
**MAKING THE CASE: SAFEGUARDING INTANGIBLE CULTURAL HERITAGE:
A SERIES OF THREE BRIEFING NOTES**

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LEGISLATIVE HISTORY: SAFEGUARDING INTANGIBLE CULTURAL HERITAGE

ISSUE:

The Canadian government has chosen not to sign the 2003 UNESCO Convention on the Safeguarding of Intangible Cultural Heritage (ICH), citing the nation's existing multiculturalist policies as the primary reason.

RECOMMENDATION:

Take action at the provincial level: following the lead of other provinces, Saskatchewan has the opportunity to create its own policies and programs aimed at safeguarding ICH.

KEY MESSAGES:

- The Canadian government's legislative focus has historically supported multiculturalism rather than the safeguarding of ICH.
- The Saskatchewan government has an opportunity to initiate its own programs aimed at safeguarding ICH at the provincial level.

BACKGROUND:

- 1971: Canada became one of the first countries to adopt a policy on multiculturalism; it was subsequently enacted into law in 1988, enshrining Aboriginal rights and official languages.
- UNESCO's Convention Concerning the Protection of the World Cultural and Natural Heritage signed and adopted by Canada in 1972.
- 1976: UNESCO launched the "Comprehensive Program on the Intangible (non-physical) Heritage", with the goal of promoting appreciation of and respect for cultural identity and intertwining the memory of humanity in both tangible and intangible culture.
 - Canada has signed onto subsequent international agreements on cultural protection, including the Recommendation on the Safeguarding of Traditional Culture and Folklore of 1989 and the Universal Declaration on Cultural Diversity of 2001.
- The Convention requires signatories to take necessary steps to ensure that ICH (ICH) present within the state's territory is safeguarded. This requires an identification of existing ICH, adopting appropriate policies and educational promotion and the inclusion of the widest possible range of participating communities, groups and individuals.
 - Inventory lists are maintained and published by the Committee to the Convention, codifying ICH according to two categories:
 1. The Representative List of the ICH of Humanity
 2. The List of ICH in Need of Urgent Safeguarding

CURRENT STATUS:

- Although Canada has chosen not to ratify the UNESCO Convention on the Safeguarding of Intangible Culture, various provinces have developed their own initiatives to safeguard intangible culture: Newfoundland and Labrador, Quebec, and British Columbia.
 - Newfoundland and Labrador:
 - Preservation of ICH was introduced as part of the province's Provincial Strategic Culture Plan in 2006. The Plan acknowledges the importance of ICH as an essential element of the collective self, which is modified and recreated by subsequent generations. Linking ICH to cultural and economic development, the Plan envisions a mechanism for recognizing and codifying ICH and maintaining inventories and documentation at the provincial level.
 - Quebec:
 - Quebec Declaration on the Preservation of the Spirit of Place was adopted in 2008, recognizing the tangible and intangible elements that constitute the spirit of place, acknowledging that the notion of "spirit of place" is a continually reconstructed process shared by multiple groups, varying in time, cultural understanding and practices of group memory.
 - British Columbia:
 - The Heritage Conservation Statutes Amendment Act (HCSAA) was proclaimed in 1994, introducing a tool kit for more effective management of community heritage resources by local government, the integration of heritage conservation into land use planning and an enhanced capacity to work with First Nations in the province.
 - Saskatchewan has not formally adopted a position on the issue of preserving ICH.

ANALYSIS:

- Signing the Convention would require consensus on which cultures and which elements of intangible culture would be recognized.
 - In a country such as Canada, where newcomers contribute to a constant growth in cultural diversity, such consensus may be difficult to achieve.
 - Risk: Potential political controversy surrounding which cultures do/do not qualify for protection
- The federal government would be required to develop, maintain and add to inventory lists of intangible cultural elements.
- It is unclear that this level of government is best suited to the task.

CULTURAL IMPACTS: SAFEGUARDING INTANGIBLE CULTURAL HERITAGE

ISSUE:

The Cultural impacts of recognizing Intangible Cultural Heritage (ICH) in Saskatchewan.

RECOMMENDATION:

Recognize, record, disseminate and promote ICH in Saskatchewan and use the expertise of Heritage Saskatchewan to develop strategies for its safeguarding.

KEY MESSAGE:

- With a growing and increasingly culturally diverse population, prioritizing the values of difference and togetherness by safeguarding ICH has the potential to contribute to more successful growth in Saskatchewan.

BACKGROUND:

- The UNESCO Convention for the Safeguarding of ICH encourages scholars, practitioners, individuals and community groups to safeguard traditional knowledge and practices central to community identities. This includes: healing practices; oral traditions such as storytelling, language and song; knowledge of local landscapes, nature and the universe; cultural cuisine, harvesting techniques and food preparation; festive events, customs, beliefs and cultural practices. Recognition, protection and promotion of ICH.
- ICH assumes the following:
 - ICH is not synonymous with 'old' traditions; rather it is continuously evolving as the composition of communities change. It includes the traditional and the contemporary at the same time;
 - Each member of a given community, whether rural or urban, possesses a piece of shared knowledge. ICH is based on the inclusion and representation of multiple voices;
 - The promotion of ICH is about protecting difference while promoting togetherness;
 - ICH is rooted in the instruments, objects, crafts, artefacts and cultural spaces which make the expression of living heritage possible;
 - Transmission and stewardship of ICH requires the coordination of those with the knowledge, ability and will to teach others and practitioners who are passionate about learning, protecting, and fostering the evolution of ICH;
 - ICH is fundamentally learned and preserved if it is lived.
- Currently, there is no legislation or programming in Saskatchewan that specifically recognizes or addresses ICH.

- More than 150 countries have signed onto the UNESCO ICH Convention. Canada is not one of them; however both Newfoundland and Labrador and Québec have implemented aspects of the Convention at a provincial level, setting an example for other provinces:
 - In 2006, the Province of Newfoundland and Labrador released its Provincial Cultural Strategy. The Strategy's mission is to ensure that ICH, both 'living heritage' and contemporary creativity, are recognized. Inspired by the UNESCO Convention, the Strategy has four goals: documentation and inventory; celebration and honoring tradition bearers; transmission or, ensuring that knowledge and skills are passed from person to person, generation to generation, and community to community; and, cultural industry, using ICH as a tool to build stronger communities.
 - Since 2011, Québec has identified over 26 categories of ICH and invested approximately \$600 Million dollars toward these causes. While Québec culture is defined primarily by its French roots in New France, the province's population has grown and become increasingly diverse. Utilizing the model of the UNESCO Convention, Québec has engrained ICH into the education of newcomers, ensuring that the traditional culture of the province lives on.

ANALYSIS:

- The UNESCO Convention affords protection to hundreds of different practices and traditions, which can be grouped into several categories:
 - Oral traditions and expressions, including language as a vehicle for ICH;
 - Performing arts;
 - Social practices, rituals and festive events;
 - Knowledge and practices concerning nature and the universe; and
 - Traditional craftsmanship.
- These categories provide a good starting point for thinking about the identification, protection and promotion of various forms of cultural expression in Saskatchewan.
- ICH in Saskatchewan can be reflective of the unique cultural features of the province. Oral traditions, for example, are fundamental to First Nations peoples. The use of storytelling, Indigenous languages, and cultural song are important teaching methods that are at risk of passing on alongside the traditional practitioners of these customs, First Nations elders.
- Waves of settlers from Eastern Europe, Western Europe, and more recently from Asia, Africa and South America have brought diverse cultural expressions to Saskatchewan. This affords interesting opportunities for protecting cultural dance, crafts, food and many other expressions that have contributed to the adaptation of life on the prairies, something reflective of Saskatchewan's identity as a place founded and grown by a mosaic of different people.
- Saskatchewan's strong foundation in agriculture and natural resources are accompanied by an array of planting and harvesting techniques, livestock practices and western ranching, and rodeo culture that could be classified as ICH. The buffalo, a historical western life bearer that was essentially driven to extinction from the North American prairies, provides a stark example of the risk of not protecting and preserving central elements of cultural and community life. Foods special to the provincial diet such as lentils, Saskatoon berries,

chokecherries, wild boar, and walleye - and their preparation, are potential candidates for induction into Saskatchewan's unique ICH.

ECONOMIC IMPACTS: SAFEGUARDING INTANGIBLE CULTURAL HERITAGE

ISSUE:

The economic value generated through the safeguarding of Intangible Cultural Heritage (ICH) is not well defined.

RECOMMENDATIONS:

- Ensure policies supporting the safeguarding of ICH for economic benefit appropriately consider risks of cultural misappropriation and misrepresentation, intellectual property issues, the impacts of validating a specific variation of a cultural practice, and the ability of a culture to be practiced and evolve, rather than just preserved.
- Encourage participation and ownership by the local cultural community to ensure the appropriate representation, renegotiation, and reinterpretation of ICH, and also to ensure that benefits are directed towards that community. Utilizing a shared responsibility for ICH is appropriate in the context of Canadian diversity and multiculturalism.

KEY MESSAGE:

- Economic benefits can be derived from safeguarding ICH, but the process is not without risks.

BACKGROUND:

- UNESCO definition: safeguarding ICH refers to “measures aimed at ensuring the viability of the ICH, including the identification, documentation, research, preservation, protection, promotion, enhancement, transmission, particularly through formal and non-formal education, as well as the revitalization of the various aspects of such heritage.”
- The loss of ICH is manifested in various ways: cultural practices and traditions not being passed on and continued in families or communities, languages disappearing; cultural diversity and distinctiveness being lost.
- Common Efforts to Safeguard ICH:
 - Digitizing records succeeds in making the ICH tangible and preserved. Benefits of the approach include accessibility, preservation, and the creation of some economic benefit through digitization employment and industry.
 - Museums offer a tangible interpretation and representation of ICH that may have many variants and evolutions, and provides economic value through industry, employment, and tourism. They also allow the transmission of ICH beyond the communities in which that heritage is created.

- Supporting practitioners to keep the cultural practice in question alive, an approach used in Korea is the concept of “Living Human Treasures” who are publicly supported to hone their craft, and train new practitioners with salary, benefits, performance space, and other resources or privileges.
- Cultural heritage tourism has major social and economic benefits: cultural tourism has been demonstrated to establish and reinforce cultural identity, help preserve heritage, and facilitate harmony and understanding between different cultural groups.
- Similarly, ICH has a direct economic value resulting from the consumption of its products by the community itself or by others through trade.
- Community events can be used as cultural identity-forming tools, and can be extended to include the greater community to share in and experience a cultural event while generating a positive economic impact for the cultural community or the community at large.
- Canada is a popular immigration destination. Immigrants are attracted to communities where they will be able continue participating in their native culture while contributing to the Canadian economy, through international trade and participating in the labour market.

ANALYSIS:

- There are several key opportunities to create economic value through the safeguarding of ICH. However, these opportunities are also subject to risks. Risks include:
 - Cultural misappropriation, illegitimate use, and misrepresentation, due to the commodification of cultural heritage. This has raised significant questions and concerns in terms of intellectual property of ICH.
 - The preservation of very static forms of heritage, hindering cultural evolution and excluding valid variants of “official” cultural practices.
- Policies that support these activities financially or otherwise must consider the following principles:
 - Mitigation of intellectual property concerns and cultural appropriation risks become increasingly relevant, especially in a digital world. How will value be created for the local communities (geographic and otherwise) that live, practice, and create the cultural heritage in question? Will the activities be a vehicle for the communities to both reap economic benefits and sustain the practice of their culture?
 - Following the spirit of the UNESCO convention, the concept of safeguarding includes much more than preserving a static culture, which could risk its irrelevance and destruction. How will these opportunities aid in the sustainment and evolution of cultural heritage practices? How will practices engage youth and future generations? Positive economic impacts of ICH can be created more effectively by ensuring that the concept of cultural heritage is evolving and relevant to today’s and future generations.
 - Within the Canadian context, practices will need to consider multiculturalism and cultural diversity, and ensure that policies are not exclusionary to only one variation of cultural heritage. The “local” perspective can take the approach that ICH is neither static nor specific, but is necessarily a re-interpretation and renegotiation of a historical and traditional heritage. Consequently, the costs associated with this approach are high.