



Chapter 2.
Why ICH Should Be Safeguarded?

The Genealogy of Intangible Cultural Heritage

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Les contemporains, les surmodernes habitent de moins en moins des pays, des espaces physiques, et de plus en plus des univers issus des savoirs nouveaux, de la créativité, des entreprises transformatrices, et génératrices de milieux et de cadres artificiels où l'existence humaine ne cesse de se techniciser.

— *Georges Balandier.*¹

In this new century, barriers are falling, customs are changing, and yet there is a core of meaning, of affect, of memory that people refuse to give up. In this flowing and foaming world, people rush towards the new, at the same time that they want to cling to meanings and shared experiences with other. Why? Because this sharing gives them a sense of self and of identity in an open world. The loss of such references are keenly felt, psychologically and politically, as is very evident in the world today.

It was the concern over this loss, in the turmoil of globalization, that led Member States to give UNESCO the mandate to generate actions for the protection of living

¹ Balandier, Georges. 2001. *Le Grand Système*. Paris : Librairie Arthème Fayard

culture. This was indeed a tall order and one which led to fascinating intellectual and political meanders. At the beginning of the nineties, the “cultural turn” in world politics and the rise of representational claims had led to new ways of understanding cultural flows in terms of “worlding”, heritage and emblems of identity. People in nations, cultural enclaves, ethnic groups, diasporas, and recently emerged cultural groups began to mobilize to position themselves differently in the new world order. Through a very complicated process, the 2003 Convention for the Safeguarding of the Intangible Cultural Heritage was successful in proposing a new concept for the recasting relationships among nations-states, culture bearers, creators and stakeholders.

Until two decades ago, the past had been enshrined mainly in built environments, pyramids, monuments, and perennial landscapes. Cultural heritage seemed to be fixed in stone while living heritage changed with the movement of the sun. In today’s world, the past is present in the performance of a dance in the morning while the future is another group’s performance of the same dance, this afternoon. Indeed, the present seems to occupy an ever narrower slit of time as the new technologies and globalization compress the timeline between creation and transformation.

As the present thins out, it becomes evident, as never before, that the notion of “cultural heritage” is a moment in time, captured in heuristic trappings that are given legitimacy because they have been agreed on by a collective. The collectives that create a given practice of intangible cultural heritage may be a small ethnic group in the Himalayas, or the Rastafarian diaspora, or an international community of Mexican fandango practitioners in Los Angeles, Chicago, and Paris. Given that the key process in living cultural heritage is that it may shift from today to tomorrow, it follows that its definition and modes of safeguarding must go through intense intellectual, heuristic, and political negotiations within the plurality of collectives that practice it and with the government and international agencies that frame their recognition.

In a recent publication, physical cultural heritage placed in the World Heritage List, was defined as having the attributes of singularity, uniqueness, universality, interconnectedness and international cooperation². In contrast, I would say that intangible cultural heritage has as its main attribute the dynamics of performance and of exchange. Consequently, the normative and operational procedures of the

2 Unesco. 2012. “Sustainable Development” in World Heritage Review no. 65, October, 2012. [Whc.unesco.org/en/review/65/](http://whc.unesco.org/en/review/65/) accessed May 20, 2012.

2003 Convention have increasingly had to deal with the dynamics of singularity and plurality as different cultural groups lay claim to a given practice, uniqueness, as cultural groups clash over the territorial, cultural or ontological origins of a practice, locality and universality as some local groups cry out that their practice is being expropriated by involving it in macro-territorial international operations. There is no “interconnectedness” in intangible cultural heritage, as if cultures were fixed-stone entities. Rather, there is an “interculturality” of deep, recurrent cultural exchanges.

Additionally, intangible cultural heritage has two other distinctive aspects. One is territorial, which has to do with the immigrant status of numerous cultural groups, in the geopolitical grid of nation-states. The second is the mise-en-scene of a cultural practice, that is, whether it is performed in the place that has been sanctioned traditionally as the only legitimate context in which to perform such a practice. Say, if the story-telling and acrobatics we see at the D’Jemaa el Fna plaza of Marrakesh are transferred to a theatre stage in Rabat or in Paris, are they still the same practice?

All these questions were present at the very beginning of recurrent debates about intangible cultural heritage in UNESCO, in 1972, 1973, 1989, 1995, as Noriko Aikawa explains in her chapter. The decision we had to deal with in UNESCO, in the nineties, was whether an international convention based on an extremely complex constellation of living practices, previously termed as “folklore”, “cultural traditions” and “customs” could be ‘captured’ in a juridically formidable normative international convention. At the time, as Assistant Director-General for Culture at UNESCO, I decided that work towards this convention should go ahead, with all the misgivings that I, as a social anthropologist, had always had towards such an endeavour, as is explained further along in this text. Part of my concern arose from the tension I could see rising between the increasing instrumentalization of the idea of culture as it had begun to be taken up in the policy debates on multiculturalism and the “clash of civilizations” and the perception, shared by many of us social scientists, which Georges Balandier summarizes incomparably: “Les contemporains, les surmodernes habitent de moins en moins des pays, des espaces physiques, et de plus en plus des univers issus des savoirs nouveaux, de la créativité, des entreprises transformatrices, et génératrices de milieux et de cadres artificiels où l’existence humaine ne cesse de se techniciser.”³

3 Unesco. 2012. “Sustainable Development” in World Heritage Review no. 65, October, 2012. [Whc.unesco.org/en/review/65/](http://whc.unesco.org/en/review/65/) accessed May 20, 2012.

In this chapter, I will analyse the genesis of the concept of intangible cultural heritage as the creation of a *chantier* in which we must continue to carve and sculpt a term with which to understand human living performances. As best explained in French, a *chantier* is where an emerging perception about human creativity, which is still being negotiated in terms of old scientific and political viewpoints. And the balance which must be found is that between the basic need to keep selfhood while at the same time reconstructing power relations, opposing new oppressions and gazing anew at a world that has become unfamiliar.

The 2003 UNESCO Convention for the Protection of Intangible Cultural Heritage created a new, internationally legitimized concept for the recasting of cultural relationships among nation-states, culture bearers, creators, and cultural stakeholders. In the following pages, I will describe the different strands that influenced this, as I had the privilege to be a decision-making participant in this process, as well as a participant in subsequent meetings to set up the 2003 Convention.⁴

As a starting point, I will say that intangible cultural heritage will continue to carry with it the heritage it has received from the concept of culture, that is, its polysemy. This is the story of how it came about.

Depths and Curves of Imagination and Politics

At the end of the nineteenth century, as industrial capitalism rose in Western European countries and subsequently in North America, Japan, and other countries, different combinations of economic development and rearranging of historical cultures set the stage for a first worlding (“mondiation”⁵). That is, a world narrative about peoples bearing different cultures. In its nineteenth century version, this narrative, sustained by linear evolutionary schemes, pointed towards the convergence of all different historical and regional cultures, towards a single cultural outcome. To put it very schematically, at that time, the cultural option reflected the choice that industrialized societies

4 I was a member of the U.N. World Commission on Culture and Development (1992–96), Assistant Director-General for Culture at UNESCO (1994–98) and participant in the meetings to set up the International Convention for the Protection of Intangible Cultural Heritage (1999–2002). See Arizpe, L. “An Anthropologist as Decision-making Participant in International Diplomacy”. In press.

5 I use “mondiation” in the sense in which Phillipe Descola uses it, not to refer to post-colonial discourse but to the creation of a worldview which then becomes prevalent in a society in a given historical period.

themselves were facing, of creating liberal democratic societies based on science or keeping their attachment to distinctive regional language and cultural communities. I mentioned this here because some of the arguments of such historical debates are now being heard, with other words and framed in other discourses, around the *chantier* of intangible cultural heritage.

In the first quarter of the twentieth century the clash these two political philosophies, between “civilization” and “kultur” came to a head in the Second World War, with Nazism committing atrocities in the name of defending their *volk*, in whom they perceived a singularity and uniqueness that would lead them to political supremacy and to the annihilation of unwanted other cultures and religions. The clash of these two philosophies in the Second World War, needless to say, gave an unprecedented salience to culture in its aftermath. Thus, to end “the wars that begin in the minds of men,” UNESCO was created, to place imaginaries and cultures on the open stage of international political scrutiny.

Andre Malraux gave this new outlook a discursive form when he stated that “in the last twenty-five years, pluralism was born; and the old idea of civilization, which was that of progress in sentiments, in social attitudes, in customs and in the arts- was substituted for the new idea of cultures, that is, the idea that each particular civilization had created its own system of values, that these systems of values were not the same, that they did not follow each other necessarily...”⁶ With these elements, he invented a new worlding for a decolonizing world in the 1950’s.

During that decade, as “economic development” became the blue print for the future in the United Nations, culture was alternatively conceptualized as an instrument for “cultural readjustment” or as an obstacle for development given the “culture of poverty.”⁷ It is important to note that the original meaning of this concept, coined by Oscar Lewis, an anthropologist who followed Mexican migrants to the city, was that of the “subculture of poverty,” which he explained was an outgrowth of industrialization and urbanization.⁸ In this sense, in thinking about intangible cultural heritage, attention must be given to whether the cultural practices under scrutiny are historically

6 Unesco, op.cit. :80.

7 Arizpe, Lourdes. 2008. “The Intellectual History of Cultural Institutions” in R. Walton and B. Vijendra (eds) *Culture and Public Action*. Palo Alto: Stanford University Press.

8 Arizpe, op.cit.

derived practices or those invented more recently by groups placed in positions of marginalization and poverty in economic environments.

In the second half of the twentieth century, anthropology and ethnology drove ethnographic studies that carefully documented the creativity of local peoples, especially autochthonous and indigenous peoples. In developing countries, as modernization began to unhinge local cultures from their atavistic frameworks, programs to offset this process began to emerge. In Mexico, for example, a country that had had a social revolution early in the century, state-sponsored research and cultural policies pioneered archeological and anthropological programs. Specifically a program of “Ethnographic Rescue” was set in place to try to protect the extraordinary cultures of indigenous peoples by placing them in museums. Such cultural institutions and policies were made known to the incipient UNESCO constituency in 1948, when the UNESCO Second General Conference was held in Mexico City. I would say that this era of trying to preserve the diversity of cultures by placing them in museums came to an end in 1995. At the time, at the UNESCO Executive Board Meeting in Rabat, Morocco, delegation after delegation from developing countries asked me, as the newly arrived Assistant Director for Culture, to stop creating museums or uninhabited historical city centers to do something for “living cultures”.

Three other processes placed culture at the center of international attention. The first was the well attested fact that, as I put it in many of my speeches, that “the globalization of cultural communications is advancing at a more rapid pace than economic globalization” while we anthropologists have not had and continue not to have the tools to analyze or to influence its course. The second was the rise of the New Right, as studied in Britain and expanded also in other countries, which was intent on redefining and appropriating the terms of culture, nation and race for their own ends (Seidel, 1985).

As a third process, many developing countries, coming from histories of anti-apartheid and national liberation struggles as well as attempts to weld together culturally diverse regions, considered culture as an important banner in putting forth their demands for specific adaptations of structural adjustment and neo-liberal economic policies as well as greater political participation and equality in international development.

With such diverging points of view, it was understandable that the dialogue on culture in UNESCO between governments, civil society organizations, international cultural program officers, civil society organizations and, in the midst of them all, anthropologists, was wrought with difficulties. Yet the challenge, which all of them agreed on, was to create cultural guidelines and programs as fast as possible to help people deal with the rapids of cultural transformations in new space and time frames of reference. This is a process that anthropology must continue to be very active in but going beyond narrow advocacy towards a new active reflexivity about the nature of the web of meanings in the emerging international cultural space.

In the nineties, culture became a major instrument of international policy in the new political project for world capitalism and played a minimal role of the state. Paradoxically, this happened just at the time when anthropologists were questioning this concept and even proposing it be shelved. Interpretive anthropology had buried this term under that of “interpretations of interpretations” (Geertz, 1973). Interpretive theories led the way towards postmodern approaches emphasizing meaning and subjectivity. Ethnomethodology, semiology and postmodern studies dissolved it into textual analysis and postcolonial studies revealed the Foucauldian power structures behind classic anthropological inquiry.

More precisely, cultures could no longer be seen as bounded, fixed entities, in contexts of “dislocated histories and hybridized ethnicities” as people flowed into pluricultural urban settings (Hall, 1993:356). Culture was redefined, then, as a “site of contestation” (Cohen, 1974). The “cultural turn” in many disciplines not only pulled culture out of its ethnographically rooted methods, but dissolved it in the impossibility of believing in grand narratives. Such was the skepticism around this concept that in 1998 Christopher Brumann published an article on why the useful concept of culture should not be thrown out (Brumann, 1998).

It would be worth conducting a study to analyze why it was that, at the time that academic disciplines were ever more skeptical of the heuristic usefulness of the concept of culture, in the nineties, it was given preeminence as a concept in the politics of development.

When Cultural Loss Becomes Visible, Culture Becomes Political

Although “cultural development” was mentioned as a one of the goals of the United Nations in the First General Conference in 1946, this idea was given international recognition only in the 1969 UNESCO document “Cultural Policy: a Preliminary Study.”⁹ Criteria were formally recommended to define this concept and to link culture to the fulfillment of personality and to economic and social development, especially to literacy programs. The document ended by restating that one of the main guidelines should be that literacy programs and “cultural development” be considered “an indivisible whole.” This preliminary proposal was followed by the First Intergovernmental Conference on Cultural Policies held in Venice in 1970 and by a series of publications on cultural policies in the next decade.

International activities in this area culminated in the 1982 Intergovernmental Conference on Cultural Policies (Mondiacult) held in Mexico, at which the basic guidelines for cultural policies were drawn up. At the meeting, although France had held the leadership in developing national cultural policies since the fifties, developing countries were very active in setting up cultural policies as a way of enhancing “endogenous development” based on “social pluralism.”¹⁰ Claims to national and local cultural identities after decolonization, as well as of rapid modernization in some developing countries, led the Group of 77 to propose the “Decade on Culture and Development 1987–1997” with UNESCO as its lead agency. Activities organized during the Decade, however, while valuable in many cases in encouraging ethnographic studies and creating national archives on folklore and folk art, mainly reiterated celebrations and festivities with little reference to development concerns.

The 1989 Recommendation on the Protection of Traditional Cultures and Folklore had set the stage for bringing this new issue onto the international stage but had not added a momentum to the discussion on culture and development. As a result, in 1992, United Nations Member States, under the leadership of Sweden and the Nordic countries, proposed that a World Commission on Culture and Development be created.

9 UNESCO. 1969. *Cultural Policy: a Preliminary Study*. Paris: UNESCO.

10 This idea influenced several generations of Latin American scholars. At that time, as a postdoctoral student, I was active in the emerging Indian organizations in Mexico and had written on Indian ethnicities and the protection of their cultures. See Arizpe, Lourdes. 2014. *Lourdes Arizpe Schlosser: a Pioneer in Mexican Anthropology*. (Heidelberg: Springer)

When I was invited to become a member of the Commission, I had two decades of policy analysis on culture in my background.¹¹ In 1979 Rodolfo Stavenhagen, with a group of anthropologists and writers, had created a pioneering government program for the safeguarding of local cultures, including urban ones in which I participated as a postdoctoral student. In a country that had given prominence to safeguarding archeological and ethnographic materials, and had given strong support for artisanal handicrafts, we argued that attention should be shifted to the producers of such materials and handicrafts, and their local cultures should be respected and promoted. In 1985—to my surprise—I was then designated Director of the National Museum of Popular Cultures. Most exhibits dealt with engaging with indigenous and urban cultural practitioners in setting up graphic and visual displays of their cultures and performances, through a new kind of museography. In fact specialists came from many countries of the world to see these exhibits. The aim was to have practitioners and stakeholders valorize such cultures and to influence government policies in this direction, and to rescue cultural or work traditions that were dying. In 1988, I left the Museum to become President of the International Union of Anthropological and Ethnological Sciences. In 1992 I was invited to become a member of the World Commission on Culture and Development and in 1994 I was designated Assistant Director-General of the Culture Sector of UNESCO.

Laying the Groundwork for Intangible Cultural Heritage

The work of the United Nations Commission on Culture and Development between 1992 and 1995, with nine consultations in different regions of the world, brought a wealth of ideas, philosophies and political undercurrents to the international debate which, astonishingly, we were able to bring together in the Report “Our Creative Diversity.”¹² At UNESCO, in the follow-up to “Our Creative Diversity” five meetings were held to try to define indicators and indices on culture and development, as a complement to the human development index that had been created at the United

11 In 1979 Rodolfo Stavenhagen, with a group of anthropologists and writers, had created a pioneering government program for the safeguarding of local cultures, including urban ones. It took us several years to carve out a policy concept on “culturas populares”. In 1993 the National Museum of Popular Cultures was created.

12 I was a member of the Commission, then placed in charge of the Secretariat of the Commission. At that time, I was also Assistant Director-General for Culture in UNESCO, 1994–1998.

Nations Development Program. In my mind, the concepts discussed at these meetings, on indicators of “cultural development”, “cultural freedom”, “cultural diversity”, among others, gave important insights for recasting UNESCO’s heritage programs in terms of “living” and “meaningful” practices that had to be recognized, safeguarded and re-invented in the context of development. In the end, however, culture escaped from all the conceptual traps we had laid for it because of its polysemy and other unfathomables.

Although “traditional cultures” and “folklore” had been the main terms present in most debates and international programs, “cultural heritage” had been coined for the 1972 International Convention for the Protection of the Natural and Cultural Heritage, and the term of “intangible culture” had surfaced in meetings and UNESCO documents. Noriko Aikawa-Faure, as program officer at UNESCO, had carried out several projects, seminars, and international meetings with world anthropologists, especially George Condominas, to develop more robust normative instruments in this field, as she records very precisely in her chapter in this book. When she came to see me in 1995, as I was settling into my role as Assistant Director General for Culture at UNESCO, and asked me, as an ethnologist, to help develop an international instrument in the field of traditional cultures, I readily agreed.

We set up a project to hold five meetings in this thematic area in different countries in the next program of the Culture Sector. At that time, I was steeped into setting up the follow-up to the Report of the World Commission on Culture and Development, and we were very interested in creating indicators on culture and development, or perhaps even an index, along the same lines as the Human Development Index.¹³ I remember a meeting we organized in 1996 on indicators on cultural and development at which we also experimented with several terms to denote living cultural heritage. Those of us who were anthropologists proposed “expressive culture,” but other suggestions were “creative heritage,” “philosophical heritage,” “intellectual heritage,” “self-expressive cultural heritage,” and other, wilder ones that were soon discarded. The discussion ran along two axes: the “physical-intangible” attributes that would allow for a connection to be made with the cultural heritage of the World Heritage List; and the “formalized-

13 Mahbub ul Haq, one of the major theorists of the Human Development Index, was a member of the Commission, and I myself had also worked with researchers in developing that Index at the United Nations Program for Development.

expressive” attributes, in an attempt to capture the structural versus the transformational nature of the practices to be described. The lexical differences of terms in different languages were also discussed. It was finally in the staff meetings with Noriko Aikawa and program officers of the culture sector that the decision was taken to take “intangible cultural heritage” as the official term for the work that UNESCO would develop in this area. We were all aware that it was not precise enough, that “intangible” added a polysemy to the already very complex polysemy of the word “culture” and that “heritage” was a term that might even not exist in many languages. Nevertheless, it provided a heuristic to encompass the creativity implicit in the flow of thoughts and practices, the link to physical cultural heritage, the collective recognition of worth and the shared human capability to imagine and to invent culture.

The concept of intangible cultural heritage did not entirely denote all that needed to be captured but the connotations it offered we hoped were wide enough to allow for the inclusion of the width and breadth of all languages and cultures. We also considered that subsequent work would allow a more precise denotation on the basis of more theoretical and methodological work. As it turned out, once the term was coined for the Convention it was sequestered into a political glass cage and its ambivalences and contradictions have been managed exclusively through political and organizational procedures.

As far as I am concerned, the meetings on cultural indicators and on intangible cultural heritage allowed me to consolidate the shift in the perspective on culture which I had envisaged for the cultural programs at UNESCO. Thus, in the brochure of the Culture Sector for the 1998 General Conference, I stated my own definition of culture as follows:

Culture is the continuous flow of meanings that people create, blend, and exchange. It enables us to build cultural legacies and live in their memory. It permits us to recognize our bonds with kin, community, language groups and nation-states, as well as humanity itself. It helps us live a thoughtful existence. Yet culture can also lead us to transform our differences into banners of war and extremism. So it should never be taken for granted, but carefully shaped into forms of positive achievement... today, as peoples of all cultures come into closer contact than ever before, they see each other and ask the same

question: how can we preserve our heritage? How can our multiple cultures coexist in an interactive world?¹⁴

The brochure had a section on “Forms of Self-expression: the Intangible Heritage” assembled by Noriko Aikawa-Faure that explained that “...the world’s cultural heritage also comprises its oral traditions, languages, music, dance, and performing arts, crafts, and customs... UNESCO has long given its attention to the preservation of these constantly changing forms of cultural expression. However, a renewed momentum is provided in this expanded program. ...”¹⁵

Working Definitions of Intangible Cultural Heritage: Human Rights, Cultural Domains and Local Agency.

Mr. Koichiro Matsuura, Director General for UNESCO (2000–2006), soon after his arrival, made the International Convention for the Protection on Intangible Cultural Heritage one of his flagship projects. In his first year, he called for an “International Round Table on Intangible Culture Heritage—Working Definitions” that was held in Turin, Italy, to define the scope and elements of intangible cultural heritage that were to be protected with an international legal instrument. I was asked to give the keynote paper at that meeting.

In my presentation in Turin, I strongly emphasized that the notion of heritage is constituted of meanings shaped by people’s perceptions related to objects, knowledge or practices. I explained that enactment is an essential and defining aspect of intangible heritage, which sets it apart from physical heritage, in the sense that this heritage exists and is sustained through people’s actions. On this basis, I argued, intangible cultural heritage should be understood as a process of creation, comprising skills, enabling factors, products, meanings, impacts and economic value, each of which I explained. Instruments to safeguard intangible cultural heritage should then focus on protecting this process of creation which has handed down very valuable enactments from the past and which must be sustained so that societies can continue to create their own futures.

14 UNESCO. 1998. “From Weaving to websites: Unesco celebrates culture.” Brochure on the programs of the Culture Sector. UNESCO General Conference 1998.

15 Op.cit.:10.

In answering the question of why a legal instrument to safeguard intangible cultural heritage was necessary, I provided the following answers:

1. to conserve human creations that may disappear forever. On the assumptions that a) human creations are to be valued, and b) the diversity of human creations is important for humanity.
2. to give world recognition to certain kinds of intangible cultural heritage. Assuming that a) all world inhabitants have a stake in conserving such heritage and b) that nations and groups gain from world recognition of their heritage, and as such, “the pride of the few becomes the pride of everyone”¹⁶
3. to strengthen identities, including local, ethnic, cultural and national
4. to enable social co-operation in an era where the market and consumerism are stressing individualism
5. to provide historical continuity in addressing the psychological need for people to feel that they belong to some historical tradition
6. to foster enjoyment

In my Power Point presentation, as domains of intangible cultural heritage that UNESCO could address on a sound theoretical basis and with a specific comparative advantage vis-à-vis other national and international institutions in developing a new international legal instrument,¹⁷ I proposed: 1) social practices of cohesion 2) oral traditions, 3) festivities, and 4) beliefs about nature and the cosmos.

At the Turin meeting, an American anthropologist, Peter Seitel, emphasized the centrality of traditional custodians as full partners and experts in the safeguarding of intangible cultural heritage thus highlighting the agency of tradition-holders who, as creators with the expertise and conscious intention to transmit their traditions, should be given greater recognition. He also gave broader scope to this concept by calling attention to the fact that intangible cultural heritage could be hybrid and creole, and based on other criteria such as occupation or related to women’s activities.

16 This was the perception I had, in Manila, Philippines, when as ADG for Culture I was taken to see the culture heritage sites.

17 As ADG of Culture I had been in charge of relations with other international institutions which had just recently begun programs related to culture, especially the World Bank, WIPO and WTO who began to define culture in terms of property. As could be expected, many conceptual and institutional boundary discussions ensued.

It is worth mentioning here that this last theme was subsequently taken up in another UNESCO meeting on “Women and Intangible Cultural Heritage.” Calling attention again to how women’s participation in cultural processes had been rendered invisible, by then many anthropological studies had shown they were central especially in social practices and rituals. In her influential book *The Gender of the Gift*, Marilyn Strathern had explained how women’s labor and extensive networks were crucial to the performance of ritual and to the building of the value of objects and other forms of intangible cultural heritage through social relations.¹⁸ Women are not passive “tradition-holders” or merely operating a function of “transmission” of intangible cultural heritage. Yet they face a “crucial paradox” as Adriana Gonzalez Mateos termed it in the paper she presented at this meeting.¹⁹ “in the process of freeing themselves from traditional constraints, she wrote, they regard modernization as a liberating option... while a subtler strategy to keep them under such constraints is to stress the role of women as keepers of tradition”.

The Turin meeting was followed by a meeting in Brazil, where participants also brought the bear the importance of establishing safeguarding programs discussed with local communities and to situate them in the context of development policies.

At the Expert Meeting on Terminology held in Paris from 10 to 12 June 2002, in opening the discussion I gave an overview of the context in which intangible cultural heritage had to be defined. I said we had to compress a century of debates in the social sciences on culture and on political changes as a context for the Convention. As main issues I emphasized that priority be given to culture-bearing communities and local agency, that safeguarding should ensure conditions that would allow people to continue to create and recreate cultural heritage in time, with attention being given to the social interactions involved in enactments, including the urgent need of ensuring political and religious tolerance. As an anthropologist, I concurred with my colleagues of the Smithsonian Institution who had held a meeting in Washington, that our priority was foremost to preclude the reification of culture by emphasizing human agency. Authenticity, then, took on a different emphasis from that attributed

18 Strathern, Marilyn. 1989. *The Gender of the Gift*. London :Cambridge University Press.

19 Gonzalez Mateos, Adriana. 2003. “Mexican Women Migrants in New York and the Paradox of modernizing their Cultural Heritage.” Paper contributed to the UNESCO meeting on “Women and Intangible Cultural Heritage”.

previously to physical cultural heritage, as Chiara Bortolotto, also present at that meeting, cogently argued.²⁰

At that meeting, Antonio Augusto Arantes insisted that intangible cultural heritage is primarily a resource for people’s lives, not just something that can be registered for other purposes and, therefore, it should be the people in the community themselves who should decide which heritage to safeguard and how to develop it. Several of us were, indeed, already worried about the potential for appropriation by outsiders of the cultural resources of local communities, as was already happening in the case of some indigenous communities, especially in Latin America.

Susan Wright again brought up a major question that was repeatedly discussed in subsequent UNESCO meetings: who should have the power to define intangible cultural heritage in specific cases? This reflected discussions in anthropology generally about cultural “gate-keepers,” that is, community-appointed or self-appointed leaders who could play either a positive or a negative role in safeguarding or in repressing change in local cultures. We all agreed, then, that any international legal instrument must ensure that the cultural practitioners themselves should be involved in such decision-making.

Accordingly, in establishing a glossary, anthropologists at that meeting argued that “culture” as a fixed, out-of-nowhere, self-justified abstract entity should be replaced by more specific terms—namely, “culture-bearers” as “members of a community who actively reproduce, transmit, transform, create and form culture...” In other words, people should be considered dynamic “creators,” “practitioners,” and “custodians” of the practices of heritage.

How could the relationship of such “creators” and “practitioners” to cultural communities be defined? In the glossary “community” was then defined as “people who share a self-ascribed sense of connectedness.” Importantly, all of us at the meeting and especially anthropologists, in agreement with UNESCO’s “multiple allegiances” perspective, insisted on specifying that individuals can belong to more than one community at the same time—a perspective which in subsequent years would be negated by those who advocate a narrow political view of single adscription in multiculturalism.

20 Bortolotto, 2010.

“Cultural community” was then defined as one “that distinguishes itself from other communities by its own culture or cultural design, or by a variant of the generic culture”. And, giving closure to a debate that has arisen at every turn of the discussions on culture at UNESCO since the mid-nineties, it was specified that “among other possible extensions, a nation can be a cultural community”, thus precluding the monopoly of intangible cultural heritage exclusively by minorities. A welcome clarification stated that “indigenous communities” were defined as “a community whose members consider themselves to have originated in a certain territory” though the definition also specified that “this does not exclude the existence of more than one indigenous community in the same territory.” The latter was a consideration welcomed by many developing countries such as Indonesia, India, China, and Mexico where different autochthonous populations share the same territory.

Another important distinction, distilled from many previous debates as to whether the same instruments that had been applied to physical heritage could be used for intangible heritage, was given legal precision by Paul Kuruk at that meeting. Instead of “conservation” or “protection”, on a legal basis, the term of “safeguarding”, was given preference for the Convention. It meant giving salience to “adopting measures to ensure the viability of intangible cultural heritage, including the identification, documentation, protection, promotion, transmission, and revitalization of aspects of this heritage.” This crucial distinction recognizes that intangible cultural heritage is enacted and performed in order to constantly restore its symbols and meaning. Setting it aside from physical heritage, this defined intangible cultural heritage as a living heritage.

After all these deliberations, the following definition of intangible cultural heritage and its constitutive domains was approved at that meeting:

(i) For the purposes of the present Convention, intangible cultural heritage means the practices and representations—together with their necessary knowledge, skills, instruments, objects, artefacts and places—that are recognized by communities and individuals as their intangible cultural heritage, and are consistent with universally accepted principles of human rights, equity, sustainability and mutual respect between cultural communities. This intangible cultural

heritage is constantly recreated by communities in response to their environment and historical conditions of existence, and provides them with a sense of continuity and identity, thus promoting cultural diversity and the creativity of humankind. (ii) Intangible cultural heritage, as defined in paragraph (i) above, covers the following domains: 1) oral expressions, 2) performing arts, 3) social practices, rituals and festive events, and 4) knowledge and practices about nature.

Still, at the meeting, two key issues stirred great controversy. One was the inclusion of human rights as a filter for all proposals for inclusion in the lists of the 2003 Convention. All of us anthropologists strongly insisted it must be part of the definition of intangible cultural heritage since we could see the ethicists and religious fundamentalists rising all around to argue that female genital mutilation, the cutting off of hands or other similar mutilation for misdemeanours, lapidation and even female infanticide could be justified on the grounds of cultures having to be respected. It is worth noting that, already in *Our Creative Diversity*, in 1995, the World Commission on Culture and Development had explicitly stated that intolerant cultures could not use the argument of respect for cultures to further their own intolerance.

The other key issue that raised controversy was the inclusion of languages in the Convention. I argued strongly against this, since I knew from my own fieldwork experience—and had also been asked by ambassadors from countries that have more than 100 languages spoken in their countries—to oppose this measure. A few years earlier, at an international African meeting on language policy, I had surprised some African friends, ambassadors and UNESCO staff, and dismayed others by presenting arguments in favor of a trilingual language policy. This proposal was rapidly stamped upon by global powers, nationalistic governments and even ethnic groups, all of which are still insisting that only their own languages should prevail. In terms of the Convention on intangible cultural heritage, although the Turin meeting did not include languages in the first list of items to be safeguarded, they were reinstated in subsequent Convention meetings.

In spite of the care with which these definitions were handled, the glossary, although

it circulated as a preliminary document within UNESCO, even after a prolonged discussion between the rapporteur of the meeting, anthropologist Wim Wenders of the Netherlands, and UNESCO staff, was never formally given out to member state delegations.

Constant Challenges

The International Convention for the Protection of Intangible Cultural Heritage was adopted at the UNESCO General Conference in November 2003 by an unprecedented high number of countries: 145. This great success was possible thanks to the support of Mr. Koichiro Matsuura and the relentless work of Mme. Noriko Aikawa. The Convention itself represents a very important and interesting shift in the geopolitical balance at UNESCO, with East Asian and other emerging countries having greater agency in creating Conventions, and a vital recognition that local peoples must now take an active role in building a more balanced world. However, the unresolved ambiguities left in word and the spirit of the Convention have haunted its implementation and operation since the beginning.

After the Terminology Meeting, interested UNESCO Member States demanded that all experts to meetings related to setting up the Convention on intangible cultural heritage be appointed exclusively by governments as members of their delegations. This decision, together with others taken for the Convention, altered the way in which international conventions had always been constructed in UNESCO since the 1950's. Scientists, philosophers and scholars of all cultural traditions had always been involved in the processes of setting up and operating Conventions. As I look back at this process, it seems to me that an attempt at creating a “deregulated” Convention was underway. As in so many other areas of public life at the beginning of this century, science was generally disparaged, experts were criticized, and the social sciences were deliberately excluded from policy debates. As I heard from delegates at a meeting in 2002 at the Maison des Cultures du Monde, very active government delegates wanted neither “standards” nor “norms” for the Convention on intangible cultural heritage. Yet for every regulatory norm that was put aside in the Convention a new imbalance filtered into its operations in the following years.

The great irony of this procedure was that “cultural groups” were constantly referred

to in the discourse as the agents of the Convention yet few were seen speaking at debates and experts who probably knew such groups much more intimately than government bureaucrats were left out of the debates. Furthermore, a decade later, we all know what, in many countries, deregulation has meant, in actual practice, self-serving operations by enthroned intermediaries who actually reinstate vertical practices of cultural expropriation in their own countries. Strong scientific organizations could have provided a balance or could have helped build complex procedures for fair negotiations, as they had done so for fifty years at the UNESCO. Instead, neither the constant reorganizing of the operational bodies of the 2003 Convention nor the patchwork voting on specifics of the criteria and operations of the Convention have solved problems of theory, method or procedure.

Many challenges have been noted in the operationalization of the 2003 Convention as Cherif Khaznadar has carefully noted.²¹ Anthropologists have recently highlighted major theoretical problems.²² The First Researchers' Forum on intangible cultural heritage held at the Maison des Cultures du Monde in Paris discussed research and operational questions related to the ICH Convention.

Cultural imprisonment leads to blindness, as Marc Auge (Auge, 1998) has pointed out, or to the threats of *Les Identités Meurtrières*—murderous identities—as the title of the book by Amin Malouf, of the French Academy, has called them. This is not the place to analyze such risks, but many people are keenly aware of the problems of unspecified “representativeness”, as well as of the rise of new kinds of intermediaries in the negotiating of candidatures which leave out local agents and generate unregulated hierarchization of groups influencing these decisions both within countries and in the entities of the Convention. As a result, there is perplexity about the coherence of the Representative List and of the proper balance it is to have with the other lists.

Conclusions

I will conclude by saying that the 2003 Convention for the Safeguarding of Intangible Cultural Heritage, for all its uneven edges, has been, in my view, the most important

²¹ Khaznadar, 2009.

²² ISSC Commission on Intangible Cultural Heritage. 2012. Report of the Planning Meeting on Research on Intangible Cultural Heritage. Mexico: National University of Mexico. Available at www.crim.unam.mx/drupal.

and successful initiative in creating a platform in which different agents have been able to state and negotiate their concerns over the loss and the transformation of their expressive culture and to embark in specific actions to safeguard it. That this initiative is far from having overcome major conceptual and action-related issues goes without saying. Indeed, very worrying concerns have emerged from its application. Yet the enthusiasm and dedication which it has sparked among so many different peoples, shows that culture and cultural heritage are perhaps the most binding notion in our present troubled world.

Creating this platform for world deliberation on intangible cultural heritage was a fascinating process that must go on as a “*travail de chantier*”. One in which cultural practitioners, cultural stakeholders, governments, scientists and UNESCO staff must share the responsibility—and recognition—in ensuring rigor, legitimacy and efficiency in the work of the Convention. This also means giving the necessary support for the work demanded of UNESCO staff.

UNESCO staff cannot act solely as technicians of programs, as some governments have been insisting in recent years. If this happens then the subtle negotiations, the magical appearance of the exact phrases that create consensus, all these of them invisible, are no longer there in the documents. Instead, they spill into the spaces of negotiation of delegations, bringing with them shadow conflicts, illusory consensus and unfinished decisions.

For their part, anthropologists and ethnologists should now leave their outsiders’ cloak outside and step into an involved participant observation into the substantive and the operational areas in the field of intangible cultural heritage. Why do I say this? Because never has the need for a deeper understanding of the flow of ideas and the strategies to take decisions on a world scale been more pressing. On the basis of my own experience in “participant decision-making” I would point to a first task: that of understanding anthropology’s allocentric discursive proclivity in the increasingly non-hierarchical—or hierarchically altered—patterns of intellectual and political influence in the new global spaces. The important question is how can we anthropologists situate the knowledge we produce in today’s shifting global spaces?

Anthropology’s capacity for reflexivity in the last decades has allowed us to rapidly transform our own theories and methods and thus makes us primary partners in re-conceptualizing time and space in the new cosmopolitan context. More than that, in

a world that is not going well and in which culture and its avatars can easily ignite, it seems to me that anthropologists must develop an active reflexivity to participate in constructing new cultural and social realities for our unprecedented age. In sum, anthropology is vital in maintaining an open perspective against cultural blindness and imprisonment and a cosmopolitan vision that does not emphasize difference but common destiny.

As with any new venture, it will take time to consolidate the ideas and actions on intangible cultural heritage, even more so in a world that is constantly on the move. It is worth highlighting that the most salient feature in the process of deliberations to create the 2003 Convention was the commonality of will of so many governments, functionaries, researchers and culture bearers that drove such a diversity of agents to agree to set up the Convention. And the most salient feature today of the application of the Convention to protect intangible cultural heritage is the tremendous enthusiasm which it has fostered in many regions, even in the farthest corners of the world.

Perhaps the theoretical and political inconsistencies of the Convention were the price to be paid for actually getting it approved in only a few years. Perhaps UNESCO had to emulate the practices which would soon be made conventional by the information and communication technologies. That is, faced by an infinite number of possibilities of contestation, operation, conflict, and so on, with the urgency of doing something immediately to save living cultural practices, the only way to move forward was to set up the Convention and let it be then remade, reinvented, and refined by the thousands of people wanting to get involved in it. Perhaps we could adopt the new term now spreading from electronic video games to the virtual world: *radiance*. When one is intent on doing something today, now, immediately, and the intellectual and technological means far from being finished, it is best to launch the boat and then to try to continue to rebuild it weathering all storms.

Whatever may be said of the concept of intangible cultural heritage and of the 2003 Convention, the richness of debates it has generated inside and between cultural groups, inside and outside academic circles, inside and outside government ministries of culture already demonstrates that the world, indeed, was ready for such a debate.

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Why Safeguard Intangible Cultural Heritage?

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Successful Results of the 2003 Convention

The Convention for the Safeguarding of the Intangible Cultural Heritage, which was adopted at the General Conference of UNESCO in 2003, is now, after ten years, considered a great success, bringing many positive results to so many countries. This Convention achieved entry into force only three years later in 2006 when Romania became the thirtieth country to ratify this important instrument.

The initial years, until 2008, were a period of preparation and organization to implement the Convention. The Intergovernmental Committee was organized, and the Operational Directives were formulated.

The first inscription on the Representative and Urgent Safeguarding lists occurred at the Fourth Intergovernmental Committee meeting in Abu Dhabi in 2009. As of that time, 116 countries were States Parties to the Convention, and just this year this number has gone to 155. No other convention has shown such a rapid success in terms of ratification and participation by UNESCO Member States.

This success can be seen also in the process and speed of its implementation by