SAFEGUARDING INTANGIBLE CULTURAL HERITAGE AND THE INEVITABILITY OF LOSS: A TIBETAN EXAMPLE

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This paper takes a look at the idea of the safeguarding of intangible cultural heritage as an initiative of the UN Educational, Scientific and Cultural Organization by first exploring the definition of culture and then looking at the case of Tibetans as an ethnic minority population. It suggests that the initiative is problematic in a number of ways and may inadvertently contribute to the further marginalization and demise of the very culture it aims to safeguard.

Key words: *culture, intangible cultural heritage, Tibetan culture*

"Culture" has recently received a significant boost in international circles with the adoption by the United Nations Educational, Scientific and Cultural Organization (UNESCO) of The Convention for the Safeguarding of Intangible Cultural Heritage at the conclusion of its 32nd session on 17 October 2003.

The culmination of many years of thinking and negotiation, this mandate draws attenton to endangered languages and cultural knowledge and practices of "national, regional and subregional" groups, and provides, under the Convention, for the selection by a UNESCO committee, of "programmes, projects, and activities" to be included in a Representative List of Intangible Heritage. These projects are to be proposed by member states, in consultation with local groups, and may then receive funding by donor organizations, such as the Japan Funds-in-Trust.[1] So far, 121 states

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[1] The link to the site as embedded in the UNESCO website is http://www.unesco.org/culture/ich/index.php?pg=00115. The link to the UNESCO Intangible Cultural Heritage site is http://www.unesco.org/culture/ich/index.php?pg=home.

(as of 26 Feb. 2010) have become a party to the Convention. Croatia is one of them, having adopted it in 2005.[2] In support of its commitment, Croatia has national legislation – *The Law on the Protection and Preservation on Cultural Property* (1999), databases of intangible cultural heritage at local and national levels, and other measures in place for the protection of intangible cultural heritage.[3] It also has in place an institutional infrastructure under the Ministry of Culture, including a Department for the Protection of Intangible Cultural Heritage, as well as a number of other national institutions, such as the Institute of Ethnology and Folklore Research, the Ethnographic Museum of Zagreb, the Institute of Croatian Language and Linguistics, the Croatian Chamber of Trade, and the Ministry of the Sea, Tourism, Transport and Development. Cultural anthropology and ethnology as fields of study are also a part of this institutional infrastructure in Croatia and the relevant departments at the universities have mandates to undertake research and projects that support State goals in nation- and culture-building. This essay has its starting point in a mini-course, Anthropology of Tourism, offered by the Department of Ethnology and Cultural Anthropology at Zagreb University in April of 2008. The sixth in a series of programs and workshops on cultural and rural tourism offered by the Department, the program has developed into a specific focus on cultural tourism, and in 2008, specifically on tourism and intangible, or non-material, culture.[4] My role was to present a talk on Tibetan culture within that broad framework. In effect, I would be reframing questions of Tibetan identity as questions about intangible cultural heritage. Tibetans, after all, are best known by their own particular "brand" of non-material culture, Tibetan Buddhism, which has been given a global presence and recognition in the person of the Fourteenth Dalai Lama, himself practically a household word in many parts of the world. Cultural "safeguarding" or preservation issues have been a concern of Tibetans since their earliest days

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[2] The Croatia page is at http://www.unesco.org/culture/ich/index.php?cp=HR&topic=meet

[3] Under the "National Measures" tab, at: http://www.unesco.org/culture/ich/index.php?cp=HR&topic=nat_measure one can find the main national initiatives outlined.

[4] Contributing to the design of the program are experts from the Department for Selective Tourism of the Croatian Ministry of the Sea, Tourism and Transport as well as professors and students from the University of Bergen, Norway.

in exile, with the Dalai Lama establishing a number of institutions, such as the Tibetan Institute for the Performing Arts (TIPA), the Tibetan Library of Works and Archives, the Tibetan Medical and Astrological Institute, and a number of monasteries and nunneries and other institutions to safeguard and rebuild Tibetan culture in exile. As we can judge by the types of institutions these are, the Dalai Lama was concerned about intangible cultural heritage.

Through the lens of intangible cultural heritage we can gain further insight into Tibetan identity issues; however, the reverse is also true – we can use the Tibetan example to further explore the idea of safeguarding intangible cultural heritage and some of its implications. This is the direction of this paper. While this and other UNESCO initiatives are laudable endeavors, in part because they lend institutional weight to the idea that cultural diversity is a valued and important part of the heritage of humanity, it seems to me that some troubling questions also arise that need to be further explored and addressed. How do acts of cultural "safeguarding" and inclusion in a List of Intangible Heritage signal, and even possibly contribute to, the further demise of the way of life that generated the cultural form in the first place. Not only is there a Representative List of Intangible Cultural Heritage being developed under the latest UNESCO convention, but there is also, as of Autumn 2009, an "Urgent Safeguarding List."[5] The need for "urgent safeguarding" suggests that indeed "safeguarding" appears to be a euphemism for "endangered" or "nearing extinction."

Before exploring the Tibetan case, I first consider the idea of culture, some definitions and ideas, as well as arguing that safeguarding parts of culture is not the same as safeguarding culture. I also take a critical approach to the implicit assumption that cultural loss is an inevitable consequence of "natural" processes of globalization. True care of cultures requires a different kind of initiative, as well as a certain kind of political will, in which, as we shall see, some State actors and parties to Conventions such as this are largely lacking.

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[5] http://www.unesco.org/culture/ich/index.php?pg=home

DEFINING CULTURE

The definition of culture in international law and the role of the culture concept in it has been an evolving one. The legal scholar, Francesco Francioni, shows the evolution in international law of the significance of the idea of culture and the idea of cultural heritage as an international human rights concern (Francioni 2004).[6] Culture, cultural rights, and cultural heritage are an integral part of the Universal Declaration of Human Rights as well as the two Covenants that back it up. Current concerns about cultural heritage, and intangible cultural heritage in particular, are part of a century-long international interest in the protection of the rights of minorities to their cultural heritage and practices (Vrdoljak 2005). The link between cultural heritage and human rights was especially underscored by the Special Rapporteur of the Commission on Human Rights in his report on the situation of human rights in the former Yugoslavia (Francioni 2004, esp. p. 5, FN 13) concerning the destruction and defilement of places of worship in Bosnia and Herzegovina as well as the development in international law of individual culpability in the destruction of objects of cultural significance (Francioni 2004:7).

Building on the evolution of the idea in international law that culture and cultural heritage are a part of the human heritage, Francioni raises the question of whether or not "safeguarding the very social structures and processes that permit the generation and transmission of such products" (Francioni 2004:13) should (also) become the focus of international law and whether cultural diversity as "a general interest to humanity" should be internationally safeguarded. In other words, the implication is that questions of cultural diversity come to be viewed as trans- or supra-national issues. It is clear that the idea of cultural heritage must be viewed and understood in the context of human rights.

The 2003 Convention for the Safeguarding of Intangible Cultural Heritage builds upon earlier initiatives: the 1989 UNESCO Recommendation on the Safeguarding of Traditional Culture and Folklore, the 1994 Guildelines on Living Treasures, and the Proclamation

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[6] Francioni's footnote (#2) outlines its development in international law from World War I through the early 1990s, starting with the treaties protecting minorities.

of Masterpieces of Oral and Intangible Heritage, launched in 1997, as well as a conference held in Washington, D.C. in 1999 that reassessed the 1989 Recommendation and resulted in the recognition of the need to expand the definition of intangible cultural heritage (Franciono 2004; Vrdoljak 2005; Kirshenblatt-Gimblett 2004).

The preamble of the Universal Declaration on Cultural Diversity,[7] adopted by UNESCO in 2001 also informs the evolving definition of intangible cultural heritage in that it reaffirms:

> "… that culture should be regarded as the set of distinctive spiritual, material, intellectual and emotional features of society or a social group, and that it encompasses, in addition to art and literature, lifestyles, ways of living together, value systems, traditions and beliefs."

Culture, the Declaration states, "is at the heart of contemporary debates about identity, social cohesion, and the development of a knowledge-based economy." The Declaration also affirms that cultural diversity is a human right and the international community's commitment to "identity, diversity, and pluralism."

The 2003 Convention for the Safeguarding of Intangible Cultural Heritage is a comprehensive one, incorporating the symbolic and cognitive dimensions of culture, recognizing cultures as abiding in groups and vice versa, as well as who and what the bearers of culture are, and how culture is transmitted. So for example, the concept of intangible cultural heritage is elaborated in the site as[8]:

> [Intangible Cultural Heritage is manifested in what are referred to as "domains" of culture]:
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> "- oral traditions and expressions including language as a vehicle of the intangible cultural heritage;
> - performing arts (such as traditional music, dance and theatre);

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[7] Universal Declaration on Cultural Diversity at http://www2.ohchr.org/English/law/diversity.htm and http://www.unesco.org/education/imld_2002/unversal_decla.shtml#1

[8] All definitions that follow are taken from the site at: http://www.unesco.org/culture/ich/index.php?pg=00002

- social practices, rituals and festive events;
- knowledge and practices concerning nature and the universe; traditional craftsmanship."

The UNESCO definition recognizes that intangible culture is not things themselves or embodied in things but that:

"The depository of this heritage is the human mind, the human body being the main instrument for its enactment, or – literally – embodiment. The knowledge and skills are often shared within a community, and manifestations of ICH often are performed collectively."

Accordingly, intangible cultural heritage

"- is transmitted from generation to generation;
- is constantly recreated by communities and groups, in response to their environment, their interaction with nature, and their history;
- provides communities and groups with a sense of identity and continuity;
- promotes respect for cultural diversity and human creativity;
- is compatible with international human rights instruments;
- complies with the requirements of mutual respect among communities, and of sustainable development."

And finally,

"The ICH is traditional and living at the same time. It is constantly recreated and mainly transmitted orally. It is difficult to use the term authentic in relation to ICH; some experts advise against its use in relation to living heritage" (see the Yamato Declaration: English | French).

These elaborations on the meaning of intangible cultural heritage demonstrate the thought given to the concept of culture and cultural heritage. However, these efforts continue to be problematic because of an inherent contradiction between culture as a living, changing, process and its transformation into "heritage." Becoming heritage, being identified, recognized, and listed, is itself an intervention into culture, and to use the

words of Kirshenblatt-Gimblett, "... all heritage interventions – like the globalizing pressures they are trying to counteract – change the relationship of people to what they do" (Kirshenblatt-Gimblett 2004:58).

The UNESCO initiative is also problematic, I believe, because, among other things, there is an inherent tendency to blur the distinction between the concept of Culture with a big C, where culture is a crucial aspect of our humanity and our identity (not to mention its role in our speciation and evolution), and cultures as the subject and object of study of a cultural anthropologist (and increasingly scholars of other fields too) or ethnologist, who identify parts or aspects of people's ways of life in an attempt to gain insight into that way of life. The part (culture with a small C) cannot really substitute for the whole (Culture with a big C), they are ideas of a different order. The UNESCO initiative runs a risk of reverting to ethnographic practices of yesteryear – "salvage anthropology" it was called. Recognizing the impact on local cultures that colonial contact was having, i.e cultural loss, ethnographers set out on a mission of salvaging cultures by recording languages, video taping cultural practices, and writing ethnographies. In a similar vein, perhaps, UNESCO harbors the hope that by directing attention and resources to a given cultural practice, something of the culture that gave rise to it will endure.

This brings us to the question of semantics: why "safeguarding"?[9] Salvaging and preservation may not be desirable terms – they have a rather quaint, colonial ring to them. Preservation has the added connotation of mummification or embalming. Safeguarding, though, is weak – it has no teeth. The most likely choice of terminology would be "protection." Most often, we talk about protecting human rights, not safeguarding them. If we are to understand cultural diversity as a human rights issue, then protections of cultural diversity are warranted. The (compact) Oxford English Dictionary online defines safeguarding as "a measure taken to protect or prevent something." "Measures" are to be taken, but protections, it seems, are not mandated.

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[9] I realize that I am focusing on the English language term, and that in translation, different meanings may be imparted. However, as English is one of the official languages of the UN, I believe it is appropriate to raise some questions.

Perhaps semantics are not the real problem, however. Instead, perhaps the problem lies in the difference between the cultural phenomena that are the objects of safeguarding and the act of safeguarding, which in the main involves the institutional production of the capacity to "safeguard" (2004:55). Kirshenblatt-Gimblett (2004) pithily notes, in her analysis of UNESCO efforts over the last several decades, that if a cultural phenomenon is "truly vital, it does not need safeguarding; if it is almost dead, safeguarding will not help." Intangible cultural heritage in this sense is really metacultural production and, "Heritage is a mode of cultural production that gives the endangered or outmoded a second life as an exhibition itself" (Kirshenblatt-Gimblett 2004:56).

To recapitulate the discussion so far, the UNESCO initiative falls short for a number of reasons. While it clearly tries to apply a broad definition of culture in its conceptualization of intangible cultural heritage, including a recognition that culture lives in the "human mind," somewhere between the definitions it elaborates and the program that is supported, the culture that is the object of its concern continues to be in peril. One of the reasons for this may lie in the general semantic conundrum that a thing is not itself, or a thing is not the thing that is named. Some anthropologists would argue that all culture (all that matters, anyway) is non-material or intangible. Cognitive anthropologists argue, for example, that culture lies "in the head." If you want to understand somebody's culture, find out how they think and what they think about, find out what comprises knowledge, what cultural categories organize perception and thought. Of course, because thoughts, ideas, and categorization are intangible, we extrapolate from tangible manifestations – cultural forms or behavior – and using powers of inductive reasoning, are able to make some educated guesses as to the general mind-sets that drive people to think, act, and speak. Cultural forms and artifacts are epiphenomenal and culture in its holistic sense is greater than the sum of its parts. Thus one cannot simply add up cultural forms and manifestations, behavior and linguistic cues, and derive much more than either a superficial cultural understanding or an understanding of but a small part of a given cultural backdrop.

It may suffice, it could be argued, that the UNESCO initiative recognizes that ways of life, cultures, are under threat. At least it is paying

attention to issues of cultural diversity. But these measures may backfire. Ultimately, pointing to a specific piece of culture as culture is dangerously reductionistic and may detract from threats to the source of that piece of non-material or intangible culture, i.e. the people, their livelihoods, their economic sustainability, their rights as a people, etc. These threats are not usually accidental and they are not, I argue, inevitable. The Convention, or at least its implementation, hedges its commitment to cultural diversity. In the following section, I elaborate on this assertion and examine the purported "causes" of cultural loss.

GLOBALIZATION AS APOLITICAL

One of the main threats to cultural diversity, according to UNESCO'S website, lies in the processes of globalization and development.

> "Many elements of the ICH are endangered, due to effects of globalization, uniformization policies, and lack of means, appreciation and understanding which – taken together – may lead to the erosion of functions and values of such elements and to lack of interest among the younger generations."[10]

Few are those who would find reason to contradict this assessment, or question its wisdom or veracity. The received wisdom, though, is that both globalization and its impacts on local cultures are inevitable, drawing on a neo-social-evolutionary explanation for this presumed inevitability. It isn't just that globalization is occurring, but that it MUST. Current literature on the anthropology of globalization (e.g. Inda and Rosaldo 2007; Lewellen 2002) clearly demonstrates, however, that globalization is not as monolithic as believed, it does not happen uniformly, nor does it happen homogeneously. So neither globalization and nor its results are foregone conclusions, in contravention of the received wisdom.

A second, related point is that the political reasons that lie behind cultural loss may remain hidden. Actors make decisions about the direction of development and rationale for the implementation of policies.

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[10] http://www.unesco.org/culture/ich/index.php?pg=00002

Sometimes these decisions are primarily "economic" and sometimes they are primarily political, but very often, economic and political decisions go hand-in-hand. Thus, cultural loss is not simply the inevitable consequence of the forward march of progress. It is also a matter of politics. History is rife with examples of people's way of life being viewed as backward and barbaric and in urgent need of change and uplifting. This determination or judgment is not neutral. Sometimes change is brought about using the "carrot" method, and sometimes the "stick," but these events implicate deep power relations.

Part of the problem with safeguarding cultural diversity may also be structural – lying in states as states. James C. Scott discusses how states "see" the world – state bureaucracies thrive on counting things and state policy is often geared toward making things – including populations – more countable or "legible," as he puts it, and therefore more accountable. Various classification techniques and border delineation are the staples of state organization and these processes inevitably lead to a reduction in diversity (Scott 1999). In and of themselves, drawing borders and classifying and categorizing are not bad. But such activities are not usually done in a value neutral way. The classification of ethnic groups was one of the early acts of the new Revolutionary Chinese state, reducing hundreds of groups to 56 named and officially recognized ethnicities (including the majority "Han") (Gladney 2003). But ethnic identities in China are viewed as part of a historical process that will eventually result in the elimination of ethnic distinctions in favor of a singular class identity (Bass 2005).

Culture is not meant to be preserved, salvaged, or even safeguarded. Culture is a force of humanity; it is meant to be elastic, even dynamic. Cultural dynamism best occurs when people are enabled and allowed to pursue their lives in ways that are meaningful to them. State policies that are hostile to non-majority or non-dominant cultures obviously impede that dynamism. These are often intentional political decisions, or decisions that are politically motivated. International programs, such as the ICH project of UNESCO, can be used by states in a cynical way to further policies of cultural domination and even eradication. In the following section, I take a look at the Tibetan case to elaborate this problem of cultural diversity and the politics of the state.

SAFEGUARDING TIBETAN CULTURE

Any discussion of Tibet and Tibetan culture must inevitably implicate the intractable political questions surrounding Tibet. Unexpectedly, in the spring of 2008, Tibet became the focus of global media attention. The politicization of the 2008 Olympic Games, much to the annoyance and embarrassment of the International Olympic Committee and the Chinese Communist Party[11], breathed new life into the Tibet movement, both in Tibet and in exile, and placed firmly in the global spotlight, however briefly, the political problem of Tibet. The surprising wave of protests in Tibetan areas that began on or about March 10[12] served as a beacon for Tibetans, and reminded a world that had largely written them off that they continue to exist and resist the Chinese state's efforts to assimilate them.[13] While these new developments are not the focus of this essay, the occasion provides us with the opportunity to reflect anew on Tibetans as a people and a cultural group.

Tibetan culture and ways of life, both material and non-material, have been under direct and indirect assault and stress since approximately 1950, when the People's Liberation Army began its occupation,[14] and since 1959, when the Dalai Lama fled to India and established a de facto exile government and community there. This distinction between material and non-material culture, or intangible culture, is perhaps what the Dalai Lama has in mind when he is asked about the survival of Tibetan culture.[15] He

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[11] Far from being victimized by those who would politicize the Olympics, China itself initiated the politicization of the Games by having the Olympic Torch Relay go through Tibet, to the top of Chomolungma (The north face of Mt. Everest), thereby symbolically demonstrating its control and dominance of Tibetan areas.

[12] The protesting began earlier in parts of eastern Tibet, according to eyewitness accounts.

[13] The Tibetan protests of 2008 were the most dramatic in two decades and were widely covered in the media, for obvious reasons. However, we should note that Tibetan protests and unrest are not rare events, but ongoing and often effectively silenced. Protests and arrests continued through 2009, but little of this made the headlines.

[14] This is not to suggest that "Tibetan culture" was a singular culture, nor that it was in some way insular.

[15] As a graduate student who worked as a member of the press corps in the Philadelphia area in the early 1990s, I was at an intimate press conference in which I was able to pose that question to the Dalai Lama.

has always made a distinction between non-essential culture, such as food, dress, hair style, taste in music and other cultural trappings, and "essential" culture, such as values, ideas, language, view of the world. The roots of this essential Tibetan culture lie in *chös* (Tib.), or religion – or Buddhism. The Dalai Lama recognizes that cultures change, much as everything else does. He has instigated many of the changes that have occurred in Tibetan society, among them the democratization of the Tibetan political system, which eventually led to the hand-over of political power to an elected "prime minister" and the legislature known as the Assembly of People's Deputies. He has supported the founding of Tibetan schools and the idea of universal education as well as encouraging the participation of women in public life. The Dalai Lama also recognizes that the responsibility of safeguarding essential domains of culture, noted above, lies with the people themselves, himself included. In speeches that he makes to Tibetans, he exhorts them to take care of language, to retain and exhibit in their behavior the essential teachings of their religion, to avoid the excesses of Western consumerism, and to pay attention to the education and proper socialization of their children, among other things.[16] Since the mid-1990s, one of the most significant challenges to Tibetan cultural continuity[17] is the secondary out-migration of Tibetans from South Asia to other parts of the world. Among the numerous countries to which Tibetans have gone, the 1990 Immigration Act passed by the U.S. Congress paved the way for 1,000 Tibetans and their families to immigrate to various parts of the United States over the last decade and a half. This and other secondary migrations have meant the geographic diffusion of the exile population. In the U.S., Tibetan children, as other children of immigrants, attend American schools and have much greater exposure to non-Tibetan "cultural choices" than their parents or their counterparts who remain in Tibetan schools in South Asia. Clearly, schooling of children is one of the key loci of cultural transmission, as it is here that socialization, cultural values, identities, language, etc. can be passed on in an organized setting and in a homogenized form.

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[16] In meetings with Tibetans, the Dalai Lama, as a teacher, takes on a parental or paternalistic tone. He counsels them, jokes and laughs with them, and sometimes scolds them.

[17] Here I refer to continuity in the sense of a dynamic transmission of identity rather than in the sense of something unchanging.

The Chinese Communist Party is also culture conscious and it similarly recognizes the role of formal education in the transmission of cultural values and educational policy. Culture is a concept that has been of great concern to the Party since the earliest days of the Revolution. As noted by one scholar who has studied this educational policy, the goal of the CCP over the last 50 years has been "remoulding the cultures of its nationalities into a unitary modern socialist culture, based on Han Chinese culture (Bass 2005)." This project has its roots in the centuries-old notion of the cultural and civilizational superiority of the core, that is, Beijing and surrounding areas, and its moral mandate to spread Chinese culture to the barbarians at the peripheries of the empire. Culture is therefore not a neutral concept to Communist Party leaders – it is full of moral implications. Bass (2005) puts it in this way:

> Adopting the Marxist theory that ethnic culture and nationalism was a transitory phenomenon that would ultimately give way to a unified proletarian culture, the Chinese Communist Part (CCP) saw its main moral task as opening people's minds to the deficiencies of their existing cultures while, at the same time, presenting them with a new set of values and beliefs.
> Onto Marxist revolutionary theory the CCP grafted the traditional Chinese notion of the Chinese State being at the centre of civilization (ibid. 433).

Controlling the definition of "Chinese culture" and rank-ordering cultures such that "Chinese culture" is inevitably placed at the top of the heap reflects the state's ongoing efforts to culturally engineer stability and also to address criticism of outsiders. When in the 1990s, the claim to "Asian values" began appearing as an answer to criticisms of the Southeast Asian human rights record,[18] China adopted the discourse, which, among other things, is linked to Confucianism and the assumed priority of the collective interests of family and society over the interests of the individual. As one scholar notes, "The Confucian tradition was officially 'rehabilitated', and declared China's authentic cultural tradition

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[18] Leaders of Southeast Asia, including Lee Kuan Yew, former longtime prime minister of Singapore, at that time drew a sharp distinction between Eastern and Western values.

(Li 2005)," reversing the earlier anti-Confucianism of early Maoism. One of the main concerns of the CCP that has crosscut 50 years of policy is that of transforming Tibetans, and other problematic "national minorities" into loyal citizens. The emphasis on "Asian values" buttresses the state's authoritarian approach to cultural (and other) expression. State policy reflects the political climate and the real or perceived threats to national security and government power, and after the failed democracy movements of the 1980s, "patriotism became the dogma for the 1990s", which came to be reflected in a series of patriotic education campaigns in 1990, 1994, 1997, and 2000 (Bass 2005:435). One of the results of these campaigns has been the denigration of Tibetan (and other minority) cultures and the stigmatizing of identity (Bass 2005:436 and Harrell 1995 cited in Bass).

The Chinese state's regulation of cultural activities reflects its mission of control. Cultural practices that threaten state power are, of course, censured. These include "the practices of Tibetan Buddhists loyal to the Dalai Lama and members of the Falun Gong…" and these groups furthermore are "not recognize[d] (…) as possessing cultural rights" (Li 2005). China's (or any other state's) formal recognition of the idea of cultural rights by way of its ratification of UN covenants and treaties, such as the Covenant on Economic, Social, and Cultural Rights,[19] as well as the UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage[20] by no means reflects a commitment to the ongoing vitality of minority cultures. In fact, policies of suppression coexist with participation in such UNESCO programs as this one. China had four projects, dated 2001-2005, on the Intangible Cultural Heritage list.[21]

More than a little irony can be gleaned in some of the cultural heritage that is listed. For example, the Uyghur Muqam of Xinjiang

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[19] Ratified by China June 27, 2001.

[20] Ratified by China February 12, 2004.

[21] China's projects are outlined at: http://www.unesco.org/culture/ich/index.php#TOC1. See also the write-up in Beijing Review online at: http://www.bjreview.com.cn/quotes/txt/2009-11/09/content_228879.htm
See http://www.unesco.org/culture/ich/index.php?pg=00011&inscription=00003 for a list of all representative projects.

project (2005)[22] seeks to preserve a variety of cultural practices of the Uyghur, "one of the largest ethnic minorities of the People's Republic of China"[23] (Wong 2009) while suppressing the rights of Uyghurs to meaningful autonomy,[24] much in the way that Tibetans, one of the other largest ethnic minorities in the PRC, are suppressed. In further irony, the Urtiin Duu-Traditional Folk Long Song (2005), a project undertaken in conjunction with the People's Republic of Mongolia, seeks to preserve the traditions of these nomadic peoples, while China state policy puts pressure on nomads of the Tibetan plateau to give up their "barbaric" pastoralist way of life and become settled farmers (Foggin 2008).

Of the 22 new Chinese projects on the UNESCO sanctioned Intangible Cultural Heritage List are three that clearly implicate Tibetan cultural forms: The Gesar Epic Tradition, the Regong Arts, and Tibetan Opera. While the description of the Gesar Epic denotes the role of the story in "imbu[ing] audiences both young and old with a sense of cultural identity and historical continuity," it fails to mention that the Gesar Epic is also a narrative that inspires Tibetans to recall the glory days of the Tibetan Empire (7th-9th Century). The King Gesar legend, most likely built upon an historic 11th Century king from the Kham region, is also invoked by Tibetans as a kind of messianic figure who appears to aid Tibetans, to subdue demons who are causing them difficulty and to free Tibetans from foreigners (Smith 1996:46-47). If the Chinese Communist Party is concerned about the continuity of Tibetan identity, then it could do more to ensure Tibetan cultural integrity by providing Tibetans with the means to chart their own cultural destiny. Instead, Tibetan culture is under the onslaught of unfettered modernization policies, including but not limited to the denial of nomadic pastoralists of access to pasturelands. Interestingly, it is in these areas, where nomadic pastoralism has been the way of life for centuries, that Gesar has particular appeal, lending his name to the

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[22] Found on the UNESCO website at: http://www.unesco.org/culture/ich/index.php

[23] Quoted from the project description at: http://www.unesco.org/culture/ich/index.php#TOC1

[24] In early July 2009, clashes between Uygher Muslims and Han broke out. Police responded, resulting in an estimated 100 dead and 800 injured.

well-known *Amnye Machin*, or "Palace of Gesar," mountain range of the Amdo region (Smith 1996:46). The naming of the Gesar Epic as part of the representative list of Intangible Cultural Heritage is less an act of cultural preservation than it is one of cultural expropriation.

It is clear from these limited examples how the UNESCO list, at least in the case of China, represents culture taken out of context. The UNESCO program, as implemented in this way, lends itself toward "safeguarding" that which is already dead or dying and, resurrected in a new, stylized, and state-sanctioned form, provides a mock show of "valued" intangible cultural heritage. Such mock shows are not uncommon in China as the showcasing of national minorities during the pageantry of the Beijing Olympic Games well illustrates. The Galaxy Children's Art Troupe was represented as depicting each of the 56 officially recognized nationalities of the PRC gathered in unity under the national flag, but it later came out that there were no children from minority groups in the performance – all were Han.

There were no Uighurs, no Zhuangs, no Huis, no Tujias, no Mongols and definitely no Tibetans. Indeed, in the latest in a series of manipulations that have soured memories of the spectacular opening ceremony, all 56 were revealed to be Han Chinese, who make up more than 90 per cent of the country's 1.3 billion people (Macartney and Fletcher 2008).

This example illustrates how easy it is for states to find "cultural replacements" when it would be otherwise too risky, with uninitiated observers being none-the-wiser for such a substitution. Control over minority populations and their cultures are of primary importance, especially in authoritarian societies. Cultural displays often serve to underscore and heighten that control, doing relatively little to re-invigorate the cultural life of those being depicted.

As one human rights scholar of China points out, (true) safeguarding of culture goes hand-in-hand with the promotion and protection of civil and political rights:

> "Institutional safeguards – including protections for freedom of religion, expression, assembly, and association – are necessary to protect exclusive privileges to engage in distinct cultural practices, to express alternative (non-official or unpopular) cultural identities, to

creatively develop culture, and to benefit from the unique projects of one's culture. If these safeguards are not put in place, the real threat to the survival of China's distinct religious and cultural communities will remain" (Li 2005).

CONCLUSION

It is an important step that the international community, through vehicles such as the United Nations Educational, Scientific, and Cultural Organization, recognizes the negative pressure that is being placed on global cultural diversity. This ostensibly gives a boost to indigenous and minority groups within nation-states. Also important is the attempt to broadly define culture, recognizing something that the organization has called Intangible Cultural Heritage. But these measures, in light of the way that some state parties choose to implement them, not only fall short, but they are also fundamentally flawed, particularly if efforts at ensuring and promoting cultural diversity end there, essentially at the promulgation of a list.

States as the primary actors in the United Nations and its subsidiary bodies and states as guardians of cultural diversity within the nation-state will inevitably encounter conflicts of interest. Placing in the hands of states the duty of safeguarding threatened intangible cultural heritage of, say, ethnic minorities, is like putting a fox in the henhouse; structurally it is inherently contradictory to the state's basic homogenizing mission and pragmatically, cultural diversity is often seen as antithetical to political stability. Where cultural diversity is deemed problematic to the national body, then measures geared toward eradication are more likely than those geared toward guardianship or preservation. What the China case shows is that measures of "cultural safeguarding" and cultural eradication can occur simultaneously.

The definition of culture is also implicated. While the UNESCO definition recognizes that it encompasses "the set of distinctive spiritual, material, intellectual and emotional features of society or a social group" and includes, among other things, "value systems, traditions and beliefs,"[25]

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[25] UNESCO 2002, Universal Declaration on Cultural Diversity.

the initiative to identify and safeguard Intangible Cultural Heritage (ICH) ends up with a list that reflects the same forms and attributes that more conventional definitions of culture recognize, such as performative arts, rituals and festivals, crafts and folk arts, language, and cosmology, thereby risking the reductionism of culture to its parts and forms. Furthermore, the practice of identifying specific aspects of a cultural group that are "worth" safeguarding or preserving is troublesome and compels the question, by what criteria, and by whom, will the decision be made that some aspect is more worthy of attention than another? The practice sets up a cultural hierarchy compelling us to ask, what are the potential ramifications for those other aspects of culture that do not make the list? Another issue is the highlighting of some cultural groups and their practices over or instead of others. What are the ramifications of these choices, both for the chosen and unchosen? These selections are not neutral processes made in neutral spaces, but are highly charged cultural politics.

Which brings us to another problem of the ICH enterprise: the neutralizing or cleansing of politics from the UN initiative. The United Nations, notes one scholar of human rights, is a political organization with a humanitarian mission (Delaet 2006), so this problem is endemic to the organization. Nevertheless, I think it bears mentioning because the cultural loss that we are talking about is of great urgency. Cultural/ ethnic minorities and indigenous peoples wear those labels by virtue of the political conditions of the time, not only, and maybe not even primarily, by virtue of what some believe to be the inevitable processes of globalization. To respond to impending cultural annihilation by something akin to buying people a new set of costumes or recording phonemes or providing a stage for a dance to take place is, at best, to seriously miss the mark. At worst, it is a sham.

My last remaining objection to the ICH program is that it potentially provides an alibi for states that are a). doing nothing substantive about procuring and safeguarding the rights of cultural and ethnic minorities and indigenous peoples or b). undertaking active campaigns to suppress or curtail the cultural and political life of non-majority cultural and ethnic groups. Being able to point to the inclusion of some cultural practice on the Representative List of Intangible Cultural Heritage supports claims that

states are actually "safeguarding" non-majority groups, when in fact they are not. The Tibetan case (as other cases, such as the Uyghers) provides an apt example.

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ČUVANJE NEMATERIJALNE KULTURNE BAŠTINE I NEIZOSTAVNOST GUBITKA: PRIMJER TIBETA

Through the lens of intangible cultural heritage we can gain further insight into Tibetan identity issues; however, the reverse is also true – we can use the Tibetan example to further explore the idea of safeguarding intangible cultural heritage and some of its implications. This is the direction of this paper. While the UNESCO initiatives to safeguard intangible cultural heritage are laudable endeavors lending institutional weight to the idea that cultural diversity is a valued and important part of the heritage of humanity, some troubling questions also arise, when considering certain cases, that need to be further explored and addressed. This paper takes a look at how acts of cultural "safeguarding" and inclusion in a Representative List of Intangible Heritage signal, and maybe even contribute to, the further demise of the way of life that generated the cultural form in the first place, playing as it does on the received wisdom and folk notions of the inevitability of the march of modernization and globalization. The culture concept is implicated here and this paper sets out also to understand the meaning of the term in the context of the UNESCO programme. At root, the question that this paper addresses is for whom is culture being safeguarded, and to what ends?