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« Intangible Cultural Heritage – a Mirror of Cultural Diversity »  
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**DISCUSSION GUIDELINES**

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*This document consists of two parts :*

- ***Part I** : Introductory Note prepared by the Secretariat, in order to describe the genesis of the Ministerial Round Table and the evolution of the notion of intangible cultural heritage within UNESCO*
- ***Part II** : Brief analysis of the concept of intangible cultural heritage (by Prof. Lourdes Arizpe, Anthropologist, National University of Mexico, Vice-president of the International Social Science Council)*

*The document, which completes the Annotated Agenda, has been prepared as a guideline for discussion, and with a view towards stimulating the debate and to provide all participants with a common framework of reference.*

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## PART I

### *Introductory Note*

#### 1) Why this Round Table ?

UNESCO has covered much ground in the last half-century through its many projects and programmes constantly defending the wealth of cultural diversity. Today this ceaseless action must take into account new challenges, which are intensified by the ever-extending process of globalisation. Globalisation brings with it not only hitherto unknown potential for expression and innovation, but also the risk of the marginalisation of the most vulnerable cultures. In a context marked not only by conflict leading to the breakdown of the social bond, often attributed to cultures and forms of civilisation, but also by the widespread liberalisation of trade and the economy, UNESCO has assumed the task of defending cultural diversity. This involves identifying all its essential forms and expressions, including the most fragile, and so creating a climate favourable to its survival and full development.

In order to draw the attention of political decision-makers to these issues and also, at the outset of the new century, alert the international community to cultural changes, UNESCO convened **two Round Tables for Ministers of Culture**:

- at the **First Round Table on “Culture and creativity in a Globalized world ”** (UNESCO, Paris, 2 November 1999) Ministers, out of a concern to defend cultural diversity, affirmed their determination to defend and promote cultural diversity in the face of globalisation;
- **Second Round Table “2000-2010: "Cultural diversity : Challenges of the marketplace”** (UNESCO, Paris, 11-12 December 2000), took reflection forward and analysed both the challenges posed by globalisation and the role to be played by UNESCO in this context, so as to help foster national cultural policies and develop them in their relationship with the rules of international law.

The General Conference of UNESCO, at its 31<sup>st</sup> Session (2 November 2001), unanimously adopted the “UNESCO Universal Declaration on Cultural Diversity” in a very special context marked by the events of 11 September 2001. This Declaration raises cultural diversity to the status of the « world heritage of humanity » and makes its defence an ethical imperative, inseparable from the respect for the dignity of the human person. To the Declaration was attached a twenty line draft of the main features of an Action Plan.

This **Third Round Table**, as part of the perspective opened up 50 years ago, when the Organisation was entrusted with the task of assuring the “diffusion of culture” and organising international solidarity, is been called upon to take steps to implement some essential lines of the Action Plan of the Declaration. This Round Table will be an opportunity to exchange ideas and experience regarding public policies likely to promote sustainable development – an essentially cultural concept – and invent new forms of cooperation suited to meeting the challenges of the XXI<sup>st</sup> century.

The year 2002 was proclaimed as the *United Nations Year for Cultural Heritage*. UNESCO - designated lead agency for this Year by the United Nations - was invited “in collaboration with States, observers, relevant United Nations bodies, within their respective mandates, other international organizations and relevant non-governmental organizations, to

intensify the implementation of programmes, activities and projects aimed at the promotion and protection of the world cultural heritage”.

As a receptacle of memory, it embodies the symbolic value of cultural identities and constitutes a fundamental reference for structuring society. Insofar as it enables us to understand ourselves, the cultural heritage is one of the keys to understanding others. Our respect for and appreciation of human diversity hinges on our capacity to be surprised and to marvel at others. And insofar as it contributes to an uninterrupted dialogue between civilizations and cultures since the dawn of time, the heritage contributes to establishing and maintaining peace between peoples. It is therefore of utmost importance to take into consideration its intangible dimension, far too long neglected ; this is the main objective of the present Round Table.

UNESCO has for a long time past focused on the material, cultural and natural heritage, and has taken part in the preparation of fundamental texts on conservation, which are beacons for member states undertaking action: the Hague Convention of 1954 for the Protection of Cultural Property in the Event of Armed Conflict, and its Protocols, the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property of 1970, and the Convention for the Protection of the World Cultural and Natural Heritage of 1972, along with the Convention on the Protection of the Underwater Cultural Heritage of 2001.

Today, it is UNESCO's responsibility to underscore the fact that cultural diversity, as revealed through the intangible heritage, is not any the less essential to development than is biodiversity. The things of value for conservation purposes are not simply matters of memory, but projects: cultural diversity, if it is to be a reality, must first be assured and then renewable. It cannot be seen as the fixed result today of a centuries-old and now past process of change. Diversity is the product on-going dialogue. Heritage is assured by making that heritage a renewable one.

Hence the unique value of cultural diversity, both in terms of its contribution to identity and its enabling power for creative expression, lies in that diversity provides an assurance that development is sustainable. To put it another way, cultural diversity can ensure that the values of creativity, dignity and tolerance become partners in the establishment of a viable model of sustainable development — and not simply the victims of a model of sustainable development based solely on an economic approach.

The intangible cultural heritage is the guarantor of this process. Its defence and promotion are not an act of conservatism directed against modernity. On the contrary, this is a means to conceptualise the relationships of communication, the links between time and space, between generations, between geo-cultural areas separated by distance, and between societies separated by systems deemed to be incompatible.

## **2) Evolutions of the concept of “intangible cultural heritage”**

i) “Traditional and popular culture” was first defined after 16 years of intense debate in the framework of the Recommendation on the Safeguarding of Traditional Culture and Folklore of 1989. Traditional and popular culture is here defined as “the totality of tradition-based creations of a cultural community, expressed by a group or individuals and recognised as reflecting the expectations of a community in so far as they reflect its cultural and social identity ; its standards and values are transmitted orally, by imitation or by other means. Its forms are, among others, language, literature, music, dance, games, mythology, rituals, handicrafts, architecture and other arts”.

The international conference of Washington, meeting in 1999 to evaluate the 1989 Recommendation, underscored the importance of the definition adopted, while seeking a terminology which was more in phase with the challenges of the contemporary world, avoiding the term “folklore” and emphasising creative processes rather than end-products alone. Strongly emphasising the need to give a greater role to the community of actors in and creators of the manifestations of intangible cultural heritage, the conference suggested that there be taken into consideration « not only artistic expression like tales, songs, decorative designs, and traditional medicines but also the knowledge and values that enable their production, the living-act that brings these products into existence, and the modes of interaction with which the products are appropriately received and appreciatively acknowledged ».

ii) In March 2001, an international Round Table of experts was organised at Turin (Italy) for the purposes of drawing up an operational definition of the term “intangible cultural heritage”. UNESCO undertook a series of surveys directed to National Commissions of Member states and IGOs and NGOs, relating to the different terminologies in use and the existing national legislation in the field of intangible cultural heritage.

Drawing on the opinions expressed at the time of the Washington Conference, and on the results of the surveys, the Round Table drafted a new definition of the intangible cultural heritage, 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; these processes provide living communities with a sense of continuity with previous generations and are important to cultural identity, as well as to the safeguarding of cultural diversity and creativity of humanity”.

Furthermore, the meeting recommended to UNESCO that it prepare a new international normative instrument on the safeguarding of the intangible cultural heritage, by specifying that certain of the main objectives, such as a) to conserve human creations that may disappear for ever b) offering them recognition at the world level, c) reinforcing identity, d) permitting social cooperation within groups and between groups, e) assuring historical continuity, f) promoting the creative diversity of humanity, g) facilitating access to the fruits of this creativity.

iii) In January 2002, an international meeting of experts was held in Rio de Janeiro (Brazil) on “Intangible Cultural Heritage: Priority Domains for an International Convention”. At this time the experts confirmed the definition adopted in Turin, while recommending that further consultation take place on questions of terminology. Further, the experts were of the opinion that a policy of safeguarding and promotion of the intangible cultural heritage at the international level should include a dual approach, based both on internal criteria of evaluation (value of the heritage for the identity of a social group), and on external criteria (such as respect for universally recognised human rights, or aptitude to stimulate intercultural dialogue).

iv) In June 2002, taking into consideration the recommendation of the Rio meeting, an international meeting on “Intangible Cultural Heritage - Establishment of a Glossary” was held at UNESCO headquarters in Paris. The experts at this meeting adopted a new definition of intangible cultural heritage. This definition is contained in the preliminary-draft of the international convention on the safeguarding of the intangible cultural heritage, which will be discussed at the first intergovernmental meeting of experts on this subject (UNESCO, Paris, 23-27 September 2002):

*“1 (i) For the purposes of this Convention, “intangible cultural heritage” means the practices and representations, - together with the necessary knowledge, skills, instruments, objects, artefacts and places - that are recognised 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 or existence, and provides them with a sense of continuity and identity, thus promoting cultural diversity and human creativity [of humanity].*

2. The “intangible cultural heritage”, as defined in paragraph (1) above, covers the following fields (see the Annex<sup>1</sup>):

- (a) [forms of] oral expression;
- (b) the performing Arts;
- (c) social practice, ritual and festive events; and
- (d) knowledge and practices about nature”.

### 3) Existing national legislation

In the light of the surveys undertaken by UNESCO<sup>2</sup>, it appears that the range of possibilities afforded by national legislation on the safeguarding of intangible cultural heritage developed in the main from the 1950s onwards.

Notwithstanding the great diversity of terminology in use, and the complexity of the legal systems to which reference is made, an attempt may be made to draw up a nomenclature of existing types of legislation for purposes of information:

i) In some countries, one finds provisions on the legal protection of “intangible cultural property” which also lead on to the individual or collective recognition of artists, artisans or handicraft workers or other holders of skills whose exceptional talents are deemed indispensable to the safeguarding and transmission of intangible cultural heritage. This is the case notably with the system known as the Living Human Treasures of Japan in 1950 and Korea in 1964, the National Artists in the Philippines (1973) and in Thailand (1985), and the *Maîtres d’Arts*

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<sup>1</sup> **Annex:** « To assist in the interpretation of the categories identified in Article 2, paragraphs (a), (b), (c) and (d), the following list of examples may form part of one or more of the categories:

1. *[Forms of] oral expression:* Performances and public expressions of poetry, history, myths, legends, and other kinds of narrative of significance for cultural communities.
2. *Performing arts:* Performing arts in festive or ceremonial events of cultural communities involving, among other forms of expression, body language, music, drama, puppetry, songs, dances.
3. *Social practices, rituals and festive events:* Life-cycle rituals - birth; rites of passage; wedding, divorce and funerary rituals; games and sports; kinship and ritual kinship ceremonies; settlement patterns; culinary arts; designation of status and prestige ceremonies; seasonal ceremonies; gender-specific social practices; practices relating to hunting, fishing and gathering; geonymic and patronymic nomenclature; silk production and crafts (fabrication, sewing, dyeing, cloth designs); wood carving; textiles; body-art (tattooing, piercing, painting).
4. *Knowledge and practices about nature:* Conceptions relating to the natural environment, such as temporal and spatial frameworks; agricultural activities and knowledge; ecological knowledge and practices; medical pharmacopoeia and therapeutic practices; cosmologies; navigational knowledge; prophecies and oracles; magical, spiritual prophetic, cosmological and religious beliefs and practices relating to nature; oceanography; vulcanology; environmental conservation [and] practices; astronomy et meteorology; metallurgical knowledge; numeral and counting systems; animal husbandry; aquaculture; food preservation, preparation, transformation and fermentation; floral arts; and textile knowledge and arts ».

<sup>2</sup> In 1994, a questionnaire on the application of the Recommendation of 1989 was sent to the Member States, and its results were presented by R. Kurin: “The UNESCO Questionnaire on the application of the 1989 Recommendation on the Safeguarding of Traditional Culture and Folklore: Preliminary Results”, in *Safeguarding Traditional Cultures: a global assessment*, Peter Seitel Editor, Smithsonian Center for Folklife and Cultural Heritage, Washington D.C., pp. 20-36. The survey shows that 50% of the Member States consulted had laws relating to the protection of folklore in the field of “intellectual property”, whereas 35% wished to adopt new legislation in order to reinforce the legal protection of this folklore. Furthermore, in March 2000 a new questionnaire was sent out to national commissions of UNESCO, relating to the terminologies in use and the legislation implemented in the field of intangible cultural heritage. For a summary, see Janet Blake, *Elaboration d’un nouvel instrument normatif pour la sauvegarde du patrimoine culturel immatériel. Eléments de réflexion*, UNESCO, Paris, 2001, pp. 42-49. See also the report *UNESCO International Training Workshop on the Protection of Intangible Cultural Heritage*, UNESCO/National Research Institute for Cultural Properties, Tokyo, 2001.

(Masters of the Arts) in France (1994). With the exception of Japan and Korea, where these provisions are covered by national legislation in the fullest sense, a distinctive feature of these provisions is that they may benefit from very flexible legal and administrative frameworks, or equally flexible mechanisms of management. UNESCO adopted this arrangement as one of the means of implementing its 1989 Recommendation on the Safeguarding of Traditional Culture and Folklore. UNESCO encourages the Member States to set up such arrangements in their countries, and to submit their own list of Living Human Treasures.

ii) Further to Japan and Korea, abovementioned, certain countries, such as Croatia or Lithuania, have adopted mechanisms of legal protection of the intangible cultural heritage covered by a specific national law. In practice, these different national laws relate to cultural heritage as a whole and thus cover the fields of both tangible and intangible heritage. In the field of intangible heritage, these laws emphasise the protection of creation, the transmission and the renewal of the cultures in consideration, and the rights of persons engaged in these various processes.

iii) In a major part of cases surveyed – notably Ecuador, Spain, Ethiopia, Finland, Guinea, Indonesia, Kenya, Kuwait, Macedonia, Morocco, Mexico, Uzbekistan, Panama, Peru, Czech Republic, Tunisia, Venezuela or Zimbabwe – the legal protection of intangible cultural heritage exists in the framework of various laws which may concern, for example, the protection of the heritage (laws on archives, museums and historical monuments, etc.), the environment, languages, minorities, or more particularly, the right to intellectual property. In the latter case, the cultural heritage is protected by application of laws relating to copyright, neighbouring rights (such as those of performers) and to the rights of researchers and informers. Note that in many states of the African and Pacific regions, there are legal mechanisms (but not legal measures *sui generis*) which relate to traditional customary law and enable the protection of important features of the use of and diffusion of the intangible cultural heritage (rights of communities, status of actors/creators, mechanisms of consultation and participation, etc.).

iv) Finally, following on from the UNESCO Recommendation on the Safeguarding of Traditional Culture and Folklore of 1989, certain countries, often by means of presidential decrees, have set up national mechanisms of identification and of enhancement of intangible cultural property, founded on the institution of distinct inventories, records or listings. Such have recently been established in Brazil (decree 2000) and the Dominican Republic (decree 2001).

#### **4) UNESCO and the safeguarding of intangible cultural heritage**

For UNESCO, the theme of the protection of intangible cultural heritage is a longstanding matter of concern, and was embodied as early as the 1970s in a proposal from the government of Bolivia in 1973 to regulate the promotion and dissemination of folklore on the basis of a normative approach.

This first involvement of UNESCO gave rise to two actions: the development in 1982, jointly with WIPO (World Intellectual Property Organisation), of the Model Provisions for National Laws on the Protection of Expressions of Folklore Against Illicit and Other Prejudicial Actions (1982) ; and the adoption, in 1989 by the General Conference, of the Recommendation on the Safeguarding of Traditional Culture and Folklore.

Evaluation of the implementation of the 1989 Recommendation, undertaken in the form of regional seminars, resulted in the holding in June 1999 of the International Conference of Washington. This underscored the fact that the protection of traditional and popular culture,

involving notably questions of terminology, and the scope and the type of definitions used, should be the object of new or revised instruments. Furthermore, the Conference highlighted the need to give a greater role to creators, to artistes and to the bearers of tradition.

Following on from the Washington meeting, a resolution was adopted by the 30th Session of the General Conference (November 1999), inviting the Director General "to carry out a preliminary study on the advisability of regulating internationally, through a new standard setting instrument, the protection of traditional culture and folklore".

Presented at the 161<sup>st</sup> Session of the Executive Council in May 2001 for the purpose of gathering the comments of the Member States, the study was remitted to the Member States in August 2001 and then submitted to the 31<sup>st</sup> Session of the General Conference in November 2001. In its Resolution 31C/30, the General Conference decided that the safeguarding of intangible cultural heritage should be regulated by means of an international convention and invited the Director General "to submit to it at its 32<sup>nd</sup> session a report on the situation calling for standard-setting and on the possible scope of such standard-setting, together with a preliminary draft convention".

In parallel, the General Conference took the decision in 1997 to launch the programme of the Proclamation of Masterpieces of the Oral and Intangible Heritage of Humanity, enabling UNESCO to draw up a list of certain manifestations of the oral and intangible heritage having an exceptional value but also threatened with disappearance. This list, accompanied by action plans for safeguarding this heritage, also includes samples of "best practices". With the Proclamation for the first time in 2001 of the nineteen masterpieces selected by an international jury of experts of eighteen members, the initial process of recognition of the intangible cultural heritage was thus engaged.

On the other hand, UNESCO strives to encourage Member States to create a system of "Living Human Treasures", a national mechanism for special official recognition of the holders of skills and of the techniques essential to the sustainability of important expressions of the intangible cultural heritage, so providing an incentive to transmit these skills to future generations.

Finally, other programmes relating to the various fields of intangible cultural heritage have been implemented by UNESCO, such as the Red Book of languages in danger of disappearing and the UNESCO collection of CDs of the traditional musics of the world.

## **Conclusion**

Forms of intangible culture are by nature extremely precarious, and the risk that they may disappear has been an incentive to certain countries in the last few years to adopt and implement national measures for the identification, safeguarding and promotion of this heritage.

Today, the development of an international system of cooperation and assistance appears necessary, in order better to assist Member States in the policies they implement to foster the intangible cultural heritage. Furthermore, such a legal framework could enable better account to be taken of the frequently international and crossborder components of expressions of intangible cultural heritage, thereby implying the need for the reinforcement of bilateral and multilateral co-operation between States.

UNESCO, which has received a mandate to present a preliminary-draft international convention for the safeguarding of intangible cultural heritage at the 32<sup>nd</sup> session of the General Conference to be held in October 2003, is therefore at present working on such a preliminary-draft, insofar as it supports and is inspired by the national measures implemented by the Member States.

Within this perspective, the establishment of a new international normative instrument<sup>3</sup> should devote full attention to the diversity of existing legal systems, notably in the states where there is an observably strong influence of customary law within the laws governing property and the access to and transmission of cultural heritage. Further, such an instrument may be an effective encouragement to all the Member States at national level to take specific and appropriate measures – in the legal, technical or administrative field – to foster the different forms of the intangible cultural heritage present on their territory (national organs of management of intangible cultural heritage, inventories, listings and records, resources and documentation centres, programmes of education and awareness, assistance to holders of traditions, etc.).

These are the interactions — between national experience, legal systems and the various levels of responsibility or of intervention — which this Third Round Table of Ministers of Culture may seek to investigate.

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<sup>3</sup> At the present time, the only international normative instrument existing in this field is the *UNESCO Recommendation on the Safeguarding of Traditional Culture and Folklore* of 1989.



## PART II

### *The concept of intangible cultural heritage*

History has left many physical remains of cultural heritage but few vestiges of intangible human creations. Many of them are, in fact, interwoven with today's living cultural traditions and reflect many centuries of cultural exchanges across the world. At present, however, given certain conditions, the processes of disappearance, conservation or creation of intangible cultural heritage have changed, perhaps irreversibly. This is the reason why urgent action is needed in order to influence these processes which are of great interest to culture bearers, creators and societies.

The challenge facing them all is to safeguard today's intangible cultural heritage even as a new cultural cartography is being drawn. In this new setting, diverse cultural communities, that is, cultural regions, nations, indigenous peoples and cultural minorities, are coming to recognize their heritage as it mirrors diverse forms of commonalities and differences between groups. This vast global cultural dialogue is already shaping a new cultural understanding whereby culture bearers of different communities are becoming keenly aware of their cultural singularity while at the same time recognizing how much cultural sharing has occurred in the past and is increasingly taking place today.

Cultural groups today want to keep all that is valuable for them from the past while also participating in the exciting creation of new meanings and representations in a world of hypercommunications. Can we not aspire, in this beginning of a millennium, to safeguarding at least the oral expression, performing arts, social practices, rituals and festive events, and knowledge and practices relating to nature, that *are* all based on the principles common to human creativity?

Intangible cultural heritage opens an important space for such an understanding of the world today. On the one hand because it is the cultural expression which most closely reflects people's immediate feelings, fears and aspirations. Songs, myths, rituals, festive occasions, among many other items of cultural heritage, all give form to reasons and emotions of proximity, desire and trust within and between cultural communities. They are also the most vivid and rapid way to transmit changes in expectations and demands. Assisting culture bearers, custodians, creators, practitioners and researchers to keep alive such expressions undoubtedly furthers a sense of security and representation in an otherwise very fluid world.

On the other hand, highlighting the achievements of intangible cultural heritage not only provides recognition in terms of human knowledge and skills: it also sets the standards for what can possibly be achieved in terms of human imagination and effort. A crucial factor in the world today is that such acknowledgement may provide people with the incentives and the confidence to continue to seek creative solutions for their own development in current challenging situations.

Enabling such processes calls for a new emphasis in cultural policy towards intangible cultural heritage. It requires upgrading actions in this area to the higher levels of political and administrative decision-making. In turn this implies that guidelines and programmes targeted to

safeguarding intangible cultural heritage must also influence educational, social, health and economic policies at the very least.

Such a policy has to recognize the universal meanings of this type of heritage in national and international contexts, and foster respect and appreciation for it among all cultural communities. For all these reasons, many cultural constituencies and governments have been constantly calling for international action to safeguard intangible cultural heritage. Many steps in this direction have been taken by UNESCO, the most recent of which concerns the programme for the Proclamation of Masterpieces of the Oral and Intangible Cultural Heritage of Humanity. And also in a series of meeting to define the terms and the domains to be used in understanding and working on intangible cultural heritage.

### **What is intangible cultural heritage?**

It is first necessary to define the kernel of the intangible cultural heritage, that is, the evasive term “culture”. Importantly, as anthropology has pointed out in recent years, it is the polysemantic value of the term “culture”, i.e. the fact that it may mean many things in different settings and from different standpoints, that gives it such power in public discourse. However, as Adam Kuper has argued in a recent work entitled “Culture”, the term cannot be explained by recourse only to the cultural domain itself.

Consequently, many specific operational definitions have been proposed in the setting of different projects. The World Commission on Culture and Development gave a working definition of culture as “ways of living together”. The “flow of meanings” definition posited by UNESCO’s Culture Sector in 1997 led to the metaphor of “the Rainbow River” presented soon afterwards in UNESCO’s Second World Culture Report.

Retaining this background of movement, yet needing a definition to capture culture at a given point in time for the purposes of the International Convention on Intangible Cultural Heritage, culture has been defined as “the set of distinctive spiritual, material, intellectual and emotional features of society or a social group, and all it encompasses, in addition to art and literature, lifestyles, ways of living together, value systems, traditions and beliefs”<sup>4</sup>.

It is suggested that two kinds of culture be taken into account in relation to intangible cultural heritage. On the one hand, traditional culture, that is, the cultural practices which a social group considers to have been derived from the past through intergenerational transmission (even if these are recent inventions) and to which the group designates a certain status; on the other hand, popular culture, referring to those cultural performances and practices through which a sub-group of a society expresses its distinctive identity. These cultural forms are often commercialized and mediated.

Such cultural groups may choose to be represented by certain words, designs and visual, aural, gestural or textual elements.

Perhaps the most important consideration to be made is that every member of a cultural group has the capacity to make decisions that have an impact on practices and representations of the groups in which they are involved. This is called the agency of the members of communities in the creation, enactment, embodiment or transformation of their cultural representations or performances.

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<sup>4</sup> Definitions adopted in the UNESCO Universal Declaration on Cultural Diversity (Nov. 2001), in line with MONDIACULT, Mexico City, 1982.

It is worth noting that an assumption underlies the definitions discussed above. This is, that the source of all intangible cultural elements is the inherent capacity of human beings to create original meanings and imaginaries that build social practices and representations.

### **Intangible cultural heritage and communities**

For intangible cultural products or expressions to be recognized as heritage there must be a group of individuals that acknowledge them as their common heritage. Such a community has been defined as “people who share a self-ascribed sense of connectedness”. This may be manifested, for example, in a feeling of identity or in common behaviour, as well as in activities and in relation to a territory. Individuals, however, can belong to more than one community.

Communities may be defined by many different kinds of interests, political, for example, or historical. A cultural community is one that distinguishes itself by culture or cultural design or by a variant of the generic culture. Among other possible extensions, a nation can be a cultural community.

Specifically, an indigenous community is one that considers itself to have originated in a certain territory. This does not exclude the existence of more than one indigenous community in the same territory.

Many terms are used to designate such native, autochthonous or aboriginal communities. However, any communities attached historically to a territory are also in a sense indigenous, so that regional traditional communities or even nations may be considered as part of such communities as long as they acknowledge their origin in a certain territory.

### **Intangible cultural heritage as a process**

A basic aspect to understand in defining intangible cultural heritage is that, although it is usually used to designate objects, artefacts and instruments, such heritage refers primordially to processes. This means that, in some cases, the process that involves people of a village, a group or a nation in coming together to produce a cultural object or perform in a cultural event may be more important than the object or event itself. The continuity of such involvement is important, as is the repetition of its salient features through story-telling, myths or songs or other such time-capturing inventions.

From an anthropological perspective, calling or inviting people to participate in such an endeavour, may have as its primary aim to bring them together while assigning them specific roles to play. The structure of a society may be mirrored in the way its members participate in enacting or embodying such intangible cultural happenings. This "activation" of bonds which are not visible in normal times, has a crucial role in updating the representation of the community in the eyes of all its members even if they are living elsewhere. Intangible heritage, then, in terms of the processes it involves, helps keep otherwise invisible bonds alive and updated among the members of a community.

Importantly, from a global standpoint, such expressions or performances constitute a repertory of the myriad experiences through which people explain or represent the challenges that all societies are faced with. In many instances, visual or aesthetic or musical language may provide inventories of historical understanding among peoples bearing different cultures. At the same time, they may fire the imagination of those who had never imagined such languages and will thus fuel greater creativity, especially among young people.

## **Intangible cultural heritage sustains cultural diversity**

Safeguarding intangible cultural heritage intrinsically reflects appreciation and commitment to cultural diversity. According to the UNESCO Universal Declaration on Cultural Diversity, as approved by the General Conference of UNESCO at its 31<sup>st</sup> session, diversity is the source of human capability of developing: we think by associating different images; we identify by contrasting ways of living; we decide by choosing from an array of options; we grow by rebuilding our confidence again and again through dialogue.

In this new beginning, to cope with the momentous challenges of sustainability, governance and *convivencia* in a global era, we need cooperation on a world scale putting into play all the creativity that can be summoned from the conservation of cultural legacies, including the skills, knowledge and wisdom implicit in them.

As explained in the Second World Culture Report, “it is no longer a matter of globalization allowing cultural diversity to continue to develop, it is cultural diversity as a condition without which globalization cannot continue...”. As explained in the Report, cultural diversity requires recognition, inclusion and justice to foster true development.

Diversity also implies recognition of different groups within a given cultural community. No community can thrive without the active and inventive participation of women and the political acknowledgement of their particular cultural contributions in creating and transmitting cultural legacies, nor without that of people having differences in physical capacities, racial or sexual characteristics or foreign provenance.

In all historical societies but especially in the modern world, no community’s members will totally agree on everything, least of all cultural, spiritual or social matters. In fact, many times it is within dissidence that creativity grows. This is why defining culture as “a site of contestation”, as the Birmingham school of cultural studies has called it, reflects a truer picture of cultural communities that live contiguous to or within other cultural communities in contemporary societies. However, cultural communities may decide to agree on some symbols, signs or expressions as the minimal signs of participation in that particular community. Usually it is these that are considered as a primordial intangible cultural heritage.

Intangible cultural heritage as handed down historically may provide communities living in their original territory precisely with the representation of their identity which they need to continue to thrive in dialogue with other cultural groups. At the same time, this heritage represents an instance of universal values and qualities which can be acknowledged as highlights in common human understanding.

By placing the diversity and creativity inherent in all intangible cultural heritage in the forefront of government cultural policies, the sources of identity and innovation based on historically significant elements will open up new cultural landscapes. They may also provide regions and nations with comparative advantages in representation but also in economic terms if distinctive cultural designs, artistic patterns or particular performative functions are successful in markets.

## **The urgency of safeguarding intangible cultural heritage**

Current trends in globalization are threatening intangible cultural heritage as never before. Changes in consumption patterns and trade, massive out-migration, the

pervasiveness of television and media, the advertising industry, tourism and other trends all foster new cultural needs.

One example may be used to illustrate the urgency of safeguarding such cultural heritage. The single most obvious loss of the latter in the world today is that of the disappearance of verbal languages. Throughout human history hundreds, not to say thousands, of languages have disappeared. They have vanished forever for many reasons. Persons who spoke those languages may have died out as a result of disease, abrupt climatic changes in their habitat, famine or other natural devastations. Or they may have suffered violent or gradual subjection or annihilation by a more belligerent and dominant language community. This includes partial or full desintegration as a result of a diaspora - although initial reactions of diasporas may lead to increased militancy to keep their language.

The disappearance of languages in the ebb and flow of cultural history down the millennia, however, is very different from the situation in the world today, as UNESCO has been reporting for some years now. Professor Stephen Wurm, in the UNESCO 2001 edition of the Atlas of the World's Languages in Danger of Disappearing, has estimated that nearly half of all the languages in the world – in other words, 3,000 of them - are endangered to some degree or another<sup>5</sup>. For example, in Africa, of approximately 1,400 (or more) languages, 500 to 600 are considered to be endangered<sup>6</sup>. Other regions with the greatest number of endangered languages are those of Europe, the Amazon and the Andes; Papua New Guinea has the highest ratio of dying languages to population. Even in Canada, where cultural policies have been favourable towards its “First Nations”, of 121 Amerindian languages, only 6 are still fully functioning<sup>7</sup>. In Mexico, the only woman who still spoke Cuicatec died in 1983.

### **UNESCO's actions to safeguard intangible cultural heritage**

UNESCO's Proclamation of Masterpieces of Oral Traditions and Intangible Heritage has already had a great impact in calling government and public attention to the need to safeguard this heritage. As in the case of the 1972 International Convention for the Protection of World Cultural Heritage, though, new definitions and mechanisms must be developed without delay to ensure that precise objectives are attained in this safeguarding.

History has handed down ways of “representing” different cultures abstracted from the flow of millennia of cultural contacts. On the move today is the will of many contemporary cultural communities to be represented in a different way, or to keep their cultural cohesion amid diasporas that sometimes span whole continents. The greatest threat to this possibility of rebuilding cultural representations is the loss of the historical elements that provide some of its foundations. This is why protecting and safeguarding cultural heritage is so important today. Such protection for physical heritage has been ongoing for several decades, but an urgent task is safeguarding intangible cultural heritage.

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<sup>5</sup> Wurm, Stephen. 2002. **Atlas of the World Languages in Danger of Disappearing**. Paris:Unesco:19.

<sup>6</sup> Op.cit.:43.

<sup>7</sup> Op.cit.:46