?

Based on concrete examples from the official and accompanying documents related to the Convention, ethnographic participant observation during the meetings and interviews with various stakeholders, as well as from the authors' own experience, this chapter explores the variable use and expressions of consensus in relation to the 2003 Convention on three different levels. Firstly, on the national and international level, during inventorying intangible cultural heritage according to

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Articles 11 and 12 of the Convention and drafting nomination files to UNESCO's lists of intangible cultural heritage. Secondly, on the expert level, through the example of the Evaluation Body, which analyses the nomination files and has to find a single voice to transmit its recommendations to the Intergovernmental Committee. The third level of consensus critical for sound governance of the Convention is diplomatic, represented by the Intergovernmental Committee.

**Keywords** Consensus · 2003 Convention listing mechanisms · Inventorying · Intangible cultural heritage · Evaluation · Discussion · Diplomacy

## 12.1 Introduction

"To reach a consensus" is a recurrent statement by those working in the area of intangible cultural heritage. From the local meetings, where decisions on concrete safeguarding actions are taken, to multilateral sessions organised within the framework of the UNESCO 2003 Convention for the Safeguarding of the Intangible Cultural Heritage (hereinafter referred to as the Convention), consensus is a common word. It belongs to a set of paradigms introduced by the Convention as part of its own short but rich history. "Community", "participation", the "principles of the Convention", or the "spirit of the Convention" are among them, while their meanings remain without clear definitions. Consensus is somehow related to all of them. It was not in vain that, during the opening of the seventeenth session of the Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage in Rabat in 2022, the Director-General of UNESCO, Audrey Azoulay, stated that "the spirit of this Convention, as with the other culture conventions of UNESCO, is based on consensus and dialogue, and respect for scientific opinion, a fundamental prerequisite" (LHE/23/18.COM/4, p. 4).

For multilateral logic, it could seem that consensus is a magic word, an unwritten rule on which most decisions are based. However, there are several interpretations of what a consensus might be. The Merriam-Webster dictionary defines it as "a general agreement" or unanimity, and it is often used to describe "group solidarity in sentiment and belief" (Merriam-Webster, n.d.-a, n.d.-b). In diplomacy, "consensus is considered as the absence of objection rather than a particular majority" (United Nations Juridical Yearbook 2005, 2009, p. 457). Thus, consensus doesn't always mean that everybody agrees but rather that nobody objects. On the other hand, in management and team negotiations, consensus stretches from an "overwhelming agreement" to "informed consensus" when "everyone agrees they can live with the final proposal, that is, after every effort has been made to meet any outstanding interests" (Susskind et al., 1999, p. 19). In an ideal world, reaching a consensus is a deliberative and cooperative process in which "the input of every member is carefully considered and there is a good faith effort to address all legitimate concerns" (Dressler, 2006, p. 4). Ideally, consensus is intimately linked to participation, collaboration and inclusivity, and it is well differentiated from the "majority

rule", in which the decision-making requires more than half of the members of a group.

Even though consensus is transversal and fundamental for the 2003 Convention, there is no mention of it in the text of the Convention (Basic texts, pp. 1–22) or the Operational Directives (Basic texts, pp. 23–95). It only appears in the Rules of Procedure of the General Assembly when describing the decision-making: "Every effort shall be made to adopt decisions in the Assembly by consensus. If consensus cannot be reached, decisions shall be adopted by vote" (Basic texts, p. 107). Likewise, during its eleventh session in Addis Ababa, 2016, the Intergovernmental Committee described the importance of consensus for the work of the Evaluation Body, pointed out the absence of rules on adopting decisions by consensus in its Rules of Procedure and decided that "the working method of the Committee privileges decision making by consensus, thus promoting the spirit of international cooperation and mutual understanding" (DECISION 11.com 8, p. 6).[1] With this decision, consensus was explicitly established as a "standard practice" of the Committee and the Evaluation Body, although it remained unclear what consensus exactly means.

This paper aims to examine issues relating to the use of consensus in the framework of the 2003 Convention because it is an important tool in all stages of its implementation. We focus primarily on its best-known mechanism: the inscription of elements on the UNESCO lists of intangible cultural heritage,[2] with reference to their prerequisite on the national level—inventories of intangible cultural heritage. The consensus-building process in this context is most clearly visible and concerns all stakeholders, including local communities and their organisations, states and other governmental entities, experts, and diplomats.[3] Indeed, consensus is needed in the following areas that correspond to the structure of our text:

1. during the elaboration of a nomination file for reaching agreement among the communities and other stakeholders involved in the process—this is necessary on the national level as well as internationally in the case of multinational files;
2. during the evaluation of the file by the Evaluation Body of the 2003 Convention[4] that bases all its recommendations on consensus among its members;
3. during discussion of the file by the members of the Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage.

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[1] The role and work of the Evaluation Body and Intergovernemental Committee is discussed below.

[2] For more information on the listing mechanisms see https://ich.unesco.org/en/purpose-of-the-lists-00807

[3] The scope of this article does not allow exploring the topic in its entirety; there are other important factors that come into play and deserve to be studied such as power relations or the involvement of the private sector and commercial interests.

[4] This pertains also to the work of the Subsidiary and Consultative Bodies (for more information on these two bodies see below). For more information on the purpose and composition of the Evaluation Body see https://ich.unesco.org/en/evaluation-body-00802

We argue that although consensus is what we could call a "foundational principle of the Convention" by now, the different ways in which it is met can be problematic. They follow many logics depending on the context in which consensus is reached. At the local or state level, the diversity and number of actors can make a real consensus difficult, far from overwhelming agreement and closer to a simple majority rule. This is related to the diverse community interests that can be bound up with economics, local politics, and, first and foremost, to the many different ways in which ICH elements are lived and expressed. At the level of evaluation, consensus can be closer to an absence of objection. Finally, at the Intergovernmental Committee level, consensus tends to be permeated by diplomatic issues, regional solidarity or political interests. This chapter is organised into three parts, each reflecting one of these levels, exploring all kinds of difficulties in consensus building.

The text reflects our rich direct experience of all three levels of consensus building described above as well as our external viewpoints concerning events that we only observed. As researchers, we have been carrying out ethnographic field research among the communities of intangible cultural heritage practitioners. We have been building our expertise when preparing and evaluating nominations to intangible cultural heritage inventories on the national/state level, including negotiations within and among communities of practitioners and various levels of governance as cultural brokers (Jacobs, 2014) or being members of interdisciplinary international teams preparing multinational nomination files. We have been closely following the events related to the Convention for more than ten years in different positions: as NGO representatives and experts on national delegations—including Intergovernmental Committee members. All three of us were members of the Evaluation Body,[5] and Eva Kuminková was involved in the work of the first Consultative Body in 2011 as well. Moreover, we are all UNESCO-trained facilitators within the framework of the 2003 Convention. Our arguments and analysis are substantiated by a wide range of concrete examples that can be tracked across different meeting documents on the Convention's website. These demonstrate that the consensus within the framework of the Convention can easily range between a general and overwhelming agreement and the absence or renunciation of objection, making it a paradigm that needs to be studied for a better understanding of the Convention.

## 12.2   On Reaching a Community Consensus: Consensus at Local and National Level

There are several issues on which a consensus must be reached at the grass-roots level of decision-making when inventorying intangible cultural heritage in conformity with Articles 11 and 12 of the Convention (Basic Texts, p. 10) or preparing a

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[5] Eva Kuminková served as a rapporteur of the Evaluation Body in 2018, Martín Andrade Perez in 2019 and Ľubica Voľanská in 2020; in 2021 she served as its chairperson.

nomination for one of the Convention's lists. These include, for example, the community of practitioners or the nature and description of an intangible cultural element, since the Convention intentionally leaves the definition of intangible cultural heritage relatively open (Basic Texts, pp. 5–6). The "traditional" part of the element is sometimes rooted deep in the past, going back several centuries. Thus, the description often tries to find a delicate balance between tradition, innovation and contemporary function, all of which may be in conflicting positions (Kurin, 2004).

Besides, each element is structured and may be expressed in many different ways by different community segments that share it and consider it part of their identity. If everyone looks at the element from his or her own perspective, they may not be able to see it contextually and may disagree about its definition, scope and even the name. In such a case, experts play an important role as mediators and providers of conceptual and contextual background. Their discussion with the communities is an important part of the consensus-building process at grass-roots level. At the same time, it does not hold true that the experts' opinion would supersede the communities' point of view—quite the opposite (Brumann, 2014). The Convention places communities at the heart of decision-making processes, and their opinion and wishes should have priority.

Similarly, discussions about the primary position of the community of bearers in deciding on the future development of intangible cultural heritage elements are also present when proposing the safeguarding measures in the nomination files, as various individuals, groups, and administrative bodies on different levels of governance can be responsible for them (Kuutma & Vaivade, 2021). As the analysis of the three most recent cycles of periodic reports from the States Parties has shown,[6] consensus on the responsibility for safeguarding actions is extremely important, especially regarding burning issues,[7] such as over-commercialization, uncontrolled tourism, the "ossification" and "museumification" of intangible cultural heritage, and also the adverse impacts of the climate crisis on its preservation.

As mentioned earlier, the communities are not monolithic but include people of different genders, ages and societal roles. When an element is shared across several municipalities, a larger region or an entire nation, deciding *which communities* should be invited to share the nomination to an inventory on the national level or to a UNESCO list and *who* should represent them is sometimes difficult. There is usually also a broader group of supporters that are included in the nomination file as members of the community concerned because they identify with the element, although they are not its direct practitioners. Sometimes, it is the wider public, even the inhabitants of the whole region or country, including expats living abroad and diasporas, because intangible cultural heritage does not respect political borders.

Our first example of reaching an agreement or recognising its absence at a national level comes from the Czech Republic. In Czechia, the inventorying process

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[6]For more information browse this website and its subpages: https://ich.unesco.org/en/periodic-reporting-00460

[7]For wide range of threats endangering ICH see https://ich.unesco.org/en/dive?display=threat#tabs

is not yet widely known among the general public. That is why designated regional museums often invite communities to have their elements inventoried at the regional or country level.[8] In such cases, it is usually the institution doing research and picking communities that are later asked to consent to inventorying and participate in it. In line with the historical understanding of local authority, the mayors, as elected representatives of the communities, may be selected as those who can talk and decide on their behalf.

In the northeast of the Czech Republic, St. Nicolas processions are held before December 6th each year. They are specific in their form compared to the rest of the country and well preserved as a vivid annual tradition. Approximately ten years ago, a regional open-air museum approached the village representatives at one of their regular micro-regional meetings and explained to them that the historical value and current functions of St. Nicolas processions make them an excellent candidate for inventorying. At that time, the inventorying process was understood in a similar way as the listing on the UNESCO level. Most of the mayors immediately opposed it, explaining that they were not interested in any external influences or changes that would affect this practice. When the meeting ended, some of the mayors approached the museum representative and told her privately that if a nomination to the national inventory was prepared, they would participate. Because most of the community representatives disagreed, the museum decided to abandon the idea—for a lack of consensus.

The final definition and description of the element affect the discussion over the title to be used in the nomination/inventory documentation. In principle, it helps presentation and visibility if the chosen name is understandable to outsiders. At the same time, it should be a name that the given community of practitioners can identify with and consider as their own. The situation can become even more complicated with the involvement of experts, including, among others, ethnologists, anthropologists, linguists, historians and folklorists.

During the preparation of the nomination file "Skalická mestská reč – skaličtina" ("The Skalica town dialect – skaličtina") for the Representative List of the Intangible Cultural Heritage of Slovakia, the community decided to use the title "Skalická mestská reč". In the discussion with an expert on the dialects, the linguist whom the Committee for the Evaluation of Proposals for Inscription in the Representative List of Intangible Cultural Heritage in Slovakia and the List of the Best Practices of Protection of Intangible Cultural Heritage in Slovakia asked for a review, suggested a different name, but the community disagreed. A few days of further discussion and an effort to find a consensus followed. Six different options for a title were discussed, and still, in the end, a strictly expert opinion gave way to a compromise favouring a slightly modified original community name. On the other hand, the representatives

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[8]Although communities have the possibility to submit proposals to the regional and national inventories and often use it, it is not a hard and fast rule, and the role of regional museums and other similar institutions is still decisive.

of the bearer community accepted the expert opinion regarding the description of the element in the text that is presented to the public on the Representative List's website.[9]

Finding a proper title is even more challenging when preparing a multinational nomination. The name of the element that is finally used in the nomination file can be a subject of lengthy discussions among the participating countries and may be one of the last things that states need to agree on towards the end of the whole process. One such example is the multinational nomination of "Blaudruck/Modrotisk/Kékfestés/ Modrotlač, resist block printing and indigo dyeing in Europe" inscribed on the UNESCO's Representative List in 2018.[10]

The problem arose when trying to find the correct English translation of words that are used for this element in the national languages of individual participating states. Although the English word "blueprinting" that was initially suggested corresponds to the German, Czech, and Slovak words "Blaudruck", "modrotisk", and "modrotlač", it does not fully correspond with the translation of Hungarian "kékfestés" which means blue painting or dyeing. Thus, after a lengthy discussion among the experts, academics, craftspeople and artists themselves, consensus was found: the title consists of the term describing the craft in national languages all craftsmen can identify with. Moreover, the blueprinters felt the need to emphasise the technical details related to the craft and mentioned both—the printing and the dyeing of the cloth in a subtitle.

Building consensus at the national level means finding common ground among ICH practitioners and different levels of authority. In the case of multinational nominations to the UNESCO lists, once this stage of consensus has been built, another level must be achieved—all views of practitioners and authorities in individual states must be confronted. Interests and goals must be reorganised so that everyone follows a common objective. This may mean a deconstruction of the original national expectations and their reconstruction into common goals and values of the bearers and their communities, which may differ from those initially planned. If this is not achieved, the chance that the file will succeed is much lower, as the lack of cooperation and agreement is usually visible.

In the reports of the Evaluation Body on their work, challenges concerning cooperation and agreement regarding multinational files have been mentioned as recurring issues.[11] For example, during the 17th Intergovernmental Committee meeting in 2022, members of the Evaluation Body stressed that collaboration

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[9]The inventory entry can be found here: https://www.ludovakultura.sk/en/list-ich/the-skalica-town-dialect-skalictina/

[10]https://ich.unesco.org/en/RL/blaudruck-modrotisk-kekfestes-modrotla-resist-block-printing-and-indigo-dyeing-in-europe-01365

[11]See Evaluation Body reports on the website of the Convention, e.g. LHE/22/17.COM/7, LHE/21/16.COM/8, LHE/20/15.COM /8, LHE/19/14.COM/10 or ITH/18/13.COM/10. The importance of the issue and the complexity of the process of preparing a multinational nomination has been stressed in the decision 15.COM 8, when the Intergovernmental Committee invited the Secretariat of the 2003 Convention to prepare a guidance note to assist States Parties in elaboration of such nominations (DECISION 15.com 8, p. 12).

among the participating countries is crucial, the text should avoid "state by state" paragraphs, the amount of information by a state should be balanced, nominations should include effective *joint* safeguarding measures and multinational nominations must demonstrate agreement not only between states but also among all the communities concerned (LHE/22/17.COM/7, p. 16).

In 2022, Czechia, Finland, France, Germany, Hungary and Spain submitted a file for the Representative List entitled "Knowledge, craft and skills of handmade glass production" for examination at the 18th Intergovernmental Committee meeting in 2023. The idea was conceived by several states at an international meeting of glassmakers in Germany in 2018. Initially, only four countries collaborated, gradually inviting others to join the file until six countries agreed to nominate the element.[12] The drafting team consisted primarily of people representing state authorities and glass museums, which reproduced the viewpoints of the glassmaker communities with whom they were in close contact. Based on the discussions in each country, all representatives entered the process with their own ideas or instructions. At the same time, the main coordinator did not defend anybody's "interests" and understood her role as a mediator.

Very soon, it turned out that the element's viability in different countries was on different levels, especially with respect to the occurrence of particular glassmaking techniques and self-definitions inside the national communities based on different historical developments of glass industries.[13] In one of the countries (let's call it country A) which was at the outset of the candidacy, a strong segment of the wide glassmaking community considered glass blowing, with particular attention paid to the production of flat glass, as the only possible subject for the nomination file because the community felt a critical need to safeguard it.

Drafting of the description of the element was already in progress when another country (country B) entered the nomination process. For them, a reduction of the element for the purpose of nomination solely to glassblowing and hotwork was unacceptable because its glassmaking community was the most diverse and preserved many glass techniques outside blowing, which did not exist in any other country. In country B, the glassmaking community was relatively compact, and it was difficult to imagine selecting only part of it for the purpose of the nomination and excluding the rest of the practitioners. That is why they also wanted to include cold and other decorative techniques, which exist in almost all countries and are abundant. The main discussion that followed naturally took place, particularly

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[12]The description of the situation is based on informal interviews with representatives of the nominating countries, the file's coordinator and personal experience of the author who was also representing one of the submitting states. The aim of this text is to exemplify the process, not to analyse concrete national viewpoints; that is why the countries and their representatives have been anonymised.

[13]The main technologies remain the same and are based on shaping the hot glass substance by blowing or over a flame and decorating the finished glass products. There is an abundance of different techniques based on the primary technologies. In some countries, many of them have either already disappeared or have never been practised there. The level of occurrence and viability of glassmaking techniques is generally very uneven. This, however, does not disqualify the element as shared heritage.

between countries A and B, who both had strong attitudes. The other countries—though also bringing along their expectations and ideas—were rather observers of the situation, basing themselves on the original proposal but trying to understand both sides and figure out what the limits and expectations of the description according to the UNESCO procedures were.

Both coordinators of countries A and B felt great responsibility for defending the interests of their communities but, at the same time, understood the need to find common ground for international cooperation and consensus. After long months of debates and exchanges, particularly between the representatives of countries A and B with their communities while reporting the results back to the international team, a solution acceptable to everyone was found. The element was described in general terms to cover all possible techniques grouped under three main areas: preparation of the glass substance, shaping of the material in a viscous state (by blowing and flameworking) and cold work, which means different ways of decorating glass. This definition is much broader than the community in country A wished for. Still, it covers all techniques and technologies that exist in individual countries without the need to identify them concretely or deal with the fact that most of them cannot be found everywhere. After agreeing on the definition of the element, drafting the rest of the file was easy, and there was no other issue that caused conflict or disagreement.

The case of glassmaking shows that countries enter the multinational nomination process with different expectations based on their individual situations, which are never the same. The level of involvement within and among the stakeholder communities usually varies, and state authorities, museums, NGOs, or other entities representing communities' interests act as mediators and negotiators between the communities and the international consortium. They cannot fully express their own standpoints, which makes their task difficult. The coordinator should preferably be impartial and follow the ultimate goal: international cooperation with a view to joint safeguarding. The glassmaking case has shown that focusing on similarities while respecting diversity is a powerful tool in consensus building. Everyone should be allowed to express his or her views. However, if the group diverges from the shared goals, the coordinator should make every effort to get the discussion back on the right track.

## 12.3 On Reaching a Technical Consensus: Consensus Among the Members of the Evaluation Body

The Evaluation Body was founded during the 5th General Assembly of the 2003 Convention in Paris in June 2014.[14] The decision to create a new advisory body was anchored in the Operational Directives under paragraph 27. Members of the first

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[14] More information about the previous advisory bodies, the Consultative and Subsidiary Body, can be found further in the text. In 2011, the consensus was mentioned in the report of the Consultative Body on its work: "When it met on 4–8 July 2011, the Consultative Body collectively examined each of the forty-two files, shaping the members' individual opinions into a consensus recommendation" (ITH/11/6.COM/CONF.206/INF.7, p. 3).

Evaluation Body were elected during the 9th Intergovernmental Committee meeting held in Paris in December 2014. Currently, the Body includes six representatives from non-governmental organisations and six experts from countries that are not members of the Committee.

The exact process of how the Evaluation Body makes its decision is not publicly available.[15] The Evaluation Body uses a set of criteria established by the Operational Directives to evaluate the nominations. Yet, the quality of the nomination files differs, and the Evaluation Body's deliberations may range beyond simple yes or no decisions. Such cases often result in a referral or a "weak yes".[16]

Every year, the Evaluation Body explains its working methods and technical details of the cycle to the Intergovernmental Committee in a report on its work published on the Convention's website. Since the beginning, the Body has followed more or less the same structure of three meetings per year, with the second meeting being the longest, as it is here that the main discussion of individual files takes place: "The working methodology for the June meeting largely followed the same approach as in previous years, and the Body was successful in reaching a consensus in its recommendation. . ." (LHE/22/17.COM/7, p. 5).

As several Evaluation Body reports stress, the recommendations are based on collective decision-making, in most cases resulting in a consensus. This does not necessarily mean an unanimous agreement by which all members' personal preferences are satisfied. Long discussions and exchanges of ideas and arguments are an inevitable part of the process. These used to take place *in praesentia* with the use of an online tool allowing body members to share their opinions before their second meeting. However, a new working method was introduced due to the social distancing requirements connected to the COVID-19 pandemic in 2020. The Secretariat added new features to the original interface, improving online discussions and promoting consensus-building before and during the June meeting in the 2020 cycle. Since then, the members can access a password-protected website to work with the meeting documents and files to be evaluated, along with accompanying documentation and space to discuss the nomination files with other colleagues from the Evaluation Body.

Due to the transfer of the discussions to the online space, it was necessary to match the time zones of the countries where individual Evaluation Body members

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[15] According to the "Evaluation of UNESCO's action in the framework of the 2003 Convention for the Safeguarding of the Intangible Cultural Heritage" (Sediakina Rivière et al., 2021), 15% of survey respondents from States Parties disagreed or strongly disagreed with the Evaluation Body's assessment being easy to understand.

Moreover, the members of the Evaluation Body are required to sign a confidentiality agreement and maintain confidentiality throughout the entire evaluation process as well as afterwards. They are not allowed to reproduce, distribute or disclose any information related to the content and outcome of the discussions regarding the evaluated files.

However, you can consult Ahmed Skounti's report regarding his experience as a member of the Evaluation Body in 2015–2017 (Skounti, 2018).

[16] For more information on the inscription criteria and evaluation procedure, see the Operational Directives (Basic Texts, 2022).

live. To make the discussions more effective and manageable since the sessions were shorter (three hours per day instead of six) "and encourage consensus-building" (LHE/20/15.COM/8, p. 5), the members were familiar with each other's evaluations, including relevant arguments, in advance. The new online interface enabled the Evaluation Body members to check their colleagues' opinions, analyse their evaluations and subsequently concentrate on crucial issues during the meetings. However, due to the new online meeting format, the discussions were constrained in time and substance, and it was sometimes not easy to reach a consensus.[17]

As mentioned earlier, not 100% of files have always enjoyed unanimous consensus of the Evaluation Body. For various reasons, the Body presented a split decision to the Intergovernmental Committee in fifteen cases because reaching a consensus was impossible (Kuminková, 2021). The most recent (sixteenth) example comes from 2022. The Evaluation Body remained split over the nomination of "Modern Dance in Germany".[18] They had an extensive discussion on whether the nominated element aligns with the definition of intangible cultural heritage according to Article 2 of the Convention. After a lengthy debate, the body was evenly divided into two groups, with six members recommending the inscription and six members proposing that the element should not be inscribed on the Representative List. The Body presented a draft decision with two options (Yes and No) to the Committee (LHE/22/17.COM/7, p. 5). Yet, the Committee's debate during its 17th ordinary session did not mirror the long and complex discussion on this file that took place among the Evaluation Body members. In this case, a Committee debate in which there were few conflicting opinions resulted in a decision to inscribe the element.[19]

A split decision indicates a real disagreement among the Evaluation Body members. When expressing their opinions, they draw on their expertise, but their personal backgrounds and individual experiences also play a role. It is the individual input into the decision-making process that the composition of the Evaluation Body paradoxically tries to utilise—to benefit from diverse expertise—and simultaneously avoid, according to a "consistency rule", to ensure fair evaluation for all files. Hence, even if the Evaluation Body seeks consistency in the collective decision-making process "within and across the files in the cycle and with previous Evaluation Bodies" (LHE/23/18.COM/8, p. 5), its composition can influence the decisions taken in each particular cycle. Moreover, we have to bear in mind how difficult it is to reach a consensus when the members also take "into consideration the particularities of each file and the specific contexts concerning each element of intangible cultural heritage" (LHE/23/18.COM/8, p. 5).

Another tool, an "upstream dialogue process", that aimed to improve the evaluation while avoiding split decisions and enabling better communication between the

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[17] After the COVID-19 pandemic, the Evaluation Body partially returned to the *in presentia* meetings.

[18] https://ich.unesco.org/en/RL/the-practice-of-modern-dance-in-germany-01858

[19] To follow the discussions, watch the debate of item 17.COM 7.B.10: video from 2022-11-30 09: 40:00 at time 1.49.07 ff.

States Parties and the Evaluation Body, was introduced on an experimental basis in 2019. The idea was that if the members of the Evaluation Body cannot arrive at a consensus on a particular dossier, it may indicate that the information in the file may not be clear enough to allow a full understanding of the situation. In such cases, the Body can initiate a dialogue process with the respective State Party to clarify minor issues identified through a simple question-and-answer process. The State Party would then have four weeks to respond and provide the requested information. On the one hand, postponing the decision means having more time to think about the issue and reach a consensus regarding the recommendation to the Committee. On the other hand, a new stakeholder—the submitting State Party—is engaged at this point of the discussion to provide a new perspective. The final consensus on the recommendation is then sought during the third meeting of the Evaluation Body, usually in autumn.[20]

Although the dialogue process has been constantly evolving since its introduction, and the members of the Evaluation Body have been extending the breadth and depth of questions asked, this model is not omnipotent. Occasionally, despite the dialogue process, the Evaluation Body has concluded that the newly provided information was still insufficient to conclude the assessment of the file with a recommendation to inscribe the element on one of the lists, and a more thorough and better explanation was needed. In such a situation, the Evaluation Body would refer the file to the submitting country for revision. In other cases, the Evaluation Body would decide to recommend the inscription of the element but still consider it necessary to draw the attention of the State Party or States Parties to the problems that might persist in the nomination file and that would affect successful safeguarding. These commentaries are a part of the decision and remain visible in the element's presentation on the dedicated website after the inscription.

For the first time in 2023, the Evaluation Body recommended *all* files for inscription. The members chose a different perspective and modus operandi. When their reservations persisted and they were not able to assess the file as perfectly spotless, they included their expert comments more or less in the form of advice in the draft decisions. To stress the problems of the nomination files, these were screened online during the presentation and examination of the nominations at the 18th Intergovernmental Committee meeting in December 2023 in Kasane. The screening also made their suggestions of further actions more present visually,

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[20] According to the "Evaluation of UNESCO's action in the framework of the 2003 Convention for the Safeguarding of the Intangible Cultural Heritage" (Sediakina Rivière et al., 2021) nearly a quarter of States Parties believe that the decision-making process around the listing is currently not transparent.

A decision adopted during the 18th Intergovenrmental Committee meeting in 2023 will ensure that from the next cycle, the documents related to the upstream dialogue process will be made publicly available to the Intergovernmental Committee together with the report of the Evaluation Body. Moreover, the documents will be published alongside the entire nomination files on the website of the Convention after the inscription, as the information included is part and parcel of the examination process and provides supplementary information concerning the inscribed elements. This should lead to more transparency in the evaluation process (DECISION 18.COM/8).

probably to help the States Parties and other stakeholders be aware of the challenges, even if the nomination got a recommendation to be inscribed on the list. In the previous cycles, the presentation of an element and a nomination file recommended for inscription focused mostly on the positive aspects that the Evaluation Body considered worthy of highlighting. This greater emphasis on the problematic parts of the nominations was also stressed in the 2023 Evaluation Body's report:

> This is the first time in the implementation of the listing mechanisms of the Convention that the totality of nominations in a cycle can be considered to have satisfied the inscription criteria. Notwithstanding this overwhelmingly positive outcome, the Evaluation Body calls upon submitting States to pay careful attention to the safeguarding advice given for each nomination as well as the cross-cutting issues raised in this report. (LHE/23/18.COM/8, p. 5)

In the same paragraph, the Body recalls the "overwhelmingly positive outcome" of its evaluations, echoed by the Committee members in one of the decisions:

> Acknowledges with appreciation that all files presented to the Committee in this cycle are recommended by the Evaluation Body for inscription, selection or approval, considers that such an overwhelmingly positive outcome is a consequence of, inter alia, the use of the dialogue process and the capacity-building activities, and encourages the Secretariat and the Evaluation Body to pursue this promising direction for the present and future implementation of the listing mechanisms of the Convention and, at the same time, invites all submitting States to take careful note of the advice given by the Evaluation Body on each nomination as well as cross-cutting issues including those raised in its previous decisions as summarized in paragraphs 35 and 37 of the present report. (LHE/23/18.COM/8, p. 15)

The Committee saw "the use of the dialogue process and the capacity-building activities" as the main reason for the unprecedented consensus of the Evaluation Body. However, the use of the dialogue mechanisms did not differ very much from the previous cycles (in the 2022 cycle, the Body asked even more questions during the upstream dialogue with the States Parties). Although in no way do we want to doubt the efficiency of the capacity building provided by the Secretariat, NGOs and other stakeholders in terms of strengthening the ability of the nominating states and their communities to draft successful files, we need to question whether the benefits associated with it can have such an unexpectedly sudden and great effect.

While the Committee asked the chair of the Evaluation Body, what the body's interpretation of this surprising outcome of the evaluation process was, they did not get a clear answer. Hence, we can just guess which other mechanisms or reasons are hidden behind the "inter alia" formula used in the Committee decision. Does it, perhaps, mean that although not all members of the Evaluation Body were satisfied with the result of the consensus in every case, they decided not to insist on their opposing opinions and gave up their objections? Did they rather decide to apply their reservations in the form of comments and suggestions for improvement in the otherwise positively-tuned draft decisions? And will the new approach replace the referral option in the future?

Since it is a recent development, it will definitely require further research. Nevertheless, as critical scholars, we cannot help but ask a few questions. Does this mean a change in the approach to the evaluation of the nomination files? Will this be a new paradigm? Can the Evaluation Body find consensus easier when

adopting a "softer version" of the evaluation and focus on recommendations to the submitting States Parties to pay attention to problematic issues? Could this approach and the simplified nomination forms resulting from the global reflection on the listing mechanisms[21] lead to easier consensus building in the evaluation process? Could it be an answer to the long-desired goal of the Committee members, which is to have as many elements as possible inscribed on the intangible cultural heritage lists?

Once the element is inscribed, there is no other mechanism to improve the weak points of the nomination file. It is not only a question of improving the presentation of information contained in the file. The Evaluation Body's comments often focus on the most important principles of the Convention, crucial issues of safeguarding and community participation/consent. The referral option seems to be the only mechanism when a revision and rethinking of these aspects is imperative. Otherwise, the element cannot be inscribed. No other steps have such strong practical implications.

In the area of safeguarding, we can only rely on the responsibility and self-assessment of the State Parties themselves, which might also be reflected in the periodic reporting process. It seems we are entering a very interesting time, as periodic reporting will undergo a fundamental change that does not yet have precise contours. Will it set an even better mirror for states and help them safeguard their intangible cultural heritage in the best way possible?

## 12.4 On Reaching a Diplomatic Consensus: Consensus Among the Members of the Intergovernmental Committee

While building consensus on the local, national and expert level revolves primarily around the very substance of ICH safeguarding—identifying communities, defining elements, negotiating proper ways of safeguarding or building alliances between community and institutions, on the international level another crucial aspect comes into play—diplomacy. According to the Oxford English Dictionary the aim of diplomacy is managing international relations by negotiation (Oxford University Press, n.d.). In this chapter, we focus on a particular diplomatic environment—the Intergovernmental Committee of the 2003 Convention. This body is elected by the General Assembly and consists of 24 States Parties whose composition reflects equitable geographical distribution. The functions of the Committee are stipulated in Article 7 of the Convention (Basic Texts, pp. 8–9).

It seems that it is much easier to reach a consensus on points of agenda related to practical issues like validation of periodic reports, use of the ICH fund, reports of the NGO forum and similar items, than on the inscription of elements within the listing

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[21]For complete information about the global reflection on the listing mechanisms see https://ich.unesco.org/en/global-reflection-on-the-listing-mechanisms-01164 and its subpages.

mechanisms of the Convention. The same is valid for any other agenda relating to it, including the number of files to be treated each year, removal of elements from the lists or establishment of advisory bodies for evaluation of the nomination files. The reason might be that while the practical issues could be classified as general business—though equally and, as some delegations of the States Parties often stress, even more important—examination of nomination files becomes somewhat personal. It deals with states' identity, visibility and "success" in fulfilling the goals of the Convention, especially the effectiveness of safeguarding the intangible cultural heritage. At the same time, the representatives of the States Parties often stress their responsibility towards the community members back home.

In the discourse of the Committee, the interests of a state and the aspirations of its communities seem to easily override the rules set by the Operational Directives, the criteria for inscription of elements/selection of good practices/approval of International Assistance in particular. For more than a decade, two different approaches have been emerging. One group of states wishes to adhere to the recommendations of the Evaluation Body as an independent expert entity chosen by the Committee and the criteria stipulated in Operational Directives. The other one widely operates with the sovereign right of the Committee to come to its own conclusions after examining a file that may differ from that of the Evaluation Body. This discrepancy is why the most escalated discussions at Committee meetings require the most extensive consensus-building process.

In fact, consensus is always the preferred conclusion of any Committee's discussion. If it cannot be achieved, the chairperson seeks relative active support for the new proposals or amendments. Ľubica Voľanská and Juraj Hamar mention in their observations from 9. COM in 2014 in Paris, France, that "Cecile Duvelle, Secretary of the Committee Secretariat, said [... that] the chairperson with her/his individual approach should feel the atmosphere in the room, whether the Committee is inclined to inscribe or not. Then everything really depends on how the chairperson asks the question – whether everybody consents to the inscription, or vice versa, if he/she asks a negative question, i.e. who is against the inscription. If the chairperson continued very quickly it could happen that the states that wish to change the Consultative Body decision are not able to express sufficient support for the inscription of an element in time" (Hamar & Voľanská, 2015, p. 38). Voting is the last option and is used only rarely.[22]

The most critical situation where there was a failure to find an intersection between the Evaluation Body's and the Committee's opinions emerged at the 11th Intergovernmental Committee meeting in Addis Ababa, Ethiopia, 2016. The Committee overruled 72% of the recommendations of the Evaluation Body to refer or not to inscribe an element, which resulted in the resignation of the Evaluation Body's

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[22]This procedure is unofficially agreed upon and explained by the Chairperson at the beginning of each session. It is not part of the *Rules of Procedure* of the Committee. The relationship between consensus and voting is concretely mentioned only in the *Rules of Procedure* of the General Assembly, in particular in Rule 28 (Basic Texts, p. 107).

rapporteur.[23] Although the Committee would overrule some of the Evaluation Body recommendations every year until 2023, which was the first exception when all nomination files, proposals, and requests got positive recommendations from the Evaluation Body, it has never been as severe as it was in 2016.

The Committee can ask for explanations when information in the file is unclear. The submitting state has no right to "defend" its file in front of the Committee unless it is asked a concrete question(s). Committee members open the debate mostly following a behind-the-scenes request of the submitting country, which is usually presented officially in a diplomatic way. They ask the State Party concerned additional questions so as to overturn the Evaluation Body's recommendation in a non-arbitrary way, based on "new evidence", and thus justifiably. In cases where states strictly adhering to the Evaluation Body's recommendations are adamant in their opposition, even after an explanation from the submitting State has been provided,[24] the Committee members in favour of the inscription often stress the expectations of the communities, the exceptional beauty or significance of the element or the need to safeguard it. Instead of sticking to the text of the nomination, they often use their own experience and personal preferences, which are usually linked to emotions.[25] By using such arguments, they openly question the set of rules that were put in place to secure a just and impartial evaluation process for all nomination files and are based on an agreement of all countries of the Convention expressed by the Operational Directives.

However, as also shown by Chiara Bortolotto (2020), the diplomatic community seems to be aware of the environment it has been creating through such decision-making processes and what kind of messages they have been sending to the global public.[26] The sign of this awareness is that the Committee has been continually developing mechanisms to rationalise the process and to find ways to ensure that as many files as possible get a positive evaluation *before* they come in front of the Committee. The aim is to avoid the most wearying discussions in which reaching consensus is—at the end of the day—mostly impossible.

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[23] Out of 50 files treated, 27 were recommended for a referral or non-inscription/selection. Two states withdrew their files. Altogether, 41 elements were inscribed/selected, which means that 18 out of 25 negative recommendations of the Evaluation Body were overruled. More information can be found on https://ich.unesco.org/en/11com when comparing working documents relating to items 10, 10a., 10b. and 10c. and the summary records published as the document ITH/17/12.COM/4.

[24] It mostly happens when the deficiencies of the file include serious issues such as a lack of community participation, a completely unclear description of the element, inadequate safeguarding measures etc. In the case of technical details or easily explainable unclarities, the Committee members, which normally strictly adhere to the Evaluation Body's recommendations, usually do not raise protests and do not oppose the inscription.

[25] A particular case in which emotions were leading the discussion was the inscription of the "Reggae music of Jamaica" in 2018, described by Chiara Bortolotto to show how "getting together" through these nominations mixes emotions, bureaucratization, and political actions (Bortolotto, 2020).

[26] The situation and intricacies of possible solutions were described by Sediakina Rivière et al. (2021, pp. 6–8).

This rationalisation has been embodied in the global reflection on the listing mechanisms that have occurred in the past few years. It aimed to improve the working methods and simplify the nomination process, including revising some nomination criteria. It was preceded by the introduction of the *upstream dialogue process*, during which the Evaluation Body can ask the States Parties for clarifications that may change its view of particular issues in the file before the body concludes its evaluation.[27] Adopting this mechanism eased the problem of disagreement within the Committee, as it allowed an increase in the number of files recommended for inscription.

Another approach is represented by the "working agreement", earlier known as the "gentlemen's agreement". It was established in 2017 as a response to the Addis Ababa fiasco in consensus-building between the Evaluation Body and the Committee to prevent a new wave of ignorance of the Committee's own advisory body's conclusions. According to this informal rule, no file with three or more unfulfilled criteria should be opened by any Committee member for a debate, thus ensuring that such files are referred back to the State(s) Party(ies) for a due revision. This turned out to be an effective instrument in moderating the relationship between the diplomatic aspirations of states and adhering to Operational Directives. At the same time, the result of its use from the perspective of the nomination criteria is, in fact, a compromise. Thanks to the working agreement, the interpretation of the information in the file during the Committee meeting is open for debate, but only to some extent, ensuring that the authority of the general rules is not discredited altogether.

However, there have been cases when the Committee members decided to circumvent their own agreement. It happened, for example, during the 15th Intergovernmental Committee meeting in 2019 in Bogota during the examination of "Falak" nominated by Tajikistan for inscription on the Representative List.[28] The Evaluation Body recommended a referral of the file based on three criteria (R2, R3 and R5). The delegation of Kazakhstan as a member of the Committee immediately opened the debate, which was criticised by several European countries. Besides negotiating draft amendments, a passionate discussion flared up around breaking the working agreement.

The reasons stated by countries in favour of opening the debate over the Tajik file included the fact that the agreement was only *informal*, that they were new members of the Committee and did not know about it, which is why they did not feel bound by it (disproved by Palestine who reminded everyone that the agreement as a working method of the Committee is always duly explained before the negotiations start). Some delegates also claimed that "the beautiful tradition of Falak fully *deserved* inscription on the Representative List" or asked why the Evaluation Body did not use

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[27]The upstream dialogue process was formalised by the General Assembly and integrated in the Operational Directives at its 8th ordinary session in 2020. For more information see documents LHE/20/8.GA/10 and "RESOLUTION 8.GA 10" in the document LHE/20/8.GA/Resolutions, p. 15. Both are available at https://ich.unesco.org/en/8ga

[28]To read the whole discussion see the document LHE/20/15.COM/5, pp. 137–144.

the dialogue process and thus deprived Tajikistan of the chance to explain their case better (LHE/20/15.COM/5, pp. 137–141). At the end of the day and after a lengthy discussion, the file was referred only on criterion R3, instead of all three criteria initially not being met. The result was a compromise again. No party could have been fully satisfied with it as it led to breaking the agreement, yet it did not end up in the element being inscribed on the Representative list.

In the example mentioned above, the Committee only partially challenged its working agreement. The Committee members broke it fully in 2022 when the "Knowledge of the light rum masters" nominated by Cuba and the "Holy Week in Guatemala" were inscribed, even though the members of the Evaluation Body concluded that in both cases, three criteria were not met.[29]

The Committee members usually open the discussion based on diplomatic exchanges with the submitting states (I shall support you this time, and you will support me next time) or simple solidarity.[30] If the Committee members examined *all* files thoroughly, they would probably also question some files *recommended* for inscription by the Evaluation Body. That has never happened, though, except for expressions of opposition by countries in political or/and territorial conflict with the nominating State Party, as has also been described by Chiara Bortolotto (2016). These attempts, however, have never found support in the plenary. It follows that what really plays a role in this process is the solidarity and diplomatic relations already mentioned rather than facts and rules.

Because intangible cultural heritage can be a very personal expression of human culture, emotions play an important role, too, and are sometimes used by the Committee members instead of arguments. Emotions can indeed influence the atmosphere in the room and totally silence the opposition. Anger, sorrow, and even tears have been seen around ethically sensitive issues at Committee meetings. Having a conversation and trying to find a consensus when one side uses factual arguments, and the other uses emotions might be difficult. Several studies address the differences between rational and emotional arguments and their impact on communication and persuasion (Petty & Briñol, 2015; Clore et al., 2007). Thus, after hearing several strong emotional outbursts, it seems morally unacceptable to

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[29]The breaching of the working agreement in 2022 at 17.COM was very frustrating for many delegations as well as the Evaluation body. In a reaction to different questions posed by the Committee members, the chaiperson of the Evaluation Body Pier Luigi Petrillo presented a statement (Petrillo, 2022). He reacted on the discussion in the Committee, which, inter alia, wondered, why the upstream dialogue process was not used more widely. Actually, the members of the Committee believed that the public discussion about the nominations and proposals during its meeting could have been avoided, had it been done already at the Evaluation Body level through this working method. The Committee would thus avoid acting in a way that was contrary to the Evaluation Body's opinion, and there would be a clear consensus among the Committee members instead of amendments of the draft decisions and long and uncomfortable debates.

[30]This situation has been deeply analyzed for the World Heritage Committee by Lynn Meskell, who describes many cases of this political pacting between the members of this Committee, in which "blocs can be forged on continental, regional, religious, economic, and even former colonial relationships" (Meskell 2014, p. 224).

present rational arguments that are based on facts and constructive proposals with a view to long-term changes in people's thinking.

The emotionally driven discussion usually leads towards quick and radical solutions, as we have seen most recently in the case of the removal of the Ducasse of Ath in Belgium from the binational inscription on the Representative List "Processional giants and dragons in Belgium and France" in 2022.[31] This case was opened based on correspondence from the public, which pointed out the character of a "savage" being part of the procession in Ducasse of Ath in Belgium (LHE/22/17.COM/8). The figure of "savage" was painted in black; he was chained and had a ring in his nose. Such a stereotypical depiction of an African person was condemned as racist, and part of the public was calling for the removal of the element from the list. Following exchanges with Belgium, the Secretariat described the whole situation in a working document (LHE/22/17.COM/8) and proposed to put the element under a follow-up status according to a newly approved procedure described in the Operational Directives (Basic Texts, pp. 44–46).

When the discussion was open, the first delegations taking the floor tried to analyse the situation presented in the document from different perspectives. While strongly condemning such an expression of disrespect among people and understanding the feelings of their fellow delegates from other continents, two other delegations supported the proposal of the Secretariat. The Belgian representative was asked to explain what next steps the State Party planned to undertake in the discussion with the communities in Ath to solve the situation. Members of some delegations, who took the floor afterwards, uncompromisingly denounced the conduct of the community of practitioners and expressed their deepest astonishment over the racist overtone of the festival. The expressions of indignation slowly escalated until tears could be seen on the faces of some delegates as well as other people present in the room.

Under such emotional pressure, there was no alternative for the representatives of Belgium but to ask for the delisting of the Ducasse of Ath from the Representative List. A few delegations remained in favour of a constructive dialogue with the Belgian communities, which would hopefully lead to a long-term change in their attitudes and to a bottom-up removal or transformation of the character of the "savage". However, when feeling the overwhelming atmosphere in the room, they understood that the majority wanted to send a very strong message by delisting, and thus opposing this proposition would probably be equivalent to expressing disrespect towards the core ethical principles of the United Nations. Although they believed this decision would probably mean retaining the status quo in Belgium instead of inspiring the desired change, they renounced any further participation in the discussion and silently supported the collective decision. In this case, the consensus took the shape of an absence of objection.

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[31] https://ich.unesco.org/en/RL/processional-giants-and-dragons-in-belgium-and-france-00153.
The recording of the entire discussion can be found under item 8 on the website of 17.COM at https://ich.unesco.org/en/17com

Our last example of building consensus on the diplomatic level is the establishment of the Evaluation Body at the 8th Intergovernmental Committee meeting in Baku, 2013. When the listing mechanisms were established, it was decided and incorporated in the first Operational Directives (2008) that a Subsidiary Body should evaluate the nomination files to the Representative List and provide the Committee with recommendations to inscribe or not to inscribe the elements. In 2011, the evaluation of files related to the Urgent Safeguarding List, Register of Best Safeguarding Practices and requests for International Assistance greater than 100,000 USD was entrusted to the Consultative Body, which consisted of six *independent* experts and six accredited NGOs, while members of the Subsidiary Body represented six States Parties, members of the Committee.

In 2013, a proposal was put forward to entrust all work to the Consultative Body, which seemed more independent than the Subsidiary Body representing concrete Committee members. One of the arguments for this change was a common practice when Subsidiary body members, at this moment members of the Committee, opened the debate over unfavourably evaluated files, questioned their own evaluations, and in the end, acted against their own recommendation. Hamar and Voľanská claim that there were "deep [. . .] ties between politics and backstage dealings on the one side and the *Committee* decisions about inscription and non-inscription of an item on the Representative List on the other side" (Hamar & Voľanská, 2015, p. 38). That is why some delegations questioned such a system, which might have undermined the credibility of the Committee and even of the Convention.[32] Delegates in favour of this change further argued that creating a single body would ensure a much more consistent and just evaluation of all files.

The issue was first discussed after the presentation of the Internal Oversight Service's report on UNESCO's standard-setting work of the Culture Sector and the related audit of the working methods of Cultural Conventions (ITH/13/8.COM/INF.5.c). This report suggested that the Subsidiary Body should be dissolved, and the entire evaluation should be entrusted to the Consultative Body, independent of the Committee. Delegations were divided over this issue, with some countries defending a dissolution of the Subsidiary Body, and other countries advocating its retention (ITH/14/9.COM/4 Rev).

Countries have not changed their positions even during the discussion of another item on the agenda—the number of files submitted in the 2014 cycle and the number of files that could be dealt with in the 2015 and 2016 cycles. The question of the capacity of the Secretariat and the advisory bodies to deal with new files inspired another round of the same discussion from a different perspective—the rationality and economy of having one advisory body instead of two. When it was obvious that

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[32]The influence of the Intergovernmental Committee overturning recommendations of the Subsidiary Body on credibility of its work and the Convention was repeatedly discussed by different delegations during Committee meetings. See e. g. ITH/12/7.COM/5 Rev., ITH/13/8.COM/4 or ITH/14/9.COM/4 Rev.

no consensus would be achieved, the chairperson adjourned the session and delegations retreated for informal consultations.

After the break, Brazil presented a resulting proposal consisting in establishing "a new body that would be composed of six experts, designated from States Parties that were not members of the Committee, and six NGOs, with a total of 12 members. Each Electoral Group would propose the experts and the NGOs with a mandate of four years, and one quarter of the members would be renewed every year. This would reduce the costs of processing the nominations, allowing for a higher ceiling [. . .]" (ITH/14/9.COM/4 Rev., p. 145). Eleven countries from both camps supported the proposal and the chairperson announced that a *broad consensus* was reached.

In this case, the compromise lay in a combination of independent NGOs and individual experts representing States Parties, with all members being duly elected by the Committee. This time, it was clear that the result would not affect only one cycle or case. A systematic long-term change would be initiated by the decision, which is why searching for consensus was even more problematic than in our previous cases, and it had to be built intensively, not only in but also outside the plenary, on the diplomatic level.

It is interesting to note that the inclination to follow rules, mobilise diplomatic relations or express emotions differs. While for some delegations, discipline seems to be very important and rules are made to be always followed, for others, the desired result and human aspect of the issue at stake can easily override the agreed procedures.[33] This difference in perception of the necessity to adhere to an agreed modus operandi is often at the core of disputes and difficulties on the way towards reaching a consensus.

## 12.5   Conclusion

This paper has explored the benefits and complexities of seeking and achieving consensus within the framework of inventorying and listing mechanisms related to UNESCO's Convention for the Safeguarding of the Intangible Cultural Heritage. It aimed to discuss the concept of consensus building in a specific environment that is highly structured, with many different players in the field. All decisions that are taken in this context influence concrete expressions of intangible cultural heritage and the communities of their practitioners. The inventorying and nomination processes create a new setting and relations between stakeholders who might otherwise not have met. The concept of conscious safeguarding within this context has

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[33] Although it is a very different case, Lynn Meskell describes similar dynamics during the 2011 World Heritage Committee (Meskell, 2012).

concrete implications for the viability and development of intangible elements. It is not a merely formal procedure.[34]

The decisions made at the grass-roots level during inventorying and the drafting of nomination files by the communities in collaboration with experts influence the reality of an element directly. There is a big difference between a collaborative process within or among communities (either local, national, or international) and a compilation of facts and ideas. The first approach requires an actual consensus-building process, while the other expects a good editor rather than an engaging discussion. Also, the effects of each approach are not comparable—regarding the quality of the nomination text, the way how the inscription is dealt with, or the effects of the safeguarding measures on the "real life" of the elements.

Discussions and recommendations of the Evaluation Body can contribute to positive modifications and a redirection of important aspects of the safeguarding strategies while it is the responsibility of the Intergovernmental Committee to send the final message to the States Parties and the communities. Both actors follow the same goal—the effective safeguarding of intangible cultural heritage and the successful use of UNESCO's listing mechanisms. Yet, each of them is trying to achieve this goal in a different way, naturally following their expertise and experience—either in the field of ethnology, anthropology or cultural heritage studies or in the area of diplomacy. The approach and philosophy of their actions logically differ, while the consensus remains the main tool for reaching a decision. If the agreement is not unanimous from the beginning, this decision can be an unequivocal result of a long and thorough discussion. However, for various reasons, the consensus can, and very often does, reflect the majority opinion or an absence of objection.

There are many positive cases when consensus is achieved easily because the community is cohesive, documentation is well-prepared, and safeguarding strategies are well-set. In other cases, one group can use compelling arguments to convince the other group that their solution is better. In the third type of instance, the majority opinion simply wins, and the minority withdraws its objections. Such a decision may be sealed by the minority speakers with a popular mantra "for the sake of consensus...".

In other contexts, the same result could be reached through a general discussion followed by a vote. However, UNESCO is a peace-building organisation devoted to developing harmonious relations among all its member states. As Dressler puts it, the majority vote means that some larger segment of the group gets to make the decision. Majority voting casts some individuals as "winners" and others as "losers" (Dressler, 2006, p. 4). That is why an agreement, though it may be reached under complicated circumstances, has much greater value than any decision achieved by voting. It is like this because "with hierarchical decisions, there is also a risk that people will not feel a sense of ownership of the solution they are charged with implementing" (Dressler, 2006, p. 10).

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[34]This topic is discussed e.g. in Románková-Kuminková, 2017.

The very expression "consensus building" contains action and signifies an intricate process that each of our three groups must go through because no total harmony can be expected when it comes to an issue as complex as human culture. This is especially the case when it is discussed by people from virtually all parts of the world with distinctive cultural norms, socio-economic situations and culture-bound life experiences. Our thoughts lead to a final question that remains open: is it possible to overcome these differences? Does the 2003 Convention have such potential to use consensus building as a collective decision-making process with an ultimate goal, that is, a general acceptance of the result by all? From what we have seen in the past twenty years of the Convention's existence, this capacity has been gradually unfolding as all of the Convention's stakeholders gain more and more experience through the constant consensus-building process on which the whole UNESCO concept is built.

## 12.6   Consensus in a Nutshell

| On the national and international level during inventorying and nomination process | | | |
|---|---|---|---|
| Consensus on | Consensus about | Issues involved | Decision makers |
| Decision making | Responsibility for decision making | Who shall be responsible for decision making? Who best represents the community of the practitioners? | Community Experts or other brokers Local/regional/ national authorities |
| | The scope of the inventorying exercise/ international nomination | Not all members of the community agree to inventorying/international listing The element consists of different segments and communities and it is necessary to decide which will be chosen for the purpose Not all communities have the same power and capacity for inventorying and listing | Community Experts or other brokers Local/regional/ national authorities |
| Definition of the community | Choice of relevant segments of the community | Who is part of the community and who is not? | Community Experts or other brokers Local/regional/ national authorities |
| | Who shall participate in the nomination process and who shall not? | The choice is dependent on the definition of the community | |

| Definition of the element | Particular characteristics of the element | Differences in the characteristic features among different communities sharing the element/participating states in the case of multinational files | Community Experts or other brokers Local/regional/national authorities/international consortium |
| --- | --- | --- | --- |
| | Common features of the shared element | What can be considered as shared (in the case of different communities or states)? | Community Experts or other brokers Local/regional/national authorities/international consortium |
| Title | Formulation of a title that would best reflect the characteristics of the element | Different names of the element exist There is no agreement on the translation into English or French | Community Experts or other brokers Local/regional/national authorities/international consortium |
| Safeguarding measures | Which safeguarding measures would best support the viability of the element? | Different needs of different stakeholders Feasibility of the proposed measures Financial and human resources for their implementation | Community Experts or other brokers Local/regional/national authorities/international consortium |
| | Responsibility | Who is responsible for the development of the element and the balance between tradition and innovation? Who will be responsible for the concrete safeguarding measures? | Community Experts or other brokers Local/regional/national authorities/international consortium |

**On the Evaluation Body level**

| Consensus on | Consensus about | Issues involved | Decision makers |
| --- | --- | --- | --- |
| Inscription criteria | Does the nomination file meet each criterion for inscription? | Unclear or insufficient description of the element and definition of the communities Lack of explanation of the inscription's contribution to the promotion of ICH in general/need for urgent safeguarding Inadequate safeguarding measures/plans Inadequate community | Evaluation Body members—with special roles played by the Chair, Vice-chair and Rapporteur of the particular cycle |

| | | participation and consent<br>Lack of information concerning inventorying on the national level | |
|---|---|---|---|
| Recommendation on the possible inscription | Recommendation to inscribe/not to inscribe/to refer the nomination or to open the case for the upstream dialogue process | Depends on the quality of the nomination and its particular issues | |
| Highlighting files considered as good examples | Highlighting the file as a whole<br>Highlighting specific aspects of the file | Choice of good examples | |
| Upstream dialogue process | Formulation of the questions that are sent to the submitting state(s) | Depend on the identified unclarities | |
| | Adequacy of the answers by the submitting state(s) | Does the answer of the State Party(ies) resolve the issue(s)? | |
| Report of the Evaluation Body on its work | Message sent to the Intergovernmental Committee and the States Parties | A list of issues that the Evaluation Body members have identified in the particular cycle as recurrent or critical | |

**On the Intergovernmental Committee level**

| Consensus on | Consensus about | Issues involved | Decision makers |
|---|---|---|---|
| Inscription of the elements | Decision to inscribe/not to inscribe the element/to refer the nomination<br>Opening files for a debate | Recommendations of the Evaluation Body<br>Reservations concerning shortcomings of the nomination files<br>Factual arguments vs emotions | Intergovernmental Committee—members of delegations, state representatives |
| | Amendments to the draft decisions | Depend on the issues identified by the Evaluation Body | |

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# Part III
# Identity Building, Participation, and Conflicts

# Chapter 13
# Twenty Years of the UNESCO 2003 Convention for the Safeguarding of the Intangible Cultural Heritage: Experiences from the Implementation of the Convention in Poland (2011–2023)

## Hanna Schreiber

**Abstract** This paper presents the institutional history of the implementation of the UNESCO 2003 Convention for the Safeguarding of the Intangible Cultural Heritage in Poland in the years 2011–2023. It presents institutions, organs, bodies, legal framework and administrative solutions aimed at safeguarding intangible heritage in Poland. It also discusses current developments in the area of safeguarding intangible cultural heritage in an urban context using the example of the activities of the Warsaw Intangible Cultural Heritage Team.

**Keywords** Intangible cultural heritage · Poland · Ratification · *szopka* · The Warsaw Intangible Cultural Heritage Team · Urban areas

## 13.1 Introduction

The road to Poland's ratification of the UNESCO 2003 Convention for the Safeguarding of the Intangible Cultural Heritage was quite long, and ratification came relatively late compared to other European countries.[1] After submitting the

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[1] This paper is partly based on the Polish original version: Hanna Schreiber, *Dwadzieścia lat Konwencji UNESCO z 2003 roku w sprawie ochrony niematerialnego dziedzictwa kulturowego: międzynarodowe konteksty i polskie doświadczenia* (*Twenty years of the UNESCO 2003 Convention for the Safeguarding of the Intangible Cultural Heritage: international contexts and Polish experiences*), in: Hanna Schreiber (ed.), *Niematerialne dziedzictwo kulturowe. Zbiór dokumentów* (*Intangible Cultural Heritage. Collection of documents*), Warszawa 2023.

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documents to UNESCO on May 16, 2011, Poland became the 135th country to ratify the treaty—one of the last in the European Union.[2] The Convention entered into force in Poland on August 16th, 2011, after its publication in the Journal of Laws. According to the 1997 Constitution of the Republic of Poland, international agreements ratified and published in the Journal of Laws of the Republic of Poland are among the sources of universally binding law (Article 87(1) of the Constitution), forming part of the national legal order, and may be directly applied, unless their application depends on the enactment of a law (Article 91(1) of the Constitution). In the Polish case, it has been recognized that the implementation of the provisions of the Convention does not require the enactment of a new law, since the existing system of cultural heritage protection could take into account the subject matter of the ICH by adopting an interpretation of the definition of "cultural heritage" that includes this aspect of it.[3]

## 13.2 First Steps and Preliminary Discussions on the Implementation of the 2003 Convention

The implementation of the Convention's provisions has been entrusted to the Ministry of Culture and National Heritage (MCNH) and the National Institute of Cultural Heritage (NICH).[4] Therefore, referring to Articles 11–13 of the Convention, which relate to the establishment of institutions documenting intangible cultural heritage and providing access to it, even before its ratification, in 2010, by an order

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[2] After Poland, the Netherlands (2012), Germany (2013), Finland (2013), Ireland (2015) and Malta (2017) have also ratified the Convention.

[3] For many years there have been discussions on the amendment of the Law on the Protection and Care of Monuments [*Ustawa o ochronie zabytków i opiece nad zabytkami*], which would also cover this aspect of heritage. For the time being, it is only through interpretation of the existing provisions of this Act that the presence of ICH within its scope is indicated. K. Zalasinska, *Intangible Heritage in the System of Cultural Heritage Protection in Poland*, in: *Intangible Cultural Heritage. Safeguarding Experiences in Central and Eastern European Countries and China—10th Anniversary of Entry into Force of the 2003 UNESCO Convention through the Prism of Sustainable Development*, ed. H. Schreiber, Warsaw 2017.

[4] It was formally established on January 1st, 2011 as a result of a transformation from the National Centre for Research and Documentation of Monuments [Krajowy Ośrodek Badań i Dokumentacji Zabytków, KOBiDZ], which in turn was an institution established in 2002 by the merger of the Centre for Documentation of Monuments and the Centre for the Protection of Historic Landscapes [Ośrodek Dokumentacji Zabytków i Ośrodek Ochrony Zabytkowego Krajobrazu], into which the Centre for the Protection of Archaeological Heritage [Ośrodek Ochrony Dziedzictwa Archeologicznego] was also incorporated in 2007. The former official English translation used by Narodowy Instytut Dziedzictwa was: National Heritage Board of Poland. Currently, the officially used translation is: National Institute of Cultural Heritage.

of the Minister of Culture and National Heritage, an 8 member Team for Intangible Cultural Heritage[5] was established as an advisory body to the Minister of Culture and National Heritage (its first meeting took place on July 6th, 2010), while in May 2011 a Team for the Protection of Tradition and Culture [Zespół ds. ochrony tradycji i kultury][6] was established at the NICH. The task of both these Teams was to develop recommendations and then solutions implementing the provisions of the 2003 Convention, aimed at ensuring adequate safeguarding of intangible heritage in Poland. The team at the NICH soon began working with the Department for the Protection of Monuments of the MCNH and also with external experts, taking into account the criticism of the proposal on how to ratify the Convention in Poland formulated in the pre-ratification impact assessment process.[7] In 2011, the NICH also began work on a draft of the National Programme for the Safeguarding of Intangible Cultural Heritage. The basic premise of the National Programme for the Safeguarding of Intangible Cultural Heritage proposed by the NICH was the cooperation of four groups of entities: central institutions (the Ministry of Culture and National Heritage, the Ministry of Science and Higher Education, the Ministry of

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[5]Ministry of Culture and National Heritage, *First Meeting of the Intangible Cultural Heritage Team*, http://www.mkidn.gov.pl/pages/posts/pierwsze-posiedzenie-zespolu-ds.-niematerialnego-dziedzictwa-kulturowego-959.php

[6]It continues its activities under its current name: the NICH Intangible Cultural Heritage Team [*Zespół ds. niematerialnego dziedzictwa kulturowego NID*]. See M. Rozbicka, *National Heritage Board of Poland in the Process of Implementing in Poland the Provisions of the 2003 UNESCO Convention for the Safeguarding of Intangible Cultural Heritage,* in: *Intangible Cultural Heritage. Safeguarding Experiences in Central and Eastern European Countries and China—10th Anniversary of Entry into Force of the 2003 UNESCO Convention through the Prism of Sustainable Development*, ed. H. Schreiber, Warsaw 2017. Before the creation of a dedicated team, activities in connection with the adoption of the 2003 Convention were handled, among others, by the World Heritage Team (in the then National Centre for Research and Documentation of Monuments).

[7]This is because the justification for the ratification of the Convention, which was adopted by the government in 2010, underestimated the scale of the necessary change in the system of cultural heritage protection in Poland: "For the state budget, the financial impact of the Convention is limited to the need to pay a mandatory contribution and to create 2–3 new full-time positions at the National Centre for Research and Documentation of Monuments, financed from the part administered by the Minister of Culture and National Heritage." Another idea was to add a fourth book to the three books already existing in the Monuments Register (A—immovable monument, B—movable monument, C—archaeological monument): D—intangible monument. The competence of provincial monument conservators was simply to include yet a fourth category—"non-material monuments" (cf. Article 8 of the 2003 Law on the Protection and Care of Monuments). This juxtaposition of the words "monument" and "intangible" sounded cursory to researchers of living culture, the essence of which is the intergenerational transmission and its practice and continuous reproduction. Cf. Explanatory Memorandum, www.kprm.bip.gov.pl, document number 28/08/KC, adopted by circulation by the government in 2010. H. Schreiber, *Intangible cultural heritage—the missing link in the system of cultural heritage protection in Poland. Between terra incognita and terra nullius?* in: *Why and how to protect cultural heritage in a modern way. Post-conference materials*, ed. A. Rottermund, Warsaw 2014, pp. 157–174.

Education, NICH), local government units, NGOs and representatives of communities and scientific and research units related to intangible heritage.[8]

An important event that launched a broad, nationwide consultation was a debate organised on September 20th, 2011 at the Presidential Palace at the invitation of the then-President of Poland. As part of the Public Debate Forum [*Forum Debaty Publicznej*] (in the area of "Creativity, cultural and natural heritage as the wealth of Poland"), researchers, representatives of the NGO community and cultural animators discussed the issue of identifying and inventorying intangible heritage.[9] Uncertainty about how the provisions of the 2003 Convention should be implemented was evident, as well as concerns among anthropologists and ethnographers about the risk of bureaucratising, petrifying and commercialising this sphere of culture.

The project of regionalizing the preservation system, which was debated at the time, ultimately failed to materialize. At the beginning of 2012, the then Deputy Minister of Culture sent a letter to the provincial marshals with a proposal, subsequently discussed at a convention of provincial marshals held the same year, that a plenipotentiary for the safeguarding of intangible culture (ICH consultant) be appointed in each region, following the assumption at the time that it was the creation of a regional ICH inventory system that would best capture the peculiarities of local traditions and most effectively, as close to the bearers as possible, design safeguarding measures.[10] This idea, however, did not gain the support of the marshals, and ultimately—except in an isolated case—did not come into effect.[11]

The ongoing debate in Poland on the proposed safeguarding system made the research and practitioner community aware of the need for further public consultations, which were organized in the form of a workshop on June 18, 2012, at the then-headquarters of the Institute of International Relations of the Faculty of Journalism and Political Science at University of Warsaw. It was co-organized by the Institute of International Relations of the University of Warsaw, the Polish Folklore Society, the Association of Folk Artists and the NICH. The second series of consultations took place on October 25–26, 2012 in Lublin, during a national conference on intangible heritage entitled "Intangible Cultural Heritage: Sources – Values – Safeguarding"

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[8]B. Skaldawski, *National Program for the Protection of Intangible Heritage—a proposal for implementation*, in: *Intangible Cultural Heritage: Intangible Cultural Heritage: Sources—Values—Protection*, ed. J. Adamowski, K. Smyk, Lublin–Warsaw 2013. In retrospect, it should be noted that closer cooperation on this issue with the Ministry of Education and the Ministry of Science and Higher Education did not succeed, despite many attempts made in 2013–2018.

[9]A transcript of the debate has been published in Polish online: https://www.prezydent.pl/storage/file/core_files/2021/8/5/265292ba8de844672c0a2329ed08ebdd/nr_11_fdp_identyfikacja_dziedzictwa_niematerialnego.pdf

[10]Traces of this idea can be seen on the archived site: https://ndk.nid.pl/Ochrona_dziedzictwa/system_ochrony_w_Polsce/zagadnienia_ogolne/

[11]The only such plenipotentiary, appointed by the Marshal of the Warmińsko-Mazurskie Voivodeship, was Waldemar Majcher in 2010–2017, at the same time—and by now—the President of the Association of Folk Artists. Author's home archive.

with the Institute of Cultural Studies at Maria Curie-Skłodowska University joining as co-organizers.[12] Both events were attended by dozens of people from all over Poland, representing various regions, institutions and NGOs.[13] Conclusions developed jointly during the meetings and debates influenced the then-designed national system of ICH safeguarding, including the final form of the application form for entry on the National List, which, thanks to the discussions, was simplified and "rewritten" in more accessible language.[14]

In cooperation with experts commissioned to write a strategy for the implementation of the 2003 Convention for the NICH and the MCNH, the assumptions for the safeguarding of the ICH in Poland and the required draft documents were developed in 2011 and 2012.

Based on these, it was decided that the Minister of Culture and National Heritage should announce on January 15th, 2013 a call for nominations for the National List of Intangible Cultural Heritage.[15] A month later, on February 25th, the Polish Committee for UNESCO held a major conference in Warsaw, at the seat of the Polish Sejm, entitled "Why and how to protect cultural heritage in a modern way?", at which the issue of the emerging national system for the safeguarding of ICH was also given an important place.[16] In turn, on August 28–29th, 2013, NICH, in cooperation with the Marshal's Office of the Warmian-Masurian Voivodeship and under the patronage of the President of the Republic of Poland, organized an international conference in the Folk Architecture Museum—Ethnographic Park in Olsztynek, entitled "Good Practices in the Implementation of Tasks Related to the

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[12]Post-conference materials: *Intangible Cultural Heritage: Sources—Values—Protection*, ed. J. Adamowski, K. Smyk, Lublin–Warsaw 2013. This publication initiated the entire publishing series devoted to ICH.

[13]A.W. Brzezinska, H. Schreiber, K. Smyk, *Workshop for experts of non-governmental organizations and cultural institutions on the 2003 UNESCO Convention for the Safeguarding of Intangible Cultural Heritage*. Lublin, October 25–26, 2012, in: *Intangible Cultural Heritage: Sources...*, pp. 353–367.

[14]During this period, UNESCO guidelines to ICH safeguarding were translated into Polish and published by NICH:

https://ndk.nid.pl/Dziedzictwo_niematerialne/Czytelnia/Niematerialne_Dziedzictwo_Kulturowe.pdf. Soon, the Team at NICH also began to issue fairly regular publications disseminating the issue in the Polish context (see, for example, https://ndk.nid.pl/Dziedzictwo_niematerialne/Czytelnia/Dziedzictwo_niematerialne%20w%20Polsce.pdf), as well as regularly publishing and updating folders promoting the National ICH List.

[15]National Heritage Institute, *Beginning of ICH inventory*, https://ndk.nid.pl/Aktualnosci/details.php?ID=1536. The first five entries included: artistic and historical gunsmithing—products manufactured according to the traditional Cieszyn School, Nativity scene (szopka) tradition in Krakow, Lajkonik procession, rafting traditions of Ulanow, Corpus Christi procession in Lowicz.

[16]*Why and how to protect cultural heritage in a modern way? Post-conference materials*, ed. A. Rottermund, Warsaw 2014. See in this publication, among others: L. Kolankiewicz, *The essence of intangible heritage as defined by the 2003 UNESCO Convention*; H. Schreiber, *Intangible cultural heritage—the missing link....*

UNESCO 2003 Convention for the Safeguarding of Intangible Cultural Heritage".[17]

Two weeks later, on September 18th, 2013, a Council for Intangible Cultural Heritage was established by Order of the Minister of Culture and National Heritage, with 18 members (based on letters of appointment dated November 22, 2013). The first meeting of the Council was held on February 26, 2014.[18]

Shortly after the establishment of the ICH Council and the National ICH List, NICH launched a website[19] dedicated to the issue of safeguarding the country's intangible heritage. However, the first applications for inclusion on the National ICH List were not submitted until nearly a year after the call for applications was announced, and it took as long as a year and a half before the official announcement of the first five entries took place. It happened on August 4th, 2014, in the Royal Castle in Warsaw.[20] The knowledge of the 2003 Convention and the National List and the subsequent willingness to apply did not come easily or quickly at all. It required the commitment of diverse professional groups and much debate, but 2014 seems in retrospect to have been an important milestone in the implementation of the 2003 Convention in Poland and the structural development of the safeguarding system.[21] That was the year that regional coordinators for intangible heritage were appointed in all 16 provincial delegations of NICH. They received training that covered both the provisions of the 2003 Convention and the practical aspects of its implementation: from filling out applications to the actions NICH coordinators can and should take to safeguard and inventory intangible heritage in cooperation and contact with depositories, local government units, NGOs and ICH researchers. Regional coordinators are tasked with assisting local communities in completing applications, as well as informing stakeholders and relevant institutions and organizations of the potential benefits, but also the risks, of listing particular phenomena on the National List or in the future on UNESCO's lists.[22] Over time, the number of coordinators has dwindled to the current 9, as there have been several instances where responsibility for more than one province has been included in the competence of a single coordinator.[23]

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[17] National Heritage Institute, *"Best Practices" Conference—photo report*, https://ndk.nid.pl/Aktualnosci/details.php?ID=2188

[18] Documents from the author's home archive.

[19] Originally: ndk.nid.pl, now: niematerialne.nid.pl.

[20] Museum of Krakow, *Lajkonik Procession and Nativity scene (szopka) tradition in Krakow inscribed on the National List of Intangible Cultural Heritage,* https://muzeumkrakowa.pl/aktualnosci/pochod-lajkonika-i-szopkarstwo-krakowskie-wpisane-na-krajowa-liste-niematerialnego-dziedzictwa-kulturowego

[21] That year also saw the publication of the first commentary to the 2003 Convention on the Polish legal market: H. Schreiber, *Commentary to the 2003 UNESCO Convention on the Safeguarding of Intangible Cultural Heritage*, in: *UNESCO Conventions in the Field of Culture. Commentary*, ed. K. Zalasińska, Warsaw 2014, pp. 123–173.

[22] M. Rozbicka, *National Heritage Institute*...

[23] Cf. https://niematerialne.nid.pl/niematerialne-dziedzictwo-kulturowe/koordynatorzy-regionalni/. For example, activities on ICH protection carried out in the three provinces of Lodz, Lesser Poland and Silesia were combined.

The then-celebrated Year of Oskar Kolberg, established by a resolution of the Polish Parliament on December 6th, 2013, to commemorate the bicentennial of the birth of this ethnographer and folklorist, certainly contributed to the intensification of activities in the creation of the ICH safeguarding system in Poland. It was held under the auspices of UNESCO, and the figure of Kolberg proved to be a good pretext for spreading the ideas of the 2003 Convention and intangible cultural heritage in local communities.[24]

## 13.3 Developing and Testing the System of ICH Safeguarding in Poland: First Nomination to the Representative List

The next steps were taken in 2015. They consisted of including the subject of intangible heritage in the existing financial programme of the Ministry of Culture and National Heritage "Folk Culture," which was renamed "Folk and Traditional Culture". The strategic goal of the programme is to support phenomena related to traditional cultures operating at local, regional and nationwide (and national) levels, which occur in both rural and urban areas, including the diverse forms of transformations of individual elements and contemporary contexts of their occurrence.[25]

That year, to strengthen itself organizationally, as well as substantively, the ICH Council established relevant specialized working groups: the Working Group on Legal Affairs and Strategies for the Safeguarding of the ICH, the Working Group on Intergenerational Transmission, and the Working Group on Music and Dance, the results of whose work were regularly presented to and discussed by the Council during its first term (2013–2018). The Working Group on Legal Affairs and Strategies for the Safeguarding of ICH, which operated regularly from 2015 to 2018, was responsible for developing and updating the Council's bylaws, developing a procedure for preparing and submitting applications from Poland to UNESCO lists and

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[24] A.W. Brzezinska, *On the five-year anniversary of Poland's ratification of the 2003 UNESCO Convention for the Safeguarding of Intangible Cultural Heritage*, "Lodz Ethnographic Studies" 2016, vol. 55, pp. 7–21.

[25] Ministry of Culture and National Heritage, Folk and Traditional Culture, https://www.gov.pl/web/kultura/kultura-ludowa-i-tradycyjna4. In 2016, this programme was expanded to include a special task: "champion of tradition," addressed to the bearers of local and regional knowledge, directly related to the intergenerational transfer of knowledge and skills. The scope of activities undertaken is in line with the 2003 Convention. In 2018, the Ministry of Culture and National Heritage also launched the EtnoPolska programme, managed by the National Cultural Centre, which, although it does not explicitly refer to the 2003 Convention, has a de facto convention task in its provisions to support the creation of a "register of phenomena counted as intangible cultural heritage," National Cultural Centre, EtnoPolska, https://www.nck.pl/dotacje-i-stypendia/dotacje/programy-dotacyjne-nck/etnopolska

co-creating and consulting on the bylaws of the National Register of Good Practices, which was launched 5 years after the National List—in 2018.[26]

The first term of the Council was full of important events for the community of researchers, activists and animators of intangible heritage, related to building awareness around the issue of intangible heritage, as well as developing knowledge of solutions used in other countries. These certainly include the first large-scale international event on intangible heritage organized by the Ministry of Culture and National Heritage and the NICH, in cooperation with the ICH Council and the International Cultural Centre in Krakow: "First China-Central and Eastern Europe Expert Forum on the Safeguarding of Intangible Cultural Heritage," which took place in Krakow on October 12th–14th, 2016.[27] This major event was attended by experts and practitioners in the safeguarding of the ICH, delegated by their respective ministries of culture or institutions with delegated authority to develop national systems for the safeguarding of the ICH, from as many as 17 countries. They shared their experiences and challenges in implementing the 2003 Convention.[28] The Forum ended with the ceremonial First Gala, during which decisions of the Minister of Culture and National Heritage to enter the National List of Intangible Cultural Heritage (Krakow's Cloth Hall) were officially presented to the ICH bearers. Since then, the Gala has been held periodically, every two years, in different regions of Poland, serving to appreciate the bearers of intangible heritage.[29]

The year 2017 brought another important event: the submission of the first application from Poland to be inscribed on UNESCO's Representative List of the ICH of Humanity, concerning the tradition of building Christmas cribs: nativity scenes (*szopkas*) in Kraków. The nomination, as a unique example combining tangible heritage (the cribs refer to the architecture of the historic centre of Krakow, inscribed on the UNESCO World Heritage List in 1978) and intangible heritage (the skills, knowledge and creativity in building cribs) was discussed and promoted during a special seminar that accompanied the 41st session of the World Heritage

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[26] Author's home archive.

[27] National Heritage Institute, First China-Central and Eastern Europe Expert Forum, https://ndk.nid.pl/Aktualnosci/details.php?ID=2878. Event Report: H. Schreiber, *First China-Central and Eastern Europe Expert Forum on the Protection of Intangible Cultural Heritage*, "Folk Art," 2016, R. 31 (81), No. 3–4, p. 52.

[28] Post-conference materials published in two languages, Polish and English, in open access allowed spreading the knowledge of international experience on the Polish ground. See: *Intangible cultural heritage: experiences in the protection of Central and Eastern European countries and China. The 10th Anniversary of the Entry into Force of the 2003 UNESCO Convention in Perspective of Sustainable Development*, ed. H. Schreiber, Warsaw 2017 (parallel English-language version: *Intangible Cultural Heritage. Safeguarding Experiences in Central and Eastern European Countries and China—10th Anniversary of Entry into Force of the 2003 UNESCO Convention through the Prism of Sustainable Development*, ed. H. Schreiber, Warsaw 2017).

[29] Two consecutive Galas for the awarding of diplomas were held in the Łazienki Królewskie Park in Warsaw (2018) and during the VII Congress of Culture of Regions organized by the Malopolska Cultural Centre SOKÓŁ in Nowy Sącz (2021). A 2023 Gala took place in Zakopane.

Committee, held in 2017 in Krakow.[30] It was attended, among others, by the directors responsible for all geographical regions of the world, working at the World Heritage Centre daily. The aftermath of the event was, among other things, the emergence of mutual references pointing to the inextricable link between tangible and intangible heritage on both lists: UNESCO's World Heritage List and UNESCO's Representative List of the ICH of Humanity.[31] Intense teamwork on the application and its full documentation culminated in success and the inclusion of the nativity scene (*szopka*) tradition in Krakow on the Representative List as the first entry from Poland.[32] This took place on November 29th, 2018, during the meeting of the Intergovernmental Committee in Mauritius.[33] The nomination documentation was appreciated by the Intergovernmental Committee, which decided to include it in the list of so-called good examples of nomination files for other countries.[34] The know-how acquired during its preparation paved the way for further entries from our country. The following have also been entered to date: tree beekeeping culture (in 2020, a multinational application, submitted by Poland jointly with Belarus[35]), falconry, a living human heritage (in 2021, a multinational application, covering a total of 24 countries[36]), flower carpets tradition for Corpus Christi processions

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[30]H. Schreiber, *Building Bridges between the 1972 and 2003 Conventions: Challenges for the Future. Side Event at the 41st Session of UNESCO World Heritage Committee*, Kraków, 10th July 2017, "Santander Art and Culture Law Review" 2017, t. 2, s. 355–356; H. Schreiber, *The First Nomination from Poland Submitted to the Representative List of Intangible Cultural Heritage of Humanity (2018 Cycle)*, "Santander Art and Culture Law Review" 2017, t. 2, s. 364–365.

[31]A link to the World Heritage List is attached to the description of Krakow's nativity scene on UNESCO's ICH page, indicating that the tradition is/can be linked to the historic centre of Krakow, which was inscribed on the list in 1978. A "back" link (i.e., referring to the Representative List of the Intangible Cultural Heritage of Humanity) also appears when describing the historic centre of Krakow on the World Heritage List. Other examples of the inextricable intertwining of tangible and intangible heritage from around the world have been done similarly.

[32]This collection presents the application itself as the main element of the documentation, while the necessary attachments to it were also: photographic documentation, film, depositary consents, letters of support from many institutions involved in preservation, relevant licenses allowing publication of audiovisual materials required by UNESCO. The full documentation is available on the UNESCO website: https://ich.unesco.org/en/RL/nativity-scene-szopka-tradition-in-krakow-01362

[33]H. Schreiber, *Krakowskie szopkarstwo—the first Polish entry on the UNESCO intangible heritage list*, "Twórczość Ludowa" 2018, R. 33 (85), No. 3–4, p. 58.

[34]The list currently includes 38 applications that have been recognized as good examples for other countries (out of a total of 600 items included in the Representative List and in the Register of Good Practices): https://ich.unesco.org/en/lists&exemplary=1#tabs

[35]National Heritage Institute, *Polish-Belarusian entry of beekeeping culture on UNESCO list*, https://ndk.nid.pl/Aktualnosci/details.php?ID=3190

[36]Ministry of Culture and National Heritage, *Polish Falconry Inscribed on UNESCO List*, https://www.gov.pl/web/kultura/polskie-sokolnictwo-wpisane-na-liste-unesco

(in 2022[37]), and timber rafting (a multinational application, covering a total of 6 countries[38]). In December 2023, a decision was made on the inscription of Polonaise—nominated as the first example of traditional dance from Poland.[39]

## 13.4 Inventorying Intangible Heritage in Poland

It should be noted here that only those elements of heritage that have been previously included in the national inventory (register, list) can be nominated to the UNESCO Representative List. In the case of Poland, such a role is played by the National ICH List. It is maintained by NICH and the Minister of Culture and National Heritage, who makes the final decisions on entry. The list is mainly informative, as it is created and maintained based on the Minister of Culture and National Heritage decision; the National List does not have its legal anchoring, such as the UNESCO Representative List, which was established and operates according to the provisions of the 2003 Convention. The entry procedure is carried out with the participation of the NICH ICH Team and the ICH Council. The application itself is prepared by the community, group or individual concerned, and must be preceded by public consultation and consent to take appropriate action to inscribe the intangible heritage element on the National List. Applications containing a description of the intangible heritage elements "candidating" for the National List are first formally reviewed by the NICH (the Intangible Heritage Team), and then, after meeting the formal requirements, forwarded to the ICH Council for substantive evaluation. Thus, the main task of the Council is to issue an opinion on applications for inclusion in the National ICH List and the National Register of Good Practices of ICH Safeguarding (first entry in 2018). The Council's activities, the organization of its meetings and its recommendations to the Minister for entry are supported by the Department of Protection of Monuments of the Ministry of Culture and National Heritage, whose employee serves as Secretary of the Council.

Currently, this body is composed of 20–25 experts from various fields related to ICH, from all over Poland. The Council works in cooperation with the Polish

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[37]Ministry of Culture and National Heritage, *Tradition of flower carpets for Corpus Christi processions inscribed on UNESCO list*, https://www.gov.pl/web/kultura/tradycja-dywanow-kwiatowych-na-procesje-bozego-ciala-wpisana-na-liste-unesco

[38]Ministry of Culture and National Heritage, *Timber rafting. The fifth Polish tradition inscribed on UNESCO list*, https://www.gov.pl/web/kultura/flisactwo-piata-polska-tradycja-wpisana-na-liste-unesco

[39]City of Kraków, *Now the Polonaise! Campaign to inscribe the dance on the UNESCO list*, https://www.krakow.pl/aktualnosci/246539,33,komunikat,teraz_polonez__wystartowala_kampania_wpisu_tanca_na_liste_unesco.html; application number submitted for consideration: 01982 (ich.unesco.org). Poland has so far not submitted any nominations to the other two convention lists: The Register of Good Safeguarding Practices and the List of Intangible Cultural Heritage in Need of Urgent Safeguarding.

National Commission for UNESCO, whose elected members participate in its work. Representatives of non-governmental organizations and academic institutions, including the Association of Folk Artists (AFA, pol. Stowarzyszenie Twórców Ludowych) and the Polish Ethnological Society (PES, pol. Polskie Towarzystwo Ludoznawcze), are also represented on the Council. Both NGOs have been accredited to UNESCO as capable of providing advisory services to the Intergovernmental Committee: PES since 2012, and AFA since 2018. Along with AFA, Serfenta was also accredited.

To date (September 2024), the Minister of Culture and National Heritage has issued decisions to include 103 phenomena from across Poland on the National List of Intangible Heritage on the basis of the Council's recommendations. The list reflects the diversity of intangible heritage found in our country. In 2023, the NICH announced for the first time the "Intangible – pass it on" programme, implemented with funds from the Ministry of Culture and National Heritage, to support projects on the phenomena included in the National List to strengthen generational transmission, safeguarding and popularization of these phenomena.[40]

The National Register of Good Practices of ICH Safeguarding has received less attention at this stage; as has UNESCO's Register of Good Safeguarding Practices, which is developing much more slowly than the Representative List of the Intangible Cultural Heritage of Humanity. Since the opening of the call for applications to the National Register in 2018, only 11 examples of good safeguarding practices have been entered.[41]

## 13.5  Intangible Heritage in National Legal Regulations

Taking into account the 12 years of operation of the 2003 Convention in the Polish legal system and the ICH safeguarding system, we should also take a moment to reflect on the place of intangible heritage in the national regulations.

The text of the 1997 Constitution, by its very nature, could not refer to the concept of "intangible cultural heritage", which did not exist at the time, but it is impossible to ignore it, given that it introduces the idea of "culture" as the source of a nation's identity and the concept of national heritage, of which both tangible and intangible heritage are integral elements.

The Polish Constitution contains direct references to the concepts of national heritage (Article 5 of the Constitution), cultural heritage (Article 6 section 2 of the Constitution) and cultural goods (Article 6 sections 1 and 73 of the Constitution). Article 5 of the Constitution underlines the fact that: 'The Republic of Poland shall

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[40]National Heritage Institute, *Intangible—pass it on*, https://nid.pl/dotacje/niematerialne-przekaz-dalej/

[41]National Heritage Institute, *The National Register of Good Practices of ICH Safeguarding*, https://niematerialne.nid.pl/niematerialne-dziedzictwo-kulturowe/krajowy-rejestr-dobrych-praktyk/

safeguard the independence and integrity of its territory and ensure the freedoms and rights of persons and citizens, the security of citizens, safeguard the national heritage and shall ensure the protection of the natural environment, according to the principles of sustainable development'. Article 6 section 1 stipulates that: 'The Republic of Poland shall provide conditions for the people's equal access to the products of culture which are the source of Nation's identity, continuity and development', and section 2: 'The Republic of Poland shall provide assistance to citizens of Poland living abroad in maintaining their links with the national cultural heritage'.

The only two legal regulations that directly refer to the concept of "intangible heritage" are the amended *Law on Museums* and the *Law on the Division of Government Administration*. Article 1 of the Law on Museums of November 21st, 1996, states that: 'The museum is a non-profit organizational unit, whose purpose is to collect and permanently protect the natural and cultural heritage of humanity, of both tangible and intangible character, informing about the values and contents of the gathered collections, disseminating the fundamental values of Polish and world history, science and culture, shaping cognitive and aesthetic sensitivity and enabling the use of the collected collections'. It should also be noted that Polish museums have built an extremely strong position for themselves within the framework of cultural heritage preservation in Poland, taking on tasks far beyond the usual scope of their duties.[42] The influence of the 2003 Convention can also be seen at international level, in the new definition of a museum adopted by the International Council of Museums (ICOM).[43] The strong position of these institutions is also evident in the ICH nomination files submitted by various countries, where museums appear in multiple roles, often as the main institution caring for the community practising intangible heritage, such as in the case of the nativity scene (*szopka*) tradition and the Museum of Krakow.[44] It is currently the only museum in Poland that has set aside in its structure a dedicated Centre for the Interpretation of the Intangible Heritage of Krakow.[45]

The Law on the Division of Government Administration of September 4th, 1997, in Article 14 Section 1 stipulates that: '(1) The department of culture and protection of national heritage shall include matters of development and protection of tangible

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[42] K. Zalasińska, *Intangible heritage in the system of protection of...*

[43] International Council of Museums, ICOM Approves a New Museum Definition, https:// icom. museum/en/news/icom-approves-a-new-museum-definition/.

[44] For a broader analysis of the role of museums in the context of the 2003 Convention, see: H. Schreiber*, Squaring the Circle? In Search of the Characteristics of the Relationship between Intangible Cultural Heritage, Museums, Europe and the EU*, "Volkskunde" 2020, vol. 3, pp. 357–372. See also the first publication on the Polish market on the role of museums and cities in the safeguarding of ICH, which is the aftermath of a conference organized by the Museum of Krakow in 2016: *Intangible Heritage of the city. Musealization, protection, education* (in Polish), ed. M. Kwiecińska, Krakow 2016.

[45] Museum of Krakow, Centrum Interpretacji Niematerialnego Dziedzictwa Krakowa, https:// muzeumkrakowa.pl/en/branches/intangible-heritage-interpretation-centre-of-krakow.

and intangible national heritage and matters of cultural activity, including state patronage of this activity (. . .)'.

It should be noted, however, that since the ratification of the 2003 Convention, efforts have been underway to incorporate its provisions more firmly into the Polish legal order in the form of a dedicated Act, as well as discussions on the adoption of a comprehensive, new Act on the protection of cultural heritage in Poland. Attempts to include ICH in the amended Act on the Protection and Care of Monuments of July 23th 2003, failed. However, the act itself can be, and in the Polish legal scholars community is[46]—read as being linked to the definition of intangible heritage, which also mentions "instruments, objects, artefacts and cultural spaces related to practices, ideas, expressions, knowledge and skills – which communities, groups and, in some cases, individuals recognise as part of their cultural heritage" (Article 2 of the Convention). Therefore, the current interpretation of existing statutory concepts makes it possible to find in them elements that are important from the point of view of preserving and protecting ICH. Similar conclusions result from reading the *Act on National Archival Resources and Archives* of July 14th, 1983, in the context of the definition of the national archival resource, introduced in Article 1 of this Act. Taking into account the "social turn" observed in the area of archive studies, including the spread of the idea of "self-inventory", community archives and the professionalization of home archives, this Act also provides space for the safeguarding of ICH.[47]

Therefore, despite there is so far (September 2024) no legal instrument devoted exclusively to the safeguarding of intangible cultural heritage, this protection can be interpreted from existing regulations and even found expressly stated in several applicable legal acts.

## 13.6 New Initiatives—Intangible Heritage in Polish Cities: The Example of Warsaw

Finally, it is worth noting that the development of awareness of the importance and the system of safeguarding ICH in Poland is resulting in the emergence of new initiatives, including those related to the safeguarding of intangible heritage in urban areas. Only a few of the over 80 entries on the National ICH List are related to large (Kraków, Poznań) or smaller cities (Łowicz, Cieszyn)—the majority concern rural and folk traditions. The way of looking at intangible heritage in Poland through the

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[46]K. Zalasińska, *Intangible Heritage in the Protection System. . .*

[47]See e.g. https://cas.org.pl/ and the cooperation agreement concluded between the Centre for Social Archives and the National Heritage Institute on December 14, 2021 in order to take action to activate the ICH depositories to preserve it and secure valuable collections: National Heritage Institute, *Start of cooperation from the Centre for Social Archiving*, https://ndk.nid.pl/Aktualnosci/details.php?ID=3200

prism primarily of this type of tradition was strengthened by the establishment of the National Institute of Rural Culture and Heritage in 2019, which began to engage in activities protecting folk intangible heritage.[48] This imbalance has become, among other things, an incentive to search for elements that are important for the identity of urban communities, including the country's capital—Warsaw.[49] This is the first city in Poland (and, according to international consultations and exploratory research, one of the first in the world) that has decided to take systemic and systematic actions in the field of ICH safeguarding by including this issue in the scope of activities of the city government. In February 2020, the Mayor of Warsaw—on the initiative of the Director of the Culture Office of the capital city Warsaw—established, by way of ordinance, the Warsaw Intangible Cultural Heritage Team, which currently consists of 14 people: varsavianists, musicians, ethnographers, lawyers, historians, cultural animators, museologists and literary experts.

From February 2020 to September 2024, the Team met 30 times, working, among other things, on the first report to identify Warsaw traditions, practices and customs in the context of the ICH definition.[50] The Team was also involved in consulting scripts and final versions of movies devoted to selected aspects of Warsaw's intangible heritage—the Warsaw tango, Warsaw cuisine, the "W" hour celebrated in Warsaw on August 1st at 5 p.m., the tradition of collecting money at the Old Powązki Cemetery (inscribed into the National ICH List in August 2024) and to the Warsaw craftsmanship. In March 2024, the Team launched, in cooperation with the Warsaw Innovation Center for Educational and Social Innovation and Training [Warszawskie Centrum Innowacji Edukacyjno-Społecznych i Szkoleń], a training programme for teachers from Warsaw schools aimed at developing a network of the 'Warsaw ICH ambassadors'. It also worked on documents and ideas for promoting the Warsaw ICH among Warsaw residents and engaging them in activities related to it.[51]

The Team's activities help implement the new Cultural Policy of the Capital City of Warsaw, adopted in 2020 as part of the #Warsaw2030 Strategy. The strategy proposes responsibility, openness, diversity, rootedness and freedom as key values for the sustainable development of the Polish Capital City. This corresponds to the idea of safeguarding intangible heritage included in the 2003 Convention, which includes: (a) co-responsibility and co-decision on what is important for the identity of communities, groups and individuals: depositories of intangible heritage; (b) openness to other communities, groups and individuals, readiness for inclusive dialogue based on mutual respect and willingness to share knowledge about

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[48] https://nikidw.edu.pl/

[49] E. Klekot, H. Schreiber (collaboration: A. Czyżewska, B. Kietlińska, J. Krzesicka), Intangible Warsaw...

[50] Ibid.

[51] Full information, videos, reports and other documents regarding ICH in Warsaw, both in Polish and English, can be found here: https://kultura.um.warszawa.pl/niematerialna-warszawa or under the Internet slogan: Intangible Warsaw.

heritage; (c) respect for the diversity of people and the practices, customs and traditions that are important to them, none of which is considered superior to others; (d) rootedness, giving a sense of identity and continuity; (e) freedom, which in the case of intangible heritage also means acceptance of changes, understanding the dynamics of cultural practices and non-top-down or unilateral interference in the meanings that the community gives to its heritage.

The activities of the Team, over time carried out in cooperation with the History Meeting House [Dom Spotkań z Historią] and the Museum of Warsaw, resulted in the creation of a special position at the Museum of Warsaw in 2023 dedicated solely to intangible heritage. The increasing cooperation between the municipal self-government and the city museum in the area of the Warsaw ICH is a unique example of the implementation of the 2003 Convention in Poland, which is beginning to inspire similar activities in other Polish cities, e.g. in Krakow, where Krakow ICH Team was established in December 2023. To celebrate the 20th anniversary of the 2003 Convention, the Museum of Warsaw, in cooperation with the Culture Office of the City and the Warsaw Intangible Cultural Heritage Team, organized an international conference and nationwide workshops on October 16th–17th, 2023, entitled "Intangible Warsaw"[52]—under the patronage of UNESCO and the Polish National Commission for UNESCO.

## 13.7   Conclusions

In September 2023, the European Heritage Days took place in Poland for the 31st time. Each year they are organized under a different theme. This year's slogan: "Living heritage – traditions for generations" was adopted to celebrate the 20th anniversary of the adoption of the UNESCO 2003 Convention for the Safeguarding of the Intangible Cultural Heritage and the 10th anniversary of the creation of the National List of Intangible Cultural Heritage.[53] How can we briefly summarize the rather long and sometimes difficult history of developing the system of international safeguarding of ICH and its national implementation?

It cannot be denied that the 2003 Convention changed the intellectual landscape of thinking about heritage both in Poland and around the world. It expanded the international and domestic communities who were debating cultural and social traditions and practices to include representatives of scientific disciplines that had previously dealt with them very rarely, if at all: lawyers, political scientists and economists. It opened new, interdisciplinary horizons for reflection on cultural heritage and activities aimed at its protection. It gave voice to communities, groups

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[52]Warsaw Museum, Intangible Warsaw, https://muzeumwarszawy.pl/niematerialna-warszawa/

[53]European Heritage Days, "Living heritage – traditions for generations"—EDD 2023 slogan! https://edd.nid.pl/aktualnosci/znamy-haslo-edd-2023/

and individuals and—at least—shared the agency in heritage protection between them, experts and official state institutions. At the same time, it created new (or reinforced old) problems, including the commercialization of practices passed down from generation to generation, their bureaucratization, decontextualization and touristification.[54] It has created new fields of power and cultural censorship—the argument for control or even attempts to take over the management of traditions and practices by state institutions has now become care for the image and the "UNESCO logo". The 20th anniversary of the 2003 Convention is certainly not only a time of uncritical celebration, but also an invitation to consciously and carefully look at what is happening to us, our culture, our identity, and what is happening today because of what we call "intangible heritage". The 2003 Convention gave us a new language to talk about intangible heritage and a set of specific tools that, however, can be used both to safeguard intangible heritage—or to destroy it.

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[54] See thematic issue of the magazine "Cultural Tourism" (2022, vol. 3, no. 124) devoted to intangible heritage in the context of tourism.

# Chapter 14
# Valleys Low, Mountains High: Embedding the 2003 Convention in Switzerland

**Stefan Koslowski and Julien Vuilleumier**

**Abstract** From a cultural-political perspective, the UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage is a global winner. It is one of the most successful international agreements in the field of culture. Nonetheless, the authors believe that this convention—at least in Switzerland—is often undervalued in the cultural policy arena and, in particular, is still not applied adequately. As a result, the strengths and dynamics coming from the convention's fundamentally bottom-up approach remain largely untapped. In their analysis, the authors will refer to various key decisions made in the past regarding implementation of the convention in Switzerland. There will be particular emphasis on the formation of the inventory and UNESCO applications, the inclusion of tradition bearers as well as measures taken to safeguard intangible cultural heritage.

**Keywords** Intangible cultural heritage · 2003 Convention · Living traditions · Switzerland · Cultural policy

Once it was mainly the locals and alpine travellers who were killed in avalanches, now it's almost exclusively people engaging in winter sports. Snow-covered slopes at an angle in excess of 30 degrees present a latent danger to snow sports enthusiasts. Informed decisions and behavioural adjustments have reduced the avalanche risk to a reasonable level.[1] The 3 × 3 system of Swiss mountain guide and avalanche expert Werner Munter is a proven avalanche risk evaluation method. He recommends

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Both authors work at the Federal Office of Culture, which is responsible for implementing the 2003 Convention in Switzerland.

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[1] 'Avalanche risk management' has been on the UNESCO Representative List since 2018 as a binational entry from Austria and Switzerland. URL: https://www.lebendige-traditionen.ch/tradition/en/home/traditions/avalanche-risk-management-.html (accessed 30.9.2023).

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repeated analysis of the 'conditions', 'terrain' and 'people'. The analyses take place as follows: 'planning at home', 'on-site assessment' and 'check of the actual slope'. The experiences gained are used in turn for planning a follow-up stage or a ski or mountain tour.

On the twentieth anniversary of the 2003 Convention, Werner Munter's method will help us look back at the road travelled thus far, recall the assessments of the cultural-political environment at that time, the federal terrain and the actors in the planning phase and revisit the key decisions made on site and when faced with the actual slopes. The key points, creating the inventory and the UNESCO applications, the inclusion of the relevant tradition bearers and measures to safeguard intangible cultural heritage (ICH) merit particular attention.

## 14.1 Subordination to Cultural Diversity

When Switzerland ratified the 2003 Convention in 2008, it committed to a comprehensive policy designed to safeguard, promote and research traditional cultural forms of expression.[2] This took the Confederation into almost uncharted cultural legal territory (see Koslowski 2015b). There were just a few names, such as 'folklore', 'folk culture' or 'tradition' to provide vague pointers on an otherwise blank canvas.

Nonetheless—or possibly even as a result thereof—the 2003 Convention has never been particularly well received in Switzerland as a cultural political measure. Even while the convention was being drawn up, Switzerland was cautious, if not downright critical about it.[3] Japan managed to convince a majority of the Executive Board to authorise the UNESCO General Conference to decide on the convention on 17th October 2003, instead of 2005 as planned: 120 countries voted in favour, with none against. Australia, Denmark, the United Kingdom, Canada, New Zealand, Russia, the United States of America and Switzerland abstained.[4] The Confederation had reservations about the, in its view, hasty approval process. Switzerland had requested clarification of how the convention related to other international legal instruments, a practical definition of the field of application of the convention and a

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[2]The German translation of the titles and terminology from the original French and English language versions as used in the Swiss implementation process varies slightly from that of Germany and Austria. It favours common Swiss usage, for example 'safeguarding' or 'sauvegarde' is translated as 'Bewahrung' instead of 'Erhaltung' as preferred by Germany and Austria. The Swiss version also has 'Trägerschaften' or 'Trägerinnen und Trägern' instead of 'Gemeinschaften, Gruppen und Individuen' for the English term 'communities, groups and individuals' or 'CGIs'.

[3]See Ratification of the UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage. Explanatory report 2006, pg. 11f.

[4]SR 07.076 Botschaft zum Übereinkommen zur Bewahrung des immateriellen Kulturerbes (Dispatch on the Convention for the Safeguarding of the Intangible Cultural Heritage) of 21 September 2007. BBl 2007 7261f.

check of the pros and cons of the associated inventory and lists. In any case, the Confederation was more interested in the formulation of a convention on cultural diversity. From the outset, Switzerland had thrown its weight behind this convention, which the UNESCO General Conference was to have approved in 2005—not least because cultural diversity is enshrined as part of the Swiss perception of statehood in Article 2 para. 2 of the Federal Constitution (Federal Constitution, 1999).

When the time came three years later to ratify the Convention on Cultural Diversity in Switzerland, the Swiss national government (Federal Council), decided to present the 2003 Convention to parliament at the same time (see Federal Department of Home Affairs 2006, 2007a, b). The rationale was that, in the eyes of the Federal Council, it complemented the 2005 Convention—both in terms of the UNESCO comprehensive cultural concept (Mexico 1982) and with regard to a holistic cultural heritage policy.[5] The Federal Council stressed that the convention contained "no enforceable rights of the individual, or entitlement to support from bearers of intangible cultural heritage"[6]: "The inventory lists are of a purely declaratory nature."[7] In Switzerland, the inventory was seen as a fundamental and adequate safeguarding measure. The Confederation announced its acceptance of the biennial contribution to the UNESCO funds, as well as periodic reporting for the Intergovernmental Committee and the financing of a database for the inventory.[8] The cantons, on the other hand, were not to incur any significant financial burden through the implementation. The 26 cantons gave the required approval on that basis.[9]

> The cantons recognise their responsibility under Article 69 para. 1 of the Federal Constitution. Within the scope of their abilities, they want to determine the extent of the safeguarding and support measures for the intangible cultural heritage on a project management basis. They also stress the fact that the convention has no enforceable right and determine that the ratification and implementation thus entail no additional duties, in particular of a financial nature, for the cantons or municipalities.[10]

Adding the 2003 Convention to the 2005 Convention, the latter not having been contested in Switzerland, produced the desired outcome. The Swiss Federal Assembly approved both conventions. There were no notable parliamentary or public debates about the 2003 Convention.

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[5] ibid. 7263.

[6] ibid. 7260.

[7] Ratification of the UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage. Explanatory report 2006, p. 16.

[8] Botschaft zum Übereinkommen zur Bewahrung des immateriellen Kulturerbes (Dispatch on the Convention for the Safeguarding of the Intangible Cultural Heritage) of 21 September 2007. BBl 2007 7274f.

[9] ibid., p. 7265.

[10] See Federal Department of Home Affairs (2007a): Ratification of the UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage. Report on the results of the consultation. Bern. P. 6

## 14.2   In the Shadow of the Federal North Slope

There ensued a dynamic negotiation phase between the Confederation and cantons about how to prepare the inventory. This was initiated by the Federal Office of Culture (FOC), the authority responsible for federal cultural policy, taken up by some cantonal cultural offices and ultimately spread to the other cantons (see Camp, 2015). The starting point of the discussion was an internet project of the Swiss section of the International Council of Organizations of Folklore Festivals and Folk Arts CIOFF. This procedure, outlined in the Dispatch to the 2003 Convention, involved voluntary self-registration of tradition bearers in an inventory. "As a result", stated the Federal Council with regard to Article 15 of the convention, "there will be no comprehensive inventory, but the spirit of the convention will be respected in that the cultural communities themselves participate in the measures to preserve their intangible cultural heritage."[11]

The cantons opposed reliance on the participation and initiative of the bearers and practitioners of intangible cultural heritage: independent registration by communities, groups and individuals should not be possible.[12] The "widest possible participation of communities, groups and, where appropriate, individuals" required by the convention was, argued the cantons, upheld by a right of proposal for registration.[13] By contrast, the Confederation and cantons quickly came to an agreement on the representative character of the inventory: it must clarify the breadth of understanding of intangible cultural heritage. An encyclopaedic completeness of all ICH forms of expression in all their local variants should not be the aim. Finally, the Confederation and cantons agreed on a procedure still observed today whereby both levels of government have clear roles and duties, but the nature of the involvement of the people and tradition bearers is basically left open.

The cantons are responsible for the content of the inventory in keeping with their cultural autonomy. The Federal Office of Culture (FOC) supports them with the inventorisation by leading a broad-based steering committee.[14] The committee sets out the details of the inventorisation, particularly the selection criteria, in a guide. However, going by the example of the 2003 Convention, the guide does not include details on the nature of the cantonal identification processes (see Graezer Bideau, 2012, p. 11). The steering committee formulates recommendations for the inventory based on proposals submitted by the cantons and directly by the people to the FOC.

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[11] Ratification of the UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage. Explanatory report 2006, p. 17 Footnote 24.

[12] Federal Department of Home Affairs: Ratification of the UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage. Report on the results of the consultation. July 2007a. P. 9

[13] ibid., p. 9.

[14] Besides experts, the steering committee includes representatives from the Swiss Commission for UNESCO, Swiss foundation Pro Helvetia, the cantonal cultural offices and, since the list was first updated in 2017, the municipal cultural offices.

It is then up to the cantons to ultimately decide on the entries. Following cantonal approval, the FOC publishes the inventory under the title 'List of Living Traditions in Switzerland' (List).[15]

The decision not to adopt identification criteria for potential proposals for the inventory enabled the cantons to develop their own individual approaches. Most cantons relied on expert input when selecting their proposals for the list. Others, for example the cantons of Aargau or Solothurn, launched a widespread call for proposals, the outcome of which formed the basis for the proposals submitted by both cantons for the first inventory (see Janz, 2013, pp. 11–13).

The tradition bearers didn't have to do anything in particular to put forward an entry for the national inventory. The proposal forms for the steering committee simply require "proof of a bearer community, its agreement to inclusion in the List, *if and to the extent possible,* with the address of a contact person as a representative of the community" (emphasis by the authors).

Only a few tradition bearers submitted an online proposal to the FOC for the first inventory and the subsequent updates. This was despite the Confederation and cantons having expressly mentioned this option in press releases. This reticence may be an indicator that bearer communities under the convention may not see themselves as such or that they do not see their work as involving ICH. It is also possible that there is little incentive for inclusion in the inventory as it does not entail the award of funding (see Camp, 2015 p. 242). However, the funding granted in 2022 for practices included in the inventory[16] has not, at least so far, led to a notable increase in proposals. The poor online response is probably also due to the poor staffing, financial and structural condition of the bearer communities. Recruitment for the future or the search for volunteers, for example, are possibly more pressing issues in many instances than inclusion in an inventory that does not involve discernible advantages. So, the bearers may be able to do what they do to preserve cultural heritage practices but not anything going beyond that.

## 14.3   At the Upper Level of Growth

The 'List of Living Traditions in Switzerland' first appeared on a website with five language versions in 2012. For the first inventory, it was envisaged that up to 125 traditions would be included in the List (see Camp, 2015, p. 241). The surprisingly large number of cantonal proposals and the difficult selection process for the steering committee led to a revised upper level of entries: each of the 26 cantons should be able to post six traditions in the inventory. The wish of the

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[15] URL: www.lebendige-traditionen.ch (accessed 30.9.2023).

[16] URL (in French, German and Italian): https://www.bak.admin.ch/bak/de/home/kulturerbe/ immaterielles-kulturerbe-unesco-lebendige-traditionen/foerderung-des-immateriellen-kulturerbes. html (accessed 30.9.2023).

cantons and language regions in Switzerland to be adequately represented in the List overshadowed on occasion the selection criteria in the guide. Some of the traditions from different cantons, which belong together historically or thematically, were combined into one entry by the steering committee. Moreover, the steering committee recognised such proposals as 'wind music' or 'consensus culture and direct democracy' as 'nationwide entries'. Ultimately, the initial inventory came to 167 entries. Instead of a strictly systematic approach to entries, the Swiss List stands out through its heterogeneity.

## 14.4   Periodic Revaluations

Following the first inventory compilation, the list was updated in 2017 and 2023. This frequency was chosen to avoid making too many brief additions and withdrawals. However, these big time gaps complicate the organisational, technical and personal consolidation in the responsible offices of culture. There are only a few cantons where the offices of culture perform the updates themselves. In the other cantons, freelance experts enjoy the interesting project mandates.

Following the first update, the FOC conducted an evaluation with the roughly 120 persons directly involved in the first inventory compilation. The responses mentioned—apart from a lot of encouragement—unease about the 2012 List not being representative enough of modern cosmopolitan Switzerland and focusing excessively on rural traditions. "Increased consideration of modern urban themes", "receptiveness to more contemporary phenomena", "acceptance of juvenile cultural and migration-specific themes"—were some of the suggestions for the first update (see Koslowski, 2015a, p. 42). Given that 73 percent of the Swiss population (2017) were living in cities and their agglomerations, the FOC initiated a discussion on intangible cultural heritage in urbanised society (Federal Office of Culture, 2015b). Through this discussion we hoped to reach bearer communities that felt the convention didn't really apply to them. This also includes informally organised groups, networks, immigrant groups or mainly digital ICH entities. The aim is, and has always been, to encourage as many types of actor as possible to see themselves as participating in ICH. And we don't just mean those prominent milieus confident in the knowledge that they form a community but also those parties that in the first instance feel almost detached from the 2003 Convention.

In this connection, the formulation 'List of Living Traditions *in Switzerland*' (authors' emphasis) proved gratifyingly farsighted. It kept the inventory open for cultural practices that might not be seen as 'Swiss' at first glance and that form a counterweight to those traditions marked on the sun-kissed heights of every tourist map. In the first update, the inventory was increased by 29 entries to 199. Fourteen of them are in an urban environment, including 'city gardeners', 'self-administration in the autonomous youth centre in Biel/Bienne' and 'Zurich technoculture'.

The second update in 2023 also had a theme: the contribution of intangible cultural heritage to the sustainable development of society. However, unlike the

focus on urban cultural practices, the shift towards sustainable development doesn't seem to have inspired the cantons or people much. Of the 29 new entries, only a small handful were selected due to their convincing contribution to sustainable development, including 'knowledge related to the use of hydropower' and 'use of renewable energies'. That may be due to this complex and, in some ways, currently overrepresented theme having had limited exposure around the time of the pandemic due to a paucity of communication measures.[17] Moreover, the higher workload of the cantonal supporting agencies during the pandemic dampened cantonal interest in the List. That was especially the case in those cantons that had yet to enshrine the cultural political management of intangible cultural heritage as a legal or strategic long-term project. Initially, the unexpected situation arose whereby individual cantons chose to abstain from new entries due to lack of resources. The contingent of fifty new entries remained unused due to there not being enough proposals. The List seemed to be losing momentum as an effective and efficient safeguarding measure. This made people think again about how to safeguard ICH beyond keeping an inventory.

## 14.5   From Raising Awareness to Funding

Intangible cultural heritage has never been easy to communicate. The UNESCO terminology in the convention was seen as a hurdle even during its introductory phase prior to ratification. Before every discussion on content, everyone had to make sure they were on the same page regarding terminology. It wasn't long before the FOC replaced 'intangible cultural heritage' with 'living traditions'. The rationale behind that was to look beyond a static or essentialist understanding of 'tradition', 'folk culture' or 'folklore' and cover the past, present and future, while also stressing the unending procedural nature of perennial change and the potential to change these cultural practices. In the meantime, the formulation 'living cultural heritage' has become more widespread in cultural political speeches and is also used by UNESCO.

With the publication of the List and its updates as well as the disclosure of Swiss entries in the 'Representative List of the Intangible Cultural Heritage of Humanity' the topic has and continues to garner significant nationwide media attention on occasion. The website is a source of inspiration to the media's seasonal reporting, especially when local or regional ICH is involved. Enquiries from abroad show that the website is also used as a reference for other inventorisation projects.

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[17]In this connection, the FOC has worked on the 'Nachhaltigkeitskompass' (sustainability compass) developed within the context of the 'Northern Dimension Partnership on Culture: Creating New Practices of Sustainability—Cross-sectorial creativity in the era of climate change' project. URL (in the Swiss national languages): https://www.lebendige-traditionen.ch/tradition/de/home/aktuelles/nachhaltigkeitskompass.html (accessed 30.9.2023).

Besides working on the List, the FOC, in cooperation with various civil society organisations, has taken steps to encourage the public to engage with the subject of intangible cultural heritage. Special mention goes to the sustained promotion of intangible cultural heritage in museums (see Federal Office of Culture, 2015a; Koslowski, 2015c), the activation of urban cultural policy in the context of the second update and the encouragement of nature parks to valorise the potential of ICH.

The FOC has complemented these awareness-raising projects since 2022 by offering funding to safeguarding projects through their bearer communities.[18] The term 'intangible cultural heritage' was also included for the first time in the Federal Act on Cultural Promotion.[19] That was mainly a response to the concerns of those communities, groups and individuals working on UNESCO applications or entries who had to give evidence of safeguarding measures. Projects to raise awareness and network, build knowledge and gain competence are supported. From 2022 to 2024, projects that actively manage one or more sustainability dimension are prioritised—corresponding to the focus of the second update.[20] However, again—in 2023—not many sponsors have come forward.

## 14.6    Silence of the Tradition Bearers

In the run-up to the simultaneous ratification of the 2005 Convention, the Swiss Coalition for Cultural Diversity was founded as an offshoot of the International Network for Cultural Diversity.[21] There are also well organised and assertive interest groups within the field of material cultural heritage, mainly comprising members of the "Nationale Informationsstelle Kulturerbe" (national cultural heritage information centre). Intangible cultural heritage has lacked a similar cultural-political voice until now. That is another sign of the patchy nature of the 2003 Convention's presence in civil society. Things don't always turn out as planned.

There are vocal and self-confident associations in individual areas of non-professional cultural development, including communities, groups and individuals involved in listed traditions. Many of these organisations receive appropriate support from the culture offices at all federal government levels. However, they do not build bridges to intangible cultural heritage either. Many of these associations are organised in the "Interessengemeinschaft Volkskultur" (Folk culture interest

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[18] See URL (in French, German and Italian) https://www.bak.admin.ch/bak/de/home/kulturerbe/immaterielles-kulturerbe-unesco-lebendige-traditionen/foerderung-des-immateriellen-kulturerbes.html (accessed 30.9.2023).

[19] See URL (in French, German and Italian): https://www.fedlex.admin.ch/eli/cc/2011/854/de (accessed 30.9.2023).

[20] See URL (in French, German and Italian): https://www.fedlex.admin.ch/eli/cc/2020/997/de (accessed 30.9.2023).

[21] URL: https://www.coalitionsuisse.ch/pagina.php?0,3,0, (accessed 30.9.2023).

group).[22] This has about 400,000 active members and is a cultural-political organisation of folk and lay culture. Again, they do not actively promote ICH.

The range of intangible cultural heritage, its frequently local or regional foothold and its many different types of bearer or practitioner mean, we suspect, that ICH has almost no voice at national level. Cultural-political "old school tie" networks, as will be demonstrated, are restricted to the context of the UNESCO applications and even then usually only at the instigation of the FOC. Being included in the List evidently does not yet entail a realisation of common interests. And many communities, groups and individuals involved in cultural practices who have met the UNESCO ICH criteria lack requisite self-awareness and only contribute sporadically to the cultural heritage debate.

## 14.7   Gauging the Legal Lie of the Land

ICH is only sporadically considered within culture promotion at all federal levels. The decision by the Federal Council to forego corresponding amendments to cultural law when ratifying the convention contributed to that. The 2012–2016 and 2017–2020 Culture Dispatches also mention intangible cultural heritage; however it was only enshrined in law through the 2021–2024 Culture Dispatch.[23] The corresponding ordinance on the promotion of events and projects then enabled the FOC to support ICH safeguarding projects.

Only a few cantons have made safeguarding intangible cultural heritage an explicit component of their cultural policy and an active cost centre. Some cantons support intangible cultural heritage, albeit without using the UNESCO term, for example when supporting amateur culture or cultural participation. At the same time, some cantons have made ICH part of their cultural legislation (see Raschèr et al., 2020). Interestingly, they each use their own terminology or avoid specifying the content. While some cantons have created their own cantonal intangible cultural heritage inventories (Bern, Vaud, Valais, Fribourg, Aargau and Solothurn, Ticino as part of a binational inventory), only very few cantons have brought in targeted measures to safeguard ICH. The canton of Vaud created a legal basis with the *Loi sur le patrimoine mobilier et immatériel*[24] (Act on movable and intangible heritage), which enables co-financing of tradition bearers' safeguarding projects, plus the provision of support through various communication and awareness-raising measures, especially in the field of traditional handicrafts. The canton of Valais is another exception: it enables support for bearer communities through a revision of

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[22]URL (in French and German): https://www.volkskultur.ch/index.php/de/ (accessed 30.9.2023).

[23]442.1 Federal Act on Culture Promotion (Culture Promotion Act, CuPA), Art.1, let. a, para. 1 (in French, German and Italian) https://www.fedlex.admin.ch/eli/cc/2011/854/de (accessed 02.10.2023).

[24]Loi 446.16 sur le patrimoine mobilier et immatériel du Canton de Vaud (Act 446.16 on movable and intangible heritage of the canton of Vaud), URL:https://www.vd.ch/fileadmin/user_upload/organisation/gc/fichiers_pdf/2012-2017/59_LPMI_FAO.pdf (accessed 02.10.2023).

the cantonal Act on Culture Promotion.[25] These two examples from western Switzerland are more the exception than the rule. There is still no standard definition of the term intangible cultural heritage in cantonal cultural politics fifteen years following ratification in Switzerland.

## 14.8  The Alpenglow of Participation

Still more than the 2005 Convention or the Council of Europe's Framework Convention on the Value of Cultural Heritage for Society ratified by Switzerland in 2019 (Faro Convention), the cultural political goal of cultural participation of as many people as possible strengthens the participation of communities, groups and individuals called for in the 2003 Convention. 'Cultural participation' in Switzerland—besides 'social cohesion' and 'creation and innovation'—has been one of the Confederation's three cultural policy axes for action since 2016. The cultural political goal of cultural participation corresponds to the state's support of political, economic or social participation, through the involvement and co-responsibility of people in public life. Participation outlines the goal of a multi-layered, interwoven and continuous process. Cultural participation aims especially for individual expression, individual action and individual responsibility of as many people as possible in the cultural arena. Intangible cultural heritage can thus be understood as a prime example of cultural participation (see Koslowski, 2022). For society as a whole, it's about 'being involved in reciprocal relationships' (see Rosa, 2016). Without wanting to require or target homogeneous uniformity, intangible cultural heritage therefore means sharing, being part, taking part. Giving, becoming and being part of something (see Koslowski, 2019).

Emphasis on the contribution of civil society beyond technical expertise and political-administrative decision-making is the goal of the 2003 convention and what sets it apart from other conventions. The convention's process of 'creating heritage' is not seen as the preserve of political, business or academic elites. All types of actor including cultural and memory institutions, museums, nature parks, civil society organisations and other circles who have devoted themselves to cultural heritage participate in this heritage creation and share responsibility for it. Incidentally, actors in the field of material cultural heritage cannot extricate themselves from the pull of cultural participation either (see Mekacher, 2019; NIKE, 2021, 2022).

The value hierarchy of a cultural policy which—from the perspective of the UNESCO definition of culture—is oriented specifically and emphatically to art, seems to be on shaky ground. The call for the cultural participation of as many people as possible is forcing us to be more sensitive and receptive to all cultural practices. And this goes beyond unsustainable social exclusion and discrimination,

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[25]RS 440.1—Loi sur la promotion de la culture (LPrC) du Canton du Valais (Culture Promotion Act of the canton of Valais), URL (in French and German): https://lex.vs.ch/app/fr/texts_of_law/440.1 (accessed 02.10.2023).

traditional hierarchies and the division into upper and lower class culture, high-versus everyday-, trivial-, entertainment-, mass-, pop-, lay-, amateur- or folk culture.

## 14.9   The Climb Up to the UNESCO Lists

The inventory of intangible cultural heritage was an initial pioneering phase in uncharted territory. It was federally shaped. A second phase involved defining traditions for an international application to UNESCO. This stage began in 2013 with two ground-breaking decisions by the FOC for an indicative list of future applications and for the appointment of an expert group. "This procedure corresponds to the model that worked with implementing the Convention Concerning the Protection of the World Cultural and Natural Heritage in Switzerland and ensures that Switzerland's first applications in the ICH field can be seen as an integrated package" (see Federal Office of Culture, 2014). There were also practical and pragmatic reasons for an indicative list: it should increase the visibility of the selected cultural practices and convention, ensure a transparent procedure and send a signal to other states for possible multinational applications. One delayed effect of the decision to have an indicative list was the growing interest of tradition bearers in submitting applications to UNESCO.

The selection of UNESCO applications initiated by the FOC in March 2013 was guided by expert logic and had centralist traits. The expert group had an advisory role and comprised nine persons from the fields of academia, cultural heritage and society from different regions of Switzerland. The FOC accompanied the expert group commissioned to create recommendations for the Federal Council for an application strategy, select traditions with the greatest potential for an application and also work on possible multinational applications. Even if the mandate seems broad in scope, the FOC issued the line of approach: "a balanced list of proposals especially with regard to regions and themes, containing original proposals and a coherent initial selection of applications, which combine to show the variety of intangible cultural heritage in Switzerland".[26] This orientation not only determined the composition of the expert group but also the presentation of intangible cultural heritage as an expression of diversity in Switzerland in geographic, linguistic or thematic terms—but above all a quest for balance and consensus.[27] In line with that approach, the expert group developed a 'magic formula'.[28] The expert group wanted

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[26]ibid., p. 10.

[27]The culture of consensus and direct democracy is also seen as a living Swiss tradition. URL: https://www.lebendige-traditionen.ch/tradition/en/home/traditions/consensus-seeking-and-direct-democracy.html (accessed 02.10.2023).

[28]In Switzerland, the term 'magic formula' refers to the political tradition of representation in the Federal Council and how it is balanced between the main parties in the Swiss Parliament. It is an unwritten rule for the allocation of seats in the government designed to establish balance between the political forces, regions and language communities.

balance (see Hertz et al., 2018, p. 118) initially between the different categories of ICH; secondly between Switzerland's different geographic and language regions; third between conventional proposals, with regard to the UNESCO registration practice applicable at the time, and original proposals; fourth between local features of a cultural practice and the identification of common features in all parts of the country and, finally, fifth between the valuing of living traditions in Switzerland and receptiveness to multinational applications. Equipped with this magic formula, the expert group made its selection from the 167 entries on the List.

At the same time, however, the crux of the 2003 Convention had to be taken into consideration: the agreement and participation of the tradition bearers. Both were only ensured during the selection process. "The Federal Office of Culture consistently informed the expert group on the ideas and applications from civil society for the list of proposals. In addition, the Federal Office of Culture contacted the people supporting any candidates for an entry on the List."[29] In so doing, it wanted to ensure "free, prior and informed agreement" as well as "establishing whether the partners had the organisational resources required for an application and for good cooperation with the Federal Office of Culture."

The expert group defined nine recommendations on the basis of its logical framework and taking account of the feedback from the tradition bearers: 'Managing avalanche risk', 'Watchmaking', 'Swiss graphic design and typography', 'Swiss Alpine Season', 'Multilingualism in Switzerland', 'Yodelling', 'Historical processions in Mendrisio', 'Winegrowers' festival in Vevey' and 'Basel Carnival'. The expert group outlined every proposal in detail, gave the reasons behind their selection, named the supporting people who had confirmed their agreement and demonstrated the potential of the proposals for multinational applications. The experts also indicated that further clarification was needed regarding the 'practice of multilingualism' to ascertain the status of language within the convention. Moreover, the report by the expert group recommended leaving room for potential invitations for multinational applications outside the indicative list and to delegate decision-making competence to the Federal Department of Home Affairs. The Federal Council approved the indicative list on 22nd October 2014. The Federal Council opted not to proceed with the 'Practice of multilingualism' proposal.

## 14.10    Forming Groups to Populate the Terrain

From 2014, the Winegrowers' festival in Vevey was prepared as the first application and submitted in March 2015, subsequently being inscribed by UNESCO in December 2016.[30] In this case one organisation, the 'Confrérie des Vignerons'

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[29] ibid., p. 14.

[30] Winegrowers' festival in Vevey URL: https://ich.unesco.org/en/RL/winegrowers-festival-in-vevey-01201?RL=01201 (accessed: 02.10.2023).

(brotherhood of winegrowers), manages this major festival, which only takes place once every twenty years. The next festival scheduled for 2019 was being prepared at the time. The brotherhood of winegrowers thus had a lively contemporary interest in the application and had the necessary human and financial resources. The FOC cut its teeth in a supporting role for UNESCO applications with this well- equipped tradition bearer.

The experiences gained with an established tradition bearer structure were built on with the Basel Carnival[31] application. The carnival committee was the central structure. It coordinated the different carnival actors with the authorities. This second application was prepared in 2015 and submitted in March 2016. The Basel Carnival was included in the UNESCO List in December 2017, so a second language region was thus included. In March 2018, the application of the Holy Week processions in Mendrisio[32] was submitted, this time with a foundation as the FOC contact for preparing the application. The processions were inscribed at the end of 2019 and presented a model example of ICH in a third language region. The expert group had rated these three applications as rather conventional, but also as representative of Switzerland's language and geographic regions.

In contrast to the above applications, the cultural practices have broader, splintered and geographically diverse bearers. In these cases, all types of tradition bearer had to be identified in the first instance and convinced to participate in a joint application.

'Avalanche risk management',[33] an original and innovative application recommended in particular by the expert group, required the FOC to take active steps to form a bearer community. The tradition included in the national inventory following a proposal by Valais was also part of a binational application with Austria, which made the need for FOC guidance even more important. The bearer community to which, inter alia, the FOC had invited the Institute for Avalanche Research, the Swiss Alpine Club, the Mountain Guide Association and the canton of Valais, however lacked a governance structure to coordinate and manage the registered practice over the long term. As a result, the former bearer community had to be remobilised for the 2021 periodic report (see Federal Office of Culture, 2021).[34]

'Craftsmanship of mechanical watchmaking and art mechanics' also required the FOC to be proactive and form a community to meet the specific challenges posed by this symbolic application for Switzerland. The experts combined two elements in this proposal that are listed separately in the national inventory: 'Watchmaking' and

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[31] Basel Carnival URL: https://ich.unesco.org/en/RL/basel-carnival-01262?RL=01262 (accessed: 02.10.2023).

[32] Holy Week processions in Mendrisio URL: https://ich.unesco.org/en/RL/holy-week-processions-in-mendrisio-01460?RL=01460 (accessed: 02.10.2023).

[33] Avalanche risk management URL: https://ich.unesco.org/fr/RL/la-gestion-du-danger-d-avalanches-0138 (accessed: 02.10.2023).

[34] Second periodic report by Switzerland on the implementation of the UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage 2021: URL: https://ich.unesco.org/doc/download.php?versionID=65337 (accessed: 02.10.2023).

'Production of mechanical musical automata and music boxes'. The former represents watchmaking as a widespread and recognised trade in Switzerland while the latter is a niche area also based on mechanics, but in a very specific region with a limited number of practitioners. This constellation made the application particularly challenging. It was initiated in 2016 with a workshop that brought together a broad range of representatives of these traditions and displayed the variety and a certain competition for heritage between the two disciplines. In early 2018, the FOC set up an editorial group to reflect the variety of this milieu and balance out the occasionally diverging interests between art mechanics and watchmaking. Regarding the geographical aspect, some Swiss tradition bearers and experts indicated the cross-border character of watchmaking between France and Switzerland, especially in terms of territorial and historical continuity, but also in relation to the movement of skilled workers and goods. This led to the expansion of the territorial perimeters to the entire French-Swiss Jura and a cross-border bearer community. Although an economic reality, the heritage aspect is more tenuous. Ethnologist Hervé Munz describes it thus: "The cross-border community of tradition bearers for the 'watchmaking' application was created from nothing for the sake of the entry: it was identified and composed entirely by the Federal Office of Culture on the basis of the positions of various experts and subsequently expanded to include the involved French territorial communities" (Munz, 2020, p. 351). The aim was to create a permanent governance structure with different actors from the trade, industry, museums and territorial communities to manage and improve the item beyond the scope of the application. At the same time as the inclusion in the Representative List in 2020, the interregional 'Arc horloger' project was accepted, which was conducted by French and Swiss territorial communities plus other partners.

These two cases demonstrate how the application processes required an active and participatory composition of bearer communities led by the FOC—to meet UNESCO requirements on the one hand, and also to address the safeguarding of intangible cultural heritage.

## 14.11   Safeguarding: A via Ferrata

The UNESCO application form requires each application to identify current and planned categorised safeguarding measures. That meant the applications had to connect requirements communicated by the tradition bearers with specific safeguarding measures. Based on the broad range of safeguarding options in the convention,[35] the tradition bearers defined measures in the areas of documentation,

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[35] See 2003 convention, Art. 2 para. 3: "Safeguarding" means measures aimed at ensuring the viability of the intangible cultural heritage, including the identification, documentation, research, preservation, protection, promotion, enhancement, transmission, particularly through formal and non-formal education, as well as the revitalization of the various aspects of such heritage."

research or archiving, transfer through formal or informal training, raising awareness and communication. Some safeguarding measures, especially in the field of general and professional training, require close coordination between the tradition bearers and authorities, for example in creating educational documents or revising a syllabus. Some traditions, such as 'Alpine season' that involves natural resources and agriculture, need the participation of different administrative and political areas and levels when changing the framework conditions for safeguarding.

The preparation of safeguarding measures for UNESCO applications thus attracts attention to intangible cultural heritage within the scope of the tradition bearers' actions and interests and potentially also vis-à-vis the relevant local and regional public bodies. Safeguarding must be seen as a complex process that needs clear intent as well as tradition bearers and public actors at all federal levels and, in some cases, all over the political spectrum.

## 14.12   A Look Back to the Future

The top-down implementation of a bottom-up convention inevitably entails some dilemmas. Leafing through the tour book brings back memories of the milestones in the Swiss journey to implementing the convention slope by slope. The repeated evaluations when planning, on site or on the slopes themselves led to decisions that allowed some things to happen and mitigated some risks; other steps made the snow slabs fall.

The Swiss inventory of intangible cultural heritage is, as often acknowledged abroad, compiled in a participatory manner, in keeping with the country's federal cultural autonomy. Creating the List was a good way to negotiate the first ascent of the once largely uncharted cultural heritage terrain. The route chosen met the UNESCO requirement for an inventory, respected cantonal cultural autonomy, but was too vague regarding the role of the tradition bearers. These communities, groups and individuals will only be able to emerge from the shadow of the federal-pluralist inventory creation process and become active participants contributing to future mountain and snow tours with the agreement of the cantons and through closer cooperation with these groups who preserve our traditions on the basis of what they do, instead of on the basis of preparing an application to UNESCO. So, having conducted an initial survey, the next step is to focus on measuring the potential of the Convention's safeguarding mandate. As on a mountain tour, the cooperation of, on occasion, very diverse actors will increase security and make risks manageable.

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# Chapter 15
# Expanding Cultural Participation Through the 2003 UNESCO Convention in Germany's Multi-level Governance System

**Benjamin Hanke**

**Abstract** When Germany became a State Party to the 2003 UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage in 2013, a participatory system to draw up inventories of the cultural expressions was introduced. The procedure, with multiple steps and the involvement of many parties, proved successful in integrating new actors in the policy field and in guaranteeing at the same time a largely harmonious cooperation of all those involved on different levels of cultural governance. However, the policy goals on national level were left open. Even though not necessarily intended, one of the major effects was perhaps an increase in cultural participation in larger parts of the population in Germany.

**Keywords** Multi-level governance · Policy network · Policy goals · Cultural participation · Inventorying

In 2013, Germany acceded to the 2003 UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage. The Convention deals with living traditions, knowledge and skills passed on from one human being to another. It is based on a broad concept of culture and therefore includes significantly more people as cultural actors and consumers than had been customary in Germany previously (cf. Hanke, 2019: 141). The text of the Convention, with its strong emphasis on participation and involvement of communities and groups, also suggests that the involvement of civil society should be encouraged and valued. Cultural participation of as many people as possible is thus not only welcomed, but even required (cf. Koslowski, 2015b: 38). The question here is whether these goals of cultural participation have actually been really implemented in Germany.

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258 B. Hanke

## 15.1 Germany and the 2003 Convention

After the adoption of the Convention for the Safeguarding of the Intangible Cultural Heritage at UNESCO's General Conference in 2003 and even after it entered into force in 2006, Germany was not yet willing and ready to join the international regime. Many of the expressions of Intangible Cultural Heritage (ICH) are founded on civic and volunteer engagement; the German state—both federal and Länder governments—however, has hardly promoted this in cultural politics and therefore did not focus on it in terms of the content of cultural policy (cf. Hanke, 2024: 401). There were several reservations concerning living traditions in Germany, as there were no institutional processes or legal ways of dealing with expressions of ICH in the cultural heritage field. Further reservations were mainly due to the specifics of German history with a fear of propagating traditions with Nazi connotations, but there were also questions of cost for the state administration, concerns with regard to the economic interests of the heritage communities, as well as a perceived potential for conflict and abuse because of the relatively vague legal terms of ICH (cf. Hanke, 2024: 210 ff.).

The German Commission for UNESCO was, however, committed to highlighting the positive potential and putting the issue on the political agenda in Germany. It did this, for example, by holding a conference for experts in 2006 and publishing a special issue of its magazine "UNESCO heute" in 2007. Amongst the general population, interest in the Convention grew and this increase in interest was supported further by its successful implementation in neighbouring countries. In 2008, the German Bundestag began to take an interest. In December 2011, the Bundestag made a cross-party appeal to accede to the Convention. However, cultural policy is first and foremost a matter for the 16 German *Länder*. All of them have their own parliament and parliamentary committees that deal with cultural affairs as well as ministries responsible for culture. The Standing Conference of the Ministers of Education and Cultural Affairs of the Länder (*Kultusministerkonferenz*, KMK) acts as a platform for co-operation and exchange among them. The federal government is only responsible for projects with a nationwide relevance and for foreign cultural policy, which, of course, applies to a UNESCO regime such as the 2003 Convention (cf. Koch & Hanke, 2013: 47). The 2003 Convention requests its State Parties to draw up national inventories of ICH. According to the cultural governance model in Germany, this cannot be achieved without the consent and participation of the Länder. In this multi-level governance system and given the multiple reservations, it took some time to agree on suitable procedures. The goal was to establish a good practice of selecting ICH for the nationwide inventory with the intention of silencing critical voices against Germany's participation in the Convention. This explains why the inventory process on which all stakeholders finally agreed has at least three quality controls.

When, in October 2012, the Federal Foreign Office, the Federal Government Commissioner for Culture and the Media (BKM), the Federal Ministry of the Interior, the Federal Ministry of Justice as well as the Standing Conference of the Ministers of Education and Cultural Affairs of the Länder (KMK) together with the

German Commission for UNESCO (DUK) found a solution to the technical procedures to be used in drawing up an inventory of ICH, no common goals or expected results or benefits were defined. Also, it was left unclear, which role ICH should play in relation to other cultural heritage programmes as well as to state support of arts and culture in general.

In hindsight, the overall goal of the German participation in the 2003 UNESCO Convention might have been the expansion of cultural participation, i.e. to involve more people or let them be more involved in cultural activities. This, in fact, has been a leitmotif of German cultural policy since the 1970s with the so-called "Neue Kulturpolitik" (new cultural policy). Its mottos were "culture for all" and "culture as a civil right", the goal being the cultural participation of as many people as possible, especially those who have hardly been touched by cultural institutions, and the democratization of cultural institutions and their offerings (cf. Wagner, 2010: 17 f.). This has now become a common ideal for all political parties and stakeholders. There is also a broad political and social consensus that cultural policy has a welfare state mandate: to guarantee participation in cultural life. In the broadest sense, cultural policy thus becomes part of social policy (cf. Hanke, 2019: 143). However, cultural policy continued to be largely determined by the state in Germany. For far too long, according to Bernd Wagner, in terms of cultural policy, public actors had largely disregarded "the multitude of cultural associations in all areas of amateur and popular culture, through the large field of cultural education supported by non-profit actors, the regional cultural initiatives and independent cultural work, the voluntary civic commitment of millions in almost all cultural and art institutions, to patronage and the multitude of cultural foundations "(Wagner, 2010: 14, translated by the author). Michael Wimmer also criticizes the state for having long followed only a supply-oriented logic in cultural policy and for having regarded all those not professionally involved as users instead of participating actors (cf. Wimmer, 2011: 269).

Thus, what is now understood as ICH did not receive any attention at the time of the "Neue Kulturpolitik", although cultural policy was intended to include everyday activities and ways of life, which apply to many forms of ICH. However, the broadened concept of culture had had little effect on customs and other cultural activities that are associated chiefly with rural areas. Despite the 'culture for all' and 'culture by all' slogans, these were not yet considered to be part of cultural policy (cf. Hanke, 2019: 143 f.). Still in 2013, as we have seen, none of the stakeholders of the 2003 UNESCO Convention in Germany spoke of expanding cultural participation as a goal when beginning to implement it at national level.

## 15.2 The Inventorying Model

Since 2013, the procedure of drawing up an inventory takes place every two years, and it takes about these two years to select new entries for the nationwide inventory. The process starts on the level of the 16 Länder ministries of culture, where all interested communities, groups and individuals can put forward their ICH for

inclusion on the inventory. Each of the Länder can then nominate up to four elements in each cycle for the next stage of the process. The KMK collects the proposals in step 2 and submits the complete list of up to 64 proposals to an independent expert committee of the DUK. Its evaluations and recommendations on new elements for the nationwide inventory and nominations for the UNESCO lists are step 3 of the process. They have to be confirmed by the Länder/KMK and BKM jointly in step 4. International nominations are then submitted in step 5 to UNESCO by the Federal Foreign Office (cf. Koch & Hanke, 2013: 49).

The cultural expressions included in the nationwide inventory—as of 2024 there are 150 elements—are very diverse and cover all domains of ICH mentioned by the UNESCO Convention: from oral traditions and expressions to performing arts and social practices, rituals and festive events; from knowledge and practices concerning nature and the universe to traditional craftsmanship. The cultural actors who practice these cultural expressions are very diverse: they include established actors on the arts and culture scene, such as professional musicians, but also previously somewhat marginalized groups, such as amateur actors, to completely new groups in cultural policy, such as craftspeople and specialists in nature and natural resources. They practice the cultural expressions partly professionally, partly on a purely honorary basis, some commercially, some not—and with all gradations in between (cf. Hanke, 2019: 146).

The structurally most significant measures that go beyond the inventory include firstly the establishment of a coordinating office at the German Commission for UNESCO, which plays a key role in information and public relations work for safeguarding ICH on the national level as well as being the contact point for international cooperation. It acts as a kind of 'spider in the web' of the policy network that has emerged. Secondly, the expert committee mentioned above, with a 3:1 ratio of experts to government representatives, also based at the DUK, has a strong position as a coordinating mechanism between all stakeholders. Thirdly, contact persons for ICH are appointed in the 16 Länder Ministries of Culture, Länder juries are established in most of them and there are also separate Länder inventories and advisory and information bodies in some of them (e.g. Bavaria, North Rhine-Westphalia, Saxony-Anhalt). All of these play an important role in the encouragement or strengthening of public engagement in the cultural field and also in the communication about ICH (cf. Hanke, 2024: 392).

## 15.3 The Policy Network and Its Modes of Interaction and Decision-Making

In implementing the UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage in Germany, the various levels of government and civil society involved, including the experts, have performed their roles very well and cooperate with each other for the most part smoothly and in an almost exemplary manner with benefits for all of them. We will investigate this in more detail now.

The DUK acts as an intermediary institution between the state and civil society. It is a mediating and coordinating actor that, as a registered association, belongs neither to the federal government nor to the Länder, and thus, as a steering body that is largely impartial, it shapes national implementation of the Convention in a successful way. As an intermediary organization of foreign cultural and educational policy serving as a platform for the expertise available in these fields in Germany, it focuses on the one hand on supporting the safeguarding of ICH by all stakeholders interested in it and on the other hand on pooling expertise. Its fundamental interest in achieving effective German participation in UNESCO's work is well served by this role. Moreover, the DUK was successful in strengthening its position in the cultural policy field as a whole by means of this central position in the national implementation of the 2003 UNESCO Convention.

In accordance with the principle of subsidiarity that characterizes German policy and the fundamental responsibility of the Länder for culture, the Länder are logically the first point of contact for ICH bearer groups and thus the addressee of proposals from civil society, and in some cases from local administrations, for the nationwide inventory. Thus, the Länder were able to maintain their strategically important position and play a leading role in the shaping of the national implementation of the 2003 UNESCO Convention. The pre-sorting of the incoming proposals for the further inventory procedure is carried out according to the principle of a plausibility check, i.e. an examination of formal criteria, in combination with a quality judgement by juries in most cases (first quality control) which is however relativized by the principle of federalism with fixed quotas per Land. The Länder also gained the opportunity to use the instrument to shape their own homeland (Heimat) policy.

The independent quality assessment of the proposals for the nationwide inventory takes place in the third stage of the inventorying procedure (second quality control) by means of an evaluation by the independent expert committee at the DUK, which is largely independent of state and federalist proportionalities. Thus, in the tradition of classic public cultural promotion—creating frameworks, providing resources, and enabling creative development while emphasizing extensive non-interference (cf. Lembke, 2017: 206)—the Länder and the federal government have not themselves taken the decision on which elements should be included in the inventory. As is also customary in cultural funding decisions, the state actors rely on an examination of formal criteria by the cultural administrations and a quality vote by expert juries. Since they do not have to make the final decision, the experts can deal with the content of the applications in accordance with their competencies, relatively free from public pressure. They objectify debates and make largely neutral decisions (cf. Benz, 2016: 52, 63 f.). In this way, they prepare the solutions and endow them with legitimacy on the basis of their expertise (cf. Kropp, 2010: 26). The experts thus take on the role of advising politicians and administrators. This safeguards the latter against the potential criticism of political influence while the former can assert substantive influence in the field of cultural policy.

The democratic legitimation of the expert judgements takes place at the fourth stage of the procedure (third quality control) through consultation between the federal government (BKM) and the Länder. This also refers to the decision on

UNESCO nominations, which are then technically elaborated between the bearer groups and the DUK office and finally submitted by the Federal Foreign Office through official (inter)state channels and presented in the international bodies. BKM thus acts primarily in shaping the national procedure and, since its establishment as recently as 1998, has thus gained a further opportunity to participate in shaping all-German cultural policy in relation to the Länder. The Federal Foreign Office closely accompanies the international component of the Convention's implementation and thus continues to defend its field of activity of foreign cultural and educational policy quasi-exclusively. The state actors, including the municipalities as part of the Länder, are represented in the DUK expert committee only with an observer status. Nevertheless, the state authorities have reserved the final decision on recognition for themselves and thus also legitimize it democratically—an aspect that symbolically increases the effect of recognition for the bearer groups and their cultural expressions and thus makes it more attractive to take part in the inventorying exercise. This decision takes the form of a confirmation of the experts' recommendations made by the Länder and the federal government in consultation with each other, thus setting a very high moral hurdle, if not a *de facto* one, to contradicting these recommendations and thus disavowing the aggregated expert opinion (cf. Hanke, 2024: 396).

The state actors, as is typically the case in the cultural policy sector, largely restrict themselves in the sense of procedural control to defining the decision-making modes. In this way they exert a certain influence on the direction of the results, but do not influence the results *per se* (cf. Braun & Giraud, 2003: 169).

## 15.4   The Rationale of the Nationwide Inventory

The nationwide inventory of ICH was initially intended to be a pure stocktaking and not a competition (cf. Koch & Hanke, 2013: 51), but it has developed over the years into a mark of quality, first and foremost of the cultural expressions and secondly of the bearer communities. There is an awarding ceremony for new inscriptions every two years. A differentiation must however be made between the various stakeholders in the policy field. The general public primarily perceives the listing as a public appreciation of somewhat special cultural expressions. From the beginning, the governmental agencies also tended to create a "hit list" and to put special things in the limelight, not least to profit in their own interest from awards in the greater UNESCO context. From the perspective of the bearer groups of ICH it is a combination of appreciation of their, often non-profit, commitment combined with public recognition in the prestigious field of cultural heritage with the result of an accumulation of symbolic capital. For the professional organizations and experts in the field, the focus of inventorying was on taking stock in combination with an appreciation of civic engagement in the cultural sector. The DUK and the non-governmental organizations in the field were keen to raise awareness of ICH and its special value for human coexistence. However, the DUK expert committee recognized

quite early that recognition would have to be highly visible, and decided before the first inscriptions to create a logo and to award it to the communities for (non-profit) use. The DUK has repeatedly emphasized that public attention is the most realistic goal and result of recognition, a "currency" which must be converted into other benefits and safeguarding measures by the communities themselves. The municipalities in Germany have in part instrumentalized the recognitions within the framework of the UNESCO Convention for motives of their own, such as identity formation, to bind the population emotionally to the place, or to attract tourists (cf. Burkhard, 2015: 273). Some of the states of the Federal Republic of Germany have also used the convention to modernize their homeland (*Heimat*) preservation policy or, to a certain extent, to embed it in a modern, UNESCO-induced concept (cf. Hanke, 2024: 393).

It is striking that none of the relevant stakeholders of the newly created policy network explicitly aimed to expand cultural participation through the national implementation of the 2003 UNESCO Convention. Nevertheless, this was realized, at least in part, as a result of the process. This was accompanied by a corresponding process of reflection among ICH experts and civil society actors. Some actors in the policy network see the inventory as a purely obligatory task of national implementation, but some also pursue it enthusiastically in the interest of knowledge and see it as an opportunity to expand their own sphere of influence. In the case of the new actors in the policy field—the experts and the bearer groups—participation in the network is seen as an opportunity to draw attention to the significance of their own work (cf. Hanke, 2024: 389).

## 15.5  Dealing with ICH and Effects on Cultural Participation

Through the creation of the nationwide inventory as a bottom-up process, there is great emphasis on participation in ICH, and "in the continuum of cultural participation between receptive viewing and active engagement [the creation of the inventory] can be assessed as highly participatory" (Rieder, 2019: 144; translated by the author). According to the model described above, the open and participatory form of inventorying can be understood as an invitation to broad segments of the population to participate in arts and culture (cf. Hanke, 2019: 147). The fact that new actors have entered the field of cultural policy, for example in the areas of crafts, knowledge of nature and the universe, and also in the field of social practices, rituals and festive events, is a clear sign that cultural participation has been strengthened not only qualitatively but also quantitatively.

The characteristic feature of the expressions of ICH, however, is that they have already been practised for generations and can therefore now be recognized as cultural heritage. This recognition does not, however, directly generate an increased number of participants in cultural events, as is the case when new audiences are

attracted to theatre or orchestral performances or new visitors to museums; rather, the group of people who have already actively and passively participated in cultural performances is, in effect, merely put into a new category. This is basically an upgrading of previously marginalized cultural actors (cf. Hanke, 2019: 147).

The ICH's focus on everyday or mainstream culture and social knowledge and skills is in some ways a continuation of the expansion of cultural offerings and funding under the heading of "culture for all" with the advance of socioculture and its orientation toward the average cultural consumer in the 1970s and 80s (cf. von Beyme, 2012: 11) as well as the expansion of the concept of 'culture' associated with it. This time, however, it is not a matter of creating new cultural offerings, but of expanding the recognition of existing cultural practices. ICH can be 'high culture' but also 'popular culture'. It can be described as 'culture by all, with all, for all'. Moreover, dealing with ICH and the positive reception it is now given has already changed the understanding of 'culture' in politics in Germany, at least gradually. "The UNESCO Convention breaks with the usual patterns of argumentation and action in cultural promotion not least by emphasizing the central importance of communities, groups and individuals in the valorisation of intangible cultural heritage. The process of inheriting cultural activity is no longer understood as the privilege of elites from politics, administration or science. [. . .] The emphasis on the contribution of civil society [. . .] is a specific feature of the UNESCO Convention that sets it apart from others. The Convention activates civil society engagement and explicitly welcomes cultural participation, which does not presuppose a privileged position of knowledge and aims at the co-creation of cultural life by as many people as possible. [. . .] The Convention [. . .] shakes up an understanding of cultural promotion that has hitherto marginalized the cultural-social achievement of cultural creation by amateurs." (Koslowski, 2015a: 49; translated by the author).

However, as we have seen, the truth is that cultural participation was increased almost *en passant* with the German implementation of the UNESCO Convention, without any conscious intention behind it on the part of most political actors, i.e. without this being a conscious strategic motive for its national implementation. It is uncertain whether cultural participation is a deeply internalized goal of German cultural policy and therefore always a factor that is implicitly considered and pursued when new policies are made. Or is it perhaps not so consciously pursued as a goal by cultural policy actors because other goals intrinsic to the arts sector dominate? The latter hypothesis would be supported by the fact that in the field of cultural heritage in particular, there is often a focus on objects, so that cultural participation as a goal has not been on the radar so far. In Germany, 'cultural heritage' has generally not been interpreted in an inclusive way; instead, attempts have been made to create a hint of exclusivity. Interest is focused on the cultural heritage itself—and not on the associated bearer groups or the residents of heritage sites. This way of dealing with cultural heritage, however, runs counter to ICH as understood by UNESCO and to the potential goal of expanding cultural participation through a cultural policy for ICH. In Germany, cultural participation is still often understood in terms of classical art and cultural offerings and the audience's access to them, i.e. theatre

performances, museum visits, etc. Cultural heritage is not often associated with cultural participation. In order to actively promote cultural participation through the implementation of the UNESCO Convention on Intangible Cultural Heritage, this understanding would still have to be broadened in the policy field.

The potential of ICH as an instrument for enabling participation in arts and culture and promoting and valuing civic engagement is therefore not yet fully exploited in German cultural policy. Among the political actors relevant here, the federal government is recognizably the least interested in pursuing this goal by means of the national implementation of the Convention. The German Länder deal with the issue in very different ways—Bavaria, North Rhine-Westphalia, Saxony-Anhalt and Mecklenburg-Western Pomerania e.g. honour their bearer groups in various ways and in part also promote them financially or through actions that generate public attention. They have understood that in terms of cultural participation, ICH can play a major role in getting people actively involved in community activities, especially in peripheral regions: "Where an art or cultural event is remote, participation is crucial." (Institut für Kulturpolitik der Kulturpolitischen Gesellschaft, 2015: 50; translated by the author). There are also differences depending on whether cultural participation and cultural education are defined in relation to regional culture (cf. Institut für Kulturpolitik der Kulturpolitischen Gesellschaft, 2015: 50), as is the case in some more rurally structured Länder, while in others there is a tendency to apply both concepts in relation just to 'high culture'. Thus, no or very limited offers for the bearer groups can be identified so far e.g. in Saarland or in the city-states of Berlin, Hamburg and Bremen (cf. Hanke 377 ff.).

Civil society's participation in culture and involvement in cultural policy, e.g. through volunteering, must be made possible through instruments of state support for culture. Here the political measures used to implement the UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage, and especially the very open invitation to participate in the inventory process, have so far worked quite well. As it turns out, concepts and instruments with which cultural policy is made, such as the recognition of expressions of ICH, can also enable new forms of cultural participation.

However, the various logics according to which the nationwide inventory is compiled occasionally conflict with each other. In some places, cultural federalism blocks cultural participation when the mere numerical restrictions on the Länder in forwarding proposals prevent activities for the safeguarding of ICH from being recognized in the inventory. There is a similar problem in Switzerland (cf. Graezer Bideau, 2012: 307). There, geographical, denominational and economic factors play a role in how many proposals for the national inventory come from the respective regions. Urban, protestant and more industrialized regions tend to feel less affected by ICH (cf. Graezer Bideau, 2012: 309). From a presentation given in May 2017 by Stefan Koslowski from the Federal Office of Culture in Switzerland, we learn that bearer groups beyond a rather traditional understanding of customs and social practices have so far felt rather left out by the definition and context of ICH. The degree of organization is also a decisive factor, because these 'traditional' bearers are undoubtedly better organized than communities and groups in urban areas where

they dare to do a lot of new things which are, however, often based on traditions (cf. Hanke, 2024: 406).

To sum up, even if in the actual implementation of the 2003 Convention in Germany, the goal of expanding cultural participation is not clearly visible and rarely communicated, it can be discovered in many places, for example in (1) the inventory process, an invitation to broad sections of the population to take part, which gives civil society the possibility to take the initiative, i.e. to put forward suggestions of expressions of culture. This (2) encourages civic engagement in culture in general. Also (3) the expressions of ICH are defined by the cultural practitioners themselves and (4) with the national implementation of the 2003 UNESCO Convention new actors enter the cultural policy sector. In the meantime, also, ICH has (5) contributed to an expansion of the understanding of what 'culture' is in Germany, because cultural practices have been recognized as cultural heritage and thereby as part of the field of action of cultural policy. Not least, dealing with ICH also means (6) the recognition of the social and societal function of culture.

Thus, ICH itself is predestined to expand cultural participation and the German model of inventorying supports this goal in many ways, but it can also serve other goals. The goal of expanding cultural participation repeatedly comes into conflict firstly with the competitive nature of the listing mechanisms associated with UNESCO heritage—mainly because of the predominant image of World Heritage designation according to the 1972 Convention—, secondly with the rather selective tradition of (tangible) cultural heritage preservation in Germany and thirdly with the reality of federalism in cultural politics in the country.

## 15.6   Perspectives for the Future

Despite the largely harmonious cooperation of the cultural policy actors in the implementation of the UNESCO Convention, they did not begin the national implementation of the UNESCO Convention with a uniform definition of the problem and a clear definition of the goal. There was also only a very rudimentary agreement on the intended effects. Only the implementation part (cf. Jann, 1981: 49), i.e. which institutions would be entrusted with which tasks, had been discussed in detail in advance. The actors definitely had different interests and intentions, but did not make them transparent to each other—and thus they sometimes used the structures and processes for different intentions and goals, some of which were quite contradictory. ICH can undoubtedly also be interpreted as a resource for political, social and economic interests and should always be examined from this perspective as well (cf. Eggert & Mißling, 2015: 74). The dilemma that has arisen is that, after the initial experiences, it is now difficult to jointly determine a further course of action, since—belatedly—there first has to be agreement on the goals and intended effects of German participation (cf. Hanke, 2024: 398). As a consequence,

in national implementation, there is no clear communication concerning the value of ICH for the heritage discourse in Germany and for cultural politics in general. This can literally mean a waste of potential. It is also the reason why Germany cannot take up a clear position in the international arena and discourses on ICH.

In the promotion of culture, ICH is given little attention. Exceptions to specific funding for expressions of ICH can be counted on the fingers of one hand in Germany (cf. Hanke, 2024: 388). In particular, the potential of the participatory momentum and the opportunity for social self-understanding from a different perspective does not yet seem to have been fully exploited (cf. Koslowski, 2015b: 34).

What could form part of a clearly formulated strategy to deal with ICH in Germany in the future?

1. The relation between tradition and re-creation needs to be investigated and used. Human knowledge and skills need to be actively appreciated by cultural policy actors. Expressions of ICH can help to step up to challenges such as sustainable development or demographic change; and they can contribute to the development of "future skills". Heritage is still often understood as something that is behind us, i.e. from today's point of view. However, our perspectives on heritage should also embrace the "tomorrow" (cf. Koch & Hanke, 2013: 55).
2. Civic engagement in cultural activities and the safeguarding of heritage should be supported by the state. Flanders with its procedure of linking bearer groups with cultural heritage experts or organizations and the requirement to present concrete safeguarding plans in the inventorying process could be an example to follow in this respect (cf. Hanke, 2024: 431). State support does not mean financing in every case; it is about resourcing in a much broader sense.
3. Cultural activities that themselves create communities should be appreciated in cultural policy. Convention stakeholders should focus not on the most aesthetic or excellent traditions, but on the, sometimes hidden, potentials of expressions of ICH for social cohesion. These should be highlighted and supported in the interest of a pluralistic democratic society.
4. Cultural diversity and intercultural exchange should be more actively promoted. ICH contributes to the clarification and sharpening of cultural identities without having an exclusionary and hierarchical effect. With its local and global links, it can contribute to cultural exchange but also to the dissemination and implementation of the concept of global citizenship, which UNESCO is pursuing in the field of quality education (cf. Hanke, 2024: 421 f.).
5. Last but not least, a focus of state support should be participation in cultural processes. ICH with its living character and its often welcoming attitude towards new practitioners deserves more attention from cultural policy actors to consciously expand cultural participation. Also, bringing cultural actors in the contemporary art scenes in contact with the bearers of ICH, e.g. on a project basis, could be a worthwhile endeavour for both sides (cf. Hanke, 2024: 406).

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# Chapter 16
# Making Sense—and Talking About Smell: Dynamics of the Implementation of the 2003 UNESCO Convention in The Netherlands

**Sophie Elpers**

**Abstract** This article deals with the dynamics of the implementation of the 2003 UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage in the Netherlands. It describes and analyses these dynamics against the background of current developments and provides insights into related research. Particular attention is paid to a research project on the significance of smells and smelling in intangible cultural heritage. The article underscores efforts to find suitable strategies for implementing the convention in the Netherlands and explore new topics. A constant reflection on how to make sense.

**Keywords** Diversity · Research · Network · Smell · The Netherlands

This article deals with the dynamics of the implementation of the 2003 UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage in the Netherlands. It describes and analyses these dynamics against the background of current developments and provides insights into related research. Particular attention is paid to a research project on the significance of smells and smelling in intangible cultural heritage. The article underscores efforts to find suitable strategies for implementing the convention in the Netherlands and explore new topics. A constant reflection on how to make sense.

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## 16.1   Inventory of Intangible Cultural Heritage in The Netherlands

The Netherlands ratified the convention in 2012. It was clear from the outset that a participatory approach to the inventorying of intangible cultural heritage should be adopted and that Article 12 on inventorying and Article 15 on the participation of communities, groups and individuals (CGIs), who are the bearers of the heritage, should be considered together (cf. Jacobs, 2020). The Dutch Centre for Intangible Cultural Heritage (DICH), that was commissioned to implement the convention, was asked to coordinate the inventory of intangible heritage in the Netherlands bottom-up and as low-threshold as possible, with the heritage bearers in a leading role. Following several years of trial and error, an inventory method was found in 2017 that did justice to the different ambitions of the various intangible heritage bearers in the Netherlands. Inspired by ideas that already existed among cultural heritage experts from neighboring Flanders, Belgium, with whom there is a lively exchange, it was decided that intangible cultural heritage should be reported and made visible in three so-called circles (or three lists): the very low-threshold 'network,' which provides a broad overview of intangible heritage in the Netherlands, the 'inventory,' which is based on the active safeguarding of the intangible heritage by its practitioners, and the 'register,' with inspiring examples of safeguarding practices. Drawing on the experience of the Netherlands, Flanders also implemented a network (under the title 'The Great Collection') and a register of inspiring safeguarding examples in 2019 as a supplement to the inventory introduced there in 2008 (Elpers, 2023; Van Oostveen et al., 2022).

After more than 10 years of ratification, participation remains a challenging aspect. Do the bureaucratic hurdles of applying for the inventory and writing a safeguarding plan, which is a condition for inscription in the inventory, not exclude CGIs (cf. Bortolotto et al., 2020)? Is a safeguarding plan even necessary in a society in which basically no form of intangible heritage is really under threat and most cultural practices are maintained naturally (Schep, 2024)? What steps can be taken to ensure that all citizens of the diverse society of the Netherlands are able to participate? Should more institutions be involved in the implementation of the convention, including regional and local institutions that are in close contact with local people (cf. Cultural Motion, 2023, pp. 79–81)? Is it possible to develop a type of inventory based on a quantitative description of the overall landscape of intangible cultural heritage in the Netherlands, as heritage professionals could provide? This is a question that was already raised during the ratification phase of the convention (Margry, 2014, pp. 18–20, 64–65) and is now receiving renewed attention. In order to address these questions, the DICH has currently convened a year of reflection in which no new elements of intangible heritage will be included in the inventory.

## 16.2 Reflective Use of Terms and Concepts

Heated discussions in the Netherlands about the convention and its possible confirmation had already begun several years prior to ratification. These discussions were given additional impetus by a debate in the Dutch parliament on what was called folk culture ('*volkscultuur*'). It was a time in which a climate of uncertainty and a sense of loss of identity prevailed in the Netherlands due to terrorist attacks, political murders and failed integration, consequently, a widespread need for stability in a rapidly changing society could be determined. According to some politicians, popular culture was an ideal starting point for cultural participation and social cohesion. Cultural participation should be promoted at a national, regional and local level, particularly through subsidies for projects in the 'socially strong' area of folk culture (Dibbits et al., 2011, pp. 7–9).

Researchers from the fields of ethnology and anthropology, history and critical heritage studies were concerned: Would intangible cultural heritage be politically instrumentalized? What essentialist approaches to folk culture and intangible heritage could emerge and go hand in hand with the drawing of boundaries between 'own' and 'other' and processes of 'othering'? Which old—and problematic because ideologically reshaped—terms and concepts from earlier research on folk culture, especially that instrumentalized by National Socialism in the mid-twentieth century, such as 'folk character,' would be revived and possibly instrumentalized to legitimize political concerns? Which terms from everyday vocabulary, such as 'authenticity,' 'identity,' 'diversity' and 'nation,' would be used, and would their complexity be taken into account? Therefore, just in time for the ratification of the convention, a handbook, "Intangible Cultural Heritage and Folk Culture. Almanac to a Current Debate," (Dibbits et al., 2011) was published from the perspective of ethnology and critical heritage studies and from the premise of "scholarship with commitment" (Bourdieu, 2000). The almanac problematizes 50 Dutch terms from the field of cultural heritage. It is aimed at decision-makers, politicians and journalists as well as students and lecturers and is intended to raise awareness of the power of words and encourage a conscious and informed choice of words that is inclusive and contemporary (cf. Schmidt-Lauber & Liebig, 2021). More than 10 years on, current political developments in the Netherlands could revive the almanac's relevance. Now that the most recent elections have resulted in a parliament with a right-wing majority, the concerns about the concepts of 'folk culture' mentioned above are gaining new relevance.

## 16.3 Attention to Heritage Bearers

As soon as the Netherlands ratified the convention, great attention was paid to the bearers of intangible heritage and their care. The conditions for this were constantly improved. The DICH grew steadily, from four employees in the year of ratification

to a staff of sixteen today. A specific methodology was developed to support practitioners of intangible heritage in the development of safeguarding measurements and the writing of a safeguarding plan: a multiday workshop led by the DICH, in which several groups of practitioners can participate simultaneously to inspire each other's writing. In the workshop, the paradigm of ICH is explained and an understanding of the dynamics of cultural heritage is created.[1] Besides the development of a safeguarding plan, the outcome of the workshop is that the heritage bearers develop a (more) reflexive relationship with their cultural practices, which is one of the preconditions of heritage (cf. Kirshenblatt-Gimblett, 2004). The DICH is, therefore, a central player in the process of heritage-making.

The DICH maintains close contact with the heritage bearers after the inscription in the inventory. It organizes so-called face-to-face 'ICH Days' twice a year where the intangible heritage bearers can participate in workshops on diverse heritage-related topics. Furthermore, and foremost, the ICH Days offer time and a safe space for personal exchanges about the opportunities and challenges surrounding safeguarding. It concerns an approach that considers inventories as stimuli and infrastructures for social networking amongst different groups of intangible heritage bearers, rather than lists of single quantifiable elements of heritage with which state parties tend to claim their successes in the cultural field (cf. Hafstein, 2012, p. 504). This approach is effective because it emphasizes the role of inventories as safeguarding tools (Elpers et al., 2021b, pp. 1–3).

Ethnologist Valdimar Hafstein draws attention to the fact that heritagization can equate to recontextualization when he writes: "To label a practice or a site as heritage is not so much a description [. . .] as it is an intervention. In fact, heritage reorders relations between persons and things, and among persons themselves, objectifying and recontextualizing them with reference to other sites and practices designated as heritage" (Hafstein, 2012, p. 508). The results of this recontextualization process become visible on the website of the inventory of intangible cultural heritage in the Netherlands.[2] The inventory, understood as infrastructure, brings heritage bearers in contact with each other. Mutually beneficial exchange and cooperation can successfully be kick-started by taking a look at the inventory, especially as the website offers a search function that can be used to search for aspects (and challenges) of safeguarding. The collaboration between the practitioners of several flower parades culminated in an inscription in the Dutch Register of Inspiring Examples of Safeguarding as well as in the creation of a general roadmap for collaborations amongst bearers of intangible heritage.[3] Another example: the practitioners of the Saint Martin celebration in the city of Utrecht have been sharing their experiences regarding the creation of an international Saint Martin tourist route with citizens of the village of Beesel, who organize a yearly open-air spectacle based on the legend of Saint George and the Dragon and would like to collaborate internationally.

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[1] https://www.immaterieelerfgoed.nl/en/procedure

[2] https://www.immaterieelerfgoed.nl/immaterieelerfgoed

[3] https://www.immaterieelerfgoed.nl/Corsokoepel

However, experience shows that such exchanges have to be initiated and do not always develop automatically. In addition, attention should also be drawn to the risks and challenges that come with collaborative projects: Do situations of competition arise between the bearers of diverse forms of heritage? Do some practitioners of intangible heritage lose their individuality or local color? Do larger groups of practitioners tend to absorb smaller groups (cf. Elpers et al., 2021b, pp. 2–3)?

## 16.4 Diversity

Heritage experts in the Netherlands emphasize that the inventory of intangible cultural heritage should reflect the diversity of society and, at the same time, be an invitation for intercultural dialogue, multiperspectivities and mutual understanding (De Leeuw, 2022). The inventory now contains 215 elements of intangible heritage and the network around 370 elements. A quick glance at the lists makes it clear how diverse they are compared to other countries (www.immaterieelerfgoed.nl). Nevertheless, migrant cultures, youth cultures and forms of intangible heritage that are not formally organized (e.g. in associations) are underrepresented. This is despite the fact that a series of applied research projects have been carried out at the DICH in order to make the inventory more diverse. Albert van der Zeijden, for example, investigated the various forms of intangible heritage in a superdiverse neighborhood of the city of Rotterdam and asked how this diverse and hybrid heritage can best be safeguarded. One of the aims of the research project was to give the heritage bearers concerned a place in the inventory (Van der Zeijden, 2017). Susanne Verburg investigated how young people experience and safeguard their forms of cultural expression, and, in so doing, made the concept of intangible cultural heritage known among young people (Verburg, 2020). It remains to be seen whether current research on gender and the decolonization of intangible cultural heritage (see next section) will lead to a more diverse inventory. Ideas for new policies are also being developed to ensure that more people feel addressed by the 2003 convention (see below).

## 16.5 Research

Research has been one of the core tasks of the DICH since 2013. Five academic staff members are now working on participatory research projects (Van der Zeijden, 2018), which address concrete challenges in the field of intangible cultural heritage and its safeguarding. The Research Agenda 2017–2020 (Van der Zeijden & Adriaanse, 2018) has led to the publication of a whole series of articles, practical guidelines and tools in the areas of contested heritage, intangible heritage in a superdiverse society, intangible heritage and youth cultures, intangible heritage

and sustainable tourism, and intangible heritage in the public space.[4] The publications are aimed at practitioners, museums and other heritage organizations, and municipalities. The exhibition "Animals, People & Tradition" (in collaboration with the Centre for Agrarian History, University of Leuven, Flanders) was developed in the context of contested heritage and particularly discussions on animal welfare. Furthermore, between 2017 and 2020, the DICH participated in the international "Intangible Cultural Heritage & Museums Project",[5] and from this, developed its own line of research on the connection and interplay between intangible and tangible cultural heritage—with a whole series of publications as output.[6]

The Research Agenda 2021–2024 (Bakels et al., 2022) focuses on environmental sustainability. How can practitioners make their intangible heritage more sustainable? How far is intangible heritage a resource for ecological sustainability and how can this be supported? One of the research projects that aims to answer this question is "Water and Land". Together with the Centre for Agrarian History at the University of Leuven, the DICH inventories, researches and promotes the intangible heritage of water and land as a lever for ecological sustainability in challenges such as water management, biodiversity conservation and soil fertility.[7]

Another focus of the research agenda is on questions of diversity. How can diversity and multiperspectivity be taken into account in safeguarding? To what extent is intangible heritage a place where ideas and new discourses about gender can emerge and take shape? How do colonial pasts reverberate in intangible heritage expressions? These pasts have been depoliticized, muted, institutionalized and normalized on a grand scale in Dutch society, and, by extension, feed into heritage in manifold ways. How can intangible cultural heritage be decolonized?

The DICH's current research also critically reflects on their own working methods: this concerns questions regarding participatory working methods, as mentioned above. Another central question concerns updating the inventory. It is undeniable that dynamic heritage deserves active and regularly updated inventories. Otherwise, the risk of fixation could occur. By now, the Netherlands have an in-depth procedure of a three-yearly evaluation conversation between heritage advisers from the DICH and practitioners about the—constantly evolving—intangible heritage elements on the inventory and related safeguarding plans. How can this updating system be improved in order to avoid too much pressure on the practitioners, remain feasible against the background of a growing inventory, and avoid bureaucracy, which is one of the most criticized aspects of the implementation of the convention (Schep, 2024)?

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[4] www.immaterieelerfgoed.nl/kennisbank

[5] https://www.ichandmuseums.eu/en

[6] www.immaterieelerfgoed.nl/kennisbank

[7] https://cagnet.be/page/water-en-land

## 16.6   Networks

The DICH is not the only institute conducting research on intangible heritage in the Netherlands. Universities, the Meertens Institute, an ethnological research institute from the Royal Netherlands Academy of Arts and Science, museums and regional cultural heritage institutions are also investigating the dynamics and policies of intangible cultural heritage. However, there is a lack of structural exchange. While Flanders, for example, concentrated on the development of a network of professional heritage institutions around intangible heritage immediately after the ratification, structural networking in the Netherlands has only recently begun to receive attention in the context of increasing focus on the diversity of the intangible heritage field. In 2023, a comprehensive evaluation was conducted in the Netherlands after 11 years of implementing the convention. One of the results was that a so-called Living Heritage Network needed to be established, an equal and accessible collaborative network involving all stakeholders in the field of intangible cultural heritage (research institutions, municipalities, provinces, cultural heritage institutions, funding institutions, CGIs) with the aim of structural cooperation that reaches bearers and practices of intangible heritage across the board (Cultural Motion, 2023, pp. 67–69, 81). This network will, indeed, be established in the near future as the State Secretary for Culture and Media informed parliament in April 2024.[8] It was also pointed out that the financial resources for intangible heritage are inadequate in relation to the number of intangible heritage practitioners in the Netherlands, and that the potential of intangible heritage for society and the environment needs more attention. This means that not only the cultural sector, but also other areas of politics should deal with intangible heritage and provide interdepartmental funding. Municipalities and provinces should be given more tasks in terms of identifying, inventorying and supporting the safeguarding of intangible heritage (Cultural Motion, 2023, pp. 20, 79–80).

## 16.7   Talking About Smell

Research at the DICH is tied to concrete urgent safeguarding challenges in the field of intangible heritage. However, research from other institutes (whether or not in collaboration with the DICH) can introduce new topics. One of those innovative research projects will be highlighted in the second part of this contribution.

Associated with the Horizon 2020 project Odeuropa,[9] the research project focuses on the significance of smells and smelling in intangible heritage and the question of how greater attention to this significance may not only contribute to a

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[8] https://www.rijksoverheid.nl/documenten/kamerstukken/2024/04/04/immaterieel-erfgoed-van-voor-door-en-met-iedereen

[9] www.odeuropa.eu

broader understanding of intangible heritage, but also lead to new forms of safeguarding, including new policies. This kind of innovative project is feasible in the Netherlands because many stakeholders are open to developments in policies, including those that bring in new and unexpected perspectives. Such openness, flat hierarchies and short paths (in both the literal and figurative sense) mean that cultural heritage organizations and policymakers can easily come together with researchers and discuss new approaches creatively. In addition, the DICH's close contact with heritage bearers makes it easy to involve the latter in research projects in a spirit of partnership, for example, through surveys, interviews or roundtable conversations.

Intangible cultural heritage engages the human body. Therefore, the sensuality of practicing and experiencing intangible heritage is something inseparably connected with it. Heritage cannot exist without sensuality. Smell and its significance, however, is often overlooked when identifying, inventorying and documenting intangible heritage (Hanna Schreiber, quoted in Elpers et al., 2021a, p. 447). Using porcelain production in Poland as an example, ethnologist Ewa Klekot has shown that inventorying and documenting intangible heritage usually culminate in representations that are formulated "on the basis of a strong visual bias of knowledge construction" and normally show a "repression of all the senses except for sight" and hearing (Klekot, 2018, p. 114).

This is also true for cultural heritage generally: The policies for the documentation, recognition, protection, safeguarding and communication of cultural heritage have generally expressed little interest in the olfactory aspects of heritage. Following Bembibre et al. (2024, p. 6), this is caused by (1) limited knowledge of the past and present sensory worlds, (2) the low awareness of the significance of the sense of smell in heritage practices, and (3) inadequate methods for documenting and safeguarding smell aspects. Furthermore, the strategic agendas of (inter)national heritage bodies do not take into account drawing special attention to smell(s) and olfactory practices.

How can one overcome the regime of what is traditionally understood as the stronger senses (cf. Henshaw, 2013; Davis & Thys-Şenocak, 2017)? The suggestion is to

(a) provide evidence of the significance of smells and smell practices as part of intangible cultural heritage by looking at concrete examples;
(b) help heritage bearers and policymakers to become more aware of the significance of smell and smelling;
(c) develop methods and best practices to identify, document and, thus, also safeguard smells and smell practices in intangible cultural heritage; and
(d) provide evidence of the crucial role our noses (can) play in our engagement with heritage (Bembibre et al., 2024, p. 6).

In order to provide evidence of the significance of smells and smelling in intangible heritage and its safeguarding, researchers from the Meertens Institute together with the DICH sent out a survey questionnaire and asked all heritage bearers who are listed on the inventory of intangible cultural heritage in the Netherlands about the role of smell and smelling in their heritage and its safeguarding. Furthermore, a survey questionnaire was sent out to 30 millers in the Netherlands and fieldwork was

conducted in mills producing flour in order to gain insights into a craft after having received a lot of information about festive events via the first survey. The millers' craft was the first inscription of the Netherlands in the UNESCO Representative List of the Intangible Cultural Heritage of Humanity in 2017. Smell and smelling are absent in the nomination dossier, despite the assumption of the researchers that they, indeed, play an important role in the craft (Elpers et al., 2021a, pp. 448–449). A third survey questionnaire was sent out to a wide general audience and was answered by approximately 1850 respondents aged between 11 and 92 years old, with a strong representation of people between 45 and 75 years old. The majority of participants live in the Netherlands and were also born there.[10] Expert conversations took place with heritage professionals and policymakers from the Netherlands, Poland, Slovenia and France.

## 16.8  The Significance of Smell in ICH

The research results show that the roles of smell and smelling in intangible heritage are manifold.

### 16.8.1  Identity

Smells play a role in identity formation for heritage bearers. They evoke feelings of belonging. This is true for bearers of different kinds of intangible cultural heritage, from crafts and culinary heritage, where smell and smelling are essential, to performing arts and festive events. The respondents often described unique "smellscapes" (Douglas Porteous, 1990, pp. 21–45) consisting of a mixture of smells: "The smell of the Lowlands [music] Festival, means 'coming home' for me. Even if it is not a nice smell. Old beer soaked into the grass. Damp. Mixed with sweat. It's a typical smell that can really only be smelt at festivals. It reminds me of previous festivals. It's kind of part of the past. Youth memories."[11] Another example is the smellscape of cattle markets: hay, cattle, manure, old tractors, pea soup. The smellscapes described can consist of smells that are perceived as less pleasant, in combination, however, they trigger positive feelings of belonging, which are often linked to memories.[12]

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[10] All collected data is stored at the Meertens Institute in Amsterdam: survey 417381 and 825654: *Geurtaal en geurerfgoed*; survey *Geur in immaterieel erfgoed*; survey *Geur in molenaarsambacht*.

[11] Meertens Institute, survey 417381 and 825654: *Geurtaal en geurerfgoed*, 2022, respondent 728.

[12] Meertens Institute, survey 417381 and 825654: *Geurtaal en geurerfgoed*, 2022, respondents 559, 681, 1274.

Smell aspects in intangible heritage are also a matter of contestation. Following several notable disputes between neighbours in rural areas regarding sound and smell, France recently created a law to safeguard the sensory heritage of the countryside with the aim of reinforcing collective identity building and fostering a sense of temporal continuity (Van Duijvenvoorde, 2021). The future will show how the law will work and what effects it will have. In the Netherlands, there has been growing opposition to fireworks on New Year's Eve as well as bonfires at Easter and on other festive occasions. Critical discussions include safety, environmental issues, and the impact on the health of humans and animals (Bakels, 2020), but these discussions are often ignited by aspects of smell. One of the respondents described: "I always go to the Easter fire [. . .]. You smell the other fires from the other villages everywhere. It gives a very special feeling that this has been done this way for centuries." The smell of fire is said to give a peaceful and relaxed feeling.[13] Other respondents objected, for instance: "Easter fire. I always flee the province from it. The smell gives me goosebumps. Climate disaster [. . .] Easter fires affect many people's health".[14] Contradictory explanations such as these can lead to highly emotional debates because people closely associate their (group) identity with intangible cultural heritage. A lot of attention is paid to multiperspectivities in the Netherlands. The method of "emotion networking", for instance, turns out to be highly appreciated in the heritage field. This practice brings together and provides insights into the various emotions that one and the same element of heritage can evoke in different people. The method stimulates exchange about these emotions and is meant to create mutual understanding (Dibbits, 2023).

### 16.8.2 Connection with the Past and Structure

The sense of smell is one of the strongest senses associated with our memories, as neurologists have shown, and it can provide immediate access to memory, fostering deeper connections with the past (Herz, 2011). Many millers, for instance, related that they access memories of childhood and youth, of father and grandfather, when they sniff the smellscape of the mill. Those memories often evoke emotions directly, such as pride: "We have been working with mills for three centuries", one of the millers reported.[15]

Smells in intangible heritage also bring structure to the day and the year. Several attendees of flower parades, for instance, explained that spring only starts for them when they smell the odour of the parade.[16]

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[13] Meertens Institute, survey 417381 and 825654: *Geurtaal en geurerfgoed*, 2022, respondent 235.

[14] Meertens Institute, survey 417381 and 825654: *Geurtaal en geurerfgoed*, 2022, respondent 406.

[15] Meertens Institute, survey *Geur in molenaarsambacht*, 2023.

[16] Meertens Institute, survey 417381 and 825654: *Geurtaal en geurerfgoed*, 2022, respondent 848; survey *Geur in immaterieel erfgoed*.

### 16.8.3 Sensory Competence

Various bearers of intangible heritage make use of their noses as a diagnostic tool, for example, cooks to assess the readiness of a traditional meal, fisherman to identify if there are many fish in the river, and millers to assess the quality of the grain and the flour.[17] The millers who were interviewed also emphasized the importance of smelling in the context of fire safety and weather forecasts. Young millers gain this sensory competence working together with more experienced colleagues in the mills, however, it has not, as yet, been incorporated as part of the official training courses which are offered by the millers' guild in the Netherlands.

### 16.8.4 Heritage Engagements

Smells can also play a powerful role in heritage experiences. Recent studies into the significance of smell in galleries, libraries, archives and museums reveal that sensory interaction enables meaningful learning experiences, bringing heritage to life and leading to its enhanced understanding (Bembibre & Strlic, 2021; Verbeek et al., 2022; Ehrich et al., 2023). The fieldwork in and talks with visitors of mills suggests that this is also true for intangible cultural heritage in this case.

Even though this contribution can only give a few examples, they show that smells and smelling play a significant role in essential aspects of intangible heritage. Through the sense of smell, people identify with the heritage and generate feelings of identity and continuity. Furthermore, smell competence and smelling are—especially in crafts—part of the knowledge and skills which are the essence of intangible heritage.

Being aware of and documenting smells and smelling (alongside other sensual aspects) in intangible cultural heritage can contribute to a more complete understanding of the heritage, and it might also lead to a better—or other—safeguarding. Intended or unintended, ethnographic research always has an impact on the field. The research project discussed here has stimulated heritage bearers to think and talk about smells and smelling in intangible heritage. It has resulted in millers considering including olfactory knowledge in their official training courses. Furthermore, a third of the intangible heritage practitioners who responded to the survey now find that smell should receive more attention in order to attract people and improve safeguarding.

Policymakers and heritage brokers can play a supportive role by raising awareness among the practitioners about smells, explaining various scent detection methods, such as scent mapping and scent walks (McLean, 2019; Ehrich et al., 2023, pp. 53–60), and providing a suitable vocabulary for describing smells. This is necessary due to a lack of terminology, as we are not used to talking about smells to

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[17]Meertens Institute, survey *Geur in immaterieel erfgoed.*

the same extent as, for example, colours in our Western societies. Smells can be documented by deconstructing and reconstructing them using analytical techniques to separate and detect the chemical components, or by describing them with the help of odour wheels. However, documenting smells in intangible heritage is meaningless unless their actual role and significance for the heritage bearers is described.

The dynamics of the practical implementation of the 2003 convention and the related policy developments and research projects described in this article demonstrate critical and innovative approaches to intangible cultural heritage in the Netherlands. However, it also concerns a heritage regime, in which various powers and entities are involved that set specific priorities. These are, among others, participation, inclusion and the senses.

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# Chapter 17
# An Examination of the Developmental Process and Characteristics of the Korean Intangible Cultural Heritage Protection System

**Hanhee Hahm and Yong Goo Kim**

**Abstract**  The article discusses the evolution of Korea's cultural heritage protection policies, with a particular focus on intangible cultural heritage, spanning from the inception of the Cultural Property Protection Act in 1962 to the recent enactment of the Framework Act on National Heritage in 2023. The shift towards a more comprehensive legal framework aims to align Korea's standards with international norms, particularly those set forth by UNESCO's cultural heritage safeguarding policies. The article highlights the challenges stemming from conflicts between domestic laws and UNESCO conventions, as well as the subsequent revisions undertaken by the Cultural Heritage Administration to address these issues. The article underscores the challenges associated with safeguarding community-based intangible cultural heritage. It proposes assigning a central role to expert committees in safeguarding intangible heritage and advocates for reducing direct government intervention in favour of exploring novel avenues for indirect support.

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## 17.1   Introduction

The safeguarding of tangible and intangible cultural heritage in Korea dates back to the inception of the "Cultural Property Protection Act" (CPPA) in 1962. Subsequent to this milestone, Korea has undergone significant transformations in both societal and cultural realms, culminating in the establishment of the "Framework Act on National Heritage" (Framework Act) in 2023. While legislative adjustments have been made in response to evolving circumstances, a fundamental paradigm shift was essential to redefine cultural property perceptions comprehensively. Six decades since the enactment of the CPPA, an official overhaul of the nomenclature and classification system of cultural heritage has taken place. Additionally, a new legal framework was imperative to incorporate changes in the global landscape of cultural heritage preservation policies, aligning Korea with international standards. Consequently, the Framework Act has been newly formulated with the overarching goal of fostering "future-oriented national heritage protection and value enhancement" in response to both domestic and international shifts in cultural heritage paradigms.

These domestic adjustments closely align with UNESCO's cultural heritage safeguarding policies. UNESCO, through the World Heritage Convention and the Intangible Cultural Heritage Convention, urges member states to develop inclusive safeguarding measures tailored to the unique situations of their heritage. Given the distinct historical backgrounds, socio-cultural contexts, and diverse forms of each heritage, it is inherent that member states protect and transmit them within the framework of their laws and administrative systems.

Korea has consistently faced internal and external pressure to adhere to UNESCO's Intangible Cultural Heritage Convention. Complying with the CCPA, the country has preserved the nomenclature and classification system, encompassing tangible cultural property, intangible cultural property (hereafter ICP),[1] commemorative objects (historic sites, scenic places, and natural monuments), and folk cultural property for over half a century. However, conflicts between domestic cultural property laws and UNESCO's Convention emerged after becoming a member state in 2005. To address this, a cautious shift occurred, creating a dual structure to comply with the UNESCO Convention. However, this dual structure exacerbated confusion among holders of ICP, organizations, and local government departments

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[1] In Korea, the terminology surrounding cultural heritage has been marked by a transition from the use of 'intangible cultural property (ICP)' to the forthcoming adoption of 'intangible heritage' starting in 2024. The shift in nomenclature reflects an evolution in the conceptualization of cultural heritage. Despite the nuanced distinctions between 'intangible cultural property' and 'intangible heritage,' these terms have often been employed interchangeably in the Korean context, adding a layer of complexity to the understanding of the country's intangible cultural heritage field. In this paper, we, the authors, undertake the responsibility of elucidating this intricate situation for foreign readers, aiming to provide clarity amidst the semantic intricacies that characterize Korea's approach to intangible cultural heritage.

involved with elements inscribed on the UNESCO Representative List of the Intangible Cultural Heritage of Humanity.[2]

To resolve the issues arising from the dual structure, the Cultural Heritage Administration (CHA) comprehensively revised the nomenclature, classification system, and protection policies in accordance with UNESCO's recommendations.[3] This paper first outlines the changes in Korea's ICP protection system over the past 60 years, starting from 1962. It then examines the societal and cultural changes that propelled these institutional changes and reflects on the impact of the system on the field of ICP. Finally, we present an analysis of the characteristics of Korea's ICP protection system.

## 17.2 Changes in the Protection System for Korean Intangible Cultural Property

### 17.2.1 Formative Period: Before the 1970s

Korea underwent profound political and social transformations in the late nineteenth and early twentieth centuries, marked by the collapse of the monarchy, Japanese colonial rule, the Korean War, military revolution, industrialization and democratization—all transpiring within a century. In the midst of these societal upheavals, encapsulated by the term "compressed growth," much of Korea's traditional culture faced imminent decline. Significant cultural heritages were jeopardized or vanishing amidst political tumult and economic adversity. In response, the government promulgated the CPPA, drawing upon laws established during the Japanese colonial era.[4]

Initiated in 1956 under the Department of Culture and Education, the legislative process faced delays due to political turbulence, including student protests and military revolutions in the early 1960s. Eventually, under the military regime in

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[2]In Korea, the term 'intangible cultural property' holds special legal, social, and cultural significance. Chapter 3 of this paper delves into a detailed exploration of the distinctions between 'intangible cultural property' and the globally recognized term 'intangible cultural heritage.' This analysis aims to elucidate the unique contextual nuances that accompany the utilization of 'intangible cultural property' within the Korean legal, social, and cultural framework.

[3]The government bureau responsible for cultural property protection policy in Korea is known as the Munhwajae-cheong, with its English counterpart being the "Cultural Property Administration." But the English name, "Cultural Heritage Administration," is used. The Cultural Heritage Administration changed its name to the National Heritage Service in May 2024 and reornized its structure. However, in this paper, the terms 'Cultural Heritage Administration' and 'Natioanl Heritage Service' are used appropriately according to the context.

[4]The influence of laws enacted during the Japanese colonial period (1910–1945) and the subsequent Japanese Cultural Property Protection Law established in 1950 had a significant impact on the cultural and legal landscape of Korea. Scholars such as Kim Jong Su (2019) and Yim Jang Hyeok (2022) have extensively studied and documented the repercussions of these legal frameworks on the heritage and cultural policies in Korea.

1962, the CPPA was established. The term "cultural property" defined in this legislation pertains to elements deemed crucial for preservation, encompassing tangible cultural properties such as national treasures, cultural relics, scenic places, natural monuments, and intangible cultural properties, including performing arts, music, dance, fine arts, crafts, and folklore. Criteria for designating cultural properties were formulated, and government administrations responsible for designation were instituted at both central and local levels.

During the nascent stages of Korea's cultural property protection system, emphasis was primarily on historical relics, artefacts, natural landscapes, and natural monuments classified as tangible cultural properties. Although the inclusion of intangible cultural properties (ICP) was a positive step, the definition, which embraced "play, music, dance, crafts, and other intangible cultural properties," introduced a constraint by narrowing its scope. This limitation was attributed to the intricate nature of establishing criteria for ICP designation (Article 2, Paragraph 2 of the CPPA).

Limiting the scope to traditional handcrafts and performative areas reflected the challenges of defining criteria for intangible cultural property (ICP) designation. Reviewing the early Cultural Property Protection Act (CPPA), it becomes evident that defining criteria for ICP posed considerable challenges. In 1964, ICP was initially defined as having "significant historical and artistic value and distinct locality." Notably, the central government, influenced by folklorists, incorporated distinctive folk culture into the criteria for designating 'important ICP,' making it challenging to distinguish from the local level of ICP designated by provincial governments. Nevertheless, expanding the scope of ICP beyond traditional arts and handcrafts was a commendable move.

In October 1961, the Korean government inaugurated the Cultural Heritage Management Bureau, a precursor to the present-day Cultural Heritage Administration (CHA). This bureau laid the foundation for implementing a robust policy on the preservation of traditional culture, rooted in the comprehensive policy for Cultural Property Protection Act (CPPA). The new government, instituted after a coup d'état, aimed to establish a new national culture, preserving tangible and intangible cultural properties embodying the values of Korean history and culture. While tangible cultural property was central to national culture building, it also included ICP. The first designation of 'important ICP' by the central government occurred in December 1964, encompassing Jongmyo Jeryeak (royal ancestral ritual music), Yangju Byeolsandae (regional mask dance drama), and Kokdugaksi Nori (puppet show), showcasing a diverse range of traditional cultural expressions.

Decisions on 'important ICP' were deeply influenced by scholars, primarily folklorists, who played a significant role in shaping the early ICP protection system. These scholars advocated for the inclusion of folk culture into the national-level property, emphasizing the democratic viewpoint and expressing nationalism in their research and protection practices.[5] The term 'important ICP' was used for

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[5], Seong Gyeong Rin, Yim Seok Jae, Yim Dong Gweon, among others, stand as commemorated notables within the echelons of scholars and experts during that era.

designations made by the central government, while local governments designated "regional ICP." This nomenclature difference, however, did not translate into significant distinctions in the actual elements and criteria designated, leading to hierarchical tensions and conflicts.

Critically, a hierarchical order emerged between central and regional levels, causing tension and conflicts reminiscent of the historical political relationship between the central and regional authorities during the Joseon Dynasty. The centralized cultural property protection system, while recognizing the diversity of regional culture, resulted in a perception that 'important ICP' held more prestige than 'regional ICP,' perpetuating a sense of inferiority. The hierarchical system, though acknowledging positive achievements, faced criticism for its negative aspects, including ambiguity in criteria for designating cultural property and perceived distortions in the intention to preserve ICP.

## 17.2.2 Growth Period: Early 1970s to Early 1990s

From the enactment of the Cultural Property Protection Act (CPPA) in 1962 to the divergence of the Intangible Cultural Property Act (ICPA) in 2015, the foundational aspects of the law, the definition of Intangible Cultural Property (ICP), and the designation process witnessed minimal changes. Nevertheless, there were noteworthy revisions to the primary text aimed at addressing inherent flaws and adapting the protection system to evolving societal changes and demands. For example, the initial CPPA did not explicitly identify holders of ICP, notifying them only when important ICP was designated, accompanied by specific obligations and restrictions. In its nascent phase, the focus was on guiding holders to fulfil their responsibilities as custodians, prioritizing the public nature of ICP over private rights. However, the 1970 revision of the CPPA marked a departure, relaxing the strict obligations imposed on holders and recognizing their rights to the skills and performances they possessed. This amendment also introduced the accreditation of holders, a novel inclusion in the system.

An ICP holder or bearer was defined as an individual who acquired, preserved, and performed the original form. The principle of preserving the original form, initially applied to tangible cultural property, was extended to ICP. Article 3 of the CPPA stated, "The basic principle for the preservation, management, and utilization of cultural property is to preserve them in their original state." While this clause may be apt for tangible cultural property, its application to ICP, involving transmission through people, poses challenges. The requirement for a holder with the original form became a criterion for accrediting ICP in Korea, creating obstacles for iconic elements of Korean traditional culture, such as Arirang and Gimjang culture, in being designated as ICP within the domestic protection system due to the absence of authorized holders. Nevertheless, Arirang and Gimjang faced no issues in being inscribed on UNESCO's Representative List of the Intangible Cultural Heritage of Humanity, aligning well with UNESCO's inscription criteria for ICH.

The pursuit of the original form for ICP holders may be viewed as a challenging endeavour, particularly for Koreans who have experienced significant historical changes encompassing colonialism, war, industrialization, and modernization. Nevertheless, policymakers and collaborators persevered in their determination to identify and recognize ICP and its undaunted holders who continued the tradition. A national event was organized with the goal of discovering local folk arts, the details of which will be elaborated in the subsequent discussion.

### 17.2.2.1 Searching for the Original Form: National Folk Arts Competition

Korea, with a history of over a millennium under a dynasty, fell under Japanese colonial rule, during which Japan's modern culture gradually supplanted Korea's long-standing cultural identity. This embrace of imported modern culture by the contemporary elite led to the marginalization of traditional Korean culture. The defeat and subjugation by Japan resulted in the denial of the cultural heritage left by the monarchy. The period of Japanese colonial rule, blending colonialism and modernization, dramatically transformed Korea's political, social, and cultural landscape that had been centred around the monarchy, lasting for 36 years.

The colonial era witnessed movements aimed at eradicating national culture, contributing to the denial of traditional Korean culture. The collapse of Japanese colonial rule in 1945 marked Korea's independence, followed by the division of the nation into North and South amid the standoff between the United States and the Soviet Union. South Korea, championing democracy, established the government of the Republic of Korea in 1948. However, ideological differences between North and South Korea led to a large-scale conflict on the Korean Peninsula just two years later, with North Korea invading South Korea to overthrow its democratic government. The post-World War II ideological and political divisions resulted in a clash between communism and democracy in Korea.

The immediate aftermath of establishing its government in Korea saw three years of intense economic hardship, political, and social instability due to warfare. The 1950s posed significant challenges for Korea as the nation endeavoured to recover from the war. Despite these adversities, the National Folk Arts Contest was inaugurated, evolving into the present-day National Folk Arts Festival. In its early stages, commencing in 1958 and peaking in the 1970s and 1980s, the event primarily focused on unearthing folk traditions nationwide. Since 1999, the contest has transitioned from a competitive format to a festival, emphasizing widespread participation. This contest, where numerous winners subsequently received designations as intangible cultural properties (ICP), played a pivotal role in shaping Korea's ICP protection system. Therefore, it is imperative to revisit the origins and progression of this event.

In 1958, against the backdrop of persistent political and social upheaval, despite the 10th anniversary of the establishment of the Republic of Korea, the influence of industrialized modern culture from the West continued to grow. Traditional Korean

culture and folklore, gradually marginalized, were on the verge of disappearance. Recognizing the need to foster unity among local communities and preserve endangered intangible cultural heritage in rural areas, the government perceived the organization of a nationwide folk arts contest as an opportune means to achieve dual objectives. The event's inception, coinciding with the celebration of the country's founding, carried political significance from its outset.

Before the nationwide contest, various localities hosted large and small folk festivals. However, the introduction of the contest prompted each region to tailor its folk traditions to align with the contest's objectives and actively participate. The grand-scale performances of plays, games, and music that were once the domain of village residents, many of whom had migrated to urban centres during the 1960s' industrialization, were revived through the mobilization of middle and high school students by local governments. This mobilization occurred during a period of military rule when nationalism and patriotism were prevalent. While opinions on student mobilization for the contest varied, some viewed it negatively, citing concerns, while others perceived positive educational effects. Although statistics are challenging to obtain, a considerable number of individuals have passed down folklore and intangible cultural heritage from their school days to the present.

Experts have objectively assessed the advantages and disadvantages of this contest. It significantly contributed to the discovery and preservation of folk culture across the country, rendering national culture visible. Moreover, it positively impacted the unity and pride of local communities, especially when participants and onlookers received prestigious awards such as the Presidential Award or the Prime Minister's Award. Consequently, each region diligently transformed its folklore into contest items annually. However, excessive competition within the contest spawned the creation of fake folklore. Critics also highlighted the alienation of local residents, as contest judges, often lacking a comprehensive understanding of regional folk culture, assessed the entries. Despite expert evaluations, participants perceived this contest as a crucial preparatory stage for the eventual designation as intangible cultural properties (ICP).

### 17.2.2.2  Amendment Phase

From 1982 to 1983, the intangible cultural property (ICP) protection system underwent a substantial overhaul through amendments to the Cultural Property Protection Law (CPPL) and its subsidiary laws. The primary objective of these revisions was the enhancement of the Korean ICP system, leading to a reinforced role of government intervention in safeguarding ICP through various avenues. One pivotal aspect of the revision was the formalization and legitimization of the transmission system for ICP. This involved the establishment of a hierarchical arrangement of successors, encompassing chief successors, certified trainees, trainees and scholarship trainees. This ladder structure, ranging from novices to the highest echelons of successors, defined the status of transmitters within the ICP protection system (Fig. 17.1). The legitimization of this transmission system marked
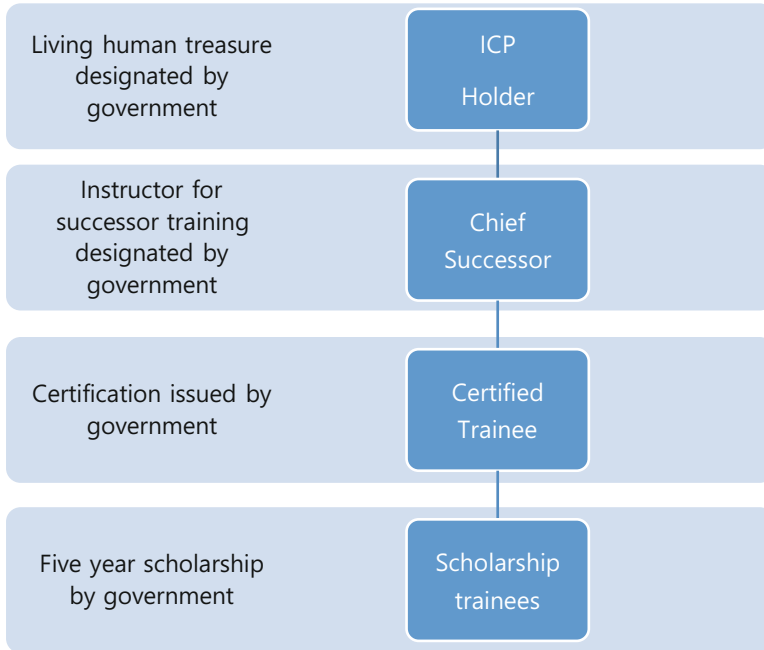
**Fig. 17.1** Ladder structure of transmission by Intangible Cultural Property Act in Korea

a significant stride in the organized and regulated passing down of intangible cultural property, ensuring a structured and recognized lineage of practitioners.

The transmission system for intangible cultural property (ICP) underwent a significant transformation, featuring a structured hierarchy and heightened government intervention. At the core of this reformation is the designation of a chief successor from certified trainees who, under the supervision of the holder, assumes the role of an 'instructor for successor training.' This chief successor must undergo a prolonged apprenticeship with the master, acquiring comprehensive knowledge and skills related to the specific ICP in question.

At the base of the hierarchical structure are beginners, referred to as 'scholarship trainees,' who receive financial support during a five-year training period. Following the completion of this training or during its course, trainees at the first level can advance to become 'level-up trainees.' If these level-up trainees opt for an additional three years of extended training, they become eligible to apply for a qualification test, administered by the government, leading to the coveted status of a certified trainee upon successful completion.

The implementation of this systematic approach over approximately two decades has yielded unexpected outcomes, particularly in the form of disparities between groups of trainees. Certain ICP elements, such as traditional music like 'pansori' and dance forms like 'seungmu' or 'salpuri,' enjoy popularity, making it challenging for aspiring trainees to secure enrolment. Conversely, less popular elements attract

fewer trainees. The institutionalization of the transmission system has allowed the government to deeply intervene in the training programs traditionally conducted by ICP holders. This intervention is facilitated through a control mechanism involving the designation, recognition, and certification of ICP transmitters.

A second significant aspect of the comprehensive revision to the intangible cultural property (ICP) protection system was the initiation of the recognition of holder groups. This expansion acknowledged not only individuals but also groups that collectively embody crucial ICP elements as entities capable of preserving and transmitting the original form. The criteria for selecting these holder groups were formalized and legalized. The system governing transmission training and the designation of holder groups has, notably, adhered to a stable and unchanged basic framework since its inception, persisting through to the present day.

## 17.2.3   Transition Period: Mid-1990s—Mid-2010s

The transition period from the mid-1990s to the mid-2010s in Korea witnessed significant political shifts, as the nation moved from an extended military regime, which persisted until 1992, to the establishment of a civilian government. The subsequent governmental policies, focused on reducing unnecessary regulations, also extended to the intangible cultural property (ICP) protection system, resulting in a notable decrease in state intervention.

One key manifestation of this policy shift was the delegation of authority for issuing certificates within the transmission system from the government to the holders themselves. Simultaneously, certain obligations that holders were required to fulfil, such as conducting annual public events to showcase their skills and performances to the general public, were eliminated. Additionally, the previous obligation for holders to submit regular reports to the administration was abolished. These measures aimed at reducing mandatory responsibilities for holders were perceived as a positive direction, reflecting the government's commitment to strengthening the status of holders by minimizing unnecessary intervention.

Meanwhile, from 1999 to 2001, the Cultural Heritage Administration (CHA) undertook initiatives to improve the ICP system in response to socio-cultural changes. Notable among these efforts was the introduction of the Honorary Holder system, allowing elderly holders to retire from active participation and transfer their status to chief successors who had demonstrated prolonged commitment to their transmission activities. Honorary holders were guaranteed ongoing support funds as long as they were alive. This measure received strong support from successors beyond the age of 50–60, as it aimed to prevent the extended holding of ICP by bearers. Concurrently, initiatives to resolve conflicts within bearer organizations were actively pursued. However, debates persisted regarding government subsidies for transmission, with scepticism surrounding direct financial support to bearers and bearer organizations.

Initially marked by a trend towards easing state regulations, this momentum gradually waned, and a resurgence of state intervention ensued, reintroducing obligations for bearers. A pivotal change during this period was the revival of public events where important intangible cultural property (ICP) presented their skills and performances annually, reinstated by the Cultural Heritage Administration (CHA) in 2008. Discontinued for about a decade, these events were reinstated to maintain the skills of ICP bearers and organizations. The decision was spurred by a noticeable decline in the skills of some bearers and organizations during the period without such events. Additionally, concerns about the certification process for transmission education, influenced by personal relationships, led to the revival of the government-issued certification system.

These policy shifts were intricately connected to the implementation of the 2003 UNESCO Convention. Following Korea's signing of the UNESCO Convention in 2005, efforts were made to infuse its spirit and safeguarding practices into domestic law and systems. This period marked a phase when key aspects of the UNESCO Convention were partially integrated into domestic policies. To reconcile the differences between domestic and UNESCO policies, the CHA emphasized measures supporting the inclusion of the UNESCO Convention in the policy agenda. For instance, amendments to the Cultural Property Protection Act (CPPA) allowed the designation of 'Important ICP' even in the absence of bearers or organizations, a departure from previous regulations. This amendment facilitated the designation of Arirang and Gimjang Culture, both included in the UNESCO Representative List of the Intangible Cultural Heritage of Humanity in 2012 and 2013, respectively, as Important ICP in 2015 and 2017.

## 17.2.4 Period of New Legislation: Mid-2010s—Present

### 17.2.4.1 Intangible Cultural Property Act (2015)

The mid-2010s marked a transformative period for Korea in its commitment to safeguarding intangible cultural property (ICP), as reflected in the enactment of the 'Act on the Protection and Promotion of Intangible Cultural Property,' 'Intangible Cultural Property Act,' in another name (ICPA) in 2015. This legislative milestone, which came into effect in March 2016, represented a significant response to the UNESCO Convention of 2003 and the evolving demands within the domestic realm of ICP.

The ICPA, while influenced by the UNESCO Convention, also addressed ongoing demands from ICP holders, successors, academia, and experts for a more nuanced system and policies reflective of the changing times. Despite these aspirations, a closer examination reveals that the ICPA fell short of meeting the expectations of domestic ICP interest groups and experts. Notably, it did not alter the terminology from 'intangible cultural property' to 'intangible cultural heritage' in official and legal nomenclature. Moreover, it did not attain independence from the

existing Cultural Property Protection Act (CPPA), which predominantly focuses on tangible cultural properties. In essence, the ICPA remained tethered to the CPPA as a model, limiting its capacity to establish a progressive safeguarding system in alignment with global initiatives.

Despite these limitations, it is valuable to explore certain aspects of change within the ICPA, focusing on the improvements proposed by the new law. Two pivotal changes—the shift from prototype to archetype as the protection criteria and the expansion of ICP domains into seven fields—reflected the government's commitment to both continuity and adaptability in the face of evolving domestic and international ICP safeguarding demands.

① Shift from Prototype to Archetype

ICPA introduced a notable shift in the criteria for protecting intangible cultural property (ICP) by transitioning from the concept of "prototype" (*weonhyeong*) to "archetype" (*jeonheong*).[6] The law defines "archetype" as the "intrinsic features which constitute the value of specific ICP" (ICPA Article 2, Clause 2). This shift aimed to address the perceived rigidity associated with the notion of originality, which had been a source of debate and difficulty in comprehension. However, the emphasis on archetype, while attempting to provide flexibility, has introduced ambiguity, sparking ongoing discussions due to the unclear nature of this concept.

② Expansion of ICP Domains

ICPA expanded the domains of intangible cultural property by incorporating seven additional fields beyond the existing categories of traditional performing arts and crafts. Aligned with the domains proposed in the UNESCO 2003 Convention, the new law defined these seven fields as follows: (a) Traditional performance and art forms, (b) Traditional skills concerning crafts, art, etc., (c) Traditional knowledge concerning Korean medicine, agriculture, fisheries, etc., (d) Oral traditions and expressions, (e) Traditional ways of life concerning food, cloth, shelter, etc., (f) Social rituals such as folk religion, (g) Traditional games, festivals, and practical and martial arts. This expansion broadens the scope of ICP, encompassing diverse facets of Korean cultural heritage, reflecting the rich tapestry of traditions embedded in the nation's history and society.

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[6]The English versions of the Intangible Cultural Property Act (ICPA) and the Cultural Property Protection Act (CPPA) employ the term 'original state' instead of 'prototype.' However, due to the lack of clarity in the usage of these terms, we have opted for 'prototype' as the English translation of the Korean term '*wonhyeong*.' This choice is informed by the fact that the ICPA uses 'archetype' as the counter-concept of 'prototype,' with 'archetype' representing a typical example of a certain person or thing. In contrast, 'prototype' refers to an original model or form serving as a basis for other similar instances. The distinction lies in the symbolic and universal nature of archetypes compared to the more concrete and specific application of prototypes. Therefore, in translating the Korean jargon, we differentiate between these two English terms based on their respective meanings, as per references from Cambridge Dictionary, Merriam-Webster, and similar dictionary sources.

③ Minor Changes Impacting ICP Successors

Chief successors, previously designated as assistants, gained the authority to teach trainees alongside holders. This measure aligned actual and nominal roles, elevating chief successors to the status of "instructor for successor training" with conferred transmission education authority.

④ Introduction of 'Transmission Communities'

A significant transformation in policymakers' perception was evident in the recognition of 'transmission communities' as recipients of ICP protection.[7] This concept extended beyond individual bearers and groups, defining transmission communities as entities sharing ICP regionally or historically. These communities voluntarily practiced and enjoyed heritage with a unique bond and identity, acknowledging cases where recognizing a holder or a group holder proved impracticable. Examples such as Arirang folk song and Gimchi-making highlighted the government's contemplation of cultural practices shared by the entire Korean population.

The significance of the 2015 enactment of the Intangible Cultural Property Act (ICPA) lies in its remediation of previously problematic institutional aspects and its integration of UNESCO Convention into domestic law. The Cultural Heritage Administration (CHA) attributes the genesis of this legislation to the considerable influence exerted by the 2003 UNESCO Convention.[8]

> On October 17, 2003, subsequent to our nation's accession to UNESCO's 'Convention for the Safeguarding of Intangible Cultural Heritage,' a compelling need emerged to recalibrate the framework governing our intangible cultural property protection system and policies. This imperative became pronounced in May 2011 when China designated the 'Arirang' of the Korean ethnic group as its own intangible cultural heritage, thereby intensifying the international competition surrounding intangible cultural heritage (ICPA, Legislative Reasoning, CHA).[9]

The aforementioned quotation underscores the imperative of establishing a new framework for the protection of intangible cultural property (ICP) to align with the UNESCO Convention and address to resolve conflicts with neighbouring countries. It emphasizes the obligation of member countries to embody the spirit of the Convention by instituting a system for safeguarding intangible cultural heritage.[10]

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[7] See Article 2(12), ICPA.

[8] For more detailed information about Korea's ratification in 2005 in the Convention, see Hahm, 2015.

[9] Cultural Heritage Administration, "Intangible Cultural Property Protection and Promotion Law, Legislative Reasoning," see the administration website, www.cha.go

[10] As an international convention, this agreement operates on the principle of voluntary consent from member countries. Countries participating in the agreement voluntarily acknowledge their qualifications, duties, and roles, without the imposition of coercive measures. The cooperative framework is built upon the willingness of member countries to adhere to the terms and provisions outlined in the agreement, fostering collaboration in the shared objectives and principles defined by the convention.

An enduring challenge in implementing the Convention has been the perceived incongruity between domestic laws and UNESCO's Intangible Cultural Heritage Convention.[11] Under the framework of the Cultural Property Protection Act (CPPA), the CHA has made partial amendments to clauses pertaining to ICP to augment compliance with the Convention. However, the government acknowledges the limitations of addressing changes in ICPA protection activities through ad hoc amendments whenever issues arise. In an effort to overcome this, authorities expedited the enactment of new legislation. Yet, upon closer examination of the new law, ICPA, it became apparent that fundamental reforms were not pursued, leading to criticisms for inadequately accommodating changes in the domestic and international realms of intangible cultural heritage.

While reports and official gazettes from the CHA elucidate that the impetus for the new law's enactment originated from UNESCO and foreign influences, it is imperative to acknowledge that one of the underlying factors was the prolonged reflections and critiques by domestic scholars and experts on policies related to the preservation of ICP. These individuals consistently underscored the necessity for legislation specialized in the protection of ICP rather than one primarily centred on tangible cultural property.[12] Over the past half-century, the CPPA and policies on ICP have indeed played a role in preserving and protecting the traditional culture of national and local communities under state leadership. However, it is also evident that this legal framework has fallen short of adapting to rapidly changing societal circumstances. The emergence of the ICPA, specializing in the realm of intangible cultural property, is perceived as a response to these societal demands.

### 17.2.4.2 Framework Act on National Heritage (2023)

The Intangible Cultural Property Act (ICPA), which has been in effect for nearly a decade, has undergone a comprehensive overhaul with the recent enactment of the "Framework Act on National Heritage (Framework Act)" in May 2023.[13] This

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[11] Various points of contention surrounding the subject matter are delved into in Chap. 3.

[12] A considerable body of literature reflecting on intangible cultural heritage policies has accumulated over time. Several notable works include those by Kang Jeong Won (2002), Bae Young Dong (2018), Lee Kyung Yeop (2004), Lee Jang Ryeol (2005), Lee Jae Pil (2011), Yim Dawnhee and Roger L. Janelli (2004), Jung Su Jin (2008), and Han Yang Myeong (2006), among others. These scholars have contributed valuable insights, analyses, and critiques that enrich the discourse on intangible cultural heritage, offering diverse perspectives and contributing to the ongoing dialogue in the field.

[13] The Korean government has initiated a shift in terminology, transitioning from the use of "*munhwa-jae*" (cultural property) to "*munwha-yusan*" (cultural heritage). This change in terminology reflects an evolving conceptualization of cultural assets, emphasizing a broader and more encompassing perspective that goes beyond the notion of mere property to acknowledge the broader, holistic nature of cultural heritage. This adjustment in language signifies a more comprehensive recognition of the multifaceted and dynamic aspects inherent in the preservation and promotion of cultural elements in Korea.

legislative milestone took effect one year later, in May 2024. The Framework Act has systematically restructured Korea's heritage preservation system by incorporating key principles from UNESCO's World Heritage Convention and the Convention for the Safeguarding of Intangible Cultural Heritage. It classifies heritage into three domains: cultural heritage, natural heritage, and intangible heritage, collectively referred to as national heritage. Particularly noteworthy is the extensive incorporation of the definition of intangible cultural heritage from the UNESCO Convention for the Safeguarding of Intangible Cultural Heritage within the Framework Act.

The enactment of the Framework Act represents a profound transformation in government policy. One of its most consequential impacts is the broadening of the conceptualization of heritage. The alteration in legal and administrative terminology, shifting from 'cultural property' to the more encompassing term 'heritage,' reflects a strategic decision by the government to transcend materialistic connotations associated with artefacts and to embrace both historical and spiritual dimensions. On April 11, 2022, the 30th Cultural Heritage Committee and the 3rd Intangible Cultural Heritage Committee jointly adopted a resolution entitled "Resolution for Forward-Looking National Heritage Protection and Value Enhancement." Departing from the principles of the Cultural Property Protection Act (CPPA), which safeguarded cultural properties based on their historical, artistic, or academic value,[14] the 2023 Framework Act broadens the scope to include 'national heritage.' This encompasses artificially or naturally formed national, ethnic, or universal heritage, whether cultural, natural, or intangible, possessing exceptional historic, artistic, academic, or scenic value.[15]

The Framework Act defines intangible heritage as a legacy inherited over several generations, subject to constant recreation through interactions between communities and groups, as well as historical and environmental factors.[16] This nuanced definition not only expands the purview of protecting and transmitting intangible cultural heritage but also explicitly posits heritage as a foundational asset for community and regional development. The resolution adopted by the Cultural Heritage Committee and the Intangible Cultural Heritage Committee underscores the establishment of a foundation for a policy shift towards people-friendly, comprehensive future heritage protection.[17]

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[14] According to the previously enforced ICPA (2015), intangible cultural property was defined as "cultural assets with significant historical, artistic, or academic value, such as theatre, music, dance, and traditional crafts" (excerpt from Article 2, Definition, ICPA).

[15] Framework Act on National Heritage, Chapter 1 General Provisions, Article 3 (Definitions) no. 1, see https://elaw.klri.re.kr/kor_service/lawView.do?hseq=63876&lang=ENG

[16] Framework Act on National Heritage, Chapter 1 General Provisions, Article 3 (Definitions) no. 4, see https://elaw.klri.re.kr/kor_service/lawView.do?hseq=63876&lang=ENG

[17] This reform is anticipated to have several significant outcomes, including facilitating broader inclusion in UNESCO's World Heritage listings, strengthening collaboration with international organizations for world heritage, and actively responding to distortions of history from neighbouring countries. The Cultural Heritage Administration (CHA) outlined these expectations in their press release on April 11, 2022, titled "National Heritage Policy Shift after 60 Years." In

## 17.3   Nomenclature Contested

The evolution of terminologies and classification systems necessitates a meticulous examination of the concepts and definitions surrounding 'intangible heritage' or 'intangible cultural heritage.' This understanding holds paramount importance for comprehending the backdrop and objectives of the significant transformations occurring in Korea. The incorporation of the term 'heritage' within the context of '*yusan*' is a relatively recent development in Korea. The widespread adoption of the term 'cultural heritage' gained momentum through Yu Hong Jun's "My Cultural Heritage Excursion Report" series, which encompassed archaeological and historical relics. This bestselling book, advocating the exploration of cultural heritage across the nation, played a pivotal role in popularizing the term 'cultural heritage' among Korean readers (Yu 1994).[18]

Similarly, the term 'intangible heritage' emerged in 2013 with the establishment of the National Intangible Heritage Centre under the auspices of the CHA.[19] Initially abbreviated to 'intangible cultural heritage,' the term may have seemed unfamiliar, but its frequent use in administrative contexts gradually rendered it commonplace among Koreans. Consequently, the term has gained widespread acceptance, both legally and administratively, solidifying its conceptual foundation in the law.

It took nearly two decades for Korea to assimilate the term 'intangible cultural heritage' introduced by the UNESCO 2003 Convention. It is noteworthy that even on a global scale, a substantial amount of time was required for people to grasp the concept of intangible cultural heritage when UNESCO introduced the term in 2003. Translating and adopting the term into national languages encountered challenges, and Korea was no exception. In the ongoing process of exploration and adaptation to the new terminology, namely, intangible cultural heritage, a competition and tension

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alignment with this policy shift, a resolution was announced by the Cultural Heritage Committee and the Intangible Cultural Heritage Committee on the same date.

[18] The origin of the shift in terminology to 'heritage' in Korea can be traced back to the publication of Yu Hong-jun's book, "My Cultural Heritage Survey, volume 1," in 1994. In this influential work, historical relics and remains were collectively referred to as cultural heritage. The notable change from using terms like 'relics' or 'cultural properties' to 'heritage,' and the shift from 'we' to 'my' in the book title, likely played a crucial role in its widespread popularity and success as a bestseller. This title significantly contributed to the popularization of the concept of heritage in Korea, marking a pivotal moment in the transition to a more inclusive and personal understanding of cultural assets.

[19] Initially, the centre had plans to establish an "Asia-Pacific Intangible Cultural Heritage Centre" and commenced construction on the facility in Jeonju in 2010. However, by 2012, the centre underwent a name change, transitioning to the National Intangible Heritage Centre Task Force. Finally, in October 2013, it was officially launched as the National Intangible Heritage Centre. Since then, there has been a noticeable shift in terminology, with the term 'intangible cultural heritage' often being shortened to 'intangible heritage' in Korea. Despite conceptual differences between the two terms, the abbreviated form has become prevalent, raising the potential for confusion or misunderstanding. This shift in language underscores the importance of clear communication and consistent terminology, particularly in the context of intangible cultural heritage, where precise language can significantly impact understanding and interpretation.

between the old term, intangible cultural property, and the new have emerged in Korea. The terms 'intangible heritage,' 'intangible cultural heritage,' and 'intangible cultural property (ICP)' share the common prefix 'intangible.' Consequently, they are at times used interchangeably without clear distinctions. Strictly speaking, however, these terms denote distinct concepts and definitions. The persistent lack of clarity in their usage has led to confusion.

### 17.3.1  Transition from Intangible Cultural Property (ICP) to Intangible Cultural Heritage

The term 'intangible cultural property (ICP)' has been widely used since the establishment of the Cultural Property Protection Act (CPPA) in 1962. Under the old CPPA, 'intangible cultural property' was defined as cultural assets possessing significant historical, artistic, or academic value, including performing arts, music, dance, and traditional crafts. However, with the enactment of the new Intangible Cultural Property Act (ICPA), the conceptualization of intangible cultural property underwent a transformation to include elements of everyday life. This expansion encompassed categories such as 'traditional knowledge related to traditional medicine, agriculture, and fisheries,' 'oral traditions and expressions,' and 'rituals and traditional customs related to daily life.' These categories were modelled on the domains of intangible cultural heritage as defined by the UNESCO Convention.

   Koreans initially encountered unfamiliarity with the concept of intangible cultural heritage as defined by the UNESCO 2003 Convention, particularly in relation to community-based intangible cultural heritage. The Convention places paramount importance on communities, recognizing both groups and individuals as holders or guardian groups of intangible heritage only when they are integral parts of a community. When discussing subjects related to intangible cultural heritage, acknowledging the centrality of communities becomes crucial. In contrast, Korea's intangible cultural properties were traditionally considered to be held by individuals or groups, not by the community. However, with the recent adoption of the notion of intangible cultural heritage by the Convention, Korea introduced a novel concept of 'transmission community.' These transmission communities in Korea differ from the communities defined in the UNESCO Convention. Both involve communities sharing and transmitting intangible cultural heritage regionally or historically, fostering a sense of unity and identity. In essence, when referring to people in the same region or sharing a common history who maintain a sense of unity through intangible cultural heritage, the terms 'transmission community' in Korea and 'community' in the Convention carry identical meanings. Yet, there are notable distinctions. The Convention explicitly includes individuals and groups as intangible cultural heritage bearers within the community, distinguishing it from the domestic concept of transmission communities in Korea, where designation occurs when recognizing holders and groups becomes challenging. In other words, the transmission

community in Korea is a distinct entity with discernible differences from individual holders and groups. Conversely, the Convention's defined community is the transmitter of intangible cultural heritage, with individuals and organizations acknowledged as its members. Proof of membership in the community is thus a prerequisite for individuals and organizations to be recognized as intangible cultural heritage bearers. A detailed examination of these terms reveals a fundamental distinction: while the holder, the group, and the community of transmission maintain an exclusive relationship in Korea, the Convention's community comprehensively includes individual holders and groups.

Table 17.1 presents a comprehensive summary of detailed classifications, boundaries of transmission communities, designation dates, and UNESCO inclusion status for a total of 16 items spanning from Arirang in 2015 to Hanbok Culture and Yutnori in 2022. Wrestling, Haenyeo, and Kimchi-making, designated as transmission community elements, were acknowledged as intangible cultural property either subsequently or concurrently with their inclusion in the UNESCO Representative List of the Intangible Cultural Heritage of Humanity. This chronological inversion can be ascribed to differences in protective philosophies and ideologies between domestic law and the Convention. Evident efforts to bridge this gap are reflected in the growing number of transmission community designations, including Ondol Culture, Salt-making, and Jang (bean paste sauce)-making in 2018, Traditional Fishery in 2019, Archery, Ginseng Cultivation, and Medicinal Plant Culture in 2020, and Hanbok Culture and Yutnori (traditional play with a wooden stick) in 2023. As of March 2023, a total of 16 items have been designated as transmission communities among the National Intangible Cultural Heritage.

To delve into insights regarding the designated boundaries of transmission communities thus far, Table 17.1 outlines the specified ranges of transmission communities for each item. It discloses designations applicable to the Korean Peninsula, the entire country, or specific regions, including coastal villages, tea plant fields, and tidal flats. The term 'Korean Peninsula' denotes transmission occurring in both North and South Korea, while 'the entire country' and 'our country' signify national transmission communities.[20] This prompts contemplation on whether defining ethnicity and nation as transmission communities emphasizes the principles of nationalism and national identity in the designation of intangible cultural heritage.

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[20]In the context of discussions surrounding intangible heritage and community, Kim Yong-gu's article titled "Intangible Heritage and Community" (2013) offers valuable insights.

**Table 17.1** Lists of designated transmission community

| Name of elements | Domains [boundary of community][a] | Date of designation | Title & Date of UNESCO listing |
|---|---|---|---|
| Arirang | Traditional performance and art forms [South Korea] | 2015.09.22. | Arirang, 2012 |
| Tea-making | Traditional way of life/food [Tea field areas] | 2016.07.14. | |
| Ssireum | Traditional games [South & North Korea] | 2017.01.04. | Ssireum, multi-national inscription, 2018 |
| Haenyeo | Traditional knowledge [Haenyeo community] | 2017.05.01. | Jeju Haenyeo Culture, 2016 |
| Gimchi-making | Traditional way of life/food [Whole Korea] | 2017.11.15. | Gimjang Culture, 2013 |
| Ondol culture | Traditional way of life/shelter [Whole Korea] | 2018.04.30. | |
| Salt-making | Traditional knowledge [Tidal areas] | 2018.04.30. | |
| Jang-making (Soy bean paste) | Traditional way of life/food [Whole Korea] | 2018.12.27. | Nomination file submitted |
| Traditional fishery | Traditional knowledge [Fishing communities] | 2019.04.03. | |
| Archery | Traditional games/martial arts [Whole Korea] | 2020.07.20 | |
| Insam cultivation & medicinal culture | Traditional knowledge [Whole Korea] | 2020.12.01. | |
| Rice wine brewing | Traditional way of life/food [Whole Korea] | 2021.06.15. | |
| Rice cake-making | Traditional way of life/food [Whole Korea] | 2021.11.01. | |
| Fishery in tidal flats | Traditional knowledge [South & West coastal areas] | 2021.12.20. | Korea's Tidal Flats, World Heritage Site, 2021 |
| Hanbok culture | Traditional way of life/cloth [Whole Korea] | 2022.07.20. | |
| Yutnori | Traditional games [Whole Korea] | 2022.11.11. | |

[a]The boundary of transmission community is provided by the website of National Cultural Heritage Portal (https://www.heritage.go.kr/main/?v=1681108682658)

## 17.4  Analysis of Characteristics of the Korean Intangible Cultural Heritage System

The Korean policy for the protection and transmission of intangible cultural heritage has six distinctive features: the principle of archetype in protection and transmission, a focus on selective protection approach, a central emphasis on human transmission systems, governmental intervention in transmission activities, operation of two protection laws, and insufficiency in community protection.

### 17.4.1  Principle of Archetype

Since the enactment of the Intangible Cultural Property Act (ICPA) in 2015, significant changes have characterized Korea's intangible property policy compared to the pre-existing framework. A notable shift lies in the principle of archetype replacing that of the 'original state' or 'prototype'. The principle of prototype, applied to the management of intangible cultural property (ICP) before the ICPA, was considered impractical, leading to widespread arguments against it due to its rigidity. Consequently, the ICPA replaced the term 'prototype' with 'archetype' for the preservation and transmission of ICP. Article 3 of the ICPA stipulates that the preservation and promotion of ICP shall be based on the principle of archetype. Furthermore, the term 'holder' refers to an individual who can acquire and embody intangible cultural property skills and arts in an archetype manner. However, ongoing discussions and a lack of consensus persist regarding the precise definition of 'archetype.'

### 17.4.2  Selective Protection Approach

The selective protection approach involves prioritizing the preservation of intangible cultural property designated by national or regional authorities. Support within the designated intangible cultural property (ICP) framework is primarily directed towards holders and chief successors acknowledged by national and regional governments. This approach is particularly pertinent for cultural heritage at risk of destruction or loss, necessitating robust protective measures. When designating ICP, the law mandates the recognition of holders, accompanied by financial support and medical insurance. While this approach effectively safeguards ICP on the brink of disappearance, it introduces certain challenges. Notably, a discernible gap emerges between selected and non-selected elements, fostering intensified competition among holders and successors seeking enrolment in the selection process. This competitive and bureaucratic environment has led to the development of improper practices to secure selection and designation. Consequently, both holders and candidates encounter the disadvantage of becoming overly dependent on government entities, whether at the central or local level.

### 17.4.3  Hierarchical Transmission System

The transmission system of intangible cultural property (ICP) is characterized by a structured hierarchical arrangement among successors. This system positions holders at the apex, with chief successors, certified trainees, and trainees occupying distinct steps. From novices to the highest-level successors, the status of transmitters

adheres to a hierarchical structure in the established ICP protection system. In 1970, an amendment to the Cultural Property Protection Act (CPPA) introduced the recognition of holders during the designation of significant ICP, emphasizing that the holder should possess the ability to accurately acquire and preserve the performances or skills of the designated ICP. Despite subsequent amendments to the law, the fundamental system of recognizing and supporting selected holders and trainees within a hierarchical framework has persisted to the present.

### 17.4.4   Government Intervention in Transmission Activities

Korea's policy on intangible cultural property (ICP) actively supports the transmission system conducted by successors, entailing direct government intervention and control over individual holders and groups of ICP. This approach stands out as a distinctive feature of Korea's intangible cultural property protection policy, perceived as a response to the vulnerable self-sufficiency of traditional culture and the government's commitment to protect and nurture these activities (Hahm, 2016). However, it is imperative to acknowledge that state intervention has a pronounced tendency to impede the creativity of traditional arts and crafts that could flourish in a more unrestricted atmosphere. In the reality of the ICP arena, traditional arts and crafts are regulated by law, compelling successors to adhere to prescribed norms and regulations.

### 17.4.5   Operation of Two Protection Laws

Korea currently employs two distinct policies for safeguarding intangible cultural heritage: one is grounded in domestic law, while the other operates under the purview of the UNESCO Convention. Domestic law encompasses provisions for the designation of intangible cultural property (ICP) and various protective measures. Conversely, adherence to UNESCO safeguarding policies is principally enacted for the inscription on the Representative Lists. As of November 2023, 21 elements from Korea are inscribed on these lists. These two policies pursue disparate objectives and exhibit differences in their practical tasks. The domestic policy, with a longer history of ICP protection predating the establishment of the UNESCO Convention, faces complex challenges in seamlessly incorporating the Convention into domestic law. Korea's ICP protection system has been shaped by historical experiences such as colonization, industrialization, and urbanization, making swift adoption of the UNESCO Convention a complex endeavour.

   An illustrative example highlighting the dual safeguarding measures is the case of the Haenyeo culture (women divers) in Jeju Island. The Cultural Heritage Administration (CHA) nominated 'Haenyeo' for UNESCO inscription in 2013, culminating in its inclusion on the UNESCO Representative List in 2016. The Haenyeo, renowned for harvesting seafood without specialized diving equipment, play a

pivotal role in supporting their families. UNESCO's recognition underscored sustainable practices, transmission of diving techniques, and the leadership of elder Haenyeo within the community.[21]

Following UNESCO inscription, there was a reevaluation of Haenyeo and their culture for the designation of intangible cultural property (ICP) by the CHA. Under domestic law, elements such as songs, rituals, and tools related to Haenyeo activities were relatively easy to select as ICP. However, the comprehensive consideration of Haenyeo culture as a whole had not been within the framework of ICP protection laws until the enactment of the Intangible Cultural Property Act (ICPA) in 2015. Post-reform, Haenyeo were officially recognized as a national ICP in 2017. The law included an expansion of the ICP domain beyond traditional arts and crafts to encompass oral traditions, customs, agricultural and fishing activities, etc., drawn from everyday lives—a significant shift in heritage safeguarding policy.

After inscription, Haenyeo and their communities encounter new challenges, particularly in the domain of "heritage-making." This entails investing time and effort in creating heritage aligned with the political process of constructing ethnic, cultural, and national identities. Critics argue that UNESCO, by emphasizing intangible cultural heritage communities, assigns new tasks and responsibilities to these communities, including participating in the political process of identity construction related to ethnicity, culture, and nationality (Adell et al., 2015). In the case of Haenyeo, historical community-centric activities at the village level transformed into the formation of regional Haenyeo communities due to the UNESCO Convention. While seemingly positive in terms of efficiency, concerns arise that over time, the operational capacity of village-level Haenyeo communities, including the leadership of elder Haenyeo, could be displaced by government policies.

## 17.4.6 Insufficiency in Community Protection

As previously mentioned, despite the Cultural Heritage Administration (CHA) specifying that the background for enacting the Intangible Cultural Property Act (ICPA) is the UNESCO Convention, the administration did not earnestly embrace the concept of 'community' (or 'communities')-centred protection. This disparity stems from the incongruence between a community-centred protection policy, a core tenet of the UNESCO convention, and Korea's existing Intangible Cultural Property (ICP) protection policy (see Fig. 17.2).

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[21] Despite efforts to safeguard Haenyeo culture after its UNESCO inscription, challenges persist, notably concerning the aging population of Haenyeo and the potential threat to the transmission of their practices. The majority of active Haenyeo are elderly, with over 65% being 70 years old or older, indicating a demographic challenge for the continuity of this cultural tradition. In response to this issue, income preservation policies have been implemented, providing financial support to elderly Haenyeo. However, some critics argue that these policies tend to prioritize individual support rather than fostering the strengthening of community bonds. The need for a more comprehensive approach that addresses both individual well-being and the broader community context is highlighted as a crucial aspect of ensuring the sustainable transmission of Haenyeo culture.
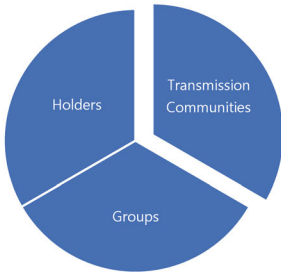
**Fig. 17.2** Comparison of community concepts between the Korean and UNESCO's convention concept of transmission community shown in ICPA, Korea (left) concepts of communities, groups & individuals shown in UNESCO's convention (right)
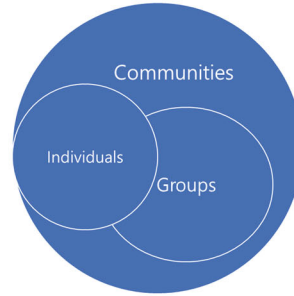
Since 2020, the CHA has annually designated two or more cases of 'transmission communities,' concentrating on instances where designating individual bearers and groups is challenging. 'Transmission communities' appear to be considered as a distinct entity within the ICP framework, raising questions about the appropriateness of the selection and conceptualization of this term. It also prompts consideration of how to address existing bearers and groups within transmission communities. Urgent attention should be given to protecting them if they are in crisis. Moving forward, in-depth discussions are imperative on the concept and protection policies regarding transmission communities (Kim 2021).

## 17.5   Conclusion

The discourse thus far has primarily focused on elucidating the inception and evolution of Korea's safeguarding apparatus for intangible cultural properties, alongside contemporary transformations. The continued reforms over a span of six decades can be ascribed to a concerted endeavour to protect intangible cultural heritage amidst dynamic sociocultural shifts. While instances of fervent nationalism have occasionally permeated this trajectory, the encounter with the UNESCO Convention has unearthed alternative values inherent in intangible cultural heritage.

Korea anticipates implementing innovative policies in the intangible cultural heritage field, commencing in 2024 under the 'Framework Act on National Heritage.' The Intangible Cultural Property Act (ICPA) has been amended to align with the Framework Act, leading to a changed name as the Intangible Cultural Heritage Act. Hopes are high that this new law will overcome identified limitations. Within this new paradigm, the paramount challenge emerges as the safeguarding of community-based intangible cultural heritage. Simultaneously, the imperative to augment the prevailing non-formal education framework, which accentuates hierarchical structures, into a mainstream educational context for cultivating successors, becomes evident. A recalibration of governmental intervention is posited, redirecting

focus towards the formulation of indirect support mechanisms, a sentiment resonant within the UNESCO Convention framework. Despite the efficacy of safeguarding intangible cultural heritage through intergovernmental committees, reservations persist regarding potential drawbacks, such as undue control and selective support engendered by state intervention. Moreover, there looms the prospect of intangible heritage conforming more to the ideological underpinnings of the governing body rather than reflecting genuine cultural diversity.

In navigating this complex terrain, the state's role is construed as transitioning towards indirect support, fostering an ecosystem conducive to the sustained preservation of intangible cultural heritage. A pivotal suggestion advocates for the central role of expert committees over intergovernmental bodies within the UNESCO framework. Although the Korean experience is often lauded as a successful instance of governmental intervention, a nuanced scrutiny posits it as somewhat illusory. For sustained efficacy, a forward-looking approach entails innovative measures, such as creating an environment conducive to community-led protection and integrating succession nurturing within the formal education apparatus. In light of this comprehensive retrospective, the trajectory of intangible heritage policy necessitates a reduction in direct government support, giving rise to novel avenues for indirect support.

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# Chapter 18
# The Special Way of Intangible Cultural Heritage Safeguarding in China and Some New Practices and Concepts

**Anying Chen**

**Abstract** This paper discusses the changes in the knowledge base and practical modes of ICH safeguarding in China in recent years. The changes in the knowledge base are mainly reflected in the shift from the folkloristics to the arts studies; the new trends are mainly reflected in regional integral revitalization and cross-regional links of ICH items. The paper explains these changes from a macro-historical perspective. In addition, new trends in the safeguarding of ICH are viewed from the perspective of art theories. For example, the classification of ICH is viewed in terms of artistic classification, the Comprehensive Regional Protection of ICH is viewed in terms of the theory of gathering of arts, and cross-regional joint conservation of one ICH item is viewed in terms of the transcendence of art forms.

In view of the fact that there is not yet a consensus among Chinese academics as to what constitutes intangible cultural heritage and how it should be safeguarded, I intend to report and reflect as objectively as possible on the Chinese path to safeguard intangible cultural heritage (hereafter referred to as ICH) from my personal experience and reflections.

I officially joined ICH safeguarding in 2015 as one of the university teachers. That year, the Chinese government in charge of ICH safeguarding—the Ministry of Culture (later renamed the Ministry of Culture and Tourism)—introduced a new concept of ICH safeguarding through the "Intangible Cultural Heritage Inheritors Training Programme" (hereafter referred to as Training Programme), which allows ICH inheritors of traditional crafts to study and discuss them in colleges and universities. Prior to this, ICH safeguarding in China was based on the identification of ICH projects and representative inheritors, mainly by listing, ranking and documenting, after which a new mode of safeguarding emerged, namely, to promote

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the living development and revitalization of ICH by focusing on the main body of ICH inheritors, especially the younger generation, and on their living social practice.

In the following paragraphs, I will reflect on and discuss the special way of ICH safeguarding in China and some new practice and concepts in light of my personal experience with the aforementioned changes in the field of ICH in China.

## 18.1 Theoretical Framework of ICH Safeguarding—A Shift from the Folkloristics to the Arts Studies

As the Chinese scholar Qubumo Bamo—who, as an expert commissioned by the Ministry of Culture, has been involved in several ICH international conferences and ICH of Humanity nominations—pointed out in her 2008 article *Intangible Cultural Heritage: From Concept to Practice*, that there used to be a folklore phase in the process of academic discussions organized by UNESCO, from the *Convention Concerning the Protection of the World Cultural and Natural Heritage* of 1972 to the *Convention for the Safeguarding of the Intangible Cultural Heritage* of 2003 (hereafter referred to as the Convention). This is even more obvious in China, where many folklorists still firmly believe that ICH is folklore, and that folklorists rightly enjoy the greatest say in ICH protection.[1]

Folklore studies in China, which originated in the collection of folk songs and stories during the New Culture Movement after 1918, has gradually expanded from the study of oral literature to the study of folk customs and beliefs, and after China's accession to the ICH Convention in 2004, a large number of folklorists have entered, or tried to enter, this field of work. Many of them tend to believe that ICH is the remnants of declining folk traditions, and that they can be studied as a means of recovering ancient folk traditions, which were often unrecorded in canonical texts. Their origins can be traced back to primitive times. This contemporary field research based on historical argument is academically dubious, and the reduction of any kind of oral tradition to primitive times is untenable because too many other social factors are ignored. Based on these assumptions, many folklorists are naturally inclined to believe that ICH protection is similar to the preservation of cultural relics, and that the contemporary practices of ICH inheritors are similar to a kind of living specimens, which need to be kept as unchanged as possible, in order to ensure their "authenticity" as specimens for research of "originality".

Many folklorists who are involved in or think they are involved in ICH Safeguarding may not have carefully read the Convention, even though its definition of ICH is only a short paragraph, but clearly states that ICH is living and constantly recreated. They may also not have read the later *Ethical Principles for Safeguarding Intangible Cultural Heritage* (2015), which clearly states that "The dynamic and

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[1]Bamo, Qubumo. "*Intangible Cultural Heritage: From Concept to Practice*", Ethnic Arts, 2008(01), pp. 9–12.

living nature of intangible cultural heritage should be continuously respected. Authenticity and exclusivity should not constitute concerns and obstacles in the safeguarding of intangible cultural heritage." When the Ministry of Culture launched the "Intangible Cultural Heritage Inheritors Training Programme" in 2015, it was strongly criticized by several folklorists. One of them even published an offensive text in the CCP newspaper Guangming Daily, arguing that letting the inheritors study in colleges and universities would change the genes of the ICH, destroying the umbilical cord of the national traditions, and thus nearly bring the programme to a premature end.

These scholars forgot that education is the right of every citizen, and in addition, those younger generations of inheritors do not lack the experience of studying in colleges and universities. It is true that many of the existing art schools in China still have an understanding of art that is based on Western concepts of the eighteenth and nineteenth centuries, and lack a comprehensive understanding of traditional Chinese art, however the faculty involved in the Training Programme were fascinated by the idea of serving and learning from the inheritors. From the very beginning, the Training Programme was not a one-way knowledge instillation, but a mutual exchange. Not only that, the Department of Intangible Cultural Heritage of the Ministry of Culture has also organized these universities to study the Convention and the ICH Law of the People's Republic of China, so as to let them understand what ICH is and how it should be safeguarded. This process has, without precedence, included more than 100 colleges and universities in ICH safeguarding, each with their own specialties, abilities and social resources. These have become an important force for social participation in ICH safeguarding, laying a foundation for the implementation of *Revitalization Plan for Chinese Traditional Crafts* since 2017, together with the young generation of inheritors.

Folklorists have also consciously or unconsciously overlooked the fact that China's ICH categorization system is built more on the basis of knowledge of arts, so-called ethnic and folk arts since 1949, than of folklore. In May 2006, the State Council announced the first stage of the national ICH list, which was divided into ten categories: folk literature, folk music, folk dance, traditional drama, QuYi (storytelling and singing performance), acrobatics and athletics, folk fine art (i.e. folk visual art), traditional handicrafts, traditional medicine and folklore. In June 2008, the State Council announced the second stage of the national ICH list and the first stage of the national ICH extended project list, which was adjusted from the ten categories: folk literature, traditional music, traditional dance, traditional drama, QuYi, traditional sports and games and acrobatics, traditional fine art (i.e. traditional visual art), traditional crafts, traditional medicine and folklore. Among the ten categories of the ICH, traditional literature and arts account for seven, while folklore only accounts for one, and even if folk literature is added to folklore studies, folklore only occupies two-tenths of the ICH.

It must be admitted that even with the addition of QuYi, a traditional name for performing arts in Chinese, from the perspective of the contemporary philosophy and sociology of arts, this system of art categorization is immediately reminiscent of the eighteenth-century European categorization of "Les Beaux-Arts", which is full of

all kinds of old-fashioned and inflexible concepts. That, however, is not the point at issue here. The experts who negotiated this classification system, most of whom came from literature and art departments, would have loved to come and occupy the new territory of ICH, but they did not have the same pervasive disciplinary anxiety that folklorists have, and therefore did not need to readily flaunt their status as ICH experts. This is why, despite the fact that the overwhelming majority of Chinese ICH categories are the arts, Chinese folklorists still believe that it is folklore that is the most legitimate intellectual basis for ICH protection.

The majority of Chinese universities are public universities, and the subject catalogue published by the Ministry of Education has become an important basis for the allocation of academic resources. The catalogue of academic disciplines is generally divided into three levels, i.e. category, first-level disciplines and second-level disciplines. Literature is one of the oldest disciplines, along with history and philosophy. Folklore used to be attached to the second level of folk literature under the first level of Chinese literature under the category of literature, that is to say, it did not appear in the official catalogue of academic disciplines. In 1997, the Ministry of Education reorganized the catalogue of academic disciplines, and folklore became the second level under the first level of sociology under the category of law, and all folklore scholars rejoiced at this. However, in 1997, art had already become a first-level discipline under the category of literature, and in 2011, in the new catalogue of disciplines of the Ministry of Education, art became a discipline with the same status as literature, while folklore is still a second-level discipline under the category of law. This is the reason why there is more anxiety in the discipline of than in literature or art.

Folklorists are more concerned with "immaterial" knowledge and beliefs than with "material" oral literature. This is one of the reasons why they are keen to discuss the immateriality of the ICH. In the Chinese translation of the ICH Convention, the word "immaterial" (非物质) is used, which is closer to the French version, but neither the immaterial nor the intangible should be interpreted in a literal sense. Even folk tales and songs, which appear to be the least materialized, rely on material media such as language and tone, while art forms such as stories and songs are persistent vessels that carry and transport people's emotions and beliefs. From a perspective of art, ICH is more material than immaterial, more tangible than intangible.

In the context of UNESCO documents such as the ICH Convention, the fundamental characteristic of ICH does not really lie in the fact that it is intangible, but in the fact that it is living and changing. In recent years, some folklorists have also begun to recognize that ICH is living, changing and evolving. However, from an artistic point of view, this cognizance is still flawed. According to the understanding of folklore, ICH is the beliefs, way of life and customs of "folk". The so-called beliefs of the people are in fact still part of the ideology, inseparable from the political and economic structure of the whole society and the position of each class. And when the power structure of society changes, the beliefs of people are bound to change. As for way of life and customs, they are even more different from person to person and change with the environment. To what extent can these things, which are constantly changing with the social environment, become "heritage" or

"wealth" to be inherited by future generations? Folklorists obviously cannot answer this question.

From an artistic point of view, even folklore, if it is to be inscribed on the list of ICH, must have some form of art as its vehicle. Habits are constantly changing, whereas art forms are relatively permanent. After the original beliefs and customs have changed in response to the environment, the art form that carries them can be used like a container to hold new content and change itself to suit the new needs, thus reflecting an inexhaustible vitality and creativity. It is with these relatively stable traditions of art forms and artistic practices that ICH can be "traditional, contemporary and living at the same time", which "does not only represent inherited traditions from the past but also contemporary rural and urban practices in which diverse cultural groups take part".[2]

Recognizing ICH from an artistic perspective is not only an academic research perspective, but also a proven practical method to help ICH enhance its vitality and revitalize it. The vast majority of Chinese universities participating in the Training Programme are art colleges, which have proved to be effective in stimulating the creativity of the inheritors and helping to revitalize regional culture. However, a few departments of folk literature or folklore participating in the Training Programme, apart from engaging in documentary work, clearly lack effective ways to help storytellers or festival organizers to enhance their abilities.

Through the Training Programme, the potential artistic perspectives in China's ICH safeguarding system have been activated. In the past, the approach to building local culture was to import artists and designers from outside to enrich the local cultural supply. However, in a series of social innovations triggered by the Training Programme, such as the implementation of *Chinese Traditional Crafts Revitalization Programme* and the *ICH Empowering Rural Revitalization*, many ICH inheritors have in fact played the role of local artists or designers. Their role in revitalizing local culture is no less, if not more, important than that of outsiders. While the construction of public culture in China is generally top-down or externally imported, in the frontier practices of ICH, a bottom-up revitalization approach has emerged, in which the local people are the main body, and the representatives of the local people, ICH inheritors or so-called local artists, are active agents.

## 18.2  ICH Safeguarding Frontier Practice—Regional Integral Safeguarding and Revitalization

ICH safeguarding in China mainly adopts an item-based protection system. Under the ten major categories of ICH, each category contains an ever-increasing number of ICH items. For each ICH item listed in the catalog, representative inheritors of different levels may be selected. However, it is possible for the same cultural

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[2]https://ich.unesco.org/en/what-is-intangible-heritage-00003

phenomenon to be split into different items in different categories, such as the Lion Dance, where the dancing part is categorized as traditional dance or martial arts, and the lion head making part is categorized as traditional crafts. For another example, in a traditional festival, different arts and social practices come together as a whole, but when they are listed in the ICH catalogue, they are split up into many different ICH items. It is impossible to revitalize the Lion Dance tradition or the traditional festival by dividing them into different categories and individually protecting these split up items.

In order to avoid the shortcomings of the item-based protection, the Ministry of Culture put forward the concept of *Comprehensive Regional Protection* through the establishment of the first National Cultural Ecological Protection Experimental Zone in 2007. As of August 2023, there are 23 National Cultural Ecological Protection Zones in China, covering 17 provinces.

However, until the launch of the Training Programme in 2015 and the Traditional Craft Workstation Programme in 2016 by the Ministry of Culture, the inter-provincial government collaborative mechanism responsible for administering cultural ecological protection zones did not seem to have effective means to revitalize ICH in its jurisdiction. With the Training Programme, it is possible to bring together at least the inheritors of different ICH items from the same region and to promote exchanges and cooperation among them. For example, for the Tibetan Culture Ecological Protection Experimental Zone (Yushu), we have trained more than 30 Tibetan craftsmen, who, although living in the same area, used to have little interaction with each other until they came to study at Tsinghua University. After that their exchanges and cooperation became increasingly closer. Some of them later played an important role in the revitalization of traditional Tibetan crafts in the Yushu area.

Traditional crafts workstations, which are set up through universities, institutions and enterprises in traditional craft gathering areas, import resources from the outside to promote the revitalization of local traditional crafts. In 2016, coordinated by the Department of Intangible Cultural Heritage of the Ministry of Culture, Beijing's Palace Museum signed an agreement with the Anhui Provincial Government and the Huangshan Municipal Government to set up a workstation for the Huangshan Huizhou School of Traditional Crafts. Huizhou (part of present-day Anhui and Jiangxi provinces) has been known since ancient times for producing Hui-merchants, literati artists, architects, sculptors, brush, ink, paper and inkstone makers. In the past, Huizhou craftsmen used to work for the Palace. Through the workstation, the Forbidden City and Huizhou once again established contact. Craftsmen from Huangshan went into the Palace Museum to study and visit the craft masterpieces left by their ancestors. The Palace Museum has even established a Huizhou Traditional Craft Museum for them, which allows them to come to the Forbidden City to show their skills and sell their products to visitors. In addition, the Palace Museum has established the Palace Museum College (Huizhou) and the Postdoctoral Research Station of the Palace Museum (Huizhou) in Huangshan, and sent the Huizhou craftworks collected by the Palace Museum to be exhibited there.

However, before the establishment of the ICH list, there were already cases of regional revitalization of traditional crafts in China, for example, in the Jingdezhen ceramic region, when the concept of ICH protection or Comprehensive Regional Protection did not exist. In 1949, after the founding of the People's Republic of China, in order to revive the economy, the first to be revitalized were the agriculture and handicraft industries, followed by socialist industrialization through the primitive accumulation they had created. In 1953, in order to resume the production of traditional handicrafts, the Ministry of Culture organized a national survey and held the first "National Folk Arts and Crafts Exhibition". Since then, private handicraft workshops and enterprises have been gradually transformed into collective or state-owned enterprises, integrated into the planned economic system of "unified purchasing and marketing", and accumulated raw capital for modern industrialization, mainly through exporting. According to our statistics on the origin of the exhibits in the 1953 exhibition, we can see the distribution of the historically formed traditional craft production areas throughout the country. The planned economy system did not destroy the distribution of these production areas but, in a sense, further strengthened regional traditions of craft through the concentration of resources and labour. Of course, the efforts to imitate industrialized production and the negative attitude towards traditional culture had a negative impact on the transmission of traditional skills and knowledge.

Jingdezhen had developed into a centre of porcelain production and even the world centre no later than the Ming Dynasty. Techniques from all over the country converged here, with a dense concentration of craftsmen, forming a porcelain producing chain with a meticulous division of labour. In the 1950s and 1980s, under the planned economy, Jingdezhen established ten state-run ceramic factories, introduced mechanized production processes, and also set up ceramic colleges and schools to train technicians and workers. Although the whole atmosphere was geared towards industrialization, traditional techniques of glazing, molding and firing were also studied and preserved at the Jingdezhen artistic and sculpture ceramic factories and Ceramic Research Institute. It was under this special social system that Jingdezhen maintained its position as the centre of porcelain in the country.

In the mid-to-late 1990s, porcelain production in Jingdezhen experienced a shift from a planned economy to a market economy, as state-run factories began to disintegrate and private craft workshops and family businesses began to emerge. It was at this time that Jingdezhen-born art anthropologist Lili Fang realized that Jingdezhen's traditional crafts and culture started to be revived. Not only that, but "from 2002 onwards, the number of external artists in Jingdezhen continued to increase," beginning to form the phenomenon of "Jingdrift," in which external artists and designers began to gather to live and work in Jingdezhen, a phenomenon that usually occurs only in super-cities such as Beijing, Shanghai, and Guangzhou, but not in a small town.[3] In 2016, there were more than 10,000 external artists in

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[3]Fang, Lili. "*Beyond Modernity in the Development Model of Jingdezhen: the Change from Production Site to Art District*", Ethnic Art, 2020 (5), p. 135.

Jingdezhen, and by 2020 it reached 30,000. According to a survey by Lili Fang, as of 2014, the scale and prosperity of Jingdezhen's artisanal porcelain industry had surpassed that of the late Qing and Republican periods.[4] From 2014 to the present, Jingdezhen has seen even greater development, with materials, craftsmanship and artistic levels, industrial scale and cultural diversity surpassing the most prosperous periods in its history.

Lili Fang notes that Jingdezhen has experienced a shift from product production to cultural production. According to my theory of "gathering of arts", the revitalization of Jingdezhen's traditional crafts has evolved from industrial aggregation to larger-scale artistic aggregation. In other words, Jingdezhen today is not only about ceramics, but also about other traditional crafts such as lacquer and bamboo weaving, as well as a wide range of contemporary art and design. From the perspective of art sociology, Jingdezhen's art production, distribution, and consumption are all characterized by a diverse and generally young population. In addition to young couples selling their handmade products at art bazaars everywhere in Jingdezhen, there are also many youths in fashionable clothes working in live e-commerce. The artistic atmosphere in Jingdezhen is attracting more and more tourists, especially young people. In holiday periods it is hard to find a hotel room, although Jingdezhen's upmarket art hotels and B&Bs are increasing in number.

Today, many traditional craft production areas, though not as large as Jingdezhen, are undergoing a similar transformation from industrial to larger-scale artistic level, such as Suzhou embroidery, Yixing ZiSha pottery, and Heqing traditional metal crafts. Although there are references to Comprehensive Regional Protection in previous ICH safeguarding theories, they do not explain such a phenomenon, let alone provide effective guidance for practice. In my opinion, the only way to achieve this is to start from an artistic approach. As a matter of fact, the theory of "gathering of arts" that I have proposed has received a positive response from many inheritors and practitioners, who believe that it explains what they are exploring in their practice.

## 18.3 ICH Safeguarding Frontier Practice—Specific Safeguarding and Cross-Regional Links

Another Frontier Practice area of ICH safeguarding is reflected in the development of ICH across regions. This is an area where practice precedes theory. A case in point is the inscription of "Traditional tea processing techniques and associated social practices in China" on the UNESCO Representative List of the Intangible Cultural Heritage of Humanity in 2022. Through this project, tea-producing regions across

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[4]Fang, Lili. "*On the Inheritance of ICH and the Development of Diversity in Contemporary Society – Taking the Revival of Traditional Handicrafts in Jingdezhen as an Example*", Ethnic Arts, 2015 (1), p. 83.

the country have been horizontally linked to form multiple cultural routes, and traditional craft products such as tea utensils have gained more attention. More importantly, ancient international trade and cultural exchange routes for tea and tea utensils have been reactivated, and tea has served as a medium to promote exchanges and mutual understanding among different civilizations.

Growing tea trees, processing tea leaves, brewing tea and making tea utensils are all arts in Chinese culture, as well as in Japan. The criteria for evaluating good craftsmanship expressed in the official handicraft book "Kao Gong Ji" more than 2000 years ago are just as applicable to the production of ceramics as they are to the cultivation, processing and brewing of tea, the so-called "Climate, soil, good materials and craftsmanship, combining all four together to produce good wares". Traditional crafts, including tea cultivation and processing, cannot be separated from specific soils and environments. However, as arts, they have the ability to transcend specific regions. In fact, the art of tea, in the seventeenth and eighteenth centuries, had spread from China to Europe, influencing the European way of life. Western academics, under the name of material culture, have conducted a great deal of research on the cross-cultural transmission aspects of tea, porcelain, lacquer and silk. Material culture, similar to visual culture, is a new paradigm for art historical research. This paradigm has also influenced art studies in China, and Chinese scholars have begun to pay attention to this ability of art to spread across regions.

Although neither governors nor scholars have been able to summarize the series of cross-regional and cross-cultural activities carried out after the inscription of "Traditional tea processing techniques" on the UNESCO List, these practices have undoubtedly opened up a new direction for ICH safeguarding. Under the framework of ICH policy, I would denote this practice as the Specific Safeguarding of ICH. From an artistic point of view, I tend to associate this phenomenon with the trans-temporal and trans-spatial nature of art.

Traditional crafts, have a close relationship with natural materials. Traditional crafts such as pottery, porcelain, silk weaving, lacquer art, paper making and wickerwork all involve special natural materials and the wisdom of processing of them. Using natural materials such as pottery clay, porcelain clay, silk, lacquer tree sap, plant fibres used in papermaking, and bamboo as media, arts adapted to different natural and social environments can be developed according to local conditions. Although these arts carry different lifestyles and express different culture, they all belong to the same category, such as ceramic arts around the world or lacquer arts in East Asia. These arts, which belong to the same category but are located in different geographical regions, can form cross-regional links to share and benefit from each other's development, and at the same time promote cultural exchanges between different regions through such development.

In 2017, we were entrusted by the Department of Intangible Cultural Heritage of the Ministry of Culture with the establishment of a traditional crafts workstation in Jingzhou, Hubei. Jingzhou is the former capital of the state of Chu in the pre-Qin period, where the lacquer art, which originated in the middle and lower Yangtze River 8000 years ago, reached its first artistic peak. During the second half of the twentieth century, there were a large number of Chu wooden lacquer artefacts

unearthed here, and in the process of restoring and reproducing the artefacts, Chu lacquer art was reactivated and declared a national ICH item. The primary task of the workstation is to revive Chu culture and revitalize Chu lacquer art. In the mountainous areas of Hubei, there are a large number of lacquer tree forests, which are an important source of raw lacquer materials. We have combined the cultivation of lacquer trees, the processing of raw lacquer and the revitalization of Chu-style lacquer art to form a regional lacquer ecosystem.

On this basis, we launched the ORIGIN OF LACQUER ART: International Conference & Lacquer Art Exhibition, which united lacquer artists in the fields of ICH and colleges in China and East Asia. In 2019, the Lacquer China Tour started from Beijing, visited all the lacquer ICH items and inheritors along five routes in the country, and gathered the results of the visits to establish the Chinese Lacquer Craft Museum at the Jingzhou workstation. In 2022, with the support of the Ministry of Culture and Tourism, the Lacquer Art Branch of the China Association for the Safeguarding of Intangible Cultural Heritage was established in Jingzhou, encompassing all the lacquer ICH items and representative inheritors in China, as well as colleges and universities specializing in lacquer art. In the future, the workstation will be relocated to the site of Ji'nan City, the former capital of the Chu State, to establish an artisan town centred on lacquer art, creating a larger gathering of arts.

In Hubei Province, Jingzhou, Wuhan, Enshi, Shiyan and other places have formed a multi-resonance with lacquer. 2009, the Hubei International Lacquer Art Triennial was launched in Wuhan, the capital of Hubei Province, and has been held for five times so far. The Triennial uses lacquer as a medium to bring together contemporary artists from all over the world. The mountainous areas of Enshi and Shiyan have a large number of lacquer tree forests, producing high-quality raw lacquer. Artist Shanlin Liu has long been engaged in rural revitalization in the mountainous region of Shiyan, helping the farmers who plant lacquer trees and cut lacquer and produce grass-woven lacquerware. In 2018, he established the Zhuxi Raw Lacquer Museum in the mountainous region of Zhuxi County, Shiyan City, and held a series of exhibitions and academic conferences.

In Fuzhou and Xiamen in Fujian Province, the production and sale of lacquerwares has developed on a large scale, and close exchanges have been established with East Asian lacquer culture regions such as Japan and South Korea. Since 2016, the Fuzhou Municipal Government has organized three consecutive Fuzhou International Lacquer Biennale, which has had a significant impact on the lacquer industry at home and abroad. Using lacquer as a medium, the lacquer art of Hubei, Fujian, Anhui, Shanxi, Shaanxi and other regions can be linked together, which in turn can form further artistic links with East Asia and Europe.

In areas such as Jingdezhen, Dehua and Yixing, ceramics have been used as a medium to form a wide range of associations with domestic and international art circles. Suzhou, on the other hand, uses silk as a medium, with embroidery, brocade and other forms of artistic expression, and has carried out a large number of domestic and international art events. In Anji, Zhejiang Province, the large bamboo forests have provided favorable conditions for the bamboo weaving industry, rural lodges

and cultural tourism, and have generated more and more connections with other bamboo weaving production areas. In recent years, traditional paper making in different regions has received attention from artists and designers, generating more and more cross-regional connections in a number of workshops and exhibition activities. It is foreseeable that the cross-regional artistic links formed through the medium of natural materials and traditional crafts will open up a new path for ICH safeguarding in China.

## 18.4   China's Current Innovative Development of ICH from a Macro-Historical Perspective

Chinese ICH, as a living collection of traditional Chinese arts, has today become comparable to contemporary art and has an even broader potential for development. An obvious reason for this is that China's modernization has reached an advanced stage, where the vast majority of people have escaped the subsistence stage and have begun to pursue a higher quality of life with differentiated cultural experiences. The traditional arts included in the ICH can be categorized into four types in ancient times, namely court art, religious art, literati art and folk art, depending on who they were intended to serve, but today they have all been transformed into the art of living that serves to enhance people's lives.

However, if we are to get a clear picture of China's current innovative development of ICH, it is necessary to interpret it more broadly. First, we can look at it from a medium-term perspective, i.e., from the history of China's modernization in the last 100 years. Secondly, we can look at it from a long-term perspective, i.e., the 2000 years of history since the Qin and Han dynasties.

From the medium-term perspective, it is necessary to pay attention to two points. First, as Bingzhong Gao, an anthropologist at Peking University, has pointed out, the "cultural revolution" mentality that dominated the past century since the New Culture Movement, in which tradition was seen as backward and modernity as advanced, was dissolved in the process of the acceptance and dissemination of ICH in China.[5] Unlike the gradual path of modernization, China's path of modernization has often been fractured and has moved in leaps and bounds—the modern transformation of tradition was seldom free and complete. After China became a party to the ICH Convention and enacted the ICH Law, the safeguarding and innovative development of traditional culture has gained legitimacy on the one hand, and unprecedented social resources on the other. This has given traditional culture unprecedented opportunities to release its vitality and influence in contemporary life. Or rather, it is the process of a long-suppressed historical energy bursting out in contemporary times. Many Chinese who are disconnected from their traditions

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[5] Gao, Bingzhong. "*China's Intangible Cultural Heritage Safeguarding and the End of the Cultural Revolution*", Open Times, 2013(05), p. 147.

find ICH new and interesting, and this in turn gives them a sense of coming home, thus generating a great social and market demand.

Secondly, the contemporary prosperity and innovative development of many traditional arts in China's ICH system is inextricably linked to the development of the market economy and civil society since the reform and opening up. As far as the traditional crafts are concerned, the period of development under the special historical conditions of the planned economy era enabled the revitalization of the traditional crafts in the contemporary era. In the era of planned economy, traditional culture was generally rejected, while traditional crafts were vigorously developed by the state because they could be exported to generate foreign cash. At that time, industry was not developed, and the country needed to prioritize the development of heavy industry, so agriculture and handicrafts were needed for this particular export market. It was precisely because of the underdevelopment of industry at that time that traditional crafts were given the opportunity to develop in a certain way. The state-run handicraft factories, arts and crafts research institutes and arts and crafts colleges at that time amassed a large number of talents and skills. In the second half of the 1990s, although the state-run factories and research institutes were disbanded, they left behind a large number of laid-off craftsmen and technicians, who soon ushered in the good times of the development of the ICH safeguarding and the cultural tourism industry, and entered into a free and diversified development stage. In contrast, many of the performing arts as ICH items have not been separated from the original state-owned institution system, which makes them lack vitality, diversity and market adaptability.

From a long-term perspective, artisans and performers have never had the freedom and access to the number of consumers that they have today in the long history of China. Anthony J. Barbieri-Low's *Artisans in Early Imperial China* only explains the tip of the iceberg of this state of unfreedom. China after the Qin and Han dynasties was a "great unitary" imperial dictatorship, with few of the crevices of medieval European feudalism and few of the independent artisanal and commercial cities of the Middle Ages. As Prof. Di Wang, a researcher of Chinese social history at the University of Macao, pointed out, in this kind of authoritarian society, no matter whether the dynasty rose or fell, it was always the common people who were unlucky, and artisans, geisha and merchants seldom gained an independent status. Reform and opening up have enabled China to truly complete the state of modernization in daily life, forming a relatively equal and free society that has remained prosperous and stable for more than 40 years. This has led to a strange phenomenon: traditional art, born in the pre-modern period, has in turn gained the best conditions for development in contemporary society. This is the exact opposite of what many folklorists assume. They believe that ICH is the kind of moribund culture that needs to be salvaged and documented. The truth is that many ICH items, especially traditional crafts, are in a far more prosperous and diversified state of development today than they were in ancient times.

These particular histories mentioned above go a long way to explaining why ICH is thriving in China today. However, this is not to say that China's social and cultural

development has reached an ideal state. In the process of modernization, China has only just begun to draw on the wisdom and energy of its traditions to build a modern civilization that excludes the negative elements of modernity. In any case, the introduction of the concept of ICH and the related protection system has been helpful in promoting China's development in this direction.

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# Chapter 19
# Cultural Heritage Practices and Identity: Global, Regional, National and Local Perspectives. Colombia as a Case Study

**Viviana Polo-Flórez**

**Abstract** Does heritage create identity, or is it identity that shapes cultural practices and therefore heritage? This is the question that has inspired the following approach, which looks back at the past and presents a view from the South. We see that it is the concrete historical and cultural conditions that determine the formation of a subject. This takes place in mimetic actions that play an important role in the construction of identity (Wulf C. The formation of the subject in the Anthropocene. Sustainability, Mimesis, Ritual, and Gesture. SSRN. https://papers.ssrn.com, 2020, July 21).

**Keywords** Intangible cultural heritage · Identity · Colombia

## 19.1 Introduction

Based on the studies of Prats (1997), Hall and du Gay (2011), and Wulf (2006, 2020) this article examines the question of how the products and practices of a culture affect the construction of identity. We focus on human images and imaginaries in three geographical regions—Latin America, Colombia and Santiago de Cali—from the four angles of Intangible Cultural Heritage, Identity, Anthropological Imagination and Image and Imagination. We explore intercultural links, seeing how vestiges of the ancestral in the present reveal how intangible cultural heritage, full of symbolism, practical and aesthetic ritualistic elements, generates a sense of identity and existence in the world.

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## 19.2  Traces of Intangible Heritage: Images and Imaginaries

For a long time human beings have distanced themselves from natural cycles. Description and analysis have been traditional methods to establish the relationships between the human sciences and the products of culture. From the perspective of historical-pedagogical anthropology (Wulf, 2006), human beings and the world surrounding them should be analysed by considering the historical perspective, reviewing what has happened to a subject in the process of becoming human during their formation as a species, throughout time.

The nuances of poiesis have been present since the origins of humankind. These are dynamic syntheses that converge inescapably in the constructs of culture, and, depending on the historical context, reveal the dynamics inherent in the human being. They modify and transform visible or invisible identity referential frameworks. Let us imagine for a moment a being deprived of fur and subjected to the dynamics of a hostile environment, with our body, initially, being the only means of survival. It may be that in this image environmental resources are used systematically, either for protection, or elements to differentiate themselves from the environment or even from others around them. This requires processes of creation through the continuous use of natural resources as a permanent means of transforming oneself and nature.

During this process, the environment is endowed with symbolism and meaning that, in the course of forming cultural inventories, inspires questions such as: What is the sky, the earth, the stars, the wind, the song of birds, the taste of ripe fruit, the smell of a plant? There are many different answers, which also depend on culture. In a permanent dynamic human beings use what is at hand, turning the sacred and the profane into utilitarian elements that acquire an immaterial life. Ritual and performativity activate the sacred and the profane in a way that creates something new, and that, thanks to the repetition, eventually gives them their own identity. According to Eliade (1987) we can assume that the profane brings to life the itinerant nature of actions and determines how acts are evaluated by the subject, validating meanwhile the sacredness that differentiates vestiges of the heritage of cultures.

By being performed in particular places, the elements of rituals that are derived from nature, quickly lose their purity of form due to the way they are adapted by human beings. This results in the strengthening of the transforming capacity per se that in the first instance would consider the natural "objects" as facts of nature. The definition of the status and hierarchical ranks of societies not only conserves but also constructs.

From the point of view of the Anthropological Imaginary the quality of the human being who continually resorts to imitation as a representation of external codes, in the words of Wulf (2004) can be seen as that of a mimetic animal for whom mimetic learning takes place through reproduction, imitation and repetition. Mimesis is a characteristic of human development beyond the mechanical and biological capacities that form part of the subject. As Piñeres Sus (2017) points out when

defining the human being as an "animal of experience", it becomes clear that he never stops constructing himself.

When referring to the "animal of experience", Sus relates it to the production of forms of subjectivity that human beings create for themselves, giving rise in turn to the origin of a new image or creation that is a product of the anthropological imagination. Simultaneously, he argues that the relationship with language is not only linguistic, but is also an experience of other orders. The anthropological imagination catalyses the production of identity and difference, and, with it, zones of differentiation and spaces of exception. In this sense, we can affirm that a specific vision of a fact, a moment, a subject or an object contains a huge number of emotional effects, historical-evolutionary events and cultural-social connotations that define it. For Scheuerl (1985) the image of the human being is ambiguous since it can mean a directive image, an ideal or a norm. Therefore, he would differentiate between statements that tend towards an anthropological imagination, proposing that the link that occurs in the historical construction of the human being is intertwined with the imaginary and the imagination, as a place where subjectivity converges. Cultural products reflect the societies in which they were generated and in which they are. They can be considered from an operational, utilitarian or functional point of view, such as in the act of preparing the soil for sowing or inducing subtle changes in bodies of water. But this action has a place in thoughts and minds, on the level of aesthetics and display. This is clear in our understanding of the relevant facts in conquests, colonisations or invasions, where a performance is presented in which there is a specific scenario, and locations that are under threat.

Finally, we turn to image and imagination, the final piece of the jigsaw. Imagination is a state that is produced internally, something like an organ that operates in the mind: it is in itself a pseudo-scientific concept. Perception, thought processes and creation are seen as the origin of the aesthetic experience that proceeds from the faculty of creative imagination in the human being. In this sense, Sartre (2004) affirms that "Imagination and understanding are not absolutely distinct, since it is possible to start from one towards the other through the development of the essences contained in images". For his part, Kant (2012) proposes that imagination is a creative faculty. He describes two structural forms: the empirical imagination, which arises from a particular case, and the transcendental imagination, which is the power to create fiction and which varies from one person to another. Thus, human beings link the senses with the intellect in what they experience.

We can see that imagination is a process prior to knowledge that serves as mediation: our experience in the world is not totally creative, but neither is it indifferent, inanimate or passive. For Kant it is that which makes it possible for us to transcend the bare data of sensation and bridge the gap between mere sensation and intelligible thought (Wulf, 2004). Now, what does the process of imagination mean? The image and imagination of other existences in which beliefs, evocations and the generation of languages mark the starting point for the generation of designated objects such as habitats, utensils and clothing; these are all the result of the union between necessity and the transformation of the environment as the reference point of human progress.

Imagination configures the human world in which social processes and imaginaries are contained. Therefore, this leads us to understand that it is not a single world, nor a single system of processes that leads to the social, nor a single imaginary. Both diversity and subjectivities come into play. The image and the imagination are approached as an anthropological object. The constant transformation that the subject makes of the external world in their internal world allows the construction of the human being as a subject. Thus, there is an evolutionary flow in childhood, interpersonal relationships, learning processes and human plasticity that becomes visible through practices that provide the framework of identity, linked in a continuous connection, and which enliven both heritage and culture.

## 19.3 Specific Geographical Examples

Human development over time is clearly to be seen in historical, social, territorial and practical trajectories, generating a melting pot of identities. Globalization policies in today's world permit us, both as individuals and as cultures, to look inward and reflect. Where policies and conventions on heritage and culture suggest a review of our own geographical areas and practices, it is very important to have methodological platforms that involve structurally different entities, individuals and organizations that have the aim of furthering the knowledge and protection of individuals, communities and heritages—both tangible and intangible. For this reason, the agreements and normative frameworks on heritage of the UNESCO Convention (2003) and their implementation in public policies of the states that have accepted these guidelines, have assisted greatly with the protection and safeguarding of their cultural practices. They have also impacted on their communities, gradually contributing to sustainable development. This is the basis of intangible heritage.

However, the social problems that have been exposed by this are challenging since they present a series of conditions that must be addressed in the plans and policies of different states, in terms of human rights, non-discrimination, respect for privacy and spaces free of violence, among others. Heritage in a broad sense is a social construction that makes identity and tradition tangible. In this, even natural spaces that have significance for culture are recognized, such as the so-called archaeological sites and monuments (as vestiges of habitats and rituals), paintings and sculptures (as symbolic aesthetic practices), and in tangible culture we can find liturgical utensils, musical instruments, books, coins, furniture, scientific objects and even clothing. It is an open inventory that allows us to recognize the value of identity, the symbolic value, the social value, the value within a community space and the sense of belonging.

Prats (1997) suggests that heritage is a construction because it does not exist in nature, and therefore depends upon a form of production that cannot be clearly replicated and that it is not a given or a necessity in all human societies nor in all historical periods. This requires the existence of a craftsperson—whether an

individual or a collective. Depending on the circumstances, this generates in the first instance a specific result that can acquire symbolic aspects which over time become much stronger than the utilitarian ones.

Ethical principles, which involve taking an external view of the communities and their practices, are invaluable in intercultural cooperation. Although it is the communities that present cultural practices, it is the role of external bodies to give permanent support, recognizing and respecting the values of each group or community, to help them protect and care for their heritage. Without a local community a practice cannot be considered heritage. This supports the idea that culture remains dynamic over time.

Intangible and tangible cultural heritage is the touchstone in the construction of societies and identities. It is fundamental to philosophies of life, since it forms the symbolic imaginaries and diverse aesthetics that shape the memory of a region, a country or a place (Arizpe, 2006). It opens up many possibilities in terms of the relationship between intrinsic values and the ways in which they can be instrumentalised in some way. One issue is in the misappropriation of cultural manifestations and practices that often results in the exploitation of cultures for superficial reasons.

The role of education is fundamental, since it is the bridge that can unite and reveal issues pertaining to various communities in a respectful and sustainable way, encouraging joint efforts for the solution of social problems. These may be of a different order and complexity in each area—violence, displacement, gender—and are only understandable in social interaction and by fostering respect for the cultural and political frameworks.

### 19.3.1 Latin America: Cultures, Convergences and Divergences

This section turns to Latin America, considering the question of identity and otherness—the basis of heterological thinking and the tension between the familiar and the strange, knowledge and ignorance, certainty and uncertainty. We start with the idea of the 'gaze'—gazing upon the other. The gaze (Foucault) is an affirmation that the way of seeing is determined by the culture, not the things that are observed. We are invited to fly over this continent that unites the two hemispheres, recognized by the name of America and whose external topographic limits may be very similar to those described by the first navigators—today the evidence of the Viking expeditions that preceded European colonization is very much in vogue –, then by the conquistadors, later by the colonizers and even by the scientific explorers who, like Humboldt, traversed its soils, combing it in a meticulous manner.

Depending on the configuration of the images in our minds, we will be able to delineate or locate this map on a globe. However, depending on what our significant images have been, we will be able to approach in more detail particular territories,

seas or names in this continent on the world map. But within this outline, innumerable geopolitical transformations have been generated by the first migrants who presumably entered the Pacific mainly from the north through the Bering Strait and some coastal areas of Alaska, and also by travellers on their voyage around the world, with their documented journeys and other narratives that today are presumed fantastic. Above all transformations have occurred through the overlapping of cultural boundaries, leading to new practices of heritage.

For the purposes of this article, Latin America—as it is commonly known since the nineteenth century—includes the Caribbean, also the island group of the Antilles, dotted between the north and south of the continent, and which turned out to be the gateway to that pre-Columbian America of the "new civilization coming from the old world" during the "discovery" of America. This event has many connotations today, depending on the perspective (discovery, conquest, colonization, genocide), and from the point of view of heritage research it is no longer considered as a commemoration but as a tribute.

Proof of this are the newly named days of celebration (for what was previously "Columbus Day") acquired by Latin American and Caribbean nations, after the 500th anniversary of the "Day of the Race" (Día de la Raza)—celebrating the heritage, colonization, and cultural diversity of Latin America and the union of two continents. Today almost 30 years after this anniversary, thanks to the influence of postcolonial studies and the new epistemological trends, there are many different names for the celebrations, far removed from the concept of race, arguing that there is only one race and that is the human race. Examples of this are the following:

- Argentina, Day of Respect for Cultural Diversity.
- Bahamas, considering that it is an independent state belonging to the British Commonwealth of Nations, calls it Discovery Day.
- Belize, Pan American Day.
- Bolivia, Decolonization Day.
- Brazil has never incorporated this date into its commemorations as its history is considered parallel due to the influence of Portugal in its conformation.
- Chile, the day of the encounter between the two worlds and whose date of commemoration was changed to June 24.
- Colombia, the Celebration of Ethnic and Cultural Diversity.
- Costa Rica, Day of Cultures.
- Ecuador, Day of Interculturality and Plurinationality.
- Nicaragua, day of Indigenous, Black and Popular Resistance.
- Peru, Day of Native Peoples and Intercultural Dialogue.
- Dominican Republic, Day of Cultural Identity and Diversity.

These names are an exaltation of plurality and the original peoples whose safeguarding is today considered the most praiseworthy act for the recognising and safeguarding most of the intangible heritage. They show a clear resistance to traditional assumptions. In view of the above, there is no doubt that the arrival of Columbus in the fifteenth century—and also the arrival of people and their cultures, mainly from Spain, Italy, France, Portugal and Great Britain—marked not only a

historical milestone but also the dynamic and permanent development of new routes, voyages, purposes and travel itineraries, habits and customs. The framework for all of these is the natural world, considering that the civilizations that previously inhabited the American lands always maintained a symbiotic and biocentric relationship with nature. Even the centres of executive power there today are very far from the way such places are constructed in Europe, for example.

An impact was generated as a result of the encounter between the aborigines, whose bodies were mostly naked, and the colonizers, whose bodies were covered by armour or ecclesiastical cloaks. The naked skin, being pierced by the "civilized" eye that was looking at them, made them conform to the cultural and civilizing norms provided by each of the parties. Nakedness became a breaking point. Sanabria (2018) describes the historical configuration of the images of the American aborigine made by European chroniclers between the fifteenth and sixteenth centuries, emphasizing a European "us" and an aboriginal "other". From a normative vision of the time this portrays the good savage, a figure that fluctuates from cannibal to servant, who from his noticeable nakedness is assumed to be sexually willing and vulnerable. This extends to the view of the surroundings, where exuberance is magnified in the wealth of "virgin" natural resources and leads to the imaginary believing it has at its disposal dominion and control.

In the context of colonization, these encounters are mainly tripartite in view of the gradual arrival of the African population as well, which was absurdly staged as a labour force. Three basic imaginaries can be distinguished, although they are interlinked in the construction of the gaze. Thus we find a Latin American and Caribbean identity, linked to the belonging to the area and the development of its practices. In the first place there is the imaginary of the aborigines, whose cosmogony is complemented by the land and its resources, nourished by the natural ecosystem through sacred rites, regenerated in a continuous symbiosis that frames their ethos and their connection with the world. Secondly, there is the imaginary of the navigator (military, ecclesiastical, merchant) who arrives and discovers a virgin territory that is projected as a new space for the implementation of everything that represents the social and technological advances of thousands of years. Finally, there is the imaginary of the black immigrants who arrive in dehumanized conditions and who bring with them that great ancestral force which can only be exposed in what is kept hidden, strengthening it in what their bodies manage to embody through dance, songs, rituals, hairstyles, gastronomy, traditions, gods and resistance.

Heritage is undoubtedly alive because it is the people who have been building and protecting it over time. What we consider manifestations of heritage today are the voices of DNA mixtures and miscegenation. The process of 'miscegenation' is a result of the coming together of different peoples, each one with its own cultural scaffolding—language, beliefs, world vision, gastronomic practices, understanding of the body, clothing.

As a consequence of this encounter, the population of Latin America and the Caribbean today is made up of: mestizos—a mixture of indigenous and European peoples, mulattos—a mixture of Africans and Europeans, zambos—a mixture of Africans and indigenous peoples, moriscos—a mixture of mulattos and Europeans,

cholos—a mixture of mestizos and indigenous peoples, castizos—a mixture of mestizos and Europeans, and criollos who were the children of Spaniards born in America. This means that somehow the entire Latin American population shares as its ancestral base one or many of these or even other mixtures.

Imagining these mixtures is magical and it is even more intensified in contemporary times due to the transatlantic migration—which is very strong and ongoing since the nineteenth century—of communities mostly displaced by violence and wars, composed mainly of family groups. There have been marked migrations from Great Britain, Italy and Germany, as well as large numbers of Japanese, large communities of Arab descent and numerous groups from the Jewish community. All of these can be considered diasporas, especially if one takes into account that the predominantly black peoples today call themselves the African diaspora.

## 19.4 Intangible Heritage as Identity in the Latin American Context

> By conceptualizing culture in this way, we are saying that culture is not only a set of works of art, or books, nor is it a sum of material objects loaded with signs and symbols. Culture is presented in social processes and part of the difficulty in speaking of it derives from the fact that it is produced, circulated and consumed in social history (García Canclini, 2004).

Since the framework established by the UNESCO convention in 2003, sustainable development is considered to be a determining factor for the awareness of culture and its diversity. It presents a vision of contemporary challenges and a vehicle for the understanding of social, economic and welfare imbalances. Latin America is constantly seeking to reduce the inequality gap, so looking more deeply at its intangible heritage also means looking more deeply at its people.

Research by the University of Chile (2023) has revealed two key issues that put Intangible Heritage in Latin America under tension due to the bias of the Western vision. First, the bias towards the androcentric and ethnocentric, which does not consider women and subaltern groups as creators of culture with a role to play in its practices. However, thanks to the deconstruction of history initiated in the 1980s with the feminist movements, women are beginning to come forward and be recognized in their role as producers of culture. However, there is an ongoing tension as women and subaltern groups begin to be recognized as makers of culture but continue to be socially devalued, in many cases transferring their knowledge to commodities. This is a matter of ongoing concern, since there are cultural expressions that have traditionally been in the hands of men, but today are also owned by women.

This research also emphasizes the invisibilisation of indigenous and Afrodescendant peoples. This concerns directly the primordial imaginary that seems subsumed but is latent and visible, as when communities are recognized only as part of folklore, highlighting them as "those others". These communities, in fact, have a reliable knowledge of their relationship with nature. Other problems that arise

from this bias are those of the appropriation of the cultural and intellectual, that is to be seen in practices ranging from the use of plants to the implementation of trades and techniques in commercial designs without giving due recognition.

In connection with the Latin American vision, the concept of "buen vivir" (a good way of living) rejects the ideal of progress from a developmentalist perspective, supporting diversity of knowledge, human dignity, ecology and environmental justice, presenting itself as an opportunity for the collective construction of new ways of life (Gardetti, 2023). The concept, which emerged as part of indigenous, Afro-descendant, environmental and youth struggles, was recognized in 2004 as a concept of political economy by the IDB (Inter-American Development Bank).

Traits of the original mixtures of cultures are visible in the well-known Latin American intangible heritage practices. This is demonstrated by the practices that have different origins but are the property of a specific community. The UNESCO list enumerates some 205 cultural heritages of humanity in Latin America, of which 65 are intangible heritages. The following brief analysis of some of the intangible practices reveals a mixture of origins with a contemporary look that can, from an external point of view, be considered to be exponents per se of the Latin American. It refers to the fact that (Table 19.1):

> Dance is one of the most important forms that human beings have to portray and express themselves. Dances express our cultural identity and our relationship with ourselves and with the world. Dances can be considered "windows" into a culture, allowing us to understand what makes it what it is (Wulf, 2022).

From the point of view of identity it is assumed that the self-image produced by the human being is internalized in a dynamic process in which people both unfold and transform themselves. The identity constituted through these processes is in itself a continuous acculturation that constantly codifies and borrows from others and the other. According to Hall and du Gay (2011), identity is a process dependent on discursive practices that then also result in significant thought processes in which subjects decide to come closer and identify or to distance themselves in terms of actions or beliefs.

Precisely because identities are constructed within discourse and not outside it, we must consider them as produced in specific historical and institutional environments within specific discursive formations and practices through specific strategies (Hall & du Gay, 2011).

According to Grossberg (1996), identity is a question of social power, which assumes concrete form as a historical construction that embraces three levels of individuality: subjectivity, identity and difference. To discover the contribution of intangible heritage practices to identity, we must recognize that the historical timelines and locations are many. Today, it would not be possible to define a particular practice were it not for a homogenizing gaze dictated by the pattern of anthropological imagination and subsumed in the anthropological ideals of the observer. Todorov (2010) discusses the conquest of America in 1492, starting by questioning the concealment that took place in what was known as the encounter of two worlds. From this event that was so decisive for the new geopolitics, arise many

**Table 19.1** Based on UNESCO ICH documents

| Practice | Register | Location | Concept | Description |
|---|---|---|---|---|
| **Tango** | Nomination file #00285 / Decision 4. COM.13.1 | Urban Zone | Affectivity/Artist/ Worker Class/Composer/ Intercultural Communication/ Choreography Dance / Slavery / Immigrant/ Instrumental Music/ Local Music/Orchestra/ Poetry. | Argentinian and Uruguayan Tradition. It originated in the basin of the Rio de la Plata among the popular classes of Buenos Aires and Montevideo. It considers an amalgam of customs, traditions, and rites that embodies music, dance, and poetry |
| **Mariachi** | Nomination file #00575/ Decision 6. COM 13.30 | Agroecosystems / Urban Zone | Affectivity / Apprenticeships / Weddings / Costumes / Musical Style / Social Inclusion / String Instruments / Wind Instruments / Instrumental Music / Local Music / Orchestra | Traditional music that performs a repertoire of songs from different regions of Mexico. Its multicultural richness is enhanced by the indigenous and Afro-descendant contributions. |
| **Rumba Cubana / Cuban Rumba** | Nomination file #01185/ Decision 11. COM 10.67 | Agroecosystems / Marine, coastal and insular areas / Urban Zone | Affectivity / Working Class / Dance / Slavery / Family / Festival / Percussion Instruments / Instrumental Music / Local Music / Musicology / Audience Participation / Group Percussion / Religious Practices. | Cuban and Antillean tradition that employs verbal and gestural forms of communication involving singing, movement, clapping, dancing, and specific body language. It is transmitted from generation to generation within families and neighbours. |

of the questions about the identity of those who consequently came to the world in this place: who were they, who are they today, to whom do their customs belong, where do their habits come from, how do they describe themselves from the identity point of view?

Identity and corporeality are linked in a constant oscillation of intercultural, political, social, economic and civil factors. In the world outside the subject there is the society that structures, compartmentalizes and determines the patterns assumed by the subjects that compose it. These are also philosophical questions, considering that human beings of today or 500 years ago or more, are not—and never have been—homogeneous substances, but that, from this discovery of the other, coexistence and existence are generated as linked concepts that define the ethos and therefore its intangible heritage.

### 19.4.1 A Journey into the Territories of Colombia

In the extreme north of South America, with coasts and islands in both the Atlantic and Pacific, crossed by the majestic Andes mountain range, we find Colombia, a country considered diverse in its daily life, in its composition and also its heritage, which can be considered as the fabric of that identity in its diversity. A journey into that territory is the metaphor that invites us to get to know elements of its culture through its public policies. We find both historical and established practices and also those still developing, showing the traces of an identity contributed to by intangible heritage.

Gabriel García Márquez (1994) relates how it was only on his fourth voyage that Columbus glimpsed the place that would later bear his name and that was inhabited by communities with a strong identity. This has been reinforced by many chroniclers since the fifteenth century with reference to a legend in which the local population discover *gold*, the force of life, symbolising the ritual linked to myth, that forms part of identity. This is rooted in the Colombian ancestry that pays tribute to the sacred, in the cult and ceremonies in the encounter with deities. Today this constitutes part of that vital line of the Colombian identity that is linked to its own archaeological and cultural heritage, which today is still assumed as a myth—El Dorado, demonstrating the power of that legend in the territories of today's Colombia and its population, multi-ethnic, diverse and pluricultural.

Although this identity was diluted due to different languages and very diverse customs, despite inhabiting the same territories, over time it would lead the Colombians to possess two very distinguishable traits: the gift of creativity and the overwhelming determination for audacity and risk. These qualities today seem to be consolidated when it comes to defining the Colombian. Some of the most characteristic elements of Colombian identity are rooted in its territories and topographies. From childhood on, Colombians have a strong connection with their environment, visible in preschool education, where they even boast that the country *has all the thermal floors, with all possible landscapes and rich biodiversity, a country of thriving and happy people: the country of yellow butterflies*.

Locally there is a marked difference between identity and the image provided by the regions either by the aesthetics of their clothing, their accent, idiosyncrasy, music, gastronomy and even the performative relationship with the environment and with others, leaving in the air a very marked tendency towards regionalism. This gives rise to Colombianity as a concept that continues to be debated—one is Colombian by birth, by having a Colombian father or mother or by obtaining citizenship. For Castro Gómez and Restrepo (Díaz Moreno et al., 2008), Colombianity has devices that seem to unify and homogenize the population, but also many differences. Unifying forces that people have in common are music, national soccer teams, artists, athletes, patriotic symbols that constitute the particular identity based on the image-imagination of the country. These devices are historically constituted, so they are variable, and as such, identity is in permanent fluctuation.

From these dynamics of appropriation in which both body and the senses are involved, the social fabric of Colombians moulds that identity, which links them to the place—from the attachment to the ground they walk on, to the mountains they see and to the nature in which they feel immersed, evident in the way in which the various soundscapes are impregnated with the movement of the body through the dances, for example. Symbolic features, through their clothing, for example, become icons of identity, such as the *vueltiao* hat or the woollen *ruana*, typical of the Colombian image and which complete the Latin American lineage of clearly recognizable models such as the Panama hat (originally from Ecuador), or the wide-brimmed felt hat worn by the Gauchos of the Argentine pampas whose origin goes back to France. As for the wool *ruana,* a garment characteristic of the Andean zone, we can find similarities in the indigenous Muisca with the shawl, the blanket and the Central American *huipil*, the Asian with the sarong and the sari and the European with the *foulard*, the shawl and the Spanish cape—typical of nobles and soldiers. Here in Colombia, the *vueltiao* and the *ruana* give identity to the peasant.

These two in particular originate metaphorically and literally from different ancestral and historical sources as a result of migrations, of the understanding of the resources of the context, cultural loans and adaptations of forms and uses. This results in clear images of a regional identity within the country but also one that is a clear part of the Colombian. The *vueltiao* hat, made of palm fibre, represents the Caribbean/Colombian in a general sense, but its origin is found in the Zenú culture. The *ruana*, on the other hand, typically made of wool, gives an image of the context as a semiotic code that connects with the origin of its fibres and the activity of the wearer: sheep, shepherding and working with the land.

The country is made up of five diverse regions that can be recognized from their topographical composition, natural resources, cultural manifestations, socio-cultural groups and biodiversity. In a generalized sense this can be seen in a sensitive corporeality that evidences an affective and special bond for the place.

- *Caribbean Region*: Its territories are constituted by sea, deserts, savannas, mountains, rivers and colonial cities. Its inhabitants are socio-culturally recognized by: indigenous ethnic groups (Wayuu, Arhuaco, Kankuamo, Wiwa, Koguí, Ette E'naka, Zenu), NARP groups (Blacks, Afro-Colombians, Raizales and Palenqueros) and mestizo population. Its characteristic practices: folk music festivals. Practice recognized as Intangible Heritage: Carnival of Barranquilla.
- *Andean Region*: Territories made up of mountains, snow-capped mountains, rivers, major cities where the greatest concentration of population is found in large urban centres. Productive landscapes of agricultural development. Its inhabitants are socio-culturally recognized by: indigenous ethnic groups (Nasa, Yanacona, Misak, Kokonuko, Pijao, Totoró, Pastos), NARP groups (Blacks, Afro-Colombians, Raizales and Palenqueros), Rrom community and mestizo population. Characteristic practices: folk music festivals. Practice recognized as Intangible Heritage: Carnival of Blacks and Whites.
- *Orinoco Region*: Region that shares its borders with Venezuela. Its territories are made up of plains, hills and rivers. Productive landscapes of cattle breeding. Its

inhabitants are socio-culturally recognized by: indigenous ethnic groups (Sikuani, Piapoco, Curripaco, Piaroa) and mestizo populations. Characteristic sociocultural practices: International Joropo Tournament, World Meeting of Coleo and traditional practices of indigenous peoples.

– *Amazon Region*: This region shares its borders mainly with the Amazon rainforest of Brazil and Peru. Its territories are made up of mountains, hills, rivers and jungles. Its inhabitants are socio-culturally recognized by: indigenous ethnic groups (Curipaco, Cubeo, Tikuna, Matapi, Tanimuca, Yucuna, Macuna, Uitoto, Nukak Maky, Okaina, Arawak, Koregiagie, Inga, Camëtsa) and mestizo population. Traditional sociocultural practices of indigenous peoples.

– *Pacific Region*: This region borders Ecuador and Peru. Its territories are made up of mountains, sea, rivers and jungle. Its inhabitants are socio-culturally recognized by: indigenous ethnic groups (Embera Chami, Embera Katio, Embera Dobira, Embera Siapidara, Wounan) NARP groups (Blacks, Afro-Colombians, Raizales and Palenqueros) and mestizo populations. Socio-cultural practices: folk music festivals such as the Petronio Alvarez Pacific Music Festival, San Pacho.

One of the features of the ethnic and cultural diversity of Colombians is the coexistence of mestizo, NARP and Indigenous populations. However, another important factor is the regional differences, for example, that are found on the Caribbean coast or the Pacific coast, or in the "llanero", the "valluno" and the "paisa". These are differences that strengthen the identities of a region or city. Colombia has been dominated by a mostly white, Spanish-speaking and Catholic culture which has put its stamp on the country's politics, leading to a marked "whitening" in the practices and relations with others from colonial times until about 30 years ago.

A key point is the notion of Colombian identity, with respect to the myth of unification, which means little when seen from the regions. However, from the outside, the typical Colombian is seen as being moved by a latent emotionality or passion (Colombia is Passion, according to the slogan). This can be extreme pain, even ancestral pain. This aspect is visible in the portrait of the internal wars, a milestone since the 1940s, that have brought the country today to a process of different peace dialogues that seek the restoration and restitution of those who were displaced, massacred or made invisible and changed their skin throughout their history. A strategic point in this reading is the protection of communities displaced by violence, including indigenous people, blacks and mestizos, who are under special patrimonial protection.

> A result of this phenomenon is the apology of "mestizaje" (the process of interracial and intercultural mixing), which presupposes, in the Colombian imaginary, an identity resulting from the synthesis of races, a new "cosmic" race, in which all ethnic and cultural differences are erased (Aristizabal Giraldo, 2000, p. 6).

It is clear that, in order to reach a definition of identity and the elements of the cultural practices and cultural heritage that contribute to it, a historical-anthropological approach is needed. In terms of the intangible heritage of the country, this is the characteristic mixture that has evolved into an identity trait: a

melting pot, where the traditions inherited from the Europeans are revived. This has occurred especially in their missionary work, which is visible not only in the festivities, processions and Catholic commemorations, but also through pedagogy and training in skills and trades. An example of this is the various embroidery techniques brought by the Vincentian mothers from Spain during colonization, whose art was taught to women, initially to the Creoles and later to the mestizos, in order to produce Spanish-style garments. Today these skills are the main economic engine of women in the towns of Cartago and Ansermanuevo, which are located in the Andean Region.

Another example is the Barranquilla Carnival—listed as intangible heritage of humanity—whose antecedents are the European carnivals. What makes it special is that this festival in its Caribbean context was a party celebrated by black slaves who danced and sang, wearing special costumes. This festival was initially held in Cartagena de Indias—where one of the largest concentrations of African slaves was located –, but since the nineteenth century it has been celebrated in the city of Barranquilla, one of the capitals of the Caribbean Region. As a particular feature, indigenous communities in general have maintained their traditions and cultural practices in their own areas, and are the least permeated by mestizo and Afro-descendant peoples, ensuring their own sovereignty in terms of food production.

## 19.5   Colombia: Intercultural Influences

Colombia is an independent and multilateralist state, a founder member of United Nations and the Organization of American States, among other organizations. It has a constant commitment to define and contribute to policies of regional and global interest. This interaction means that the country is engaged in constant discussion over the regulations that determine the common spaces for society, paying particular attention to the economic, political and cultural links. The creation of the UN in 1945 resulted in new forms of education, in new forms of security that, through aid and cooperation, became permanent exchanges between nations. Thus, a meta-power that surpasses borders was established. Cooperation, then, became a means of exchange that was characteristic of the twentieth century, with several examples of plans that had a strong impact on the histories of those who were part of it. This also placed restrictions on what was included in the Marshall Plan in 1948.

The creation of plans such as the Good Neighbour Plan by President Roosevelt in 1933 and the Alliance for Progress proposed by President Kennedy in 1963 encouraged a series of interrelations and local changes order, which then also had global repercussions. As they were mainly political proposals, which were intended to promote cooperation, many areas became part of continental and national plans. The fields of education and culture were considered to be the most relevant influence on the "common subject", whereas security and political factors were almost exclusively related to the higher spheres of power in which advisors and politicians reside.

The idea behind this was that development equates to progress and that the parameters dictated by those who govern the destinies of the developed world are sufficient. This would confirm Kant's hypothesis regarding the idea of "progress as a product of a change of perspective of the historical subjects themselves" (Honneth, 2009, p. 18), which leads us to Truman's speech (1949) regarding his proposal of "Fair Treatment" for the underdeveloped areas of the world:

> What we have in mind is a development programme based on concepts of fair and democratic treatment (...) Producing more is the key to peace and prosperity, and the key to producing more is a greater and more vigorous application of modern technical and scientific knowledge (Escobar, 2012, p.19).

Development becomes the parenthesis in which the helper grants the helped a series of benefits that are provided mainly through education and work. And this emphasises the economic angle, which clearly has a marked "focus on basic human needs" and subsequently emphasizes "economic growth" and the distribution of benefits, in the interest of finding solutions to social and economic problems. It is however, only due to intervention, which, with its intercultural flows, undoubtedly affects not only the areas of economy and development, but also the image or identity of the country.

A clear example is the intervention of the Peace Corps created within the strategy called Alliance for Progress. This organization was created with the purpose of carrying out missions to specific countries according to a decree of the American government. In the decree issued by President Kennedy on March 1st, 1961, the purpose of the Peace Corps was to be responsible for the training and service abroad of men and women of the United States in new programmes of assistance to nations and areas of the world. This was to take place together with existing economic assistance programmes of the United Nations and other international organizations.

In this plan, Colombia was considered as an allied country and was therefore included as a destination for the second Peace Corps mission, following the mission to Ghana. The mission to Colombia, according to a communiqué issued by the White House on May 16th, 1961, entrusted 64 volunteers with the task of working with the communities of the small populations of the country, mainly in the sectors of agriculture, handicrafts, rural construction and health. This work is centred on training the communities in skills and knowledge originating in the United States, which evokes an acculturation per se and a dimension of permanent interculturality.

The first volunteers arrived in the country in 1961 and the mission was extended until 1981. The exchange during this period, but especially in the first stage, determined the course and implementation of new needs linked to the development of the country and with it part of the elements of cultural practices, including the generation of internal cooperation agencies, professional education programmes, education for work and production. This exchange is still ongoing, giving the nation the identity of strategic ally.

## 19.6    Culture as a Focus of Public Policies

One important factor, directly related to cultural practices, has been the work with artisans from peasant and indigenous communities which led to the creation of the state organization known as Artesanías de Colombia at the end of the 1960s. This is one of the main institutions for the protection of the country's crafts and culture.

In 1968 the Colombian Institute of Culture—Colcultura—was created as an entity attached to the Ministry of Education, whose main tasks included the promotion of the arts, the generation of networks such as museums and libraries and the cultivation of folklore. In 1997 the General Law of Culture was passed, which gave rise to the Ministry of Culture, under the new Political Constitution of the country that came into force in 1991. This marked the beginning of fundamental changes in the nation's identity, recognizing its multi-ethnic and multicultural character, – which was totally ignored or non-existent in the previous constitution of 1886. At the same time, the document emphasizes that culture is the basis of Colombian identity and a factor in economic and social development.

Currently, the Ministry of Culture promotes four basic principles that support the idea of an identity based on pluri-culturality, pluri-ethnicity and multilingualism, in order to further peace and well-being (Ministerio de Cultura de Colombia, 2019).

– Culture of Peace, whose mission is focused on making the voices of the territory resonate throughout the country, revealing the real actors of the various communities and blurring the imaginaries that have surrounded and defragmented them since the time of violence.
– Cultures, arts and knowledge for life, an area focussed on designing learning processes to build free and sensitive citizenship, stimulating integral sustainability based on the creativity and ancestral knowledge of cultures, leading to the strengthening of solidarity and popular economies.
– Living memory and knowledge, an area that considers the management of heritage for life and peace based on the recognition, care and dissemination of heritage, the recognition of diverse languages in the development of heritage plans and projects, cultural infrastructure and knowledge networks (libraries, museums).
– Colombia in the planet and in the world, which considers the protection of life and cultural biodiversity. The focus here is on knowledge of the territory, stimulating local practices and knowledge, the purpose being to turn the country into a world power from a biocentric point of view, complementing the intercultural dialogue with the world.

An example of this is the country's contribution to cultural public policies which have a global impact. This includes the so-called Orange Economy, a term coined in Colombia in 2013 which is recognized by the IDB as the model for cultural and creative industries, of which practices of art, communication and gastronomy are part. This is now known in Colombia as the Economy of Creativity Law and it makes

an important contribution to the plans for safeguarding and promoting the Intangible Cultural Heritage of Colombia.

According to the document of the Convention and Policy for the Safeguarding of the ICH of Colombia, Colombia's entry into UNESCO in 1947 and its signing up to the World Heritage Convention in 1983 showed Colombia's great interest in the protection of its ICH, recognising it to be a constituent part of its identity. At national level, Law 397 of 1997, or the General Law of Culture, was passed, which included the practices of general culture as part of its cultural policies. Colombia, in turn, is part of the Convention for the Safeguarding of Intangible Heritage signed by UNESCO in 2003 and ratified it in Law 1037 of 2006. To date, Colombia has 9 practices inscribed on the Representative List of Intangible Cultural Heritage of Humanity (UNESCO, 2023) (Table 19.2).

Multiple actors are involved in the implementation of the ICH policy at national level, ensuring that it is an obligation of the state and individuals to value, protect and disseminate the cultural heritage of the nation, in respect for cultural diversity, giving priority to:

- All languages and oral tradition.
- Artistic practices of a collective nature, such as music, songs, dances, performing arts and graphic expressions that are living traditions and are embedded in social processes of cultural affirmation and recovery, including artistic expressions related to the interpretation and management of nature, specific to ethnic groups and local communities.
- Learning and transmission of craft traditions, including costume and body ornamentation.
- Practices associated with the transformation, preservation, handling and consumption of food (gastronomy).
- Domestic games and non-conventional sports of popular tradition, such as chaza, tejo and cucunubá, among others.
- Integral safeguarding of ICH practices associated with cultural spaces.

### 19.6.1  Santiago de Cali: Roots in the City

The following section, examines a particular practice that, in context and with its actors, permits us to feel how cultural practices constitute identity in an organic way. To this end, the notion of a place in which people are rooted is proposed, showing the way a place and actions there impregnate the subject. The particular context and the actions of daily life that take place there permeate subjective identity and also develop into a permanent basis for the strengthening of cultural practices. Returning to the idea of Colombianiity, cultural studies suggest that it can be identified throughout history and its evolving music. Identity formation, from childhood on, is permeated by the logic of sound. This, in relation to practices in the context of a place, reveals a meaning of its own, in which different rhythms and new visions that are linked to ancestral elements, to the past are fused.

**Table 19.2** Based on UNESCO's ICH documents

| Practice | Register | Location | Concept | Description |
|---|---|---|---|---|
| Ancestral system of knowledge of the four indigenous peoples, Arhuaco, Kankuamo, Kogui and Wiwa of the Sierra Nevada de Santa Marta. | Nomination file #01886 Decision 17. COM 7.b.3 | Marine, coastal and insular areas / Forest / Mountains | Weddings/ Calendar/ Spiritual knowledge/ Cosmology/ Dance/ Sexual division of labour/ Vocal music/ Preservation of languages/ Initiation rite/ Wisdom/ Sacred site/ Weaving/ Oral tradition. | The ancestral knowledge system of four indigenous peoples, Arhuaco, Kankuamo, Koguí and Wiwa of the Sierra Nevada de Santa Marta, defines the sacred missions related to the harmony of these peoples with the physical and spiritual universe. |
| Marimba music, traditional chants and dances from the Colombia South Pacific region and Esmeraldas Province of Ecuador | Nomination file #01099/ Decision 10. COM 10. b.13 | Marine, coastal and insular areas | Ships/Food customs/Dance/ Instrument making/Funeraria/ Oral history/ Idiophones/ Instrumental music/Vocal music/Poetry/ Religious practice. | Marimba music and traditional songs and dances are part of the social, family and community fabric of the Afro-descendant population of the South Pacific. It is a practice that involves songs and dances of men and women. |
| Festival of Saint Francis of Assisi, Quibdó | Nomination file #00640/ Decision 7. COM 11.9 | Forest/ Inland Wetlands/Urban Zone | Crafts/Artisan/ Craftsman/Flag/ Ships/ Floats/ Catholicism/ Costumes/ Slavery/ Fanfare/ Festival/ Religious Practice/ Procession/ Saint/ Religious syncretism. | Annual festivity that gathers the Franciscan neighbourhood culture of the population of Quibdó. The basic identity is African, but rooted to the image of the Patron Saint of the Catholic Church. |
| Traditional knowledge of the jaguar shamans of Yuruparí | Nomination file #00574/ Decision 6. COM 13.9 | Forest/ Inland wetlands | Calendar/ Shamanism/ Spiritual knowledge/ Cosmology/ Dance/ Cultural space/ Holism/ | The structure of the mythical and cosmological is the basis of the knowledge of the Yurupaí Jaguars |

(continued)

**Table 19.2** (continued)

| Practice | Register | Location | Concept | Description |
|---|---|---|---|---|
| | | | Musical instrument/ Vocal music/ Food preparation/ Initiation rite/ Oral tradition | Shamans, which is covered by the sacred sites that enclose a vital spiritual energy. |
| Wayuu normative system, applied by the Pütchipü'üi (palabrero) | Nomination file #00435/ Decision 5. COM 6.9 | Agroecosystems/ Marine, coastal and island areas/ Arid zone. | Community leader/Clan/ Customary law/Customary law/Diplomacy/ Family/Joyas/ Legislation/ Matriarchy/ Offering/Peace/ Rituals/Conflict resolution/Oral tradition/ Moral values | The normative system comprising a set of principles, procedures, and rites that govern the social and spiritual conduct of the Wayuu people |
| Carnaval de Negros y Blancos. https://www.unesco.org/archives/multimedia/document-301 | Nomination file #00287/ Decision 4. COM 13.28 | Mountain/Urban Zone | Food/New Year's Day/Crafts/ Drink/Carnival/ Carriage/Costumes/Figures/ Family/Fanfare/ Colonial History/Makeup/ Mask/Procession/Rituals/Satire/Multiethnic Society. | Part of the native Andean and Hispanic traditions, it is a festive event of annual character and that is developed with practices that involve natural elements such as water, and unity through body painting. |
| Holy Week processions in Popayán | Nomination file #00259/ Decision 4. COM 13.29 | Urban Zone | Crafts/Carriage/ Catholicism/ Clergy/Chorus singing/Disguises/Figures/ Sculpture/Fanfare/Armed Forces/Church/ Incense/Religious practice/ Procession/ Reconstruction of buildings/ Multiethnic society/Wood carving. | Festivities celebrated since colonial times; it is one of the oldest traditional commemorations of the country. In this, the population gathers to pay tribute to religious statues, and the community participates accompanying the tour with religious attire, creating a liturgical sound and smell atmosphere. |

**Table 19.2** (continued)

| Practice | Register | Location | Concept | Description |
|---|---|---|---|---|
| Carnaval de Barran-quilla. https://www.unesco.org/archives/multimedia/document-3737 | Nomination file #00021/ Decision 3. COM.1 | Marine, coastal and insular areas / Urban Zone | Performing Arts/Crafts/Carnival/Carriage/ Dance/Costumes/Festival/ Colonial History/ Percussion Instruments/ Wind Instruments/ Mask/ Instrumental Music/ Religious Practice/ Procession/ Satire/ Multiethnic Society. | A festivity that precedes Lent, and that presents a wide repertoire of dances and cultural expressions that allude to the different Colombian regions, allowing diverse traditions to emerge, mainly in music, song, and dance. |
| Cultural space of Palenque de San Basilio. https://www.unesco.org/archives/multimedia/document-619 | Nomination file #00102/ Decision 3. COM.1 | Agroecosystems/ Forest/ Inland wetlands/ Mountains | Weddings/ Dance/ Slavery/ Cultural Space/ Spiritualism/ Family/ Festival/ Funeral Homes/ Colonial History/ Local Languages/ Traditional Medicine/ Female Students/ Instrumental Music/ Socio-cultural Practices/ Oral Tradition. | This space, whose frame of reference is the fortified communities founded by fugitive slaves in the seventeenth century, is the only one that has survived. Here, social, medical, and religious practices are developed, as well as cultural manifestations with strong African roots, whose social organization are the family networks and age groups called ma-kuargo. |

## 19.7 Places, Bodies and Rhythms

The city of Santiago de Cali, considered to be the capital of the Pacific Region, is a place between cultures that evokes countless convergences and divergences. It is a place inhabited by highly legible languages and codes that frame the meaning of a city that speaks through rhythm, breeze and effervescence. Known as Cali, it is a city that can be defined as a territory where diversity overlaps, as it is a point where the

largest number of migrants in southwestern Colombia are concentrated. It is a vanishing point, where subjectivities and cultures come together, through reason or force, through will or desire, and having reached this epicentre, becoming alive, dynamic and diverse.

It is a city that has been built on the basis of cultural diversity whose genesis has been outside its borders. With this migration have also come the practices of diverse peoples—mediated by taste, smell, sound, touch and look –, their language, their vision of the world and of life, and also the different bodies, races, ethnicities and costumes. The migratory flow to the city started in earnest at the beginning of the twentieth century when Cali became the most important capital of the Colombian Southwest. This was because it was not only an obligatory passage between the sea and the mountains, but it was becoming powerful as an administrative centre.

Cali can be recognized by its languages full of cadence rooted in the body thanks to those soundscapes that inhabit the whole city: the music in the buses, the interaction of itinerant artists at traffic lights, as well as the spaces of party and rumba that emerge in the streets. At the same time, it is a territory where diversity meets and overlaps, an intersection where the largest number of migrations meet (some even international), since being at one end of the Colombian territory, border and geographical crossings have given rise to continuous migrations. It is a point of escape or encounter, where subjectivities and cultures become alive, dynamic and colourful (Polo-Flórez, 2022).

Among the most famous practices of Colombian culture is the Salsa Caleña, which is particular to the city of Cali, known as the World Capital of Salsa and the *branch of Heaven—Sucursal del Cielo*. However, salsa is the result of the African legacy that, through music and dance, connects with nature and cosmogony. It does this through the use of percussion instruments made of animal skins and wood. In these mixtures that occur, as already mentioned, in the processes of miscegenation, there are undoubtedly elements that maintain the strength of their area of origin and govern the destiny of their gradual production over time in different areas.

The arrival of the African people in the Americas resulted in a sowing of rhythms, flavours and cadences that were dispersed over time throughout the territories, giving that continuous bass to the music and rhythms of countries that are known all over the world. This includes jazz, soul and blues in the United States, in Brazil the samba, the candomblé and the capoeira, in Colombia the mapalé, the currulao and the bullerengue. All of these today result in contemporary fusions in the voices and performances of musicians and artists, leading to a reconfiguration of identity.

Salsa as a musical genre has its origins in Cuba, as an offshoot of the musical and dance practices that were becoming more specialised over time, such as danzón, guaguancó, guaracha. Also different instruments were added. The crucial leap was made when the baic genre arrived in New York in the 1960s. This became a melting pot due to the influence of musicians from Latin America and the Caribbean who, like nomads, were making the rhythms, the dance and the festive atmosphere their own. This allowed different branches to be formed in an organic way in the tree of rhythms and dances, and, within them, elements such as the dress, the places where

people would meet to listen and the food they enjoyed while absorbing these rhythms.

According to Echeverri Bucheli (2012) there are multiple urban stories of how Salsa arrived in Cali, all told by the actors (dancers and musicians) who personally experienced this transition, as well as the so-called music lovers. These are the ones who safeguard the records of recordings and stories of its protagonists, having in their possession the historiography, which is the most precious treasure in continuing the legacy. The historiographic records assure us that New York Salsa arrived in Cali—where people were then dancing to the rhythm of Boogaloo –, thanks to the vinyl records that entered through the port of Buenaventura, Colombia's most important gateway to the Pacific. The itinerant rhythm settles in the Barrio Obrero—whose name reflects the role of its inhabitants—where this Caribbean rhythm is impregnated with the voices and sounds of the Pacific. Salsa is felt in every corner of the city, so Cali residents are permanently impregnated with this rhythm that is danced by young and old alike.

According to urban legends, whether by mistake, carelessness or chance, these songs were put on the radio stations at 45 rpm (when the normal was 32 rpm), and this magically caught on in people's minds. That slight variation gave birth to the Salsa Caleña which is danced much faster, is acrobatic, licentious, and speaks loudly, giving body to the caleño. This has led to practices that feature the costumes, culture and society of Cali, encouraging creative processes that generate new proposals to be considered as intangible heritage. One such practice today is the musical dance complex of the Salsa Caleña formed by orchestras, dancers, musicians, composers and experts. This was named by the National Council of the Ministry of Culture as Intangible Heritage of Colombia. This followed the support of the Special Plan for the Safeguarding of the Salsa Caleña.

## 19.8 Safeguarding: A Plan Executed from the Beginning, Advancing Step by Step

In the year 2022, the first step was taken for Salsa Caleña and its entire ecosystem to be safeguarded as Intangible Cultural Heritage of Colombia, in consideration of the fact that it was a gradual process of direct work with the community. Since 2020, the Secretariat of Culture of Cali has been committed to the development and implementation of the Safeguarding Plan. This has strategies relating to all the actors of salsa in the various sectors that are engaged in cultural practices of a traditional nature. Such practices have a history and a legacy which is expected to pass to the next generations.

*The Salsa Caleña Musical and Dance Complex* is considered living heritage because it groups a set of permanent practices related to popular arts and crafts since the twentieth century in Cali, where experts, creators and artists are constantly

interrelated. It is not only the music and dance itself that generates the heritage but trades and areas of craftsmanship as well. These include:

– Collectives such as music lovers, collectors, DJs writers, academics, researchers.
– Musicians, orchestras, composers.
– Dancers, social dancers, choreographers and dance teachers.
– Dressmakers, tailors and shoemakers.

The Secretariat of Culture of Cali (2022) has elaborated the Special Plan for the Safeguarding of the musical-dance complex of Salsa Caleña 2022–2027 considered as a document for the dissemination of Salsa Caleña as a Living Heritage. This involves:

– Knowledge of the musical-dance complex of Salsa Caleña: upon which the academic and research network of salsa is based and It is upon this that the creation of Salsa Caleña as a practice of Intangible Cultural Heritage is proposed. Its slogan is "You don't take care of what you don't know". It involves the strengthening of processes or organizations that develop dance, music, love of music, collecting and the trades of salsa caleña, whose slogan is "To safeguard it is necessary to study".
– Tracking and appropriation of communication processes through the dynamics and practices of salsa. This is characterized by the phrase "Communication as the basis of all relationships".
– Strengthening of the collaboration between music, dance, love of music, collecting, dissemination and crafts of Cali salsa. Its flagship phrase is "Together and organized we achieve more".
– Celebration of Salsa Caleña. Its slogan is "La identidad caleña centro de festivales y encuentros" (The Caleña identity, the centre of celebrations).
– Linking of the network of practices and trades of the salsa caleña complex. Its slogan is "Music, dance and trades in a single creation".
– Spaces and territories of Cali salsa, considered as neighbourhoods, public spaces and businesses. It is distinguished by the phrase "La salsa caleña in its territories".

In the safeguarding process the link with the new generations is very important. Therefore, for the purpose of training and education, a research classroom is currently being developed with students of Costume Design from the University of San Buenaventura Cali, with the younger generation taking part in the safeguarding plans, contributing their knowledge of their environment and territory. For the development and implementation of this Safeguarding Plan it is important for public policies to be fully joined up and consider the participation of the State. In addition to this, there is the Cultural and Creativity Economy (formerly the Orange Economy) where the cultural industry is promoted, which is linked to the fundamental premise that heritage works if it contributes to well-being.

To conclude, we would reiterate that the construction of identity is a continuous process that must be renewed in each new generation. For Wulf (2022) mimetic processes play an essential role in the structuring of intangible cultural heritage and thus the construction of identity. This is only possible through practical knowledge

that is passed from generation to generation. Like life and education, this is a continuous process.

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# Chapter 20
# Against All Odds: Keeping Intangible Cultural Heritage in the Arab World Vibrant

**Hani Hayajneh**

"زَرَعُوا فَأَكَلْنَا، وَنَزْرَعُ فَيَأْكُلُون"
*"They [our ancestors] sowed so we eat,*
*and now we sow so they [future generations] may eat".*
*(An Arabian Saying)*

**Abstract** Arab countries comprise communities and groups that are socially and linguistically diverse and different in size and prevalence. They have lived with rich manifestations of intangible cultural heritage (ICH) that have interacted through history and continue to interact with the political, social, economic, and environmental surroundings. Multiple languages and dialects are also spread among these communities, representing a vehicle through which ICH is transmitted. This contribution briefly presents and evaluates the concept of ICH, and how it began to come to the attention of legislative, academic and institutional circles in the Arab countries, and summarizes the most important achievement related to the implementation of the 2003 UNESCO Convention for safeguarding ICH. Some recommendations that are expected to contribute to safeguarding ICH in a sustainable context for the benefit of communities and their social and economic well-being are proposed.

**Keywords** Arab World · UNESCO ICH governance · ICH safeguarding · ICH and sustainable development · Digitization · Displacement · Education

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## 20.1   The Arab World: A Realm of Vivid and Diverse Cultures

The Arab region[1] consists of people with different ethnic, religious and cultural backgrounds, the majority of whom are Muslims and Christians. Ethnic, linguistic and religious groups have long lived side by side and intermingled closely. Official and semi-official Arabic (as a *Lingua Franca*) is shared throughout the Arab region and is used for written communication, while colloquial Arabic and special dialects prevail in everyday communication.[2] The region can be divided into four cultural-geographical sections comprising 22 countries: the Fertile Crescent, Nile Valley, Gulf States, and Maghreb (Harb, 2016).These are differentiated by historical divisions, political geography, confederate alliances, as well as common culture, such as music and literature and customs. These differences may affect how the region is conceptually divided. Although the countries of the Middle East and the region of North Africa have commonalities in their social norms, they differ, however, with regard to social, economic, ethnic and demographic features (Almutairi et al., 2020). These regions share a large cultural reserve of traditions linked to their religious beliefs and common languages, including traditions, stories and practices (El-Shamy, 2018). The family is the primary channel for transmitting culture, the basic unit and the provider of social support in many Arab societies, nursing the individual into the cultural matrix that spans generations (Harb, 2016). Geographic proximity has a social and cultural impact on the countries of each section, with shared geopolitical and historical factors playing a role in shaping cultures in the regions with close borders. But that does not mean that cultures are similar either. Many cultural factors, such as linguistic features, religious views, ethnicity, and political administrations, lead to dissimilarity between countries that share a common geography, creating cultural diversity.[3]

According to the report of the UNDP (2018), most of the agricultural land in Arab countries depends on rainfall and much of the agricultural production in the region depends on dry farming systems. Water scarcity is already a clear challenge in the region, and climate change is likely to undermine rural livelihoods by altering rainfall patterns, reducing agricultural productivity and fuelling urban migration. Climate change will affect people's health, leading to new forms of social vulnerability and young people accepting jobs that are not in line with their country's interests. Food insecurity is believed to have contributed to the problems that have led to recent social and political unrest in some countries. The Arab region has

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[1] With this designation we follow the definition of the "Arab League" founded in March 1945. The League of Arab States (Arab League) which is a loose confederation of twenty-two Arab nations whose broad mission is to improve coordination among its members on matters of common interest (Britannica, 2023a).

[2] For more details, see Harb (2016).

[3] The Arab Network for Tolerance, the Westminster Foundation for Democracy, and the Centre for Democracy and Peace Building (2016).

populations that rely heavily on climate-sensitive agriculture, subsistence farming, fishing and livestock. Many economic activities take place in flood-prone coastal or riverine areas or in arid and semi-arid areas prone to drought and therefore there is an undeniable, urgent and comprehensive need for coherent and far-reaching measures to improve livelihoods (United Nations Development Programme July, 2018).

Given the scarcity of resources, Arab countries must find the necessary capacity and plans to maintain vital ecosystems to protect public health and well-being, especially as they face increasing pressures. More than a thousand species in the region are threatened with extinction, and communities and ecosystems have been affected by wars, urbanization, industrialization, environmental and climate change that threaten human health and well-being. Therefore, it has become necessary to improve the use and sustainable management of ecosystems to expand the safeguarding and sustainable use of vital ecosystems throughout the region, including valleys, swamps, marshes, oases and unique arid, mountain and coastal ecosystems in the world. These ecosystems are a refuge for the region's endangered species and an asset for community livelihoods and well-being (United Nations Development Programme Regional Bureau for Arab States Arab Human Development Report, 2022).[4]

## 20.2   Cultural Policies in the Arab World

The cultural field in the Arab region is predominantly under the wing and control of ministries of culture. However, in some of the countries the role of the private, commercial sector is extremely important, as well as the emerging civil sector, comprising the activities of individual artists (Šešić, 2010). Cultural policy (Hajj Ali, 2010) is a set of plans, policies and practices aimed at meeting the cultural needs of a country or region through the optimal investment of all human resources and resources available to that group. It is a holistic approach that requires the participation of different sectors of society in order to open up spaces for the study of the relationships between cultures and human groups, their everyday life, and the existing institutions that they seek to develop in people through politics and discussion. A country's economic situation also strengthens the entire cultural sector. From this perspective, we can see that cultural policy in the Arab world has two aspects: the first is state control over cultural activities from planning and financing to implementation, and the second is rights-based democracy. It is noted that cultural standards in the Arab world are concepts awaiting translation into political initiatives, laws, rules and integrated systems that allow for change and development in the long term to form a positive and fruitful relationship between politics and culture (Hajj Ali, 2010, 23ff.).

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[4]For more on the sustainable development strategies in the Arab World, see United Nations University Institute for the Advanced Study of Sustainability (2020)

## 20.3   The Conceptual and Nomenclatural Transformation: From "folklore" to "ICH" and Its Anchoring in the Arab World

The term "folklore" was coined by the Englishman William Thoms in 1846 to express what was then called "folk antiquities." The concept developed as part of the nineteenth century ideology of Romantic nationalism, which led to the reshaping of oral traditions to serve new ideological goals. Before that in Germany, Johann Gottfried von Herder (1744–1803) called for the contents of folklore to be documented and safeguarded in order to consolidate the spirit, traditions, and authentic identity of the German people (Hayajneh, 2023). Specialization in folklore grew in the mid twentieth century, transcending pure academic research. The term "folklore" became widespread between the 1950s and 1970s in various social contexts. By the 1980s, it had acquired a strong popular connotation, but it was mixed with a variety of negative uses, accompanied by a rising political will to harness it for political, religious and economic gains. In the past few decades, the term "heritage" has generally begun to be seen as more formal and acceptable (Hayajneh, 2023).

The concept of "folklore" in the Arab world began to be known in the 1950s. El-Shamy (2018), in his excellent study, understood it as an expression of human behaviour with utilitarian aspects, either to satisfy needs (such as food, housing, physical well-being, etc.) or with aesthetic and artistic aspects that communicate feelings and emotions, such as love, hate, fear, etc. Interest in folklore, as an academic specialty, although it was not called this in the early stages of its development history, passed through different stages in the Arab world, namely the early Islamic era, the era of the spread of Islam and the Arabic language, and the stage of getting to know folklore in its Western sense (El-Shamy, 2018). Like the two monotheistic religions, Judaism and Christianity, Islam abhors artistic expressions of polytheism (such as painting, sculpture, songs, dances, narrative stories, polytheistic poetry, etc.), so we see that the most prominent feature of intellectual production in the Arabian Peninsula[5] is mainly represented by poetry as an expressive mode and nothing of the sacred narratives (myths) about pre-Islamic gods reached us (El-Shamy, 2018).[6] The cultural heritage of the early Arab Islamic period was referred to as "*turāṯ* تراث (= folk-"legacy"), as this word in Arab and Islamic societies is linked to Arab culture in general and to the Classical Arabic language (*al-ʿarabīyah al-fuṣḥā*, "standard literary Arabic"),[7] which acquired a unique

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[5] The Arabian Peninsula is part of land in southwestern Asia. It includes Kuwait, Oman, Qatar, Saudi Arabia, the United Arab Emirates, Yemen, Bahrain, and parts of Jordan and Iraq.

[6] It is noteworthy that El-Shamy (1995) documented a comprehensive anthology covering almost all known types of prose narrative (Märchen, myth/pre-myth, jokes, tales, . . . . etc.) known in the Arab world, including Saharan Africa.

[7] According to Retsö (2012), *al-ʿarabīyah l-fuṣḥā* "Classical Arabic" is a term "used with at least two slightly different meanings. It may designate the language used for writing and sometimes formal speech in the modern Arab world which is also employed in Islamic countries in varying

position in the value systems of Arab and Islamic peoples. Therefore, any threat to the purity of Arabic was met with fierce resistance, and since the designation "*turāṯ* تراث" also applies to folk traditions, which are usually expressed in colloquial Arabic dialects, a confrontation between religious "*turāṯ dīnī* تراث ديني" and popular "*turāṯ šaʿbī* تراث شعبي" was unavoidable (El-Shamy, 2018).[8]

The Arab World became acquainted with the specialty of folklore known in Europe and the United States of America, and various Arab governments began to recognize "folklore" as a field worthy of consideration. There is no doubt that interest in "folklore" in the Arab World as an academic discipline has its origins in Western circles, especially in Germany, where the Brothers Grimm's work had a far-reaching cultural and social impact. French and German collections and reports on folk life from the field have contributed significantly to the preservation of various aspects of Arab folk traditions (El-Shamy, 2018). For various reasons, whether colonial, religious or purely academic, European scholars began to explore some aspects of folklore in the Arab world. For example, the publications of the German orientalist and Semitist Enno Littmann (1875–1958)[9] included rich material from folk poetry and tales from Palestine and Syria, proverbs and riddles, Cairene myths, Volksleben, and others. Awareness of "folklore" in the modern "Arab World" was almost non-existent until it began in Egypt in the middle of the twentieth century, and although a number of intellectuals dealt with popular materials, their studies did not lead to the discovery or establishment of "folklore" as an academic discipline. These included Ahmed Taymur and Ahmed Amin (circa late 1930s), who wrote about narrative materials and other forms of popular literary expressions, but

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degrees, as opposed to the spoken varieties in the Arab countries. In Arabic this language is nowadays often labelled *al-luġa al-fuṣḥā*, 'the pure language'. This is obviously an evaluating term connected with the traditional view that 'Classical Arabic' is 'correct' and the vernaculars are in some way corrupted versions of it. Another definition of Classical Arabic takes its starting point in a more explicitly normativistic implication of the term: Classical Arabic is then defined as the rules established by the medieval Arab grammarians in Iraq in the ninth and tenth centuries, thus an explicit system of grammatical rules to be followed by anyone who writes or delivers speech in formal contexts. According to the first, wider definition, Classical Arabic is represented by the earliest corpus of poetry from Arabia . . ."

[8] As van der Steen (2013) has noted, Arab society has always been ambivalent toward oral traditions. While the cultural elite looked down on it, the city rulers and intellectuals had their own literature, and there were ancient tribal stories told in rural communities and in the city's cafés, with the first sect using classical Arabic, while tribal stories were told in the colloquial language. On the other hand, religious scholars condemned the tribal stories, describing them as false, vulgar, and detracting from the true words of the Qur'an. They were also followed by political rulers who viewed the oral traditions of the lower castes as rebellious, and tried to suppress them from time to time. An exception to this position was Ibn Khaldun, the fourteenth-century scholar who saw poetry and novels as a valuable source of literature, and published parts of the biography of Banu Hilal to defend his cause. This situation continued until the 1970s and 1980s, when Arab nationalism created awareness of the importance of traditional and popular culture, until the value of these oral traditions was recognized

[9] See Paret (1959) on Enno Littmann's scientific contributions to the study of the Middle Eastern cultures and languages.

their works were considered as *aḫbār* "news" / reports. One of the first serious studies on folklore was produced by the Egyptian scholars Abd al-Hamid Yunus (1910–1988) as the *as-Sīra al-Hilāliyya*[10] epic. However, this emerging interest was met with strong resistance, due to the view of a number of Arab nationalists and official religious authorities that interest in popular literature transmitted in Arabic dialects leads to the decline of the Classical Arabic language, to regional differences and the weakening of the unified Arab nation, Arab Nationalism, and the Islamic religion. It was also feared that granting legitimacy to the academic study of Arabic dialects would erode the primacy and sovereignty of Classical Arabic. The main source of concern was that the use of the word *turāṯ* "tradition, heritage, etc." had, over the past fourteen centuries in Arab and Muslim history, referred to doctrinal and hadith-related writings on the Qur'an and the Hadith (El-Shamy, 2018).

Since the late 1950s, there has been an explosion of interest in orally transmitted folk narratives followed by interest in other areas of folklore such as music, dance, healing, medicine and architecture. These should not be considered 'folk', as in crafts, embroidery, working with gold or creating other forms of adornment, but they entered the fields to which the name folklore is applied and were taught within its framework. Then the study of folklore entered an institutional phase through the establishment of folklore centres and associations, and seminars on folklore arts were held in Egypt and some Gulf countries, especially in Qatar and Bahrain (El-Shamy, 2018).[11]

In the 1990s, UNESCO realized very well the necessity of abandoning the word "folklore" and replacing it with a more correct and neutral word, as the pejorative connotation of the term was already known. In reaction to this, European ethnographers and anthropologists began to discuss new ways of representing folklore, its known implications, and what had previously occurred within it. This led them to the necessity of recognizing the naming of tangible or intangible things and facts with more expressive and accurate terms in order to maintain the terminological, theoretical and semantic shift in the study of these social and cultural facts. The idea of "intangible/immaterial/non-material" was given an institutional framework and began to be discussed as a new way of depicting cultural heritage, presented, and studied (Hayajneh, 2023).

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[10] See Abou El-Lail (2012).

[11] In late 1983, an institution was established at the initiative of the Gulf Cooperation Council to document and safeguard the region's folk heritage. This is the Folk Heritage Centre for the Arab Gulf States in Doha is tasked with supporting research projects, documentation, archiving, and book publishing. Several major conferences and a number of small workshops have been sponsored here on issues relating to folklore collections in the Arabian Gulf region. Although the centre is located in Doha, it represents all members of the Gulf Cooperation Council: Bahrain, Iraq, Oman, Qatar, Saudi Arabia, and the UAE. The main areas of focus are folk literature, musical and dance traditions, customs, and material culture. The centre implemented various projects on pottery making in the Arab Gulf countries, customs and traditions of the Arab Gulf society, folk tales, music, and others (Varsico, 1989).

We conclude from the above that the term "cultural heritage" has changed its content significantly in recent decades, partly due to the tools developed by UNESCO. Cultural heritage does not end with monuments and collections of objects, but also includes living traditions or expressions inherited from our ancestors and passed on to our descendants, such as oral traditions, performing arts, social practices, rituals and ceremonial events, knowledge and practices relating to nature and the universe, skills needed to produce traditional crafts etc., all of which are included in the formal definition of ICH. The latter concept roughly overlaps with what is usually considered to be a component of the study of "folklore," or what previously came under the designation "folklore". There are no traces of the word "folklore" in the official definition of ICH, despite it being the historical basis for ICH (Hayajneh, 2023). In the present century, we come to understand human cultural heritage as an endless source of knowledge, skills, spirit and achievements, depicting the power of human creativity and innovation throughout history. Therefore, interest in cultural heritage in a holistic sense aims to explore, safeguard and invest in forms of human creative expression, both tangible and intangible, in order to understand the cultural aspects of the world, and its material and intangible products, within the framework of sustainable development and mutual dialogue among human cultures (Hayajneh, 2023). This means that we are constantly called upon, across time and space, to interpret our lives through our heritage, our identification with it, and our investment in it in all aspects of life. Cultural work does not simply provide a copy of actions that were previously performed, as every performance of a cultural practice on a new scene leads to modifications in previous cultural actions, and there is an imitative relationship between past, present, and future cultural actions that produce new actions by referring to the previous ones. Establishing a relationship with the existing cultural world, so many practices of ICH, as Wulf (2023) acknowledges, "tend, simultaneously and with equal urgency, towards repetition and difference, thus setting free energies which drive the staging and performance of cultural actions, and from these dynamics stems their productivity. Whilst maintaining continuity, they offer scope for discontinuity and open up a field for the negotiation of the relation between continuity and discontinuity."[12]

After the launch of the 2003 UNESCO Convention on the Safeguarding of the Intangible Cultural Heritage (*hereinafter*: Convention), Arab countries began to ratify this Convention, which established a legal and legislative framework for safeguarding what was previously called "folklore", in addition to other areas of

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[12] Similarly, Varsico (2015) understands the necessity of change for the life and renewal of culture, since culture lives even as it changes. He believes that certain customs are being replaced due to the inevitable changes in the means of life and technology that determine the development of the environment in which we live. He does not believe that we should return to previous customs, but rather that we simply need to appreciate the achievements of previous generations.

human creativity and its immaterial manifestations. The concept of ICH[13] has slowly made its way as an alternative to the terms, names, and concepts that have been discussed and that people are accustomed to using. The new concept has spread to other social and cultural areas, going beyond its technical connotations, and has become a tool used by social and cultural actors to promote social negotiations, political recognition, identity claims and economic interests (Hayajneh, 2023). ICH ceased to be folklore, and expanded horizontally and even vertically to cover a cognitive space capable of reflecting the richness and life-changing power of humanity.

The Convention aims not only at safeguarding but rather at recognizing ICH stakeholders such as communities and individuals; supporting its safeguarding; ensuring respect of the communities, groups and individuals concerned; increasing awareness of its importance; and asserting mutual appreciation. The rapid change in migration patterns, changing social and economic conditions, and the increase in the frequency of conflicts, which threaten cultural heritage and cultural diversity, was a further impetus for launching such an international covenant (Bertorelli, 2018). ICH practices are also protected under the more general UNESCO 2005 Convention on the Safeguarding and Promotion of the Diversity of Cultural Expressions. This enhances the processes of mediating between human beings, initiating educational development on many levels, and transmitting cultural heritage to the next generation engaged with these practices under conditions of globalization, allowing us to generate important experiences about heterogeneity and difference (Wulf, 2023). Both Conventions can work well alongside each other and also reinforce each other, as the obligations contained in the ICH Convention are further supported by the rights and obligations contained in the Convention on the Diversity of Cultural Expressions. The former can help by establishing concepts such as sustainable development, while the latter can emphasize the need to maintain diversity among ICH (Van Uytsel & Kono, 2012; see also Neyrinck, 2017). Hence, there has become an urgent need to review legislation related to ICH and begin conscious governance to establish a creative infrastructure to safeguard ICH in the world through a transparent and comprehensive vision (Bertorelli, 2018).

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[13] ICH should not be confused with ethnographic and ethnological heritage, because these two terms are traditionally used to refer to the cultural expressions of popular culture in all its material dimensions. It has become necessary to consider what is still existing, effective and active as ICH. Ethnographic or ethnographic characteristics refer to material that represents the physical appearance. It expresses the objects found in anthropological museums or in ethnographic exhibitions, but is not ICH (Finaru, 2018).

## 20.4 The Arab World and the Convention on the Threshold of Its Third Decade

This section aims to provide an overview of the achievements of Arab countries in implementing the Convention[14] since its ratification at local and international level in terms of legislation, safeguarding, and promotion programmes. The following paragraphs rely on scattered and fractional data for the purpose of giving a general idea within the limited framework of this article on the basis of available information. Therefore, I do not claim that I will give a comprehensive and integrated view of the achievements of each country and the reader should not expect that I will cover all Arab countries with the same depth and consistency.

### 20.4.1 Institutional and Legislative Measures

In ratifying the Convention, Arab countries, all to varying degrees, were strongly incentivized to establish legislative and institutional frameworks in their constitutions, laws, and governance systems. However, we have not yet witnessed that these legislations meet the requirements for full safeguarding of ICH. An exception are legislative measures concerned with protecting folklore within the framework of intellectual property laws.

In **Algeria** legal measures were created to implement the Convention, including Chapter 45 of the Constitution (2016), which emphasizes the necessity of promoting cultural heritage and involving state and citizen in the duty of preserving and ensuring the citizens' right to have their cultural heritage protected and preserved with cooperation of the state. It is noteworthy that in 1998, Algeria issued legislation (04-98) related to the protection of cultural heritage, which defines the terminology of heritage, its manifestations and means of protection. Articles 67, 68 and 69 indicate that ICH is the sum of social representations, knowledge, skills, experiences and technology based on traditions. These articles focus also on safeguarding and protecting forms of expression and traditional cultural materials, and the need to establish a database to gather information on ICH elements. Moreover, the executive Decree 03-325 of October 5th, 2003 indicated the procedures for storing ICH property in the national database established by the Minister of Culture, making it available to the general public, institutions and individuals. The decree assigns responsibility for identifying the country's ICH property to the culture departments in each state. A number of safeguarding measures have been achieved with the participation of associations, state institutions and the media.[15]

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[14] All members of the Arab Group ratified the agreement, except for Libya, which submitted a request to UNESCO to achieve this purpose.

[15] UNESCO Periodic Report—Algeria (https://ich.unesco.org/en/state/algeria-DZ?info=periodic-reporting) and Dris (2016) See also Boukrouh and Kessab (2010: 26ff.) on the promotion of ICH manifestations in Algeria.

Concerning **Bahrain,** which is one part of the Gulf countries,[16] Wosinski (2017)[17] tells us that although the efficiency of heritage research in Bahrain has

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[16]The Gulf States, under the "Gulf Cooperation Council", are represented by six countries - Saudi Arabia, Kuwait, Qatar, Bahrain, Oman, and the UAE - with a population of more than 40 million, about 67% of whom live in Saudi Arabia. More than 70% of the population live in urban areas. Urbanization in the region was driven by internal migration and an influx of foreign workers attracted by the economic prosperity and job opportunities in the region. Life in these lands was nomadic and the most common activities were pearl diving and beach fishing. The discovery of oil in the 1960s dramatically increased wealth and stimulated economic growth and development, and the GCC countries now have the highest per capita GDP in the world. This situation led to a massive increase in population and economic growth that transformed the mud-walled cities into commercial capitals integrated into the global economy. The urban population in the Arabian Gulf region continues to grow at the fastest rate ever, reflecting continuing urbanization. Modes of production and relations changed, and a new content of norms, culture and aesthetics began to emerge. Regional cities became important centres of power and politics, influenced by achieving vision and dictating political outcomes. There are also serious implications for environmental processes and sustainability (Ramadan, 2015). Under the forces of an oil-based economy and rapid change, citizens in these countries have become very keen to safeguard, represent and innovate a distinct 'national' culture and heritage due to fears of 'loss' of identity and the powerful social changes imposed by 'global' culture. All of this has led to the revival of heritage becoming an important social, cultural and political process and one of the most prominent signs of this is the development of the concept of "heritage villages" (Picton, 2010; see also Varisco, 2015). The heritage revival in these countries, particularly in the UAE, Qatar and Kuwait, would be seen as a symbolic and practical counterpoint to globalization. (Picton, 2010). Interest in heritage marks a turning point in the path of heritage awareness and the awakening of traditions in response to the advent of a modernization brought by the oil revolution and the settlement of Bedouin tribes since the 1960s. The form of heritage discourse has come to rest on two cultural sources, the asserted and imagined intangibility of Bedouin material culture as it became increasingly commodified, and the body of Islamic and pre-Islamic archaeological heritage being produced in excavations across the region (Exell & Rico, 2013). Local efforts began to document the contemporary experience of the unstable present and glorify the pre-oil past as a result of the need to perform unique Arab cultural expressions, with the aim of establishing historical authenticity the modern nation-state. Efforts have been made to revive authentic regional practices such as camel racing, falconry, pearl diving, dance performances, music, and storytelling. Bedouins play an essential role in the heritage imagination of the region, as they represent the environment and livelihoods that previously existed, and are the legal custodians of their ancestors. These countries have begun to appropriately institutionalize culture, traditions and heritage that are strongly rooted in oral transmission and intangible practices (Exell & Rico, 2013). As a result, there is constant research to dismantle the heritage discourse with the aim of discovering the cultural dynamics that exist within the Gulf countries in order to build the national spirit in the face of the challenge of national identity, the tribal, and national structure (Exell & Rico, 2013).

[17]Cultural Heritage Protection Laws in the GCC countries witnessed crucial developments in this century compared to the older ones. According to the excellent contribution of Wosiński (2022), there is a huge time difference between the dates of issuing the principal heritage legislation. The earliest still in force, Decree No. 11 of 1960 of the Law of Antiquities in Kuwait was made in 1960 while the latest, Law No. 4 of 2020 on Cultural Heritage of Sharjah, was made in 2020, making the total 60 years difference between them. Countries with older laws on protection of cultural heritage include Bahrain (1995), Kuwait (1960), and Qatar (1980). The earlier laws issued in the twentieth century reflect the predominant thinking of their time about the cultural heritage as tangible cultural property, designated as monuments clearly separated from their setting (Wosiński, 2017). Oman (2019), Saudi Arabia (2014) and Emirate of Sharjah in the UAE (2020) have issued new laws in the

improved since the 1990s, Bahraini legislation has not included modern concepts of cultural heritage, such as ICH, cultural landscape (people + nature), and natural and social aspects etc. into its charter. The international Conventions that were ratified were not reflected in the internal legal regulations regarding the methods of dealing with ICH, and the procedures for creating an inventory of ICH elements prevalent in Bahraini communities. It is time for the country to begin safeguarding and protecting its heritage.[18] Wosiński (2017) recommended that the relevant authorities must do everything in their power to influence the decision-making process to be more sensitive to cultural heritage. The expected legislation must clearly stipulate the rights and duties of local communities. Responsible authorities should seek to launch

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last few years. These twenty-first century laws have been influenced by the more mature and integrated heritage theory and practice codified to a certain extent by the entry of three UNESCO Conventions of 2001, 2003 and 2005 in force, as well as continuously broadening scope of the Operational Guidelines and World Heritage Committee decisions. However, ratification of a complete assortment of UNESCO cultural Conventions isn't prerequisite to issuing a contemporary heritage law. Among the Conventions adopted in the twenty-first century only the 2003 ICH Convention has been universally ratified in the GCC.

[18] It is clear that Bahrain, like the rest of the Gulf countries, focusses on collecting and documenting the remains of ICH, most of which is oral, lyrical, musical, and performative. Due to the oil revolution, many traditional means of production inherited from their ancestors have disappeared, e.g. traditions related to water management. Over time, the need to manage irrigation water in Bahrain led to the development of customary rules that regulate irrigation schedules and equitable distribution of water resources. These are traditions that were transferred from generation to generation, as a complex inherited law that remained in use until the 1960s when farmers began using Water pumps and pipeline networks for sewage treatment provided by the government. They had no motivation left to safeguard traditional knowledge of water management, and thus they stopped attending community gatherings and ignored the customary laws that regulated notions of justice among them. The use of groundwater has also led to overexploitation of water resources and increased salinity of groundwater reservoirs. Rudolff and alZekri (2014) have indicated that initiatives are being prepared to raise awareness of the importance of customary irrigation laws in ensuring the fair distribution and sustainability of a rare resource on the island. A number of Bahraini farmers continue to follow traditional rules. They carry this special knowledge that and share it with their colleagues and children. It is known that the islands of Bahrain were known for their 30 natural freshwater springs, which played a role in supporting agriculture, as they were in the form of small fountains resulting from groundwater pressure in the multi-layered aquifers. It has been stated that this pressure, as well as the flow of water at ground level, is affected by the lunar cycle, and the sloping surface of the Earth helps distribute spring water to irrigate farms before the excess water flows into the sea. The irrigation process was carried out through a precise network developed by the Bahrainis with a complex traditional system, where irrigation was carried out according to a carefully specified schedule organized according to an inherited customary irrigation law established for this purpose. Rudolff and alZekri (2014) note that, to date, at least three closed communities still support this practice, and assume there are probably more. The study concludes that the traditional irrigation system has the ability to improve the economic standards of local communities and maintain their internal morals and ethics. The knowledge bearers were always aware that each closed community had farms and waterways of different orientations and different lengths, and so they developed several versions of customary irrigation law to suit their needs. Their geography created heritage is need of safeguarding. This flexibility in assimilating space and time into social reality has kept water traditions going for hundreds of years and is capable of accommodating new sources of water and distribution techniques (Rudolff and alZekri (2014)).

a long-term communication strategy to raise awareness about the value and importance of cultural heritage, and the necessity of preserving and safeguarding it for sustainable development.

In **Comoros** a culture policy was established in 2005 but the document does not take into account the need to safeguard ICH. The country has two legislations, one on the protection of national cultural heritage (law no. 94-022/AF of June 27th, 1994) and the second on environmental protection (law no. 95-007/AF of June 19th 1995); neither of them makes reference to ICH. A bill is currently being finalized. It aims to define the national cultural heritage of the Comoros and to specify the general rules for protecting and safeguarding the Comorian heritage. It takes into account the safeguarding of ICH present on Comorian territory in accordance with the implementation provisions of the 2003 Convention (Beidjeu, 2023).

In **Djibouti**,[19] the Directorate of Culture (Ministry of Muslim Affairs, Culture and Waqf Property (MAMCBW)) is becoming the official structure responsible for ICH's identification, inventorying, safeguarding, transmission and promotion. The MAMCBW's Culture Directorate has developed a proposal of five-year-plan (2013–2017) to safeguard cultural diversity with a view to promoting and consolidating social cohesion and the protection and enhancement of tangible and intangible cultural heritage (Beidjeu, 2023).[20] The Directorate's service demonstrates the beginning of the establishment of specific administrative structures that can work for the safeguarding of ICH on a national level. Djibouti is currently implementing a project financed by the ICH Fund under an Assistance Request presented in 2018 (Beidjeu, 2023).[21]

In **Egypt**, although there are governmental and non-governmental organizations concerned with the safeguarding of ICH, there is no institutional management department with a legal and policy framework to manage and collect Egypt's ICH in a comprehensive manner. In her comprehensive article (Zakaria, 2019), on which the following arguments are based, there are no effective legislative measures for protecting the ICH on state level. Several laws and by-laws have been issued constantly since the late nineteenth century and throughout the 20th addressing the

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[19]The peoples of the Horn of Africa are linked by a common culture and history, but there is a lot of diversity in politics and religion. This location between East and West, which includes the countries of Ethiopia, Somalia, Eritrea and Djibouti, also means that the countries of the Horn of Africa have enjoyed a uniquely diverse interaction with many of the great historical empires. The region contains diverse land features and has coasts on the Gulf of Aden, the Red Sea and the Indian Ocean. The countries of the Horn of Africa are linked to each other linguistically and ethnically (Britannica, 2023b).

[20]Regarding UNESCO's early efforts on ICH in the Horn of Africa, Ohinata (2010) notes that the projects highlighted the need to consider the ways in which institutions work together within a country, whether between national bodies, with regional and local institutions, or with individual experts. Lack of funding, weak institutional infrastructure in the cultural sector, lack of trained human resources, cultural sensitivities among ethnic and linguistic groups in the Horn of Africa, as well as unbalanced political support, are some of the most important challenges facing conservation and planning.

[21]For more information, see https://ich.unesco.org/en/state/djibouti-DJ?info=periodic-reporting

protection of cultural heritage. A number of formulated amendments and other legislative measures have been regulated in the twenty-first century to support the legal protection of the Egyptian antiquities, including Law No. 117 of 1983 that has been amended by Law No. 3 of 2010 for promulgating the Antiquities protection law. All provisions of Egyptian law related to cultural heritage focus only on its tangible aspect without reference to any of its intangible forms. However, some identified principles refer to the concept of ICH, namely the principle of cultural identity, cultural rights and the protection and safeguarding of tangible and ICH. Regulatory instruments or written guidelines to help protect ICH are still lacking. The Egyptian constitution adopted on January 15, 2014 took an important step forward under Article 50, which emphasizes the importance of ICH as an essential part of human wealth of the country's communities[22] that requires safeguarding and protection. According to Zakaria (2019), Egypt needs to establish legal provisions for identifying, safeguarding and legally protecting all stakeholders in the country's ICH, including non-governmental organizations. It is true that folk traditions enjoy a high degree of protection but existing protection tools are not able to cover the endless areas of ICH.

In 2021, **Iraq** established an administrative entity within Ministry of Culture, Tourism and Antiquities for the implementation of the Convention. Iraq is working to launch a national registry project for ICH that includes all 18 governorates of Iraq. A specialized programme has been prepared by local experts for capacity building on the national level with the participation of communities, groups and individuals and in coordination with the Intangible Cultural Heritage Division in the Ministry of Culture, Tourism and Antiquities. Strategic planning for cultural heritage in Iraq is supported and enhanced by Cultural Palaces and Houses affiliated with the Department of Public Cultural Relations, amounting to approximately 40 cultural houses, which are spread throughout all areas and districts of the Iraqi governorates.[23] They

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[22] Such as Copts, Armenians, Greeks, Amazigh, Bahais, etc. (El Batraoui & Khafagui, 2010). Several indigenous languages are still spoken in Egypt that can be considered as carriers of I-expressions, Nubian (Upper Egypt), the Beja (Red Sea coast and the Eastern Desert), Domari (spoken by the elderly people of the Dom community in Egypt), Bedawi dialect spoken by the Bedouins of Egypt, and Siwi Berber (Siwa and Gara oases), etc. (Zakaria, 2019).

[23] Policies that do not take into account the principles of sustainable development lead to an imbalance in gender representation in ICH, leading to the loss of certain jobs and a disruption in production. The wars and conflicts that Iraq has been witnessing for decades have led to an environmental imbalance. It has become necessary to try to restore things to normal and work to enhance a number of elements of ICH that are linked to the essence of the Iraqi communities' lives. For example, before being drained, the marshes of Iraq maintained a functional balance that contributed to general well-being and social cohesion. The drought of the Iraqi marshes has radically changed how Arab women in the marshes interact with their environment. Compared to the period before the marshes were drained decades ago, women's roles are now limited to domestic activities rather than activities that depend on the marshes as was the case in the past. With the exception of water buffalo rearing and limited gardening activities, most families today have little opportunity to benefit from women's ability to generate income through the application of their traditional ecological knowledge and skills. Furthermore, these women are no longer passing on their knowledge and skills to the next generation, resulting in the loss of these valuable cultural

organize festivals, seminars, conduct studies and research projects, and host ICH experts. NGOs play a prominent role in reviving ICH elements by holding events, festivals or projects that enhance their sustainability. They cooperate with the Cultural Heritage Division in the inventorying and nomination processes (Suhail, 2023).

In **Jordan**, some institutions have attempted to play a role in the process of documentation, which includes some aspects of ICH (see Hayajneh, 2019 and Hayajneh & Cesaro, 2022). Now the Heritage Directorate at the Ministry of Culture is responsible for the management of ICH in cooperation with communities and groups. No legislative measures have been taken in Jordan so far. The Jordan law considers "National folklore" as public property and explicitly indicates that it is protected by law. Jordan established a UNESCO Chair for Cultural Heritage and Sustainable Tourism—Al-Hussein Bin Talal University, Ma'an—to promote and safeguard cultural heritage in Southern Jordan. For tangible and intangible Cultural Heritage the Princess Basma Bint Talal Centre for ICH—Al-Hussein Bin Talal University, Ma'an—was established to support the process of identifying and documenting ICH in southern Jordan (Hayajneh & Cesaro, 2022).

Awareness and interest in ICH and its safeguarding have increased in **Kuwait**, as the National Council for Culture, Arts and Literature adopted and developed strategies to safeguard its heritage for future generations, encouraging it to adhere to Kuwaiti identity, their values, authentic customs and cultural and social peculiarities. In order to achieve the goals of conservation, the National Council has entered into partnerships with various governmental and non-governmental agencies, by holding various training courses with craftspeople and practitioners, targeting community members. The National Council also supports owners of traditional crafts by providing financial support, training courses, and the necessary conditions for people to practise the craft (Alkhamees, 2023). As one of the manifestations of Kuwait interest in safeguarding its heritage, the Al-Sadu Weaving House was established to showcase the art of Bedouin weaving and elements of Bedouin culture.[24] It is run by the

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skills. Environmental change resulting from upstream dam construction, drought, and regional climate change have deprived Marsh Arab communities of marsh ecosystem services, such as potable water, buffalo fodder, fish, and cane production. Conversely, where there is still insufficient water in some areas of the marshes to maintain ecosystem services (such as in Chibayish and the Iraqi Marshlands National Park), we have witnessed the persistence of cultural knowledge. The studies recommended implementing programmes to safeguard these traditional skills, develop a handicraft market to support women and their families, and support cultural knowledge to ensure the survival of ancient Sumerian knowledge systems and traditional ways of life and their transmission to future generations. Here comes the government's role in helping local communities in the marshes safeguard what remains of traditional knowledge, which will also contribute to safeguarding biodiversity and ecosystem services, and building resilience in the face of environmental changes, enabling the Marsh Arabs to continue forming a system. (Al-Mudaffar et al., 2016).

[24] The modernization of the major oil producer **Kuwait**, which began in the 1950s, marks a major social and cultural transformation from pearl fishing, maritime trade and shipbuilding. Oral literature, music and traditional dances remain. It is still considered today the centre of traditional music in the Gulf, which reflects the cosmopolitan influence of Arab and Southeast Asian migrant cultures. Institutionally, the National Council for Culture, Arts and Letters develops and promotes culture and creativity in the country including the safeguarding and documentation of popular culture; see also Tohme-Tabet and Hayajneh (2018).

Association of Textile Arts in Kuwait, a non-profit organization established in 1994 (Alkhamees, 2023).

In **Lebanon**, a project to draw up a sectoral cultural policy for the safeguarding of ICH was established in 2016–2017 in coordination with members of the trained national team and representatives of local communities, with the aim of relaunching activities to implement the Convention. A draft law was drawn up to regulate the safeguarding of ICH. In 2014, a decree was issued for establishing the ICH Department at the Ministry of Culture as part of the restructuring endeavours. The Ministry of Culture has been studying this project to formulate a sectoral cultural policy since December 2017.[25]

In collaboration with the UNESCO Office in Rabat, **Mauritania** has revised its law relating to heritage (No. 024-2019 of May 4, 2019.), which repeals and replaces Law No. 2005-46 of 07/15/2005 and introduces paragraph 9, adapting the definition of the UNESCO Convention 2003 (Al-Hilal, 2021). This new law integrates the basic concepts of several conventions on heritage and culture. It takes care of the necessary arrangements to ensure the safeguarding of living heritage in Mauritania through the establishment of an appropriate legal and administrative framework, creation of a national heritage commission, and a national heritage fund (Beidjeu, 2023).

In **Morocco,** the draft of Cultural Heritage Management Law includes nine articles primarily concerned with the terms of the conception of intangible elements and their safeguarding.[26] A national heritage strategy to promote heritage festivals and encourage mechanisms for disseminating information and related knowledge was established.[27] At the end of 2022, it was announced that a national centre for ICH would be established to enable the Kingdom to benefit from the gains it has achieved in this field and to monitor the effectiveness of the measures adopted to safeguard ICH in Morocco.[28]

**Oman** is considered one of the first countries to issue a modern system to protect its cultural heritage in the Arab world. Enacting and implementing the law to protect the nation's culture and cultural heritage has become a primary goal. The year 1994 was officially declared the "Year of National Heritage." In 1977, the Ministry of National Heritage and Culture was established to safeguard materials and intangible property—such as traditional professions and scientific and intellectual achievements—and to protect national traditions. In the Royal Decree No. 77/20, cultural heritage was defined in its first two articles to be protected by the law (Gugolz, 1996). One of the results of the ratification of the UNESCO Convention was the launching of the inventory of ICH, which dates back to 2010, with the

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[25] See: https://ich.unesco.org/en/state/lebanon-LB?info=periodic-reporting

[26] It has been asserted that there is a need to develop Law 22–80 issued in 1981 and finalized in 2006 to include urban areas, natural sites and landscapes as well as intangible aspects such as know-how and traditions, bringing it in line with current global standards (Foundation for the Safeguarding of the Cultural Heritage of Rabat, 2021)

[27] https://ich.unesco.org/en/state/morocco-MA?info=periodic-reporting

[28] https://diplomatie.ma/en/hm-king-addresses-message-participants-17th-unesco-intergovernmental-committee-safeguarding-intangible-cultural-heritage

participation of all sectors, including various relevant bodies such as the public sector. After issuing Royal Decree No. 40/2016 of 2016, a special department was established under the name of the Intangible Cultural Heritage Department at the Ministry of Heritage and Culture, with the aim of safeguarding and promoting the Omani ICH at local and global level (Al-Abri, 2020).[29] The Cultural Heritage Law promulgated by Royal Decree 35/2019, amended by the Royal Decree 41/2020 and Royal Decree 91/2020, is one of the newest heritage laws in the Gulf Cooperation Council (GCC) region, and as such is characterized by a much more developed and comprehensive set of provisions. The law stipulates, among others, the legal definitions of immovable cultural heritage, movable cultural heritage, underwater cultural heritage, ICH, monument, heritage building, heritage complexes, cultural heritage site, as well as protective areas (Wosiński, 2022).[30]

In **Palestine**, the ICH Law has been prepared and has not yet been approved because it needs the Palestinian Legislative Council to convene.[31]

In **Saudi Arabia,** the establishment of the Saudi Ministry of Culture five years ago marked the beginning of a new phase in the life of Saudi culture, including institutional interest in ICH and its safeguarding, with the participation of communities, i.e., safeguarding of the country's cultural heritage, supporting related activities, and providing infrastructure, facilities and open spaces for cultural activities. Several decisions were taken to regulate, develop, and sustain the cultural and natural heritage. Saudi Arabia also established the Heritage Commission in 2020, which organizes and manages national records and inventories of ICH elements and tangible heritage assets. This led to the centralization of documenting heritage elements at national level in cooperation with other Saudi institutions (General Research and Cultural Studies Department, 2021). Saudi Arabia established, within the administrative structures of the Ministry of Culture, the Saudi Cultural Memory Centre (SCMS), as a leading national digital archive, which is entrusted with preserving Saudi cultural heritage. It will be a central digital repository of Saudi cultural heritage, to share and promote Saudi culture and act as a place for best

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[29]See also: https://ich.unesco.org/en/state/oman-OM?info=periodic-reporting

[30]Oman could consider establishing sustainable development plans in natural and ecological frameworks in the context of societies that have a role in safeguarding inherited and natural traditions that are in harmony with nature and the surroundings. For example, in the Dhofar Mountains of Oman, stakeholders are concerned about the social and environmental sustainability of pastoralism. Survey work Peninsula (Ball et al., 2020) through interviews with pastoralists to study the prevailing motivations for pastoralism and how they are changing has shown that people are committed to pastoralism for social and cultural reasons, but are subject to pressures due to the costs of husbandry and changing values. The strength and function of pastoral values transmitted horizontally between families has led pastoralists to face the high costs of education, modernization and social change. These pastoral values were a crucial driver for the continuation of pastoralism in the face of globalization, modernization and social change. If herders abandon pastoral values, we may see less widespread pastoral activity in camel herding, and thus less wealth and well-being for herders. Therefore, it is necessary to strengthen the practice of herding until it declines, so that the practice of herding becomes a contemporary "camel culture," as we witness in other places in the Arabian Peninsula (Ball et al., 2020).

[31]This has been confirmed by Ms. Amani Al-Junaydi, ex officer at the Palestinian Ministry of Culture (Al-Junaydi, 2023)

practices for the digital archiving of cultural heritage. This institution is becoming a world leader in its aggregation and dissemination of national cultural heritage, and its implementation of innovative digital technologies (Al-Subaie, 2023) As one of the basic initiatives of the SCMS, a national plan is being implemented to collect, document, archive and manage elements of cultural heritage assets in accordance with the best international standards, and in which the tasks and roles of partner stakeholders are defined in stages according to a clear time plan. Among the goals are assessing the current status of elements and assets of cultural heritage, monitoring the efforts and initiatives undertaken to document said elements and assets by cultural heritage institutions in the Kingdom, and inventorying documented elements. As a result of these efforts, actions have been reviewed, and recommendations made for developing a clear plan for governance and reporting (Bay, 2023). As can be gleaned from the Country Report of the Ministry of Culture, it is worth mentioning that the General Research and Cultural Studies Department at the Ministry of Culture conducts first class research projects on several aspects of Cultural Heritage. It also monitors and supports various research projects conducted by governmental and non-governmental institutions in Saudi Arabia (Fig. 20.1).

ICH in Saudi Arabia did not have a law that protected it. The 1972 law was concerned with antiquities, and the concept of cultural heritage at that time did not include intangible heritage. Also the 2014 law, despite its modernity, did not cover cultural heritage in its contemporary sense, and did not improve the definition of ICH (Albaqawy, 2021). Rather, it was satisfied with the phrase "popular heritage" without paying attention to the societies carrying it. It is worth noting that the General Administration of Cultural Research and Studies in the Ministry of Culture is in the process of establishing a comprehensive and inclusive law for the governance of cultural heritage in line with contemporary standards and based on international agreements.

In **Somalia**,[32] in 2006 UNESCO conducted an assessment of Somalia's needs in the field of culture and the status of Somali artistic and cultural expression and traditions in order to subsequently be able to develop cultural policies, revitalize

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[32]For Information, see UNESCO - https://ich.unesco.org/en/state/djibouti-DJ?info=periodic-reporting. Sada Mire (2011) made it clear that in pre-war **Somalia** no attention was paid to cultural heritage and no initiatives were put forward aimed at educating communities about its importance in the societal context. Therefore they remained ignorant of any viewpoints related to heritage, its management, and its methodologies. This led to the failure to build local infrastructure for its administration, and no measures were taken to protect cultural heritage during the armed conflict in Somalia. It is known that many societies in Somalia live a nomadic life, which means that they depend on interaction with nature around them in terms of their means of production in the process of survival. The nomadic Somali lifestyle depends on knowledge of nature for all possible human uses. People don't carry all the things they need all the time. Therefore, for them, knowledge is the capital that they have worked hard to safeguard and transmit, in order to be able to put it into practice at any time. During the civil war, they benefited from their traditional experiences and knowledge in managing resources. The Somali scholar Sada Mire (2011), who lived as an internally displaced person, realized how people with such knowledge survived better than those who attended modern schools and had never lived in the countryside. Oral communication and transfer of skills remains the main system of learning. As Mire (2011) notes, a new interest in heritage in post-conflict Somaliland in 2007 emerged, as a means of reconciliation and sustainable human development.

**Fig. 20.1** Al-Qatt Al-Asiri- traditional interior wall decoration in Asir, Abha Region—Saudi Arabia. (Photo: Hani Hayajneh)

cultural and civil society organizations, and promote Somali culture through exhibitions and festivals (Ohinata, 2010). In a later stage, UNESCO joined forces with the Somalia Academy of Science and Arts (SOMASA) in collaboration with the Somali National Commission for UNESCO and the Somali Permanent Delegation to UNESCO and organized a national consultation meeting on 23rd and 24th November, 2020 with national and international experts and other key stakeholders in the culture sector in Somalia with the aim of developing a National Strategic Plan for the safeguarding and promotion of tangible and ICH in Somalia.[33] The UNESCO Regional Office for Eastern Africa in Nairobi and SOMASA, with support from the Somalian Ministry of Education, Culture and Higher Education, organized the first workshop for national awareness-raising and capacity-building for the safeguarding of ICH in Somalia (from 27th to 29th September 2021 and from 11th to 13th October 2021).[34] It also launched the UNESCO project to strengthen national capacities for safeguarding ICH in Eastern Africa by supporting States Parties with capacity building for carrying out community-based inventories of ICH. For countries developing culture policies, efforts will be made to offer capacity building in integrating ICH into culture policies.[35]

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[33] United Nations Somalia (2020), and see https://somalia.un.org/en/102819-somalia-develops-national-strategy-culture; https://ich.unesco.org/en/projects/strengthening-capacities-for-safeguarding-intangible-cultural-heritage-in-eastern-africa-00451

[34] https://somalia.un.org/en/102819-somalia-develops-national-strategy-culture; Somalia Develops a National Strategy for Culture United Nations Somalia - https://somalia.un.org/en

[35] https://ich.unesco.org/en/projects/strengthening-capacities-for-safeguarding-intangible-cultural-heritage-in-eastern-africa-00451

**Sudan** recognizes the importance of strengthening the capabilities of those working in the field of ICH to confront the dangers and threats facing ICH in its territory. This is based on the guidance of the Convention, which is being implemented by UNESCO office in Khartoum in coordination and cooperation with the National Council for Cultural Heritage and the Promotion of National Languages and the National Committee for Education, Science and Culture in Sudan (Abdelrahman, 2023). In **Sudan** the Republican Decree No. 53 of 2017 and Republican Decree No. 21 of 2017 were issued for establishing the National Council for Cultural Heritage, which continued "Inventorying the Intangible Cultural Heritage in the Republic of Sudan" in the states of Kordofan and Blue Nile. It built capacities in the field for community-based inventorying (Abdelrahman (2023)).

In **Syria**, the MedLiHer project report shows that the Ministry of Culture has been in close cooperation with academic and community organizations, local cultural centres and individuals to implement the national action plan for collecting, recording and documenting the national folk cultural heritage. The future priorities that were expected to be implemented were building capacity in the field of inventorying and safeguarding, as well as preparing nomination files for the UNESCO ICH Lists.[36] The periodic report of the Syrian Government submitted to UNESCO in 2017, indicates that there are multiple legislations related to the safeguarding of ICH in several legislative texts, including the Law for the Protection of Copyright and Related Rights, which refers to the issue of popular heritage and declares the state's responsibility to protect this heritage, the inadmissibility of distorting it, and the penalisation of insulting it. There is another law that expresses the responsibility of the Ministry of Culture for reviving, preserving and developing the arts and folklore, safeguarding all its elements, and sponsoring performing arts such as theatrical and musical performances.[37] This is in addition to another decree establishing the General Union of Craftsmen, whereby the Union will undertake building the capabilities of craftspeople, training new ones, and developing and encouraging talents and crafts.[38]

**Tunisia** has worked to reformulate its policies in the field of ICH in harmony with the requirements of the Convention, which is based on communities, groups and individuals as bearers and practitioners. They issued the Heritage Protection Code (Law No. 35-94 February 24th, 1994 relating to archaeological and historical heritage and popular arts). Although the text uses the term التراث التقليدي "traditional heritage" instead ICH, they indirectly acknowledge the existence of this type of heritage by recognising, at least theoretically, the necessity of protecting it legally on the same level as other types of heritage. Moreover, procedures were taken for codifying the issue of intellectual property by linking it to a group of rights

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[36]National Assessment of The State of Safeguarding ICH In Syrian Arab Republic (MEDLIHER Project—Phase I) - MEDLIHER - Mediterranean Living Heritage Contribution to implementing the Convention for the Safeguarding of the Intangible Cultural Heritage in Mediterranean partner States

[37]https://ich.unesco.org/en/state/syrian-arab-republic-SY?info=periodic-reporting

[38]https://ich.unesco.org/en/state/syrian-arab-republic-SY?info=periodic-reporting

that the legislator made subject to the management of the Tunisian Organization for Copyright and Related Rights. The latter is a public institution established in July 2013 under the supervision of the Ministry of Culture and Heritage Preservation. In the same vein and referring to Law No. 36-94 issued on February 24, 1994 relating to literary and artistic ownership, which was amended by Law No. 33-2009 dated June 23, 2009, Excerpt 11 (new), it is stated that works expressed orally are subject to rights similar to collections of folklore expression (Article 6, Paragraph 2, new). Protecting innovation in traditional crafts is one of the mandates of the National Institute for Standardization and Industrial Property (Ben Soula, 2023). A centre for popular arts and traditions was established in 1965, with the aim of safeguarding traditional popular culture, which had undergone transformation as a result of colonial intervention and the socio-economic changes of Tunisian society (Ben Soula, 2023). Safeguarding ICH in Tunisia has a number of institutions, e.g. National Institute of Heritage, Department of Survey and Study of Ethnographic Properties and Contemporary Arts, The Agency for Heritage Revival and Cultural Development, Centre for Arab and Mediterranean Music "Najma Ezzahra", The General Administration of Heritage at the Ministry of Culture and Heritage preservation, The Centre for Arts, Culture and Literature "Happy Palace", which is a modern institution whose basic law will be revised to become the reference structure for ICH. Ethnographic museums that cover almost the entire country play a pivotal role in ICH related issues, not only through their traditional function in displaying and preserving the material and symbolic elements of collective memory, but also by transforming them into spaces of exchange and communication between various practitioners and social actors who represent ICH (Ben Soula, 2023) (Fig. 20.2).

In **UAE**, national heritage is of great importance, and it is always at the forefront of its priorities. UAE Sheikhs have taken the greatest initiative and made important contributions in the field of heritage in particular, and in the field of culture in general and excelled in offering continuous and generous support.[39] Therefore, several organizations have been established, e.g., Abu Dhabi Tourism & Culture Authority (previously ADACH), Sharjah Institute for Heritage, Emirates Heritage Club (EHC) and Hamdan bin Mohammed Heritage Centre. In general, the responsibilities of such centres focus on implementing a vibrant programme of exhibitions, events and festivals, by inspiring local practitioners in literature, music and the arts, while also working towards the safeguarding of traditional culture and handicrafts. They continually seek new audiences for the arts and culture through outreach and

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[39]For example, the establishment of the Sharjah Heritage Area is an example of the Emiratis' adherence to aspects of their heritage, which began to decline due to the oil revolution. It comprises architecture built in traditional Arabian style, ancient Souqs, and old family houses, several museums such as Sharjah Calligraphy Museum, Al Midfaa House, Hisn Fort, Sharjah Heritage Museum along with Souk Al Arsah, each one narrating the story of Sharjah (see: https://www.holidify.com/places/sharjah/sharjah-heritage-area-sightseeing-11462.html. The representation, performance, negotiation and interplay of local/global and old/new culture at the Sharja Heritage Area can be understood (Picton, 2010) in the context of transnationalism and the oil propelled modernization.

**Fig. 20.2** Various types of puppets used in puppet theatre—Tunisia. (Photo: Hani Hayajneh)



education programmes, while nurturing the next generation of cultural leaders through academic courses, professional training and work placements (Tohme-Tabet & Hayajneh, 2017). The Federal Ministry of Culture and Knowledge Development, created in 1997, and the Departments of Culture and Tourism (DCT) of all emirates of the country as well as other institutions, centres and regional services assist with the implementation of the Convention. They work in collaboration with the stakeholders concerned, including practitioners, heritage bearers, researchers, academicians, and representatives of governmental and non-governmental organizations. The laws issued (No. 28 of 2005 and No. 2 of 2011) give full mandate to the DCT Abu Dhabi to safeguard the heritage of Abu Dhabi.[40] Law No. 4 of 2020 on Cultural Heritage of Sharjah provides the legal definitions of cultural heritage, material heritage, immovable heritage, movable heritage, ICH, underwater heritage, cultural sites and the protected surrounding areas. The law states that the authority concerned should establish a register of material heritage and a register of ICH. The categories of heritage introduced in the ratified International Conventions, such as ICH, cultural landscapes and even urban heritage are not represented in the law. Also

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[40]See: https://ich.unesco.org/en-state/united-arab-emirates-AE?info=periodic-reporting

lacking is the idea of cultural significance going beyond a tangible monument to include its setting and function (Wosiński, 2022).

In **Yemen,** following the ratification of the Convention, Law No. 9 of 2006 was issued. In 2014, the position of Undersecretary of the Ministry of Culture for the Intangible Heritage Sector was established.[41] This is a sector with four general departments: the Department of the Musical Heritage Centre, the Department of Cultural Spaces, the Department of Intangible Heritage, and the Department of Customs and Traditions. At this point all work related to culture was suspended, including the inventorying activities. In 2017 it was resumed when a decision was taken to submit a joint Arab nomination file for "date palm, knowledge, skills, traditions and practices", which necessitated updating the inventory list (Al-Akouri, 2023). The Emergency Action Plan for the Safeguarding of Yemen's Cultural Heritage was announced in 2015; the Action Plan, developed by UNESCO, its institutional partners and relevant Yemeni national institutions, aims to respond to the recent widespread destruction of important heritage sites and museums caused by the conflict, as well as the disruption of ICH expressions, which together constitute the symbols of peoples' identities and a fundamental asset for the country's recovery and sustainable development.[42] In 2019, the Centre for Hadrami Popular Heritage was established with the aim of collecting and documenting the components of the Hadrami popular heritage and safeguarding it, conducting research and studies, and integrating it into economic and social life (Al-Akouri, 2023).

## 20.4.2  Promoting ICH in the Context of Academia and Scientific Research

On the academic and research level, ICH has started to occupy a solid footing.

In **Algeria** for example, academic institutions started to hold conferences under the rubric of ICH. A forum was organized under the title "The first national forum about Algerian ICH (19/20 December 2021), which aimed to monitor and scrutinize the various developments witnessed in the study of the Algerian ICH and to anticipate some of its future prospects and stakes in light of the various changes witnessed in humanitarian studies.[43] Moreover, there were a considerable number of publications by Algerian scholars on ICH related subjects, including inventorying

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[41] International organizations toward safeguarding Yemen's tangible heritage made more efforts as a wide range of built heritage and historic sites were devastated through the war in Yemen (Hizam, 2023)

[42] UNESCO—Emergency Action Plan for the Safeguarding of Yemen's Cultural Heritage announced https://whc.unesco.org/en/news/1325

[43] See: https://www.ummto.dz/ar/%D8%A7%D9%84%D8%AA%D8%B1%D8%A7%D8%AB-%D8%A7%D9%84%D8%AB%D9%82%D8%A7%D9%81%D9%8A-%D8%BA%D9%8A%D8%B1-%D8%A7%D9%84%D9%85%D8%A7%D8%AF%D9%8A-%D8%A7%D9%84%D8%AC%D8%B2%D8%A7%D8%A6%D8%B1%D9%8A/

methods, legal issues, and best practices in safeguarding by Algerian scholars, e.g., Ben Abdallah (2022).

The same is true of **Egypt**, e.g., Multaqa al-Funun al-Shabiyya held in Luxor in 2017. It is clear that the concept of ICH started to become anchored in educational, cultural and development fields (Mar'i, 2017). University courses and multiple workshops tackling the implementation of the Convention at national and international level were held in several Egyptian governorates (Gad, 2023).

In **Iraq**, the Ministry generally promotes and supports research and publications related to ICH. The Department of Cultural Affairs in the Ministry of Culture produces a quarterly magazine called مجلة التراث الشعبي مجلة فصلية تعنى بالدراسات الفولكلورية المحلية و العربية, which is concerned with local and Arab ICH studies. The National Books and Records House in the Ministry of Culture, Tourism and Antiquities began issuing the electronic magazine "Al-Mawruth", specialising in the tangible and intangible cultural heritage of Iraq. In October 2017, it was converted to a monthly magazine (Suhail, 2023). New research projects on post-conflict Iraqi ICH has increased in the last decade, e.g., the documentation project of the ICH of Iraqi Bedouins which is directed by Al-Qadisiyah University to create inclusive community-based heritage infrastructures and develop the existing course syllabus on "Local Heritage", which the Ministry of Higher Education spearheaded in five Iraqi universities in 2017 (Hatem et al., 2019–2021). The demographic changes that have occurred in Iraq over the past three decades have had a direct impact on ICH and its ability to be safeguarded. They have uprooted people and created a transgenerational gap between those who can transmit ICH and those who can receive it. This conflict has dispersed communities and made it difficult for them to maintain their cultural practices. Scholars recommend intensifying the documentation process as a crucial aspect of encouraging Iraqis in the diaspora to return to their homes. Involving young men and women in the inventorying process would give them a sense of ownership of their heritage and strengthen their ties with their communities of origin, and this would create a community archive that would raise their awareness and achieve social cohesion (Shahab, 2021).

In cooperation with the UNESCO Office in Amman **Jordan** established an educational module for ICH (Salis & Cesaro, 2023) to create ideal conditions for children and young people to immerse themselves in their ICH and transmit it accordingly. There was also a move to promote the cooperation and coordination between different ministries, such as education, culture, social development, municipalities and other stakeholders (see Hayajneh & Cesaro, 2022).

In **Kuwait**, and within the framework of joint cooperation between the Ministry of Education and the National Council for Culture, Arts and Letters, the two parties discussed ways to transmit ICH to future generations by integrating aspects of Kuwaiti heritage into school curricula and developing students' skills through workshops, festivals, and educational activities (Alkhamees, 2023). In Kuwait attempts are noted (Malajmi, 2013) to develop a formal curriculum unit which introduced a traditional Bedouin women's craft, i.e., Al-Sadu to the art curriculum

for girls in Kuwait to increase their understanding of their cultural heritage and their roles in society.

In **Lebanon**, the concept of ICH has begun to be used in development projects. For example, the American University of Beirut and The Institute for Heritage and Sustainable Human Development (INHERIT)—York Archaeological Trust for Excavation and Research Limited conducted a project on preserving the living memory of the pastoral routes and heritage of the Bedouin in Lebanon. The aim of this project is to collect, archive and share the traditional skills and living memory of the Bedouins of Bekaa in Lebanon, which has come under pressure from the obstruction of movement across the Lebanese-Syrian border. It includes training and developing skills in the documentation, protection, archiving and management of ICH.[44] From the perspective of the tourism sector and ICH, Osman and Ismail Farahat (2021) explored the impact of the living heritage approach on sustainable tourism and the economy in the local rural context of Mount Lebanon to guide sustainable economic and tourism development, as long as this does not negatively impact the continued preservation of historical sites and core communities.

In **Morocco**, according the UNESCO Periodic Report submitted by the Moroccan government, the integration of ICH into school curricula is not well developed, including other approaches, such as the creation of vocational training schemes for handicraft management and other professions associated with ICH.[45]

In **Palestine**, and according to the UNESCO Periodic Report submitted by the Government of the State of Palestine,[46] activities in Palestine have ranged from creating a register of ICH,[47] encouraging universities to adopt academic courses in folklore, holding training courses in traditional crafts, and seeking funding for projects from many partners at national and international level.

**Saudi Arabia** continues to support academic research on ICH, e.g., the recent "Oral Heritage Preservation" project at Princess Nourah Bint Abdul Rahman University, the first stage of which began in 2019, with the aim of collecting, recording and documenting narrated and oral folk tales. Collection, registration, and classification forms were approved during this stage for the year 2021. In 2021, there were also new documentary publications, including the Music Commission's publication of a booklet entitled "Saudi Melodies" containing 22 melodies (General Research and Cultural Studies Department, 2021).

Since 2011, **Syria** has been experiencing a civil war that has torn the country and its people apart. This has not only created the front lines inside the territory between the regions, but it has also had very serious demographic consequences. The instability of the front lines and the violence of armed clashes have brought about

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[44] See: https://www.britishcouncil.org/; https://www.britishcouncil.org/arts/culture-development/cultural-protection-fund/safeguardinging-living-memory-pastoral-routes

[45] https://ich.unesco.org/en/state/morocco-MA?info=periodic-reporting

[46] https://ich.unesco.org/en/state/palestine-PS?info=periodic-reporting

[47] The concept of ICH inventorying found supporters among Palestinian NGOs as well who adopted the methodology in the line of the Convention (Al-Junaydi, 2023).

great insecurity, exacerbated by the destruction of infrastructure, homes and life-styles. These factors have had a great impact on the Syrian population and its cultural heritage, including direct effects on the ICH and its safeguarding (Tomeh-Tabet & Hayajneh, 2015). Over the past decade, many studies, surveys and projects have been conducted that dealt with ICH in the context of Syrian asylum, displacement and diaspora, which once again focus on the importance of ICH in post-war recovery, especially in the diaspora, and the need for the international community to use all means across all channels, governmental and non-governmental, to protect what remains of the refugee heritage in Syria itself and in the countries hosting them. Authors of these studies include but are not limited to: Stevens (2016), Maha Hamdan (2021), Noor Jayousi and Buheji (2020), Mahnad (2017), Thomson (2021), Rasha Al Massalmeh, (2020), Géraldine Chatelard (2017), Ataa Alsalloum (2021), Reme Sakr (2021) and Tohme-Tabet (2023). A project with the title "Field Songs – How can Syrian refugees' ICH inform innovative approaches to sustainable development in the Middle East?" examines how the fragmentation of Syrian community networks in refugee sites due to displacement and economic pressures has affected the loss of specialized knowledge possessed by agricultural communities. The project is managed by University of Edinburgh—Roslin Institute (Boden et al., n.d.).

In **Tunisia**, academic interest in ICH has deep roots, i.e., within the framework of the Tunisian University as a field of knowledge where many specializations such as sociology, cultural studies, history, and anthropology intersect. Scientific publications in the field were of great significance for the safeguarding philosophy, in specialized magazines such as "*Al-Funun wa-l-Taqalid*" (founded in 1968), or other formats and publications (Ben Soula, 2023).

### 20.4.3  Capacity Building Activities

The Arab countries have witnessed intense capacity building activities in the field of ICH based on the Convention and its approach, especially in the field of implementation, drawing up safeguarding measures, nominations, and also inventorying. However, we find that the capacity building process in the Arab countries has not yet reached the point of addressing ICH in relation to gender or sustainable development. The following paragraphs describe some attempts.

In 2015, as part of a mission to assess **Comoros'** needs in terms of capacity building, different parties involved in the implementation of the Convention established a national heritage committee for ICH. A workshop on "Capacity building in the Comoros for the safeguarding of ICH for sustainable development" was held in Moroni from June 25th to 29th, 2018 with the support of UNESCO, with funding from the Abu Dhabi Authority for Tourism and Culture (ADCTA). This marked the start of a project which aimed to strengthen legislative and institutional frameworks, develop human resource capacities, and train relevant institutions and civil society to conduct participatory inventories. This first workshop constituted the

basis for strengthening the capacities of the various stakeholders for the implementation of the 2003 convention for the safeguarding of ICH (Beidjeu, 2023).

In **Djibouti**, executives from Djibouti benefited from capacity building seminars that took place in Tanzania and Nairobi 2007 and 2012 respectively (Beidjeu, 2023). Between 2006 and 2009 UNESCO managed—first from its office in Addis Ababa and later on from UNESCO Nairobi Office—a project called "Safeguarding traditional games of the Afar and Somali people in the Horn of Africa," which was executed in Djibouti. Most people in Djibouti, particularly the young people in the cities, no longer have active knowledge of their traditional games.[48]

In 2010 The UNESCO Office, with the support of the European Union, launched the "Mediterranean Living Heritage Project (MedLiHer)" to support the implementation of the Convention for the Safeguarding of the Intangible Cultural Heritage in **Egypt**[49] with the participation of the House of World Cultures (France). In 2015, a needs assessment was conducted in Egypt through a financial contribution of the Abu Dhabi Tourism and Cultural Authorities (ADTCA), which led to the project "Strengthening National Capacities for Safeguarding Intangible Cultural Heritage in Egypt for Sustainable Development" in the context of the UNESCO Global ICH Capacity Building Programme. Its implementation started in June 2018 through the UNESCO Regional Bureau for Sciences in the Arab States with the full support and cooperation of its national partner the Ministry of Culture. In 2018 and 2019, a series of ICH capacity building workshops were organized[50] tackling diverse topics in order to enhance the capacity for ICH safeguarding in Egypt.

**Iraq** organized several training workshops on different subjects (implementation, inventorying, safeguarding and nomination), e.g., Tohmé-Tabet and Hayajneh (2014) and Hayajneh and Tohmé-Tabet (2015). It recently directed an inventorying workshop related to Yezidi Mazars with community participation and in partnership with Nadia's Initiative and Lalish Cultural Centre (El-Zubi, 2023).

UNESCO supported **Jordan** in launching awareness campaigns about the importance of ICH, moderating the regional project: Mediterranean Living Heritage (MedLiHer), which aimed to support the implementation of the 2003 Convention and strengthen the capacities of institutions in the respective countries, organising capacity building workshops on implementation, inventorying etc. (Hayajneh, 2019).

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[48]The project, which was funded by the Government of Japan, intended to explore the origins of the games and their functions in the nomadic societies of Afar and Somali speakers in Djibouti. The information collected served as the basis for a kit and a manual explaining the rules, in addition to organizing a series of preliminary tournaments at the regional level. The project managed to reach out to different stakeholders—tradition bearers through fieldwork and the national tournament, school children through workshops, and the national authorities through the distribution of the game kit and other information materials and by gaining practical experience in managing an ICH related project in cooperation with non-governmental organizations (Ohinata, 2010).

[49]Including, Jordan and Lebanon.

[50]See Hayajneh and Fuheil (2018)

Prior to the ratification of the Convention, **Kuwait** hosted a regional workshop on the topic of conceptual and legal frameworks for the safeguarding of ICH as well as a brainstorming meeting on the topic of development of safeguarding policies (4th–6th May 2014). At national level, one capacity building workshop had been organized on the Implementation of the 2003 Convention in Kuwait City (28–30 October 2018) (Alkhamees, 2023).

The Mediterranean Living Heritage Project (MedLiHer) was the starting point for **Lebanon** in preparing systematic inventories consistent with the 2003 UNESCO Convention. The Lebanese singing style, Zajal, identified in 2011–2012, led to its inclusion on the Representative List of the Intangible Cultural Heritage of UNESCO in 2014. In February 2019, a workshop on Implementation of the Convention, which is a part of a training programme prepared and implemented by the UNESCO Regional Office in Beirut in collaboration with the Lebanese NatCom and funded by Japan, relaunched capacity building in Lebanon, which had been on hold since 2012.[51]

In *Mauritania* many capacity-building workshops have been conducted (Beidjeu, 2023). A project on "Strengthening women's leadership in the prevention and fight against violent extremism through participation in criminal justice; promoting social cohesion and cultural identity" was launched (Beidjeu, 2023).

There are various training institutions in **Morocco**, including institutes and universities. Efforts to enhance the function of ICH in society are represented by governmental and local authorities that take the ICH elements into account when developing planning programmes for sustainable development.[52]

In **UAE** several workshops were conducted during the last decade; the latest was in Abu Dhabi (see Skounti & Hayajneh, 2023).

In **Yemen**, during the years 2021 and 2022, the Ministry of Culture, in coordination and cooperation with the UNESCO Regional Office in Doha, held a training workshop to build national capacities in the field of safeguarding ICH in Yemen. Workers in the fields of heritage and culture took part, along with representatives of civil society organizations, practitioners and actors in the field (Al-Akouri, 2023).

### 20.4.4   ICH Inventorying Projects

One of the results of the capacity building is that there are more ICH inventorying activities in the Arab countries. Inventorying is becoming established in all countries to varying degrees, but remains dependent on financial, human and logistical capabilities.

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[51]UNESCO—https://ich.unesco.org/en/state/lebanon-LB?info=periodic-reporting

[52]https://ich.unesco.org/en/state/morocco-MA?info=periodic-reporting

In *Egypt*, an ICH inventorying pilot project was conducted in the governorates of Cairo, Fayoum, Gharbeya, Aswan, Assuit, and Siwa Oasis.[53] With the participation of communities and groups, some 2000 pictures and 200 videos on the 200 ICH elements were collected. The work conducted shows the wealth of the country and contributed to strengthening capacities in community-based inventorying (UNESCO, 2023). Zakaria (2019) concludes that despite what Egypt has achieved so far, it must be recognized that what has been accomplished is not far reaching enough with regard to the abundance, extension, and patterns of ICH in Egyptian lands. The literature shows that the concept of the Convention has begun to appear in different projects, e.g., a community-based digital inventorying project in a Bedouin community in Egypt. The project was conducted by members of the Bedouin community from North-Central Egypt. They selected ICH elements that are meaningful to them and designed suitable mobile applications for self-documentation. The process required developing local expertise in software development and entrepreneurship so that technologies appropriate to the community's needs and cultural specificities could be designed and sustained locally (Giglitto et al., 2019). Such a methodology enabled community-based self-expression of cultural relevance, fostered an actual engagement of the participants, and granted them a sense of ownership and commitment to pursue sustainability and longevity (Giglitto et al., 2019).

In **Djibouti,** and prior to ratification, actions to safeguard ICH have been carried out in the form of scientific research and publications related to local cultures and activities that promote traditional expressions and performing arts in festivals and exhibitions (Beidjeu, 2023).

In **Jordan,** a national inventory has been established under the umbrella of the Ministry of Culture and it is updated constantly (Hayajneh & Cesaro, 2022). Recently the UNESCO Office in Amman, in cooperation with the Ministry of Culture, conducted community-based inventorying of urban living heritage in relation to income generation in Irbid City as a part of a wider UNESCO programme. It was funded by the Chinese company Yong Xin Hua Yun to explore how living traditions are evolving in urban contexts in times of rapid social change (Hayajneh & Cesaro, 2022).

In **Saudi Arabia,** inventorying activities have a long history. The Ministry of Culture, in addition to other commissions and numerous heritage-related institutions, are executing ICH documentation and inventorying projects. Examples of recent inventorying projects are "The Oral History of the Saudi Arabia", and "The Art of Majrur in Hejaz (folk dance and music)" as well as the documentation of the different kinds of folk music and performing arts in the region of Asir (General Research and Cultural Studies Department, 2021).

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[53] See the report resulting from this project (UNESCO, 2023), which presents the preparatory process in building national capacity and developing tailored methodology for the community-based ICH inventorying in Egypt, the actual implementation, and its outcomes.

In 2012 **Sudan** implemented the project "Digital Preservation of Folklore and Archives of Traditional Music" through the UNESCO Fund for Intangible Cultural Heritage. UNESCO also financed the "Collecting and Documenting Traditional Children's Toys" project through UNESCO "Participation Programme", which covered most of the states of Sudan. The project "Enhancing National Capacity Building for the Preservation of the Intangible Cultural Heritage in Sudan" enhanced national efforts to safeguard the intangible cultural heritage, e.g., strengthening human and institutional capabilities, contributing to sustainable development, etc. Sudan started procedures for preparing a safeguarding strategy for living heritage which represents one of the fruits of the cooperation project between Sudan and the United Arab Emirates (UAE) to enhance capacity building in the field (Abdelrahman, 2023).

There are many documentation programmes and projects in **Tunisia**, e.g., the "Endangered Crafts", which covers the governorates of Tunis, Nabeul, Sfax and Gabes, and the "Register of Traditional Professions", launched in 2008 in the governorates of Beja, Jendouba, Bizerte and Tataouine. On the basis of the UNESCO Convention, The National Office of Traditional Crafts prepared a map for inventorying the traditional crafts of good quality. A major national inventorying was launched in 2016 followed by forming a specialized team. It adopted a seven-fold classification of ICH. The results will be integrated into the website of the National Institute of Heritage website. This national initiative required capacity building in community-based inventorying (Ben Soula, 2023).

**UAE** has conducted a general survey and compiled an inventory of the ICH of the emirate of Abu Dhabi, and established an Archive Section for the storage and digitalization of field work materials, photos, tapes and documentary films. It also contributed to the draft for Law No. 4 of 2016, on tangible and intangible heritage for the emirate of Abu Dhabi. The Ministry of Culture and Knowledge Development conducted a full survey of the ICH elements with the participation of interested communities, as well as many organizations and individuals, in order to highlight the endangered elements that require urgent safeguarding in order to be effective in the field of cultural heritage. More than 2500 elements were collected through the survey. These concerted efforts between the Ministry and all culture departments in the emirates have contributed to extending the ICH elements survey and inventorying measures to cover all emirates of the UAE in all fields of heritage. Accordingly, they are listed in two main inventories: the ICH Inventory for the Emirate of Abu Dhabi and the National Inventory. Inventorying measures are still underway in order to identify more elements of the ICH. Extensive studies, research and series of conferences, workshops, exhibitions, forums and field training for university students on the modern methods and techniques of ICH elements field collection have been conducted (Fig. 20.3).[54]

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[54] See: https://ich.unesco.org/en/state/united-arab-emirates-AE?info=periodic-reporting

**Fig. 20.3** The craft of making palm fronds—Al Ain—United Arab Emirates. (Photo: Hani Hayajneh)



In 2017, ICH inventorying in **Yemen** was resumed when a decision was taken to submit a joint Arab nomination file for "date palm, knowledge, skills, traditions and practices", which necessitated updating the inventory list. Inventorying continues to be updated on an annual basis in cooperation between the General Authority of Antiquities, museums and the Social Fund for Development. Part of the inventory was published in four volumes by the Social Fund for Development, covering traditional handicrafts in the old city of Sana'a and the historic city of Zabid (Al-Akouri, 2023). Indirect ICH related projects were conducted, i.e., the Soqotra Heritage Project within a multidisciplinary programme addressing the needs of tangible and ICH on Soqotra as one of the most unique island ecosystems in the world. It focusses on strengthening community-based approaches to heritage conservation, as well as safeguarding the unique bio-cultural heritage of Soqotra, increasing knowledge, and raising awareness about its cultural heritage (Forrest, 2021).[55]

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[55] Scholars and poets began the process of including a traditional form of Yemeni poetry on the UNESCO Lists (Fox, 2019).

### 20.4.5   The Contribution of Civil Society Organizations in Safeguarding ICH

As for civil society organizations and their engagement in safeguarding ICH, we can conclude from the information gathered so far that their activities are still in their infancy in the Arab world. They have not begun to actively participate in safeguarding in harmony with the Convention. Systematic inventorying, proposing safeguarding measures, etc., requires the support of governments in order to strengthen organizations and associations. Some examples are shown in the following paragraphs.

In **Kuwait**, public benefit associations specialized in heritage contribute to sponsoring craftspeople, helping to identify them, and increasing awareness through their participation in various cultural and heritage activities. There is the Kuwaiti Ancient Crafts Association, for example, launched in 2023 with the aim of studying the active laws and regulations that govern the field of craftsmanship, defending the rights and demands of the association's members, disseminating information about ancient crafts, etc.; and the Kuwaiti Society for Heritage, launched in 2017, which aims to safeguard ICH by holding heritage days and periodic forums and issuing Al-Barwa magazine. The Kuwaiti Artists Association (1963) aims to elevate the level of arts: music, theatre, popular and plastic arts, sponsoring Kuwaiti artists and protecting their moral and literary rights in accordance with the laws and regulations in force, in addition to supporting conferences, forums, festivals, and parties in cooperation with all relevant authorities in the country (Alkhamees, 2023).

In **Morocco**, many civil society organizations have also taken on the responsibility of reviving local cultural and heritage values and harnessing them for programmes aimed at stimulating local economic resources to achieve better living conditions.[56]

### 20.4.6   Promotional and Awareness-Raising Activities

There are examples of some promotional and awareness-raising activities, ranging from public meetings discussing issues related to ICH, festivals, knowledge villages, museums and audio-visual media. For example, between 2019 and 2022 *Bahrain* organized four editions of the "Intangible Cultural Heritage Forum"; the last one highlighted four elements of ICH, namely Al-Murada, Wedding Folklore, Traditional Music (Al-Sut), and Children's Festivities Folklore. The latter aimed at strengthening relations among decision-makers, experts, and practitioners in the field of ICH in order to affirm its importance for the local community, raise

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[56]See: https://ich.unesco.org/en/state/morocco-MA?info=periodic-reporting

awareness, and enrich scientific research in line with the Convention.[57] In an attempt to invest ICH in income generation, the **Egyptian** Ministry of Industry has incorporated aspects of traditional handicrafts into its programmes[58] as the state tries its utmost to encourage traditional craftsmen to participate in projects run by NGOs in cooperation with UNESCO. The annual exhibition "Our Heritage" manifests the state's interest, even on the presidential level, in ICH safeguarding by encourages artisans to promote their products (Gad, 2023). Egyptian museums started to make efforts in safeguarding and inventorying. There was, for example, a project conducted by the Children Centre for Civilization and Creativity "Child Museum" which aimed at creating a heritage learning experience for young people aged from 6 to 12 years old to transmit ICH to new generations in an attempt to safeguard ICH and promote respect for the cultural diversity of communities (Mostafa et al., 2018). In Egypt also, empowering minority communities by safeguarding their ICH and developing internal and external values was the theme of a festival called "Date Palm Festival" (Asham, 2019). The festival was intended as an incentive for the community to recognize their heritage as an identity promoter in the Siwa region of Egypt, where culture has begun to gain social, economic and environmental value. The outcome of the project was to make use of Siwa's ICH to promote the Date Palm Festival locally and internationally, using the name Siwa Oasis in the festival title, and including traditional Siwa performance and handicrafts. The festival also enabled small local date farmers to market their products at a reasonable price. It gave farmers the ability to escape the control of local elites who had controlled date prices for a long time, helped develop the handicraft industry in Siwa Oasis, and opened the doors for women to work in date factories. The festival is a good opportunity for the people of Siwa to gain skills in how to manage and represent their own culture (Asham, 2019).

The **Kuwaiti** Ministry of Information is working on completing a radio archiving project at a cost of 3.5 million dinars. It aims to facilitate the process of searching for any recorded material, in order to support programmes, documentaries, and old radio programmes, so that they become available to everyone, as well as meeting the needs of future generations (Alkhamees, 2023). Kuwait used to resort to its old traditions and folklore (Khalaf, 2008) in order to support the sense of national identity and social cohesion. For example under the sponsorship of Kuwait's Emir Sheikh Nawaf Al-Ahmad Al-Jaber Al-Sabah, an annual event is held to commemorate the traditional Kuwaiti pearl fishery. It used to be a primary industry before large oil reserves were discovered in the country.[59] Such festivals in Kuwait and other Gulf countries are manifestations of the nation-building process in the context of the transformational forces treading on the heels of the thriving oil economy. They turn to good

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[57] Bahrain News Agency (2022)

[58] Handicrafts in Egypt are diverse and rich, e.g., textiles and tents, inscribed ceramic etc. They constitute a vital and developing cultural heritage. More than 2000 industrial ateliers working in these fields, which are considered to be vocational training centres affiliated to the Ministry of Culture and private workshops (El Batraoui & Khafagui, 2010).

[59] Pearl diving festival kicks off in Kuwait- https://english.news.cn/20230813/cc5d7a19fab241 f8ab18cc82156e28cb/c.html

account the cultural symbolic materials required for the making of the state (See Khalaf, 2008 for more elaboration) (Khalaf, 2008).

Over the past ten years *Qatar* has also carried out activities to raise awareness of the importance of safeguarding ICH at national level. Several capacity building workshops related to ICH, seminars and meetings, organized by the Heritage, Department at the Ministry of Culture Arts and Heritage and other institutions, have been held in the years 2015, 2019, 2021, and 2022 (see Hayajneh, 2022).[60]

In **Tunisia**, ICH related activities and programmes have been held, focussing on investing ICH in sustainable cultural tourism; promoting skills related to crafts through the establishment of "craft villages" within the framework of the projects of the National Office for Traditional Industries; implementing research projects by university students; the publication of magazines and promotional materials; raising awareness though audio-visual means about the importance of ICH; organizing a Heritage Month, which runs between April 18th and May 18th of each year, to raise awareness among community members; and establishing a group of craft villages and a network of festivals specialized in specific aspects or ICH elements, such as horsemanship, folk poetry, traditional music, olive and henna related knowledge, wool shearing, and rose distilling. Internationally, Tunisia seeks to safeguard its ICH in various ways: within the framework of Tunisian-Italian cooperation, a project entitled "Knowledge Journeys" was prepared to support sustainable development in the tribal regions and stimulate institutional cooperation through culturally based tourism,[61] especially at the level of ICH and its related aspects, i.e., knowledge related to crafts and traditions. In the field of knowledge and traditional industries related to women, thanks to cooperation with UNESCO, it was possible to carry out field research in the northeast, Nabeul and Bizerte, enhanced by workshops and seminars for craftswomen (Ben Soula, 2023).

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[60] In late 1983, an institution was established at the initiative of the Gulf Cooperation Council to document and safeguarding the region's folk heritage: Folk Heritage Centre for the Arab Gulf States. Located in Doha, the centre is tasked with supporting research projects, documentation, archiving, and publication. Several major conferences and a number of small workshops have been sponsored there on issues related to folklore collection in the Arabian Gulf region. Gulf. Although the centre is located in Doha, it represents all members of the Gulf Cooperation Council: Bahrain, Iraq, Oman, Qatar, Saudi Arabia, and the UAE. The main areas of focus are folk literature, musical and dance traditions, customs and material culture. The centre implemented various projects on pottery making in the Arab Gulf countries, customs and traditions of the Arab Gulf society, folk tales, music, and others (Varisco, 1989).

[61] Recently, the Smithsonian Centre for Folklife and Cultural Heritage and the USAID Visit Tunisia Activity collaborated with the Agency for Heritage Development and Cultural Promotion and the Museum Development Division of the National Heritage Institute in Tunisia collaborated in hosting an ICH symposium September 10th–12th, 2022. The symposium laid critical groundwork as the first activation of Tunisia's Living Culture, a year-long project implemented by the Centre, applying research and community-based approach to develop cultural heritage tourism experiences and promote safeguarding practices while emphasizing the importance of community-based cultural heritage representation in tourism development (Keller, 2022)

### 20.4.7 The Role of Arab Organization for Education, Culture and Science (ALECSO) in Supporting the Safeguarding of ICH in the Arab World[62]

ALECSO's approach in the field of ICH aims to preserve memory and cultural identities through a set of integrated paths, e.g., encouraging and conducting scientific research and safeguarding ICH, and working to value and integrate it to achieve the sustainable development goals. Since the issuance of the Convention, ALECSO has worked to push Arab countries to activate the various provisions contained therein by launching some relevant programmes and activities, especially with regard to establishing national inventories, documentation efforts, raising the capabilities of national competencies, etc.

ALECSO dedicated the second session of the Arab Heritage Award, which was held in 2014, coinciding with the tenth anniversary of the Convention, to the topic of ICH in Arab countries. This course was very well received by researchers, civil activists, heritage institutions and others, and included topics that cover the entire domains of ICH as defined in the Convention. Since the start of the inscription process on the Representative List of the Intangible Cultural Heritage of Humanity in 2008, ALECSO has spared no effort in supporting Arab countries on various administrative and technical levels and providing financial and political support in preparing national inventories and nomination files in cooperation with communities, groups and, sometimes, individuals. In 2014, it succeeded in establishing the Committee of Arab Experts on ICH within which it seeks to coordinate positions and support Arab files nominated for registration. The first joint Arab file supervised by ALECSO dates back to the year 2019, which is the file "date palms, knowledge, skills, traditions and practices" led by the UAE with the participation of 14 countries. After the success of this first experience, the Kingdom of Saudi Arabia proposed in the following year to lead and prepare a joint Arab file on "Arabic Calligraphy Arts: Skills, Knowledge, and Practices." It succeeded in doing so in cooperation with the organization, and it was registered in the year 2021 with the participation of 16 Arab countries.

Recognizing the importance of building Arab capacities in various aspects related to ICH, especially in a period in which Arab countries have intensified their focus on inventorying and documentation programmes and preparing nomination files for UNESCO, ALECSO has developed, since 2013, a training programme directed at "conceptual, institutional and legal frameworks for the preservation of ICH in Arab countries" (Doha 2013; Kuwait and Muscat 2014; Abu Dhabi 2015) and "Inventorying of intangible cultural heritage and preparation of national files."

ALECSO has striven to furnish the cultural scene with forums, exhibitions and publications as required by some provisions of the 2003 agreement. The organization promoted ICH, for example by devoting two consecutive issues of the Arab Journal of Culture to the ICH of Arab countries and to one of the fields of this field,

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[62]The section is based on information provided in a personal communication by Fethy Jarray (Jarray, 2023).

namely the Sufi heritage, through a number of historical, artistic, ethnographic and other approaches. Arabic calligraphy also received an exhibition, the most important event in the activities of the 18th Summit of Francophonie which was held in the Republic of Tunisia during the month of November 2022. There was also the publication of a compilation that included, in addition to a guide to the paintings and pieces on display, a number of research projects and studies that addressed many issues related to the arts of Arabic calligraphy throughout history.

As for strategy and planning for the future, cultural heritage in general and ICH in particular formed a large part of the organization's concerns, based on all the five-year plans that the organization adopts in its work, as well as in the rest of the plans and strategies prepared by the organization according to specific objectives and topics, such as the study "Regional Cultural Policies in Arab Countries" or "Reviewing and Modernizing the Comprehensive Plan for Arab Culture." In fact, ICH has been singled out for an independent plan that is expected to be completed in 2023, which will arouse major interest, in addition to "A plan to save heritage crafts in danger of extinction in the Arab countries," which is being prepared and will be presented during the year 2024. They all follow roughly the same methodological approach—starting from the diagnosis all the way to recommending and presenting ideas for projects and activities to be circulated later to Arab countries for reference or as a starting point (see also ALECSO, 2021).

- **UNESCO's Contribution to the capacity building at the state-level of Arab countries:**

  UNESCO continues to give intensive support to various programmes in the Arab world to safeguard ICH, including but not limited to:

  – Building the capacities of a new generation of facilitators in the Arab States, who will help their countries to run safeguarding ICH (ICH) activities efficiently in compliance with the Convention for the Safeguarding of ICH and help the social environment in which they operate, as well as build goodwill with concerned communities and governmental sectors (Hayajneh and Skounti (2019).
  – Conducting Focal Points Training for Arab States on periodic reporting to equip them with adequate knowledge, understanding and experience of the periodic reporting process (including the ORF) (Blake and Hayajneh (2022)).
  – Establishing UNESCO Category 2 Centres in Algeria and UAE for safeguarding ICH to encourage states to adopt policy, legislative and administrative measures to safeguard the living heritage present in their territories and to organize activities to strengthen national capacities in the areas of identification, documentation and community-based inventorying, as well as to promote cooperation and networking[63]

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[63] See https://ich.unesco.org/en/news/new-centre-in-algeria-for-safeguarding-intangible-heritage-in-africa-00068
https://ich.unesco.org/en/news/a-new-unesco-category-2-centre-in-the-field-of-intangible-cultural-heritage-in-the-arab-states-13362

## 20.5   Conclusion

We conclude from the previous survey, although it was brief, fractional and not comprehensive, that Arab countries, at national level, have begun to place ICH on their political agenda, with varying degrees of strength and focus. There are inventory projects held in every country, either within the framework of programmes managed by UNESCO, or through the relevant official authorities. Communities have begun humbly and slowly to take their role in inventorying operations. Before the ratification of the Convention, communities were only sources of information for academic, scientific or promotional purposes, such as tourism or otherwise, and were not taken into account in decision-making regarding their ICH, as they were treated from a top-down perspective. It can be inferred that the term "ICH" and the "Convention" have begun to penetrate academic, media, promotional and educational circles with a comprehensive approach that takes care of all areas of ICH; it is not limited only to what was previously included under the rubric of "folklore". ICH has entered into many legislations and laws, but as yet there has been no satisfactory result in the legal governance of ICH for the benefit of communities as the first and last goal. Some Arab countries have begun to take into account the integration of ICH into school life, whether on a formal or informal level. Despite governmental and community awareness of the Convention and the importance of ICH, we have not observed large projects to safeguard ICH within the framework of sustainable development goals, or changes in national policies giving more weight to civil society organizations to encourage them to help communities safeguard their ICH. These achievements represent a drop in the ocean, as they have reached the stage of drawing up a comprehensive policy with the participation of all civil and governmental sectors. This leads us to say that safeguarding ICH is still in its infancy. In other words, the analysis of ICH and its adoption as part of the strategy of sectoral institutions is still weak, as this must be addressed in comprehensive projects related to ICH management whose goal is reducing poverty and promoting sustainable development. In addition, there is a lack of investment projects in the education sector to spread awareness of the importance of intangible cultural diversity and consolidate identity through school programmes and other means. It is, therefore, important to enhance the transmission of the ICH by recognizing and addressing macro-sector needs at the level of national policies and institutional structures, with the participation of local communities, groups and individuals, and also recognizing the necessity of developing basic ICH economic and financial based infrastructure. This requires highlighting the crisis of cultural heritage management as a growing issue, and including it on the development agenda in Arab countries.

**Recommendations**

1. Multi-actor governance system for safeguarding ICH

    There must be an innovative approach in a multi-actor governance system for safeguarding ICH, which relies primarily on communities, and through partnership between the public, private and community sectors within a legal framework that protects the rights of all parties in an effort to implement a vision that can be consolidated by Arab countries in a sustainable governance model. This approach

must be comprehensive and adapt to local, regional, and international needs.

2. Acknowledging ICH as defined in the Convention.

   Arab world policy that presents the "intangible" aspects in its new heritage discourse should acknowledge the definition of ICH in the way it was defined in the 2003 Convention. This will ensure the implementation of a coherent and realistic policy and strategy for safeguarding and promoting, and will enhance the economy wisely within the framework of the concept of sustainable development. This will provide a bridge to overcome the existing threats to, and gaps in, the existence of information technology and communications in the world.[64]

3. Harmonizing ICH safeguarding efforts with the instruments of human rights and international conventions (see Donders, 2020).

   There should also be major progress in the Arab arena in the field of the safeguarding of ICH in conflicts and disasters. Synergies between international Conventions, e.g., the 1954 Hague Convention and other UNESCO instruments, in particular the 2003 Convention, should be strengthened, and consensus could be reached in international deliberations concerning cultural property in the event of armed conflicts and displacements.

4. Exploring the potential of digital and modern technology in Safeguarding ICH.

   As Alivizatou-Barakou et al. (2017) explained, although the role of modern technology in safeguarding ICH is not directly addressed in the Convention, modern technology plays an important role in the areas of identifying, inventorying, documenting, safeguarding, promoting, and educating. Audiovisual documentation, digital and multimedia resources from the areas of ICT can provide useful tools for recording and collecting information about expressions of ICH. Efforts are developing day by day in the wise use of digital rules for safeguarding ICH by local community centres, museums and research networks, aiming to build a multimedia environment for ICH, e.g., technology-enhanced music education (Alivizatou-Barakou et al., 2017)[65] There is an important opportunity to develop a platform that promotes the transfer of traditional knowledge and skills using current developments in the field of digital technologies to transfer know-how, stimulate the creative industry, the gaming industry, education, and promote cultural tourism. It is true that technology cannot replace human interaction, but it can support cultural transmission in new and innovative ways, from augmented reality techniques towards facial expression analysis;

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[64] On this, but in a different context, see Schreiber (2019)

[65] There is a relationship between the use of digital technologies and the perpetuation of ICH. Research has demonstrated that digital technologies in the UAE provide a new and accessible arena for safeguarding important features of ICH and electronic communication, enabling people to participate and engage in dialogue and debate. The large content of digital technologies used socially and culturally at the public, official, and private levels has generated a new form of digital cultural heritage. This has resulted in safeguarding their living heritage against the negative impact of globalization (El-Aswad, 2019).

facial expression modelling is one of the most compelling and naturally prominent means for humans to communicate feelings and emotional states.[66]

5. Developing digital inventorying of ICH.

If we follow Sousa's (2018) approach, we expect responsible authorities in Arab countries to support digital capabilities in implementing inventories of ICH, by which we mean the materialization of physical and analogue media through electronic technologies that allow us to transfer, process, and store information. Here it is necessary to find a balanced relationship between increased availability of new digital technologies and current visibility of ICH. The features of open access and online sharing platforms encourage the creation of inventories of hypermedia ICH that serve as collection tools for organizing and linking knowledge produced in different ways. This also will allow for increased visibility of ICH through the exchange of information on global platforms, provided that intellectual property rights and other private rights are taken into account when publishing and exchanging information on the Internet, especially since global display platforms may exploit these electronic rules for commercial purposes. It is also necessary to provide specialized support teams to manage public access to platforms in the context of the continuous and rapid development of web technologies, hardware and software, which means permanent investment in human and technological resources to ensure long and effective availability of information online with the participation of communities, groups and individuals. We, as Sousa (2018) made clear, must not lose sight of the danger of considering knowledge produced by technological and multimedia resources as "reality" and not as a new representation of ICH. To avoid the dominance of governments in the map of electronic inventories of ICH and their exploitation by relevant government sectors, civil society associations, and organizations must have a fundamental role in establishing such digital rules. It is necessary to monitor the quality of information, the reliability of data and the ownership rights of published content or ensure that recordings do not involve practices that violate human rights and regulate the right to access and modify content, or introduce new materials, and this means taking the necessary precautions for supervision and monitoring (Sousa, 2018). In other words, the digital information technology can recode, reconstruct, interpret, and present ICH items digitally, increase people's attention to ICH items during the data collection process, further enhance the dissemination of ICH, and enable the innovative development of traditional ICH dissemination channels (Wan, 2022).

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[66]For example, the possibility of transferring analysis of facial expressions, emotional state of performers, documentation of various changes in the vocal tract, and body movements of performers can be explored providing new insights into motor and gestural aspects whose examination is not always possible due to complex clothing and costumes. For how dancing exploited emerging technologies to digitize, analyze, and holistically document ICH creations see Aristidou et al. (2022). In the case of handicrafts and pottery, motion capture can again be used to document in detail the movement of the hand and fingers during the creation process; see Alivizatou-Barakou et al. )2017) for more details

6. Following ethical principles in safeguarding ICH.

   As for the ethical principles for the safeguarding of ICH (Yan, 2023), which is a set of general encouraging principles and as an annex to the Convention for the Safeguarding of the Intangible Cultural Heritage and its implementing directives, these principles can provide excellent practices that can directly or indirectly affect ICH at the level of governments, organizations and individuals. They can be complementary to the national legislative framework in Arab countries, i.e., as a valuable reference to enhance and improve the safeguarding of ICH within the framework of cultural diversity, they can enhance Arab countries' fulfilment of their international legal obligations and improving domestic legislation and provide guidelines when legislation fails to take into account or define situations. When these laws appear unclear and fragmented in the safeguarding of ICH in Arab countries, these principles come to guide local practices and create better synergy between all levels of government, individuals, groups, and communities.[67]

7. Acknowledging and adopting an inclusive community participation policy in safeguarding ICH, including small linguistic communities.

   By applying the principle of comprehensiveness and inclusivity, community participation should be broadly extended to the ICH of ethnic minorities and the various groups in society. For ethnic communities that retain local languages and cultural fossils and have not developed a writing system, it is important to participate in safeguarding and transmitting their ICH, as well as making it more relevant to their actual lives. Non-Arabic languages or local dialects, of which there are many in the Arab world, must receive attention so as to develop their role in societies and convey and pass on the ICH of their speakers.[68] In order to safeguard living heritage, the use of these languages or dialects must be actively stimulated by teaching the intended languages, providing communities and individuals with the opportunity to express themselves in their own mother tongue, encouraging research in them, and encouraging publication of writing in their mother tongue, even with a derived script.[69]

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[67]Many of the ICH practices that live among us now stem from ancient cultures, and perhaps from pre-Islamic periods in countries where Islam spread. They have throughout history been part of the culture of these societies and a source of their cultural power. The discourse that aims to suppress them must be curbed. The approach referred to in the language of some fanatic movements as "purification" must be rejected (see Feener, 2017).

[68]See Wang (2023) who indicated such issues for different cultural and geographic contexts.

[69]Indigenous languages are a heritage in danger because writing and publishing in indigenous languages seems to face many challenges through the imposition of official languages on indigenous languages. This led to many decades of undermining indigenous languages that saw very little written material being published. Even today, indigenous languages are not viewed as languages of the economy. This therefore means that speakers of these languages, especially those living in rural areas, are deprived of social and economic empowerment (Naledzani Rasila & Mudau, 2012); see also South African Government Policy (2009).

8. Protecting ICH in the context of armed conflicts and displacement.

Arab countries can raise awareness among all concerned circles, whether governmental or non-governmental, of the necessity of cultural heritages as a part of the human rights that should be respected both in times of wars and peace. Attacks on cultural heritage violate international humanitarian law and human rights, as these attacks prevent people, regardless of their affiliation with national, ethnic, racial or religious groups, from accessing, participating in, and contributing to cultural life, whether during armed conflicts or in times of peace. Therefore, the protection of tangible and intangible cultural heritage is reflected in the rules relating to the protection of cultural property in international humanitarian law and in international human rights norms and the protection of human rights relating to cultural heritage, in particular the right to access and enjoy all forms of cultural heritage, and to participate in cultural life, (Policy on Cultural Heritage, 2021). The unique cultural heritage of migrants can stimulate meaningful dialogue with local and settled populations and educate and inform them about migration-related issues. The lack of recognition of ICH by institutions of the beneficiary country can have an impact beyond the heritage aspect, to the extent that many countries are unable to benefit from cultural protection/ safeguarding mechanisms that deal with ICH. Appropriate support for migrant and refugee communities can be helpful in protecting their ICH, for example by maintaining links with their country of origin and strengthening community ties in the host country. It is necessary to combat the underrepresentation and marginalization of migrant and refugee communities in sharing, producing, and safeguarding their cultural heritage (Giglitto et al., 2021; Chainoglou, 2017) with measures geared towards protecting cultural heritage in time of conflict.[70]

9. Developing plans to avoid harmful effects on ICH as a result of climate change.

Climate change is known to cause an imbalance among people by creating a more desirable living environment for some communities, while wiping out settlements for others. Due to floods, sea level rise, devastating storms and drought, people are losing their lands, homes and natural resources, and people are forced to move voluntarily or involuntarily.[71] Aktürk and Lerski (2021) have demonstrated that as climate-displaced populations grow, the deep intergenerational connection to their rituals, customs, ancestral ties to the land, cultural practices, sources of income, their memories, sacred places, kinship ties, networks, language, and many other manifestations of their ICH disappears, confronting us with the complex issue of human rights, the psychological impact of loss, grief, and crisis of identity. Although ICH is overlooked in the context of climate displacement, it has the potential force of a catalyst for building resilient

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[70] see also Crowley et al. (2022)

[71] For a review on the current state-of-the-art on the impacts of climate change on the tangible, built heritage, that is, monuments, archeological sites, historical buildings, as well as their interiors and the collections they hold, see Sesana et al. (2021).

communities by advocating for people's cultural values in planning climate action; individuals, families and communities use memories and narratives as a means of navigating their struggle for resettlement. Different resilience capacities between countries affect the ability of host communities to cope with refugee integration, but recognizing ICH for successful adaptation and healing offers benefits to both host communities and migrants. ICH must, therefore, be valued in climate displacement policy-making to aid community resilience, as the effects of climate mobility on the intangible values of displaced communities rarely make an appearance when discussing policies of climate resettlement (Aktürk & Lerski, 2021). Aktürk and Lerski (2021) see that, in the process of climate transfer, hybrid identities and cultural values may appear between both hosts and migrants, and cultural appropriation and exploitation may arise when climate migrants attempt to adapt their traditions into alternative environments. If planning is not done intelligently and quickly, paying attention to the benefits and vulnerabilities associated with ICH in climate-related displacement, some conversions could lead to new forms of food production, shifting from dependence on food from the ocean to shifting towards land-based agriculture or vice versa. Successful transfer can be achieved through adaptation to local conditions, new settlements, and changing local resources, as ICH is neither tied to the nation-state nor built on traditions that are dependent on place or the individual's past. This approach defines citizens not through perceptions of race or conceptions of belonging based on shared heritage and lineage linked by blood and soil, but rather through an understanding of the present and the future (Aktürk & Lerski, 2021).[72]

10. Integrating ICH into various sustainable development policies and plans and developing strategies in harmony with nature.

 The allocation of operational directives in the Convention on clarifying the relationship between the concepts of ICH and sustainable development with its social, economic and environmental dimensions, as well as peacebuilding, has added a new qualitative understanding of the objectives of safeguarding ICH, and what enables it to achieve social cohesion and enhance tolerance, building identity, transmitting values and life skills, thus supporting the identity of communities and groups, resolving social conflicts, and bridging social

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[72] Some call for knowledge to be recorded so we can use it in emergency situations, i.e., heritage traditions in managing the plants, animals and waters. For example, most countries have developed grazing systems used by nomads in Africa who follow or graze their animals on suitable open pastures across the continent thousands of years ago. Ancient practices related to water access and water management can also contribute a lot today. For example, complex irrigation systems such as the Aflaj system in Oman and other water management traditions were essential to ensuring access to water for a large portion of the population, but have been increasingly neglected. It is important to assimilate local knowledge with the full participation of the knowledge holders themselves and integrate it into scientific strategies for climate adaptation and its impact. Platforms must be created where local communities can speak for themselves and contribute to decision-making, climate change planning and adaptation plans (Markham, 2022).

divisions. ICH is considered a cultural capital and an important cultural resource. It plays a role in how skills and abilities are transmitted from generation to generation through "embodiment," where the social rules of a society are passed from one body to another, from adults to youth, sometimes through unconscious and implicit imitation and transmission capable of inculcating a complete cosmology and morality, leading to the formation of cultural and social identities (Meissner, 2018). Integrating the issue of sustainability into national protection policies, by involving communities, groups and individuals and including their heritage in relevant development plans has become essential at this time, provided that this results in communities and groups benefiting from development plans. Such policies should not lead to labelling societies, groups and individuals as not participating in contemporary life, or disrupting their image in any way, nor should they contribute to justifying any form of discrimination (political, social, racial, religious, linguistic, or sexual). These development policies must also avoid taking ICH out of context, misusing any of its manifestations or expressions. They must avoid abuse, over-commercialization or unsustainable tourism that could put ICH at risk (Hayajneh, 2015).[73] In the context of development, the risks of commodification and excessive marketing of ICH should be treated with caution. If left unchecked, the negative impact of these risks cannot be overestimated. In other words, legislation must prevent upsetting the balance between heritage-bearing communities, governments and any party that may invest in heritage for economic purposes (ALECSO, 2021). Another related issue is the need to develop activities that should support basic life cycles, the social system and ecosystem functions, i.e., these activities should mimic ecosystem cycles and processes. Development activities must also respect biodiversity, protect ecosystem services that take into account maintaining water quality, reducing floods, supporting sustainable development resources, preventing erosion of soil, forests and marine resources, and reducing the use of non-renewable sources (Hayajneh, 2015).

11. Establishing multi-level educational platforms for transmitting ICH and related knowledge.

    One of the paths of safeguarding has been, as argued by Lovtsova et al. (2021), the transfer of knowledge and technology by using additional general education programmes, which can explore children's creativity in learning about their heritage through the practical development of their artistic creativity techniques. There is a need for effective pedagogical and methodological

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[73] Overemphasis on the dangers of over-marketing, or on identifying products or services "out of context" can distract from a more comprehensive investigation of ways to safeguard and transmit heritage skills and knowledge while supporting sustainable economic development. We suggest that planning heritage-sensitive commercialization, i.e., marketing that supports heritage protection, requires attention to issues of community engagement and empowerment, maintaining repertoires of heritage skills, keeping traditions alive through heritage-sensitive innovation, and supporting or enhancing heritage reputation (Deacon et al., 2022).

support for educational programmes, the development of teacher competencies, as well as the maintenance and development of the basic teaching ability. It is important to increase the availability of quality education that meets the needs of the modern community. This calls for the provision of support for the development and implementation of additional general and professional artistic programmes based on the content of ICH, and the provision of educational, methodological and visual materials for the educational process and the promotion of the concept of ICH. The Convention clearly identifies both formal and non-formal education as being among the measures that must be adopted to safeguard ICH. Salis and Cesaro (2023) contend that cultural heritage education can be enhanced through the design of specific curricula and educational tools, and that the development of non-formal cultural heritage educational resources and programmes can promote the preservation of cultural heritage more widely. Over the years, UNESCO has adopted a number of approaches to promote heritage education in institutions. However, local initiatives, as the two researchers showed, are usually less common here because they often depend on the availability of financial resources and sufficient expertise (Salis & Cesaro, 2023). On the other hand, it is clear that in the Arab World higher education programmes have not reached the level required to ensure the implementation of the 2003 Convention for the Safeguarding of the Intangible Cultural Heritage. Such an approach, as Genodepa remarked (Genodepa, 2019), involves a change in educational policies that support ICH, as it is necessary to determine the structure, form, and content of higher education programmes for ICH, in addition to providing skills and educational resources to teach it with the purpose of safeguarding it as stipulated in the Convention for the Safeguarding of the Intangible Cultural Heritage of 2003, that is by focussing on studying the value of the historical, social, economic, functional and collective identity of local and perhaps international communities.

12. Developing strategic plans for ICH based sustainable tourism.

There is a strong relationship between ICH and the tourism industry, as they mutually enhance each other. A positive and wise interaction between them helps to fully meet the demand for and value of sustainable tourism, since both ICH and tourism activities are cultural in nature and are constantly evolving. If economic development value is to be enhanced through the theory of cultural capital, the image of sustainable culture and tourism needs to be improved, and room must be made for comprehensive planning and improvement of the long-term mechanism of this system (Hassani Esfehani, 2016). Special attention to ICH based tourism planning in the Arab World can address in particular the deterioration of the rural natural environment, as the countryside contains the fertile soil of ICH. This has rich national, local, and ethnic characteristics that could, through wise sustainable tourism planning, be protected and inherited by different means, e.g., rural tourism. This requires revitalizing the countryside and reconsidering the interaction between urban and rural areas, because

ICH tourism in the countryside is an important, possible development area.[74] In this context, it must be recognized that ICH is exposed to pressures that may not emanate from within the societies that bear it, but rather from outside, including tourism, which involves complex interests and agendas that require caution when using elements of ICH. Ultimately, what is important is that tourism does not negatively affect the natural transmission of ICH, but rather it must seek to strengthen it among current generations and transfer it to future generations in a sustainable way. Here, it is necessary to resort to a method by which tourism measures cultural resources in terms of their economic value in a way that benefits society and heritage bearers, and to consider how tourism will represent ICH in the requirements and challenges of the outside world, beyond the perspective of culture bearers and their rights to their heritage (Eichler, 2021).

13. Developing laws and legislation to protect ICH.

There are no laws or legislation in the Arab countries that protect ICH and its bearers in accordance with standards of sustainable development, human rights and preserving identity. Such an approach will provide a clear legal framework based on defining the responsibilities of the state, citizens, organizations and other concerned parties in protecting ICH. The legal support for ICH, at the international and local level, and reviving it in a manner appropriate to its true, original environment, will deepen the rapprochement of communities, groups, and individuals in the same society. Laws for the protection of ICH must include recognition of the ownership of different forms of traditions by communities, groups and individuals, and the related moral and economic rights. It is known that the World Organization for the Protection of Intellectual Property, WIPO, began searching for methods and systems to protect Traditional Cultural Expressions (TCEs), which includes ICH components (Hayajneh, 2019).

14. Raising awareness of civil society organizations and associations about their role in safeguarding ICH locally, nationally and internationally.

NGO experience can help us to identify, analyse and describe elements of ICH, to sensitize communities to the importance of their living heritage, develop new safeguarding measures and provide background information for developing a code of ethics for the use of intangible cultural heritage when it comes to recording traditional knowledge. It can also help implement ICH education programmes for children and youth, provide advice to UNESCO and governments and encourage local communities to organize safeguarding projects, especially in the field of crafts. NGOs are closer to local communities and can respond better than the government to the needs of marginalized communities. They have the ability to stimulate communication with their peers in an effective way. It is noteworthy that one of the most important challenges facing

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[74] See Wang J. et al. (2019) for further elaboration of this approach.

Arab countries in this field is the lack of non-governmental organizations accredited to UNESCO for advisory purposes, which unfortunately does not place Arab countries at the level of other electoral groups for UNESCO (Hayajneh, 2011).

15. Establishing councils and centres for ICH.

   Perhaps the best thing that unites these efforts aimed at safeguarding ICH is the establishment of national councils for ICH emanating from various ministries, civil society organizations and community representatives. These national councils act as coordinators, organizers, policy-makers, researchers, planners of safeguarding projects, and brokers of partnerships and networks capable of creating a positive dynamic between groups, specialized institutions, international bodies, and local and international authorities. In addition to the councils, research centres and institutes can carry out documentation operations, organize collection and inventory projects, provide consultations, collect and classify materials and data, present ICH, and prepare cadres of researchers in collection and inventory operations. They can also provide documentation to support the National Archives and international cooperation in the field of ICH. They can also be entrusted with coordination between the public and private sectors in the field of safeguarding and developing ICH (Hayajneh, 2015).

## 20.6   Summary Recommendation

Arab countries must strengthen the definition of ICH from the perspective of local communities, and not from the perspective of global industrialization and tourism, and include it in all sustainable cultural and economic development policies in terms of planning, financing and institutional mobilization. They must also address the factors that lead to its rapid decline by ensuring the participation of communities and various parties. We must effect a paradigm shift towards a human rights-based framework when discussing cultural heritage, especially ICH. This will ensure that power dynamics are balanced and obligations towards cultural rights are met. Gender issues must be taken into account when designing and implementing activities to safeguard and protect ICH, as must the importance of enabling women and men to participate fully in safeguarding activities in order to enhance the protection of cultural diversity.

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# Part IV
# Living Culture in Aesthetic Encounters

# Chapter 21
# Music as Heritage

**Tiago de Oliveira Pinto**

**Abstract**  Seeing music as a cultural heritage within the UNESCO Conventions on World Heritage (1972) and on Intangible Cultural Heritage (2003) has been a challenge for the understanding of both the musicological approach to music within this framework and the concept of ICH as such. While the material properties of music (musical scores etc.), do not fall under the World Heritage concept, but are rather elements of the Memory of the World (MoW) Programme (documents and archives), the research on music as ICH has revealed that at least 60% of the inscribed elements in the UNESCO Representative List of the ICH are specifically music-related (musical instruments) or clearly music-based (rituals, dances etc.).

The aim of this essay is to give an insight into the multifaceted role and properties of music that become especially evident and raise questions regarding the UNESCO ICH Convention.

**Keywords**  Music as living heritage · Intangible cultural heritage · Memory of the World (MoW) programme · Musicology · Ethnomusicology · Transcultural music studies

## 21.1  Preamble

How is music to be perceived in the context of Intangible Cultural Heritage (ICH)? Music is produced by people (making music, sensing, mediating, reflecting it, etc.), either as an exceptional event or as everyday activity. It is a specific mode of expression that exists in each society and at all times, underlying both commonalities and fundamental differences like hardly any other human expression. Music is intra-, inter- and transculturally significant; it takes place in any social stratum and in manifold contexts; it is used and fought against, is produced equally well or badly

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by professionals and amateurs, and is among the most important non-verbal means of communication. On the other hand, music does not necessarily have to say something—it is both meaningful and meaningless at one and the same time and can be essential for survival or simply a superfluous accessory. Music may be different for everyone, or it may have an identity-forming and unifying effect. It is all that and much more at the same time.

The presence of music is fundamental in every society. Even in difficult times, music remains a deeply human need. And if it is not heard at all, the reason is a very serious one: in Afghanistan, the Taliban's takeover was the beginning of a period of definitive silencing of any musical device or performance; on a morning in Kiev, at the beginning of March 2022, two weeks after the Russian army invaded Ukraine, "silence was screaming in the streets."[1]

By looking at the role of music within ICH, two main approaches will be highlighted in this article.

1. The concern with the academic musicological study of music as such. The epistemological divide between Western music history and the ethnomusicology of orally transmitted, non-Western traditions, becomes almost irrelevant when music is examined as living heritage.
2. The debate about music leads to a questioning of mainstream concepts of the relation between the tangible and the intangible in cultural heritage, challenging some overall framing theory models in heritage studies.

## 21.2   Music and the UNESCO Heritage Conventions

For a long time the world had agreed on an idea of cultural heritage that is mainly represented by artefacts, that are motionless and mute by nature. This at least is what the UNESCO World Heritage Convention of 1972 leads us to believe, since people tend to have a fixed concept of heritage as being entirely comprised of the inert, the soundless and the static. Music was not foreseen in the 1972 Convention, not even musical scores nor autographs, e.g. signed manuscripts of musical works. The same applies to dance and drama.

How could scholars and artists from the fields of the performing arts, music, and more especially musicologists, even accept such a conception of cultural heritage in the first place, one which actually excludes music itself and the performing arts in general? Can't they be acknowledged as a cultural heritage? Of course they can. Therefore, and in retrospect, one might find it hard to believe that such a limited notion of world cultural heritage could have remained so accepted and so widespread. Finally, in what would become an overcoming of the limitations of this material notion of cultural heritage, the 2003 UNESCO Convention for the

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[1] Frankfurter Allgemeine Zeitung (9.3.2022), https://www.faz.net/aktuell/ukraine-konflikt/belagerung-von-kiew-auf-den-strassen-schreit-die-stille-17864294.html

**Table. 21.1** Tangible (material) and intangible (non-material) characteristics of the respective UNESCO Conventions, 1972 and 2003

| Two UNESCO Conventions on Cultural Heritage | |
| --- | --- |
| Tangible (1972) | Intangible (2003) |
| Silent | Sounding |
| Immobile | Moving |

Safeguarding of the Intangible Cultural Heritage, came into being (UNESCO.ORG/ICH) three decades after the World Heritage Convention of 1972. With it, a new UNESCO Convention was proclaimed, one where finally movement and sound are recognized as cultural expressions that also fit into a universal notion of cultural heritage (Table. 21.1).

The material conception of culture is reflected in the global map of the 1972 World Heritage Convention, which focuses essentially on the global North, especially on Europe. Now, with the sound and movement oriented 2003 Convention, the cultural world map of humanity has been substantially expanded. The inscribed cultural elements are much more equally distributed over the entire globe. At the same time, performing arts and musical expressions from all over the world, which is crucial for cultural diversity, are significantly extending such diversity beyond that of the material (soundless) cultural heritage of architectural and other immobile artefacts.

Essentially, the UNESCO 2003 Convention shows that the idea of cultural heritage does not end with monuments and collections of objects. It includes traditions or living expressions inherited and passed on from one generation to the next, such as

> (1) oral traditions, (2) performing arts, (3) social practices, rituals and festive events, (4) knowledge and practices concerning nature and the universe, (5) knowledge and skills involved in the production of traditional crafts (UNESCO ICH, 2003).

The term music is absent in the Convention text of 2003. There is no explicit reference to music in these five official indicators of Intangible Cultural Heritage, listed in Sect. 21.2, no. 2. The practices mentioned refer to knowledge which is made real and brought to life by creative actions that spring from human spiritual and intellectual actions—speech, performance, crafts, theatre, dance, ritual, marriage customs, festivals and so on. In the light of this it is clear that music may most definitely also be part of all of the five elements of Intangible Cultural Heritage, no matter how music is understood and independently of its local or historical definition.

The fact that it is an important element within all kinds of ICH, highlights music's complex nature. Its fluidity and evanescence become perceptible mainly in performance. Music is perceived only in real time and depends on the practitioners' live acts. Because it benefits from specific social and cultural inputs, music is a powerful vehicle for symbolic and conceptual content. It is for these reasons that it is not necessary to create a special category for music in addition to the five already detailed in the ICH Convention. Music is an intrinsic part of all of the five categories of ICH. Furthermore, a special definition for music could not easily be covered by a

workable designation, because of the complexity and many-sided, even self-contradictory intangible character of the musical phenomenon as such. Music is anticipated mentally, appears in real time, and remains in the memory.

## 21.3 Materiality of Music

Music can be perceived aurally and viscerally, or embodied, but is not seen, nor smelled or tasted. It produces a physical reaction but cannot be grasped. It touches the soul but cannot be touched by means of any physical action, although it is physical action alone that brings it into being in its most essential way, by sound. Its untouchable nature is responsible for the fact that to become real, music depends on a real performance that can occur under any of the categories of Intangible Cultural Heritage defined by the 2003 UNESCO Convention.

Despite its apparent invisibility as something concrete, music has a multifaceted materiality that manifests as follows.

1. Sound waves are comprehended as material as defined in physics. As a vibration, sound generates a mechanical wave of displacement and pressure, through a material medium (air, gas, water etc.).
2. The musical composition is pre-defined and can be discerned in a discussion about it as something objective, even without it being played, purely on the basis of the piece itself, which is known and has already been heard (or read) before.
3. Music is kept in a tangible form, as printed music, on a punched card of a mechanical street organ or a mechanical self-playing piano, on sound carriers or just as a sound file. In musicological analysis these tangible artefacts are almost mandatory.
4. Musical instruments are material objects, manufactured on the basis of specific knowledge and an action based on this knowledge. They function particularly well as a concrete and material medium between music-making and music as an intentionally conceived and perceived configuration of sound.

## 21.4 Communities and Practitioners

Musical environments and soundscapes produced by humans are significant in raising a sense of contemporaneity. They involve people directly in the here and now, connecting their inner sense of being-in-the-world, whereas World Heritage monuments allude to past time periods. Even in a musical tradition that in the 1990s was almost vanishing, the *samba de roda* in the Bahia, Brazil, performed by a few elders on the small guitar *machete* (see GRAEF in this volume), a special feeling of connection to the environment was particularly evident, experienced by the performers and by the community (de Oliveira Pinto, 1991). Music and musical

soundscapes will always be the result of a collective process that is shared.[2] Musical actions are everywhere, because there is no single civilization or society known to us that does not have music.

According to the 2003 UNESCO Convention, efforts to give cultural heritage its proper recognition and to bring it fully into public awareness begin with a bottom-up movement. Communities of cultural bearers and individual practitioners themselves play a role in defining what should be included as their own heritage and what should not. Therefore inventorying ICH will always be a process that includes those who are responsible for the vitality of a given element of cultural heritage. Neither the official cultural policy nor academic expertise bear the main responsibility for the definition of cultural heritage, but it is first and foremost those who perform and who keep the tradition alive. Because of the importance of vitality in cultural expressions of an intangible nature, the term Intangible Cultural Heritage has often been replaced in more recent years by Living Heritage. Nowadays both terms may be used equally, but, in fact, the latter seems even more suitable for the heritagization debate on music.

## 21.5   Written and Living

The intangible nature of music is a point that arose anew on the occasion of the ratification of the "UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage" in 2003. According to this UNESCO Convention, the canonized masterpieces of Western music—as art works with individual authorship—is not part of the intangible, but rather of the material cultural heritage of a nation. Consequently the status of Beethoven's 9th Symphony as cultural heritage is not guaranteed by the sound of this music, but by the original manuscript, which is kept in the Berlin State Library. Beethoven's composition was added to the UNESCO Memory of the World Programme in 2000, gaining recognition as an outstanding musical document, a material object, regardless of the question about it as a living, e.g. a music tradition of sound. Later, in 2015, another important music manuscript in the collection of the Berlin State Library, Johann Sebastian Bach's Mass in B minor (h-Moll Messe) from 1748/49,[3] was also added to UNESCO Memory of the World. This is a programme where mainly written and printed artefacts are registered, such as the Luther Bible and important historical contracts and documents. The first music-related element was listed in this programme in 1999: the Berliner Phonogrammarchiv collection of wax cylinders, a sound archive, which comprises

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[2]Collective music making is an important research topic in evolutionary anthropology, when it comes to understand the cultural evolution of Hominids. "Shared intentionality" is the concept that also relates directly to musical performance (Tomasello, 2014: 1–7)

[3]https://www.unesco.de/kultur-und-natur/weltdokumentenerbe/weltdokumentenerbe-deutschland/h-moll-messe-bach

the oldest recordings of music from all over the world, collected from 1900 until approximately 1940 (Simon, 2000). Since the Memory of the World Programme includes written and recorded music-related materials, consequently the "Album of the Year 2024" win for Taylor Swift at the Grammys, might one day be included in this register, as attention is given to a specific, edited collection of songs that has worldwide recognition, and not to single musical pieces or their performance.[4]

## 21.6   Art or Culture?

Unlike the works of the Western historical canon, music as ICH is not necessarily interpreted, as when a symphony orchestra plays Beethoven's or any other composer's classical orchestral composition. Interpretation is expected when music is defined as art. But music does not necessarily have to be conceptualized as art. Functional aspects determine the framing of musical practices (Fig. 21.1).

Interpretation of specific musical pieces will also be found outside the domain of Western musical tradition. In fact, interpretation may occur in some African musical traditions, for instance among the Chopi *timbila* xylophone ensembles with their suite of distinct pieces from Mozambique, inscribed into the UNESCO



**Fig. 21.1**   The concept of music within the framework of culture and art

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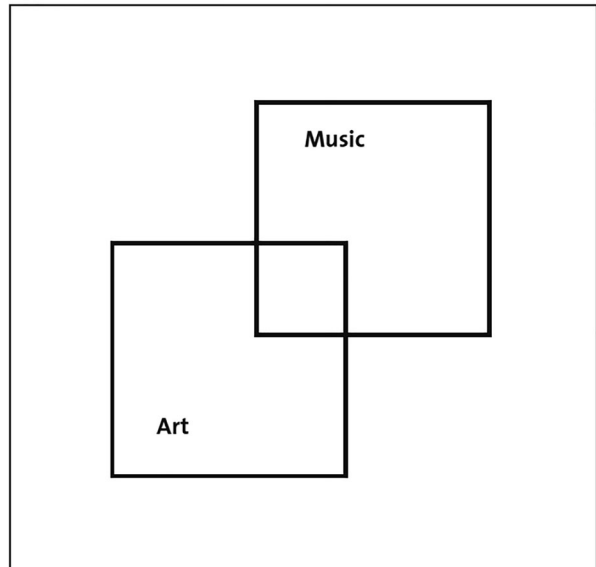
Representative List of the ICH in 2008, or the *amadinda* and *akadinda* xylophone repertory of the former Kingdom of Buganda. The latter is comprised of (non-written) fixed pieces that date back to the eighteenth century (Kubik, 2023). In other cases living musical practices in music are performed and instantaneously produced (not just re-produced), since performer and creator are often one and the same person. This is especially the case in classical traditions such as *sitar* playing in India, where the theoretical models of the considerable number of *raga* modes (scales) are transformed into sound by a master (Bor, 1992). Similar processes are to be observed in *oud* lute playing mastership in Syria, Iran and several other countries in North-Africa as far as Morocco. Crafting and playing the *oud* was inscribed into the UNESCO Representative List of the ICH in 2022. Mastership in the playing of *sitar* or *oud* reflects the equilibrium between given rules of the complex universe of modal music and the skills of the performer. Here, the most outstanding performance balances the individual aspect of instrumental abilities with the appropriate and also unique fleeting production of this music. This musical practice clearly fits into the concept of music as art, at least when it does not have a purely functional role within another context, such as a ritual or feast. In Western theory the creative freedom in finding the ideal version of a specific mode, a *raga* or a *maqam*, is defined as improvised, because it is not attached to a musical piece where the detail is previously written down and therefore fixed. Another example of the historical depth and cultural sophistication of Oriental modal music is the *shashmakom*, a classical music tradition that for over ten centuries has evolved in the urban centres of Central Asia, in Uzbekistan and Tajikistan, (inscribed into the UNESCO Representative List in 2008).

In all of its different worldwide manifestations, music is made, is lived, is placed in the context that belongs to it, resonates in the setting that it enriches and from which it simultaneously draws. Only when it has been laid down in the finest detail as a specific piece of music, or as a standardized folk dance, it is interpreted, fitting within a proper context or just representing a cultural artefact of its own.

## 21.7   Cultural Heritage as Artefact

Intangible Cultural Heritage concerns knowledge that is important to keep, rather than specific objects that can be owned. Based on this, almost any form of intangible cultural expression is shaped by different aspects of its knowledge and expertise. We may think of this as the cultural **fact**, brought to life by the corresponding **act**. The result of any kind of actions in ICH will lead to its **artefacts**. This fact-act-artefact chain in ICH determines to a large extent the vitality of its elements (de Oliveira Pinto, 2018). It can be especially well observed in music, while its artefacts will at the same time be a performing action, regardless of the existence of a corresponding musical score or not.

More than any other element of intangible cultural heritage, music condenses the material and the intangible, enabling the living artefact to exist because the act

resonates inseparably within it. In music the fact-act-artefact chain contracts to fact—act:artefact, since the performing act as such is simultaneously a musical artefact.

Handicrafts as ICH function differently because the hand-crafted artefact, taken out of its context as an object with meaning and function, will no longer sustain itself within a living heritage environment.

## 21.8   Material and Intangible Heritage Combined

A somewhat provocative position in ICH research argues that all cultural heritage is intangible, including the material (Smith, 2012). Thinking further, the opposite may also be true: all cultural heritage is, on a certain level, tangible. Almost any form of intangible cultural manifestation relies on material things. Living practices demand material support. Rituals and festivals are realized with the backing of much infrastructure, and craftmanship of any kind is devoted to the transformation of materials.

A combination of material and intangible processes in the ICH may come into closer interaction by developing forms of complementary involvement. Here music offers instructive instances. Even in the canonical and traditional set of cultural values, music presents us with a paradox, as has been shown above: it is of an intangible nature, but inevitably carries tangible aspects which present themselves in any given context:

> Music is, so to speak, 'undetectably material' and, simultaneously and in apparently contradictory terms, 'substantially intangible' (de Oliveira Pinto, 2018: 45).

In other words, what is material will appear through what is intangible, while materials are conceptualized via the cultural fact—the knowledge of how to construct or to use musical instruments for instance. Music resists being rigorously divided into two categories, such as tangible or intangible. This resistance affects both the cultural and artistic appreciation of its practitioners as well as the approaches of academic studies on the subject.

Different means of expression in material and intangible cultural heritage may help to overcome the opposition of historical and ethnological studies in music. The immediate conclusion from this makes it plain that if both concepts are kept strictly separate—material and intangible—the inner segmentation in musicology—historical musicology and ethnomusicology—will remain unbridged.

When in 2017 German organ manufacture and organ music, which is understood both historically and in terms of its current socio-cultural significance, together with sophisticated craftsmanship, were inscribed into the UNESCO Representative List, musicology was enriched with a completely new perspective on the instrument, above all also on its history, repertory and contemporary cultural relevance. With this and also with other inscribed elements, the UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage opens up new paths for a renewed

and more inclusive musicology as a whole. In particular, thanks to the 2003 Convention, the conceptual opposition of so-called "high culture" and "folk culture" in music is suddenly no longer appropriate for establishing the main indicators for any sub-discipline of musicology.

## 21.9   Music as Living Heritage

Over 60% of the elements inscribed in UNESCO's Representative List of the Intangible Cultural Heritage of Humanity are related to musical traditions or linked to music in one way or another. This significant detail has only been gradually recognized by scholars and experts in the last decade (de Oliveira Pinto, 2015). Musicological terminology and research strategies are beginning to offer methodological elements for understanding music as ICH. One main conclusion is that music is the best example to show how the material and the intangible interact in a living process in cultural heritage.

Intangible cultural heritage is where most worldwide cultural diversity is to be found, but it is also where change, or even the end of a tradition may unexpectedly happen. Often it represents a fragile form of cultural expression. In contrast to a permanent and solid cultural artefact such as a building, which might be restored or kept clean and protected, intangible cultural heritage cannot be maintained from the outside alone, but relies primarily on the action of its bearers. These bearers are the only ones in a position to fully preserve their heritage and to keep it alive. ICH is also profoundly dependent on its material and contextual setting, including its ecological context. In other words, a primary concern of any research on ICH is that of humans holding, bringing into practice and transmitting cultural knowledge.

Music is, without any doubt, an effective and successful binding element within the performing arts. It is a most effective element, present within the five categories of the 2003 Convention text (Sect. 21.2). Here music is, so to speak, the glue that holds everything together, from the smallest to the most spectacular, diverse and unexpected cultural performance, at any time and in all societies.

## 21.10   Two Conventions, One Concept on Cultural Heritage of Humanity

The presence of music in ICH worldwide demonstrates that the 2003 Convention is not simply a convention for the Global South, regardless of the fact that the World Heritage Convention of 1972 has suggested a historical and Western focus.

Therefore the notion of cultural heritage in the 2003 UNESCO Convention is not simply a new concept, but rather one that complements a hitherto incomplete definition of cultural heritage—that of the 1972 Declaration on World Heritage. Consequently, it is not about bringing something to the fore which had no

importance before, but rather it is the recognition that with the 2003 Cultural Heritage Convention we finally achieve in full measure the mutual understanding of a Cultural Heritage concept of Humanity, as a holistic concept. On their own, neither of the two Conventions, that of 1972 nor that of 2003, was able to achieve this.

Having become aware of the intrinsic relation of the material and the intangible in an overall concept of cultural heritage through the analysis of music, one might conclude that the dominant scientific epistemologies around cultural heritage have also been thus far incomplete. Epistemologies associated with living traditions are neither necessarily new nor merely a fresh contribution to an ongoing scientific debate on heritage. Consciously or not, they have always been present, yet excluded. The "epistemologies of the South," demanded by Boaventura de Sousa Santos (2018) and others, can be understood from this standpoint.

Regarding music as a catalyst of material and intangible processes, one may finally imagine the living musical process in terms of a "trans-material transformation" that moves in one or the other direction according to its particular use, function, production and dissemination. This dynamic, and operational processes between the symbolic in material artefacts, and at the same time the conceptual in the intangible, go far beyond music. Music serves, however, as a paradigm illustrating how these processes can operate, and how they become concrete and practicable, thus serving the constant renewal of the extraordinarily varied and diverse cultural output of humanity.

In the juxtaposition of material and intangible heritage we recognize a continuum through music that covers the long track from the immortal Universal to the living Human, from a phenomenon that is visible worldwide, to an intrinsic one, placed in the core of a community or of a single practitioner. Music as heritage covers this entirety, the wide range from Beethoven's 9th Symphony to the sounds of the elders in the inner of Bahia, in all cases giving a deeper meaning to humanity and to the being-in-the-world of all of us.

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# Chapter 22
# Modern Dance Created in Germany: The Safeguarding and Creative Practice of Dance Heritage

**Vicky Kämpfe**

> *In the first decades of the twentieth century, the aim was to create a better future, a future worth living, from the immediacy of living bodies, like human sparks from a flintstone.*
>
> Ritter/Cramer in Odenthal (2019, p. 255/256)

**Abstract** In 2022, the practice of Modern Dance in Germany was added to UNESCO's International Inventory of Intangible Cultural Heritage. The following article traces the impulses and developments of this practice, emphasising its main characteristics and social functions. In addition, it examines the problems of reconciling the safeguarding of traditional knowledge with how to develop it creatively in the way dance traditions are practised today. Finally, there is an analysis of the current challenges and perspectives by a living heritage of the practice of Modern Dance.

**Keywords** Modern dance · German dance heritage · Living heritage · Traditions and creative practices · Practices of safeguarding and transmission of IHC

In 2022, the practice of Modern Dance in Germany was added to UNESCO's International Inventory of Intangible Cultural Heritage with the further designation *Styles and Ways of Imparting Rythm and Free Dance Movement*. The moment of inscription in the Representative List of the Intangible Cultural Heritage of Humanity marks the starting point for this article to examine in more detail what led up to this. We will be examining the characteristics and principles of the practice of dance and looking at its social functions. We see what special significance dance has for the realisation of a living heritage. The article also addresses the problems of reconciling the safeguarding of traditional knowledge with how to develop it creatively in the way dance traditions are practised today. Finally, we examine the implications and

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417

challenges for dance implicit in the status of intangible cultural heritage. Concern for a living heritage should be the basis of programmes and strategies to safeguard and hand down knowledge and traditions in the existing and future practice of Modern Dance, created in Germany.

## 22.1 The Inscription of Modern Dance as Intangible Cultural Heritage

When the Convention for the Safeguarding of the Intangible Cultural Heritage came into force in Germany in 2013, there was a noticeable move towards a return to one's own cultural heritage, both by practitioners and also at institutional, municipal and national political level. Since then, the "intangible" has become increasingly relevant in political discourse and action, in the media and also for the public at large. In this respect, the ratification and subsequent implementation of the Convention is a milestone and an important stimulus for the perception and appreciation of cultural practices in general, and dance in particular. Values and concepts are now being challenged, and also perception and awareness-raising processes are being initiated at political, community and individual level, and programmes to communicate and support the initiatives are being introduced.

The practice of Modern Dance was initially included in the national German list of intangible cultural heritage in 2014. The first initiatives for this came from the supporting organisations of Modern Dance heritage. These were the Rosalia-Chladek association, the European Association for Laban/Bartenieff Movement Studies EUROLAB, the Elementary Dance Association, the Folkwang University of the Arts/Institute for Contemporary Dance and the Gesellschaft für Tanzforschung (gtf). They jointly prepared the application for the national list and subsequently for the international list. This involved exploring the origins of the various styles, their understanding of the body and movement, their pedagogical and artistic concepts and the further development of their work of education and training. (Fleischle-Braun et al., 2017, p. 12/16) With the exception of the Elementary Dance Association, they are now part of an active network of dancers, dance creators and researchers who are primarily dedicated to the principles, aesthetics and working methods of Modern Dance.

In Spring 2021, the practice of Modern Dance was put forward to UNESCO for inclusion in the International Register. A positive decision was made in November 2022. The certificate of this inscription was presented to representatives of the supporting organisations at a place of special significance for dance, the PACT Zollverein, part of the Zollverein Coal Mine Industrial Complex cultural heritage site in Essen. This demonstrates in a special way the enriching and indispensable link between tangible and intangible heritage for humanity.

## 22.2   Origins and Developments of Modern Dance

The designation of Modern Dance as *Styles and Ways of Imparting Rythm and Free Dance Movement* encompasses the dance styles and training traditions of a new generation of dancers that emerged in German-speaking countries at the beginning of the twentieth century. These were inspired and supported in particular by the emergence of critical ideas of civilisation and reformist educational movements in the Weimar Republic, and also by Expressionism and the abstract currents of Classical Modernism. The artistic-pedagogical concepts of Modern Dance developed at the beginning of the twentieth century from the endeavour to revive formalised artistic stage dance and to break with rigid, conventional social concepts of life. Protagonists of dance were looking for new forms of expression for the body. They developed a contemporary form of artistic dance expression in which the human need for natural movement and individual body language manifests itself and becomes visible. (Fleischle-Braun et al., 2017, p. 36/37).

During the Weimar Republic, the work of individuals such as Rudolf von Laban, Rosalia Chladek, Emile Jaques-Dalcroze, Dorothee Günther and Maja Lex—to name but a few—gave rise to various practices and aesthetic styles of modern, free and expressive dance. These names are currently unfamiliar to many. Others are much better known. Mary Wigman, for example, is a recognised dancer who had a dance school in Dresden which is still an important place for today's living dance heritage—the Villa Wigman. Gret Palucca is also known to many. Her dance technique and form of teaching are still the groundwork of the training centre she founded in Dresden. The name Kurt Jooss is closely associated with the Folkwang University in Essen. The dance work he developed is still taught there today. Pina Bausch, who is recognised as an innovator in German dance practice with the Tanztheater Wuppertal, which she has built up, trained as a dancer at this university. The Wigman student Susanne Linke can be considered a mediator between generations in a special way, as she continued her dance studies at the Folkwang Hochschule, brought a new way of working with dance into the world and still passes on her dance knowledge to a younger generation of dancers today (cf. articles in Fleischle-Braun, 2022; www.netzwerk-modernertanz.org/historie).

Over the years, and because of the emigration movement during the Nazi dictatorship, the expressive dance movement took off in various directions, but the teaching of the various dance styles and bodily practices always revealed common characteristics and principles as well as favoured methods of teaching and practice. These were identified and described as part of the inscription as intangible cultural heritage. Accordingly, Modern Dance works with utilising and shaping all possible movements of the human body, such as walking, running, hopping, jumping, swinging or turning. Exploring these opens up new ways of moving for the dancers as well as providing different qualities and ideas. This form of explorative movement research is based on a movement concept that is described as natural and organic to the body. The way moves take place is facilitated by both free and guided

improvisation as well as functional, body-appropriate training methods in the development of associated dance technique skills (www.netzwerk-modernertanz.org/intention).

The practice of Modern Dance thus becomes a way of comprehensively developing one's own dance skills and growing as a person at the same time. This means that dancers can and should find their own dance expression and develop their own dance language. Modern expressive dance was and is, therefore, open in style and changeable in its form. Interdisciplinary approaches and ways of working are often used for this, as well as unusual spatial and staging concepts. The important thing is freedom in the search for a personal and creative expression of movement. It is this that characterises its development from the beginning to the present day and through which it constantly reinvents itself (Fleischle-Braun, 2022, p. 14ff).

## 22.3  The Functions of Dance in Social Contexts

We can draw on arguments from the sociology of movement and dance studies to examine the functions dance has in social contexts. In the view of the fields of cultural anthropology and praxeology, forms of movement are understood as constituting social reality, as well as the subjective experience of the individual, based on the assumption that forms of movement, such as dance, are an embodiment of social structures. Incorporation processes of dance practice take place through learning and practising a dance technique. Dance is thus understood as a socially creative practice, as it simultaneously performs and conveys knowledge (i.e. knowledge of the dance) and creates the body for the first time as a medium of movement as well as creating the movement space of the dance situation. This unique dance situation contains an experienced or reflected knowledge (of dance), implicit in dance practices and linked to physicality. In this moment of dance, an equally unique dance community and physicality, i.e. a dance space, is formed through the incorporation processes associated with it (Brandstetter & Wulf, 2007, p. 97ff; Gehm et al., 2007, p. 47ff; as well as in Leigh Foster, 2009; Klein & Noeth, 2011).

The close connection between physical movements, the processes whereby movements are conveyed and the awareness of possible forms of movement and executing movement options becomes clear. This is what determines the ability of a society to change and develop. It can be assumed that the greater the scope for movement, the more scope there will be for the broadening of horizons. Thus, the existence of (living) knowledge and (performed) practices places limitations on possible ways of acting. Conversely, a wide range of possibilities of conscious and unconscious knowledge as well as types and modes of movement can further the creative and diverse development of the individual and society (e.g. Klein, 2004, pp. 23–108/217–264).

In addition to this justification of dance practices based on fundamental praxeological concepts, the dance studies perspective stresses the performative character of

dance. A direct concept of performance has been developed, describing the reality of the practice itself. Performativity refers to certain actions "that do not express or represent something given, but rather bring forth the reality to which they refer" (Fischer-Lichte, 2016, p. 44). This frees dance from the stigma of being a form of personal expression and confirms it as being a dynamic process that constitutes reality.

Looking at this theoretical framework helps us to understand the extent to which Modern Dance corresponds to the definitions of being a practice that is a fundamental part of society and also a fundamental component of what society is and does through its modes of functioning.

## 22.4 The Significance of Modern Dance as a Practice Fundamental to Society

Modern Dance places people and their creative power at the centre: it is not simply about the pure mastery of the body but also the development of the artistic personality and an authentic physical expression of movement. Thus it stands for artistic-creative work, as well as for an all-embracing way of life based on the principles of the dance form. Due to its innovative teaching methods, it contributes to the cultural and aesthetic education of a wide range of target groups and is therefore an ideal tool for education and communication. In addition, dancers dedicate themselves to the body as an instrument of expression in a special way. This is particularly important in terms of individual development and communication between people (Lajko in BWV IKE, 2021, p. 108).

Thanks to different methods, which are based on teaching the variety of movement techniques and movement principles personally and directly, as well as emphasising its pronounced sensitivity and attentiveness to the body, Modern Dance is ultimately a form of artistic dance that can be practised by all people with any level of ability. It can therefore be used in a wide range of artistic, educational and therapeutic fields, so that educational and cultural institutions such as day-care centres, schools, universities, cultural and leisure facilities can use dance heritage and knowledge of Modern Dance in their work (www.netzwerk-modernertanz.org/intention).

Moreover, dance heritage is also important outside of creative-artistic work. Practical work with Modern Dance can create communities by creating shared spaces for movement. Through dance, students experience their own physicality, and also that of others. In this way, knowledge about and through the body is conveyed and people become aware of the interaction of physical, mental and spiritual influences. In addition, it trains dancers' sensory perception skills and expands their individual movement and expression skills. The dancers are given freedom of movement and perception. At the same time, improvisation and choreography strengthen their ability to act in a creative and solution-oriented way.

During the dance process, the ability to engage in dialogue through observation and description can be stimulated and social interaction, acceptance and empathy can be strengthened within the group. Societies are mirrored and become visible through creative co-operation, and also new realities can be imagined (www.netzwerk-modernertanz.org/intention).

For the dance heritage of Modern Dance, this comprehensive and diverse practical work and its role in helping to create a functioning society is both an enrichment and a guarantee of its living impact. Its movement methods and techniques, as well as the life forms and body concepts connected with these, are preserved, conveyed, developed, re-experienced and even re-imagined in every single moment. In terms of a living cultural heritage, ideally we typically find an interaction of traditional knowledge and skills, what differentiates them and what applications they currently have.

## 22.5   Living Dance Heritage: Passing it on and Developing it Further

The importance of this continuing demand for a living dance heritage is illustrated by Modern Dance. Modern Dance continues to shape contemporary stage dance and dance education by providing innovative choreographic approaches and teaching methods. Physical education and experimental, explorative and process-orientated teaching methods are now part of basic dance training. In addition, these teaching methods as well as knowledge about the body and how it moves are utilised in educational work and therapeutic applications (see articles in Fleischle-Braun et al., 2017; Barthel, 2017).

The techniques and concepts of Modern Dance are passed on, as practices of intangible heritage, in a special way, through personal communication and practice. This is due to the fact that the incorporated knowledge to be passed on is necessarily tied to the person performing. Thus, communication and presence linked to individual actors and concrete situations is a prerequisite for practising, imparting and thus preserving practices.

Furthermore, we know that demands made on the younger generation of dancers in the dance-artistic field are constantly increasing. Dancers must not only be able to engage with the different movement languages of various productions, but often (co-)create them themselves as co-authors in the context of collaborative choreographies. Here, taught techniques and approaches from dance heritage are incorporated into both technical training and creative work. They open up spaces for ideas and input, and are both a creative pool and a starting point for (re)discovery. The rediscovery and appropriation of traditional working techniques ultimately gives rise to creative processes and complex working methods (Fleischle-Braun et al., 2017, p. 49/50).

In the way dance currently works, dance heritage is thus the living present and also the basis for creative development. With all dance practices, in reconstructing and teaching them as well as the creative processes, we can see a clear emphasis on choreography. In fact one might say that choreographic work can be both a form of preserving traditional techniques and also an area for further development.

All of this also raises the question of the ambivalence in a living dance heritage between the safeguarding of its original principles and the equally natural ways in which developments take place.

## 22.6 Ambivalence Between Safeguarding and Processes of Change

Passing on a practice that is tied to persons involves concrete situational moments, such as temporal and spatial conditions and also individual sensitivities or physical dispositions, which require specific prior knowledge and skills. It is clear that every moment in which cultural practice is carried out is unique—dance practices are situational, personal and dependent on the circumstances in which they are currently being performed. This is always associated with further developments and transformations, hybrid forms and modifications in new contexts. However, the principles, characteristic features, working and training methods of dance heritage that have been recognised as intangible cultural heritage will only be safeguarded if it is possible to preserve and communicate the original source. Initially, such safeguarding and the living practice of dance seem to be at odds with each other (Fleischle-Braun et al., 2017, pp. 48–50; Kämpfe, 2023, p. 47/48).

Academic attempts to form these challenges into a methodology that generates knowledge can be found lumped together in concepts of *research in practice*. These refer to ways of accessing knowledge in performative practice. They are only accessible through bodily experience, as they refer above all to the implicit knowledge that is located in dance practice and can only be experienced there (Quinten & Schroedter, 2016, p. 37; cf. in Brandstetter & Wulf, 2007; Gehm et al., 2007). At the same time, cognitive processes arise in this complex field as open performative processes of scientific work (Haarmann, 2019, pp. 181–185). These new conceptualisations, cognitive processes and approaches to knowledge from dance practice may well inspire constructive research work in other academic fields.

The studies of *research in practice* approach this ambivalent situation for the intangible cultural heritage of Modern Dance in a reflective manner and in research-based project work. Basic concepts and working methods are developed in joint research work in theory, in archives and above all in the practice of dance. By this means these concepts are personally recalled, rediscovered, reinterpreted or reconstructed by dancers. In the choreographic processes of the contemporary dance scene and in educational work, the foundations of dance heritage can now

be found as a matter of course, both in their original and in their developed or applied form.

Some concrete examples from the field of practice help to show this success. As part of TANZPLAN Deutschland, for example, a documentation project entitled Tanztechniken 2010 (Diehl & Lampert, 2011) was implemented in which the special characteristics, features, body concepts, teaching methods and movement techniques of different methods from the tradition of German Modern Dance, as well as from the tradition of US Modern Dance, were documented and processed at seven different institutions of dance using observations, interviews, questionnaires and film recordings according to previously developed criteria. A further project was conceived and realised by the Akademie der Künste in Berlin. For the artistic project and exhibition "100xTanz – Das Jahrhundert des Tanzes" (100xDance—The Century of Dance), dance professionals were offered the opportunity to conduct research on dancers from the tradition of Modern Dance in archives, to work out their working methods and aesthetics, and finally to reconstruct or further develop them in their own creative process—historical research certainly, but at the same time keeping creative dance heritage alive.

The Villa Wigman in Dresden is a special place for keeping dance heritage alive. Following the restoration of the building, it is now a house of dance where archives are kept, practical research work and comprehensive educational work is carried out and space is given to diverse artistic dance processes and performances. Comprehensive educational work is also carried out by Modern Dance associations: the EUROLAB, the Rosalia Chladek association and the Folkwang University offer qualified training and certification programmes in Laban/Bartenieff Movement Studies, the Chladek System and the approach of Kurt Jooss and Sigurd Leeder in order to pass on the basics and principles of these movement techniques to practitioners and students. Finally, should be mentioned the Netzwerk Moderner Tanz (Modern Dance Network), which, by creating its own website, provides a platform for practice, teaching and research, with information on approaches, developments and current practical work in the field of Modern Dance. This is aimed at a wide audience as well as the dance scene itself.

Thus, we find that there are various different methods of safeguarding the dance heritage of Modern Dance in the way that it is practised, passed on, researched and developed. The conclusion of this is that the whole of society is responsible for implementing a living dance heritage.

## 22.7  Responsibility for a Living Dance Heritage

With this in mind, the 2003 Convention consistently replaced the term "protection of cultural property" with the term "safeguarding". Following the wording of the Convention, this means taking measures aimed at ensuring the viability of intangible cultural heritage, which are therefore considered as dynamic elements. Safeguarding necessitates identifying the heritage, documenting it and researching how it can be

safeguarded, as well as its passing it on through formal and informal education (Albert & Ringbeck, 2015, p. 165). Accordingly "The Convention considers intangible cultural heritage to be a hands-on and dynamic aspect of the identity of communities, groups and individuals, which in its overall processuality is to be further implemented and promoted in practical terms." (ibid.) This means that all measures taken for safeguarding should ensure the viability of intangible cultural heritage as being dynamic and mutable in character. Furthermore, the safeguarding of heritage is an eminently political, participatory and interdisciplinary act (ibid., p. 2).

The implementation of the Convention therefore involves all stakeholders taking responsibility. This means the political and institutional actors, on the one hand, and also the participation of today's practitioners. Within the field of dance practice, it can be assumed that the practitioners of Modern Dance have always fulfilled their responsibility of safeguarding by practising, communicating and developing their dance practice. It is therefore essential that practitioners are involved in both public and professional dialogue. Only in this way can potential shortcomings and the shortcomings of past and present developments be addressed and tackled. It is now chiefly the cultural-political or municipal authorities who are committed by the Convention (Article 13: Other measures for safeguarding) to take on the new responsibility to enable and support the practice and communication of dance by means of appropriate instruments and funding.

Accordingly, programmes need to be developed in collaboration with practitioners in order to implement this responsibility. To this end, it is fundamentally important to create and maintain open and accessible infrastructures to enable dance work and its further development, both on the artistic and the educational level. In the long term, dance practice needs to be integrated into everyday social life and should be part of the normal curriculum of educational institutions, the aim being to establish and further develop long-term and continuous work in the sense of a living dance heritage. In addition, far-sighted, sensitive work for a living heritage needs to take place on a transdisciplinary level: in artistic-choreographic-creative work and in creative-educational projects, in research work, and also in didactics and teaching in the education sector (e.g. Brandstetter & Wulf, 2007, pp. 121–131; Barthel, 2017).

Just as a paradigm shift has already taken place the research in the field of movement practices, changes in the understanding of teaching and learning are also emerging. The impetus for this is the growing recognition that physical and sensual dimensions play a key role in learning and teaching processes (e.g. Abraham in Quinten & Schroedter, 2016, p. 22). In arguing that there is a heterologous social order to be found in the present, Wulf calls for the teaching of cultural education that encompasses the competences that society needs (Wulf, 2006, p. 9/10). He argues that such cultural competence can be imparted as practical knowledge in relation to the intangible cultural heritage, i.e. the ways people live and work and the rituals and dances of other cultures; in intercultural cooperation between schools and universities; in youth exchanges (ibid., p. 145). It is therefore a question of comprehensive competences for the coexistence of people and for the changing ways in which

society functions in order to constructively respond to current circumstances and challenges faced. This is what dance can achieve.

Furthermore, this work needs to be accompanied by attentive and sensitive observation, perception and reflection. Thus, narratives of origins, developments, established facts and representations must be constantly scrutinised and broken down. This requires an openness towards changes in what can be designated as intangible cultural heritage. This is because knowledge and insights are just as much in flux as dance itself. Dancing can change and open up new ways of looking forward and back.

In the short term, the important task with regard to responsibility for all those involved seems to be to create a joint, lively, dynamic and communicative project for a living cultural heritage.

## 22.8   Perspectives Based on the Appreciation, Perception and Integration of Cultural Heritage in Social Fields

We now come to a summary of the opportunities that the status of intangible cultural heritage has opened up for Modern Dance. Despite the strict demands and the ambivalences that exist, there are exciting prospects for the future. In particular, the concern for a living heritage should be the guiding principle when designing programmes to preserve and communicate the knowledge and traditions of the living and evolving practice of Modern Dance in Germany.

In addition to the recognition of dance as being an important factor in social conditions, we also recognise its immense creative and stimulating potential for social and individual development. This necessarily leads to demands for changes in cultural policy and a place on the school curriculum, as mentioned in the section on responsibility for living heritage. In addition the foundations must be laid for researching and archiving knowledge about movement and there needs to be a specific definition of the practice of dance, as outlined in the section on the ambivalences of safeguarding. It is a question of those differentiated bodies of knowledge, incorporated through socialisation processes and also conveyed to others, which every single person carries within them in their own individual form and which are constitutive for social development.

In this sense, the practice of Modern Dance as a living, participatory dance heritage that is open to further development, stands for a living society in transition. This can be a space for participating in the creation of a possible common world in which the participation of every individual is desirable and possible, regardless of their social history, migration paths or disabilities. This leads us back to the fundamental concern of the Convention for the Safeguarding of the Intangible Cultural Heritage, which is to preserve the diversity of living cultural expressions as part of the cultural heritage of humanity. The focus was on the values of

preservation, respect, appreciation and peace. Modern Dance brings together the aspects outlined above.

The nomination of Modern Dance for the international Intangible Cultural Heritage list is thus a clear statement that the so-called Western hemisphere is coming to terms with its intangible values and is showing appreciation of its own cultural practices. As a result, there is an increased awareness and perception of cultural factors, in particular dance practices of other communities. As well as an awareness of the socio-political dimension of dance in one's own tradition there is an interest in the tradition of others. This includes not least the political and ideological exploitation of dance, the prohibition of dance traditions and the practice of dance for certain groups of people. Furthermore, dance furthers international cooperation through jointly conceived and implemented transnational dance projects, workshops, research projects and symposia.

Due to its status as intangible cultural heritage and the sensitive and participatory methods by which is communicated, the practice of Modern Dance can stand up for peace and understanding in a special way by setting an example through dance itself and promoting respect and understanding between people, affirming for the fact that we are human and remain human in the midst of shattering global developments. The nomination of the practice of Modern Dance as an intangible cultural heritage opens up another way to get closer to this goal. Dancing can touch the big goals, but it can also shape the very small individual perspectives. Dancing stands for living life.

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# Chapter 23
# Intangible Cultural Heritage: Challenges and Expectations

**Christoph Wulf**

**Abstract** Using the example of the *canto a tenore* Sardinian pastoral songs the article examines four central aspects of intangible cultural practices. (1) the human body as medium, (2) practices of communication and interaction, (3) mimetic learning and practical knowledge, (4) the performativity of cultural practices. Based on this analysis the article examines ten central elements of intangible cultural practices, such as producing culture, enabling identification, dealing with difference, overcoming crises and imparting practical knowledge.

**Keywords** Human body · Mimetic learning · Practical knowledge · Performativity · Intercultural learning · Education

## 23.1 Introduction

Culture is not the only thing that is passed on from one generation to the next and changed in the process. Nature is also a heritage that each generation can use and shape and is passed on from generation to generation. In the Anthropocene, it is very difficult to make a clear distinction between nature and culture (Wulf, 2022b). At present, there is almost no area of nature that is not affected by humans. Many of these influences are destructive. They have changed nature in such a way that life on the planet is endangered. In our own interest, therefore, human beings are striving to correct this situation (Meyer-Abich, 1990). The common heritage of nature and culture has its origins in the past and is marked by its significance for the present and the future. It has cross-generational and cross-cultural significance for individuals and communities (Wallenhorst & Wulf, 2022, 2023).

The practices of intangible cultural heritage are central to the cultural heritage of humanity, which comprises practices from a plethora of different cultures (Resina & Wulf, 2019). These practices play an important role in the cultural identity of human

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429

beings. "The 'intangible cultural heritage' means the practices, representation, expressions, knowledge skills – as well as the instruments, objects, artefacts and cultural spaces associated therewith – that communities, groups and, in some cases, individuals recognize as part of their cultural heritage". These practices are manifested in the following domains: (a) oral traditions and expressions, including language as a vehicle of the intangible cultural heritage; (b) performing arts; (c) social practices, rituals and festive events; (d) knowledge and practices concerning nature and the universe; (e) traditional craftsmanship (UNESCO, 2003).

The practices of intangible cultural heritage are a specific expression of cultural diversity and as such also protected by the more general UNESCO convention on the "Protection and Promotion of the Diversity of Cultural Expressions" (UNESCO, 2005). They can promote inter-human processes of transmitting culture and initiate educational development on many levels, which convey cultural heritage to the next generation (Wulf, 2022a, b). Engaging with these practices under the conditions of globalization enables us to make important experiences of communality, heterogeneity and otherness (Bhabha, 2004; Wulf, 2006, 2016; Bernecker & Grätz, 2018; Escobar, 2018). The importance of the monuments listed by UNESCO as world cultural heritage for the cultural self-understanding of human beings is undisputed—by contrast, the role of the practices of intangible cultural heritage is subject to more controversial debate. This is all the more surprising given that the monuments have arisen out of the human being's intangible cultural practices. In view of the growing influence in modern societies of individualization and personal autonomy, we are at times confronted with the view that many practices of intangible cultural heritage have today become superfluous and could be replaced by other practices. Just as in the old days, the practices of intangible cultural heritage have a considerable contribution to make to communal life. They are historical and cultural products, and in studying them, both the fact that the phenomena themselves are culturally determined and the fact that the views of researchers are also moulded by a particular culture come to be superimposed upon one another (Wulf, 2013).

*Before I continue with my analysis I would like to present to you the "canto a tenore", Sardinian Pastoral Songs, as an example from Italy, listed in 2008. "Canto a tenore" has developed within the pastoral culture of Sardinia. It is a form of polyphonic singing performed by a group of four men using four different voices: bassu, contra, boche and mesu boche. One of its characteristics is the deep and guttural timbre of the bassu and contra voices. It is performed standing in a close circle. The solo singer chants a piece of prose or a poem while the other voices form an accompanying chorus. Most practitioners live in the region of Barbagia and other parts of central Sardinia. Their art of singing is very much embedded in the daily life of their communities. Often it is performed spontaneously in local bars called su zilleri, but also at more formal occasions, such as weddings, sheep shearings, religious festivities or the Barbaricino carnival.*

*The canto a tenore encompasses a vast repertoire that varies within Sardinia. The most common melodies are the serenade boche 'e notte ('the voice of the night') and dance songs such as the mutos, gosos and ballos. The lyrics are either*

*ancient or contemporary poems on present-day issues, such as emigration, unemployment and politics. In this sense, the songs can be regarded as both traditional and contemporary cultural expressions.*

*The canto a tenore is especially susceptible to socio-economic changes, such as the decline of the pastoral culture and the increase of tourism in Sardinia. Performances on stage for tourists tend to affect the diversity of the repertoire and the intimate manner this music was performed in its original context.*

The *canto a tenore* exemplifies four aspects that highlight the specific character and relevance of the practices of intangible cultural heritage. These aspects are: *(1) the human body as medium, (2) practices of communication and interaction, (3) mimetic learning and practical knowledge, (4) the performativity of cultural practices.*

## 23.2 The Human Body as Medium

In contrast to architectural monuments, which are arguably more easily identified and protected, the forms of intangible cultural heritage are much more difficult to pick out, to convey and to conserve. Whereas the architectural oeuvres of world cultural heritage are fashioned from relatively durable material, the forms of intangible cultural heritage are subject to historic and cultural change to a far higher degree. While architecture produces material cultural objects, *the human body is the medium* of the forms and figurations of intangible cultural heritage (Wulf, 2022c). If we wish to grasp the specific character of intangible cultural heritage, we need above all to reflect upon and acknowledge the fundamental role which the human body plays as its carrier, as we can observe in the performance of the *canto a tenore*.

A number of consequences ensue from this fact. Bodily practices are determined by the passage of time and the temporality of the human body (Kraus & Wulf, 2022; Goffman, 1986). They depend on the dynamics of time and space. Usually, the practices of intangible cultural heritage are not completely fixed. They are subject to processes of transformation linked to social change and exchange. Interlaced with the dynamics of life, they are characterised by their process-like nature and more susceptible to the pull of homogenising tendencies.

As they are stagings and performances of the body, they tend to have greater social weight than mere discourses. For with their bodily presence, the cultural actors invest the community with "something extra" in addition to the spoken word. This "extra" is rooted in the materiality of the body and a man or woman's very existence, which is based upon it, with its concomitant bodily presence and vulnerability. Through the staging of practices of intangible cultural heritage cultural communalities are produced, not only linguistic and communicative, but also bodily and material ones. People stage themselves and their relations, and in so doing produce culture. In staging and performing intangible cultural practices, they bring forth cultural orders, which express, among other things, power relations between the members of various social strata, between generations and between the sexes. By

virtue of being performed and expressed in bodily arrangements, practices of intangible cultural heritage like the religious rituals and ceremonies for example take on the appearance of being "natural" and generally accepted. By inviting us to "join in and play along", they facilitate the unquestioned acceptance of the cultural orders manifesting in them. Whoever declines the invitation to "join in and play along" in a cultural community will be beyond the pale; they are excluded and can become a scapegoat and thus a surface for the projection of negativity and violence (Girard, 1982).

## 23.3   Practices of Communication and Interaction

As we can see from the example of the *canto a tenore*, for the genesis and practice of religion, society and community, politics and the economy, culture and art, learning and education, practices of intangible cultural heritage are essential. With their help, the world and the modalities of human life are ordered and interpreted; within them, they are experienced and constructed. They connect past, present and future; they enable continuity and change, structure, and society as well as experiences of transition and transcendence.

In the current political situation, which is characterised in many parts of the globe by debates about the disintegration of the social, the loss of values and the search for cultural identity, these practices are increasingly gaining in importance. There is an expectation that they will bridge the gap between individuals, communities, and cultures. They create cultural coherence by virtue of presenting forms, which, by their ethical and aesthetic content, offer security in times where the big picture is easily lost from sight. They hold out the promise of compensating for the experience of losing contextualisation in a community—an experience associated with modernity—, of compensating for the experience of losing a sense of cultural identity and authenticity—associated with the tendencies to individualization, virtualization and simulation as well as with the erosion of social and cultural systems.

Cultural communities constitute themselves through verbal and non-verbal forms of interaction and communication. Many of the practices of intangible cultural heritage are, as it were, performed on "stages"; by means of staging and performing, forms of cohesiveness and intimacy, of communal solidarity and integration are produced. Communities are distinguished not only by a collectively shared symbolic knowledge, but to an even greater degree by cultural action, in which they stage and perform such knowledge in the practices of intangible cultural heritage, thereby expressing the self-projection and reproduction of culture. Communities are dramatized fields of action, which are constituted as symbolic stagings within spheres of experience through intangible practices of cultural heritage, forming a system of communication and interaction (Geertz, 1973; Grimes, 2010; Turner, 1982, 1995).

## 23.4   Mimetic Learning and Practical Knowledge

As the *canto a tenore* shows, practices of intangible cultural heritage are largely learnt and appropriated in mimetic processes, in which the practical knowledge necessary for their staging and performance is acquired (Bell, 2009; Butler, 1997; Sahlins, 1978). These learning-processes take place first and foremost when people participate in cultural *mises-en-scène* and performances, in which mimetic processes unfold as processes of creative imitation. Those behaving mimetically attempt to become like their role-models. These processes of mimetic likening differ from one person to the next and depend on the way of relating to the world, to other persons and to oneself. People take an "imprint" of the cultural world and in so doing make it a part of themselves. At the same time, the practices of intangible cultural heritage are thus passed on to the next generation (Wulf, 2022a; Gebauer & Wulf, 1995, 1998).

The importance of mimetic processes for the transfer of social practices can hardly be overestimated. These processes are sensual; they are tied to the human body, they relate to human behaviour and seldom unfold consciously. Through mimetic processes, human beings incorporate images and patterns of practices of intangible cultural heritage, which subsequently become part of their inner world of images and imaginations. Mimetic processes, thus, contribute to a cultural enrichment of this inner world and broaden it, furthering human development and education. The practical knowledge necessary for the staging and performance of cultural actions is acquired. This culturally diverse knowledge develops in the context of the staging of the body and plays a special role in the preservation and modification of cultural performances. As a practical form of knowledge, it is a result of a mimetic acquisition of performative behaviour, which develops out of a bodily form of know-how (Bourdieu, 1972).

As practical knowledge, mimesis and performativity are mutually intertwined—for example in the cases of rituals, dances, or gestures—, repetition of the cultural practices plays an important role in the transfer of intangible cultural knowledge. Cultural competence only develops in cases in which socially formed behaviour is repeated and thereby modified. Without repetition, without the mimetic rapport to something present or past, no cultural competence can come into being. For that reason, repetition is a central element of transferring intangible cultural heritage to the following generation (Resina & Wulf 2019).

## 23.5   The Performativity of Cultural Practices

As we can see in the *canto a tenore* the performativity of practices of intangible cultural heritage comprises at least three dimensions (Schechner, 1977; Butler, 1997; Wulf et al., 2001; Wulf & Zirfas, 2007). Such practices may firstly be grasped as communicative *cultural performances*. As such, they are the result of stagings and

bodily performance. Their unfolding deals with the cultural arrangement of social scenes, in which the actors fulfil different functions. As speaking and acting relate to one another, their interaction produces cultural scenes. Just like works of art and literature, the practices of intangible cultural heritage may be construed as the outcome of cultural actions, during which even divergent social forces are subsumed into an accepted cultural order.

Secondly, the *performative character of language* is of crucial significance, made explicit for example in rituals as wedding or baptism ceremonies in which the words spoken during the performance of the respective ritual practice contribute substantially to the creation of a new reality. The same is true for cultural practices in which the relation of the sexes to one another is organised and in which repeatedly addressing a child as "boy" or "girl" contributes to the development of gender identity.

Finally, the performative also comprises an aesthetic dimension, constitutive of artistic *performances*. Without taking this dimension into account, many other practices of intangible cultural heritage cannot be made transparent. This aesthetic perspective points to the limits of a functionalist view of the performativity of cultural acts. Just as the aesthetic perspective on artistic *performances* stops them being reduced to acts that simply have the intention of attaining functional goals, so it reminds us that the practices of intangible cultural heritage are "more" than manifestations of concrete intention.

## 23.6   Central Structural and Functional Elements

The practices of intangible cultural heritage have many different functions, which they can nonetheless never quite be reduced to in any exhaustive sense. Their general importance for human communities consists of the following ten points, which are of different importance in each particular practice of intangible cultural heritage (Wulf, 2013; Wulf et al., 2010):

1. Producing culture
2. Generating order
3. Enabling identification
4. Embodying remembrance and projection
5. Overcoming crises
6. Relating to the sacred
7. Dealing with difference
8. Initiating mimetic processes
9. Imparting practical knowledge
10. Elaborating subjectivity

1. Producing culture

Communities are formed and transformed in and through cultural practices, so they can hardly be conceived of without the practices of intangible cultural heritage. Via the symbolic content of many forms of interaction and communication, and especially via the performative processes whereby interaction and meaning are generated, practices of intangible cultural heritage guarantee and stabilise the community itself. The community is the basis, the performance, and the effect of cultural action. Many practices of intangible cultural heritage transform non-specific into specific behaviour. The techniques and practices associated with this transformation lead to the repetition of the enactments, to their being amenable to direction and control and also to the identification of causes and effects.

Communities are distinguished not only by the common sphere of a collectively shared symbolic knowledge, but above all through forms of cultural interaction and communication in which and through which they stage this knowledge. Such staging can be understood as the attempt to guarantee the self-portrayal, reproduction and integrity of a particular culture and to create symbolic knowledge by communicating. Above all it is the attempt to generate spheres of interaction and dramatic fields of action.

2. Generating order

As cultural templates for action, practices of intangible cultural heritage develop a specific set of rules, conventions and concept of correctness, containing practical perception and knowledge for communities. It is not possible to determine whether cultural practices arise from the social order or whether the social order is generated in the first instance through cultural actions.

3. Enabling identification

The potential for identification and transformation of practices of intangible cultural heritage stems from their symbolic and performative character, it resides in their creative ability to generate reality. A new order is produced, the achievement of a new state of being, the emergence of a new cultural reality—a cultural reality which looks natural and which for that reason makes it difficult to distance oneself from it or resist it.

4. Embodying remembrance and projection

Practices of intangible cultural heritage serve the purpose of repeatedly reassuring us of the presence of a community, of reasserting through repetition its order and its potential for transformation and of giving permanence. Their focus is as much on the staging of continuity, timelessness and immutability as on the processes that are an integral part of communities, and the way they project themselves into the future. They synthesise social memories and communal projections of the future. The cultural mediation of dealing with time fosters temporal and social competence.

5.  Overcoming crises

When communities become divided and face situations of crisis, many practices of intangible cultural heritage can contribute to channelling energies and even overcoming the crisis scenarios. They may promote a communicative transmission and understanding of a new situation that is experienced as threatening and as rupturing the framework of everyday life. These practices are not blueprints for action and cannot serve as technical means to solve concrete problems. The energy that is generated in communal cultural action goes far beyond what individuals alone are capable of and leads to the creation of community and solidarity.

6.  Relating to the sacred

In many practices of intangible cultural heritage, situations are rehearsed and practised which cannot be fully controlled in "real life" contexts. For this reason, these practices can serve to relate the self to its "externality", by drawing dividing lines, by bridging distances and by emphasising that the mimetic and performative energies unleashed in cultural practices act not just inwardly but also outwardly, upon "reality". In this way, in certain practices one becomes someone entirely "different", and, in this transformed state, forms a relationship with the "utterly different", to the sacred. The sacred provides a structure for cultural interactions, endows them with taboos and sets limits which in turn imbue time, space, objects and actions with extraordinary significance.

7.  Dealing with difference

Many practices, and rituals especially, are action-guiding systems for dealing with difference. Through the interaction which is an inherent part of them, rituals lead to integration and the formation of community. The concept of a community of performance does not refer to a prior, organic or natural entity, to an emotional sense of belonging, to a symbolic system of significance or to collective value-consensus, but rather to cultural patterns of interaction. Communities engender, assert and transform themselves through cultural means, physical and spoken practices, through spatial and time frameworks as well as various forms of reciprocal mimetic relationships.

8.  Initiating mimetic processes

Cultural action does not generate a mere copy of actions that have happened previously. Each performance of a cultural practice is based upon a new staging which leads to modifications of prior cultural actions. Between past, present and future cultural actions a mimetic relationship exists, within which new actions are produced with reference to previous ones. In mimetic processes, a relationship to an existing cultural world is established, frequently based upon the connection of likeness: a likeness of occasions, of protagonists or of the social functions of the cultural actions.

 9. Imparting practical knowledge

It is not so much theoretical as practical knowledge that is needed for participating fully and confidently in cultural activities. This is what enables people to act in the correct and expected way in various social spheres, institutions and organisations. Such practical knowledge is largely acquired in mimetic processes, through which the actors integrate images, rhythms and movements of ritual patterns into the world of their imagination. Mimetic processes are the conduits for staging and performing the cultural action as required in new contexts. Mimetic acquisition engenders a practical knowledge within the protagonists which can be transferred onto other situations. As a consequence, the practical knowledge acquired in this way is practised, developed and adapted through repetition. Practical knowledge, thus incorporated, is historical and cultural in character and as such intrinsically open to change (Kraus & Wulf, 2022).

 10. Elaborating subjectivity

For a long time, traditional cultural practices (such as rituals) and individuality or subjectivity were held to be contradictory. It has only recently become accepted that in modern societies this is not the case. The actions of individuals are the result of practical knowledge. Many cultural practices are an essential part of this knowledge. That is not to say that there are no tensions and conflicts between community and individuals, the irreducible difference between the two is too marked. Nevertheless, the two are mutually dependent, one is the precondition of the other. A fulfilled individual life is possible only where individuals are able to act and communicate competently in cultural communities. Likewise, a community requires differentiated individuals who are able to behave in a socially and culturally competent way, acquiring, developing and adapting these abilities in the various practices of intangible cultural heritage.

## 23.7  Perspectives

Finally, three issues seem important to me when considering practices of our intangible cultural heritage, raising questions which we will continue to address in the coming years.

1. How can interest in research into intangible cultural heritage be promoted? Educational Science, for example, has so far shown hardly any awareness of the importance of this field for both education and socialisation, although millions of people play a part in it. There are also millions of children and young people whose learning takes place through such practices in intergenerational and intercultural communities.
2. How can we manage to identify and promote more intangible cultural heritage practices, such as, for example, the poetry slam or the demoscene in urban areas? Here, criteria such as, for example, the fact that the practice has been in existence

for several generations are not relevant. What is needed in this case is the courage to make new unconventional decisions.

3. How can the practices of intangible cultural heritage further develop their relationship to sustainable development and global citizenship and thus make a larger contribution to the implementation of the aims of sustainable development and peace? This question is not only important for intangible cultural heritage, but it also represents a challenge to how a common natural and cultural heritage is formed in the Anthropocene.

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# Chapter 24
# Museums as Facilitators in the Safeguarding of Intangible Cultural Heritage

**Hartwig Lüdtke**

**Abstract** The museum is the ideal partner institution for safeguarding intangible cultural heritage (ICH). It preserves, presents, and explains the relevant tools and equipment, as well as the respective items produced. At the same time, the museum can also make past epochs tangible through demonstrations and participative events which "re-enact" intangible cultural heritage. The idea of re-enactment was already part of the philosophy behind the first open-air museums that opened around the turn of the twentieth century. The museum is thus primarily a place for analogue experiences, just as the preservation of ICH is mostly an analogue activity, usually with no virtual substitute. This essay mostly draws on examples from the German-speaking world.

**Keywords** Crafts · Demonstration · Equipment · Exhibition · Handicraft · Museum · Re-enactment · Tool

All advances in human skill and knowledge rely on know-how and information being passed down from one generation to the next. This is as true of contemporary advances in technology and social relations as it was for every early phase of human development. Maintaining an oral tradition is one method of transmitting such knowledge. Indeed, oral traditions were once *the* essential sources of inherited knowledge, particularly in periods and cultures without writing. Even in our own developed societies, oral transmission still has an important role to play, for example in passing on artisanal know-how. The best way for an apprentice to acquire intimate knowledge of tools and techniques is by hands-on experience under the supervision of a master. Not least for this reason, the importance of oral tradition is one of the principles specifically recognized by UNESCO in its Convention on the Safeguarding of Intangible Cultural Heritage.

In many domains, a much more stable way of passing on knowledge, even across several generations, occurs through script. Written language can take a great variety of forms and be applied in different social spheres. Efficient as it may be as a

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knowledge-transfer technology, however, it presupposes literacy on the part of the user—something that, even today, is by no means universal in many societies. Once available in written form, information is collected in appropriate institutions and preserved for future generations. Documents that exist as unique copies are kept in archives, while books, produced in multiple copies, are the responsibility of libraries.

Real objects—in other words, things that can be literally grasped—represent historical records of a different type. They may be everyday items, like clothes or furniture, tools and equipment from manufacturing contexts, products of artistic creativity, or objects used in religious practice. Material historical evidence of this type is kept in museums. As institutions, museums have a basic responsibility to collect and conserve historical objects, in theory for an unlimited period, and investigate the information—intrinsic and contextual—that they convey. This means identifying and interpreting, for example, material traces attesting to the object's production process or earlier use, or even its individual life-history. This leads to the museum's next responsibility: displaying and conveying this knowledge. Expressed more broadly, museums are charged with the communication of constantly evolving knowledge.

For a definition of what a museum is, we may turn to the formulation devised by the International Council of Museums (ICOM). ICOM was founded after the Second World War in close association with UNESCO and now has over 50,000 members worldwide. These members include both individual museums and museum professionals. ICOM facilitates the exchange of expertise between members, acts in an advisory capacity in their dealings with international bodies, and over the decades has made a series of specific recommendations regarding museum practice. The central text guiding many of its activities is the internationally agreed definition of a museum, whose wording, while acting as a constant reference point, is regularly adapted and revised to meet changing circumstances. The most recently updated version was agreed on at the General Assembly of ICOM held in Prague in 2022:

> A museum is a not-for-profit, permanent institution in the service of society that researches, collects, conserves, interprets and exhibits tangible and intangible heritage. Open to the public, accessible and inclusive, museums foster diversity and sustainability. They operate and communicate ethically, professionally and with the participation of communities, offering varied experiences for education, enjoyment, reflection and knowledge sharing. (ICOM, 2022)

For the purposes of this article, the main aspect to note here is that a museum's responsibilities to research, collect, conserve, interpret, and exhibit apply explicitly to both tangible *and* intangible heritage. This in turn implies an awareness of the importance of safeguarding intangible cultural heritage. At a national level, the German Museums Association (Deutscher Museumsbund, DMB) aligns itself with the definition of a museum established by ICOM and has long used it as the basis for its published standards for museum practice, which therefore also refer to both tangible and intangible cultural heritage (Ewigleben, 2006).

The word "museum" comes from the ancient Greek word *mouseion*. Centuries before the modern era, it was used to refer both to cultic sites and to places of teaching and learning, the best-known example of which being the Mouseion of

Alexandria, which included that city's Great Library. Although there is no direct link between these ancient institutions and their modern counterparts, today's museums similarly come with the basic idea of research and knowledge transmission. As we know them today, museums are really a product of the Enlightenment and emerged in the late eighteenth and early nineteenth century (Hochreiter, 1994, 181). A decisive milestone came in the wake of the French Revolution, when the former Palais du Louvre was made accessible to the general public, becoming the now world-famous Musée du Louvre. Many museum collections evolved either from the princely or royal art collections of the courts of Europe or from study collections assembled by universities in the name of research. The early custodians of such collections first made a careful examination of the objects and analysed their details. There followed a process of sorting like with like, which eventually resulted in object classification. From classification of individual objects, the next step was a classification of systems, and from the comprehensive observation of ordered systems, an overview of the multifaceted history of the world in general and humankind in particular gradually emerged.

As the nineteenth century progressed, museums began to be divided into different types, based on the grouping of materials and object associations. The age saw the founding of art museums, archaeological museums, natural-history collections and science and technology collections, and around the turn of the century the first open-air museums were opened, whose purpose was to preserve and present not just individual objects but whole built environments where people would have once lived and worked. Bringing the preserved environments to life, at least in part, through live demonstrations of traditional crafts and historical implements, was part of the philosophy of these museums of "living history" right from the start. A similar philosophy was applied to musical instruments and later, in some regions, even to traditional farming methods. The same cultural and political motivations behind establishing open-air museums at the turn of the twentieth century, first in Scandinavia and later in central Europe, now apply, roughly a century later, to UNESCO's drive to protect intangible cultural heritage (ICH). European culture, threatened with gradual disappearance as the industrialization of the continent advanced, was to be preserved, in both its material and its immaterial expression. At first, the focus was on the typical living and working environments of agrarian settlements, but some decades later attention also turned to urban contexts. Today, for example, in the Danish city of Aarhus, and the Norwegian cities of Oslo and Bergen, urban dwellings and workplaces are included in local museums, and numerous talks and events keep the associated immaterial culture alive.

In the twentieth century, museums, like so many other public institutions, were subject to ideological appropriation and instrumentalization. National identities were described based on the evidence of museum objects that supposedly reflected an ethnic or national lineage traceable to earlier times. In Germany, the practice was particularly pronounced during the period between 1933 and 1945 (Bouresh, 1996). This is not the place for a detailed discussion of the phenomenon, but the underlying danger of museum collections being interpreted in a simplistic and one-sided manner and then appropriated for political purposes still persists today. In particular,

territorial quarrels between neighbouring states can tempt protagonists to "legiti-mize" their modern territorial claim on the basis of the supposed evidence of ancient archaeological remains or by highlighting specific regional customs.

In the modern, post-war world, museums, whatever their specialism, increasingly see themselves as "places of learning" and are expanding their research and educa-tional activities accordingly. In many instances, this development is paralleled by a considerable rise, decade on decade, both in the number of actual museums, and in the number of visitors. Museum collections continue to form the heart of these institutions, but knowledge transmission and educational outreach are becoming increasingly important. Museums are particularly suited to promoting current efforts to encourage "life-long learning", because people of any age can engage with the various historical, artistic, environmental or technical subjects they address, and acquire new knowledge in the process, without first having to meet any academic syllabus or admission requirements. In this sense, museums are special examples of what sociologists refer to as "third places"; they offer education outside the formal setting of educational institutions and facilitate independent, non-formal learning (Kaysers, 2020).

As well as "places of learning", the concept of "places of experience" has gained currency in recent years, and the two have been conflated in the new notion of "edutainment". Behind this lies the idea that museums can impart new knowledge and insights in an entertaining way. There is a social element, too, since rather than coming alone, visitors tend to come in small groups, with family or friends. A museum visit is often therefore a communal experience, with people exchanging impressions of particular objects they have seen or activities they have tried. "Edutainment" has seen many museums expand their opportunities for direct public participation. People no longer come just to look at objects on display; they want to be actively involved, perhaps through hands-on installations or by taking part in small workshops. And it is in the context of workshops that visitors, both adults and children, have the opportunity to try out traditional crafts. Some workshops are one-off, half-hour events as part of a regular museum visit, but they can also take the form of structured workshops or further-education seminars devoted to a particular traditional craft technique. The concept of participation goes even further, however, with some museums now actively involving members of civic society in the project planning phase of their exhibitions. "What topics should the museum present and discuss next?" "Do you have an object you would like to lend to the museum for discussion or display?" With questions like these, museums are opening themselves up to their visitors in a new type of dialogue and engaging with many different target groups. Collaboration with schools is another area of interaction with the local community, giving opportunities for student advisory councils to enrich the work of the museum through their specific ideas and suggestions.

Although the modern museum typically has an online presence and makes its offerings available via social media, online platforms, and digital applications, it still remains what, historically, it always has been—an institution that presents its objects and historical evidence in a 'bricks-and-mortar' space, in the form of exhibitions. Interestingly, we are continuing to see rising visitor numbers at most museums, large

and small, proving that the desire for authentic experiences is growing, even as virtually constructed environments become more prevalent. In a football match, it may be easier to follow the action closely by watching it on a television screen than from the terraces of a stadium, a long way from the pitch. Yet nothing can replace the excitement of being a spectator at a live match. The same is true of music: the prospect of a live concert is generally more hotly anticipated than the prospect of streaming the same music over the speaker in one's living room. So, too, with a museum visit. New knowledge can be quickly and efficiently acquired through book reading or via a digital device, yet the growing numbers streaming through museum doors reflect the same desire for authentic experience—in this case, immediate encounters with original artefacts, whether products of artistic creativity or tangible, material evidence of the past. The "aura" of the original has always been a great part of what makes a museum special (Glaser 1990) and authenticity is also an important part of the appeal of all kinds of practical demonstrations of historical techniques and opportunities for active, hands-on participation.

It is this crucial significance of an analogue presence and analogue experience that makes the museum a suitable place for preserving intangible cultural heritage. ICH, too, typically involves a material expression in the form of tools or finished products. At the same time, this material expression does not take shape in a virtual environment, but rather in physical space, and is manifested through and in tangible objects. For example, the process of indigo printing on fabric (known in German as *Blaudruck*) requires woodblocks, while the evidence of its practice is ultimately a length of printed fabric. However, the immaterial knowledge about the correct techniques for using the specific tools on which the production relies remains invisible—its only manifestation being the workpiece itself.

This is where the museum comes in, for the museum is precisely the place where objects like those mentioned above—printing blocks (tools) and a length of fabric (workpiece)—can be preserved and displayed. Today's museums can often also make immaterial knowledge from the past visible and comprehensible by appropriate demonstrations and explanations. A few examples may suffice. Much of archaeology is concerned with epochs of human history from which we have no written record. Our knowledge of the respective circumstances of these epochs is based exclusively on analysis of the material remains left by people who lived at the time. However, close observation and analysis of tools and the products made with them can tell us a lot about the knowledge available to those people—in other words, the contemporary immaterial culture. By careful examination of a pottery vessel, for example, archaeologists may be able to discover various traces of the production process—evidence, perhaps, of special tempering techniques or the use of a fast potter's wheel. The latter is a particularly good and interesting example of an object that archaeologists routinely use as an indicator of a particular stage of civilization, reached at different points in time in different parts of the world, and a marker of an incipient division of labour (van der Leeuw, 1976). For example, the archaeological record may suggest that the fast wheel was still unknown in a particular microregion of northern Germany during a particular period of the Middle Ages. If, however, conclusive evidence of its use is then discovered at a few find spots, dating from a

short period of time and relating to obviously locally made pottery vessels, archaeologists can tell that for a brief phase, of perhaps only two or three generations, people had knowledge of such technology (Lüdtke, 2013, 38–44). A museum that presents this evidence with a clear explanation gives immediate access to the ICH of a past epoch.

Another example of the material manifestation of immaterial cultural heritage are ritual vessels from religious contexts. Specific implements and vessels are required for the rituals of many religions. If we look no further than Christian churches, we see a whole array of altar plates and baptismal fonts, reliquaries and censers, communion cups and patens, each object heavily laden with religious significance and symbolism. Someone who has grown up in a Christian context will usually be able to identify them and will understand their significance. Here we see a specific material expression of immaterial culture, in this case religious culture, because the church ritual can only be enacted and its religious significance transported through use of the vessels. When such objects are displayed in a museum with an appropriate explanation, the religious and cultural ideas associated with them can be understood even by people who have not grown up in a Christian environment. Even detailed distinctions can be explored. For example, a single communion cup and paten are required for the ceremony of Holy Communion in the Catholic liturgy. If, instead, there is a collection of several small, individual communion cups, this points to communion according to the Evangelical liturgy. Similar examples can be adduced from the contexts of many religions, underlining how strongly immaterial culture—in this case, religious practice—is reflected in material objects of a quite specific nature.

Not only can the tools and utensils associated with ICH be seen on display in museums, they can often also be seen in use, in live demonstrations, documentary films, or even, nowadays, virtual reality. Open-air museums and museums of science and industry (Gold & Lüdtke, 2012) have been providing practical demonstrations of historical techniques for decades, seeing it as part of their special remit to preserve crafts skills that have been superseded by modern technology and are in danger of dying out. Regular demonstrations or occasional activity weekends have now become a firm part of their programmes. By its very nature, ICH can only be handed down orally from generation to generation. Very often, it is retired people who, after spending decades in endangered craft professions, are now happy to pass on their specialist knowledge as museum volunteers. Examples are numerous, from the various textile processing techniques, such as spinning, weaving, and dyeing, to the many types of basket weaving, to woodworking skills, such as cooperage or the production of chipwood boxes, and specialist metal-working techniques like casting, embossing, or granulation. The point of holding such demonstrations in the museum is to produce workpieces, by using preserved historical tools and the least mechanical power possible, in the same way as successive generations did in the past, without written instructions or user manuals. In every case, the required knowledge has always been handed down through an oral tradition, giving practical guidance on the correct way to use the relevant tools, or in some cases, simply one's own hands. The programmes and practices described here make museums the ideal partner

institutions for safeguarding ICH. So-called "re-enactments", initiated by museums, draw in a particularly wide section of the public by offering the immersive experience of dressing up in historical costume and acting out scenes of daily life from the distant past.

Reflecting the special role of museums in safeguarding ICH, there is now a whole series of museums exclusively devoted to individual traditional artisanal techniques. To illustrate this, let us take just a few traditions that were nominated as ICH by Germany (some of them in cooperation with other countries) for inclusion in the UNESCO ICH Programme and inscribed in the international register. For example, in Germany alone, there are around ten small museums explicitly calling themselves "museums of timber rafting". Mainly established in riverside communities, they inform the public about the history and specialist skills of timber rafting. Although no longer of economic significance today, knowledge of this ICH is at least being preserved and handed down. Similarly, there are a large number of "organ museums" in Germany, including what is probably the country's most extensive collection at the Orgelzentrum Altes Schloss Valley in Bavaria. These museums not only preserve and display collections of historical organs of various sizes, as well as reconstructions and models, they also organize regular demonstrations of organ building and stage public concerts. Similarly, the dyeing museum Färbermuseum Gutau in Austria offers regular courses and seminars for anyone wishing to learn and practise the technique of "blueprinting". Finally, architectural museums are taking up the ideas and philosophy of medieval master-masons' lodges. Obviously, the Deutsches Architekturmuseum (DAM) in Frankfurt am Main and the Bauhausarchiv in Berlin do not display complete edifices; instead, they try to illustrate the various architectural ideas and creative design processes which ultimately take material form as finished buildings. Museums of architecture are thus very much in the business of demonstrating the immaterial aspect of ICH.

A similar approach is taken by museums devoted, in one way or another, to the topic of music—an obviously immaterial form of cultural heritage. On the one hand, we have the often extensive collections of historical and contemporary instruments from Germany and around the world. Good examples are the collections at the Grassi Museum in Leipzig and the Germanisches Nationalmuseum in Nuremberg. Then there is a series of museums dedicated to the lives of particular composers, for instance the Beethoven House in Bonn and the Bach Museum in Eisenach. Through immersion in the biographies and historical environments of the artists in question, visitors are enabled, at least to some extent, to envisage how and under what circumstances the act of composition took place. The experience is facilitated, not merely by curatorship, but by the fact that the biographically oriented exhibitions are held in the actual locations where the composers spent at least part of their lives. All the museums mentioned here also stage regular lectures and concerts and offer examples of music which can be accessed online, ensuring that the musical heritage can be experienced by everyone.

With its unique, curated exhibition format, the museum is thus able to reduce complexity, make phenomena comprehensible and, by binding information to original objects, transmit knowledge in the best possible way. This includes, in

particular, knowledge about ICH. Through practical demonstrations and, in particular, re-enactments, museums can sensitize visitors to the meaning of ICH. At the same time, the modern museum takes a trans-disciplinary approach, reflecting social developments relevant to its specialism, and in so doing, revealing systemic connections. Furthermore, the communication of scientific knowledge to a broad public is ultimately the crucial precondition for science- or fact-based public opinion in a democratic society. This is the only basis for recognizing systemic connections, for realistic modelling, and for outlining the individual steps necessary for meeting goals. The future structures of states, societies, and economic systems are ultimately only imaginable, and can only be developed, based on a knowledge of what humankind has created in the past.

To sum up: the museum as an institution is closely associated with the idea of maintaining public awareness of ICH and supporting its survival as living culture. In many cases, active practice of ICH is an analogue activity, with no virtual substitute—just as a museum exhibition is experienced in real space. Some museums are devoted to very specific expressions of ICH, displaying the associated tools and possibly also the finished products. In the case of archaeological museums, the displays relate to ICH from eras in the distant past. Finally, museums can be seen, and see themselves, as the best places to bring techniques and traditions back to life through events and presentations or by inviting visitors to become personally involved through re-enactments. Museums which understand themselves in this way and shape their activities accordingly are thus the ideal partner institutions for the UNESCO's goal of safeguarding intangible cultural heritage for the long term.

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# Chapter 25
# The Glocal Self: Cultural Policy Concepts Between Heritage and Future Using the Example of Berlin's Humboldt Forum

**Julius Heinicke**

**Abstract** This article identifies cultural policy concepts to understand cultural heritage, both as a frame of reference for cultural histories and traditional narratives, and to create links to current processes of change. All too often, current concepts view cultural heritage as a strong foundation. This may indeed provide societies with a firm footing, but it seems to lack the flexibility that is required to tackle the challenges of today. The concept of a glocal self links the experience of cultural heritage with forms of cultural mediation and arts education that have a postcolonial orientation. It is a proposal for how cultural heritage sites could bring together these two aspects—a firm foundation and also flexibility. This article uses the example of the Berlin Palace (*Stadtschloss*), which has been reconstructed in the form of the Humboldt Forum. It faces a dual challenge: to remind us of the history of Prussia and its colonial past through its architecture, while at the same time acting as a place of reference and reflection on cultural diversity.

**Keywords** Glocal self · Heritage and future · Postcolonial cultural policy · Humboldt Forum Berlin

The German Bundestag's Enquete Commission on "Culture in Germany" published its final report in 2007. In the preamble, the role of culture is described using a momentous metaphor.

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> Culture is not an ornament. It is the foundation on which our society stands and on which it builds. It is the task of politics to secure and strengthen this. (Enquete Commission, 2007, p. 4)

Firstly, this highlights the fundamental social significance of culture, especially in the form of cultural heritage. In this image, culture is not an ornamental accessory but a foundation. In this way, culture steps forward as a major player in society, particularly when it can point to its heritage. However, at second glance, it illustrates a view of culture that, from today's perspective, provides grounds for criticism. Culture as a foundation seems anything but flexible and diverse and awakens associations with the concept of a *Leitkultur*, a "leading culture". This raises the question of why the Enquete Commission used this imagery in its preamble when it was closely involved with cultural production in Germany and certainly recognised its diversity and potential to tackle the processes of social change. One reason may be that the Commission was keen to highlight the special heritage of culture, but in doing so failed to include its flexibility. Cultural heritage faces a similar challenge today. How is it possible to continue to highlight and reference cultural heritage and its traditions while at the same time interpreting it in a flexible way that is in step with the changing world of today and tomorrow?

The following pages seek to use the history of the Berlin Palace to analyse the power of culture as a foundation that often supports the degradation of cultural, social, ethnic and religious groups. In light of the fact that many of these cultural institutions are viewed as cultural heritage sites, their degradation mechanisms continue to play a serious role. This article also explores current attempts to deconstruct such structures (by postcolonial studies, for example). From today's perspective, these can best be roughly grouped under a broad concept of the colonial (Heinicke, 2019). These attempts often promote notions of plurality and mutability, which in turn can be applied to cultural heritage. Cultural heritage has great potential to include society in all its diversity and thus experience community in diversity, but it has to be transformed into a global/local place of reference for the self with the help of arts education programmes. This is where the Berlin Palace in its new form as the Humboldt Forum comes into play. Despite all the criticism, it has the potential to become a refuge for this glocal self.

## 25.1 The Berlin Palace, Its Colonial Structure and the Potential of the Humboldt Forum

The Enquete Commission's decision to refer to culture in Germany using the metaphor of a "firm foundation on which society stands" (Enquete Commission, 2007, p. 4) is part of a tradition that dates back to the Renaissance or even earlier. This links political power with the ability to control the narrative and to present culture within institutionalised spaces, such as castles, theatres, museums and libraries. In many European cities, these alliances between political power and

culture are reflected in the spatial proximity of the ruler's residence, the town hall, cathedral, theatre and museum. All these places represent art and culture in very different ways, but most of them are considered to be important cultural heritage sites. The structure of the community is revealed in its symbolism, metaphors, representations and practices, and its hierarchy is underpinned by them. The separation of the clergy from the rest of the faithful; the separation of men and women in churches, not just spatially but also during the liturgy; access to theatres, museums and opera houses, meaning that enjoyment of the arts is limited to certain groups; the superb decoration of the council chambers in the centrally located town halls—all of this underlines the power and hierarchy that constitutes society by connecting spaces and artistic or cultural practice.

The history of the Berlin Palace, now the Humboldt Forum, on Museum Island serves as an excellent example. In 1701, Elector Friedrich had the Renaissance palace remodelled in baroque style. The baroque façade now symbolised the ruler's power within Europe. His coronation and anointment by Protestant bishops in Königsberg were expressed architecturally and culturally in the baroque façade of the palace, which now gave him the same level of prestige as other European rulers. His power is also displayed through the palace's collection and presentation of art and artefacts from around the world. What is interesting here, apart from the international prestige and significance of art collections, is the attempt to cancel out the diversity of these artefacts in a singular and homogeneous system of monarchy and its palace institution, in a dual Hegelian sense. The collections were kept in the palace in that they were stored and located here. However, their diversity in terms of origin, form and design now displayed the ruler's power and omnipotence, and their original significance, cultural contexts and histories were largely annulled in the sense of negation. Today, museums and collections face a major challenge because knowledge about the cultural significance of artefacts has generally not been passed on.

In 1830, the Altes Museum opened opposite the palace. In the wake of the French Revolution, it represented the people's demands for liberty, equality and fraternity. Since the Enlightenment, there had been growing demands for the right of citizens to education. This is reflected in this building, along with the significance of art and aesthetics for the people. This will be discussed in more detail later, as a plural approach to aesthetic experience is indicated here. From then on, it was not only the palace and its individual rulers that sought to control the interpretation of art and culture, but the people also established their desire for political participation, including through the creation of museums and other art institutions. In addition to the enjoyment of art, these function as spaces for public debate. It is true that they were open to a wider circle, but they still primarily served a somewhat elite group in which the aforementioned exclusion based on gender, religion, ethnicity and so on still played a key role.

Due to the political and cultural significance of the Berlin Palace, it is no coincidence that this is where Karl Liebknecht proclaimed the Republic of Germany in 1918, either on or near the west balcony (historians disagree on the precise location). Although this act may not be an overtly artistic or cultural gesture, the

subsequent use of the palace during the Weimar Republic clearly illustrates the idea of social diversity as linked to institutions, art and culture. The Kunstgewerbemuseum (Museum of Decorative Arts) moved into the palace in 1921. The palace also housed a day centre for female students, which was used by the Academic Exchange Service, the Research Foundation and the Alexander von Humboldt Foundation. The palace represented the people's claim to democratic self-determination, as symbolised by Liebknecht's act. But, more than that, it was a space for the emergence of a wide range of creative forms of art and science. The focus was now on humans, their creativity and on social issues, rather than on the power of a sole ruler.

During the Nazi era, the palace did not particularly represent the prestige of the dictatorship, but it still reflected the ideology of the National Socialists. The palace housed a museum on the history of Prussian state theatre, which was "aryanised" and all forms of Jewish artistic creation were erased from its history. The range of scholarly and artistic approaches and their multifaceted, heterogeneous connections (1918–1933) gave way to a homogeneous narrative of a supposedly "aryan" history, reflected through art in this censored presentation.

This was one of the justifications used by the GDR when it tore down the palace and erected the Palace of the Republic, sending a remarkable signal from the perspective of cultural policy. The palace represented the political regime by housing the *Volkskammer* (the People's Chamber), but it was also home to a number of stages and galleries. The building is a clear illustration of how the regime attempted to conceal how it was restricting power to a single ruling party by emphasising a range of artistic and cultural experience. Despite the authoritarian behaviour of the elite, many former citizens of the GDR associate the building with moments of community and enjoyment of the arts. This legacy has received too little attention in the debate about demolition, but it is reflected in the variety of art forms that were housed in this building between the removal of the asbestos and its final demolition.

The reconstruction of the Berlin Palace in the twenty-first century is particularly significant in view of the impressive history written by Christian Walther: "Des Kaisers Nachmieter. Das Berliner Stadtschloss zwischen Revolution und Abriss" (2021) [After the Emperor. Berlin Palace, from revolution to demolition]. This not only illustrates the desire of the political and social elites to continue with traditional forms of power and prestige, but also highlights their ignorance of, and insensitivity towards, many other social groups. Degradation and marginalisation, anti-Semitism, the ambivalent significance of the Palace of the Republic in the GDR, but also the attempts made during the Weimar Republic to create a democratic space for diversity, all receded into the background in favour of an apparently homogeneous narrative of Prussian cultural heritage, which primarily recalls the heyday of imperial rule—and even the modern partial façade cannot deflect this. The initial request to present the ethological collection in the rebuilt palace was largely ignored, a testament to the political power of culture on this site, which initially used these collections to present the cultural heritage of colonial power and controlled the interpretation of the artefacts and objects from all over the world.

However, growing protests against this obviously neo-colonial and neo-imperial gesture called for a debate on how present and future society understands itself in

light of its National Socialist and colonial history, who it represents, what it presents, and which groups control the narrative. The debate on restitution and postcolonial responsibility offers an opportunity to present this place as a space for social reflection that mirrors the exclusions and polarisations of this cultural heritage and can break new ground. It is not only art that plays a role in this, which, as shown above, can take on that dual, if often ambivalent role, in that it can reinforce and/or at the same time question the patterns of effect of a society. The Humboldt Forum has the opportunity to show that, although it represents the palace and its heritage as a building, the culture experienced here does not create a closed foundation, as the Enquete Commission suggests, but opens up the possibility of a sphere that reflects on history in a postcolonial sense and dares to make new beginnings. For this sphere, the arts, but equally cultural mediation and arts education, play a fundamental role because they can develop the competences of a glocal self, which can not only reflect on its own cultural heritage, but also link this with the perspectives of other cultures and their stories.

## 25.2 The Glocal Self: Cultural Policy Strategies Between Heritage and Future

A look at the history of the Berlin Palace illustrates the power of cultural spaces and their political reference systems. Art and culture are used to underpin hierarchies. The traditional interpretation focuses solely on homogeneity in the sense of the key metaphor used by the Enquete Commission. However, diversity can also be a focus in these places and a community of diversity can come into consideration. A community of diversity assumes that a homogeneous society seems impossible both today and in the future. For this reason, the spheres of community building, such as cultural institutions like the Humboldt Forum, can be places for experiencing the diversity of society. This means that references to different groups are created. In the case of the Humboldt Forum, this relates to the history and provenance of the non-European exhibits, and also to the GDR-specific aspects of the Palace of the Republic. Beyond this, it is necessary to provide activities and spaces that allow visitors to experience the diversity of society for themselves. This requires different levels of experience, so aesthetic experiences but also different levels of reflection—often grouped together under the heading of education—in the sense that the acquisition of knowledge and the classification and contextualisation of this knowledge are considered and questioned. Arts education and cultural mediation are located at the interface between aesthetic experience and education, which makes them ideally suited to designing and creating spaces and methods in this respect. However, both need the perspective of diversity. Thus, the focus must be on an approach that focuses less on homogeneity and more on heterogeneity.

The increase in diversity and polyphony means that cultural policy concepts and agendas are increasingly supporting formats in the area of arts education (methods of experiencing, educating and reflecting) and cultural mediation (spaces and spheres

of interpretation and mediation) in order to strengthen this multiperspectivity in the context of art and culture. In its coalition agreement, Germany's current federal government set out the goal of embedding "culture in all its diversity" in the Basic Law (SPD, Alliance 90/The Greens & FDP, 2021). This, along with the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions (UNESCO, 2005), provides a key cultural policy framework in this respect.

However, in addition to these cultural policy agendas, implementation also requires theoretical frames of reference as a basis for the methods and practices of arts education and cultural mediation. Elsewhere, I have attempted to provide a theoretical basis for this by drawing on Achille Mbembe's reflections on the concept of "dissimilarity". Mbembe understands dissimilarity as an antonym of difference and in this way formulates the vision of a community in which the focus is less on kinship and being similar, but rather on difference and dissimilarity (Mbembe, 2014; Heinicke, 2019). Against this backdrop, I have contextualised the concept of dissimilarity in terms of cultural theory, for example with regard to dichotomous and polar Western and colonial strategies based on Hegel and conceptual spaces in the Western tradition since the Enlightenment. The theoretical discourse can be roughly located within gender studies and postcolonial studies. Looking back on the last ten years of my research, however, I think it makes sense to sharpen the concept once again in terms of locating it in the methods of arts education and cultural mediation.

Mbembe's attempt to find a new antonym for difference is understandable. "Dissimilarity" lends itself to this, as kinship and similarity have been denoted by means of differences over the centuries: men versus women, black versus white, gay versus straight, and so on. The concept of dissimilarity is an attempt to escape these categories. At the same time, however, it is difficult to describe or promote formats and gestures of dissimilarity, as these always lie in the personal context of an individual's experience. Artistic and aesthetic spaces, which are combined with practices of education and mediation, are ideally suited here because it always creates a reflexive and transparent reference to the self and the surrounding world ("environment"), as I have shown elsewhere with regard to the establishment of a "glocal self":

> Arts education [has] the potential to create artistic, playful and aesthetic spaces of experience and reflection in which the individual participants experience their role within the social-ecological responsibility of a sustainable world, thus experiencing and feeling their global citizenship. It is primarily about the experience of a vision of sustainability, which is formed by the "self" in experiencing its own diversity and position in the diversity of individual references to the world (to other cultures, nature, educational systems, knowledge, wealth, food—as exemplified by the Sustainable Development Goals). In terms of one's own actions, this also means not reducing the diversity of one's own experience in the sense of assimilation to one shape, one form, one colour or one narrative, but taking responsibility for and experiencing the multifaceted relationships, also in relation to the environment. My grandparents' experience of migration allows me to form a relationship with people with current refugee histories; my queer identity allows me to take a certain stance regarding the urgency of gender justice worldwide; my displeasure with methods used in my school days strengthens my interest in the educational methods of other cultures; the dying of forests in my region promotes my responsibility towards trees in the Amazon. (Heinicke, 2022)

In the process, the decisive gestures in the moments of dissimilarity promote depolarisation and non-hierarchical multiperspectivity. Because relating one's own experiences and references to other cultures, contexts and experiences is a very flexible sphere that individuals can engage with independently and that can be autonomously shaped and ordered. It is obvious that this location of the self in society favours a new form of community building in which diversity and local/ global references are in the foreground. This requires not so much a firm foundation as a flexible sphere that can be sustainably shaped and reflected through practices and spaces of arts education and cultural mediation, but that can also precisely create and reflect the references to cultural heritage.

The Humboldt Forum and other institutions of cultural heritage harbour great potential to draw on the expertise of arts education and cultural mediation to create spaces that provide a refuge for the glocal self. By linking the past, heritage and tradition with the challenges and potentials of the present, a sphere can emerge that understands culture not as a fixed foundation but as a place of negotiation. Aided by the concept of the glocal self, which uses these spaces to link local and global issues, these sites of cultural heritage are—despite their historical references—crucial for the future. In this way, the Humboldt Forum is able to present colonial heritage from different cultural perspectives. It can not only direct the gaze from its location in the heart of Berlin out to the rest of the world, but also connect it to the particular experiences of visitors through the various artefacts and artistic spaces. The process of negotiation, provocation and reflection that should accompany the facilitation and accompaniment of these processes will be crucial for more diverse and complex communities in the future.

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# Chapter 26
# From Communities of Belief to Artists in Performance: 'Clear Enigma' of Odin Teatret and the Pulluvas of Kerala, or Three Movements of Community Heritage

**Sharmistha Saha**

**Abstract** This paper looks at the transformative nature of intangible cultural heritage and its co-relation to the evolution of a community. In order to do so the paper looks at the caste labour of **Naga Kalam Pulluvan Pattu** which is a form of **Kalamezhuth Pattu** where **Kala** means art or picture and **mezuth** is the act of making, and **pattu** is to sing i.e. it is *the song of making art*. It is performed primarily by the Pulluva caste community. Although different regions of Kerala, where this ritual art practice is found often sees other caste groups associated to this practice. Naga Kalam Pulluvan Pattu is a negotiation with snakes of the region where it is mediated through the Pulluvas—at least that is the belief—that the snakes would not destroy crops or bite small children and this ritual will bring prosperity. In 2014, I first saw a performance of Nagakalam Pattu as part of a narrative called *Clear Enigma* directed by Eugenio Barba. Clear Enigma was to have only one performance to celebrate the 50 years anniversary of Odin Teatret at a small village in Denmark called Holstebro where the theatre is located. From what is known, the village of Holstebro is not infested by snakes! Although both ritual and theatre have often been seen as embodied and transformative, this paper looks at what happens to caste labour that is entrenched in belief and a community's social being, when there is a transference of it as theatre.

**Keywords** Community heritage · Ritual · Minority group · Communities of belief · Artists in performance · Clear enigma · Odin Teatret · Pulluva · Covid 19

Since the early twenty-first century UNESCO in consultation with member states has been concerned with what came to be defined as Intangible Cultural Heritage that now became a part of what counts as heritage.[1] Intangible cultural heritage has been

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[1] In 2001 an international round table was organised by the UNESCO at Turin, Italy, which was attended by Member States in order to discuss 'Intangible Cultural Heritage: Working Definitions'.

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defined as '"Peoples' learned processes along with the knowledge, skills and creativity that inform and are developed by them, the products they create, and the resources, spaces and other aspects of social and natural context necessary to their sustainability;'[2] The Yamato Declaration at the international conference organised by UNESCO and the Japanese Agency for Culture in 2004 at Nara adopted an Integrated Approach for Safeguarding Tangible and Intangible Cultural Heritage. By an integrated approach it meant harmonising the definition of ICH, interdependence of tangible and ICH of communities and groups including economic sustainability of these communities and groups, critiquing 'authenticity' in the context of ICH since it is constantly recreated. What is important in this changing understanding of heritage is the element of process in performative traditions and its co-relation to the nature of evolution of a community. In this paper I am going to closely look at the nature of this process that is at the heart of intangible cultural traditions, their epistemological significance and scope for skill acquisition.

For doing so I will start with a performance-ceremony collaboration called 'Clear Enigma' between Odin Teatret and the ritual performers of the *Ashta Naga Kalam Pulluvan Pattu*. 'Clear Enigma' was performed in 2014 in a Danish village called Holstebro on the 50th anniversary of the Odin Teatret. The performance of Clear Enigma was knitted together like a film montage and offered a glimpse of many of its productions from the time Odin Teatret was founded in 1964. It was placed against the performance of the Ashta Naga Kalam Pulluvan Pattu to the side. Simultaneously, I am going to look closely at the living tradition called *Naga Kalam Pulluvan Pattu* usually performed by the caste-community of the *Pulluvas* in the state of Kerala in India. Eugenio Barba the director of 'Clear Enigma' created his performance score incorporating this traditional form. My attempt here is to understand the nature of epistemology and skill acquisition that intangible cultural tradition such as Naga Kalam Pulluvan Pattu holds especially in a pluriversal world as Christoph Wulf[3] elaborates in the introduction to this volume.

In 2014 between 14th and 22nd of June, the Odin Teatret, founded by Eugenio Barba at Holstebro in Denmark, celebrated its 50th anniversary. At the time I was working in the videography team that facilitated the documentation process of the Odin Teatret. This nine-day long programme included intercultural exchanges, barters, which is a form of exchange of artistic nick-nacks practised by the Odin Teatret, games, meetings, concerts, performances and exhibitions. The programme of the last day was called 'Measuring Time' and was divided into the first, second and third movement as if directly inspired by John Cage's modernist composition 4′ 33″. While the first part consisted of performances from across Holstebro and the world of emerging and amateur artists called *If the grains of wheat don't die*, which

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[2]https://ich.unesco.org/en/events/international-round-table-intangible-cultural-heritage-working-definitions-00057

[3]Wulf writes that at the centre of a new view of people and the world which includes social and cultural participation is development of a pluriversal world community which commits to the philosophy of 'individual to the world community and the world community to the individual'.

measured the future, the second part was called *Clear Enigma* that measured the past. The final part was called *Alexander's Secret*, which was a measure of the 'here and now'. Alexander's Secret was metaphorically borrowed from the conquests of Alexander in India, in which he apparently shared the sensuality of food and the excellent singing of his cook with his friends and guests. This final segment was a communal dinner and sharing of French champagne brought by the invited guests, who were asked to not bring any other gifts. It was Barba's way of closing on his measuring meter of Odin's work.

For our purpose in this paper, I am going to look at the measuring of time as past—Clear Enigma. The performance 'Clear Enigma' directed by Eugenio Barba was a collaboration of Odin Teatret and Ashta Naga Kalam Pulluvan Pattu. The performance was essentially to celebrate 50 years of Odin and it was emphasised that it would never be repeated again. Barba wrote in the handout shared with the invited audience (Fig. 26.1):

> Clear Enigma is the past buried within us. Its title refers to the ambiguity of the theatre experience: the evidence of the intellectual and emotional effect produced by the actor upon each of us, and the mystery of the process which provokes this effect. More than a performance, Clear Enigma is a ceremony. The Indians of the Ashta Naga Kalam Pulluvan Pattu from Kerala perform a ritual to propitiate the Nagas, the snakes which represent the power hidden in the earth. At the same time, the Odin Teatret's actors exhume the energy of their past performances and feed on it again. Then they hand over this energy to the Night, waiting for someone to reawaken it.

He called the ceremony an 'eve of a new adventure'. In most of Barba's writings we find a certain romanticism for the new or the novel. In an article called 'The essence



**Fig. 26.1** The site of performance of Clear Enigma in the grounds of Odin Teatret. I was filming from the black tower known as the Sanjukta Tower

of theatre' published by TDR in 2002, Barba finds himself rooted in tradition while being focused on the new. He begins, '"What is left of a Jew who is not religious, Zionist or even familiar with the language of the Torah, the Holy Book?" Sigmund Freud asked himself this question at the beginning of the 20th century, and his reply was: "Probably the essential," taking care not to define it'. [12] It is this essential that Barba finds himself drawn to. This is a tradition that he locates in European modernism, which was interested in asking how to be effective as a performer and also in questions of why, where and for whom. He writes - 'Theatre became the place in which the living could meet the nonliving, the dead, the ancestors – reformers who had crossed the desert'. [14] It is this building of relations in an exploration of the essential in theatre, which he terms mute action, that culture was created according to Barba (Barba et al., 1984, 16), often building relationships with yet unborn spectators or spectators of the future. This is Barba's seamless plotting of time within which he locates himself as a traditionalist. Barba found himself interested in the exploratory practice of refusal of important figures of modernism such as Stanislavski, Antonin Artaud, Michael Chekhov, Max Reinhardt, Irwin Piscator, Helene Weigel, Bertolt Brecht, Federico Garcia Lorca, Vsevolod Meyerhold and others. He calls the work of these figures of the modernist past a realisation that theatre is an 'empty ritual'. He saw the beginning of the twentieth century as marking an anthropological mutation that shook the foundations of this traditional theatre practice, building on a 'pedagogical fiction' that was not tradition to theatre. Barba's emphasis on this anthropology, pedagogical fiction and his travels outside of Italy enabled him to position himself within this tradition of empty rituals for a culture that Odin would build, and is evident from his works. He writes—

> I invent a tradition in order to discover my heritage and confront myself with it, struggling to capture something that is a part of my integrity, to which I belong and which belongs to me. I feel the need to give it life, to decide how and where to invest it, how and to whom to pass it on. My ancestors – their destinies, their coherence, and their illusions, the words and the forms they convey to me from the past – whisper a secret to me alone. I decipher this secret through action. More or less consciously, my actions set ablaze their forms and words. I watch their ashes being swept away by the winds of oblivion, of derision, and the cruelty of the times. [28]

I would argue that Barba built this tradition, his own heritage and a culture of Odin by creating a *mythos novus*. This paper cannot go into the details of that. However, in Clear Enigma what Barba measures as 'past' is this association with empty rituals that he worked towards through the mythos novus and relations he built creating cultures of practice working with many traditions that were often not simply empty rituals (Fig. 26.2).[4]

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[4]In a separate discussion he talks about technique, which he thinks is a combination of codification and biological laws. It is a particular utilisation of the body which breaks down the natural body. He argues that the natural body is subservient to the culture within which it grows. Technique of the body according to him breaks that subservience in order to create new culture (1984, 14).

**Fig. 26.2** Montage of Odin performances in Clear Enigma

The collaboration with the Pulluvas was one such culture of the Odin that is reflective of its heritage. The performance of Clear Enigma that was knitted together like a film montage, offered a glimpse of many of its productions from the time Odin Teatret was founded in 1964. The performances included excerpts from *Ornitofilene*, which was its first production after Odin Teatret was founded. It was based on the Norwegian writer Jens Bjørneboe's 'The bird lovers'. This was followed by *Kaspariana*, a piece written by Danish poet Ole Sarvig in 1966 and first performed in 1967 at Holstebro, *Ferai*, a performance text that was co-created with writer Peter Seeberg in 1968 and first performed in 1969, *My Father's House* a performance text created entirely by Barba and his actors as *Min Fars Hus* that was first performed in 1972, *Come! and the Day Will Be Ours*, which was first performed in Caracas, Venezuela in 1976 during a barter with the Yanomami tribe living in the Amazon, *Anabasis, The Book of Dances*, *The Million* all of which were created for barter situations in the 1970s, *Ashes of Brecht, a* production that was created in 1980 with works of Bertolt Brecht, his history of migration,[5] *The Gospel According to Oxyrhincus* first performed in 1985, *Talabot* first performed in 1988, *Kaosmos* first performed in 1993, *Mythos* first performed in 1998 and *Andersen's Dream* first performed in 2005. This was not an exhaustive list of all of Odin's performances, yet it offered a glimpse of the technique of mute actions that built the rituals

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[5] *Ashes of Brecht* was halted after a year when Brecht's heirs withdrew permission for Odin to use these texts. Barba followed this performance with Brecht's Ashes 2, inspired by the life of Brecht.

**Fig. 26.3** Montage of Odin performances in Clear Enigma, on soil that would be used later for burying

of theatre over half a century exemplifying Odin's work from all decades until 2014. The actors, some of whom had been associated with the Odin since its inception and others who had joined just a few years before, all moved and stormed across the green theatre grounds on a summer afternoon at Holstebro, playing around with objects and elements that constituted the mise-en-scène. Each of them spoke and often sang in different languages from the respective performances they were performing from. As we reached the denouement in Clear Enigma, this ceremony-performance, a term I am forging, bearing in mind Barba's own definition, turned into a burial ritual. The relation that Barba was now trying to build was with time, by literally obliterating the illustrations of Odin's work by the act of burying (Fig. 26.3).

A space pre-dug in the grounds was opened up and everything that constituted the performance, the props, costumes etc. of the performances of Odin, that came alive as a montage were thrown in. A green digger-tractor entered the scene and covered it with soil bringing to completion the act of burial (Fig. 26.4).

The garden of the Odin Theatre was now turned into a graveyard for Odin's past. The performance aggressively adhered to formal prescriptions of a burial of the Odin theatre group's fifty years of work and yet conveyed the idea that now something other than what we know as Odin Teatret would emerge, staying truthful to the practice of refusal Barba inherited from his chosen ancestors. The burial of course was of re-invigorated objects and not people in whom the mute actions were

**Fig. 26.4** The burial ground at the back of Odin Teatret in Holstebro

cultivated![6] In a 2014 speech, in a different context, on the occasion of the Honorary Degree of Doctor of Letters bestowed on him by Queen Margaret University at Edinburgh, Barba described 'clear enigma'. Talking about actor-training he said,

> the language of our 'spontaneity', of our daily manners and gestures, can undergo a training to free itself from its obvious connotations of repetitive gesticulation. The language of clichés, which is typical of our social and private personality, can be revitalised through mental and physical impulses which link more or less distant realities, antithetical thoughts and ideas which are reciprocally irreconcilable.

He extends his argument with a quote from the Chilean poet Vicente Huidobro, "To give a kiss as if it were a look, to plant looks as if they were trees, to cage trees as if they were birds and to water birds as if they were sunflowers" and thus he argued that it is like an oxymoron, that might seem self-contradictory in the first instance. However, Barba added,

> . . .the actor's behaviour becomes a clear enigma: evident in its sensorial and emotional consequences, yet difficult to explain in rational terms. This process of mental/somatic poetry (let's not forget that in Greek *poiein* means materially to forge) turns physical and vocal clichés into unfamiliar effective signs, a synthesis of differing intentions that transport the spectator into a universe of metaphors and self-biography. (Barba, 2014)

Here I would argue that for Barba, in the performance of Clear Enigma, the glimpse of Odin Teatret's performances and the religious ritual of Ashta Naga Kalam Pulluvan Pattu from India were part of that oxymoron, 'a synthesis of differing intentions'. He writes about Clear Enigma - 'The present is the embrace of opposites,

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[6] Interestingly the group broke up in November 2022 dismantling the culture of togetherness formed by the Odin actors and Barba since its inception.

the reality of *eros* with its many faces.'[7] In the performance of Clear Enigma while Barba turns the past towards its grave, yet once again through Ashta Naga Kalam Pulluvan Pattu there is an invocation of the 'essential' of the past buried in earth. He writes 'The Indians of the Ashta Naga Kalam Pulluvan Pattu from Kerala perform a ritual to propitiate the Nagas, the snakes which represent the power hidden in the earth. At the same time, the Odin Teatret's actors exhume the energy of their past performances and feed on it again.' Barba's own work from the very beginning has dipped into such oxymorons, with cultures that may have seemed to be in the opposite camp rehearsing in his theatre. His work, which has been deemed as an intercultural practice, has often received criticism for the very same reason. Rustom Bharucha has been one such critic of the 'intercultural' theatrical practices, seeing what Barba terms 'clear enigma' as cultural appropriation. I have looked at what Bharucha terms 'cultural appropriation' critically elsewhere.[8] However, I would like to set out the central arguments made there. Firstly, performances happen in the light of their correlation to the spectator. Therefore, no performance even of the same form is singular and always has as many iterations as the number of performances. Since Bharucha is concerned with cultural appropriation that amounts to the stealing of cultural knowledge, from what he terms the target culture, I argue that stealing something that can only exist in its happening is in itself non-viable. Secondly, borrowing from Arjun Appadurai I argue that a commodity is that which is intended for exchange and is not a 'product' or a 'production' and does not essentially signify the original or dominant intention of the 'producer' alone. Appadurai argues that even when a thief steals something, it is simply a deflection of the original intent of the producer. So, what becomes central here are the people involved in the exchange, and those who thereafter deflect what might have been the original intent of the producers. Therefore, I would argue that it is important to look at the negotiations made during the course of an exchange between individuals rather than relegate the matter or commodity of exchange to its original intent. It is important to unravel the modalities and relations that are directly involved in the exchange and are often dependent on the context within which such exchanges happen.

## 26.1  The Three Movements of Heritage of the Pulluvas: Movement One

I interviewed Padmavati who was head of the ritual Ashta Naga Kalam Pulluvan Pattu that was part of the ceremony-performance Clear Enigma. She called it a ceremony mediating the dialogue between the world of the Nagas or serpent gods and the world of the humans in order that the humans can lead a life of prosperity and

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[7] In a handout about the Festuge shared with the audience

[8] 'Performance, its archive and historicity: notes on intercultural critique' in Potdar, Ashutosh and Sharmistha Saha (ed.), *Performance Making and the Archive*, Routledge, India, 2023.

happiness. Ravi Gopalan Nair, designated the artistic director of the Pulluva caste community visiting Holstebro, who has a professional relationship to them, elaborated that the Ashta Naga Kalam at Odin was a ceremony that invoked Nagas or serpent gods from *ashta* or eight different directions. In such a ceremony cosmic agreement is made for protection between the serpent gods and the humans. In the ceremony-performance of Clear Enigma, the Nagas appear embodied by two women who go into a trance-dance as the Naga gods enter their bodies. This serpent trance-dance is called Sarpam Thullal. As they move, they destroy the Kalam that was created earlier. Ashta Naga Kalam Pulluvan Pattu literally translates to the serpent gods from eight directions' floor painting and the Pulluvan's song. It is termed as a Kalamezhuth. Kalam means floor art, *ezhuth* is the act of writing/drawing, and *pattu* is to sing i.e. it is the song of drawing floor art. It is also known as *dhuli silpa* or powder art since in most cases the art is made of coloured powder, however it could also be made of rice powder paste or other such pastes. The ritual consists of ritual purification maintained by the family or people initiating the ritual, drawing of the floor art, which is the Kalam and then invoking the gods through songs or the pattu while instruments are played alongside the song. Finally, some of those performing the ritual, embody the gods in a trance-dance destroying the Kalam that was made. Traditionally all castes are involved in the Kalamezhuth ritual practice although depending on the caste they belong to, the practice itself might change.[9] The ritual ceremony happens in what is called a *Kaavu* or the sacred grove or the temple. In some cases, it might also take place in the house of the person who is involved in the propitiation (Satyapal, 2011). It is also important to note that not all such practices are for propitiating the serpent gods although in most cases it is observed as a fertility rite, to bring about prosperity, well-being or to cancel out a *dosham*, which we can roughly translate as bad faith. These ritual ceremonies can also be seasonal. Therefore, one can say that Naga Kalam Pulluvan Pattu is a form of ritual healing of the society of which the Pulluvas are a part, where it is believed that the Pulluvas through ritual-performance can cure society of dosham.

Naga Kalam Pattu is associated with the Pulluva community, a lower scheduled caste[10] group, who primarily live in the southern or central part of Kerala. They draw the Naga Kalam and sing songs for the serpent gods. The Pulluva community of northern parts of Kerala sing Pulluvan Pattu, or songs of the Pulluva community and this is what I heard at Holstebro. It is not the same as a Naga Pattu although both the ritual practices involve invoking the serpent gods. Pulluvan Pattus are mainly songs about the dead and rites associated with untimely death. It could also be around the death of a pregnant woman and it is believed that she would get salvation only when the Pulluvas visit the family with the ritual practice. In a land infested with snakes, rituals around the snake and sacred groves called *sarppakavus* are fairly common.

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[9]See Satypal (ed.). Kalamezhuth: Ritual Art Practice of Kerala, Kerala Lalithakala Akademi, Trissur, 2011.

[10]https://www.keralapsc.gov.in/list-scheduled-castes-kerala-state

Although over time there has been a significant decline.[11] According to K.K. Girija, a senior ritual performer of Kalamezhuth who practises snake worship, the ritual is associated to an origin myth of their caste identity.[12] She tells us that there are many types of snakes—good, bad and the other. As per the myth, once upon a time the *Kandal* (mangrove in Malayalam) forest in Kerala caught fire. A snake was trying to escape this fire. Meanwhile an upper caste woman who was trying to fetch water in her pot saw the snake and in order to save it emptied her pot and put the snake in it. She took it home with her but was denied entry because she became an outcast since she was carrying a snake. She then turned the pot upside down and *Chitrakoodam* or a snake deity propitiated on a stone platform emerged from it. An ethereal voice was heard, which told her not to worry and to make a living by singing praise of the Chitrakoodam. She was henceforth going to be the *Pulluvathi* and was going to have a male partner in the *Pulluvan*. It is possible that these words come from the word *pullu* which means grass and has importance in the ritual practice. Sometimes it is believed that Pulluvan was created by lord Vishnu, one of the holy trinities of Hinduism. So, the myth around Naga Kalam Pulluvan Pattu is not only associated with the propitiation of the Nagas but also with the emergence of the community identity of Pulluvas who are associated with the specific practice of singing in praise of the Chitrakoodam. One can say that the Ashta Naga Kalam Pulluvan Pattu is a ritual ceremonial practice that belongs to the Pulluva community, for it is a caste work, i.e. work assigned to them because of the caste they are born into. It is possible that there are variations to the myth as narrated by K.K. Girija as is common in such origin myths of caste.[13] However it can be argued that as per her version, the work of the Pulluva community in the society at large as healer-performers (healing the society of dosham) is re-instated by the ritual performance of Naga Kalam Pulluvan Pattu. Although the ritual performance does not contradict caste segregation based on the myth as such (in this case an upper caste woman lost her privilege on carrying snake), however the work of the Pulluvas as healers for the society through the ritual performance is a form of self-representation of a redeemed identity from the doom of caste isolation. For the community therefore, coloured powder and patterns of the Kalam, music, song, rhythm, the state of being in trance etc. as part of the ritual performance of Naga Kalam Pulluvan Pattu creates a sense of community co-existence within the clear demarcations of caste segregation. I have called this flow of community-being as movement one of heritage formation, which becomes possible through a network of belief in the Pulluvas strength to heal and the ritual-performance's efficacious flow across those

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[11] https://www.sahapedia.org/sarppakalam-and-snake-dance-keralas-age-old-tradition-serpent-worship

[12] She was interviewed as part of a separate research study by my colleague Kanika Khurana and myself, on the impact of Covid 19 on performing artists in India funded by Indian Council of Social Science Research.

[13] See Deliege, Robert. "The Myths of Origin of the Indian Untouchables", *Royal Anthropological Institute of Great Britain and Ireland*, Man, Sep., 1993, New Series, Vol. 28, No. 3 (Sep., 1993), pp. 533–549.

who belong to the society at large and are witness to the ritual-performance as believers.

## 26.2   Movement Two

As mentioned earlier this paper aims to understand the element of process in performative traditions and its co-relation to the nature of evolution of a community. In order to do so let us look at the traditional performance of Naga Kalam Pulluvan Pattu and the caste-community of the Pulluvas involved with Clear Enigma. In 2010, the Lalithakala Academy, which is a visual arts institution funded by the state government of Kerala, organised a 45-day event, in an 'attempt to search the roots of the pictorial art of Kerala'. This was followed by a publication of a 831 pages book along with 2 DVDs called 'Kalamezhuth- Ritual Art Practice of Kerala'. The editor Satyapal writes,

> The popular belief is that Kerala does not have any indigenous painting tradition of its own. Even though there are records available on mural paintings, we do not have sufficient documents on Kalamezhuth. ... Kerala Lalithakala Akademi endeavors to publish this book with an objective to preserve this important art based on traditional knowledge for posterity... Kalams mentioned in this book have been identified and documented in the Kalamezhuth Festival organized by the Kerala Lalithakala Akademi in two phases. The documentation became a difficult and strenuous task since all the communities which practiced Kalamezhuth were now almost on the brink of extinction. In the 45 day long Kalamezhuth Festival, 498 artists participated and 56 ritual arts were staged. 140 Kalams and 33 Kolams were created. This festival literally witnessed the secularization of Kalamezhuth as many of the Kalams were for the first time in history brought out into the midst of the common man, away from the four walls encompassing the Sanctum sanctorum of a temple. The mass participation in the festival from all sections of society irrespective of their class, creed and religion, became an unforgettable experience.

This 'secularisation' by the Kerala government claiming a tradition as an emblem of a pan-Kerala identity was soon given wider national significance by a festival organised by Lalit Kala Akademi in New Delhi in 2013, which is a visual arts institution of the Government of India. This was followed by a week-long exhibition in Delhi, the nation's capital, organised by the central cultural body for the promotion of visual arts.[14] Talal Asad in *Formations of the Secular: Christianity, Islam, Modernity* (2003) argues that the 'secular' is a conception that came about with modernity. On the one hand secularism became legitimised in the modern nation state as the lowest common denominator among the doctrines of conflicting religious sects, and on the other it always attempts to define a political ethic that is completely independent of religious convictions. He writes that the secular is 'neither continuous with the religious that supposedly preceded it (that is, it is not the latest phase of

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[14] https://www.thehindu.com/news/cities/Delhi/the-art-of-ecology-bridging-old-and-new/article5462450.ece

a sacred origin) nor a simple break from it (that is, it is not the opposite, an essence that excludes the sacred)' [25]. What we see here in the case of Kalamezhuth is this attempt to define the political, independent of any religious convictions and belief based on caste-work efficacy. It is an uprooting of the practice from the sacred space of the kaavu or the temple premises, positioning it outside its own logic of causality and finally creating a different measurement of time outside that of ritual time, which is aligned with how the nation state conceives its own origin myth. I would reiterate Asad's view that this movement of myths that renegotiates the narrative of identity is an essential part of modernity. Talal Asad writes

> Modernity is a project – rather, a series of interlinked projects – that certain people in power seek to achieve. The project aims at institutionalising a number of (sometimes conflicting, often evolving) principles: constitutionalism, moral autonomy, democracy, human rights, civil equality, industry, consumerism, freedom of the market – and secularism. [13]

What we see here is a re-narrativization of the ritual practice from its myth of caste-work. In this new imagination of the state/nation, it is a living tradition and part of a ritualistic belief system that is advanced by specialised caste work to institutionalised spaces of modern India. Within the institutionalised space of the nation-state, the Pulluva community along with the other caste communities that practise Kalamezhuth become representatives of firstly the state of Kerala and secondly the Indian nation-state. It is inherited—as heritage, yet differently than by the Pulluva community. For the Pulluva community the ritual of Naga Kalam Pulluvan Pattu is an inheritance of its caste community identity that shapes itself through the myth associated with the birth of the heterosexual couple Pulluvathi and the Pulluvan. This is cultivated by the Pulluva community and those who believe in this origin myth, through the ritual-performance of the Naga Kalam Pulluvan Pattu. However, as we see in the above quote from Satyapal the institutionalisation process made possible by dismantling the sacred space and moving the ritual practice to a secular domain and turning it into a 'secular ritual' is an inheritance and a heritage of a different order that is supported by state economic power. Richard Handler in the 'Ritualisation of Ritual' in the Construction of Heritage (2023) argues that when modernity took cognisance of itself, it distinguished between the domain of religion and a secular domain of politics, economics, society, the arts etc. It is within this dichotomy that it also discovered the secular ritual. Therefore, Handler sees the secular ritual as a product of modernist imagination. The modernist imagination of the Kerala government definitely promoted the idea of a people of Kerala with its traditions and heritage with respect to the art of Kalamezhuth alongside traditions such as Koodiyattam, Kalaripatt, Kathakali etc., which are extremely lucrative for the cultural economy of Kerala. However, it cannot be said that the shift in the myth that gives rise to this new kind of inheritance dismantles the older order of caste entirely. It is simply built on it and created a different order of the *mythos*. The Pulluvas were now representatives of 'folk arts' of India.

I argue that this second movement, from a religious ritual to the institutionalised secular ritual, that is not bound to its older logic of myth, space and time, enabled the third move to Denmark of the Pulluva community who now had a professional

artistic director in Ravi Gopalan Nair. Ravi Gopalan Nair, otherwise trained as a glove puppeteer,[15] can be seen as the artistic director of many other performance forms from Kerala that have travelled outside India. He has also studied avant-garde theatrical forms such as Jerzy Grotowski's in Europe.[16] Traditionally, Kalamezhuth is a form learnt by hereditary caste practice. The eldest member of a group that performs the ritual is seen as the head of the troupe. Ravi Gopalan Nair's role is one that came about with this third movement, which I would argue was from a caste occupation to a representative of a state/nation's culture to this third one of becoming exposed to artistic narrativization.

## 26.3   Movement Three

In an interview, when asked about his role Ravi Gopalan Nair said, 'I don't control them that much but I prepare them to be ready for here [Holstebro, Denmark]. When they perform, my whole being is involved in the spiritual way.'[17] In the ceremonial-performance at Holstebro, Padmavati, who was about 70 years old and was the head of the family as well as the troupe and had experience of performing Naga Kalam Pulluvan Pattu for over forty years was the decision maker. She was also the lead singer in the performance in Holstebro. Nair explained that most of the ritual remained the same. He elaborated,

> We cannot change anything because the energy of the cosmic doesn't change. That remains the same. And energy of the Naga Gods is the same. It's like when you are eating food, you need liquid to drink, it can be tea; it can be boiled water; it can be cold water, there are differences in ways according to where you are, still then certain taste or the quantity of the food we cannot change a lot. You can eat very slow, you can eat in 3 hours, and if you have to catch a train you will eat in 30 minutes. Or if your child is crying and you have to rush... So, you know, there are many ways of completing your work, according to what call is there.

In this third movement as part of Clear Enigma, although Nair claims that procedural matters had not been changed, certain aspects played out with the actions of the ritual. Nair highlights the change in duration of the ritual according to the needs of the larger ceremonial-performance directed by Barba. The Ashta Naga Kalam ritual practice began at six in the morning and then continued alongside the rest of the performance, which began much later. It went on until the evening. Barba was often asked to be on the platform in order to perform processes of the ritual that required the head of the family who invited the Pulluvas or the head of the Temple to be present. Thus, in a way Barba embodied the role of the ritual initiator. After the performance of Clear Enigma ended, the entire ceremonial performance received a

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[15] https://www.ekatharakalari.org/about-old

[16] https://virali.wordpress.com/2011/02/21/pavakathakali-artistes-awarded-by-sangeet-natak-akademi-new-delhi-and-dakshinachithra-chennai/

[17] In an interview at Holstebro in June 2014.

standing ovation while the performers of Ashta Naga Kalam Pulluvan Pattu stood alongside the Odin performers and Eugenio Barba, on the stage, which was earlier used to propitiate the Nagas. While in the second movement the Pulluvas displayed their caste work of Naga Kalam Pulluvan Pattu as bearers of Kerala state's cultural identity and later an Indian nation-state identity, the biggest change in this third movement to Denmark was the fact that from caste work and later nation-state representation, it had now become a profession that displayed a technique of doing Naga Kalam Pulluvan Pattu. Nicholas Rideout in *Passionate Amateurs: Theatre, Communism, and Love* (2013) argues that by the nineteenth century a normalisation of new habits of labour happened 'by the division of labour; the supervision of labour; bells and clocks; money incentives; preachings and schoolings; the suppression of fairs and sports' [37]. A new kind of subjectivity emerged that had now internalised the segregation of work time and leisure time. The figure of the passionate theatre amateur, Rideout argues 'took on a new and significant form, in the person of the professional for whom life, work, and politics came to be inextricably entwined with one another' [35] creating new kinds of subjectivities that still followed the logic of theatrical production of the nineteenth and twentieth century creative and entertainment industries. It cannot be said that Barba was unaware of this nature of creative labour that emerged out of capitalist economic logic. His chosen ancestors, the modernist theatre makers, often functioned within the framework of such division of time. Barba calls this 'tradition'. He possibly knew that the empty ritual of the theatre was a result of the capitalist production of art and culture outside of work time. Through other logics of exchange such as barters Barba would sometimes try to subvert the economic logic of theatrical production or argue that the group was able to sustain itself for this long because it did not depend on theatrical productions for livelihood (1984). But he never fully gives in to this act of subversion. In an interview with Gautam Dasgupta during Odin's first American appearance at the theatre La Mama, New York, when asked about how he selected the performances brought to New York, i.e. *The Million* and *Brecht's Ashes II*, he responded that the performances would happen in a traditional set up, 'the tradition being the way our culture presents theatre – there's a building, the audience comes and buys tickets, and they see the show that's being presented.' [9] This is not the same as the tradition of the Pulluva community. The ritual efficacy of Naga Kalam Pulluvan Pattu has implications for life itself amongst people that believe in the myth of Chitrakoodam, the origin of the Pulluvas and their ability of ritual-healing. At the same time its narrativisation as representative of the Kerala/Indian state that housed it in spaces other than it traditionally belonged to, became crucial for a modern national cultural identity and its heritage. Barba instilled this ritual act of the Naga Kalam Pulluvan Pattu, which he refers to as belonging to the 'Indians', with a *mythos nuvos*, which is not the same as the kind of myth making order that the nation-state would follow. In my view the mythos novus of theatre opens up Naga Kalam Pulluvan Pattu for the 'essential' of the theatre, the tradition of going back to mute action, dis-possessing it from the earlier orders of heritage. I have argued that from

here begins the third movement of Naga Kalam Pulluvan Pattu. In front of his spectators Barba disrobes Naga Kalam Pulluvan Pattu of its earlier myths that made it an inheritance for the Pulluva community or the Kerala/Indian nation state and turned it into a repertoire of actions. While caste work was intrinsically linked to service provided to members of a community, in exchange for monetary and other material benefits, such as donations of food, clothing etc., which did not follow the logic of industrial capitalism; by the second and especially the third movement this caste work became a profession or the skill of painting the Kalam, the skill of singing Pulluvan Pattu and of performing Ashta Naga Kalam Pulluvan Pattu. These skills may not now need to be exclusively linked to the Pullava community. This is clear in the fact that Ravi Gopalan Nair joined the Pulluva team as artistic director even though he does not belong to the same caste community.[18] The performers of the Ashta Naga Kalam Pulluvan Pattu were now identified as artists, something that had already started with the second movement, whereby their association to a specific community and its caste-work myth qualified them as folk artists.

## 26.4 Detour to Conclusion

Now let us reflect upon Rustom Bharucha's critique once again and this time on the creative cultural economy where he takes Kalamezhuth as an example in "Creativity: alternative paradigms to the 'creative economy'" (2010). He argues that given the nature of the Kalam as a form that goes through the process of a creation-destruction dichotomy, 'the kalam is neither an instance of decommodification nor anti-commodification. Rather, in its inability to be bought or sold through the very dissolution of its materiality, it would seem to exist outside the logic of commodification altogether.' But this argument could be considered to be true for all performances as such. His main critique, which is of relevance to us is of instrumentalist agendas of the state and the appropriation of creativity within the premises of the 'creative economy'. His concept of the originator of creativity, takes us to a very problematic political conundrum. To put his argument differently, is Bharucha suggesting that a caste community should know its caste work [or caste worth]? And that the caste work should remain within the domain of a caste community which practises it? Is he asking caste cultural workers to stay in the place of their caste position? I would like to respond to this political conundrum by taking a quick detour. After the Covid 19 pandemic, as part of a larger study called 'Performing Arts Industry: the economic and livelihood implications on artists and cultural impact on society due to COVID-19', my colleague Kanika Khurana and I interviewed 481 artists. Amongst them fourteen belonged to various communities

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[18] Parvathy Baul, Nair's wife, became a regular collaborator with Barba.

associated with Kalamezhuth ritual practice. All of them learnt the practice from other elder members of their family. They called it their '*kulathozhil*' or caste work. Even before the pandemic had hit, many of them did not continue with their kulathozhil because of the lack of community interest in the ritual form as such and a significant reduction of their income. As much as Kalamezhuth is a caste work for the communities that practice this ritual form, it is also a livelihood for the individuals who belong to this community. During the pandemic, because of the lockdown some support was declared by the Government of Kerala for folk artists. Although miniscule, all our respondents had received two thousand rupees or about 24 US dollars as financial support for folk artists affected by the pandemic. In the interviews some of them mentioned the loss of ritual efficacy in performances outside of their community such as during international tours or government exhibitions or even in digital spaces. However, what was unanimously agreed upon is the fact that it helped them generate income from Kalamezhuth, which they learnt as a kulathozhil or caste work. In fact, being acknowledged as folk artists by the state government was financially lucrative and also led to them receiving work from the state as professionals of the art practice of Kalamezhuth. In this paper I cannot go into the details of the impact of the Covid 19 pandemic on the Kalamezhuth practitioners. That is not the purpose of this paper. What I have intended to do over the course of my analysis through navigating the three movements in time of Naga Kalam Pulluvan Pattu is to show that myth plays a significant role in identity formation and inheritance of heritage. Reconstruction of myths realigns heritage and its relationship to identity. *Mythos novus*, a perpetuation of myths that resurrects itself through mute action in theatre makes possible a new kind of inheritance, a heritage that truly belongs to the modernist theatrical tradition of refusal. Having said that self-assertion and self-representation for especially communities who are underprivileged through their intangible cultural heritage is a right that truly belongs to them. As much as it gives them a sense of community and identity, as caste-work, in this case, it is a mode of livelihood which has roots in the past as also in their environment. It has politico-social-economic consequences for them. With globalisation and increasing networks of collaboration, in a pluriversal world (Wulf, 2024), communities such as the Pulluvas will find ways to negotiate the many lives of their living tradition from northern Kerala, to New Delhi, to Holstebro and in the process as we have discussed the myth of the Naga Kalam Pulluvan Pattu would change with changing location and movement of the heritage pot. It may also reach the hands of those who do not belong to the caste-community of the Pulluvas. For a sustainable movement of intangible cultural heritage, may be what is important to remember and acknowledge, is the relationship man once had shared, with the snake that resides in such ritual performances, both as knowledge, skill to cope with its presence and for believers of ritual efficacy.

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**Part V**
**Challenging Issues, Future Developments,**
**and New Areas of Research**

# Chapter 27
# Cultural Economies of Intangible Cultural Heritage as Modalities of Care: The Wealth of Networks, Community-Based Value Chains and Commoning

**Gertraud Koch, Julia Rausch, and Anna Stoffregen**

**Abstract** Broadening the focus on cultural economies of ICH to include ways of caring for the future emphasises the uniqueness of living traditions and their limitations in becoming marketable assets. It highlights the reconsideration of valorisation as a means of care that facilitates the vibrancy and resilience of ICH through the interplay of its cultural, social and economic dimensions. From a broader perspective, the paper specifically addresses the non-monetary forms of resourcing for ICH of six UNESCO-listed cultural expressions, Blaudruck, Swabian-Alemannic Carnival, Poetry Slam, Batana Eco Museum, Fado Music and Falconry, which are hard to measure. Each is practised in a publicly visible, vibrant way and enjoys broad participation by diverse people. The resourcing of ICH through sharing and caring in networks, community-based resourcing and commoning, demonstrates the crucial role of cultural economies as modalities of care in maintaining the robustness and vibrancy of ICH.

**Keywords** Valorisation · Resourcing · Caring for the future · Social inclusion · Participation

## 27.1 Introduction—The Valorisation of Intangible Cultural Heritage as a Two-Sided Process

The economic dimensions of Intangible Cultural Heritage are evident at numerous sites across the world. The multifaceted value of ICH for cultural economies in cities and regions has been widely discussed (Cominelli & Greffe, 2012; Scott, 2017).

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Intangible Heritage requires resources that can be invested in the performance and preservation of ICH as a cultural asset that can be created and continually recreated in communities and is meaningful to the identity of people and groups (Dorothy Noyes, 2011). Therefore, maintaining, preserving and safeguarding ICH requires a sound economic basis which must be embedded in cultural economies. As different financial practices have both positive and negative implications for cultural practices, practitioners and local communities, the many links of ICH with political and cultural economies are dependent on political bodies (Council of Europe, 2021). These links have been observed and studied by both UNESCO (2016) and critical heritage research (Ubertazzi, 2022). While financing is necessary for ICH practices to take place and be preserved, using and overusing local ICH resources as commodities, turning them into museum pieces or part of folklore is often discussed as being problematic and negative aspects when cultural assets are marketed. Being exposed to capitalist logics as commodities, such as in tourism, poses challenges to cultural traditions being a living source of identity and community activity. This is due to the commercialization of local traditions and performances, and seeing cultural practices as services. It is important to preserve cultural traditions and their significance in the community. In these situations, the valorisation processes of ICH may have consequences for social wellbeing, the distribution of wealth and power in communities (Labadi & Gould, 2015), or even the undoing of heritage due to European politics of labelling protected designations (Welz, 2015).

Meanwhile, a new paradigm has emerged in heritage studies that sheds light on the valorisation of intangible cultural heritage (ICH). This paradigm emphasises the way ICH is interconnected with the socio-material world and highlights the "expanded field of heritage practices and attempts to reconfigure the relationship between heritage and other modalities of caring for the future" (Harrison, 2015). Expanding the focus on cultural economies to include ways of caring for the future highlights the unique nature of living traditions and their limitations in becoming marketable assets. It requires a reconsideration of valorisation as a means of care, which allows the liveliness and resilience of ICH to emerge through the interplay of its cultural, social, and economic dimensions.

## 27.2 Caring for the Future—Community-Based Value Chains and Commoning

Commercial activity in the context of ICH does not necessarily endanger it. However, it is crucial to consider the circumstances and conditions under which the commercialization of ICH can facilitate its robustness and liveliness as a source of identity. It is important to identify the factors that protect the cultural economies of ICH against the estranging tendencies of commodification. These questions relate to the economic aspects of ICH, which are difficult to evaluate due to the lack of readily available data for quantitative assessments. This includes various forms of

non-monetary care for ICH, such as volunteer work. These non-monetary economic practices are enacted within communities, stabilising and shaping social relations. They follow non-monetary values, which link economic practices with an incorporated sense of the inherited social dimensions of spending, giving, and sharing (Bourdieu, 1980; Meissner, 2017). According to Sandel's (2013) thoughts on "what money can't buy", cultural practices and social identity work are interwoven with economic practices, everyday life and social relations, going beyond the limitations of commodified exchange. However, commodified exchange remains relevant for the preservation of ICH today.

To improve recognition of the non-monetary aspects of economic practices that contribute to the social cohesion and identity of groups, while also emphasising their monetary value and economic efficiency in the value chains of ICH, we refer to them as resources and resourcing instead of financing. It is important to note that resourcing and valorisation should not be based solely on abstract market principles. Considering the social, cultural, and economic values and potential of traditions and handicrafts is crucial. As Kirshenblatt-Gimblett (1995, p. 371) suggests, tourism and heritage can be collaborative industries that transform locations into destinations and make them economically viable as exhibits of themselves. Tauschek (2015, 303) emphasizes the diversity of actors, ideas, concepts, practices and discourses in the assemblage of cultural heritage making. Furthermore, forms of resourcing are closely connected to the present desires and orientations of individuals and societies, and therefore to the value of ICH for current and future generations (see Koch & Lutz, 2017, p. 78). The definition of cultural heritage, its valorisation, and the parties involved are the subject of moral debates and emerging regimes of living (Koch & Lutz, 2017, p. 81). It is relevant when considering the non-monetary practices of maintaining ICH as a potential for future development.

## 27.3   Research Approach—Economic Practices of Six UNESCO Listed Cultural Practices

To gain a broad understanding of the valorisation of ICH as caring for the future, our inquiry focused on the economies of six UNESCO-listed cultural expressions which are practised in a vibrant, open way by a wide variety of people. This ensures a notion of ICH as being 'created and continually recreated in communities' (Noyes, 2011). The six ICHs are Blaudruck (indigo-blue dyeing), Swabian-Alemannic Carnival, Poetry Slam, Batana Eco Museum, Fado Music and Falconry. The research was conducted in 2018 as part of the ARTISTIC project[1] on the valorisation

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[1]The ARTISTIC project was an InterReg funded European project, 2017–2020, for creating valorization strategies in Central-Europe regions. Further information on the best-practice research and the outcome of the ARTISTIC project as a whole you will find on https://www.entribu.eu/en/artistic, 22.12.2023.

of intangible cultural heritage. The study began with an analysis of the nomination files for the UNESCO list, which provided rich self-descriptions and valuable information on the modes of valorisation and forms of community engagement in cultural expression. We supplemented and cross-referenced this data with insights from ethnographic field studies in social and cultural anthropology and critical heritage studies. These studies provided the context for our observations and gave additional information on the ways in which specific ICH forms are valued. To supplement this information, we conducted interviews with national contact points from two Commissions for UNESCO and two semi-structured expert interviews over the phone with active practitioners of ICH who make a living through ICH practices.

Based on this information, the analysis focused on the methods and instruments of valorisation implemented by each ICH, paying particular attention to the broad spectrum of practices. This drew our attention specifically to the non-monetary modes of resourcing, as in all cases the important role of these factors was clear and relevant, even where practitioners act entrepreneurially and make a living from ICH as artisans or artists. Upon closer examination of non-monetary practices, it became apparent how embedded ICH communities-of-practice are in various local and international contexts.

## 27.4　Sharing Is Caring—The Wealth of ICH Networks

The study of the six ICH practices revealed the significant impact of social networks on resourcing on various levels. Social networks serve as a source for generating non-monetary resources such as social, cultural, and symbolic capital, which can potentially be converted into financial resources for ICH (Meissner, 2017). Interacting with a variety of stakeholders beyond ICH practitioners is essential for both the non-monetary and monetary practices of resourcing for ICH. This distributes the care for ICH among many individuals.

Museums and commemorative institutions have a crucial role in the care of the intangible cultural heritage (ICH) resources of the six studied practices. This includes the documentation, circulation and visibility of ICH knowledge, as well as organizing opportunities for community engagement. However, the relevance of these institutions varies. For example, Batana Ecomuseum serves as a central hub for the preservation of the ICH, while Blaudruck benefits from museums as a space for temporary exhibitions. "Developing inclusive heritage networks requires coordination, social skills, and reflexivity" (van der Hoeven, 2019, p. 242) among heritage professionals.

Interpersonal networks with local representatives from the areas of politics, public administration, banks and social organizations are central to all six ICH practices. According to Granovetter (1973, p. 1361), the strength of interpersonal ties is determined by the interplay between time, emotional intensity, intimacy (exchanging confidences) and reciprocal services. Weak ties, on the other hand,

result in the efficient circulation of information. Both strong and weak interpersonal ties support the circulation of information, social mobility, political organization and social cohesion in different ways (Granovetter, 1973).

Benkler's (2008) The Wealth of Networks sees an expansion from interpersonal networks to institutional networks such as UNESCO, the EU, international associations, universities, schools and adult education. In addition, the internet serves as an infrastructure for networks and the peer production of shared, equally available knowledge (Benkler and Nissenbaum, 2006). Open knowledge, produced in networks of multiple stakeholders, is a resource for all six ICH practices. Preserving the ICH is decentralized and organized in a non-hierarchical manner by various participants with specific expertise and skills. This reflects a broad spectrum of ideas and perspectives for the safeguarding of ICH.

## 27.5  Community-Based Resourcing

Community-based valorisation is a growing topic in the context of sustainable development and heritage resource management (Kiss, 2004; Calfucura, 2018). Community-based approaches involve including communities in heritage valorisation processes not only as participants and contributors but also as beneficiaries of the new value chains. This approach increasingly integrates different dimensions of heritage, including material, intangible, natural and even problematic heritage. It may also involve building new communities and a solid framing of what community means (Fakin Bajec, 2020; de Luca et al., 2021; Lukman, 2020; Yodsurang et al., 2022; Flint et al., 2008). The discussion on community-based valorisation introduces new dimensions to the care of ICH resources and can build on a wide range of ongoing activities, as demonstrated by the six case studies of UNESCO-listed ICH practices.

Community-based economies of ICH rely on organizations such as clubs (e.g. Swabian Allemanic Carnival), cooperatives or non-profit associations (e.g. House of Batana, Falconry), which are eligible for economic activities that facilitate the common good. They provide frameworks for various forms of resourcing, including private funding such as donations or membership fees, organizing events, volunteer work, and other private commitments to take responsibility and care for ICH-related issues. These formal organizations overlap with the ICH communities of practice (CoPs) (Adell et al., 2015). They provide formal membership status, but also go beyond the social, practical, and imaginative capital of CoPs. They are a legal body with pre-defined structures, processes, and responsibilities controlled through administrative frameworks and entities. Administrative control ensures that these organizations maintain a democratic, participatory and non-commercial character. The governance structures of UNESCO ensure productive management of conflicts and controversies while maintaining the goal of preserving the ICH.

Community-based resourcing may also emerge through the marketing an ICH as a consumer product or an event, provided that these activities involve and facilitate local artists, reflect the identities of people and groups, and address wider ICH networks for the preservation of ICH. The examples of Blaudruck, Carnival, Poetry Slam and Fado demonstrate how community-based forms of resourcing can interact productively with commercial forms of resourcing.

## 27.6 Commoning—Opening Up ICH as a Resource for Many

The common understanding of ICH is that it is a shared property that emerges within communities as they both contribute to and benefit from this identity-relevant resource. This concept of heritage as a resource open to access and social inclusion aligns well with the commons as outlined by Vincent and Elinor Ostrom (Schreiber, 2023). The concept of commoning in relation to ICH sees the material and intangible worlds as interwoven. Public and private resources are shared, creating complex and adaptive socio-ecological systems that reflect on the worlds, the rules for making them, and the meanings for all participants (Hufford, 2016).

Commoning is an economic practice and form of resourcing that is embedded in specific social arrangements. It allows for open access to resources in the public sphere, making them available to a broader spectrum of people. Activities in the public realm, such as collaborating with schools, organizing public events like markets for Blaudruck, celebrating Carnival or enjoying Poetry Slam or Fado festivals, or gaining insight into the specific practices of Batana or Falconry, provide opportunities to access ICH as cultural commons.

Ostrom defines commoning as a social form that encompasses various ways of accessing common resources. These resources are characterized by two dimensions: excludability, which refers to the ease or difficulty of excluding individuals from the resource, and subtractability, which refers to the low or high possibility of subtracting the resource from the commons. These dimensions have implications for the safeguarding of intangible cultural heritage (ICH) as a common good (Schreiber, 2023). Managing and balancing the public and private dimensions of resourcing the six ICHs studied here requires different modalities of care for their future. The ICHs can be viewed as public goods, common-pool resources, club goods or private goods. It is important to maintain a balanced approach to ensure their preservation, which looks different for Blaudruck, Batana, Carnival, Fado, Falconry and Poetry Slam.

Agrawal (2003) argues that commoning affects subject formation through common property arrangements, regardless of the specific cultural form. The social nature of commoning presents significant potential for heritage as a process, including the co-evolutionary processes of identity, practices, and intangible aspects in the use of heritage. This potential can be harnessed by framing heritage as commons,

which can serve as a resource for recognition, redistribution, and restorative justice (Fava, 2022, p. 191).

Commoning is a social practice that transcends cultural heritages and identities. It demonstrates how cultural values can be co-created by agents of diverse backgrounds who embark on a common project motivated by a desire to care for each other in a safe, communal space shared and owned by all (Travlou, 2020). Enabling collaboration, supporting emerging practices of diverse groups, and providing broad access to cultural heritage are crucial for the process of commoning ICH. This process also depends on infrastructure and social design strategies of the cultural commons (Marttila & Botero, 2017).

## 27.7   Conclusion

Non-monetary resourcing is highly relevant in the cultural economies of intangible cultural heritage (ICH) and is efficient in preserving cultural heritage as a modality of caring for the future. In particular, local cultural economies are central to the robustness and liveliness of ICH, as ICH may both gain and lose ground in social relations and everyday practices. The social nature of the non-monetary forms of resourcing for ICH, sharing and caring in networks, community-based resourcing and commoning play a crucial role in maintaining the robustness and liveliness of ICH. These forms of resourcing also contribute to the formation of subject and identity, which are inherent elements of commoning. While monetary resourcing is important, safeguarding ICH is often conditional on these non-monetary forms of resourcing. Resourcing as a modality of care is thus decisive for these cultural practices, for passing them on to the next generation, and for making them a resource for visions of and developments for the future. The national and international cultural economies are important as they provide support for bringing symbolic capital and potentially money through commercial activities to the ICH. This can be crucial for maintaining the economic basis for practising and preserving the ICH.

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# Chapter 28
# Deeply Entangled, Never Alone: Intangible Cultural Heritage Practices in Post-digital and Digital Culture

**Benjamin Jörissen and Leopold Klepacki**

**Abstract** This paper examines the convergence of Intangible Cultural Heritage (ICH) with digital and post-digital cultures, using the digital game 'Kisima Inŋitchuŋa/Never Alone' as a case study. The analysis begins by exploring the game's role in translating and sustaining ICH in digital formats. Drawing on Karen Barad's Agential Realism, it interprets ICH within techno-human networks as part of 'Apparatuses for the Agential Emergence' of cultural knowledge. This study challenges traditional views of cultural memory and heritage transmission, advocating for a recontextualized understanding of ICH as a performative and evolving phenomenon, deeply embedded in medial and (post-)digital-cultural interrelations.

We would like to begin with an example—firstly, to provide concrete models of the connection between Intangible Cultural Heritage (ICH) and digitality or post-digital culture for our subsequent theoretical discussions, and secondly, to demonstrate the complex interrelationships of ICH practices and material and media aspects, which in our present times mean digital aspects and actors.[1]

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[1] In this context, mediality is not merely to be thought of as a secondary aspect of Intangible Cultural Heritage (ICH), in the simple sense that an autonomously or somehow extra-medially constituted ICH would only be mediatised retrospectively for communication or archiving purposes. As an immaterial heritage that is necessarily also symbolically constituted, ICH is interwoven in a complex way with medialities (of communication, recollection, and archiving), so that there is no ICH *as* ICH outside of these interwoven medial processes. In other words, mediality, i.e. medial materialities and material medialities, is not external to Intangible Cultural Heritage (ICH), but rather constitutive of it.

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The example takes us to the Cook Inlet Tribal Council (CITC) in Anchorage, Alaska, which founded the company "Upper One Games" in 2014. The main purpose of this newly founded company was to produce a digital game and in so doing create a commercially successful product generating an income (used by the non-profit CITC for social and educational purposes). However, there was another priority for this project, namely to make the ICH of the Alaska Native people accessible both to their own emerging generation and globally. "Video games are a space where the Alaska Native youth, like other young people, occupy significant time. CITC has always strived to meet our people where they are in life. [. . .] Video games have the power to connect with Alaska Native storytelling and traditions while providing players an opportunity to explore and learn in a highly engaging, interactive context" (Alspach, 2017).

Amy Freeden, Executive Vice President of CITC, retrospectively highlights two aspects of particular interest to us. Firstly, one of "the most important things we did was to bring in a whole cadre of cultural ambassadors and to have an embedded writer with the video game team" (Tomberlin & Freeden, 2021). Accordingly, the producers[2] pursued an approach of "inclusive development", involving indigenous communities in every part of the development of the game, from design to narrative to marketing and distribution. A large number of elders, cultural ambassadors, traditional storytellers, historians and youth from various Alaskan communities collaborated with a team of game developers from different nations. The result—the game "Kisima Inŋitchuŋa/Never Alone", in which the Iñupiaq girl Nuna, together with an Arctic fox, faces tasks and adventures arising from an irregular weather phenomenon, namely an unending snowstorm that must be stopped in interaction with natural forces and spirits—received a significant reception, including in the field of cultural studies (Haraway, 2016, 86; Jörissen, 2022, 480–483). It is important to notice that not only the main narrative of the game, but also the *form of transmission* of the story is closely aligned with Iñupiat culture. The chosen story "Kunuuksaayuka"—deeply interweaving ecological, spiritual and resilience-related elements—"had been published and recorded by Robert Nasruk Cleveland and his daughter, Minnie Aliitchak Gray. Research determined that under Iñupiat tradition, stories are inherited by the eldest child in the family line. Robert Cleveland died many years ago, so the team tracked down his eldest child, Minnie Aliitchak Gray, and received her permission to use and edit the story in the video game" (Alspach, 2017).

Secondly, this example is significant in that the resulting game does not merely represent cultural heritage and values as objectified references, but rather deeply integrates them as a media-structural translation into the game design, thereby structuring the gameplay mechanics themselves. "Ishmael Hope (Tlingit and Iñupiat) was our writer. His role was interesting because it wasn't just about writing. He was there to help the game developers navigate how to blend the game's mechanics

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[2]Upper One Games later on merged with the game developer E-Line, which itself is connected to the non-profit organization "Games for Change".

with traditional values. For instance, in an early version of the game demo, the spirits were called up by players. Ishmael immediately saw that this was a problem because characters would not have that power in Alaska Native stories. Instead, the fox is able to work with the spirits, who reveal themselves in times of need" (Tomberlin & Freeden, 2021). The same applies to the didactic structure of the game, which, although it can be used educationally, does not fundamentally perceive itself as pedagogical. Embedded testimonies of contemporary witnesses from the elders, unlocked as optional videos at the end of each completed level, directly relate to the educational and identity-forming significance of storytelling among the Iñupiat (Schlag, 2018, 256–258). The insight we gain into the intangible cultural heritage of the Iñupiaq is extensive—from reports on everyday activities to the exploration of values and cosmological aspects.

This process of participatory-collective game design is also a *curatorial* process in the sense that the cultural selection of what to preserve for the game represents a practice of collective care (Latin: *cura*) for knowledge and traditions that are at risk of being forgotten, thereby also safeguarding values. The game is not a digital artefact in isolation, but, rather, the (downloadable) digital object is embedded in contexts that should be understood as a transformative continuation of the Iñupiat's narrative practices, shaped by the realities of digitalized everyday life. It is "one more step in a longer series of art evolutions for the Iñupiat – from scrimshaw carvings on whale bone to ink and paper illustrations, oral stories to written then printed books – now digital media" (Brown, 2017, 27). This medial translation process into the digitally networked sphere is by no means a radical innovation, but rather a continuation of certain forms of cultural transmission that have long existed in the so-called "oral", but actually medially complex cultures of the First Nations of North America.

Brown refers here to Steven Loft, writer, curator, media artist, and "Mohawk of the Six Nations with Jewish Heritage" (Loft, 2014, 169), who states "If we, as Aboriginal people, see the 'Internet' as a space populated by our ancestors, our stories, and, in a wider way, ourselves, then we must believe it existed before the actual realization of the technology. It is then, indeed, a 'cyberspace' attuned to, and inclusive of, our past memories, our epistemological concerns, and the culmination of lived experience" (ibid., 172). From this perspective, the game reveals itself as both a subject and context of a transformation that has a preserving role, which we have addressed elsewhere as 'cultural sustainability' (Jörissen et al., 2023; Klepacki & Klepacki, 2018, 2023; Jörissen & Klepacki, 2021).

However, preservation here is more than conservation (as of a museum object). Analyzing this example reveals fundamental structural aspects of Intangible Cultural Heritage (ICH). Firstly, it includes an element of collective curatorial practice, which is decolonial, participatory and empowering. Secondly, structured actor-networks emerge, including the emergence of a production company linked with NGOs. These actors operate both self-referentially, defining and applying value-based inclusion criteria, and externally, networking with institutions like E-Line, Games for Change, and educational establishments (Tomberlin & Freeden, 2021). Thirdly, there is a hybrid of technological networks, devices, and human actors who become temporary

techno-subjects *of* the game, without necessarily realizing that their gameplay is a material enactment of transmission processes that are indigenously initiated and structured.

A closer examination reveals a multitude of ontologically heterogeneous actors and actants, including *human actors* in various roles–such as judging, producing, and interacting–alongside *institutional actors* from the discourse of alternative digital game culture. Additionally, *design-technological actants* are involved, encompassing software development platforms, software libraries, databases and data formats, and specific material (enduser) devices. Such a set of actors/actants is probably present in one form or another in any game development. What distinguishes Kisima Inŋitchuŋa/Never Alone from other digital games, however, is the way in which these actors/actants are brought together and the manner in which they emerge in a new or changed form from these processes of relation-building. Unlike games that merely use ICH as a superficial, mostly exoticized element within established game genres and their conventions (Lagace, 2018; Escandell-Montiel, 2020), this computer game is *at the same time* digital materiality in the sense of Western-capitalism (i.e. a saleable product) and de facto part or continuation of a cosmological transmission context of the Iñupiaq. It is at one and the same time an interaction machine (as an information-based, playable digital object) and an educational/heritage-related actor (as performed narration of and about cultural heritage and those who transmit it, the storytellers). It also produces consumers (gamers) and learners, namely participants in a process that Donna Haraway highlights as an example of "science art worldings for living on a damaged planet" (Haraway, 2016, 86) that are characterized by "inventive, sympoietic collaborations that bring together such things as computer game platforms and their designers, indigenous storytellers, visual artists, carvers and puppet makers, digital-savvy youngsters, and community activists" (ibid.).

Building on this exemplary case, we will now develop a theoretical perspective on Intangible Cultural Heritage (ICH), focusing first on examining its indeterminately-determined relational configurations. We view ICH as the effect of actors undergoing various processes of mutual entanglement. Not only do they emerge from these processes as altered entities, but they are also transformed into new actors in new actor constellations in the sense of alternative "agential cuts" (Barad, 2007) which must be epistemically recognized (as in the above example where the digital game becomes, in fact, part of a cosmologically related, materially communicative practice of transmission). Our conceptualization of Intangible Cultural Heritage (ICH) sees it as a material-discursive configuration that both transforms and preserves through practical transmission, as discussed by Groschwitz (2021) and Saupe (2021, 26–34). Drawing on Karen Barad, we argue that this configuration can be understood as an apparatus for an intra-active coming-into-being—or in short, an apparatus for an *agential emergence*—of cultural knowledge (Klepacki & Jörissen, 2024).

This focus enables us, on the one hand, to elaborate the particular entanglements of human and non-human agency which are an important part of the performative creation of digital-cultural realities. On the other hand, building upon this, it can be

shown to what extent the enactment—and thus also the transformative transmission—of digital-cultural ICH practices is linked to specific entanglements of human and non-human forms of knowledge. Digital-cultural ICH phenomena in particular can be seen as a performative effect of techno-human intra-actions that are shaped to a large degree by knowledge configurations that are non-human. These are founded on data and preconfigured data formats, structured according to the database as symbolic form (Manovich, 1999), and actualized algorithmically and stochastically.

Following the key principles of Karen Barad's Agential Realism (Barad, 2007), our analysis begins by establishing a distinct type of ontological demarcation. This approach leads to a specific interpretation of the definition of Intangible Cultural Heritage (ICH) as stated in UNESCO's 'Convention for the Safeguarding of the Intangible Cultural Heritage', along with a revised epistemic understanding of ICH. We then develop a closer look at ICH as "apparatuses for agential emergences" of cultural knowledge. Building on this, we explore how (post-)digital cultural practices emphasize the materiality, hybridity, and performativity of ICH transmission as especially significant. Finally, we demonstrate how the insights developed here contribute to a transformation-oriented, present- and future-focused understanding of ICH, while simultaneously enabling us to view the practical transmissions of ICH as a process of building sustainable, i.e. resilient, cultural practices.

## 28.1  ICH as a Repository of "Apparatuses for the Agential Emergence" of Cultural Knowledge

Even though the UNESCO definition of Intangible Cultural Heritage (ICH) is not a systematic conceptual definition in the strict sense, certain core aspects are clearly named in the first paragraph:

> The 'intangible cultural heritage' means the practices, representations, expressions, knowledge, skills – as well as the instruments, objects, artefacts and cultural spaces associated therewith – that communities, groups and, in some cases, individuals recognize as part of their cultural heritage. This intangible cultural heritage, transmitted from generation to generation, is constantly recreated by communities and groups in response to their environment, their interaction with nature and their history, and provides them with a sense of identity and continuity, thus promoting respect for cultural diversity and human creativity. (UNESCO, 2020, 5)

According to this description, ICH phenomena can be broadly understood as historically re-enacted cultural practices, i.e. cultural performances (Groschwitz, 2021). From this, three essential aspects of ICH emerge. Firstly, since practices are linked to collective knowledge repositories that serve as a base for the enactment of these practices, ICH builds upon the transmission of practical knowledge bases that are circulating in society (ibid.). To ensure that ICH is not only a matter of re-presentations or (collective) memories but actual practice, performative-mimetic re-materializations are also necessary (ibid.; Wulf, 2023a, b). These performative

re-materializations occur in a culturally shaped *social present*, as is established in and through ritualizations of practice (Mead, 1932; Jörissen, 2007, 186–193), so that ICH can only exist in the immediate performative act of its respective present. Consequently, the so-called "living" ICH always exists only as a tradition that is transformed by historical processes (Klepacki, 2023).

However, these three aspects fundamentally apply to all forms of cultural practice, as they do not self-reproduce but are linked with repeated and performative practices that are thus change-inducing. The central difference between the practical transmission of practices (as such) and the practical transmission of practices *as ICH* must therefore lie elsewhere. According to Groschwitz (2022, 38ff.), the key aspect is that ICH is a result of networked and overlapping knowledge practices. In other words, the logics and modalities of the practice of the designation (Drascek, 2022, 10) of something *as* ICH involve the process of rooting this particular "something" in an actor-network of carrier groups, politics, the public, and science. This in turn has the effect that this "something" is not only marked as a meaning-generating and identity-creating phenomenon but that it is then formed as a specific cultural knowledge concept, thus becoming a metacultural phenomenon (Tauschek, 2013, 23; Kirshenblatt-Gimblett, 2004).

From the perspective of the theory of performativity, the enactment and transmission of ICH can then be understood as an effective creation of specific realities in and through which cultural knowledge bases and forms of knowledge become present in complex material networks. Accordingly, ICH phenomena can be considered as performative and hence material configurations of an important agential emergence of cultural knowledge. It is therefore crucial for the effectiveness of ICH that cultural knowledge is re-actualized in a *practical, performative way* as specific historical knowledge, and not merely represented through language and media. This enactment (Barad, 2007, 140) occurs—and this is of central importance not only theoretically, but also empirically, and ultimately practically, as our example above shows—not through individual human actions or individual things/artefacts, but in the entirety of the apparatus in which the knowledge is articulated, materialized, or performed.

Karen Barad (2007, 139) argues that this entirety can be understood as a phenomenon in which different agents (e.g. discourses, networks, actions, human bodies, things, etc.) produce an "ontological inseparability" (ibid.) as entangled and intra-acting relata. In other words, the relata (or related things) are not pre-existing entities, but they emerge as elements that only exist in relationship with the other components of the phenomenon. It is the particular structure of intra-actions, of the mutual enactments of the "relata-within-phenomena" (ibid., 140), that lead to ICH phenomena being distinct from other cultural phenomena. In this sense, in line with Karen Barad (2007, 141–153) ICH phenomena can be designated as specific "apparatuses".

Following Barad, apparatuses are "material-discursive practices", which produce "differences that matter". They appear as "dynamic reconfigurings of the world" that are "open-ended" (ibid., 146). With regard to ICH, this means that all relata of ICH phenomena are actors or actants of knowledge that are related or entangled.

Specific cultural forms of (explicit and implicit) knowledge are thus reordered in a present form. By being materially present and thus sensually tangible, these forms of knowledge become distinguishable. Such processes of agential emergences happen in an ephemeral way. They are reliant on recurrent or ritualized repetitions, i.e. iterations, in which the indeterminately-determined relational configurations of an ICH phenomenon always manifest as material configurations. It is precisely with regard to this that the agential emergence of ICH always and fundamentally has a transformative character due to its iterative structure. Accordingly, agential emergences not only move between the two poles of conserving/preserving and a transformational-recontextualizing reactualization, but are also always embedded in the political relationship of praxes, practices, and policies (Alkemeyer et al., 2021; Arnaud et al., 2023).

This understanding of ICH phenomena as apparatuses for the agential emergence of cultural knowledge opens up new perspectives. Firstly, it can be emphasized that ICH is neither essentialist nor static in the sense of assuming or attributing original authenticity and originality (Saupe, 2021), but is to be considered as fluid, transformative, and ephemeral. Secondly, it can be shown that the performance of ICH, although centrally bound to human bodies (Wulf, 2023a), involves non-human actants which are equally important. Thirdly, it can be pointed out that ICH and the ICH-related forms and stocks of knowledge are indeterminate and that they are only temporarily transformed into something determinate at the moment when it is performatively brought into being.

## 28.2 (Post-)Digital Cultural Practices as Intangible Cultural Heritage

Analyzing our present times from the perspective of culture theory, first and foremost we note that in the high-technological, late-capitalist modern era, cultural forms or patterns and practices are undergoing profound transformation processes under the influence of comprehensive digitalization of all areas of life. The digital is no longer experienced as a disruptive intrusion into reality but is now recognized as a constitutive element of the world. This state can be described by the term "postdigital" (Cramer, 2014; Jörissen, 2023). The term "post-digitality" thus fundamentally refers to a specific historical condition of culture, in which the digital has become both ubiquitous and invisible, no longer explicitly perceived as a separated realm but an integral part of everyday life. Speaking of a post-digital culture means referring to the fact that "structures that arise from the dynamics of digitalization have begun to structure or restructure 'non-digital', i.e., not directly technical, life processes. This includes, for example, the increasing outsourcing of memory practices and their direct connection to 'the cloud' and thus big data economies, the transformation of sociality into network-shaped attention economies, creativity imperatives, and hyper-individualized information and communication styles" (Engel & Jörissen, 2022, 620, translated by the authors).

In this sense, the digital has not only become an inevitable cultural factor but necessarily also a component of humanity's cultural heritage:

> The digital heritage consists of unique resources of human knowledge and expression. It embraces cultural, educational, scientific and administrative resources, as well as technical, legal, medical and other kinds of information created digitally, or converted into digital form from existing analogue resources. Where resources are 'born digital', there is no other format but the digital object. Digital materials include texts, databases, still and moving images, audio, graphics, software, and web pages, among a wide and growing range of formats. They are frequently ephemeral, and require purposeful production, maintenance, and management to be retained. (UNESCO Charter on the Preservation of the Digital Heritage, Article 1)

"Digital Heritage" as defined here, is closely linked to ICH. It is conceived as a unique repository of human knowledge and expression, positioning digital cultural heritage within digital-cultural practices that arise from digital technologies and new possibilities for the entanglement of human and non-human actors/actants. The concept of ICH 'born digital' is often overlooked, exemplified by the undifferentiated use of the term 'digital culture' (for example, Stalder, 2016). It encompasses cultural spheres that have developed since the 1970s, with significant advancements around 1985 (Rheingold, 1993; Turkle, 1995; Jörissen, 2003), leading up to the rise of social networking platforms in the 'Web 2.0' era, about a decade after the release of the 'World Wide Web' (Jörissen & Marotzki, 2008).

However, while the acknowledgement of digitally-born forms of ICH is important, as demonstrated by their inclusion in several national ICH lists (such as the 'Demo-Scene' Culture in Germany), the entanglements of digitality and ICH extend far beyond these now historical (primary online-based) modes of cultural practice. Focusing on ICH of digital cultures without also emphasizing how deeply current post-digital culture is embedded in pre-digital as well as digital ICH risks underestimating the role of medialities, and consequently, the role of digitalities and digitalization, in non-digitally-born forms of ICH, as has been vividly demonstrated in our case study. Such techno-human entanglements, as discussed, are of particular interest when reflecting on ICH. Digital-cultural ICH and its transmission "needs to take into account agential forces and effects of digital technologies and their entanglements with human bodies" (Leeker et al., 2017, 9).

At its core, digitalization transforms semantic order into mathematical order, narrative into enumeration, and the perspective of personal narrative into pattern recognition (Ernst, 2013). Following media theorist Wolfgang Ernst, digitalization reconfigures the archive as a medium of history (Ernst, 2016a, b) within the symbolic form of the database (Manovich, 1999). With regard to western ("modern") epistemological practice, Ernst describes the shift from a hermeneutic-historiographic order to a descriptive-numerical order in digital archives as a paradigmatic change. "Logocentrism is replaced by the alphanumeric. The relationship between writing (vocalic alphabet) and the archive is reversed [. . .]. Archival script [. . .] becomes more universal than ever, as demonstrated by every image and software component [. . .]" (Ernst, 2013, 88). Digitalization facilitates an "order without stories" (ibid., 150); an order that transforms temporal data into the spatial structures of a database. This transformation enables politico-aesthetic moments of dissent, or "dissensus" (Rancière, 2015), reconfiguring the constellations and entities

represented by Intangible Cultural Heritage. As our decolonizing example illustrates, these dynamics of re-relating alter the relationship between heritage and power in complex ways, with agential cuts introducing new actors and reshaping the heritage landscape. In this respect, our example should be perceived in the light of current and upcoming developments in indigenous and decolonial digital heritage practices (Philip et al., 2012; Abdilla et al, 2020; Couldry & Mejias, 2023).

## 28.3    Conclusion

Digital-cultural Intangible Cultural Heritage (ICH) is fundamentally characterized by entanglements of human and non-human forms of performativity, in which the ontological dualism of human and technology, or subject and object, as well as hermeneutic action and calculative processing, is replaced by the dynamics of techno-human intra-action. We propose to understand ICH as a performative, material-discursive, and continuously evolving process. The case of the digital game "Kisima Inŋitchuŋa/Never Alone" exemplifies this by illustrating how cultural narratives, values, and practices can be re-articulated and transmitted through the affordances of digital technologies. Here, post-digital culture is not simply a context for ICH but a constitutive element that shapes and transforms it. This transformation is not a superficial overlay of heritage onto a digital medium but a deep entanglement of human and non-human actors, technologies, and practices, all operating within what Karen Barad describes as "apparatuses" of agential emergence.

Importantly, as demonstrated, apparatuses are open to empirical reconstruction as a finite set of (human, non-human, discursive, spatial, temporal etc.) elements emerging from relational processes. In this regard, the human-body-centred understanding of practices of remembering or re-actualizing cultural knowledge needs to be expanded by a changed conception of cultural bodies, repositories, and bases of knowledge. Ultimately, the convergence of ICH with digital and post-digital cultures highlights a status quo where cultural heritage is not static but continuously enacted, transformed, and re-contextualized in response to technological developments and the shifting dynamics of human and non-human agency. Therefore, it is essential to relate the practices of performative agential emergences of cultural knowledge to processes of generating and registering the world in computational-sensorial ways, too (Gabrys, 2018), as we inhabit a "more-than-human world" (Haraway, 2016).

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# Chapter 29
# Threats to the Transmission of Living Heritage Among Children and Youth: Social Media Use, Reflections and Suggestions from a Decade of Capacity-Building

**Suzanne Ogge**

**Abstract**  Concerns regarding the impact of social media and digital platforms on children and youth's interest in their living heritage have been a recurrent topic in capacity-building workshops for the UNESCO 2003 Convention for the Safeguarding of the Intangible Cultural Heritage. While UNESCO's Living Heritage Entity and other organizations and stakeholders dedicated to safeguarding intangible cultural heritage acknowledge this threat, efforts to mitigate it concentrate primarily on leveraging the opportunities offered by digitalization to integrate living heritage into programmes aimed at enriching young people's engagement with living heritage (such as education or awareness-raising programmes). Insufficient attention is given to the more harmful ways in which children and youth utilize digital platforms within their family, homes, community or other 'micro-environments', in ways that detract from the intergenerational transmission of living heritage. This paper emphasizes the necessity of examining and understanding how social media use and digital platforms impact children and youth within these more intimate environments in which they grow up, and of defining ways to mitigate negative impacts. Drawing from the author's observations during capacity-building workshops across the Asia-Pacific region over the past decade, this paper raises questions and proposes strategies for addressing the problematic use of social media and digital platforms by the younger generations, drawing on tools provided by the 2003 Convention. It also hopes to contribute to understanding of the wider socio-cultural spheres of the Anthropocene, with its focus on contemporary technology and media, and how they are shaping the living heritage of future generations.

**Keywords**  Social media · Living heritage · Safeguarding heritage · Heritage capacity building

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## 29.1    Introduction

Social media and digital platforms are increasingly used as tools for promoting awareness of intangible cultural heritage, whether through UNESCO programmes or other organizations and initiatives, governmental or non-governmental particularly among younger demographics. Platforms like Facebook, Snapchat, YouTube, WhatsApp, WeChat, TikTok, Instagram and, to a lesser extent, X (previously Twitter), have proven effective in engaging younger audiences and others with creative content about living heritage. Programmes such as 'Google Arts and Culture',[1] which collaborated with UNESCO during the pandemic to offer online educational content primarily centered on World Heritage sites and museum collections, show the potential of social media as a tool for learning experiences for children and youth, and is among a growing number of initiatives that illustrate the role digital platforms can have in supporting more equitable access to culture and education at the community level.

However, it was not so long ago that social media use was more often than not viewed as a threat to the transmission of living heritage, according to participants attending training workshops held as part of UNESCO's Global Capacity-building Program for the 2003 Convention[2] in the Asia-Pacific region. While facilitating national and regional workshops from 2013 to the present day, held in 12 countries (Bangladesh, Cambodia, China, Fiji, Kazakhstan, Kyrgyzstan, Nepal, North Korea, Pakistan, Singapore, and Timor-Leste) and since the COVID-19 pandemic, largely online, I listened to concerns consistently raised by practitioners, community members, government officials, and NGO/civil society representatives about the eroding impact of social media use and digital platforms (to be referred to interchangeably in this paper, for brevity) on the interest and time of children and youth in relation to their living heritage. The topic was usually expressed in terms of how social media use in particular detracted from children and youth engaging attentively in familial and community contexts in which ICH is transmitted, and a growing preference for 'more contemporary' cultural distractions, whether 'western music', videos or other fast-paced content. These concerns are relevant to day-to-day social practices of ICH, such as preparing certain foods, enacting rituals or learning certain crafts or trades or learning instruments.

With hindsight, these concerns were not given the attention that the scale of this emerging issue calls for, notably in relation to a closer examination with community members into the very familial or micro-environment in which the declining interest of youth was most clearly taking place. When I refer to this topic not gaining enough interest, I do not refer specifically to UNESCO, which is committed to addressing

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[1] Further information on the programme is available at: https://whc.unesco.org/en/google

[2] The Global Capacity-building Programme was put in place in 2009 by the 2003 Convention's Secretariat to support countries in implementing the Convention. It aims to 'support countries in safeguarding their intangible cultural heritage and harness its potential for sustainable development, while promoting broad public knowledge and support for the Convention.' https://ich.unesco.org/en/capacity-building?categ=2019#:~:text=The%20Programme%20was%20put%20in,and%20support%20for%20the%20Convention

social media among youth, and has encouraged the involvement of digital platforms in projects to engage the young in ICH-related education, for example. Rather, I refer more broadly to a need for more to be done by various stakeholders including and in conjunction with UNESCO—government agencies concerned with the topic, research bodies, civil society and other relevant actors—to look specifically at the impacts of social media in homes and wherever children and youth use them.

In this paper, I consider some of the reasons as to why the topic of social media used by children and youth (I refer also to 'the young' in this paper, with the understanding that it covers users of digital platforms from young children to adolescents) from the ages of around three to 17 years in excessive or inappropriate ways have not been examined in greater depth, given the scale of the problem. Taking into account the number of global capacity-building workshops to safeguard intangible cultural heritage held reaches over 300 in the past decade within some 100 countries with some 150 facilitators trained, and at least 7500 participants (to make a conservative estimate if an average of 25 participants per country are counted), the fact that SMU has been a raised as a recurring threat in the Asia-Pacific region alone is significant. Without offering definitive answers, I question and reflect on this topic, drawing largely from my observations as a facilitator, taking an empirical rather than academic approach, though reference is made to selected studies on the topic of evolving relationship between social media use and children and youth.

The position I share in this paper is that despite the benefits and the continually expanding potential of social media when used positively to heighten engagement with ICH, there are many levels of impacts of digitalization, and on a micro-level—in homes, family or other community environments where its use among the young tends to be on the higher end, 'behind closed doors' and often less supervised, it remains a significant and immediate threat to the inter-generational transmission of living heritage. The plain reason for this is that it is within these environments that so much living heritage is traditionally transmitted to youth at a formative age. After looking at various challenges in this regard and some of the efforts already underway by UNESCO's Living Heritage Entity (the UNESCO Secretariat for the 2003 Convention's programme) to harness the opportunities of SM and DPs for education in particularly, I offer suggestions as to how the 2003 Convention might address the disruption of transmission on the ground and in environments in, or closer, to home.

In this paper, we will refer to the efforts by UNESCO's Living Heritage Entity simply as those of UNESCO, to avoid more cumbersome terms.

## 29.2  Observations During Asia-Pacific Capacity-Building Workshops

Facilitating for the 2003 Convention in the Asia Pacific region involved preparing and delivering around three, sometimes more, capacity-building workshops per year on the 2003 Convention on national and regional levels. The training topics were

more often taken from the Convention's repository of materials, and adapted to specific needs at the country or regional level. The more 'standard' topics taught in the earlier years of the Capacity-building Programme focused on ratifying and implementing the Convention, preparing nominations and safeguarding living heritage. With time and as knowledge of the Convention spread, the training increasingly took on more tailored approaches, including a stronger focus on community-based inventorying, and cross-cutting and emerging themes, such as climate change and disaster preparedness, for example. While the Global Capacity-building Programme does not give region-by-region breakdowns of the number of workshops held and participants trained, it offers global estimates of 300 workshops held worldwide, and in the Pacific region, many through collaboration between UNESCO and its Category 2 Centres in the Asia Pacific, namely the International Training Centre for Intangible Cultural Heritage for the Asia Pacific Region under the Auspices of UNESCO (CRIHAP) and the International Information and Networking Center for Intangible Cultural Heritage in the Asia Pacific Region under the Auspices of UNESCO (ICHCAP). It should also be noted that on some occasions, State Parties and other agencies also run training programmes independently, at the encouragement of UNESCO and the Living Heritage Entity's goal of having the 2003 Convention's implementation, including capacity-building, become better integrated into national and local initiatives and programmes. Workshops have involved anything from approximately 20 to 30 plus participants largely in person (or online) in Southeast Asia and the Pacific.

Since 2013, when I conducted my first workshop, participants have as mentioned, consistently referred to the harmful impacts of social media and the widespread use of smart phones on the transmission of living heritage in their local contexts. More precisely, they have lamented the significant amount of time children devote to screens and the inability of living heritage in general to compete with the seductive, fast-paced and ultra-contemporary nature of SM and DPs content, (a reference with in fact seems to cover all kinds of content and platforms from YouTube videos to video games and always 'on' online chats), with one particular culprit being 'western music', another, 'western fashion' with all it can imply in terms of representations of the self, and how they differ from more culturally specific ways of dressing.

It's difficult to overestimate how common and widespread discussions of the topic of social media use are for adults in the workshops. Participants in North Korea during a training workshop in 2018 on preparing nominations to the 2003 Convention be moaned the preference of children to return from school and play games on the country's intranet. A participant from the region of Baluchistan in Pakistan in 2019 expressed a similar complaint. And between the two, my notes show that the issue has been raised in each workshop I have facilitated in Southeast Asian countries and the Pacific, though interestingly, unlike other threats to the transmission of ICH wherein underlying or deeper causes of declining transmission were discussed—such as, for example, the decline in raw materials due to climate change, leading to dwindling numbers rattan weaving production—very little, if any, further discussion ensued to delve into the underlying problems that enable children and youth to spend a great deal of time online at some cost (just how much is never clear)

to their practice of living heritage. No doubt readers of this paper, regardless of where they are from, can relate in some way to this societal concern, even if through their own screen habits. Or at the very least, some would have been exposed to the topic through media, where it is reported on national and international platforms with some regularity.

The core of the complaints are that digitization has a hold on children's mental space, leisure time and values, and is diverting them from more traditional influences rooted in family life, in-person bonding, and various expressions of living heritage. Yet, lamented as it may be, there is rarely an in-depth discussion during the workshops about how the issue can be tackled head on, and in more depth. Discussions and actions relating to social media tend to focus more on two areas: One is the extent to which their impacts are either positive or negative for children and youth's well-being socially and emotionally, and notably those around the age of adolescence, without a specific focus on the transmission of living heritage. The other is by taking positive action through programmes that co-opt social media's tools, to reach and potentially to engage youth's in activities that reinforce interest, knowledge and engagement with living heritage.

Neither approach hones in directly on how digital platforms disrupt, often very deeply, interest in living heritage in the homes or other environments close to home, nor explore how to delve into this more intimate space to some of the root problems around its use and its hold on the young's development in relation to living heritage.

## 29.3   Impacts of Digitization: From Pros and Cons to the Dangerous

Four studies on the question of social media and digital platforms influence on young people are considered here, selected for their broadly representative take on the growing body of research in this area and for offering comparative findings from different regions of the world.

UNICEF's report, *The State of the World's Children, 2017: Children in a Digital Age*[3] examines how digital access can be a game-changer in terms of the opportunities it can provide to lesser developed countries and communities, offering access to learning tools and other advantages. It also highlights the potential to exacerbate inequalities and expose vulnerable children to online exploitation and abuse.

Overall, this report is a well-balanced document, addressing a wide range of issues and recommendations to governments and policymakers. The report also articulates clearly some of the dangers which are of particular interest to our paper. Referring to the rise of 'bedroom culture,' where online access for many children

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[3] *The State of the World's Children, 2017; Children in a Digital Age,* UNICEF Division of Communication, New York. https://www.unicef.org/reports/state-worlds-children-2017

becomes more personal, private, and less supervised, the report also discusses the use of digital platforms that,

> ...have changed how children form and maintain their friendships, allowing them to maintain almost-constant contact with their peers. They have also transformed how many children spend their leisure time, providing them with a constant feed of videos, social media updates and highly immersive games. Many adults fear these changes are not all for the better, and worry that excessive screen time is isolating children from their families and surroundings, fuelling depression and even making children obese.[4]

A more recent review of literature, 'Social media and adolescent well-being in the Global South',[5] addresses the comparative lack of research in 'southern' countries as compared to the global North, focusing on Sub-Saharan Africa, Middle East & North Africa, Latin America, China and South and South-East Asia. Advocating a more culturally specific approach, it proposes that cultural and linguistic factors influence the way adolescents use and experience SM and DPs in these understudied regions. Overall, the review findings indicate that social media use in each regions brings advantages for well-being, among them greater social connectivity, support networks and access to information on diverse topics that are critical for health and well-being among disadvantaged adolescents. However, the review also raises the harms of excessive use of social media, from sexual exploitation cyber-bullying, and distracting adolescents from more holistic, in-person relationships.

Of specific interest is one of the proposals the authors make for future research, due to its focus on looking more closely into the places where adolescents are living and using social media;

> ...researchers need to move beyond overly generalized Global North vs Global South differences and instead investigate the various micro-level individual variables (e.g., parenting and family dynamics), and macro-level ecological variables (e.g., cultural values) that might change how social media influences adolescent well-being.[6]

Each of these two studies emphasizes the imperative for equitable access to digitization, to close the gap on the opportunities offered by digitization. Both also call for greater measures to protect the most vulnerable youth from threats of exploitation and excessive use. Though one can quite easily extrapolate that the transmission of living heritage is at risk if social media has an eroding influence on the fabric of family life and closer, human-to-human relations, it remains that the topic is not addressed directly.

Among a growing body of research into harmful impacts of social media today on children and adolescents, is a survey published in 2022 by *The International Journal of Environmental Research and Public Health* authored by members of the Italian Pediatrics Society. Examining 68 research papers from diverse countries to pinpoint common risks linked to social media use among the young, its findings note that:

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[4] Ibid. p. 25.

[5] Ghai, S. et al. (August 2022) Social Media and Adolescent Well-Being in the Global South. *Social Media and Well-Being*. https://www.sciencedirect.com/science/article/pii/S2352250X22000288

[6] Ibid. p. 3.

> . . . the most prevalent issues revolved around mental health concerns such as depression, anxiety, and addiction. Additional problems encompassed disrupted sleep patterns, dietary issues, cyberbullying, psychological distress, behavioral challenges, sexual content exposure, distorted body image perceptions, reduced physical activity, online grooming, visual strain, headaches, and dental problems. . .[7]

A 2019 study published by the American Journal of Psychiatry (JAMA Psychiatry) titled "Associations Between Time Spent Using Social Media and Internalizing and Externalizing Problems Among US Youth," is relevant for its focus on the psychological impacts of SMU on youth and found that:

> . . . . increased time spent using social media per day was prospectively associated with increased odds of reporting high levels of internalizing and comorbid internalizing and externalizing problems, even after adjusting for history of mental health problems. . .[8]

Taking direct action last year, dozens of US states sued Meta for harming young people and contributing to the youth mental health crisis, claiming that Meta knowingly and deliberately designs features on Instagram and Facebook that addict children to its platforms.[9] Adding to this, given the formidable influence of algorithms and audiovisual interfaces on children and youth, alongside the substantial investments made by technology companies to enhance their addictive appeal, it is hardly surprising that the transmission of living heritage—dependent as it is on human communication, close in-person relationships, commitments over sustained periods of time and generations—struggle to compete with the allure of digital platforms.

## 29.4   Co-opting Digitalization: Examples from UNESCO Living Heritage Entity

UNESCO programmes have contributed significantly to advancing actions that focus largely on harnessing the benefits digital technologies, while recognizing the dangers. This topic was, for example, acknowledged among the major domains to be addressed as a result of 'The Seoul Global Meeting,' and event hosted in 2023 by the Ministry of Foreign Affairs in the Republic of Korea, and other partners[10];

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[7]Bozzla E. et al. (12 August 2022). The Use of Social Media in Children and Adolescents: Scoping Review on the Potential Risks. *International Journal of Environmental Research and Public Health*. 19(16):9960. doi: 10.3390/ijerph19169960

[8]Riehm K. E. et al. (11 September 2019). Associations between Time Spent Using Social Media and Internalizing and Externalizing Problems Among US Youth. *JAMA Psychiatry*. 76(12): 1266–1273. https://doi.org/10.1001/jamapsychiatry.2019.2325

[9]Ex-Meta employee says his warnings of Instagram's harm to teens were ignored. (7 November 2023). *The Guardian*. Available at: https://www.theguardian.com/technology/2023/nov/07/meta-facebook-employee-congress-testimony-instagram-child-harm-social-media (Accessed: 2 March 2024).

[10]Organizing partners of the conference also included the Cultural Heritage Administration of Korea in collaboration with UNESCO and its Category 2 International Information and Networking Centre for Intangible Cultural Heritage in the Asia-Pacific Region (ICHCAP) and the Korea Cultural Heritage Centre.

> We acknowledge the ground-breaking impact of digital technologies on people's lives and their intangible cultural heritage, both posing new threats and providing new opportunities for its continued transmission to future generations. We underline that in this regard, addressing rights and ethics issues in the changing digital space is important. We also believe that as hate speech and expressions of racism and xenophobia circulate rapidly on the Internet, the power of living heritage to foster respect for diversity and celebrate differences can be and should be harnessed as a countering force connecting rather than dividing people around the globe.[11]

The recognition by UNESCO and a large group of participating experts, governmental, and civil society representatives of the need to address the impacts of digital technologies is a commendable step forward. The vision statement, however, remains largely focused on rights and ethics. While these are incredibly important areas, needless to say, the absence of any explicit reference to social media and digital platforms undermining interest in living heritage among children and youth, who constitute the most vulnerable group in the face of threats posed by these tools, remains to be addressed in a direct manner.

In terms of projects, the LHE and UNESCO Offices – regional and national – have made, and continue to make, significant contributions to the field of constructive learning with social media and digital platforms. One innovative and expanding project is the 'Teaching with Intangible Cultural Heritage in Schools in Asia and the Pacific,'[12] a joint initiative by UNESCO and its Category 2 Centers: International Information and Networking Centre for Intangible Cultural Heritage in the Asia-Pacific Region under the auspices of UNESCO (ICHCAP), and the Asia-Pacific Centre of Education for International Understanding (APCEIU).[13] Among the project's objectives of relevance to this paper is the use of digital platforms in the teaching methods to bridge the culturally specific home environments of children, where social media is a key means of communicating among youth, with the use of its tools for learning in schools.

Numerous other examples of initiatives could be mentioned, from UNESCO and other government and non-government organizations, which use digitalization in ways that promote or integrate living heritage within programmes for the young. They are commendable and implicitly contribute to better social media within communities and homes. However, they do not address the challenges which remain when it comes to tackling the more private, familial spaces where fundamental expressions of living heritage are first transmitted to children, and where social media use tends to be the most prevalent and disrupting of the chain of transmission from a young age.

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[11] The Seoul Vision for the Future of Safeguarding Living Heritage for Sustainable Development and Peace. (2023). *The Seoul Global Meeting 20th Anniversary Celebration of the Convention for the Safeguarding of the Intangible Cultural Heritage,* Seoul, Korea.

[12] (2021) *Teaching and Learning with and About Intangible Cultural Heritage in the Asia-Pacific Region: Survey Report* UNESCO and ICHCAP. https://unesdoc.unesco.org/ark:/48223/pf0000375485

[13] This project, which has a strong focus on sustainable development, is gaining traction with its focus on integrating ICH into existing curriculums, by drawing on localized examples of ICH that resonate with children when teaching conventional subjects, including by using familiar cultural content in relation to math, geography, history, languages, physical education or other subjects.

## 29.5 Challenges to Addressing the Micro-environments of Children and Youth

Considering the question as to why some digital platforms have not been singled out for attention can shed light on the challenges of addressing this problem.

The fact is that compiling information on how social media usage affects children's interest and involvement in living heritage is particularly challenging and could be considered invasive if not handled cautiously, given that it concerns minors. This task would entail longitudinal studies and culturally sensitive research methods. Unlike the exploration of the benefits and harms of social media among youth's well-being more generally, and the need to ensure equitable access to opportunities offered by digital platforms in lesser developed communities (a global themes aligning with sustainable development goals), the specific question of how social media impacts child and youth interest in living heritage within families, homes, and micro community environments, is harder to access and measure.

Families may be reluctant to participate in such inquiries, considering that the use of digital platforms occurs largely within private homes. Additionally, while the correlation between the negative aspects of social media and the well-being of the young is evident, assessing how this manifests in relation to the transmission of living heritage is less so.

The unpleasant realities associated with excessive social media use by children and youth, such as the difficulties parents face in monitoring their children's online activities and the often disturbing nature of the content they may encounter, cannot be overlooked. While efforts to address the negative effects of social media are undoubtedly underway, there is still much to do in terms of research and advocacy within community spheres, notably around primary caregivers who are on the frontline of tackling this problem.

Addressing this issue would require a collaborative effort, involving stakeholders from various fields, including first and foremost community representatives (parents and youth among them), along with specialists in education, healthcare, and psychiatry, and probably others.

## 29.6 Tackling Impacts of Social Media on Living Heritage Transmission in Homes and Other Micro-environments

The Global Capacity-building Programme of the 2003 Convention could be a good place to start, and more specifically, honing in on one of the Convention's most important, inclusive and productive safeguarding measures: community-based inventorying. Over the past decade, as mentioned in the introduction to this paper, the LHE and UNESCO's Category 2 Centres in the Asia Pacific Region, CRIHAP and ICHCAP, have worked tirelessly to build a network of dedicated facilitators,

who in turn collaborate on innumerable training workshops, surveys, research topics and various other operational projects, to build community capacities, along with those of other stakeholders (NGOs, community members and practitioners, etc.), through processes of identifying, defining and documenting living heritage. This participatory documentation, which undoubtedly the readers of this publication will be familiar with, has progressively fine-tuned its approaches in many places when it comes to mapping living heritage, making results accessible, using them for awareness raising, and, developing well-informed safeguarding measures.

By now, this inventorying approach has gained an extensive reach, and the number of participants trained in its methods from community to government levels. Scaffolding is in place. A starting point might be small pilot projects, to test methodologies and ensure appropriate pathways into private homes and other spaces associated with social media use by children and youth.

Already, when documenting many forms of living heritage at the community level, parents and family members are involved as part of the process. The suggestion being made here – to consider a programme or other framework that tackles in an explicit and targeted manner our topic – would require careful thought in terms of objectives and expected results. It would also benefit from expanding the profile of facilitators to include a greater number of educators, psychologists, and psychiatrists, working closely with ICH practitioners and specialists. This could be an opportunity for the work of the 2003 Convention to further its already growing inter-sector/ disciplinary networks, and to contribute to a fuller picture of living heritage and possibilities for its safeguarding.

Any such programme would also require expected results that do not skirt around the uncomfortable issues of a certain loss of control among adults when it comes to managing child and youth screen time and the content accessed by children. I suspect the core reason for which this topic has not received the attention it should have is precisely because it is unpleasant in many ways, though certainly not all. Exploring, hand-in-hand with parents, carers and children the nature of how social media is influencing transmission would reveal new ways approaching and thinking about inter-generational transmission in the digital age, and of reacting, along with many other linked and probably unexpected findings. On the other hand, expected outcomes would need to be tangible, practical, easily accessible support tools offering guidance, to parents, guardians, carers and other relevant persons close to environments where children are raised, giving clear, culturally adapted information on the risks and benefits of social media and the need for limits to be imposed. Taking things a step further, whether realistic or not at this juncture, recommendations to policy and law makers could also be considered possible outcomes of community-based inventorying into the topic of safeguarding the transmission of living heritage in homes and micro-environments by encouraging clear limits on usage by children.

This may read as a more radical position, notably when there are a good many benefits to the social media use and digital platforms among children. However, I would argue that those threats to the living heritage coming from excessive or inappropriate use and content targeting the young are so great that they merit specific

attention to, how social media is in fact unfolding in homes and micro-environments, and, what communities themselves would prefer to do about it.

Ideally, such efforts could place further pressure on technology companies and law-makers alike – to put in place greater mechanisms to protect children developing online apps and content. UNESCO, thanks to its global logo, extensive networks and enormous reach at all levels – from community to government – notably across the culture and education sectors, along with its moral capital as an institution, is well placed to exercise influence through these channels on private global and high-profile technology companies, who would prefer to avoid more negative attention.

## 29.7   Conclusion

In conclusion, while acknowledging the myriad positive aspects of social media and digital platforms for learning, information sharing, and technological innovation in service of societal good, the excessive use of certain social media platforms among the young is escalating globally, often with detrimental impacts on their well-being and disruptive impacts on the transmission of already fragile living heritage, as has been made clear by participants in over a decade of capacity-building workshops in the Asia Pacific region.

UNESCO's Global Capacity-building Programme, and the achievements of community-based inventorying approaches to date, could serve as tools for better understanding and eventually mitigating the more negative impacts of social media in the transmission of intangible cultural heritage to children and youth.

Should it be possible to shape a programme for community-based inventorying to tackle this problem, it could pave the way for the development of dedicated training materials aimed at parents, children, and youth and the professionals serving them. While this endeavor would undoubtedly be intricate and necessitate extensive consultations, I believe that the extent of harm caused by certain social media underscores the urgency for committed action.

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# Chapter 30
# Metaphors for the Study of Digital Heritage Cultures

**Payal Arora**

**Abstract** This essay explores the profound connection between intangible cultural heritage and the digital realm, using metaphors to highlight the value attributed to heritage spaces and practices. It discusses how the metaphor of urban parks illustrates the public and global nature of cultural heritage and its ability to foster cultural hybridity and legacy. The digital realm, much like urban parks, offers opportunities for the preservation and revitalization of intangible cultural heritage, nurturing community building and a sense of collective identity. However, the essay also acknowledges the potential for the digital space to be a catalyst for political action, challenging the notion of uncontested and seamless reproduction and regurgitation of leisure-oriented digital cultures. It emphasizes the importance of resisting the freezing of cultural heritage and emphasizing its role in the common good.

**Keywords** Cultural heritage · Cultural hybridity · Urban parks · Community building · Digital space · Common good

## 30.1 Introduction

Metaphors play a profound role in shaping intangible cultural heritage, and it is imperative that we pay careful attention to these discourses. Metaphors are not merely linguistic tools but powerful cognitive devices that help us make sense of the intangible aspects of our cultural identities and practices. By critically examining the choice of metaphors used to describe and frame heritage online, we can uncover the hidden biases ingrained in how we perceive, embody, reify and participate in living cultures. These metaphors serve as lenses through which we view and digitize our heritage, influencing our understanding and engagement with it. For example, when heritage is metaphorically likened to a "living tradition," it implies a sense of continuity and dynamism, whereas describing it as a "static relic" suggests a more

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stagnant perspective. Therefore, understanding and deconstructing these metaphors are essential for fostering a more inclusive, holistic and respectful approach to intangible cultural heritage, one that recognizes its multifaceted and digital nature and the evolving dynamics that shape these socio-technical systems.

When we embark on studying digital heritage cultures, there is an assumption that this new terrain is novel. However, there is no such thing as absolute novelty. The fact is that we conceptualize digital culture through metaphors to make the unfamiliar familiar to us. To understand the changing dynamics of such intangible cultural heritage, it is worth considering the shifts in the way we speak about internet spaces through specific metaphors. In doing so, we will recognize how the complex history of social practice comes into play in comprehending the diverse and vibrant digital geographies and the challenges we face with these new cultural spaces.

The internet has indeed matured. The nature of this transformation is both social and technical in nature, marked by a plethora of digital platforms and user-generated content. The shift in emphasis is from access to engagement. In the nascent years of social media, there was much celebration of these spaces as democratic, open, non-utilitarian and, in fact, leisure oriented. Interestingly, similar rhetoric was used to describe the rise of the public park in the late eighteenth and early nineteenth century, a time where the carving out of such spaces for the masses was seen as radical and a signal for a new age of egalitarianism and democracy.

Urban parks emerged from a protracted struggle with the state and imperial powers. There was much euphoria about these urban commons and their seemingly unregulated and public character. The parks heralded modernity and a new age of civility. They were places where all classes of people could congregate, serving as a unique albeit temporal terrain for social equality. Yet, on further examination, it was a contentious process to shape, regulate and sustain the public character of the urban commons, much like the digital commons today.

By revealing the spectrum of tensions in the makings of the public park, this essay draws parallels with persistent political and socioeconomic challenges surrounding digital heritage cultures today. This essay focuses on three contemporary challenges—surveillance, corporatization and political disruption. It does this by delving deeper into three types of urban parks –walled gardens, amusement parks and protest parks respectively. By viewing intangible cultural heritage through the lens of these parks, historically, transnationally and transculturally, this essay reveals the complex polity of creating and sustaining such cultural spaces. Furthermore, the aim here is to disrupt the popular notion that leisure is largely non- contentious, with little overt economic, utilitarian and predetermined goals.

## 30.2 Metaphors as Cognitive Tools: Imagining the Future with the Past

Metaphors have been used since the nascent years of the internet to help explain digital cultures. They are critical cognitive devices that allow us to unpack complexity and normalize novelty (Lakoff & Johnson, 2008). In fact, we can confidently argue that it is impossible to process novelty without the aid of metaphors. What this tool does is to make the unfamiliar familiar by anchoring new spaces to old architectural spaces. It is no coincidence that terms like "home" pages, chat "rooms" and information "highways" came about to describe the internet. The "web" 2.0 illustrates networks of how people connect with one another like a web. The "wild wild web" capitalized on the deeply romanticized and American-centric vision of egalitarianism –the Wild West, the wilderness, the western frontier of infinite space available to anyone ready to make it theirs (Arora, 2012).

Arjun Appadurai leveraged on the "landscape" metaphor to help us grasp the ramifications of globalization facilitated by technologies such as "technoscapes" (Appadurai, 1996). Scholars who wanted to emphasize specific issues were able to do so by playing with these tools. They contested popular metaphors by offering alternatives for our thinking—"digital ghettos" to emphasize digital divides, "online black holes" to underline non-transparency of digital control and "virtual pubs," to highlight the serendipitous nature of online social interaction (Soukup, 2006; Walton et al., 2013). Metaphors are also a powerful policy tool. Al Gore used the metaphor of "highways" to illustrate the benefits of access to the internet and its speed to the lay public. This pushed internet policy forward (Arora, 2014).

Common understanding of online cultural space has transformed substantively since its inception, revealed, for instance, in the shift in terminology from "cyberspace" to "Web 2.0." There is now an acknowledgment that virtual space is not a monolithic structure or distinct from "real" space. Instead, it is a plurality of networks shaped by a range of stakeholders both online and offline (Kitchin & Dodge, 2014). Since the first decade of euphoria about the internet, there has been a growing demand to anchor these spaces in real-world infrastructures rather than accept the initial interpretation of such spaces as revolutionary, unprecedented and novel. Focusing on the spatial dimension emphasizes the importance of the underlying structure and its nature and design in shaping online social action. Thus spatial metaphors are particularly useful as instruments for making cultural heritage tangible as they appear online.

While there are plenty of metaphors to explain, argue and normalize digital culture, they are often used in a peripheral manner. Scholars rarely delve deeper into how they are created, sustained and transformed through social action. There is a need to attend to these debates and the points of departure where the metaphor fails to explain the novel phenomenon. This effort can be viewed as an opportunity to extend the discussion of the relationship between cultural heritage and social structure to the online sphere. By capturing the shift in the nature and use of metaphors for understanding intangible heritage, we can get a sense of the dominant

framings and biases of our time. This essay addresses the fundamental need to build inclusive heritage systems by focussing on the way we learn to engage and embody them.

## 30.3    Urban Parks as a Metaphor

In the late eighteenth century, the public park was a radical construction. It was celebrated across the world as a symbol of modernity and civility, a symbol of human progress, and it was the first space deliberately demarcated for the public with the least regulations by the state. It was designed to help socialize the masses and there was much expectation that it would serve as a safety valve and create communal harmony (Olmsted, 1870). If we look at the historical trajectory of the internet, it shares similar rhetoric, intentions and expectations—for instance, Barlow's internet manifesto demanding a "hands-off" approach to controlling digital space, instilling an initial bias towards non-ownership and non-regulation (Ess, 2015).

Another reason why this essay focuses on the metaphor of the "public park" is that it highlights something unique about digital cultures today that the spectrum of metaphors available to conceptualize the internet has failed to address so far—the fact that these spaces are inherently leisure-based geographies. This essay shows how expectations of the urban parks have reified over the decades and how this can guide us in grasping the unfolding of digital cultures today. For the purposes of brevity I will focus on three park spaces—protest parks, amusement parks and walled gardens.

### 30.3.1    Protest Parks

The urban park is a narrative of spatial democracy and expressed ideology. It is not a coincidence that public parks come with a tremendous history of protest (Arora, 2015; Glover, 2017). Their design for openness and very little regulation serves as a fruitful architectural space for social movements. Intrinsic to these public leisure spaces is the fact that across nations, these spaces serve as a critical forum for mass dissent, transforming these sites into a genuine political space for the people. Amin underlines that historically these spaces were important locations of cultural formation and popular political practice that shaped civic conduct (Amin & Thrift, 2017). This is not to say that urban park spaces are the only sites for mass activism.

Undoubtedly, unrest is found on the streets and beyond. However, there is a difference between streets and public parks that are usurped for mass protest. Urban parks were deliberately designed for democracy. If we look at the historical emergence of urban parks from the 1800s onward, their spatial design and diverse forms, it is astonishing to learn how embedded political action has been within these public

domains. Events such as the "Twitter revolution," Occupy movement, MeToo, to more recently the Black Lives Matter movement have ignited passions and expectations in the virtual realm. Despite technologies being products of "surveillance capitalism" (Zuboff, 2019) which turns such movements into commodities, it doesn't take away from the fact that the digital domain serves as a public forum for mass activism.

By drawing parallels between the historic use of public parks in the city, and the use of social media sites, we can gain a more integrated and critical understanding of the novelty of these spaces. Similarities and differences between these two contexts are worth considering. This is particularly true given their political dimensions. Such a comparison puts the current conversation about the use of digital platforms as tools of political mobilization into dialogue with the historical analysis of public parks. In other words, public parks and digital platforms can be seen as spaces that, in a similar fashion, were designed for leisure and consumption but are also appropriated as sites of resistance, corporate commodification, as well as other forms of socio-cultural practice.

### 30.3.1.1 The Case of Beijing Park

The Beijing Park in the eighteenth century was designed to serve as a symbol of social change (Shi, 1998). This stemmed from a vision of reform-minded officials who sought to transform Beijing into a 'modern' social sphere. The government intentionally designed its urban park to serve their reformist agenda of socializing the public as modern and cultured citizens by offering free exhibitions, reading rooms, and pavilions to emphasize the educational function of its public park. This space also served as a government propaganda platform where campaigns were launched to promote public health, encourage moral behaviour and combat illiteracy.

To the surprise of the government, the people used this urban park in ways that were far from what was intended, at times undermining the established institutions and norms. In particular it served as a political forum for the dissemination of ideas and the mobilization of the urban populace. It became a venue for social movements. Unheard of in imperial times, frequent mass rallies held in this newly created public space heightened city people's demand for a political voice in national policymaking.

It does not take much of an imagination to draw parallels between this and China's current digital cultures. China has the largest community of users in the world, and they have been instrumental in exposing official and corporate misdeeds. Numerous social media forums in China have exposed corruption of local officials and other failings of the state. As early as 2003 the Mu Zimei phenomenon began, where a young woman in Guangzhou stirred up controversy when she began blogging about her active sex life. Such blogging rejected conventional notions of romantic love and served as a channel that opened the conversation on issues beyond sexual politics (DeLisle et al., 2016).

The Chinese internet has given birth to the practice of *e'gao*, a combination of the words 'evil' and 'to make fun of' that signifies a multimedia expression that pokes fun at an original work. Such creative combinations have posed an ongoing challenge for the Chinese state, as people weave these playful practices deeply into social media platforms that benefit from such group participation and enactments (Yang, 2011; Yu et al., 2023). Ethan Zuckerman facetiously proposed the "cute cat theory of digital activism" to explain the power behind banal activities like the sharing of *'lolcat'* (cute cat) videos (Zuckerman, 2015).

He argued that the entrenchment of digital protest within leisure-oriented sites like Facebook, Flickr, Blogger, and Twitter (currently called X) made it harder for authorities to crack down and block them. Part of this has to do with the fact that most people inherently are not social activists and use these spaces for purely recreational purposes. To complicate matters, these platforms can just as well serve government interests. This places them in a legitimate dilemma where the tension lies between using these leisure platforms for state propaganda versus censoring these spaces due to their potential for dissidence.

### 30.3.1.2   The Case of Hyde Park

Another good protest park example is Hyde Park. As early as 1872, the British royalty understood the need for a safety valve for the masses. It was the opening of the royal park with the intent to inspire the working class with the ideals of fine living. It was designed to feed the sensibilities of a class system into the frenzied imagination of the lower strata (Roberts, 2001). In the mid-nineteenth century, a combination of park by-laws and the use of the venue licensing powers of the London County Council created Speakers' Corner, where activists could freely meet and debate. This was meant to be symbolic. However, the passing of the Sunday Trading Bill that forbade all Sunday trading in London had the unexpected consequence of a mass protest movement. This unintentionally transformed Hyde Park into a more political proletarian public sphere and from then on, Speakers' Corner has been a site of protest for a range of issues.

To this day, London parks host a Speakers' Corner where a range of social issues is covered (Fortin et al., 2014). These spaces reveal the fragmented and pluralistic nature of protest, less political in the conventional sense and more based on personalized and social issues. Over the years, London parks have witnessed marches for disability rights, anti-austerity gatherings, anti-pope rallies, and cabbies against blocked lanes during the Olympics. Speakers' Corner has become an institutionalized entity, forming a web presence, and digitally consolidating around a range of projects and themes.

Fascinatingly, it now serves as a powerful metaphor for free speech, not just within London but also across the globe. Some years ago, Bassem Youssef, the much-loved Egyptian television presenter and political satirist was arrested on the grounds of igniting public chaos by making fun of the President Mohamed Morsi and Islam. His arrest drew much media coverage, with several Arab activists

defending freedom of speech in the media by using Speakers' Corner as a metaphor to emphasize how essential it is to be able to critique authority as a sign of true democracy (Arora, 2015).

Another example is the media coverage of the mass protests in Delhi over the gang rape of a student. It revealed how the public exercised their democratic right to assemble and express their outrage—"when it comes to grievances, India is a buffet. And anybody with a cause can find slogan-shouting time and space at Jantar Mantar—as powerful an advertisement for free speech as Speakers' Corner in London's Hyde Park, only more crowded and more littered" (Lakshmi, 2013).

Delving into the protest cultures of the past within public parks is not just about reminding us of how deeply entrenched the political sphere is within our urban geography. Such an investigation also demonstrates how the park can serve as a meaningful and travelling metaphor. It extends our political imagination across national terrains, fostering global digital cultures of protest. These experiences layered over time consolidate to become our political heritage cultures, intangible yet concrete in the way we think and act.

## 30.3.2   Amusement Parks

Digital culture and digital play share much common ground. Gaming is a multibillion-dollar industry. As late as the 1970s, only a few companies truly leveraged on video gaming as a major industry. In 1972 Nolan Bushnell and his partner Ted Dabney incorporated Atari with an initial investment of 250 dollars each. Within a decade Atari grew into a two billion a year entertainment industry, making it the fastest growing company in US history. They recognized that immersive experiences in fantasy had currency and could be tremendously lucrative. Part of their success can be attributed to the ingenious way in which they transformed games such as ping-pong, designed for television consumption, into a more multi-player and interactive electronic medium (Hjorth, 2011). We can learn a lot about the constructing of immersive and fantasy experiences by looking at the geographic equivalent to gaming space- that of amusement or theme parks.

### 30.3.2.1   The Case of Coney Island

Coney Island was one of the first theme parks to be constructed. The nineteenth century was governed by Victorian values of moral integrity, self-control, earnestness and industriousness. However, a new cultural tone was emerging. People were beginning to accept and even encourage individualism, self-indulgence and hedonistic pleasure. Where once it was believed that leisure should have a constructive value, the time had come to look at leisure as a way of having pleasure for pleasure's sake.

The era of mass culture had finally arrived. Few understood this better than Frederic Thompson, the showman of Coney Island. What may have appeared to be a frivolous need of the public, Fred Thompson took seriously and, together with his partner Elmer Dundy, started an amusement park in Brooklyn, New York, that would revolutionize public fantasy terrains (Kasson, 2011).

Past engagements with fantasy viewed audiences as passive consumers. However, with Coney Island, the new pleasure seekers were no longer mere spectators but were intrinsically involved in the larger theatre of fantasy. Such changing notions of audience participation are also seen in the shift in digital culture where in the past it was about dissemination of entertainment to the consuming public, while today there is more focus on user participation and construction of their own fantasy content.

### 30.3.2.2  The Case of Disneyland

Disneyland is perhaps the most well-known amusement park worldwide. Walt Disney had a vision, and it was an American centric one—that in spite of the diverse groups in society, everyone could feel American in his theme park (Zukin, 1993). All his life Disney wanted to create his own amusement park. To construct this playground, he wanted to not just provide thrill rides. He wanted to project the vernacular of the American small town as an image of social harmony.

Of course, all utopias are grounded in real world challenges of how to finance and market such domains. Walt Disney offered his famous Mickey Mouse to the television channel ABC, garnering funding for his Disneyland and, in turn, ABC launched the Mickey Mouse TV series. This laid the foundation for the unique relationship between the media industry and amusement parks.

One of the most powerful manipulative variables to achieve this productive relationship is that of the emotions. Disney, one of the key pioneers of the experience economy, understood that it is not so much the products that require personalization but the experience. This has been widely adopted in the digital age through sophisticated targeted marketing based on big data sentiment analysis (Kotras, 2020). These digital cultural sites lure, seduce and persuade customers to enter the portals of virtual worlds and multiuser game environments. To do this effectively, customers are grouped and categorized based on their online expressions of their tastes and aspirations. Brands are integrated into this narrative to further the emotional engagement with these fantasy spatial formations.

When assessing gaming platforms, we cannot view them as independent terrains but as spatial extensions of already well-entrenched corporate media ecologies. They serve as vital contexts for opportunities in commercial clustering. Fundamental to the workings of this global operation of fantasy is the licensing economy that pervades across all mediums, both online and offline.

Take, for instance, the license for the film Lion King, one of the most lucrative media events of our time. Licensed images and merchandize are the heart of its phenomenal success (Mitrasinovic, 2006). While the film's box office estimated its

initial run to be around 267 million dollars, the main revenue came from the licensing of merchandized themes, which accounts for billions of dollars. SNES, NES, Game Boy, PC, Sega Mega Drive/Genesis, Amiga, Master System, and Game Gear have licensed their images, music, characters and scripts for the digital game. The game traces the life journey of Simba, from a carefree cub to a young lion who eventually battles with his uncle Scar for the forest title of King. In viewing this media flow, the notion of boundaries between theme parks and the media giants makes little sense in an all-encompassing terrain.

Drawing attention to this corporatization of fantasy digital cultures, Mitrasinovic makes the case that this is more than just a loss of public space. In fact, we are amid in the middle of a significant cultural transformation that is affecting our architectural surroundings, cultural expressions and social relations. He addresses this phenomenon as 'totalizing landscapes,' arguing that there is a distinct military logic that dictates these realms. This logic provides a sophisticated and efficient framework to operationalize the reproduction of everyday activities within these fantasy parks, virtually and in a material way. For instance, detailed feasibility studies, attendance projections, and (online and offline) traffic analysis run this machine. Such an approach allows this model to be ubiquitous and transferrable not just to diverse international contexts but also to old and new media platforms.

Hence this Disney-style public space allows one to not just control these environments but also to predict them and align them with corporate interests through big data analytics: "the point is not only to . . . interpret the world, but more importantly to acquire the capability to ultimately change it" (Mitrasinovic, 2006). In other words, this kind of organizing allows for the manipulation of desires to achieve the total experience of immersion in this highly choreographed topography, both online and offline. It serves as a reminder that our digital heritage cultures are carefully crafted and curated and it is often driven by corporate and commercial interests.

### 30.3.3 Walled Gardens

The term "walled gardens" is not just a description of the eighteenth century secured urban parks that emphasized protection but also a term that is now commonly associated with digital platforms. In internet speak, it means a closed software ecosystem where the carrier or service provider has control over the consumer's applications, content, and media (Frieden, 2016). This contrasts with an open platform, where consumers generally have unrestricted access to applications and content. The most popular walled garden platforms are Apple iOS, Android, Amazon, Meta, and generally most digital games. Android and Google control 90 percent of the app market. The argument for this monopoly is for better governance and control to create a safer and more habitable digital cultural space.

This privatization trend is disconcerting as we see the internet transform from what was meant to be an open space to a semi-private domain with numerous

restrictions imposed by a few technology companies. Platforms discourage users from leaving the walled garden, making them believe they are in an all-encompassing gated community. Social media, once a promise to bring diverse people together, now fragments into their own worlds like Nextdoor and eHarmony and behind encrypted platforms like WhatsApp. Filter bubbles take hold, trapping people into their own worldviews (Flaxman et al., 2016). Algorithms take their cue from people's online behaviour and continue to expose them to others who are mirror images of themselves, sharing similar interests, political affiliations and socioeconomic statuses. The need for exclusivity and selective community best explains why MySpace failed, and Meta continues to succeed.

Let us look at the park equivalent here. If we look at urban development trends, we find that in the last decade, gated communities have risen exponentially around the world, creating semi-private parks within their terrain. These spaces promise recreational self-sufficiency, predictable navigation and safe environments for those within these walled enclosures. These gated communities have risen due to people's desire to socialize with their own kind and the moral panic about an unruly and uncontrollable public out there.

This has unfortunately translated into deep social segregation along lines of religion in Israel, race in South Africa, caste in India, and urban inequality in Shanghai (Hook & Vrdoljak, 2002; Pow, 2007). This defies the democratic intent of the urban park to bring a diverse public together and instead replaces it with insulated and isolated social groups.

> They have become havens of social withdrawal, creating public apathy and detachment from public space.

Today walled gardens have become the norm in our digital communications as we acquiesce to the e-reader permit within the Amazon ecosystem, ask for approval for downloading an application on Apple iOS, and are compelled to agree on multiple restrictions by social media platforms that we inhabit. Initiatives in the name of digital equality such as the classic case of Facebook's Free Basics is even more insidious as it allows free access to only limited sites, inadvertently becoming the internet for most of the world's youth who are resource-constrained (Arora, 2016).

Granted, the ideal of an open public space is naïve when society naturally segments itself into social enclaves. As society expands, there is a need to reinforce community, and that sentiment prevails in choices of more quasi-public architectures. However, it is understandable why there is concern when communities retreat from the public sphere and go into defensible and discriminatory spaces, abdicating civic responsibility. The walled gardens put private interests over the common good. These enclaves threaten the existence of the urban park, a brilliant innovation and landmark achievement of nineteenth-century idealism of a democratic society. We tend thereby to inherit a cultural heritage which is largely fragmented and often exclusive, and eclipses and even stays silent about cultural practices, spaces and beliefs that lack the power to become tangible.

## 30.4  Conclusion

In today's increasingly digital world, the connection between intangible cultural heritage and the virtual realm has become a subject of profound significance. This essay shows how metaphors can be used to offer insights into how we attribute value to specific forms of heritage spaces and practices. It helps us trace the ways in which these notions travel from generation to generation, from the urban to the digital commons, fostering a cultural hybridity and legacy of thinking and doing. These processes can become mimetic, where they cut across environments, cultures, and values, where "the outside world becomes the inner world" (Wulf, 2022).

Specifically, the metaphor of public parks draws us deeper into how heritage becomes a public and global good and the spectrum of aspirations and politics that feed into the making of these socio-technical cultures. By pushing the metaphor to its limits, we see the persistence of cultural values and actions over decades, if not centuries, as well as emerging forms of cultural heritage spurred on by new technologies. Urban parks can serve as a powerful metaphor to connect the carving of digital cultural spaces to similar past efforts.

Much like urban parks that provide relatively accessible and open spaces for diverse people to come together and engage within these leisure arenas, the digital realm provides opportunities for people to immerse themselves in various cultural traditions and beliefs. Taking this metaphor further, just as urban parks are intended to be vital centres for conservation and urban renewal, the digitization of oral histories for instance can preserve and even revitalize intangible cultural heritage. These spaces can nurture community building, a sense of belonging and a deep sense of collective identity.

This process however, as this essay has revealed, is far from seamless. While often intended to be 'safety valves' for social unrest, the digital and the urban "park" can become hotbeds of political action. It affords spaces of leisure—to pause, ponder and perhaps even protest. The density of human networks, it seems, requires breathing room, which in turn can fuel us to act. One can argue that the urban park is the closest that society has got to materializing spaces of collective idealism. Despite events that repeatedly shatter this ideal, it continues to be resilient in the social imagination. The urban commons insist on being for the common good. After all, leisure topographies fundamentally represent our humanity. By transposing these "park" discussions onto digital cultures, we are reminded that the utilitarian aspect of the digital commons sits on the sidelines while the more central need to express, connect, play, protest and make meaning take over.

There is a justifiable fear that leisure-oriented digital cultures dull the senses and make audiences more passive, polarized, and perhaps pessimistic. Granted, constant data surveillance can temper one's romance with digital cultures. The usurping of these spaces by corporate giants and often authoritarian states can be an intimidating prospect. Yet, people, especially on the margins, continue to rekindle that romance with these cultural spaces, often through humour, play and everyday tactics of social

resistance. Clearly, this is a humanist bias, as one is given the choice to fall on the side of either structure or agency, the perennial positioning offered to us scholars.

The more you delve into the "parks" metaphor, the more complex the formation of digital culture appears. It is a tribute to our social imagination of what constitutes intangible cultural heritage. The range of ways to design, architect, sustain and transform such cultures rely on the politics of human action. This essay directs the reader back to the past to engage with the future of digital heritage cultures. It focuses less on the artefacts and more on the intangible meanings evoked by the artefact. In an era where scholarship on digital culture is quickly becoming obsolete due to the fast pace of digital innovations, this essay serves as a backlash to that raw fear. We need to pause and pontificate on the astounding persistence of human action over centuries and across global settings.

By alluding to metaphors as architects, this essay brings to light the virtue of the discipline of architecture. Architects know that designed space is rarely the executed space. Lived space barely resembles the intended design. Yet, architects do their best to predict human responses, mass movements and emotive behaviours when creating their spatial constructs. Digital platform architects are not that different. The line between platform and user control is under constant negotiation as users' literacy and values change, making digital culture a moving target.

When we speak of public parks as demarcated spaces of fantasy, of protest, or of secure terrain, we are essentially speaking of the politics of these spaces. We start to see distributed networks and their interdependencies. We begin to recognize that the building blocks of the park do not start and end with its spatial terrain but with the morality of the time, of pervading social values and of the flow of people and finance. Repeatedly we see how these notions parallel the media ecosystems. These vibrant architectures, both digital and urban, function as a complex social infrastructure. Digital culture, in its interconnectedness through smart systems and specific ideologies, needs to resist becoming enclosed and impervious to the diversity that human experience has to offer. These intangible heritage cultures must struggle to be for the common good.

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# Chapter 31
# Anthropology as a Catalyst in Living Heritage World-Making Projects: The Case of the Voladores Ceremony in Mexico

**Cristina Amescua-Chávez and Montserrat Patricia Rebollo Cruz**

**Abstract** The chapter delves into the intricacies of the Ritual Ceremony of the Voladores and its dynamics within the framework of Intangible Cultural Heritage. In 2018, the Totonac Voladores found themselves in a confrontational stance against a beer company's inappropriate use of their image, thereby challenging the sway of corporate influence. The narrative underscores the pivotal role played by their historical interactions with governmental entities and organizational processes pre-dating their inscription on the UNESCO Representative List of Intangible Cultural Heritage. It sheds light on how community-led engagements, featuring ethically committed anthropologists alongside various actors within the ICH social framework (including academics and government representatives), contribute to shaping distinct world-making projects capable of challenging prevailing power dynamics. Anthropologists, in this context, emerge as architects of intelligibility, bridging the interests of diverse stakeholders and fostering opportunities for local-global connections and community empowerment. The Voladores's case shows that the inscription alone falls short in ensuring safeguarding of living heritage, but it also demonstrates how the UNESCO 2003 Convention can become a practical tool for local communities to better navigate inherently unequal social landscapes. The chapter highlights the Voladores' journey as a potential blueprint for other communities seeking to defend and safeguard their heritage.

**Keywords** Living heritage · Voladores · Community empowerment · Anthropology

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527

This is a story that demands to be told because of the paths it might open for others. It narrates the multiple and complex interactions among agents (Giddens) with specific names, experiences, cultures, and social positions who converge in the social field (Bourdieu) shaped by the Intangible Cultural Heritage framework. We will discuss here the case of the Ritual Ceremony of the Voladores. The interactions in this case allowed the seemingly vulnerable Totonac people to confront and defy corporate giants. The Totonac People were never helpless and passive agents, and the company was not an all-encompassing invincible force. Communities, peoples, institutions, organizations and companies are comprised of persons capable of making decisions and take actions to transform or shape world they live in.

This is a story about how apparently conflicting world-making projects (Tsing) can find common ground to shape a different world-making project in which they all can coexist. It is also a story of how anthropology and committed, ethical anthropologists can function as articulators, cultural translators, and bridging agents in these processes. This chapter adopts an autoethnographical, reflexive and subjective approach due to our strong conviction that anthropologists become active agents in the social fields we research. Drawing on the case of the Voladores challenging the misuse of their image by a transnational beer company, we will reflect on broader historical and current sociocultural processes that shape the particular living heritage field as we know it today.

## 31.1   The Ritual Ceremony of the Voladores as Intangible Cultural Heritage

The ritual ceremony of the 'Voladores' (Flying men) is a pre-Hispanic, Mesoamerican practice performed in several states of Mexico, primarily in the Totonacapan region. It is considered a fertility rite promoting values of respect toward nature and a harmonious relationship between the earthly and spiritual dimensions of life (García, 1980; Aguilera and Cano, 1989; Stresser-Péan, 2005, 2016; Jáuregui & Madrigal, 2003; Maciel, 2008; Masferrer-Kan, 2006; Nahmad, 2008; Nájera, 2008; Olivier, 2008; Trejo, 2012; Zúñiga, 2014, 2016). The founding cosmogony of this ritual is complex, delving into it exceeds the purposes of this chapter; however, works by Croda (2005) and Rebollo (2016), among others, provide detailed insights. During the first half of the twentieth century, the ritual dance of the Voladores was selected as a primary marker of Mexican national identity, and the flights started to take place in significant archaeological sites nationwide, regardless of the specific indigenous heritage associated with the location. This had a significant impact on both the practitioners' conception of their ritual and their organizational forms.

Since the early twenty-first century, the government of the State of Veracruz has made a substantial effort to promote tourism in order to boost regional economic development. Key components include the diversity and beauty of its natural resources, the architecture of some towns, the archaeological site of Tajin (inscribed

in UNESCO's World Heritage List in 1992), as well as local traditions. The *Ritual Ceremony of the Voladores* was inscribed in the Representative List of the Intangible Cultural Heritage of Humanity in 2009, and the *Xtaxkgakget Makgkaxtlawana: the Centre for Indigenous Arts and its contribution to safeguarding the intangible cultural heritage of the Totonac people of Veracruz, Mexico*, was included in the Register of Good Safeguarding Practices in 2012. These three declarations have had a significant impact over the years, both economically and in the ways local communities interact with tourists, national and international media, and governmental institutions. Particularly, they have influenced how these communities perceive themselves, leading to a reconfiguration of their ways of life and the significance they attribute to their social, cultural, and natural environment.

### 31.1.1 Long-Term Organizational Processes

The Voladores have a rich history of interaction with public agents (Rebollo, 2021). Since the first half of the twentieth century, their performances were actively sought by governmental institutions responsible for constructing and perpetuating a national identity rooted in the syncretism between a glorified indigenous past and Spanish heritage. At the same time, the Voladores required official clearance to perform their dance in public spaces. These interactions generated practical knowledge in navigating administrative governmental systems and fostered a growing awareness of their rights as practitioners and bearers of an important tradition. This significance extended beyond their communities, impacting the entire country.

In the 1970s and early 1980s, legally constituted civil organizations emerged in Mexico as an alternative means to obtain funds and resources from governmental and non-governmental entities. In Papantla, residents formed committees, cooperatives, and civil associations to strengthen and promote cultural practices such as gastronomy, crafts, weaving and dances. Recognizing the advantages of non-governmental organizations, they gained better access to financial and in-kind resources for both ritual practices and touristic performances. They realized the benefits and the potential of collective negotiations over individual requests. This marked the beginning of greater leverage in negotiations with institutions and other agents. If the government intended to use them as symbols for attracting tourism and generating economic gains, they insisted on receiving more than mere payment. They sought support for their ritual practices and traditional forms of organization.

The *Unión de Danzantes y Voladores de Papantla*, founded in 1975, aimed to preserve traditional Totonacapan dances and showcase them locally, regionally, nationally and internationally. Their objectives included organizing dance schools to preserve and disseminate Totonac culture and supporting the legal contracting processes of indigenous dancer groups to ensure social security and payment guarantees. Other active Voladores organizations in the Papantla region include *Totonakú, A. C.*; *Asociación de Voladores Independientes de Papantla Kgosni, S. C.*; and the *Organización de los Libres*, divided between the "*Libres de la*

*Costa*" and the "*Libres de la Sierra*." (Rebollo, 2021) What is now known as safeguarding actions and initiatives, began in this case almost three decades before the approval of the Convention.

### 31.1.2   Before and After the Inscription

When the possibility of entering the realm of the 2003 Convention arose, the Voladores already had extensive experience of interacting with stakeholders, negotiating, and managing judicial and administrative procedures. This accumulated knowledge complemented deeply rooted forms of organization and authority legitimation. The Totonac people had a traditional social structure where the Council of Grandfathers played a central role, serving as the moral authority guiding collective behaviour. Juan Simbrón, recognized as "El Tata mayor," strategically used his indigenous identity as a negotiation tool and played a pivotal role in the organizational processes mentioned earlier. He encouraged young community members by securing funds and support for their education, with the commitment to return to their communities and apply their knowledge for the benefit of their people.

After the inscription on the Representative List in September 30, during the intergovernmental committee in 2009 in Abu Dhabi, Narciso Hernández Mendoza (then serving as President of the *Consejo*) expressed both excitement and concern about the substantial responsibility the inscription entailed. Consequently, they established the *Consejo para la Protección y Preservación de la Ceremonia Ritual de Voladores, A. C.* (Council for the Conservation and Preservation of the Ritual Ceremony of the Voladores, C.A.), which is formally integrated by the aforementioned organizations. It also serves as a reference and representation for Voladores from other states and countries. In addition to providing a legal structure for all Voladores, the Consejo serves as a regular meeting place to share updates on the implementation in each location of the safeguarding plan they elaborated after the inscription. It has played a crucial role in evaluating the plan's impacts and making it a tool for supporting larger claims.

## 31.2   Brewery Marketing Campaign

### 31.2.1   The Advertising Campaign: "Los Barrios Indios"

In 2016, the Mexican beer company Cuauhtémoc Moctezuma (acquired by Heineken in 2010) introduced the "*Los Barrios Indios*" campaign for its flagship beer brand, "*Cerveza Indio*" (Indian Beer). The campaign aimed to showcase the unique identity of each "*barrio*" (neighbourhood in Spanish). One label in the collection featured the Voladores. However, this campaign had several inconsistencies. Firstly, it erroneously assumed that Papantla (or other locations where the

ritual is performed) was merely a neighbourhood, overlooking its status as a municipality in the State of Veracruz and, more importantly, a Totonac community. Furthermore, the image presented a stereotypical portrayal of an indigenous person dressed as a Volador.

Narciso Hernández voicing the feelings of the *Consejo*, found this representation inappropriate and unacceptable. The community expressed their rejection of the unauthorized use of their image and the distortion of the ritual's significance. They argued that the campaign negatively impacted their identity and violated their collective cultural rights. In response, they denounced the campaign and sought ways to engage with the company. Initially, they attempted to garner support from various government authorities responsible for managing intangible heritage at different levels. However, the responses they received were consistent: nothing could be done due to the absence of a clear legal framework, institutional structure and precedent to defend practitioners and their heritage against such misappropriation.

### 31.2.2 The Reaction of the Voladores: Mobilizing Old Alliances and Building New Ones

Heritagization processes evolve through complex interactions among social agents with distinct contexts, personal and collective histories, agendas, and resources. These agents mobilize symbolic and material resources to engage in interactions and advance their world-making projects. The Voladores' claim against a transnational brewery company involves intricate collective processes within the intangible cultural heritage field.

To comprehend the involvement of key players, we must delve into the past and trace the roles of specific individuals in building the long-term process that culminated in the Voladores' claim against the brewery.

In 2008, Lourdes Arizpe, a prominent Mexican anthropologist from the National University of Mexico (UNAM) and influential figure in national and international cultural policies, taught a course at the National School of Anthropology and History (ENAH) in Mexico. Two of her students, Montserrat Rebollo and Carolina Buenrostro, were working on the registry of oral history and tradition in the Mixtec region in Oaxaca. The class readings resonated with them, aligning with their project—an archive of the Mixtec People's word (*Archivo de la Palabra: Voz y Eco de los Pueblos de Mixteca*). They sought guidance from Professor Arizpe, who directed them to Cristina Amescua. Dr. Amescua had been working with Professor Arizpe for almost a decade on ICH issues both in anthropological research in central Mexico and within the UNESCO framework on the implementation of the Convention at the national and international levels. The group, including anthropologist Edith Pérez-Flores (also from UNAM) and other students, embarked on several field trips in the state of Morelos.

Recognizing the potential of ICH as an analytical tool, Montserrat and Carolina persuaded the researcher in charge of the project in the Mixtec, Dr. Hilario Topete to incorporate the ICH perspective into the theoretical and methodological approaches of the general project at the National School of Anthropology and History. This decision allowed Dr. Amescua to become their thesis advisor, which in turn encouraged the formation of a working team linking UNAM and ENAH, in various long term research projects and initiatives related to living heritage.

In the second edition of the International Congress on Safeguarding Experiences of Intangible Cultural Heritage in 2013, organized by this team, Salomón Baz Baz and Narciso Hernández delivered a keynote speech about the Voladores and the *Centro de las Artes Indígenas*. This intervention sparked strong reactions among attendees, including researchers, students, public servants, cultural managers, and practitioners. While some were impressed by the projects and narratives, a sector mostly of anthropologists strongly criticized both the projects and the impacts of the inscriptions, raising concerns about who was left behind within the Totonac community and the way UNESCOization (Berliner, 2013) fostered over-commercialization, folklorization, and decontextualization.

Prof. Amparo Sevilla and Prof. Georgina Flores, notable anthropologists, were among the critics and organized an event on patrimonialization of music. Montserrat Rebollo attended, and there she heard another version of the story: accounts from other Voladores, including Alejandro García, his son Alejandrino, and Jesús Trejo, all opposed to the patrimonialization projects. This conflicting narrative prompted Montserrat to delve deeper into the matter. When her project was approved for her MA and PhD at ENAH, she contacted Alejandrino and Jesús Trejo, commencing her research with the goal of reaching all groups of Voladores, irrespective of their political stance on the inscription and the patrimonialization of their practice. She aimed to provide a comprehensive and neutral ethnography. Throughout her research, she maintained close relationships with Prof. Arizpe, Cristina Amescua, Edith Pérez and Carolina Buenrostro (from the UNAM), while building her own team for the Archive of the Word, expanding it to other regions in Mexico.

All the groundwork the Voladores had laid in previous years regarding the safeguarding plan and their participation in national and international academic and political events contributed to the redefinition of their identity. It signified a renewed respect for their practice beyond their communities and instilled in them the determination to not accept a "no" for an answer. When institutions offered no solution for their issues with the beer company, Narciso Hernández sought advice from Montserrat Rebollo. His view was, "You are always here, and you always tell us that you are working on the impacts of the inscription, so we really would like to see how you can support us and point us to the right instances to complain about this. To raise our voice and know how to tell the beer company that we do not want this type of advertising campaign around the Ritual Ceremony of the Voladores. They are making millions with this, and we don't get a cent out of it and still have severe lacks and needs, both in the schools and in making the flying poles" (Personal Communication with Montserrat Rebollo, January 2022).

### 31.2.3 "Chimalli: Center for Studies and Cultural Rights" Comes into Being

In 2017, when approached by Narciso Mendoza, Montserrat, now in her second year of research, realized that the Voladores no longer perceived her solely as a researcher or a student writing her thesis. Living with them and actively participating in their cause brought about a new dimension and a specific working dynamic based on sensitivity, empathy, commitment and social responsibility. This dynamic became evident in how they collectively managed the situation with the beer company.

Upon sharing the problem with her fellow master's student, Aldo Armando Gianelli Nuñez, originally a historian and a lawyer specializing in cultural rights, they decided to tackle the issue from two perspectives. First, they explored the potential of utilizing the safeguarding plan as a tool and reference to negotiate with institutions and the brewery. Second, they delved into the newly approved (June 2017) General Law of Culture and Cultural Rights to understand what actions could be taken.

The idea of forming an association started taking shape. Issues of plagiarism, including the misappropriation of traditional indigenous designs by mainstream clothing brands like Zara and Mango, were prominent in the media, so Aldo and Montserrat reached out to another fellow student, Xóchitl Soleta Juan, also a lawyer. Together, they founded an organization named "Chimalli", and organized forums and meetings to gain specific expertise on the pressing issues related to the claim. Key players were invited to analyze problems such as collective intellectual property of indigenous peoples and communities and how to respect the collective nature of decisions within a system based on individual ownership laws.

One of Chimalli's founding principles is intercultural dialogue. They conceptualize what Amescua calls the "Intangible Cultural Heritage field", as a Heritage Community "integrated by practitioners, researchers, companies, institutions (at local, state, and national levels), etc." They value the confluence of diverse knowledge from various perspectives and realms of action. The Voladores stated that their greatest intent was to defend their practice, and having knowledge from external parties was crucial for understanding how to navigate the negotiations and which institutions to turn to.

In Chimalli, they committed to supporting the Voladores, leveraging their experience in specific areas, while acknowledging the gaps in their knowledge. They observed a lack of formal procedures within institutions responsible for implementing the 2003 Convention for cases like theirs, and they broadened their research to other countries, finding materials and experiences related to cultural rights and similar cases.

## 31.3 The Process of the Claim: Legal Articulations and Personal Interactions

In a strategic alliance with Chimalli, the Voladores approached various institutions, including the National Human Rights Commission (CNDH) and other jurisdictional authorities. On September 5th, 2017, they submitted a document to the federal Ministry of Culture, urging the Executive Power's intervention to ensure the proper

implementation of measures outlined in the Safeguarding Plan of the Ritual Ceremony of the Voladores. They emphasized the legal obligation to address the cultural rights of the Totonac people.

The Ministry of Culture referred the matter to Indautor, a decentralized body overseeing intellectual property, cultural property, and authorship rights. Collaborating intensively with Indautor, the *Consejo*, and Chimalli, the Voladores presented an administrative complaint against Cuauhtémoc Moctezuma SA de CV in November 2017. This legal action, supported by the National Institute of Anthropology and History (INAH), laid the foundation for a robust case.

Their first solid victory came in 2019, when the CNDH, recognizing the violation of cultural heritage, issued Recommendation 35/2019, for the "Protection of the Cultural Heritage of the Indigenous Peoples and Communities of the Mexican Republic, based on the recognition of the importance of the "Guiding Principles on Business and Human Rights" and implementing the United Nations "protect, respect and remedy framework". The complex negotiation process involved numerous trips, financed by the Voladores themselves, and countless meetings marked by all types of challenges. The outbreak of the Covid-19 pandemic briefly interrupted the proceedings.

Despite the challenges, the *Consejo*, Chimalli, Indautor, and the beer company representatives held several meetings to negotiate a reparation agreement. On June 24th, 2022, an agreement was reached and presented to Indautor. On September 22nd, 2022, the Ministry of Culture, through INAH, publicly announced the agreement between the Council for the Protection and Preservation of the Ritual Ceremony of Voladores Civil Association and Cuauhtémoc Moctezuma Brewery.

This landmark event sets a precedent for recognizing and respecting cultural practices through an inclusive process that acknowledges the strengths, differentiated access to resources and specific expertise of different agents in the intangible cultural heritage field. Led by the Voladores, the process involved committed and responsible allies.

A significant outcome was the realization of a practical use of an inscription in the UNESCO Lists. This case demonstrates how international regulatory frameworks can be activated to protect heritage from commercial exploitation. The Voladores showcased how Convention for the Safeguarding of Intangible Cultural Heritage and the Ethical Principles can be used in inclusive contexts, fostering collective decision-making processes and raising awareness. When appropriated by the communities, when differences are set aside in favor of a common goal, when frictions are recognized and decisions are collectively adopted using the particular expertise of each of the stakeholders involved in the process, an indigenous community in a small region can not only reach an agreement with a transnational company but can also raise awareness within it leading the company to reformulate their procedures.

Notably, the beer company, initially unaware of international frameworks, recognized the negative impact of their actions. This experience prompted a shift in their perspective, making them reconsider their ethical and social responsibilities. This transition, guided by UNESCO's ethical framework, highlights the potential for companies to reassess their impact on society and the importance of ethical considerations in decision-making.

According to one of the lawyers from Moctezuma Cuauhtémoc Heineken "as a company we are still evolving and we never realized that we, bear in mind that we

are a transnational company, always operated based on the national laws. We didn't know about the existence of this international framework (the 2003 Convention and the ethical principles). From a marketing perspective, you just knocked us out when you based your claims on all these international frameworks that protect culture. And UNESCO has an Ethical Framework that got us thinking: they are not forcing us with a judicial procedure, to compensate the damage we have done. But we as a company also have ethical and social responsibilities. We have a moral obligation to respond to this. We had not realized the social impact of the company. For us Indio Beer is just a product for consumption. But after this experience, now we stop and think: how is what we are doing having an impact or affecting others. The advertising ideas might be amazing, but now we stop and reflect on what these ideas might do to society. Now we realize that there are not only the national frameworks but also the international frameworks that have to do with our social responsibility. We are in a transition and as a company this framework is making us realize that we might be hurting people without intending to do so, and in this transition process it is helping us to rethink ourselves. And the ethical aspects that we understood from UNESCO are precisely what got the engines moving to change the ways the company was working."

It's noteworthy that the Voladores' involvement with the safeguarding plan went beyond institutional requirements. They sought to breathe life into the convention and safeguarding plan, assessing their progress after over a decade of inscription. This self-reflection showcased their growing understanding of the convention's importance and the relevance of the safeguarding plan.

### 31.3.1 Creative Engagement Between Anthropologists and Communities: Horizontal and Ethical Dialogues Towards Building Inclusion

Communities and practitioners must lead processes related to their living heritage, but the anthropological perspective plays a crucial role in offering a holistic view extending across a region. Anthropologists emphasized the need to involve other Voladores in the fight against Heineken, aiming for an inclusive approach. The idea was to use the money from the compensation to create a Mesoamerican Platform, providing training in social media and web skills for selected, tech-savvy individuals from within the communities to maintain the platform.

This balance of knowledge and experiences, where academic and institutional know-how highlights community concerns, contributes to capacity building from within. The goal is to collectively empower communities, so that they don't depend solely on external agents to solve their problems. The collaborative approach involves identifying capacities within the community and providing specific training where needed.

Chimalli's role evolved over the years, and now they are an active part of the *Consejo*. While advising on steps to achieve the Voladores' objectives, Chimalli insisted on considering the broader Mesoamerican context. The ethical and precise application of the ethnographic method by anthropologists contributed to the identification of excluded voices and the subsequent inclusion of those feeling left behind.

The neutrality spirit instilled in new generations of anthropologists was crucial, highlighting the common project and shared objectives among different Voladores groups. Chimalli constantly reminded groups to orient their vision toward a common goal, smoothing tense relationships and contributing to the movement's growth and diversification.

Experimentation was central to everyday activities, discussions, and decision-making processes. With no preset route, the collective worked together to understand and find the best ways to face challenges. The experiences of Chimalli serve as a potential model for others seeking alternative solutions to similar problems.

### 31.3.2 The Contributions of Anthropology and Ethically Formed Anthropologists

The contributions of anthropology and ethically formed anthropologists are evident throughout the configuration of the world-making project narrated in this text. Anthropologists provided an intelligibility framework, translating local practices into the language of international cultural policy instruments, and retranslating institutional language into words closely related to local experiences, thereby opening new possibilities for global connections and resource negotiations at local level.

Ethically formed anthropologists played a key role in shaping Chimalli, an organization born out of a commitment to fight anthropological extractivism and engage in collaborative, inclusive knowledge-building processes. This form of "militant anthropology" involves direct engagement and the use of symbolic and material resources to address community issues.

Anthropologists, with their academic training, facilitated communication bridges between the Voladores and various institutions, enabling effective navigation of institutional systems. Their involvement empowered the community to interact with stakeholders, complete UNESCO evaluation forms, and raise awareness among the general public.

## 31.4 Conclusion

Inclusion is never a given, as this case shows, inclusion has been constantly in the building as Machado's poem states: there is no road, the road is built by walking (no hay camino, se hace camino al andar).

The inscription on its own will not ensure safeguarding on the ground; this case shows that in terms of agency, and the mobilizing of powers, the inscription was indeed a tool to win a claim against a transnational company. But also, it contributed to the transformation of the perception and practices within the community itself and the transnational company. It can be very important for other groups to know that there are ways to defend their heritage and their cultural practices.

This is what happened when the idea of inscribing The Voladores in the representative List of the Convention for the safeguarding of intangible cultural heritage

happened: the Totonac people had already accumulated knowledge and experience that allowed them to be active agents in the interactions with local, state and national authorities. They already knew how to negotiate their inclusion. Of course this was not, and has never been, a smooth and fully inclusive process. There are always dissenting perspectives and people and groups that feel and even actually are excluded from the decisions and their implementation. Cumbre Tajín, the inscription of the Voladores and the founding and later inscription of the Centre for Indigenous Arts in the Registry of Best Safeguarding Practices were strongly criticized both by members of the Totonac people and many sectors of academia and civil society.

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# Chapter 32
# Intangible Heritage as a Factor of Cultural Resilience in Rural Areas of Germany

Manuel Trummer and Mirko Uhlig

**Abstract**  Using the example of Germany, this chapter examines how and to which extent the inclusion of regional cultural forms on one of the lists of intangible cultural heritage (ICH) can contribute to the sustainable development and vitalisation of peripheral rural areas. Against this backdrop it discusses the potential of a joint approach between rural development policy and ICH. Following Marlen Meissner, we understand ICH as a cultural policy instrument and incorporated cultural capital in the sense of Bourdieu, but expand this perspective to include a theoretical framework that takes a closer look at the current requirements of rural development policy. As a heuristic for documenting the impact of an ICH application process for a rural region, the text draws on the concept of "cultural resilience". This brings aspects of resourcefulness, rootedness, and resistance to the fore. In this context, the application process itself, as the empirical examples show, is of great importance.

**Keywords**  Intangible cultural heritage · Rural development · Ethnography · Cultural resilience · Germany

Since the post-war period, rural areas in Germany have undergone fundamental changes. As differentiated, heterogeneous spaces, they now fulfil a variety of functions in addition to agricultural production. They are a successful arena for energy policy, they are a dream location in the popular media, tourism and leisure activities. They also provide homes and jobs for 57% of German citizens (Thünen-Institut, 2020). But rural areas are not all the same. There are rural areas in Bavaria and South West Germany that are highly developed in terms of socio-economics, and then there are areas in Eastern Germany especially, which experience

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considerable problems (Bätzing, 2020). Overall, more than half of Germany's rural population lives in regions with socio-economic deficits (Thünen-Institut, 2020). The most pressing problems include the out-migration of young and highly educated people, resulting in an ageing population, a lack of health and care services, inadequate public transport, gaps in local amenities and, as a result, further economic, demographic and cultural decline (Trummer, 2015). The question of how to revitalise rural areas suffering from this socio-economic decline is a key issue for the future, particularly in the context of growing social tensions and divisions, as illustrated by the urban-rural divide in election results in many countries of the Global North.

For many of the regions concerned, however, the cultural and landscape heritage, which is of historical significance and is generally characterised in rural areas by agricultural and pre-industrial ways of life, represents significant economic, social and cultural capital. Cultural heritage plays a key role as a "soft" location factor that can strengthen how people identify with their region, on the one hand, and satisfy tourism and leisure needs on the other. In particular, the UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage, which was ratified by Germany in 2013, has opened up a number of possibilities which can benefit peripheral rural areas in particular, with their pre-industrial-agricultural heritage and the often precarious situation of local actors. But under what conditions can this be achieved?

In this article, we attempt to identify the conditions under which the inclusion of a cultural practice in one of the state inventories or the federal UNESCO inventory can contribute to the revitalisation of peripheral rural regions. Based on a comparative reading of recent rural and ICH policies we ask which parameters are available to document the positive impact of inscription for the respective actors and their local networks. These questions are also at the centre of the joint research project "Intangible Cultural Heritage in Rural Areas",[1] which was launched by the Universities of Regensburg and Mainz in the Spring of 2023. The project is funded by the German Federal Ministry of Food and Agriculture (BMEL) as part of the "Faktor K" funding line, which is interested in "successful models and conditions for a vibrant cultural life in rural areas" and the associated recommendations for practical action.

We focus here on a specific aspect of this project and reflect on the potential of a joint approach to rural development policy and intangible cultural heritage (ICH) both as an instrument that governs cultural policy and also as "embedded cultural capital" (Pierre Bourdieu). We build on Marlen Meissner's proposal to systematise the analysis of cultural heritage as a factor of sustainable development (Meissner, 2021) by adding a theoretical framework that places greater emphasis on the demands of contemporary rural development policy. We use the concept of "cultural resilience", developed in recent interdisciplinary discourse, to capture the impact of

an ICH application process on a rural region (Brown, 2015; Holtorf, 2018; Jörissen, 2022). As empirical cultural anthropologists, we illustrate this using the example of the 'Kirwa im Amberg-Sulzbacher Land', a popular village festival in rural eastern Bavaria, which was included in the Bavarian Inventory of Intangible Cultural Heritage in 2023 as an "example of good practice", and contrast this example with another case from Rhineland-Palatinate.

## 32.1   ICH and Rural Development—Theoretical Framework and State of Research

The critical examination of local discourse on ICH is a central task of empirical-ethnographic cultural studies. With the ratification of the "UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage" in 2003, a critical-deconstructive approach to heritage research was established, dealing with questions of the formation of social narratives and the instrumentalisation of cultural heritage as cultural property (Smith, 2006; DFG Research Group 772 "Cultural Property"). With the ratification of the Convention by Germany in 2013, in particular, this critical understanding of the term quickly ensured that the topic became the centre of the broader scientific debate. The participation and roles of the actors themselves, the deconstruction of power relations and potentials for emancipation formed the subject of research in the field of empirical cultural studies from the very beginning. According to Bernhard Tschofen, cultural heritage research suffers from a "dilemma of incompatible concepts". The "essential and normatively contoured" understanding of cultural heritage, as it prevails in the stakeholder groups themselves, is contrasted with the genuinely cultural-scientific view with its "constructivist-praxeological" claim (Tschofen, 2007: 23; our translation), understanding cultural heritage as a "social and discursive construct constantly created and shaped by various actors according to their political, economic, and social interests" (Lähdesmäki et al., 2020: 120). The negotiation of ICH by the participants themselves and their conflicting agendas thus form a central epistemological interest of empirical-ethnographic cultural studies, which "inquire into the respective historical contexts in which cultural heritage is created and into the manifold effects and meanings of cultural heritage in late modernity" (Tauschek, 2013: 27; our translation).

The revitalisation of peripheral rural regions by means of ICH can be one such agenda from which not only the supporting groups themselves, but also a cross-sectoral network of actors (e.g. from the fields of politics, business and culture) can benefit. Against this background, the "labelling" (Drascek, 2022: 20) as UNESCO cultural heritage becomes important as a tool of cultural policy management for the communities involved—a tool that can be used in valorisation processes, for example to shape ICH into a resource for economic, tourism or even development policy (Tauschek, 2013; Drascek, 2022; Cerquetti et al., 2022). On the one hand, this is important, because the symbolic and cultural capital of an ICH designation often lies

in promoting the hidden agendas of applicants, such as commercial interests or political lobbying. On the other hand, the designation of a form of cultural heritage can lead to disappointment, frustration and conflict if the intended developmental effects of a designation—or valorisation—do not materialise. Here, the application process and the actors, networks and interests involved are of paramount importance. The discourses, narratives and constructions involved not only reveal the cultural values of contemporary societies (Tauschek, 2010; Macdonald, 2013), but also allow an analysis of forms of participation, local power relations and, ultimately, the developmental benefits of an ICH designation in rural as well as other areas.

Since the 2010s, research has critically highlighted numerous examples of how public participation in heritage processes is characterised in practice by hierarchies and asymmetrical power relations that contradict UNESCO's specifications of an endogenous bottom-up process involving the entire community. Numerous individual studies have empirically shown, how heritage processes are often determined by experts, political lobby groups and professional organisational elites (Tauschek, 2010; Bendix, 2013; Schneider & Uhlig, 2023), while the majority of local society remains largely excluded.

However, international research has also shown, that ICH can gain considerable importance as an endogenous development factor, especially in shrinking peripheral rural areas—provided that participatory approaches come to the fore (EU project "Ruritage", 2018–2022). For example, David Beel and colleagues have pointed to the transformative potential of cultural heritage in two rural communities in the north of Scotland (Beel et al., 2017). A key factor in this is the involvement of as many different communities as possible in issues relating to the preservation and development of cultural heritage. This is initially achieved through identification with and valorisation of one's own heritage, based on endogenous bottom-up structures, such as voluntary work or private initiatives by the population. In the communities analysed by Beel et al., a voluntary task force was set up among the population to archive the historical heritage of their villages and communities. This networking through common projects (a common "taskscape") led to a re-evaluation of the common heritage and a growing appreciation of common origins and the region in the sense of British anthropologist Tim Ingold's term "dwelling perspective". According to this, the landscape is constituted as an enduring record of—and testimony to—the lives and works of past generations, who have dwelt in it and left something of themselves behind (Ingold, 2000: 189). Cultural heritage "from below", as the British historian Iain Robertson calls it, can thus lead to the recognition of the value of endogenous potentials that have previously been marginalised or given little attention (Robertson, 2012).

Rural transformation processes in particular reveal their important intrinsic value, as paralysing narratives and self-images of decline and inadequacy are countered by local development opportunities and negotiated in newly emerging cooperatives (Dürrschmidt, 2005). In line with the thinking of Pierre Bourdieu and Marlen Meissner, ICH here becomes a form of embedded cultural capital from which self-determination can emerge amidst the multiple crises of the rural world. The actual success of the actions undertaken on the ground is secondary; even identifying a

common task and forming a task force can be enough to trigger reassessment and a change in consciousness.

So, rather than following the critical heritage discourse in order to "deconstruct" hidden local and global power relations, in our paper and research project we go one step further and, in what we call an "anthropology of success", highlight the ways in which the processes involved in applying for ICH can transform and emancipate the rural communities involved. We would like to focus on the new networks and "grassroots" governance arising from local negotiations of ICH, which is often semi-autonomous.

For example, as Arnika Peselmann has shown in her case study on the German-Czech Erzgebirge, an independent form of cultural heritage governmentality is also emerging locally. And it is establishing itself parallel to the official, top-down structure of the UNESCO designation process (Peselmann, 2018). We interpret these local situations and hierarchies that form around the negotiation of ICH, partly consciously and partly unconsciously, as a form of "horizontal" governmentality. It is important to look more closely at these informal networks emerging from ICH at the local level. This concept also includes the emerging networks of cooperation, selective offers of participation, local gatekeepers and "task forces". This means that particularly in peripheral rural areas with their often underdeveloped structures and lack of cultural policy expertise, a joint application process can have important benefits.

The potential importance of the "cultural heritage factor" for the revitalisation of rural areas is reflected in many studies on the quality of life in rural areas and on issues of urban-rural migration all over Europe. According to these studies, it is not so much the "hard" location factors such as jobs, infrastructure and services, that make up the "good life" in the countryside for large sections of the population, but the "soft" factors. These include leisure opportunities, unspoilt nature and welcoming, active communities with opportunities to join in and become a part of things (Peer, 2013; Rérat, 2014; Bijker et al., 2015; Trummer, 2023). It is precisely against this background that an ICH award, with its galvanising, networking potential, can play a key role in the cross-sectoral valorisation of endogenous opportunities.

The question as to the extent to which the impact of ICH on rural regions can be "measured" remains open: in which sectors does the "valorisation" of local potential in the form of ICH lead to development? Marlen Meissner proposes a praxeological approach using the example of the Finsterwalder Sängerfest. She understands ICH as a form of "cultural capital". Like Bourdieu's "cultural capital", ICH manifests itself in an embodied, institutionalised and objectified form (Meissner, 2021: 146). In terms of "valorising" local potential, this also means that cultural capital can be transformed into social and economic capital. Or it can be applied to rural development: the locally existing, embedded cultural heritage can serve as a starting point for new networks and cooperation, but also as an impulse for commercial and other economic development, e.g. tourism. However, it requires certain structures and actors, active reflection and specific forms of expression. In short, it needs to be institutionalised so that the potential of embodied cultural heritage can be

transformed into social and economic capital, or "valorised" (Meissner, 2021: 163–171).

We now discuss how this can be achieved in terms of rural development policy and an understanding of "valorisation" based on integrated rural development, drawing on recent resilience theory and starting by comparing current guiding principles of rural development with key parameters of the UNESCO conventions on development.

## 32.2 Endogenous Potential—Reconciling Heritage and Rural Development in Germany

The development of economically disadvantaged rural regions is not one of the explicit requirements and objectives of the ICH programmes, neither at UNESCO level nor at national level. Nevertheless, there have been many parallels between the UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage and the important cultural policy positions of rural development policy over the last two decades. A central interface between ICH policy and rural policy at EU level is the common focus on endogenous potential, which needs to be recognised, reflected and developed in a participatory manner by local stakeholders themselves with the aim of a sustainable revitalisation of cultural forms and communities.

The connecting factor here is the idea of sustainable development on a social, economic and ecological level (Meissner, 2021: 22–43), as already included in the 2003 UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage: "For the purposes of this convention, consideration shall be given only to such intangible cultural heritage as is compatible with existing international human rights instruments, as well as with the requirements of mutual respect among communities, groups and individuals, and of sustainable development."[2]

Particularly with regard to socially sustainable development, some form of stimulation of cultural participation is an essential aspect of this. The framework of the UNESCO Convention of 2003 formulates these concerns in various places. For example, one forward-looking medium-term goal is the efficient, cross-sectoral networking of all cultural organisations. It concerns "effective relationships built among a diversity of communities, groups and individuals and other stakeholders for safeguarding intangible cultural heritage".[3]

In line with the convention, the development of each cultural form should not be a top-down process of external expertise but should involve the active participation of as many different people as possible who are directly involved. It should be the "dynamic development and implementation of safeguarding measures or plans for specific elements of the intangible cultural heritage, led by a diversity of

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[2] https://ich.unesco.org/en/convention (Art. 2.1).

[3] https://ich.unesco.org/doc/src/41571-EN.pdf

communities, groups and individuals".[4] The 2003 UNESCO Convention then emphasises the active participation of the sponsoring groups: "Within the framework of its safeguarding activities of the intangible cultural heritage, each State Party shall endeavour to ensure the widest possible participation of communities, groups and, where appropriate, individuals that create, maintain and transmit such heritage, and to involve them actively in its management". The text adds that "communities, in particular indigenous communities, groups and, in some cases, individuals, play an important role in the production, safeguarding, maintenance and recreation of the intangible cultural heritage, thus helping to enrich cultural diversity and human creativity".[5]

Almost in parallel with the establishment of ICH programmes at UNESCO level, a paradigm shift in rural development policy also took place at EU level from the 1990s onwards, which began to take effect across Europe in the mid-2000s. Again this took place almost in parallel with the 2003 Convention. At the heart of this fundamental reorganisation of rural development were new approaches that moved away from sector-specific subsidies, usually related to agriculture. Instead, spatially oriented approaches came to the fore, placing greater emphasis on issues of rural culture, quality of life, environmental protection, sustainability—and heritage (Lähdesmäki et al., 2020: 21–36). These approaches also show a more sensitive understanding of the differentiated rural areas and their diverse actors (Mondelaers, 2005; Nölting, 2006). This integrative, cross-sectoral understanding of rural development policy has been accompanied by a shift from top-down to bottom-up approaches, with the aim of mobilising local actors and thus recognising and exploiting region-specific potential—including local forms of traditional culture and ICH—on a more individual basis. The aim is to create more equal living conditions in urban and rural regions in Europe, and a guiding principle of European funding policy is that this should be increasingly determined by focused, region-specific funding strategies. The focus on market-oriented subsidies for agriculture was thus reduced.

The transformation of EU rural development policy from top-down strategies (geared almost exclusively towards the competitiveness of the agricultural sector) to the participation of local actors had already been initiated in 1991 with the LEADER (Liaison entre actions de développement de l'économie rurale) programme.[6] Initially launched as a joint pilot initiative to test new approaches to rural development, it supported innovative individual projects in selected model regions. The objectives of LEADER reflected the move away from dominant agricultural support in favour of an understanding of the interplay of economic and cultural functions and social sustainability in rural areas.

Programmes such as LEADER mark the beginning of a "new rural paradigm" (OECD Rural Policy Reviews, 2006) in the promotion and development of rural

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[4] https://ich.unesco.org/doc/src/41571-EN.pdf

[5] https://unesdoc.unesco.org/ark:/48223/pf0000383762

[6] https://ec.europa.eu/enrd/leader-clld/leader-toolkit/leaderclld-explained_en.html#one

areas, which is being implemented politically. This is analogous to the UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage, which emphasises participatory governance approaches rather than top-down regulatory procedures.[7] The role of the state is changing from proactively initiating and subsidising to being a more indirect actor that gives a framework that creates freedom and opportunities (Horlings & Marsden, 2014). It is a case of "governance beyond the state" (Swyngedouw, 2005), with many parallels with the "horizontal" governmentality surrounding rural heritage.

Within these new "multi-level" governance networks, there is an opportunity to increase the involvement of civil society and private sector actors in policy-making processes. In the area of local politics, in particular, there is far-reaching potential for participation and more coordinated and targeted region-specific development (Nölting, 2006: 23–25). With regard to the integrative funding strategy of LEADER, which is aimed at the maximum participation of all actors involved in rural life, non-hierarchical approaches of "horizontal" governmentality also encourage more participation and counter feelings of powerlessness in the face of higher political authorities (Böcher et al., 2008).

Here the link with the central demands of the UNESCO Conventions is clear. In particular, the "new rural paradigm" involving integrated regional governance is reflected in the example of LEADER in several tactical approaches, some of which also appear directly in the ICH framework of the 2003 Convention. For example, LEADER funding was based on "the development and implementation of local strategies".[8] The focus of LEADER spatial development is therefore on small regions which, at least superficially, are characterised by a high degree of homogeneity in their traditions and cultural identities. The shared horizon of experience regarding the weaknesses and potentials of the common living environment allows for more targeted support approaches.

Local development strategies are also reflected, for example, in the prioritisation of bottom-up approaches. It is recommended that local stakeholders should be directly involved in the decision-making process in order to contribute their local knowledge of the endogenous needs and strengths of the assisted regions. The mobilisation of local potential also requires stronger networking between public and private partners, such as environmental associations and citizens, museums and residents, reflecting the call for cross-sectoral cooperation between all stakeholders involved in the UNESCO ICH framework. There is a strong emphasis on cross-sectoral projects that bring together stakeholders from different sectors (business, cultural institutions, environmental groups). The aim is to create "multi-level" networks that transport and preserve expertise, experience, and potential in the

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[7]The theoretical concept of governance refers to an institutionalised coordination of decision-making that is not based on traditional hierarchies of "government" with superordinate and subordinate authorities, but on a largely cooperative interaction between civil society and political-institutional actors (Mayntz, 2004; Ladwig et al., 2007).

[8]https://ec.europa.eu/enrd/leader-clld/leader-toolkit/leaderclld-explained_en.html#one

regions and beyond. In this way, supra-regional or even transnational cooperation can be created to make more effective use of shared potential. The overall aim is to strengthen the autonomy of municipalities and small regions in the political decision-making process through the consistent implementation of regional and political subsidiarity (Mondelaers, 2005: 87; Böcher et al., 2008). However, as a team of researchers from Bonn has documented, using the example of a LEADER group in Western Germany, there are also certain power hierarchies and elements of exclusion that arise in the "horizontal" governmentality that forms around LEADER activities on the ground. And, as with many "ICH task forces" in rural areas, these prove to be inimical to the development goals of the funding programmes and thus impede impulses for revitalisation. But it has also been emphasised how participation in local LEADER activities alone can lead to learning processes and cooperation (Müller et al., 2020).

From the end of the 1990s, similar pilot projects have been launched at national level across Europe. In Germany, the Federal Ministry responsible for implementing the EU rural development directives (now the Federal Ministry of Food and Agriculture) launched the model project "Regionen aktiv" ("Active Regions") in 2001. Following a national call for proposals, 18 regions that had submitted particularly convincing ideas received funding. A total of 50 million Euros was made available between 2002 and 2007. Like LEADER, "Regionen aktiv" emphasised a bottom-up approach stemming from local networks and also stressed the importance of civil society and private sector actors interacting with public institutions. Here too, with almost 700 successful projects and a high level of participation, policy-makers and the business community achieved a positive outcome (Böcher et al., 2008).

In Germany, since 2004, the Integrated Rural Development (ILE) programme has become another pillar of national rural development policy alongside LEADER. With the aim of upgrading and revitalising rural areas through cross-sectoral cooperation (e.g. between crafts, tourism and culture), it takes up the newer EU paradigms, but at the same time ties in with older, already existing programmes such as village renewal (Gehrlein, 2004). The individual federal states are responsible for implementing the programme and, together with local politicians, they can establish ILE regions and implement targeted support measures there in direct dialogue with local stakeholders. The key instruments and guiding principles are (1) broad participation of local stakeholders, (2) a spatial approach that thinks across sectors and thus enables networking and cooperation between different local stakeholder groups, and (3) bottom-up structures that allow individual responsibility and local competences to come to the fore (Dehne & Neubauer, 2018).

The close relationship of these instruments to the guiding principles of sustainable development, as formulated by UNESCO in its ICH policy, is clear, as mentioned above. We can identify the following synergies between ICH and rural development:

1. Endogenous potential. Both intangible cultural heritage and rural development programmes focus on recognising and strengthening endogenous potential. This means using the resources, skills and traditions already present in rural

communities as a basis for sustainable development. This approach promotes the appreciation of local identities and resources, which in turn helps to strengthen rural communities.

2. Participation. Another common aspect is the participation of citizens in decision-making processes. ICH attaches great importance to the active involvement of local communities. This should enable local people to express their needs and priorities and play a decisive role in shaping development processes. Participation not only promotes the acceptance of measures, but also increases the commitment and responsibility of the community for its own development. For example, the transmission of (supposedly) traditional cultural complexes that are considered important for a region.

3. Multi-level governance. Closely linked to participation is a third common aspect, namely the idea of "multi-level governance". Both ICH and rural development rely on coordinated cooperation at different levels—from local to regional, national and European. The dovetailing of "vertical" and "horizontal" governance should enable effective implementation of measures and a broad exchange of experience between regions. Such networking could create synergies and the opportunity to learn from the successful approaches of others.

## 32.3 "Literally Forced to Learn": ICH, Resilience and Rural Development

A comparison between UNESCO's ICH policy and the EU's rural development strategies reveals an interesting parallel in terms of time. There are also common guiding principles. It is therefore useful to ask to what extent ICH can become a vitalising factor in the context of rural development in the sense of the UNESCO conventions.

We now take up the question posed at the beginning of the BMEL-funded project on "Success models and conditions for a vibrant cultural life in rural areas"[9] with two case studies from our own research. The first example, which is also discussed in more detail here, is the cultural heritage element "Kirwa im Amberg-Sulzbacher Land". Based on this "cultural form" (to use the words of UNESCO), which was included in the Bavarian State Register in 2023 as an "example of good practice", we would like to discuss the effects of making an application for ICH using the example of a peripheral rural district in Eastern Bavaria.

The "Kirwa im Amberg-Sulzbacher-Land" (ICH Kirwa) encompasses more than 120 traditional parish fairs, which take place between April and November in the villages and small towns of the Amberg-Sulzbach district. The parish fairs, which are organised autonomously by the village communities, especially by young people

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[9] Our translation of „Erfolgsmodelle und Gelingensbedingungen für ein lebendiges kulturelles Leben in ländlichen Räumen"; https://www.ble.de/DE/Projektfoerderung/Foerderungen-Auftraege/BULE/Foerdermassnahmen/Forschungsvorhaben/LandKulturForschung.html

between the ages of 16 and 30, usually last from Saturday to Monday and act as a year-round focal point for village identity, rural self-confidence and informal cooperation in places that are otherwise often marked by the out-migration of young people from the area, a lack of infrastructure and the closure of clubs, pubs and town centres.

The ICH Kirwa is highly individual. In addition to common elements, such as the dance of the young "Kirwa-couples" around the "Kirwa-tree", the regions involved have developed their own rituals over the course of the last century, suggesting an informal, often anarchic phenomenon with a strong identity-forming significance for the supporting groups.

We view this "example of good practice" ICH Kirwa as "cultural capital" to use Marlen Meissner's term, which can potentially be transformed into social and economic capital and thus become an important factor in the local development of the district of Amberg-Sulzbach. We extend Meissner's model to include the concept of "cultural resilience" in order to offer a more general theoretical comparative perspective on development effects, especially in peripheral rural areas throughout Europe that have been affected by multiple transformation crises. The concept of cultural resilience also allows us to identify successful practices of resistance, creativity, and cross-sectoral networking and to propose these to political decision-makers in the form of recommendations for action and best-practice models.

Resilience is commonly understood as a form of resistance in times of crisis or "thriving despite adverse circumstances" (our translation of Welter-Enderlin & Hildenbrand, 2016). However, in interdisciplinary discourse, the concept of resilience is used in different paradigms and with different intentions (Beel et al., 2017). The outcome of a debate that took place in the 1990s in a psychological/psychotherapeutic context is perhaps useful for our project of an anthropology of (possible) success. This debate has stimulated a change of perspective that has also had an interdisciplinary impact.

The therapeutic doctrine that the individual is to be seen as deficient was revised in favour of a more resource-oriented approach. The question of what a patient's strengths are in coping with a crisis was asked. However, there was also a warning against an overly one-sided and positive perspective that only sees, or wants to see, a person's strengths or resources and does not take into account the system in which they find themselves. In order to arrive at a balanced assessment, a dialectical approach was recommended that sees resilience not only as an (intrinsic) characteristic of individuals, but also as the result of a collective learning process negotiated in specific (social, spatial and historical) contexts (Hildenbrand, 2016).

There is another issue to consider. Like many other academic terms (such as ritual, habitus, mentality or narrative), the concept of resilience, with its related notions of successful lifestyles is used in everyday contexts. For example, the concept of resilience has been used in spiritual workshops and coaching settings for several years. In a recent cultural studies debate, attention has been drawn to a powerful neoliberal use of the term that is compatible with—and sometimes in opposition to—recent (self-)optimisation imperatives (Tauschek, 2021). To put it

bluntly, such a concept of resilience, when treated as a self-management tool, evokes the very crises against which it is then deployed. The resilience (and independence) of the individual is to be strengthened through specific (learnable) practices, which ultimately means that responsibility is delegated to the individual (this is the neoliberal moment) and there is no debate about how the individual can and should be protected from restrictive systems. A more recent concept of resilience as a dialectical process, which has already been used fruitfully in the current debate on ICH (Jörissen, 2022) and can be used specifically to analyse rural transformation pressures, has been developed by Katrina Brown (2015). Brown develops a model of collective learning in the face of disasters and crises under the concept of "cultural resilience", which offers numerous points of interest for the challenges of peripheral rural areas in Germany and the potential of intangible cultural heritage as a factor of cultural valorisation. Brown emphasises the transformative nature of resilience. Cultural resilience does not mean returning to a pre-crisis or pre-disaster state, nor does it mean protecting oneself from the consequences of a disaster. The transformative element of cultural resilience therefore lies in learning and developing towards effectively addressing and using moments of crisis based on one's own potential. "Cultural resilience", looks at the conditions under which communities can cope well with crises and challenges, for example how rural communities can respond to challenges such as demographic change or lack of cultural infrastructure.

Brown develops a three-part model for this, which we summarise below with Meissner's thoughts on ICH as cultural capital and illustrate with our examples. The three parts are (1) rootedness, (2) resourcefulness, and (3) resistance.

1. Katrina Brown uses the term "rootedness" to describe the knowledge and narrative entanglement with a place or region that contributes to the sharpening of a self-image that is perceived as coherent. Theoretical links can be made here to older cultural studies concepts such as "doing home" (Binder, 2008; Klose et al., 2012) or "dwelling" (Ingold, 2000), which emphasise the negotiation of spatial—but above all historical and social—belonging as a cultural practice. As Beel et al. (2017) show against the background of rural development policy, an important starting point for valorisation processes is the examination of the local past and local cultural forms. It is often local experts, often from the fields of education and tourism, who identify their own cultural heritage and thus provide the impetus for a re-evaluation of local traditions and cultural forms in the form of task forces, working groups or association committees (Meissner, 2021; Peselmann, 2018). In peripheral rural areas that are lacking in academic heritage expertise, this is often the only way to make them visible. Understood by Meissner as "embodied cultural heritage", this spatial, social and historical "rootedness" of a form of cultural heritage in a community's public consciousness creates a basis for further valorisation of the local cultural capital ICH in other economic and social areas.

The case study of the ICH Kirwa illustrates how this can succeed in practice. The numerous Kirwa festivals have been by far the most important customs in the Amberg-Sulzbach district since the post-war period. The more than 120 different fairs attract hundreds of thousands of visitors every year and are an integral part of

everyday culture in the small rural towns and villages of the region. Despite the huge importance of this complex of customs, until 2019 the Kirwa festivals did not play a prominent role in local tourism marketing, in academic debate or in the media's perception of the region. As Dieter Kohl, the district's honorary Kirwa representative, reported in an interview in November 2023, the Kirwa had always been perceived as "not worth mentioning" due to its deep roots in the everyday life of the population. "Every village has a Kirwa – what's so special about it?"

However, in 2019, a working group in Amberg-Sulzbach began to consider whether the numerous fairs that people had known since childhood might not be "something special" after all, a heritage inextricably linked to the district and its population. The driving force behind the idea were two people who formed a link between the supporting groups in the district and institutional expertise: the district's tourism officer, Regina Wolfohr, and the computer scientist Dieter Kohl, the district's honorary Kirwa representative. Both have been taking part in their own village's Kirwa celebrations since their youth. They have been involved in organising and running the Kirwa themselves and are well connected to the district's Kirwa "scene", thus taking on a "hybrid" role between professional expertise and being part of the phenomenon. The impetus for the application to the ICH is also reflected in this intermediate position between the sponsoring group and the professional administration, as a kind of "cultural broker" (Groschwitz, 2022) who mediates between the stakeholders.

The passionate Kirwa representative Dieter Kohl, for example, was concerned with external recognition, noting that "people outside the region feel that the Kirwa is something special", while the tourism expert Regina Wolfohr was interested in "whether something could also be made of it to attract tourists". In abstract terms, the aim was to transform potential cultural capital into social capital—external perception, recognition, appreciation of the district—on the one hand, and into economic capital, such as more intensive tourism marketing, on the other. The instrument for initiating this valorisation was to be an application for the ICH award.

From the outset, Wolfohr and Kohl, as the driving forces behind the application, focused on publicising it as widely as possible and encouraging people to participate. The strategy behind the application was not to focus on a single outstanding parish fair, but to involve as many Kirwa groups as possible and the entire population of the district from the outset. There was an unusually high response to a newspaper survey. Representatives of all the Kirwa groups were involved as guarantors, and a wide range of traders who benefit from the Kirwa during the year and contribute to it were brought in, for example bakers, butchers, tailors, hairdressers, dance schools, craft businesses and sponsors from local industry. The initiators have also succeeded in establishing the Kirwa as a subject in some of the primary schools in the district. The perception of the Kirwa festivals in the district itself and among the supporting groups began to change and a new form of highly participatory, "horizontal" governance began to form around the application process.

The involvement of the population and, in particular, contributing shared knowledge, memories and practices through newspaper surveys and the media not only drew attention to the significant potential of the Kirwa festivals, which had often

been regarded as "ordinary", but also triggered a change in awareness that drew attention to the "embodied cultural heritage" of the Kirwa as the cultural capital of the region, thus opening it up to further valorisation.

From the outset, the Kirwa ICH application had the effect of raising awareness and encouraging self-reflection, which gave what was considered to be the very ordinary phenomenon of the Kirwa a new value, rooting it historically and socially in the public consciousness of the district. All the supporting groups were behind it, talked about it, and were now proud of the Kirwa as a common cultural form—and the application had not yet even been submitted. However, the UNESCO ICH statutes also required applicants to take a self-critical look at difficult aspects of the Kirwa, such as alcohol abuse, sexist role clichés, or the discrimination of Jews during the Nazi regime.

The application also requires a plan for the time after the listing: how the cultural heritage will be developed and passed on. Applicants must document who will be involved in the future and what is possible in terms of further networking. All of this has led to an intensive dialogue with the Kirwa, which has triggered a change in awareness among many of those involved. Rootedness does not simply mean identifying with one's local area, but above all challenging oneself, which can lead to self-reflection and a positive awareness of one's own traditional potential. As Regina Wolfohr describes the application process in the interview: "You are literally forced to learn [as part of the application process]".

2. It is in this learning process, which goes hand in hand with the developing knowledge during the ICH application process, that Katrina Brown's second requirement for cultural resilience emerges: resourcefulness. This refers to the capacity and ability of communities to harness both endogenous and exogenous potential for the use and distribution of finite resources. This means the productive use of social capital in the sense of networks that lead to cooperation or the willingness to learn from others. Networks created in this way during crises constitute resources that can also be used in the course of other challenges and can contribute to the resilience of communities.

The ICH Kirwa illustrates this aspect of resourcefulness, firstly in the way it dynamically reaches out to the local region and support groups. Set in motion by the expertise of tourism and marketing expert Regina Wolfohr and disseminated by the Kirwa representative Dieter Kohl with his excellent contacts in the sponsor groups, a district-wide, cross-sectoral network developed around the application. The involvement of many different stakeholders (the local population, the local economy and the Kirwa groups themselves) not only rooted the issue in the district through the application process, but also created links to the "outside world". The initiators were in contact with external experts from the very beginning. Internal networking was supported by consultation meetings with the ICH Research and Advisory Centre at the Bavarian Academy of Sciences, the State Office for Non-State Museums in Munich, the Cultural Department of the Upper Palatinate and, last but not least, the Department of Comparative Cultural Studies at the University of Regensburg. On behalf of the application initiators they conducted a

qualitative survey of the sponsor groups as part of a student project based on the newspaper survey, thus generating further knowledge and circulating it back to the sponsor groups.

In addition to embedding the issue in the region, a second benefit of the ICH application was the creation of an inter-municipal, cross-sectoral "horizontal" network of different stakeholders within the district. These were also involved in direct dialogue with a network of advisory experts and heritage professionals from universities, cultural policy and museum heritage research. The resources available to the village and small-town support groups increased as the application process progressed. University students were suddenly in contact with 16-year-old parish fair couples, regional tourism stakeholders met with experts from the Bavarian State Office for Non-State Museums, and local football club managers discussed application formats with heritage researchers. Local people got in touch with the press to publish their own memories and photographs, and schools were involved as they introduced lessons on the Kirwa parish fairs.

In short, the application process had brought together, in a creative and knowledge-based exchange, numerous stakeholders from different communities, sectors and levels of cultural governance that had previously had little to do with each other. A hybrid multi-level network, both "horizontal" and "vertical", was created; from the university to the Kirwa groups—in which knowledge could be passed around, development opportunities could be discussed and arguments for the application could be gathered. This all adds up to resourcefulness, seeing what and how many resources can be drawn upon when change or crisis is imminent. This network is now in place, people and institutions know each other and can use these contacts for other challenges. The embodied cultural heritage of the Kirwa is becoming an institutionalised cultural heritage that manifests itself in the establishment of working groups, planning committees or student projects. In this multiple networking—or in terms of rural development: multi-level governance—the cultural capital of the shared cultural heritage is transformed into social capital.

3. And therein lies a quality that Katrina Brown defines as "resistance". This third point is critical to the theory. As explained above, resilience can promote both a critique of existing systems and conformity to the system (keyword: neoliberal self-optimisation). Resilience in the sense presented here therefore also includes the concrete practice of resisting existing restrictive conditions—precisely by promoting rootedness and resourcefulness as forward-looking factors, by networking, and by using bottom-up constructs such as ICH in a planned way to transform existing cultural capital into social capital. This kind of resilience is not intended as a carefully planned return to "normality". Rather, the three aspects of rootedness, resourcefulness and resistance can interact to generate processes of reflection and learning that can lead to new solutions and, in concrete terms, to economic capital. As a result of the application for the ICH Kirwa, new networks and bodies of knowledge have been created, a "resourcefulness" that can be used in different directions. This enables the participants to respond to further challenges with self-confidence and possibly more autonomy.

The media message of rural areas being backward and left behind is replaced by a positive message. The "rootedness" of the Kirwa as embodied and institutionalised cultural capital not only creates social capital in the form of new strong alliances but also opens up economic valorisation processes, in which tourism regains importance. In the example of the ICH Kirwa, it was also the expertise of the district's tourism expert, Regina Wolfohr, that was invaluable. She used the new positive awareness of the Kirwa in the district (rootedness) as well as the newly created networks with their new opportunities for exchanging knowledge and encouraging broad participation (resourcefulness) to present the district to the outside world. As Marlen Meissner had also observed in Finsterwalde, this happens primarily by giving cultural heritage a concrete form, for example in the tourism or culinary sectors. This includes the printing of brochures and information leaflets, the establishment of a common corporate design that is passed on to the sponsoring groups via buttons, T-shirts, and badges, high-profile events such as a "Kirwa Dance Marathon" in November 2023, and digital and analogue advertising that is specially tailored to the cultural heritage of the Kirwa. All this, the use of cultural capital to benefit the economy and the realisation of the embodied heritage represent an important moment of self-sufficiency for the rural-peripheral district against the backdrop of numerous challenges—a resistance based on its own endogenous potential and participatory, cross-cutting approaches.

However, since cultural phenomena are complex and dynamic, and can therefore rarely be fully captured by scientific theories, we do not wish to conclude without presenting a second case. This is what is officially called "Forst's Twitthimble-Game" or FTG ("Forster Hanselfingerhut-Spiel" in German) in the village of Forst (Rhineland-Palatinate, Germany). This is a custom that has been performed in Forst every year—at least until the COVID pandemic interrupted it in 2020—on the fourth Sunday in Lent in the pre-Easter period. At the heart of this custom is the symbolic battle between summer and winter. The main attraction is the "Hanselfingerhut", which runs through the streets chasing women. The custom is a local version of the so-called "Summer Day" and was included in UNESCO's "Nationwide Inventory of Intangible Cultural Heritage" in 2016.

Looking at the historical development of this custom—not the ICH!—the contrast with the ICH Kirwa just discussed becomes clear. As this ICH has recently been the subject of a separate monograph (Schneider & Uhlig, 2023), we can only provide a brief historical background here. Since the opening of the German Wine Route by the Nazis in 1935, the promotion of local wine products and the picturesque location of the "wine village" of Forst have been part of the local and regional self-image—and have been part of the tourism marketing strategy ever since. And the image of a custom that focuses on putting on a show to entertain the audience (which includes locals as well as outsiders) has been an integral part of the local narrative since 1897, when the text that is still recited during the performance was written by the village teacher. Self-promotion has thus been an inseparable part of the FTG since the beginning of the twentieth century. With reference to Reinhard Johler (2000),

Markus Tauschek has spoken of a "formatting" of cultural forms of expression through the UNESCO award, since, according to Tauschek (2009: 440; our translation), "cultural set pieces are deliberately staged within a given framework according to a precisely predetermined pattern, perhaps concealing problematic aspects and ultimately [...] recontextualising them". For the FTG, the formatting, i.e. the codification according to discursive guidelines, began in the early twentieth century and was finally completed in the 1930s. The influence of the heritage label on the local understanding of the custom—and thus on the ICH factors of "cultural resilience" discussed above—is in fact not very great. Of course, the ICH award may lead to increased attention, but not necessarily to a new, changed, or even exaggerated perception by practitioners. Social capital or resourcefulness was also exploited in Forst long before it was recognised as an ICH.

It took about three and a half decades for the narrative surrounding the custom to develop and consolidate, with the active help of teachers and folklorists, into what it has become since the 1930s—a powerful vehicle for the formation of local identity. This narrative was promoted and conveyed by local folklorists and interest groups, but above all by the explainers, interpreters and curators who were recruited both from the circle of amateur researchers and from the ranks of (semi- or pre-)scientific folklorists who were happy to pass off their bold hypotheses as irrefutable knowledge. The fact that the FTG did not fall into oblivion like other local customs is therefore due to local authorities (teachers) or nationally active local historians who curated the custom, i.e. made it known to the public through publications and kept it known over a longer period of time. As mentioned above, the FTG received a further boost in popularity from an advertising campaign during the Nazi regime, which boosted regional wine tourism and led to the establishment of the German Wine Route. This period also saw the first multimedia coverage—in addition to the obligatory announcements in the print media, the custom was now presented in the new medium of the radio.

After the practice was resumed in 1949, it flourished and continued to be prominently featured in the media. As the process and understanding of the custom had been formatted by the Forst people themselves long before the ICH label, and this formatting formed the basis of the application, it is unlikely that the ICH label will have a significant impact on the understanding of the custom.

These thoughts on the second case study should not detract from the usefulness of the concept of cultural resilience. All three dimensions identified by Brown apply in this case. However, the following should not be ignored when thinking about the transformative potential of ICH in general. What we perceive as ICH is primarily a cultural-political construct. The ICH Kirwa makes this very clear. It is an umbrella under which many local variants have been brought together. When analysing it, therefore, we must distinguish between the cultural forms that are shaped or formatted by UNESCO and thus become part of people's consciousness, and the embodied traditions that are the subject of the application; in other words, we must simply distinguish between the label and the local, changing practice. For example, the custom now known as FTG has been an embodied local practice since the early twentieth century, popularised through the (multi)media and marketed to tourists at

an early stage. Although the custom is now officially listed as an ICH, in this case the label and the associated resilience processes were only a minor trigger. These had already been set in motion. In this case, the ICH label acts more like a refinement of an already established and therefore resilient complex. This also explains why the UNESCO award did not have a particularly exclusive status among the locals of Forst—as far as we can see. It may sound trivial, but it is fundamental: when analysing ICH as a cultural phenomenon, we should neither overestimate nor underestimate ICH as a factor influencing the development of rural communities. It remains an individual case that must be interpreted in a wider context.

## 32.4   Conclusion

We started this paper with the question of synergies between ICH policies and rural development guidelines in Europe. From the theoretical perspective of resilience, a number of common objectives emerge in the framework of ICH and rural development, in particular LEADER, but also endogenous revitalisation potentials for peripheral rural areas and participating actors. A theoretical reflection on ICH against the background of resilience theory has been shown to be a key to analysing the valorisation of cultural heritage in the context of rural development policy. The following findings can be summarised:

1. As the empirical example of the ICH Kirwa shows, the "rootedness" of a form of cultural heritage is the central prerequisite for sustainable revitalisation and transformation processes in peripheral rural regions. The involvement of a "diversity of communities, groups and individuals, as well as other stakeholders" (UNESCO) corresponds to the call for an "integrative, cross-sectoral understanding of rural development policy", as implemented at EU level in the 2000s.The broad and participatory "rootedness" of ICH thus allows, on the one hand, the valorisation of local knowledge, in which traditional knowledge, skills and practices can circulate beyond the directly active sponsoring group. Secondly, a broad "rootedness", i.e. participation in an ICH that is perceived as positive, can also create a sense of belonging and identity. Exclusive application processes, applicants who do not succeed in ensuring the "rootedness" of the cultural heritage, may fail to transform the potential cultural capital of the specific cultural heritage into other types of capital and valorisation processes.

2. The broadest possible embedding of some form of ICH can subsequently create new, innovative networks and knowledge communities, from which structurally poor rural areas can benefit significantly, for example in addressing local challenges in areas such as agriculture, natural resource management, and, above all, demographic challenges. Raising awareness of participation in a shared, sustainable heritage can counteract the erosion of social structures that characterises regions weakened by migration. Networked, vibrant communities with multiple

forms of collaboration beyond their region are also better able to respond collectively to other challenges of rural change.

3. In addition, ICH offers economic opportunities and the potential for rural self-sufficiency. Many forms of ICH, such as traditional crafts, music, dance, and culinary traditions, can serve as a source of income for local people. Promoting these cultural practices through tourism, local markets, and cultural events can create economic opportunities for people in rural areas, perhaps even counteracting the negative economic and demographic spirals characteristic of parts of the countryside—not only in Germany.

4. However, the initiative of individual local actors, ideally acting as "cultural brokers" between endogenous potential and exogenous expertise, remains a key factor for open and sustainable valorisation processes. It is precisely this point that our research project would like to explore further in the coming years, using the example of six cultural forms in Germany. This paper has offered initial hypotheses and theoretical horizons for further discussion.

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# Chapter 33
# Restoration of Intangible Cultural Heritage and Communities after Disasters: Cases of "Soma Nomaoi" and "Obori Soma Yaki" in Fukushima Prefecture, Japan

**Tomo Ishimura**

**Abstract** This paper discusses the restoration of intangible cultural heritage after disasters and its interaction with local communities. We will focus on two case studies as elements of intangible cultural heritage in Fukushima Prefecture after the Great East Japan Earthquake that occurred in 2011. In this region, local communities were severely damaged by the radioactive disaster, and the restoration of intangible cultural heritage faced great difficulties. This study revealed that when local communities undergo changes due to disasters, their intangible cultural heritage is also forced to change.

**Keywords** Fukushima · Disaster · Radioactive disaster · Community · Restoration

## 33.1 Introduction

In recent years, the issue of disasters and intangible cultural heritage has attracted international attention. For instance, in 2016, the 11th session of the Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage of UNESCO (Addis Ababa, Ethiopia) raised the topic of "intangible cultural heritage in emergencies" for the first time. In response, the "operational principles and modalities for safeguarding intangible cultural heritage in emergencies" were submitted to the 14th session of the Intergovernmental Committee (Bogota, Colombia) in 2019 (Decision 14.COM 13) and adopted at the General Assembly the following year (Resolution 8.GA 9). In addition, since 2016, the International Research Centre for Intangible Cultural Heritage in the Asia-Pacific Region (IRCI), a Category 2 Centre for intangible cultural heritage under the auspices of UNESCO, has been conducting research projects on intangible cultural heritage and disaster risk

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management in the Asia-Pacific region (IRCI, 2018). In 2018, the "Asia-Pacific Regional Workshop on ICH and Natural Disasters Regional Workshop'" was held, and the "Recommendations for safeguarding ICH in disasters and mobilizing ICH for DRM" was adopted at the end of the workshop (IRCI, 2019).

Since the Great East Japan Earthquake in 2011, we at the Tokyo National Research Institute for Cultural Properties have continued to conduct surveys and research on the protection and safeguarding of tangible and intangible cultural heritage damaged by natural disasters. In particular, we, the Department of Intangible Cultural Heritage, have investigated the current state of damaged intangible cultural heritage and conducted research that will contribute to its restoration (Ishimura, 2020). In 2014, the Cultural Heritage Disaster Risk Management Network Promotion Project was launched, with the National Institutes for Cultural Heritage as its secretariat, and the Department of Intangible Cultural Heritage played a leading role in the project related to intangible cultural heritage. This project will be further developed with the establishment of the Cultural Heritage Disaster Risk Management Center, Japan (Headquarters: Nara) in 2020. We, the Department of Intangible Cultural Heritage, are cooperating with the center's activities by assigning some of our staff to the center as cooperative researcher.

When the Great East Japan Earthquake occurred in 2011, however, there was almost no idea among people about "safeguarding intangible cultural heritage from disasters." For this reason, we at the Department of Intangible Cultural Heritage had to approach this issue without a precedent to follow.

## 33.2   Issues of Safeguarding Intangible Cultural Heritage from Disasters

Japan is a region prone to natural disasters, and many cultural heritage sites have been damaged by natural disasters. However, it was the Great Hanshin-Awaji Earthquake in 1995 that made people strongly aware of the importance of protecting cultural heritage from natural disasters.

Many cultural heritage sites were damaged by this earthquake. The damage to historical buildings and historical materials that existed in and around the city of Kobe was particularly striking. Therefore, the Agency for Cultural Affairs called on cultural property experts and organizations nationwide to conduct a project to rescue damaged cultural properties. This was the first time that a cross-regional network for cultural property protection had been established. At that time, however, the main interest was in tangible cultural properties, and little attention was paid to intangible cultural heritage.

In the 2011 Great East Japan Earthquake, intangible cultural heritage was included in cultural property rescue targets for the first time. This is because the natural disaster caused such widespread damage that the maintenance of communities in many areas was at risk. Specifically, communities affected by the tsunami

were forced to temporarily evacuate elsewhere. Communities in high-risk tsunami areas were forced to rebuild their towns and villages elsewhere, fearing that the ties between communities and land would be lost. In addition, the nuclear disaster caused by the meltdown of the Fukushima Daiichi Nuclear Power Plant forced the communities to relocate and it was uncertain as to whether they would be able to return to their original locations.

Intangible cultural heritage is closely tied to local communities. Communities were forced to move or disperse due to the Great East Japan Earthquake, and their intangible cultural heritages were also forced to change, be cancelled or suspended.

Under such circumstances, there were also cases in which intangible cultural heritage contributed to the restoration of communities. The most well-known example is the "Shishi-furi" (lion dance) at the Takeura district of Onagawa City, Miyagi Prefecture. Immediately after the earthquake, the people of the community in the Takeura district decided to evacuate to a hotel in Akita Prefecture. As evacuation life continued and fatigue mounted, some people made a lion head for "Shishi-furi" from the cushions and slippers they had at hand and performed the performing folk art of "Shishi-furi". People were encouraged to watch it. Afterwards, the people returned to the Takeura district, but were forced to live in temporary housing because their villages had been destroyed by the tsunami. Because the locations of the temporary housing units assigned to each family were random, there was a risk that the relationship between neighbours in the village would be severed and that people's communication would be impaired. However, when it came time for seasonal festivals, people gathered at the site of the former village and performed the "Shishi-furi". This strengthened the bond between people (Kubota, 2019).

This is a successful example of the use of intangible cultural heritage for community revitalization. However, we should not forget that there are many other cases where intangible cultural heritage has been lost along with the collapse of communities.

In particular, communities and intangible cultural heritage were greatly affected by the Great East Japan Earthquake in the Hamadori area of Fukushima Prefecture, which suffered the effects of the nuclear accident. Many communities were forced to evacuate and were unable to return to their homes for years during a period of severe radiation contamination. Even now, in some areas, residents are unable to return to their hometowns.

In the following, we will look at the status of two intangible cultural heritages, "Soma Nomaoi" and "Obori Soma Yaki", in the Hamadori region of Fukushima Prefecture, which suffered a serious radiation disaster (Fig. 33.1).

## 33.3 Soma Nomaoi

"Soma Nomaoi" is an event that was held in the former domain of Soma clan during the Edo period (from seventeenth to nineteenth centuries). The territory of the Soma Domain includes Soma City, Minamisoma City, Okuma Town, Futaba
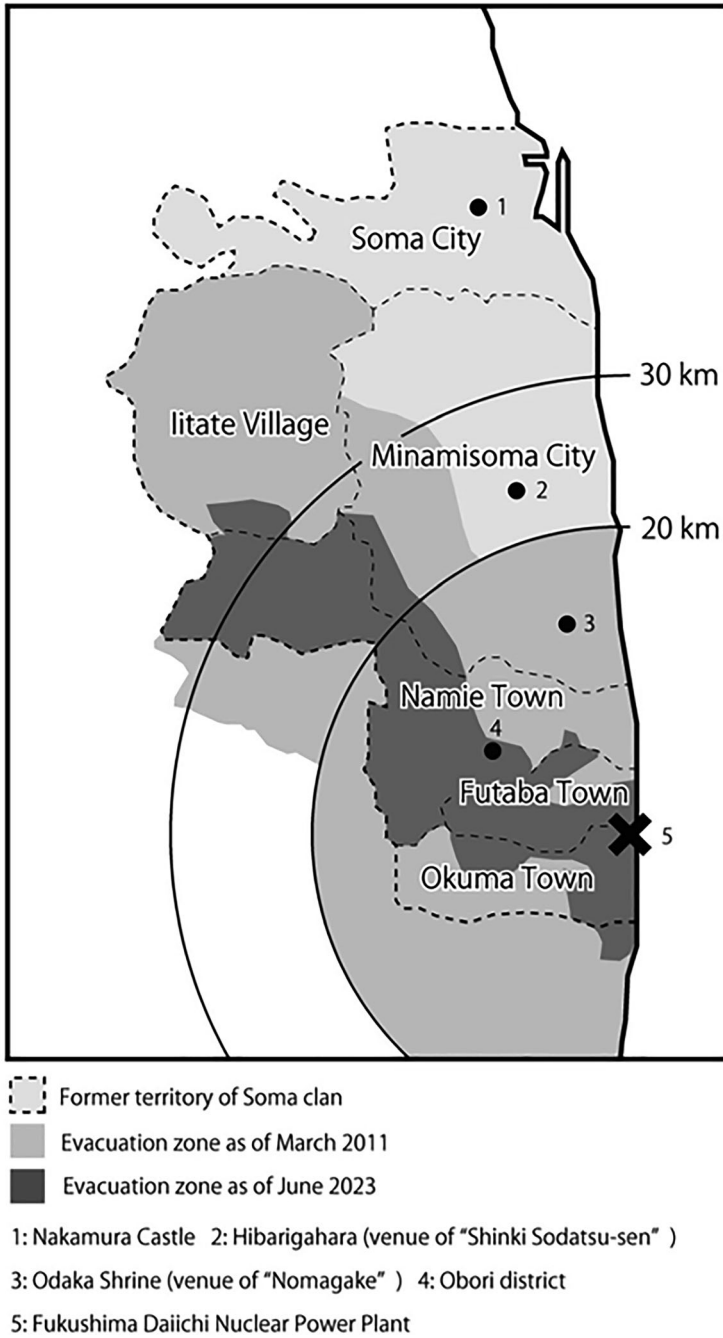
**Fig. 33.1** Map of the Research Area

Town, Namie Town, Katsurao Village, Shinchi Town, and Iitate Village in the Hamadori area of Fukushima Prefecture. The samurais of the Soma Domain prided themselves on their bravery, and the area was one of Japan's leading horse-producing regions. The Soma Nomaoi is a series of events that combine the ancient ritual of Shintoism related to horse production and military drills of the Soma clan. Currently, it is held for three days in late July every year.

The most important event of the Soma Nomaoi is the ritual of "Nomagake" held on the last day, in which several men chase a horse without a harness, capture it with their bare hands and dedicate it to the Odaka Shrine. What is even more spectacular, however, is the event of "Shinki Sodatsu-sen" held the day before. This is a competition in which dozens of men wearing armour from the Edo period and riding horses compete in a plaza for a flag called "Shinki" (divine flag). It is believed that this was a military drill that became a competition, and it is likely that it was held in the present form at least during the Edo period. In order to participate in this competition, the men of this region (many of whom are descendants of the samurai of the Soma Domain) raise horses and train in horseback riding (Figs. 33.2 and 33.3).

However, the tsunami caused by the Great East Japan Earthquake killed many people in this region. Many people also lost their horses, armour and equipment. Even more serious was the disaster caused by the nuclear accident. In the territory of the former Soma Domain, Odaka district of Minamisoma City, Okuma Town, Futaba Town, Namie Town, Katsurao Village, and Iitate Village were severely damaged by radiation contamination. These areas were designated as evacuation zones immediately after the disaster, and residents were forced to evacuate outside



**Fig. 33.2**  "Nomagake" in Soma Nomaoi

**Fig. 33.3** "Shinki Sodatsu-sen" in Soma Nomaoi

the zones. Evacuation orders in these areas were gradually lifted, but some areas are still designated evacuation zones and residents are unable to return to their homes. Odaka district in Minamisoma City, where the Odaka Shrine is located, was designated an evacuation zone until July 12th, 2016.

In July 2011, immediately after the disaster, the Soma Nomaoi was held on a reduced scale. The Odaka Shrine, where the ritual of Nomagake was held, was in an evacuation zone, so only a limited number of people entered the site on that day and performed the ritual. In addition, the biggest event, the Shinki Sodatsu-sen, was cancelled.

In 2012, the Soma Nomaoi was able to hold events on almost the same scale as in previous years. However, the Odaka Shrine had been within an evacuation zone, so people had been able only to enter it for the festival until July 12th, 2016. During the Soma Nomaoi held from July 23rd to 25th, 2016, they were finally able to hold the ritual at the Odaka Shrine on a fully-fledged scale.

Since then, people who had evacuated from Odaka district in Minamisoma City have returned, and the rehabilitation of the area is progressing steadily. There are also people moving to Odaka district from outside the prefecture, such as Miri Yu, a famous writer in Japan. However, a considerable number of people chose not to return to Odaka district. Even if the designation of the evacuation zone is lifted, many people are still worried about radioactive contamination. Sustaining the community in this area, including Odaka district, is still a major issue.

## 33.4   Obori Soma Yaki

"Obori Soma Yaki" is a ceramic industry that started at Obori district of Namie Town in the latter half of the seventeenth century. Promoted as one of the industries of the Soma Domain, more than one hundred kilns were in operation during the Edo period. Production continued even after the modern era, and the "Obori Soma Yaki Cooperative Association" was established in 1971. It was designated as a Traditional Craft by the Ministry of Economy, Trade and Industry in 1978.

One of the features of Obori Soma Yaki is that the vessel wall is doubled and the outside is decorated as open-worked design. Other features include the cracking of the glaze to create random patterns and the painting of a horse design. However, these characteristics are not necessarily common to all Obori Soma Yaki works, and some ceramic artisans create works that are more original (Fig. 33.4).

In the 2011 Great East Japan Earthquake, many workshops were damaged by the earthquake, but most of the potteries were located inland, so the tsunami had little effect. However, what was serious was the impact of the nuclear disaster. Since most of the Obori Soma Yaki potteries were located in Namie City, which was designated an evacuation zone, the artisans had no choice but to leave their kilns behind and evacuate.



**Fig. 33.4**   Works of Obori Soma Yaki

In July 2012, with the support of the Ministry of Economy, Trade and Industry and the Small and Medium Enterprise Agency, and with the cooperation of Nihonmatsu City, Fukushima Prefecture, the "Togei no Mori Obori Nihonmatsu Kobo" (Obori Nihonmatsu ceramic workshop) was opened in Nihonmatsu City. Several gas kilns were installed in the workshop, making them available to the evacuated artisans. While some of the evacuated artisans moved to the area around Nihonmatsu City and resumed operations using this workshop, others also moved to other areas within or outside of Fukushima Prefecture, set up their own kilns, and resumed operation. After that, the evacuation order was partially lifted in Namie City, but so far none of the artisans have returned to their hometown.

Another effect of the nuclear disaster is that it became impossible to obtain raw material for glaze. It used to be that a kind of rock containing feldspar called "Toyama-ishi" collected in Namie Town was used as the raw material for glaze. However, it became impossible to obtain it because access to the quarry site was restricted due to high levels of radioactive contamination. Fortunately, in 2012, the Industrial Technology Institute of Fukushima Prefecture succeeded in developing a glaze that had the same effect as conventional glaze, making it possible to resume production.

In 2015, the Obori Soma Yaki Cooperative Association received the prize of the 35th "Pola Award for Traditional Culture", drawing nationwide attention as a good example of a restoration of traditional culture from disaster. Even today, Obori Soma Yaki is sold in galleries and shops in big cities such as Tokyo as a traditional craft representing Fukushima Prefecture. However, of the twenty kilns that used to exist in Namie Town, half of them moved to the Nihonmatsu area, and the rest moved to other areas. On the other hand, it is regrettable that there are no more artisans in the original production area, the Ohori district of Namie Town. From now on, sustaining the community of artisans of Obori Soma Yaki is a major issue.

## 33.5   Conclusion

The two examples of intangible cultural heritage in the Hamadori region of Fukushima Prefecture, Soma Nomaoi and Obori Soma Yaki, are helpful when considering how to protect and restore intangible cultural heritage from disasters. Both of them can be said to be successful examples of revival of intangible cultural heritage. However, it is also true that status of the communities has changed drastically due to the disaster. Therefore, it is unpredictable whether these elements of intangible cultural heritage will continue to be transmitted in the future.

The relationship between intangible cultural heritage and communities changed significantly before and after the disaster. In that sense, it is no exaggeration to say that the intangible cultural heritage itself is not the same before and after the disaster. If we are satisfied with the revival of intangible cultural heritage and ignore such changes, it may eventually lead to the decline or loss of substance of intangible cultural heritage.

It is possible that intangible cultural heritage can contribute to community revitalization, as in the case of Shishi-furi (lion dance) in Onagawa that we saw earlier. However, overemphasizing the success stories may lead to overshadowing the changes of intangible cultural heritage and communities after disasters. In considering how to safeguard intangible cultural heritage from disasters, it is more important to evaluate carefully how disasters have changed intangible cultural heritage and communities.

## 33.6  Further Discussion

In recent years, new movements have been taking place in the relationship between intangible cultural heritage and the community in Minamisoma City. Here is an example of how contemporary art engages in the relationship between intangible cultural heritage and communities.

Sahoko Aki, an artist living in Osaka Prefecture, started the "International Exchange Group for Art and Archaeology: Power of Invisibles" project in 2018 with a grant from the Toshiba International Foundation. The project invited artists and archaeologists interested in creative collaboration between art and archaeology to create works and hold workshops. The author also participated in this project as one of the members.

The main venue for the activities of this project was the Urajiri Shell-Mound site located in Odaka district, Minamisoma City. The Urajiri Shell-Mound site is an archaeological site of the Jomon period that dates back approximately 5000 years. The shell middens are well-preserved, and many artefacts such as pottery, clay figurines and stone and bone tools have been excavated, and it is designated a national historic site. In this project, the Urajiri Shell-Mound site was used as a venue to hold workshops centred around installations. The content of the workshops was determined through discussions between the artists and archaeologists who are part of the project, local residents of Odaka district and staff from the Minamisoma City Board of Education, which manages the ruins.

The first workshop was held in October 2018. The workshop featured installations and an outdoor exhibition of various artworks.

Here is an example of the works. "Canoe of Cloth" was a joint work by artists Sahoko Aki, Gwai and myself. This is a piece of cloth placed in the shape of a boat on the ground of the site. This space is large enough for one person to sleep on. The work represents a dugout canoe used by the people who lived in this area 5000 years ago, as well as a coffin in which the dead were buried. Those experiencing this installation first step into a canoe of cloth and lie down on the ground. The participants can then feel the ground of the site, hear the chirping of birds in the trees surrounding the site, and even hear the faint sounds of performing folk arts. The sounds of the performing folk arts come from speakers hidden in the grass of the site, and were previously recorded in Odaka district (Fig. 33.5).

**Fig. 33.5** "Canoe of Cloth" at the Urajiri shellmound site in 2018

This installation titled "Canoe of Cloth" had no specific intention or message. The goal of this work was to make the participants feel a connection between themselves and the land, and the reason why we used the sounds of folk performing arts was because we thought it would be appropriate to mediate this process. The work was experienced by many workshop participants, both Odaka district residents and non-Odaka residents, and received positive feedback. Many people mentioned that they were able to experience the site in a completely different way from the conventional way, through their five senses.

The use of intangible cultural heritage in contemporary art may not necessarily express the original value of intangible cultural heritage. However, the author believes that the use of intangible cultural heritage in new contexts may lead to the creation of new value. Particularly in areas like Minamisoma, where community revitalization is an issue, we believe that conducting new experiments like this in collaboration with the local community will lead to increasing the vitality of the local community and increasing its value.

The project leader Sahoko Aki created the painting "Tree on the Shell-Mound" based on the results of the project, which was exhibited at the National Museum of Ethnology in Osaka in 2021. This image was also published as a frontispiece in the British archaeological journal "Antiquity" volume 95 (2021). She continues to hold on-site workshops in Minamisoma City (Fig. 33.6).

When considering the relationship between intangible cultural heritage and communities, we consider that it is useful to consider new uses of intangible cultural heritage in this modern context. Of course, it is essential to fully understand the

**Fig. 33.6**   "Tree on the Shell-Mound" at National Museum of Ethnology in 2021

intangible cultural heritage to be utilized and to obtain the consent and cooperation of the community that holds those elements of intangible cultural heritage.

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# Index