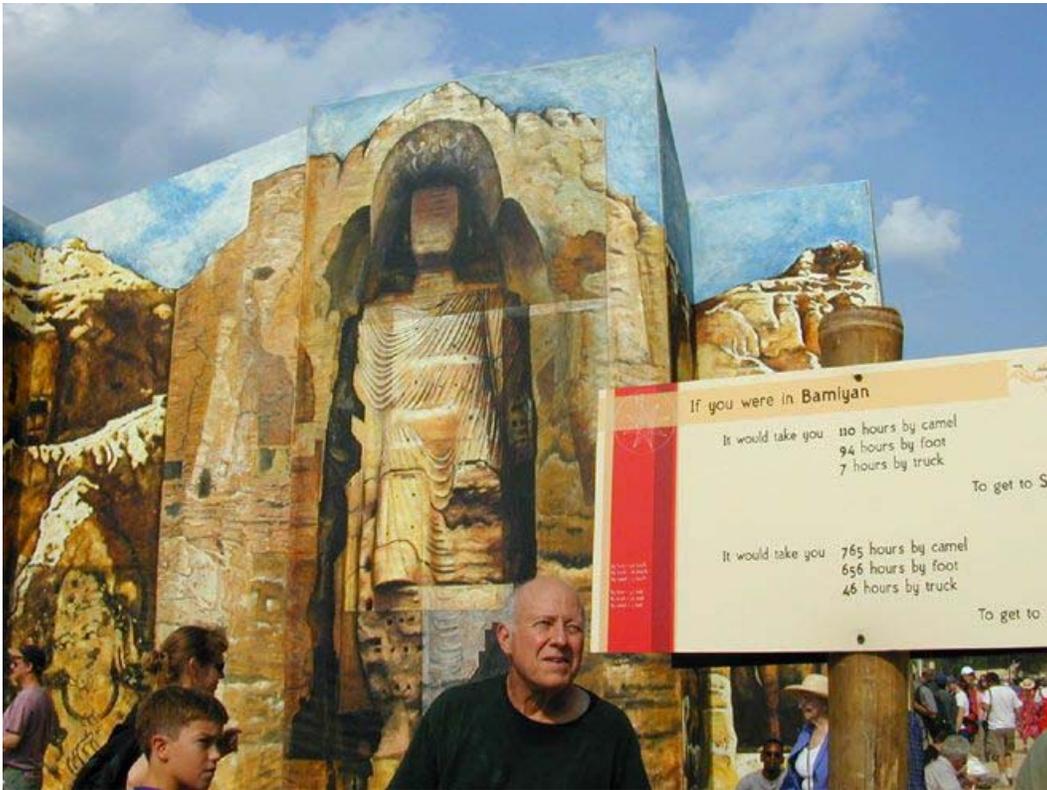


Forthcoming in *Museum Frictions: Public Cultures/Global Transformations*, edited by Ivan Karp and Corinne Kratz, with Gustavo Buntinx, Barbara Kirshenblatt-Gimblett, Ciraj Rassool, Lynn Szwaja, and Tomás Ybarra-Frausto

World Heritage and Cultural Economics

Barbara Kirshenblatt-Gimblett



The Silk Road: Connecting Cultures, Creating Trust, 36th Annual Smithsonian Folklife Festival, 2002

This essay works towards a notion of global public sphere through an analysis of UNESCO's efforts to define and protect world heritage. I will argue that world heritage is a vehicle for envisioning and constituting a global polity within the conceptual space of a global cultural commons. The asymmetry between the *diversity* of those who produce cultural assets in the first place and the *humanity* to which those assets come to belong as world heritage gives to this commons its paradoxical character.

Central to my argument is the notion that heritage is created through metacultural operations that extend museological values and methods (collection, documentation, preservation, presentation, evaluation, and interpretation) to living persons, their knowledge, practices, artifacts, social worlds, and life spaces. While heritage professionals use concepts, standards, and regulations to bring cultural phenomena and practitioners into the heritage sphere, where they become metacultural artifacts, whether "Living National Treasures" or "Masterpieces of Oral and Intangible Heritage of Humanity," the performers, ritual specialists, and artisans whose "cultural assets" become heritage through this process experience a new relationship to those assets, a metacultural

relationship to what was once just habitus. Once habitus becomes heritage, to whom does it belong? How does heritage come to belong to all of humanity?

The essay addresses these questions with special reference to intangible heritage, the most recent category of world heritage formulated by UNESCO. After briefly presenting the history of UNESCO's efforts to define intangible heritage, I examine two cases—UNESCO's list of Masterpieces of Oral and Intangible Heritage of Humanity and several Silk Roads projects—in order to demonstrate how valorization, regulation, and instrumentalization alter the *relationship* of cultural assets to those who are identified with them, as well as to others. More specifically, such instrumentalizations produce an asymmetry between the *diversity* of those who produce cultural assets in the first place and the *humanity* to which those assets come to belong as world heritage.

To better understand this asymmetry, I explore the difference between cultural diversity and cultural relativity and, following from this distinction, the difference between *celebrating* diversity and *tolerating* difference. I argue that diversity works centrifugally by generating cultural assets that can be universalized as world heritage, a process that expands the beneficiaries to encompass all of humanity—your culture becomes everyone's heritage—consistent with Maxim Gorki's dictum that “Being most characteristic shall enable one to be universal.”¹ In contrast, relativity works centripetally by invoking tolerance of difference to protect, insulate, and strengthen the capacities within individuals and communities to resist efforts to suppress their cultural practices, particularly in situations of religious and cultural conflict—a live and let live approach.

Thus, in July 2003, UNESCO announced the simultaneous emergency inscription on the World Heritage List and List of World Heritage in Danger of two sites—Ashur (Qal'at Sherqat) in Iraq and the Bamiyan Valley in Afghanistan, where ruins of the monumental Buddhas destroyed by Taliban in March 2001 are located—and explained that “The [Bamiyan Valley] site symbolizes the hope of the international community that extreme acts of intolerance, such as the deliberate destruction of the Buddhas, are never repeated again.”² The limits of relativity—and tolerance—were captured on a January 17, 2000 banner protesting the flying of the Confederate flag over the South Carolina statehouse, which declared: “Your heritage is my slavery.”³

The tension between diversity and relativity—and their relationship to universal human rights—informs my analysis of the role of world heritage in defining a global cultural commons and global public sphere, consistent with UNESCO's twin goals of peace and prosperity. However, without prosperity there can be no peace and culture may well be part of the problem—to mention only the violence arising from ethnic and religious conflicts and the economic consequences of culturally sanctioned resistance to educating women. World heritage offers a way to make culture part of the solution: first, through the metacultural operations that alter the relationship of all parties to the cultural assets in question; second, by modeling not only peaceful coexistence based, at the very least, on

1 This statement appears as an epigraph to an excerpt from the statement by Federico Mayor, Directeur général de l'UNESCO, at the Conférence intergouvernementale sur les politiques culturelles pour le développement, Stockholm 1998. The statement appears on the International Directory of Intangible Cultural Heritage website, <http://www.culturaldiversity.cioff.ch/en/patrimoine.html>.

2 UNESCO Press, Emergency Inscription of Bamiyan and Ashur on World Heritage List, Press Release N° 2003-39. 02-07-2003 7:05 pm, http://portal.unesco.org/en/ev.php@URL_ID=13285&URL_DO=DO_PRINTPAGE&URL_SECTION=201.html.

3 “King Day Honors the Man, His Message: 50,000 March for Removal of Confederate Flag Statehouse Banner ‘Is Coming Down Today,’ Marchers Sing,” The Associated Press, St. Louis Post-Dispatch, St. Louis, Mo., Jan 18, 2000, p. A.1.

tolerance of difference and, at best, by bequeathing the fruits of cultural diversity to humanity; and finally by making world heritage an engine of economic development by adding value to cultural assets that are not otherwise economically sustainable locally or globally and are therefore in danger of disappearing.

Tourism is the largest industry or largest source of foreign currency in many developing countries. Paradoxically, it is underdevelopment, transvalued as a heritage, which becomes the basis for economic development through tourism. A strong tourist economy is a barometer of political stability and violence is anathema to tourism everywhere, to mention only Kenya, whose largest industry and source of foreign earnings is tourism; Israel, whose economy though more diversified still relies on tourism; and New York City after the attacks on the World Trade Center. Indeed, the events and aftermath of September 11 have shaken the tourism industry worldwide.⁴

With the World Bank now factoring culture into economic development and treating culture itself as an opportunity for investment, there have emerged economic theories of valuation for calculating the monetary value of culture, understood as a public good. However, while culture is an externality in economic theories of markets (the idea that markets operate according to their own logic and can be accounted for without reference to culture), economics is not an externality in theories of culture.⁵ The economic basis for habitus and habitat is integral to what they are and different from the economic basis for protecting them, which is also to constitute them, as heritage.

The essay concludes with a discussion of cultural economics that proceeds from the idea that world heritage as a phenomenon arises from the very processes of globalization that were supposed to homogenize world culture. Promoters of world heritage offer it as an antidote to the homogenizing effects of economic globalization, but world heritage is actually made possible by globalization, both in political and economic terms, the most important of which is cultural tourism. World heritage, like world's fairs and museums, are part of a world system, within which the world is to be convened, a world image projected, and a world economy activated.⁶ The degree to which these processes generate one or more global public spheres—spaces of relatively autonomous critical debate—remains to be seen.⁷

Intangible Heritage

Since World War II, UNESCO has supported a series of world heritage initiatives, starting with tangible heritage, both immovable and movable, and expanding to natural heritage and most recently to intangible heritage.⁸ Although there are three separate heritage lists, there is increasing awareness of the arbitrariness of the categories and their interrelatedness. *Tangible heritage* is defined as “a monument, group of buildings or site

⁴ See the reports of the WTO (World Tourism Organization) Tourism Recovery Committee, http://www.world-tourism.org/market_research/recovery/home.htm.

⁵ Some cultural economists are trying to address this issue. See David Throsby, Economic and Cultural Value in the Work of Creative Artists, in *Values and Heritage Conservation: Research Report*, ed. Erica Avrami, Randall Mason, and Marta de la Torre (Los Angeles: The Getty Conservation Institute, 2000), 26-31, <http://www.getty.edu/conservation/resources/valuesrpt.pdf>.

⁶ See Roland Robertson, *Globalization: Social Theory and Global Culture* (London: Sage, 1992).

⁷ The work of George Yudice and Toby Miller on cultural policy is relevant here. See Toby Miller and George Yudice, *Cultural Policy* (Thousand Oaks, CA: Sage Publications, 2002) and George Yudice, *The Expediency of Culture: Uses of Culture in the Global Era* (Durham: Duke University Press, 2003).

⁸ Several histories of UNESCO's heritage initiatives have been written. For a particularly thoughtful account, see Jan Turtinen, *Globalising Heritage: On UNESCO*, SCORE Rapportserie 12 (2000).

of historical, aesthetic, archaeological, scientific, ethnological or anthropological value” and includes such treasures as Angkor Wat, a vast temple complex surrounding the village of Siem Reap in Cambodia; Robbin Island in Capetown, where Nelson Mandela was incarcerated for most of the twenty-six years of his imprisonment; Teotihuacan, the ancient pyramid city outside of Mexico City; and the Wieliczka Salt Mine, not far from Cracow, which has been mined since the thirteenth century.

Natural heritage is defined as “outstanding physical, biological, and geological features; habitats of threatened plants or animal species and areas of value on scientific or aesthetic grounds or from the point of view of conservation” and includes such sites as the Red Sea, Mount Kenya National Park, the Grand Canyon, and most recently Brazil’s Central Amazon Conservation Complex.⁹ Natural heritage initially referred to places with special characteristics, beauty, or some other value, but untouched by human presence, that is, as wilderness, but most places on the natural heritage list—and in the world—have been shaped or affected in some way by people, an understanding that has changed the way UNESCO thinks about natural heritage. At the same time, natural heritage, conceptualized in terms of ecology, environment, and a systemic approach to a living entity, provides a model for thinking about intangible heritage as a totality, rather than as an inventory, and for calculating the intangible value of a living system, be it natural or cultural.

Over several decades of trying to define *intangible heritage*, previously and sometimes still called folklore, there has been an important shift in the concept of intangible heritage to include not only the masterpieces, but also the masters. The earlier folklore model supported scholars and institutions to document and preserve a record of disappearing traditions. The most recent model aims to sustain a living, if endangered, tradition by supporting the conditions necessary for cultural reproduction. This means according value to the “carriers” and “transmitters” of traditions, as well as to their habitus and habitat. Whereas like tangible heritage, intangible heritage is culture, like natural heritage, it is alive. The task, then, is to sustain the whole system as a living entity and not just to collect “intangible artifacts.”

UNESCO’s efforts to establish an instrument for the protection of what it now calls intangible heritage dates from 1952. The focus on legal concepts, such as intellectual property, copyright, trademark, and patent, as the basis for protecting what was then called folklore, failed—folklore by definition is not the unique creation of an individual, it exists in versions and variants rather than in a single, original, and authoritative form, it is generally created in performance and transmitted orally, by custom or example, rather than in tangible form (writing, notating, drawing, photographs, recordings).¹⁰

During the eighties, legal issues were distinguished from preservation measures and in 1989 the UNESCO General Conference adopted the Recommendation on the Safeguarding of Traditional Culture and Folklore.¹¹ Dated May 16, 2001, the Report on the Preliminary Study on the Advisability of Regulating Internationally, Through a New Standard-Setting Instrument, the Protection of Traditional Culture and Folklore significantly shifted the terms of the 1989 document. First, rather than emphasize the role

9 “Defining our Heritage,” <http://www.unesco.org/whc/intro-en.htm>. Date: 15/01/2003

10 WIPO (World Intellectual Property Organization) is making efforts to deal with these issues as are such organizations as Secretariat of the Pacific Community in Noumea, New Caledonia. See their *Regional Framework for the Protection of Traditional Knowledge and Expressions of Culture* (2002).

11 UNESCO, Recommendation on the Safeguarding of Traditional Culture and Folklore Adopted by the General Conference at its twenty-fifth session, Paris, 15 November 1989, http://www.unesco.org/culture/laws/paris/html_eng/page1.shtml.

of professional folklorists and folklore institutions to document and preserve the records of endangered traditions, it focused on sustaining the traditions themselves by supporting the practitioners. This entailed a shift from artifacts (tales, songs, customs) to people (performers, artisans, healers), their knowledge and skills. Inspired by approaches to natural heritage as living systems and by the Japanese concept of Living National Treasure, which was given legal status in 1950, the 2001 document recognized the importance of enlarging the scope of intangible heritage and the measures to protect it. The continuity of intangible heritage would require attention not just to artifacts, but above all to persons, as well as to their entire habitus and habitat, understood as their life space and social world.

Accordingly, UNESCO defined intangible heritage as:

All forms of traditional and popular or folk culture, i.e. collective works originating in a given community and based on tradition. These creations are transmitted orally or by gesture, and are modified over a period of time through a process of collective recreation. They include oral traditions, customs, languages, music, dance, rituals, festivities, traditional medicine and pharmacopoeia, the culinary arts and all kinds of special skills connected with the material aspects of culture, such as tools and the habitat.¹²

And, at the March 2001 meeting in Turin, the definition further specified:

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.¹³

This holistic and conceptual approach to the definition of intangible heritage is accompanied by a definition in the form of an inventory, a legacy of earlier efforts at defining oral tradition and folklore:

The totality of tradition-based creations of a cultural community, expressed by a group or individuals and recognized 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, customs, handicrafts, architecture and other arts.¹⁴

Elsewhere in the *Implementation Guide*, terms like “traditional,” “popular,” and “folk” situate oral and intangible heritage within an implicit cultural hierarchy made explicit in the explanation of “What for, and for whom?”: “For many populations (especially

12 UNESCO, Intangible Heritage. Last update 24/03/03, http://www.unesco.org/culture/heritage/intangible/html_eng/index_en.shtml. This formulation is close to the one in UNESCO's 1989 Recommendation on the Safeguarding of Traditional Culture and Folklore.

13 Quoted in UNESCO, Report on the Preliminary Study on the Advisability of Regulating Internationally, Through a New Standard-Setting Instrument, the Protection of Traditional Culture and Folklore, UNESCO Executive Board, Hundred and sixty-first Session, 161 EX/15, PARIS, 16 May 2001. Item 3.4.4 of the provisional agenda, paragraph 26, <http://unesdoc.unesco.org/images/0012/001225/122585e.pdf>

14 UNESCO, Recommendation on the Safeguarding of Traditional Culture and Folklore, 1989.

minority groups and indigenous populations), the intangible heritage is the vital source of an identity that is deeply rooted in history.”¹⁵

Neologisms like First Peoples (rather than Third World) and Les Arts Premiers (rather than Primitive Art) similarly preserve the notion of cultural hierarchy, while effecting a terminological reshuffling of the order, as can be seen with special clarity in the reorganization of museums and collections in Paris, including the dissolution of the Musée des Arts Africains et Océaniens and Musée national des Arts et Traditions Populaires, redistribution of the collection of the Musée de l'Homme, and creation of two new museums—Musée du quai Branly, which is dedicated to the “arts and civilizations of Africa, Asia, Oceania, and the Americas” in Paris, and the Musée des civilisations de l'Europe et de la Méditerranée, in Marseilles.¹⁶ Since April 2000, highlights of the African, Oceanian, and American collections that will eventually be shown at the Musée du quai Branly are being showcased for the first time in the Louvre’s Pavillon des Sessions, which has become the museum’s Salles des “arts premiers.”¹⁷ The presence of these works at the Louvre is taken as a long awaited answer to the question posed in 1920 by the art critic Félix Fénéon, “*Iront-ils au Louvre?*”¹⁸

These developments at the national level are consistent with UNESCO’s efforts to mobilize state actors “to take the necessary measures for the safeguarding of the intangible cultural heritage present in its territory.”¹⁹ UNESCO’s role is to provide leadership and guidance, to create international agreement and cooperation by convening national representatives and experts, and to lend its moral authority to the consensus they build in the course of an elaborate and extended process of deliberation, compromise, and reporting. This process produces agreements, recommendations, resolutions, and provisions. The resulting covenants, conventions, and proclamations invoke rights and obligations, formulate guidelines, propose normative and multilateral instruments, and call for the establishment of committees. The committees are to provide guidance, make recommendations, advocate for increased resources, and examine requests for inscription on lists, inclusion in proposals, and international assistance. Recommendations are to be implemented at both national and international levels. State parties are to define and identify the cultural assets in their territory by creating inventories. They are to formulate heritage policy and create bodies to carry out that policy. They are expected to establish institutions to support documentation of cultural assets and research into how best to safeguard them, as well as to train professionals to manage heritage. They are supposed to promote awareness, dialogue, and respect through such valorizing devices as the list.

The List

On May 18, 2001, after decades of debate over terminology, definition, goals, and safeguarding measures for what had previously been designated “traditional culture and

15 Intangible Heritage, UNESCO, http://mirror-us.unesco.org/culture/heritage/intangible/html_eng/index_en.shtml.

16 See Musée du quai Branly <http://www.quaibrantly.fr/?R=2> and Le projet [Musée des civilisations de l'Europe et de la Méditerranée], <http://www.musee-europemediterranee.org/projet.html>

17 See Press kit, Inauguration du pavillon des Sessions, Palais du Louvre, April 2000, Ministère de l'éducation nationale, de la recherche et de la technologie, <http://www.quaibrantly.fr/IMG/pdf/doc-640.pdf>

18 Félix Fénéon et al, *Iront-ils au Louvre?: Enquête sur des arts lointains* [1920], reprint edition (Toulouse: Éditions Toguna, 2000).

19 This account is based on the most recent draft, as of this writing, of the intangible heritage convention: Consolidated Preliminary Draft Convention for the Safeguarding of Intangible Heritage, Third Session of the Intergovernmental Meeting of Experts on the Preliminary Draft Convention for the Safeguarding of Intangible Cultural Heritage, Paris, UNESCO Headquarters, 2-14 June 2003.

folklore”—and before the “Report on the Preliminary Study on the Advisability of Regulating Internationally, Through a New Standard-Setting Instrument, the Protection of Traditional Culture and Folklore was presented to the UNESCO Executive Board”—UNESCO finally announced the first nineteen “Masterpieces of Oral and Intangible Heritage of Humanity.”²⁰ What is the nature of such lists, and why, when all is said and done, is a list the most tangible outcome of decades of UNESCO meetings, formulations, reports, and recommendations? Some of those involved in the process of developing the intangible heritage initiative had hoped for cultural rather than metacultural outcomes—they wanted to focus on actions that would directly support local cultural reproduction, rather than on creating metacultural artifacts such as the list.

James Early, Director of Cultural Heritage Policy for the Smithsonian’s Center for Folklife and Cultural Heritage, and Peter Seitel, Project Co-Coordinator for the UNESCO/Smithsonian World Conference, reported their disappointment that “UNESCO’s institutional will became focused on adopting the Masterpieces program as UNESCO’s sole project in a new convention on ICH [Intangible Cultural Heritage]” that would make the convention a tool for “national governments to proclaim the richness of their cultural heritage,” rather than focus on the culture-bearers themselves.²¹ The Call for Action in the proceedings of the 1999 Smithsonian-UNESCO meeting on Safeguarding Traditional Cultures specified a wide range of actions that could be taken with and on behalf of culture bearers.²² While acknowledging the importance of valorizing cultural assets, the Call for Action did not stop there. Nor did it specifically recommend the creation of a list of the Masterpieces of Oral and Intangible Heritage of Humanity.

Not only is each word in this phrase highly charged, but also the phrase itself suggests that heritage exists, as such, prior to—rather than as a consequence of—UNESCO’s definitions, listings, and safeguarding measures. I have argued elsewhere that heritage is a mode of cultural production that gives the endangered or outmoded a second life as an exhibition of itself.²³ Indeed, one of UNESCO’s criteria for designation as a masterpiece of intangible heritage is the vitality of the phenomenon in question: if it is truly vital, it does not need safeguarding; if it is almost dead, safeguarding will not help.

Accordingly, the proclamation of the first nineteen “Masterpieces of Oral and Intangible Heritage of Humanity” included:

- The Garifuna Language, Dance and Music, Belize (nominated with the support of Honduras and Nicaragua)
- The Oral Heritage of Gelede, Benin (supported by Nigeria and Togo)
- The Oruro Carnival, Bolivia
- Kunqu Opera, China
- The Gbofe of Afounkaha: the Music of the Transverse Trumpets of the Tagbana Community, Côte d’Ivoire

20 UNESCO Press kit, Proclamation of Masterpieces of the Oral and Intangible Heritage of Humanity, http://www.unesco.org/bpi/intangible_heritage/ and UNESCO, Proclamation of Masterpieces of the Oral and Intangible Heritage of Humanity, 18 May 2001, http://www.unesco.org/culture/heritage/intangible/masterp/html_eng/declar.shtml.

21 James Early and Peter Seitel, “UNESCO Meeting in Rio: Steps toward a Convention,” *Smithsonian Talk Story*, no. 21 (Spring 2002), 13.

22 Peter Seitel, ed., *Safeguarding Traditional Cultures: A Global Assessment of the 1989 UNESCO Recommendation on the Safeguarding of Traditional Culture and Folklore* (Washington, D.C.: Center for Folklife and Cultural Heritage, Smithsonian Institution, 2001).

23 See Barbara Kirshenblatt-Gimblett, “Destination Museum” in *Destination Culture: Tourism, Museums, and Heritage* (Berkeley: University of California Press, 1998), 131-176.

- The Cultural Space of the Brotherhood of the Holy Spirit of the Congos of Villa Mella, Dominican Republic
- The Oral Heritage and Cultural Manifestations of the Zápara People, Ecuador and Peru
- Georgian Polyphonic Singing, Georgia
- The Cultural Space of ‘Sosso-Bala’ in Niagassola, Guinea
- Kuttiyattam Sanskrit Theatre, India
- Opera dei Pupi, Sicilian Puppet Theatre, Italy
- Nôgaku Theatre, Japan
- Cross Crafting and its Symbolism in Lithuania, Lithuania (supported by Latvia)
- The Cultural Space of Djamaa el-Fna Square, Morocco
- Hudhud Chants of the Ifugao, Philippines
- Royal Ancestral Rite and Ritual Music in Jongmyo Shrine, Republic of Korea
- The Cultural Space and Oral Culture of the Semeiskie, Russian Federation
- The Mystery Play of Elche, Spain
- The Cultural Space of the Boysun District Uzbekistan

Consistent with the stated criteria, this list recognizes communities and cultural manifestations not represented on the tangible heritage list, including the orature, performance, language, and ways of life of indigeneous peoples and minorities.²⁴

Responses to UNESCO’s first proclamation of Masterpieces of the Oral and Intangible Heritage of Humanity have been mixed. In an article entitled “Immaterial Civilization,” which appeared in *The Atlantic Monthly*, Cullen Murphy, noting the campaign of Alfonso Pecoraro Scanio to have pizza declared a masterpiece of world heritage, found the UNESCO list underwhelming: “These are indisputably worthy endeavors. But the overall impression is of program listings for public television at 3:00 A.M.” Murphy proceeded to offer candidates of her own for the 2003 list. They included the white lie, the weekend, and the passive voice, among others.²⁵ Such ironic statements index the process by which life becomes heritage and the contemporaneous (those in the present who are valued for their pastness) becomes contemporary (those of the present who relate to their past as heritage).²⁶

While the white lie, the weekend, and passive voice would not pass the test of being endangered masterpieces, such commentaries are a reminder that a case could be (and has not been) made for the intangible heritage of any community since there is no community without embodied knowledge that is transmitted orally, gesturally, or by example. By making a special place for those left out of the other two World Heritage programs, UNESCO has created an intangible heritage program that is also exclusive in its own way (and not entirely consistent with its stated goals). Thus, the Bolshoi Ballet and Metropolitan Opera do not and are not likely to make the list, but Nôgaku, which is not a minority or indigenous cultural form, does makes the list. All three involve formal training, use scripts, are the products of literate cultures, and transmit embodied knowledge from one performer to another. Moreover, Japan is well-represented on the other world heritage lists and the Japanese government has been protecting Nôgaku, a Japanese theater form, as an Intangible National Property since 1957.

24 See Peter J. M. Nas, Masterpieces of Oral and Intangible Culture: Reflections on the UNESCO World Heritage List, *Current Anthropology* 43, no. 1 (2002): 139-48.

25 Cullen Murphy, *Immaterial Civilization*, *The Atlantic Monthly* 288, no. 2 (2001):20-22. This gesture is reminiscent of Horace Miner’s classic essay *Body Ritual among the Nacirema*, *American Anthropologist* (1956) 58, no. 3:503-507. Nacirema is, of course, American spelled backwards.

26 I am adapting a distinction made by Johannes Fabian in *Time and the other* how anthropology makes its object (New York: Columbia University Press, 1983).

By admitting cultural forms associated with royal courts and state-sponsored temples, as long as they are not European, the intangible heritage list preserves the division between the West and the rest and produces a phantom list of intangible heritage, a list of that which is not indigenous, not minority, and not non-Western, though no less intangible.²⁷

World heritage lists arise from operations that convert selected aspects of localized descent heritage into a translocal consent heritage—the heritage of humanity.²⁸ While the candidates for recognition as Masterpieces of Oral and Intangible Heritage of Humanity are defined as traditions—that is, by mode of transmission (orally, by gesture, or by example)—world heritage as a phenomenon is not. As a totality—as the heritage of humanity—it is subject to interventions that are alien to what defines the constituent masterpieces in the first place. World heritage is first and foremost a list. Everything on the list, whatever its previous context, is now placed in a relationship with other masterpieces. The list is the context for everything on it.²⁹

The list is also the most visible, least costly, and most conventional way to “do something”—something symbolic—about neglected communities and traditions. Symbolic gestures like the list confer value on what is listed, consistent with the principle that you cannot protect what you do not value. UNESCO places considerable faith—too much faith, according to some participants in the process—in the power of valorization to effect revitalization.³⁰

In addition to maintaining the list, UNESCO also selects and supports proposals for various programs and projects, “taking into account the special needs of developing countries.”³¹ Such projects include documentation, both the preservation of archives and the recording of oral traditions; the creation of research institutes and organization of scientific expeditions; conferences, publications and audio-visual productions; educational programs; cultural tourism, including the development of museums and exhibitions, restoration of sites, and creation of tourist routes; and artistic activities such as festivals and films.

The festival is the showcase, par excellence, for the presentation of intangible heritage, and the 2002 Smithsonian Folklife Festival, which was dedicated to the Silk Road, is a

27 Good intentions create unintended distortions also familiar in arts funding in the United States, which divide the cultural field so that Western classical and contemporary art is funded through such categories as Dance, Music, Theater, Opera, Musical Theater, Literature, and Design, Visual Arts divisions. At the National Endowment for the Arts, everything else goes to Folk and Traditional Arts or Multidisciplinary Arts, which includes “interdisciplinary work deeply-rooted in traditional or folk forms that incorporates a contemporary aesthetic, theme, or interpretation” (<http://www.nea.gov/artforms/Multi/Multi2.html>). At the New York State Council for the Arts (<http://www.nysca.org>), the comparable divisions are Folk Arts (“living cultural heritage of folk art”) and Special Arts Services (support for “professional arts activities” in and for “African/Caribbean, Latino/Hispanic, Asian/ Pacific Islander, Native American/ Indian communities,” and other distinctive ethnic communities).

28 On the distinction between descent and consent, see Werner Sollors, *Beyond Ethnicity: Consent and Descent in American Culture* (New York: Oxford University Press, 1988).

29 On the list as an instrument of historic preservation, see Mark J. Schuster, *Making a List and Checking It Twice: The List as a Tool of Historic Preservation*, CPC [Cultural Policy Center at the University of Chicago] Working Paper 14 (2002).

30 This is the language in Consolidated Preliminary Draft Convention for the Safeguarding of Intangible Heritage, Third Session of the Intergovernmental Meeting of Experts on the Preliminary Draft Convention for the Safeguarding of Intangible Cultural Heritage, Paris, UNESCO Headquarters, 2-14 June 2003.

31 Article 18, 1. Consolidated Preliminary Draft Convention for the Safeguarding of Intangible Heritage.

prime example of putting policy into practice.³² The following account of the 2002 Smithsonian Folklife Festival, a living museum of intangible heritage from countries along the Silk Road, explores what is created—as opposed to safeguarded—when culture becomes heritage. Of special interest is how the process of safeguarding, which includes defining, identifying, documenting, and presenting particular cultural traditions and their practitioners, produces something metacultural. What is produced includes not only an altered relationship of practitioners to their art, but also distinctive artifacts such as the list, the route, and the folklife festival itself. The following analysis of the 2002 Smithsonian Folklife Festival’s staging of the Silk Road, which was coordinated with UNESCO’s Silk Roads project, will explore how such metacultural artifacts give form to the idea of an imagined global cultural commons and with what intended and unintended consequences.

The Silk Road

While lists have a long history within UNESCO’s heritage efforts, the organizing of heritage efforts around a route or road is a more recent development dating from 1988, when UNESCO proclaimed the World Decade for Cultural Development and established two ten-year projects, Iron Roads in Africa and The Silk Roads. UNESCO inaugurated the Slave Route project in 1993 and shortly thereafter the Routes of al-Andalus and Routes of Faith. In 1997, when UNESCO created a new project dedicated to East-West Intercultural Dialogue in Central Asia, it extended The Silk Roads project. In November 1998, the year 2001 was declared as the "United Nations Year of Dialogue among Civilizations." Despite resistance from some quarters to this declaration, the various routes programs have since been subsumed under this heading.

Taking historical roads and routes as an organizing principle, UNESCO found a way to use travel and trade as positive historical reference points for globalization and models of cultural dialogue and exchange:

Throughout history, peoples have exchanged cultural experience, ideas, values and goods through art, trade and migrations. Human history is the tale of such journeys. As we cross into the twenty-first century, we too have embarked on a journey - whose destination holds out the promise of justice, well-being and a peaceful existence for all. These encounters, in which individual travellers or communities have conveyed their ideas and customs across whole continents and oceans, are celebrated in a series of UNESCO projects.³³

By 1997, the message of The Silk Roads had crystallized: “common heritage and plural identity.”³⁴ Unlike lists, routes and roads, networks and webs offered a strategy for linking subnational phenomena to transnational ones in the face of intractable intranational and international conflicts.

UNESCO’s Silk Roads project is one of three major initiatives on this subject, the other two being The Silk Road Project, Inc., produced by Yo-Yo Ma, since 1998, and The Silk Road: Connecting Cultures, Creating Trust, the theme of the 2002 Smithsonian Folklife

32 On the festival as a museum of live performance, see Barbara Kirshenblatt-Gimblett, “Objects of ethnography,” in *Destination Culture: Tourism, Museums, and Heritage* (Berkeley: University of California Press, 1998), 17-78.

33 UNESCO, Intercultural Dialogue, http://www.unesco.org/culture/dialogue/html_eng/index_en.shtml.

34 The Silk Roads: East-East Intercultural Dialogue in Central Asia, Culture and UNESCO, http://firewall.unesco.org/culture/silkroads/html_eng/eastwest.htm. Last update 13/03/00.

Festival on the national mall in Washington, D.C. in collaboration with Yo-Yo Ma.³⁵ Given the role of the Smithsonian's Center for Folklife and Cultural Heritage in helping UNESCO formulate a workable concept of intangible heritage and the Center's leadership in the field of public folklore in the United States, an analysis of what the Center actually does in practice-how it conceptualizes and deals with "intangible heritage"-provides a counterpoint to UNESCO policy documents and conference proceedings, as well as insights into specifically American approaches to "public folklore," a professional enterprise that has developed over the last four decades.³⁶

The Center for Folklife and Cultural Heritage at the Smithsonian is one of three Washington, D.C. federal agencies engaged in this field. The other two are the American Folklife Center at the Library of Congress and the Folk and Traditional Arts program of the National Endowment of the Arts, which is largely responsible for the creation of many state folklorist positions. A metacultural phenomenon, public folklore is a distinctively American creation. *Volkskundler* (folklorists) in Germany, Switzerland, and Austria, for example, find it difficult to conceive of the possibility of public folklore in Europe. After the corruption of *Volkskunde* during the Nazi period, today's *Volkskundler* see themselves as public intellectuals whose role is to provoke critical debate in the public sphere, rather than to participate in the production of heritage.³⁷ In contrast, the Smithsonian's Center for Folklife and Cultural Heritage has succeeded in developing progressive practices, theorizing them, and subjecting their own work to critical scrutiny.

For the first time in its thirty-six year history, the Smithsonian Folklife Festival was organized around one theme, the Silk Road, rather than featuring one country, one state, and a thematic area, as it normally does.³⁸ Conceived as "a living exhibition of the music, crafts, culinary and narrative traditions involved in the historic cultural interchange between the 'East' and the 'West,'" the Smithsonian Folklife Festival did what it always does when it celebrated "the living traditions of historic Silk Road lands."³⁹ However, the Silk Road map created for the festival told another story. A dotted line marked out paths connecting cities from Nara, Japan, to Venice, Italy. Countries were barely discernable so pale were their borders and indistinct their names. "Linking diverse people and societies," the dotted line slipped over today's national borders as if they were not there. Getting visas for 370 artists and presenters from twenty-four countries was a different story. Due to quarantine regulations, it was not possible to bring camels from Kazakhstan, so two-hump camels from a reservation in Texas were trained to respond to orders in Kazakh.⁴⁰ At the Festival, *buzkashi*, an Afghan game similar to polo, was played with a ball, rather than the customary sheep or goat carcass.⁴¹

Consistent with the operation of world heritage as a globalizing enterprise, the Smithsonian's Silk Road, a dotted line across a virtually borderless map, linked sub- and transnational cultural expressions to a supranational and transhistorical phenomenon, a trade route. Like the UNESCO conception of the Silk Road, value was accorded to ideas

35 See The Silk Road Project, Inc., <http://www.silkroadproject.org/> and The Silk Road: Connecting Cultures, Creating Trust (Smithsonian Folklife Festival 2002), <http://www.silkroadproject.org/smithsonian/>.

36 See Barbara Kirshenblatt-Gimblett, "Mistaken dichotomies," in *Public folklore*, edited by Nicholas R. Spitzer and Robert Baron (Washington: Smithsonian Institution Press, 1992), 29-48.

37 See Barbara Kirshenblatt-Gimblett, *Folklorists in Public: Reflections on Cultural Brokerage in the United States and Germany*, *Journal of Folklore Research* 37, no. 1 (2000):1-21.

38 For example, the 2001 festival featured Bermuda, New York City (it was exceptional to feature a city rather than a state), and Masters of the Building Arts.

39 For example, the 2001 festival featured Bermuda, New York City (it was exceptional to feature a city rather than a state), and Masters of the Building Arts.

40 Jacqueline Trescott, 'Silk Road' Traffic Jam: Smithsonian Predicts Record Turnout for Folk Festival, *Washington Post*, 23 April 2002, C1.

41 Trescott, 'Silk Road,' C5.

of movement (rather than territorial rootedness), networks (rather than borders), and trade (rather than rule). The traveler was the hero in this scenario, whether a merchant, pilgrim, soldier, nomad, archaeologist, or geographer. The market—in this case, trade in luxury goods—became a model of free exchange and of connection, interdependence, and, at the heart of it all, trust in regions today from Japan to France, some of which, such as Afghanistan and Iraq, have been devastated by war and poverty, notwithstanding comments about a new Silk Road based on oil and “modest victories of democracy and capitalism.”⁴²

The 2002 festival was also the largest in the Center's history, with 1.3 million visitors over a ten-day period, despite the closing of the Smithsonian stop on the Metro on July 4 for security reasons. Silk Roads projects, planned long before September 11, had to be rethought in light of the attacks and their aftermath, which inevitably became the subtext of these projects. Not by chance was the Smithsonian's Silk Road program subtitled *Connecting Cultures, Creating Trust*. The theme was timely.

What then did the Smithsonian Folklife Festival map the Silk Road onto the National Mall and what was the message? This virtual Silk Road took the form of a long corridor, with geographical sections down the west side and crafts down the east side, as follows.

The west side was laid out in six sections—Nara Gate, Xi'an Tower, Samarkand Square, Nomads (Inner Eurasia), Istanbul Crossroads, and Venice Plaza. Each section included tents for performances, examples of traditional architecture, and, in all but the Nomad section, culturally appropriate food concessions. A lavishly decorated Pakistani cargo truck appeared in the Nomad section. These kinds of trucks pick up goods in Karachi, a port city, and take them along parts of what were the historic silk routes. While these drivers are not nomads in the strict sense of the word, the truck's appearance in the Nomad section is linked to the theme of travel.

The east side was organized thematically by craft (paper, ceramics, cloth, and other crafts) and function (Family Oasis, Press, First Aid, and Lost and Found). Each craft area included craftspersons from various places along the Silk Road. Visitors were encouraged to “note connections between Chinese blue-and-white porcelain and its Middle Eastern, Japanese, European, and New World derivatives,” for example.⁴³ Interpretive text panels traced the historical path of silk or paper along the Silk Road, as a context for the various craft demonstrations and displays.

In this way, the layout conveyed two ideas—the route itself and cultural exchange—that proved difficult to align with the physical space of the festival. A walk down the east side took the visitor from one identifiable location to another along a virtual Silk Road. A walk down the west side took the visitor from one craft to another, an experience akin to walking through a bazaar in which particular crafts from different places are concentrated in distinct areas than from one place to another along a Silk Road. Visitors zigzagging across the corridor that separated the two sides quickly discovered the limitations of a scenographic treatment based on the principle of geographic location. Since each craft display was dedicated to a single medium and included practitioners from many places, a particular craft could be located anywhere along the western side. But, once placed, that craft bore no particular relationship to the location immediately across the corridor—the

42 Richard Kennedy, *The Silk Road: Connecting Cultures, Creating Trust*, *Talk Story*, no. 21 (Spring 2002), 1.

43 Robert McCormick Adams, *Blue-and-White*, in *The Silk Road: Connecting Cultures, Creating Trust*, Program Book for the 36th Annual Smithsonian Folklife Festival, ed. Carla Borden, (Washington, D.C.: Smithsonian Institution, 2002), 54.

Paper Garden was opposite the Xi'an Tower, the Ceramics Courtyard was opposite Samarkand Square, the Jewel Garden was opposite the Venice Piazza. Scenographic leitmotifs intended to orient the visitor to ordered locations along the Silk Route and festival corridor tended to thematize the craft areas geographically, but the cultural heterogeneity of each craft displays resisted a unified scenographic treatment. The entire Silk Road was virtually present in each craft tent.

Children were given a "Passport to the Silk Road," which made the festival route into a series of virtual states. The passport called on youngsters to "Investigate!," "Choose your Route!," "Start your Journey!," and "Get Your Reward!" At Passport Stations along the way, children could get a list of questions and, upon answering them correctly, a Passport Guide would stamp their passport. The reward was an "Official Token." Passport questions included "What is an earlier name for Istanbul?" and what is the name of "a ruler who conquered Samarkand?" It is now common to use passports to focus and structure the movement of young visitors in museums and children at the festival, a vast and complex space made even more challenging by the crowds and blistering summer heat with temperatures nearing 100° F. Children took their passports seriously and could be seen reading text panels, writing answers to questions, and getting their passports stamped.

Characterizing the Smithsonian Folklife Festival, Lawrence M. Small, Secretary of the Smithsonian, said, "It's a party that scholarship gives."⁴⁴ Consistent with the expectations of a national museum, the Smithsonian's Center for Folklife and Cultural Heritage maintained high standards of scholarship in preparing for the festival, selecting participants, and developing interpretive strategies and materials. Scholars who had dedicated the better part of their careers to the study of cultural expressions featured at the festival curated in their areas of expertise and were on hand during the festival itself. The section on Turkish ceramics was curated by Henry Glassie, who was honored with the Award for Superior Service by the Turkish Ministry of Culture. The Central Asian music was curated by Ted Levin, a distinguished ethnomusicologist, who was the first American to do fieldwork among the Tuva. They and other scholars presented, translated, and interpreted people with whom they have worked for many years to the public.

The craftspeople and performers were among the most respected in their fields. Text panels for each geographical section offered authoritative information on such topics as geography/history, commerce, global/local, treasure house, sacred spaces, travelers, shamanism, and Silk Road stories.⁴⁵ Each craft area included text panels that traced the history and discussed the motifs and techniques of the crafts that were demonstrated. Astonishingly, given the crowds and heat, visitors actually stood and read the panels, which were in many cases about parts of the world unknown to them before September 11 and now of vital interest.

The 2002 festival was a tour de force in the way that it broke out of the pattern of national representation and staged subnational cultural expressions within the supranational framework of a trade route, even though performers and craftspersons still understood themselves to be representing the countries from which they had come. The festival also confounded easy distinctions between traditional and contemporary, high and low, by including Tokyo Recycle Project, which makes contemporary fashion by recycling garments that clients provide, and Yo-Yo Ma's unique Silk Road Ensemble, which performs new works commissioned specially for it.

44 Lawrence M. Small, *On the Road from the Secretary*, Smithsonian (June 2002), 20.

45 Some of the text panels can be found on the excellent Smithsonian Folklife Festival website, <http://www.silkroadproject.org/smithsonian>.

However, while this festival was an extraordinary performance of cultural diplomacy—the State Department could not have done a better job and they know it—the Silk Road metaphor has its limits. The celebratory nature of the festival lends itself to the use of the Silk Road metaphor, but to not to a critique of it, though the Center for Folklife and Cultural Heritage was certainly aware of the issues. Is our present situation—the events and aftermath of 9/11 and the war in Iraq—so delicate, patriotism so intense, and our civil liberties so compromised, that dissent of the kind that we saw during the Columbus Quincentenary is not even conceivable?

The Silk Road's history is equally one of invasions and wars, empires and vassal states, rebellions and tribal rivalries, forts and defensive walls, bandits and marauders, Crusaders and missionaries, terrorist networks and drug traffic. Its history extends from Alexander the Great to Genghis Khan. The Great Wall of China is as defining of the Silk Road as Marco Polo's voyages. Moreover, fortifications were not the only barriers to the free movement of people and ideas. Isolationist policies and the dangers of travel continue to restrict movement and communication.

Today, religious conflict poses a serious threat to “world heritage.” The two gigantic Bamiyan Buddhas, which the Taliban destroyed in March 2001, appeared at the Smithsonian Festival intact as a mural, with the following caption: “Circa 600 C.E., Buddhist monks traveling from India to Central Asia carved huge monuments of Buddha into the cliffs of the Bamiyan Valley. The Bamiyan Buddhas were symbols of a secure haven for weary travelers, and were the gateway to South Asia.” It could be assumed that visitors to the festival did not need reminding that the Bamiyan Buddhas no longer exist. They were destroyed in March 2001, an event that provoked widespread protest and media coverage.⁴⁶

They were however told about the negative effects of cultural tourism in Venice. The text panel in the Venice Piazza Learning Center on “Global/Local Connection” took up the theme “Safeguarding Cultural Heritage.” UNESCO's International Campaign for the Safeguarding of Venice was launched in the 1960s to repair the damage created by flooding. The text notes the decline in Venice's population from 170,000 at its peak to 65,000 today, while the number of tourists who visit Venice has surged to ten million a year. They not only strain the infrastructure of this small city (three square miles), but also such heavy dependence on the tourist economy has left few options for young Venetians who do not want to work in this sector: “Residents worry that Venice might turn into a cultural theme park and lose its soul.” After all, visitors to the festival are participating in cultural tourism and might think twice about the impact of their visit to world heritage sites like Venice.

Last but not least, the historical Silk Road, which declined in the fifteenth century when sea routes were adopted, is at a great historical remove from the lived reality of participants in the Smithsonian Folklife Festival and visitors to the Festival from those regions. Many of those regions continue to suffer from the repercussions of war, nuclear testing, and HIV-AIDS, among other disasters. Residents of Xinjian province, which borders Kazakhstan and is part of the historic Silk Road, are sick and dying as a result of nuclear tests conducted by China until 1996, as are residents of northeastern Kazakhstan, where the Soviets conducted nuclear tests over a forty-year period. Along porous borders that foster a cash economy, sex workers serve long-haul truck drivers. As many as a thousand trucks a day line up at major checkpoints. Drivers are away from home for long

46 On the issues raised by the destruction of the Bamiyan Buddhas, see Finbarr Barry Flood, *Between Cult and Culture: Bamiyan, Islamic Iconoclasm, and the Museum*, *Art Bulletin* 84, no. 4 (2002):641-58.

periods of time and wait for days on end at border checkpoints for cargo to be transferred to trucks on the other side of the border. As Sally G. Cowall, a director of UNAIDS, said, "HIV does not need passports, nor do they require visas to cross international borders."⁴⁷ "HIV vulnerability caused by mobility related to development" is being addressed by India and Nepal, who are collaborating on cross-border intervention at checkpoint cities, as are other countries in the region.⁴⁸

Clearly, the "party that scholarship gives" is not the time or place for such topics. The party is a place to perform culture, not debate it. To its credit, however, the Smithsonian festival does try to raise some difficult issues, but with a light touch that is in keeping with the urgency of the festival's themes (connection and trust), the riskiness of bringing together so many people from regions that are in conflict with each other and with the United States, which was in the midst of its war on terrorism, and the celebratory nature of the festival as a genre. Visitors to the festival included a large percentage of Americans with family connections to the regions represented in the Smithsonian festival. Their knowledgeable and enthusiastic presence amidst visitors who had never heard such music was essential to the festival's success and something of an antidote to the America First spirit of patriotic displays after September 11 and the Patriot Act, which have made immigrants and visitors from many countries along the Silk Road vulnerable to suspicion.

In creating the festival this year, the Smithsonian joined forces with the charismatic cellist Yo-Yo Ma, for whom music along the Silk Road offers historical evidence of fruitful cultural exchange and hope for the future. Ma has dubbed the staff of his Silk Road Project "venture culturalists," consistent with the idea of the Silk Road as a grand mercantile metaphor for cultural exchange, peace, and prosperity.⁴⁹ This multi-million dollar project is funded by Ford, Siemens, and Sony, as well as by the Aga Khan Trust and private foundations and donors. Ma has stated his vision as follows: "We encounter voices that are not exclusive to one community. We discover transnational voices that belong to one world." Having traveled widely and encountered various musical traditions, Ma envisions a migration of ideas, voices, and instruments along "the historic trade route that connected the peoples and traditions of Asia with those of Europe." In that spirit, he created the Silk Road Ensemble, which is made up of musicians from "the Silk Road lands and the West." They perform both traditional music and compositions commissioned by the Silk Road Project. More could be said about this project, from the perspectives of both intercultural performance and world music.⁵⁰

The success of the Smithsonian Folklife Festival--and the ongoing critical reflection that the Center for Folklife and Cultural Heritage brings to the festival and related undertakings--have prepared the Center for its recent leadership role in shaping the UNESCO initiative on intangible and cultural heritage.⁵¹ The Center has been trying to move UNESCO from a masterpiece orientation towards supporting local communities so

47 Suman Pradhan, South Asia-AIDS: HIV Sneaks Across Open Borders, InterPress News Service (IPS), 7 July 1997, <http://www.aegis.com/news/ips/1997/IP970707.html>.

48 Jacques du Guerny and Lee-Nah Hsu, Early Warning Rapid Response System: HIV Vulnerability Caused by Mobility Related to Development, UNDP South-East Asia HIV and Development Project (Bangkok, 2002), <http://www.hiv-development.org/text/publications/EWRRS.pdf>.

49 The Silkroad Project, Inc., About Us, <http://www.silkroadproject.org/about/>.

50 See, for example, Graham Ley, *From Mimesis to Interculturalism: Readings of Theatrical Theory Before and After "Modernism"* (Exeter, Devon: University of Exeter Press, 1999); Patrice Pavis, *The Intercultural Performance Reader* (London, New York: Routledge, 1996); Steve Feld, "From Schizophrenia to Schismogenesis: The Discourses and Practices of World Music and World Beat," in *The Traffic in Culture: Refiguring Art and Anthropology*, ed. George E. Marcus and Fred R. Myers (Berkeley: University of California Press, 1995), 96-126.

51 See Richard Kurin, *Reflections of a Culture Broker: A View from the Smithsonian* (Washington, D.C.: Smithsonian Institution Press, 1997).

that they can sustain cultural practices. The Center, directed by Richard Kurin since 1987, brings theoretical sophistication to the enterprise. The Smithsonian Folklife Festival is considered exemplary and has set a high standard for the presentation of tangible and intangible heritage, to use UNESCO language, within the limitations of the festival as a metacultural form.

Heritage is Metacultural

Whereas the list of Masterpieces of Oral and Intangible Heritage of Humanity is literally a text, the 2002 Smithsonian Folklife Festival brought living practitioners before a live audience and, in so doing, foregrounded the agency of those who perform the traditions that are to be safeguarded. Unlike other living entities, whether animals or plants, people are not only objects of cultural preservation but also subjects. They are not only cultural carriers and transmitters (the terms are unfortunate, as is masterpiece), but also agents in the heritage enterprise itself. What the heritage protocols do not generally account for is a conscious, reflexive subject. They speak of collective creation. Performers are carriers, transmitters, and bearers of traditions, terms which connote a passive medium, conduit, or vessel, without volition, intention, or subjectivity.

“Living archive” and “library” are common metaphors. Such terms do not assert a person’s right to what they do, but rather their role in keeping the culture going (for others). According to this model, people come and go, but culture persists, as one generation passes it along to the next. But, all heritage interventions—like the globalizing pressures they are trying to counteract—change the relationship of people to what they do. They change how people understand their culture and themselves. They change the fundamental conditions for cultural production and reproduction. Change is intrinsic to culture, and measures intended to preserve, conserve, safeguard, and sustain particular cultural practices are caught between freezing the practice and addressing the inherently processual nature of culture.

Central to the metacultural nature of heritage is time. The asynchrony of historical, heritage, and habitus clocks and differential temporalities of things, persons, and events produce a tension between the contemporary and the contemporaneous, as discussed above, a confusion of evanescence with disappearance, and a paradox—namely, the possession of heritage as a mark of modernity—that is the condition of possibility for the world heritage enterprise.

Heritage interventions attempt to slow the rate of change. *The Onion*, a humor newspaper in the United States with a national readership, published an article entitled “U.S. Dept. of Retro Warns: ‘We May Be Running Out of Past.’”⁵² The article quotes U.S. Retro Secretary Anson Williams: “If current levels of U.S. retro consumption are allowed to continue unchecked, we may run entirely out of past by as soon as 2005” and “We are talking about a potentially devastating crisis situation in which our society will express nostalgia for events which have yet to occur.” In support of these predictions, the article explains that “The National Retro Clock currently stands at 1990, an alarming 74 percent closer to the present than ten years ago, when it stood at 1969.” As the retro clock speeds up, life becomes heritage almost before it has a chance to be lived and heritage fills the life space.⁵³

⁵² U.S. Dept. of Retro Warns: ‘We May Be Running out of Past,’ *The Onion* 32, no. 14 (2000), <http://www.theonion.com/onion3214/usretro.html>.

⁵³ Heritage is now an adjective, as in heritage center, corridor, trail, village, park, policy, fund, coalition, council, tourism, and industry. Ethnic communities and foreign languages spoken in the United States have

While the categories of tangible and intangible heritage distinguish things from events (and from knowledge, skills, and values), even things are events. First, as existential philosopher Stanley Eveling has remarked, “A thing is a slow event.” This is a perceptual issue. The perception of change is a function of the relationship between the actual rate of change and “the windows of our awareness.”⁵⁴ Things are events, not inert or deteriorating substance, in other senses as well. A thing can be an “affecting presence,” in the words of Robert Plant Armstrong.⁵⁵

Second, many things are renewable or replaceable under specified conditions. Every twenty years, the wooden sanctuaries at Ise Jingu, a sacred shrine in Japan, are rebuilt. The process takes about eight years, and the shrine has been rebuilt sixty-one times since the first rebuilding in 690. Known as “shikinen sengu,” this tradition involves not only construction, but also ceremony and transmission of specialized knowledge: “The carpentry work is carried out by about one hundred men, the majority of whom are local carpenters who set aside their usual work for a privileged period of two to four years. No nails are used in the entire structure. Although the plans exist for every structure, the master carpenters must remember and pass on to apprentices their expert knowledge of how to put together the complex joints, using ancient and unfamiliar tools.”⁵⁶ This shrine represents “2000 Years of History, Yet Never Gets Older than 20.” Ise Jingu is a slow event. Even heritage sites engage in regular rebuilding. At Plimoth Plantation, near Boston, buildings are torn down and rebuilt regularly in order to make the heritage clock stand still in the year 1627. At the time, the buildings would have been seven years old. Since the heritage site is older than the settlement that it represents—Plimoth Plantation

become heritage communities and heritage languages. See, for example, the Center for Applied Linguistics’ Heritage Languages Initiative, <http://www.cal.org/heritage/>, and proposed Heritage Language Journal. “Southern heritage groups” are neo-Confederates who support the flying of the Confederate flag and honoring Confederate soldiers who died during the Civil War, over the objections of African Americans, who are not characterized as a heritage group in this context. See Stephen Dinan, Gilmore Surrenders Virginia’s Heritage, *The Washington Times*, 21 March 2001, <http://users.erols.com/va-udc/evisceration.html>. These terminological innovations parallel the shift in terminology from foreign student to international student (as distinguished from the national or naturalized, that is, from students who are American citizens) and, in museums, from anthropological or ethnographic collections to world cultures. The term heritage is used to by right wing organizations such as the Heritage Foundation, which was founded in 1973 “to formulate and promote conservative public policies based on the principles of free enterprise, limited government, individual freedom, traditional American values, and a strong national defense,” and the National Republican Heritage Groups Council, which was accused during the Reagan and Bush eras of including right-wing extremists with fascist and Nazi sympathies. Its mission is stated as follows: “As the American electorate grows in diversity, the NRHGC insures that all nationalities are properly represented and recruited by the Republican Party.”

<http://www.townhall.com/spotlights/archive/9-5-95/national.html>. Heritage group refers here to nationality—that is, ethnic—groups in the United States. For the Heritage Foundation, see <http://www.heritage.org/>.

Declaring bankruptcy, Jim and Tammy Faye Bakker’ sold their Heritage Park, a Christian theme park, resort, retreat, and PTL headquarters in Fort Mill, South Carolina, which was in operation from 1978-1987. It was redeveloped as New Heritage Park USA, which went out of business in 1997. Retirement communities have become heritage villages. See <http://www.villagers.com/>.

54 Doron Swade, *Virtual Objects: Threat or Salvation? Museums of Modern Science*, ed. Svante Lindqvist, Marika Hedin, and Ulf Larsson, Nobel Symposium, 112 (Canton, MA: Science History Publications/USA, 2000), 139-47.

55 Robert Plant Armstrong, *The Powers of Presence: Consciousness, Myth, and Affecting Presence* (Philadelphia: University of Pennsylvania Press, 1981), and Robert Plant Armstrong, *The Affecting Presence: an Essay in Humanistic Anthropology* (Urbana: University of Illinois Press, 1971). See also Alfred Gell, *Art and Agency: an Anthropological Theory* (Oxford, New York: Clarendon Press. Oxford University Press, 1998); Robert Farris Thompson, *African Art in Motion: Icon and Act in the Collection of Katherine Coryton White* (Los Angeles: University of California Press, 1974); and David Freedberg, *The Power of Image: Studies in the History and Theory of Response* (Chicago: University of Chicago Press, 1989).

56 Japan Atlas, Architecture, Jingu Shrine in Ise, <http://www.jinjapan.org/atlas/architecture/arc14.html>.

is about thirty years old as of this writing—rebuilding is a way of synchronizing the heritage clock with the historical clock.⁵⁷

Third, intangibility and evanescence—the condition of all experience—should not be confused with disappearance. This is a case of misplaced concreteness or literal thinking. Conversations are intangible and evanescent, but that does not make the phenomenon of conversation vulnerable to disappearance. Peggy Phelan's now classic essay, "The Ontology of Performance," takes up the idea that "Performance's being...becomes itself through disappearance."⁵⁸ This issue has prompted a considerable theoretical literature and debates on the ontology of art and, in particular, of performance. Philosopher Nelson Goodman distinguishes between paintings or sculpture, which are autographic, (the material instantiation and the work are one and the same) and performances (music, dance, theater), which are allographic (the work and its instantiations in performance are not one and the same). It could be said that the tangible heritage list is dedicated to the autographic and the intangible list to the allographic.⁵⁹

Fourth, as those creating world heritage policy now realize, the division between tangible, natural, and intangible heritage and the creation of separate lists for each is arbitrary, though not without its history and logic. Increasingly, those dealing with natural heritage argue that most of the sites on the world natural heritage list are what they are by virtue of human interaction with the environment. Similarly, tangible heritage, without intangible heritage, is a mere husk or inert matter. As for intangible heritage, it is not only embodied, but also inseparable from the material and social worlds of persons.

"Africa loses a library when an old man dies," a quotation from Hampaté Bâ, appears on the opening page for the UNESCO's Intangible Heritage page.⁶⁰ While affirming the person, the library metaphor confuses archive and repertoire, a distinction that is particularly important to an understanding of intangible heritage as embodied knowledge and practice. According to Diana Taylor, the repertoire is always embodied and is always

57 See Barbara Kirshenblatt-Gimblett, *Plimoth Plantation*, in *Destination Culture: Tourism, Museums, and Heritage* (Berkeley: University of California Press, 1998), 189-200.

58 Peggy Phelan, *The Ontology of Performance: Representation without Reproduction*, in *Unmarked: The Politics of Performance* (New York: Routledge, 1993), 146-66, and reactions to her position by Philip Auslander, *Liveness: Performance in a Mediatized Culture* (London, New York: Routledge, 1999). On the convergence of "art performance" and "performance art," see Noel Carroll, *Performance, Formations* 3, 1 (1986): 63-81, and Paul Schimmel, Kristine Stiles, and *Museum of Contemporary Art* (Los Angeles, Calif.), *Out of Actions: Between Performance and the Object, 1949-1979* (Los Angeles, Calif, New York: The Museum of Contemporary Art. Thames and Hudson, 1998). On documentation as an art practice, see Henry M Sayre, *The Object of Performance: the American Avant-Garde Since 1970* (Chicago: University of Chicago Press, 1989). Others have explored the relationship of performance (and intangible heritage) to recording media, not only as a way to capture or document, but also as an art practice, catalyst of cultural production, and basis for theorizing orality. See Barbara Kirshenblatt-Gimblett, *Folklore's Crisis*, *Journal of American Folklore* 111, no. 441 (1998):281-327.

59 Nelson Goodman, *Languages of Art: an Approach to a Theory of Symbols* (Indianapolis: Bobbs-Merrill, 1968). Goodman's position has been critiqued and adapted to deal with phenomena that he did not consider, among them performances without scores and scripts and digital media that can produce true copies. See Joseph Margolis, *The Autographic Nature of the Dance*, *Journal of Aesthetics and Art Criticism* 39, no. 4 (1981):419-27; Mary Sirridge, and Adina Armelagos, *The Role of "Natural Expressiveness" in Explaining Dance*, *Journal of Aesthetics and Art Criticism* 41, no. 3:301-7; Adina Armelagos and Mary Sirridge, *The Identity Crisis in Dance*, *Journal of Aesthetics and Art Criticism* 37, no. 2 (1978):129-39; and Rosalind E. Krauss, *The Originality of the Avant-Garde and Other Modernist Myths* (Cambridge, Mass: MIT Press, 1985).

60 Intangible Heritage, UNESCO,

http://mirror-us.unesco.org/culture/heritage/intangible/html_eng/index_en.shtml.

manifested in performance, in action, in doing.⁶¹ The repertoire is passed on through performance. This is different from recording and preserving the repertoire as documentation in the archive. The repertoire is about embodied knowledge and the social relations for its creation, enactment, transmission, and reproduction. It follows that intangible heritage is particularly vulnerable, according to UNESCO, precisely because it is intangible, although the historical record does not necessarily bear this out. Though the situation today is of a different order, Australian aborigines maintained their “intangible heritage” for over 30,000 years without the help of cultural policy. In contrast with the tangible heritage protected in the museum, intangible heritage consists of cultural manifestations (knowledge, skills, performance) that are inextricably linked to persons. It is not possible—or it is not as easy—to treat such manifestations as proxies for persons, even with recording technologies that can separate performances from performers and consign the repertoire to the archive.

While there is a vast literature on the heritage industry, much of it dealing with the politics of heritage,⁶² less attention has been paid to the enterprise as a metacultural phenomenon in its own right. The great pressure to codify the metacultural operations, to create universal standards, obscures the historically and culturally specific character of heritage policy and practices. In the case of tangible heritage, is the goal to restore an object to its original state to honor the artist’s intention; to present an object in pristine perfection, untouched by time; to treat the object or site as a palimpsest by retaining, as much as possible, evidence of historical process, as at Hyde Park Barracks in Sydney, Australia, and in processual archeology; to distinguish visually between the original material and what has been done to conserve or restore the object and to make restoration reversible; or to view the material object itself as expendable.⁶³ As long as there are people who know how to build the shrine, it not necessary to preserve a single material manifestation of it, but it is necessary to support the continuity of knowledge and skill, as well as the conditions for creating these objects, as is the case at Ise Jingu shrine in Japan, discussed above. The form persists, but not the materials, which are replaced.

International heritage policy of the kind developed by UNESCO shapes national heritage policy, as can be seen from recent efforts in Vietnam and South Africa, among others, to create legal instruments for the protection of cultural heritage. There is also movement in the opposite direction. The concept of national living treasure, which informs UNESCO’s intangible heritage program, was developed decades earlier in Japan and Korea.

Finally, the possession of heritage—as opposed to the way of life that heritage safeguards—is an instrument of modernization and mark of modernity, particularly in the form of a museum: “To have no museums in today’s circumstances is to admit that one is below the minimum level of civilization required of a modern state.”⁶⁴ While persistence in old life ways may not be economically viable and may well be inconsistent with economic development and with national ideologies, the valorization of those life ways as heritage (and integration of heritage into economies of cultural tourism) is economically viable, consistent with economic development theory, and can be brought into line with national ideologies of cultural uniqueness and modernity. Fundamental to this process is the heritage economy as a modern economy. For this and other reasons,

61 See Diana Taylor, *Acts of Transfer*, in *The Archive and the Repertoire: Performing Cultural Memory in the Americas* (Durham: Duke University Press, 2003).

62 See, for example, David Lowenthal, *The Heritage Crusade and the Spoils of History* (London, New York, N.Y.: Viking. Penguin Books, 1997) and Pierre Nora and Lawrence D. Kritzman, eds., *Realms of Memory: Rethinking the French Past* (New York: Columbia University Press, 1996-1998).

63 See Mike Pearson, and Michael Shanks, *Theatre/Archaeology Disciplinary Dialogues* (London: Routledge, 2001).

heritage may well be preferred to the pre-heritage culture (cultural practices prior to their being designated heritage) that it is intended to safeguard. Such is the case at the Polynesian Cultural Center in Hawai'i, a Mormon operation where, since 1963, students at Brigham Young University-Hawaii "keep alive and share their island heritage with visitors while working their way through school."⁶⁴

Such cases point to the troubled history of museums and heritage as agents of deculturation, as the final resting place for evidence of the success of missionizing and colonizing efforts, among others, which preserve (in the museum) what was wiped out (in the community). Today's museums and heritage interventions may attempt to reverse course, but there is no way back, only a metacultural way forward.

Heritage of Humanity

World heritage is predicated on the idea that those who produce culture do so by dint of their "diversity," while those who come to own those cultural assets as world heritage do so by dint of their "humanity." The descent heritage of particular groups becomes the consent heritage all of humanity thanks to the importance accorded the safeguarding of cultural diversity and of the freedom to "choose" or refuse a particular heritage and cultural identity. In a sense, that freedom, which includes the possibility of refusing a heritage and cultural identity, makes the need to safeguard diversity all the more pressing. But for whom? What does it mean for humanity to own that which it did not create?

This question has been explored most extensively in the contexts of intellectual property law, around notions of public good and cultural commons and the esoteric nature of cultural knowledge and practices. Of special importance is the following asymmetry. Patents, trademarks, trade secrets, and copyright protect the holder's rights and interests, by restricting access, while heritage designations are intended to protect an object or practice from disappearing so that all may have access to it.⁶⁵ Safeguarding, whatever its local effects, ultimately protects the rights of humanity to world heritage. It is in these terms that the case must be made for why one cultural form rather than another should be designated a masterpiece of world heritage.⁶⁶ Willy-nilly, the case that is made must reconcile the exclusivity of cultural difference, which is predicated on pre-political (that is, prior to or other than governmental) solidarity and boundaries, with the inclusivity of the "heritage of humanity," which is not.

64 From the website of the Polynesian Cultural Center, <http://www.polynesia.com/aloha/history/>. See also, Andrew Ross. "Cultural Preservation in the Polynesia of the Latter Day Saints," in *The Chicago Gangster Theory of Life: Nature's Debt to Society* (London, New York: Verso, 1994), 21-98.

65 While intellectual property law, which protects what is understood as the creations and possessions of individuals, does address issues of fair use, public domain, and the like, the overwhelming concern is with protecting the rights of individual and corporate owners to their property, rather than with ensuring public access. Exceptions (and they are important) can be found in the open source software movement and anti-globalization movements. As Manuela Carneiro da Cunha observes, the expectations regarding tradition knowledge and contemporary Western systems of knowledge are reversed: "free access and public domain versus monopoly and secrecy; unlimited time frame for intellectual rights versus loss of intellectual rights after a certain time." Manuela Carneiro da Cunha, *The Role of UNESCO in the Defense of Traditional Knowledge*, in *Safeguarding Traditional Cultures: A Global Assessment of the 1989 UNESCO Recommendation on the Safeguarding of Traditional Culture and Folklore*, ed. Peter Seitel (Washington, D.C.: Center for Folklife and Cultural Heritage, Smithsonian Institution, 2001), 143-48.

66 This is of course a move that also operates nationally. The precedents for it are the Living National Treasures idea that Japan put into effect in 1950. Other countries followed suit: Korea, Philippines, Roumania, and France.

Concepts of human and cultural rights are fundamental to the notion of humanity that defines world heritage. International courts that are intended to protect human and cultural rights locate humanity within a supranational realm of polity, governance, and the adjudication of claims. Once cultural assets become world heritage, a shift occurs in the relation of heritage to its new beneficiary, that is, to humanity. First, humanity is not a collective in the way that heritage-producing communities are. Second, neither humanity as a whole, nor the individuals who constitute humanity, carry, bear, or transmit the heritage of humanity, let alone create and/or reproduce it. If and when they do, issues of appropriation and exploitation arise. Third, any rights one might assert to the heritage of humanity are first and foremost rights of access, consumption, and, in a general but not legal sense, inheritance.

We might therefore distinguish rights based on *ancestry and inheritance* (people related to one another); *citizenship* (relationship of individual to the state); and *humanity* (relation of individual to international law). All three relationships are at play in heritage as a mode of metacultural production that moves cultural goods from one rights' context to the other. The enterprise effects a series of shifts, from local to national to world heritage. Or, more recently, from local to world heritage, that is, from a privileged relationship to a cultural good deriving from notions of ancestry, descent, and inheritance to a relationship based on interest, choice, freedom, democratic notions of inclusion, participation, consent, and investment.⁶⁷

Even those whose culture is declared a masterpiece of world heritage cannot claim ownership to it in a conventional legal sense. For decades, UNESCO approached the safeguarding of intangible heritage through intellectual property law, but without success. Intellectual property law is predicated on individual authorship and ownership, but UNESCO's notion of heritage assumes collective creation and, as world heritage, the widest possible collective ownership. When culture becomes the heritage of humanity, the presumption is open access. Restricting access would be antithetical to economic development, particularly in the form of cultural tourism. Thus, intangible heritage goes straight into a global cultural commons, which is tantamount to a global public domain.

Sociologist Craig Calhoun notes the importance of solidarities based on a sense of belonging that is rooted in a sense of shared culture, history, and destiny. These commonalities are "embedded in a way of life," as lived reality. They produce a "multi-tiered sense of belonging" or "thick identities," in contrast with the "thin identities" associated with universalistic notions like humanity.⁶⁸ Put another way, what is the habitus of a global polity? Is it necessary to loosen one set of ties (those of "associates of a polity" joined by "pre-political cultural bonds") in order to create another set of ties that will bind humanity into a global polity? And, is this desirable or even essential to achieving world peace? In what sense can humanity be said to have a common history and is it the same as "world history"? The world heritage enterprise can be seen as an attempt to answer these questions by creating common ground. But, humanity does not hold world heritage in common in the way that each "cultural masterpiece" is held in common by the community that sustains it.

67 What distinguishes heritage (and patrimony) from history is precisely the assumption of inheritance and ancestry, which are the basis for a privileged relationship to the cultural expression in question. On the heritage/history issue, see Pierre Nora, *Between memory and history: Les lieux de memoires*, Representations 26 (1989):7-24, and F. Schouten, *Heritage as Historical Reality*, in *Heritage, Tourism and Society*, ed. D. Herbert (London and New York: Mansell, 1995), 21-32.

68 Craig Calhoun, *Imagining Solidarity: Cosmopolitanism, Constitutional Patriotism, and the Public Sphere*, *Public Culture* 14, no. 1 (2001):147-71.

Universals, Relativity, Diversity

“No more masterpieces.”
Antonin Artaud⁶⁹

By putting absolutism (universal human rights) in the service of relativism (cultural diversity), world heritage legislation recasts relativity as diversity. The universal standard of human rights is not subject to relativity, while cultural rights, as a subset of human rights, can only be asserted insofar as they do not violate human rights.

Indeed, human and cultural rights may be in conflict. Human rights are predicated on the individual as a legal entity, the primacy of rights over duties, and recourse to law. In contrast, the exercise of cultural rights, while protected as freedom of choice, may entail very different assumptions, including the primacy of community, duties, and reconciliation or education, rather than legal measures.⁷⁰

Cultural rights are asserted on the grounds of diversity as a universal principle. To assert cultural rights on the grounds of relativity as a universal principle is a contradiction in terms. This is why diversity is more compatible than relativity with the universalizing drive of world heritage, both cultural and natural. We can speak of natural diversity, but not natural relativity. We can speak of cultural relativity, but not heritage relativity, another indication of the importance of natural heritage as a model for intangible heritage. We can speak of protecting and celebrating diversity but not of protecting and celebrating relativity. Why?

Cultural diversity refers to variety and affirms the value of difference. In contrast, cultural relativity indexes a relationship between terms in the spirit of neutrality, and, if anything, it is a defensive response to absolutes and universals, that is, to a hierarchical ordering of terms based on an absolute or universal standard. For this reason, the primary mechanism for creating world heritage—the creation of universal standards for designating masterpieces—is contrary to anthropological notions of relativity, which require the suspension of value judgments on culture (while not advocating moral relativity). The tensions between tolerance of cultural difference and upholding universal moral standards arises as well when there is a conflict between a human right and a particular cultural practice, for example, genital cutting.⁷¹

Cultural rights are a subset of human rights. Such rights are predicated on the notion of a universal human subject and the principle of rights and freedoms “for all without distinction,” in the words of the United Nations Charter (1945) and subsequent documents. However, while all individuals and collectives have rights to culture, the imperative to tolerate differences (relativity) does not imply or require that others

69 Antonin Artaud, *No More Masterpieces*, in *The Theater and Its Double* (New York: Grove Press, 1958), 74-83. Artaud is objecting to the artistic status quo. Viewed historically, the term masterpiece, like chef d'oeuvre, appears in the medieval context of “regulatory legislation governing artisanal activity.” That is, masterpiece is originally a legal concept associated with apprenticeship and guild control of trades. Walter Cahn, *Masterpieces: Chapters on the History of an Idea* (Princeton, N.J.: Princeton University Press, 1979), 3.

70 See Prakash Sinha, *Human rights: A Non-Western View Point*, *Archiv für Rechts- und Sozialphilosophie* 67 (1981):77. Cultural rights of one group or person may be in conflict not only with the cultural rights of others, but also with human rights, to cite only female circumcision. See Corinne Kratz, *Circumcision Debates and Asylum Cases: Intersecting Arenas, Contested Values, and Tangled Webs*, in *Engaging Cultural Difference: the Multicultural Challenge in Liberal Democracies*, ed. Richard A. Shweder, Martha Minow, and Hazel Markus (New York: Russell Sage Foundation, 2002), 309-43.

71 See the special issue of *Journal of Anthropological Research* 53, 3 (1997), which focuses on universal human rights and cultural relativism.

celebrate those differences (diversity). Thus, while all human beings are of equal value and have a right to their own culture, the world heritage enterprise does not accord all expressions of culture equal value. Not everything makes the heritage cut. You have a legal right to your culture but there is no law guaranteeing that your culture will become world heritage. To qualify as a masterpiece of the heritage of humanity, a cultural expression must be not only *distinctive*, but also *distinguished*. It must meet a universal standard, even as the world heritage enterprise attempts to make the lists more inclusive and representative.

There is a fundamental contradiction, then, between the celebration of diversity, on the one hand, and the application of a universal standard for determining which cultural expressions will be designated masterpieces of the heritage of humanity, on the other. To meet the universal standard, a cultural expression must be unique, unusual, outstanding, exceptional, rare, particularly meaningful, or valuable in some other way. It should also be endangered, but sufficiently intact, to make a heritage investment worthwhile. In other words, human beings are “without distinction” when it comes to rights, but not when it comes to culture. Thus, some cultural expressions are valued more highly, by a universal standard, than others. In a word, humanity does not want to inherit everything, just the best.

Global Cultural Commons

How does world heritage figure in imagining, if not forming, a global public sphere? While the commons is related to public sphere, they are not the same thing. The concepts of *common* and *public* have different though related histories. Commons is linked to community and to assets that a community holds in common, particularly land. The commons operates on the basis of consensus, without precluding conflict within a community and struggles between it and other interests. In Appalachia, the commons may be a forest where everyone can gather wild foods.⁷² However, mining companies are destroying the commons, there being no brake, such as a heritage designation, to stop them. Fights to defend the commons, in contrast with the commons itself, could be said to shape a public sphere. Defining characteristics of a public sphere are civic engagement and critical debate—that is, productive disagreement that can provide a counterweight to the state and the market.

Lourdes Arizpe, former Assistant Director-General for Culture UNESCO, has put forward the idea of a global cultural commons.⁷³ She suggests that new technologies are creating spaces of instantaneous and ubiquitous communication and global consciousness, and that mass media are creating a lingua franca for a culturally fluid and increasingly cosmopolitan world. The same forces are also changing (and threatening) the survival of local “human-made cultural creations,” which the heritage enterprise attempts to safeguard. The threats are diverse and the term safeguarding is defensive. The idea of safeguarding is consistent with a long history of rights as a defensive measure, in the 18th century sense of “attempting to limit the power of governments over its subjects.”⁷⁴

72 See Mary Hufford, Tending the Commons— Stalking the Mother Forest: Voices Beneath the Canopy, from Folklife Center News 17, No. 3 (Summer 1995), <http://memory.loc.gov/ammem/cmnshtml/essay3/index.html>.

73 See Lourdes Arizpe, Cultural Heritage and Globalization, in Values and Heritage Conservation: Research Report, ed. Erica Avrami, Randall Mason, and Marta de la Torre (Los Angeles: The Getty Conservation Institute, 2000), 32-37, <http://www.getty.edu/conservation/resources/valuesrpt.pdf>.

74 Lynn Meskell, Sites of Violence: Terrorism, Tourism, and Heritage in the Archeological Present," in Beyond Ethics: Anthropological Moralities on the Boundaries of the Public and the Professional, Baja

To safeguard heritage is to protect it from negative impacts that would compromise its integrity and survival, whereas guaranteeing cultural rights extends the power of the law to ensure a benefit, namely, the freedom to claim culture. Transformed into world heritage according to universal standards, low-tech locally produced masterpieces become the possessions of high-tech global citizens. In many cases, as can be seen from the recent list of intangible heritage masterpieces, several masterpieces on the list, notably those from Korea and Japan, had already been designated national heritage. This means that however local these forms may once have been, heritage legislation had already transferred them from their subnational contexts to a national one. Because of their status as national heritage, they contribute to the international, rather than global, character of the List of Masterpieces of Oral and Intangible Heritage of Humanity.

Designation as world heritage has local political effects that can run counter to UNESCO's professed goals and produce not only resistance to normative heritage interventions but also alternatives to those interventions. Moreover, equity in the world heritage sphere can produce inequity on the ground. Heritage development may displace living communities and supercede their needs, as Lynn Meskell demonstrates in her account of Egyptian archeology and the case of Gurna (West Bank, Luxor), where the Gurwani community was forced to relocate to make way for an open-air museum.⁷⁵ When they resisted, force was used, including bulldozers and armed police, resulting in four deaths and many injuries.⁷⁶ This community is in the process of creating its own museum. In Egypt and elsewhere, luxury tourism stands in sharp contrast to the desperate poverty of local communities, and fuels deep resentments that can erupt in violence. Due to the vertical integration of the industry, particularly in high-end tourism, the benefits to local populations fall far short of expectations. Moreover, not only does an open-air museum displace a living community, but also tourists may be viewed as immodest, immoral, and wasteful by local standards.

Simon Jenkins, writing for *The Times* (London) about tourists in Luxor in November 1997, commented that the Islamic fundamentalists responsible for the violence there see tourism as a threat to Islam:

Islam is threatened by an imperialism even more menacing to its dogma than the political imperialism of the 19th century. Mass tourism is the agency of this aggression. The tourist is not a neutral bystander in the religious wars now being fought across the Islamic world. He is a participant. The Temple of Hatshepsut, where Monday's atrocity [murder of tourists] occurred, no longer 'belongs' to Egypt but to the world. It is being restored by European archaeologists with UNESCO money. To the fundamentalist, Luxor is a cultural colony, occupied by the armies of world tourism.⁷⁷

And, one might add, world heritage, for reasons related to what Meskell identifies as the governing ethic in the heritage sphere, namely, social utility. In her view, codification—

California Sur, Mexico, Wenner-Gren Foundation for Anthropological Research Symposium no. 130 (2000), 5.

⁷⁵ Meskell, "Sites of Violence." See also Timothy Mitchell, *Worlds Apart: An Egyptian Village and the International Tourism Industry*, *Middle East Report* 25 (1995):8-11, 23, and *Making the nation: the politics of heritage in Egypt*, in *Consuming Tradition, Manufacturing Heritage: Global Norms and Urban Forms in the Age of Tourism*, ed. Nezar AlSayyad (London, New York: Routledge, 2001), 212-239. See also the Chengde case discussed by James Louis Hevia, *World heritage, National Culture, and the Restoration of Chengde*, *Positions: East Asia Cultures Critique* 9, no. 1 (2001):219-244

⁷⁶ Meskell, *Sites of Violence*, 12.

⁷⁷ Simon Jenkins, *Hysteria Calls the Shots*, *The Times*, 19 November 1997.

the global standard that UNESCO bodies establish—“represents a form of inert knowledge rather than knowledge produced in response to the context of application.”⁷⁸ It is for this and other reasons that equity in the context of world heritage can produce inequity in local contexts. Cultural diversity and world heritage, cornerstones for the culture of peace envisioned by UNESCO, require more than mutual respect. There is unfinished business. At issue are past (and present) abuses and redressive steps, such as repatriation, restitution, and right of return.

Global Public Sphere

“What are global public spheres, how are they formed, and how are museums placed and defined in such spheres?”

Conference program, Museums and Global Public Spheres

We know from Jürgen Habermas and Benedict Anderson, among others, that publics can form without ever meeting one another face to face, though they may actually do so. Reading publics form imagined communities, while small circles of public conversation shape larger civic debates. In other words, Habermas puts forward an abstract (and rational) sphere of debate in which the interlocutors never convene in their entirety, a sphere that emerges from the exchange of ideas through mass media as well as in smaller face-to-face situations.

Global public sphere implies a different set of conditions, chief among them a global civil society that emerges from what has been called active cosmopolitan citizenship. Such citizenship is understood as arising from a series of disarticulations (and resulting paradoxes and contradictions) associated with economic and political globalization. “New deliberative and decision-making bodies that emerge beyond national territory”—international (UNESCO), non-governmental (World Bank), multinational, or regional (European Union) entities or social movements (environmental, anti-globalization, etc.)—are engaging in “new forms of global governance.” As states give up some of their autonomy, “collective decisions are made in contexts beyond government control.”⁷⁹ While this sounds like a good thing, sociologist Saskia Sassen stresses that global economic processes are embedded in the national and that lived experience has a local character.⁸⁰ For Pierre Bourdieu, “unification profits the dominant,” while dispossessing social agents who cannot compete on a cultural and economic playing field that is far from level—for example, by eliminating the self-sufficiency of small rural producers, an action that, I would add, prepares the ground for a heritage intervention.⁸¹

World heritage is one of several ways of envisioning and constituting a global polity. The goal is an active cosmopolitan citizenry, in the spirit of Kant’s *Perpetual Peace* (1795).⁸² To produce world heritage, supranational bodies disarticulate culture from nation and aggregate selected cultural manifestations into a category that imagines a polity wider

78 Meskell, “Sites of Violence.” Meskell is drawing on Robert Goodin, *Utility and the Good, A Companion to Ethics*, ed. Peter Singer (Oxford: Blackwell Reference, 1991), 241-248 and Peter Pels, *Professions of Duplexity: A Prehistory of Ethical Codes in Anthropology*, *Current Anthropology* 40, no. 2:101-36.

79 This discussion is indebted to Erik Oddvar Eriksen, *Globalization and Democracy*, ARENA Working Papers 23 (1999), http://www.arena.uio.no/publications/wp99_23.htm.

80 Saskia Sassen, *Spatialities and Temporalities of the Global: Elements for a Theorization*, *Public Culture* 12, 1 (2000): 215-232.

81 Pierre Bourdieu, *Uniting Better to Dominate, Items and Issues*: Social Science Research Council 2, 3-4 (2001):1.

82 Immanuel Kant, *Perpetual Peace and Other Essays* (Indianapolis: Hackett, 1983).

than the nation-state. Paradoxically, world heritage simultaneously promotes cultural diversity and identity, while loosening “the ties between the associates of a polity from pre-political cultural bonds” or helping to “disconnect citizenship from nationality.”⁸³ Each disarticulation entails an articulation.

In this model, supranational developments are supposed to preclude or prevent resurgent nationalisms, devastating civil wars, the fall of some states and the creation of new ones, and to deploy the arts--and of museums and heritage--to such worthy ends. But, as can be seen in Rwanda, art can be used to incite violence. Simon Bikindi, a popular Rwandan musician who has been accused of genocide and of promoting hate through his songs. According to the prosecution, “Simon Bikindi’s song lyrics manipulated the politics and history of Rwanda to promote Hutu solidarity.”⁸⁴ The songs were broadcast on a hate radio station and from a vehicle, along with messages to exterminate Tutsis. A South African commentator, reflecting on similarities between Bikindi’s songs and a controversial song about South Indians by Mbongeni Ngema's, wrote:

One should not underestimate the power of music. Rwandan genocide survivors describe the effect of Bikindi's song, and particularly the lines about the solidarity of Hutu brothers against the Tutsi enemy: “Hutu men (who had been organized into the infamous *interahamwe* militia) began behaving as if the devil had got into them They descended on Tutsi homes or hiding places in howling mobs baying for blood, cutting down with machetes every Tutsi they could find, clubbing them with *masus* [spiked clubs], raping and pillaging.”⁸⁵

Clearly, the power of the arts, which UNESCO mobilizes in the interest of peace, can also aid and abet hate and violence, a topic generally avoided in heritage discussions. Indeed, an ever-growing body of cultural material is falling below thresholds of offensiveness that continue to lower with the rise in sensitivity to violations of human rights. This makes extreme cases like the Rwandan one all the more incomprehensible.

The heritage enterprise is energized by a sense of urgency, not only because of the endangered status of cultural assets, but also because of the role that heritage is expected to play in ameliorating conflict and alleviating poverty. While this sense of urgency is important for building consensus, contentious heritage is not what the UNESCO protocols are about. Rather, these protocols are an extension of diplomatic and ambassadorial modes of discourse in the service of harmony and goodwill. The modalities of heritage production—veneration and celebration—are largely ceremonial and festive in character and not conducive to debate. Heritage itself is seen as inherently good and therefore cause for celebration. In reality, of course, heritage is hotly contested, ranging from conflicts over Japanese officials honoring their own war dead, African Americans objecting to the flying of the Confederate flag over the statehouse or to the idealization of plantation heritage in the American South. However, the playing field is not level, and subnational polities are largely at the mercy and noblesse oblige of national and international bodies, policies, and laws.

83 From Eriksen, *Globalization and Democracy*.

84 ICTR (International Criminal Tribunal for Rwanda), Bikindi Musician Pleads not Guilty to Genocide Charges, Fondation Hirondelle, 4 April 2002, <http://www.hirondelle.org/hirondelle.nsf/caefd9edd48f5826c12564cf004f793d/4fc571f5e3e9dd55c1256a8a00006e75?OpenDocument>.

85 Shyaka Kanuma, *Songs of Hate*, Mail & Guardian (Johannesburg), 28 June 2002. Posted to the web June 27, 2002. <http://allafrica.com/stories/200206270667.html>

While awarding prizes achieves certain objectives (and can also provoke controversy), such mechanisms do not invite the kind of debate and critique that define a public sphere. The heritage enterprise is by its nature a consensual one and world heritage aims to create the largest consensus of all. UNESCO's notion of the heritage of humanity—a kind of family-of-man idea and legacy of the Cold War⁸⁶—projects an ideal of consensus in diversity, where, in the final analysis, difference makes no difference and hence provokes no conflict, at least theoretically. However differentiated the cultural contributors and heritage inputs, the outcome (world heritage list) and beneficiaries (humanity) are one. Thus, while the contributors have cultural identities (to be strengthened by heritage preservation), the beneficiaries (humanity) do not. The beneficiaries are understood to be individual personalities with human rights, which include cultural rights, which they are expected to exercise as a matter of individual choice.

Historically, separating the individual from pre-political cultural bonds (ethnic, religious, and other solidarities) was a way to bind citizenship to nationality. In contrast, world heritage weakens the link between citizenship and nationality (by affirming the pre-political cultural bonds of subnational groups) in order to strengthen the bond between emerging cosmopolitan citizens and an emerging global polity. In other words, this move, unlike civilizing missions predicated on the monocultural universalism of “civilization,” reverts to subnational as well as diasporic particularities in order first, to transcend the national articulations of culture, and second, to rearticulate them supranationally.

Polities that are smaller than the state—those whose cultural claims are most strongly grounded in descent and notions of the primordial, autochthonous, ancestral, and inalienable—are the prime focus of intangible heritage initiatives, even if the list of masterpieces ends up being a showcase in many instances for national treasures. I say polities because, while these entities may (or may not) begin as “pre-political solidarities,” they become polities and come to assert their rights as such, including sovereignty rights. These rights may be exercised within particular territories (reservations in the case of Native Americans), by recourse to a founding treaty (the Treaty of Waitangi in the case of Maori) and policy of biculturalism (in the case of New Zealand), or movements for independent statehood (in cases such as Palestine).

Not all appeals to humanity, which are after all nothing new, are appeals to cosmopolitan citizenship, because humanity and global polity are not the same thing. Humanity is variously understood, first, as an aggregate of individuals. It is the individual human being, the universal human subject, which is protected by human rights. Those rights come with birth, as do cultural rights understood as the right of the individual to choose culture. In contrast, world heritage, as the heritage of mankind, may derive from some, but it belongs to all. Second, humanity is understood as being made up of diverse constituent elements in the sense of individuals representing different cultures. World heritage, like humanity itself, is heterogeneous. Third, the term humanity may refer to a global polity. One of UNESCO's goals is to promote a sense of global solidarity and transnational identification, and world heritage is intended to further that goal.

Appeals to humanity are assertions of a common human denominator, and it is the responsibility of each person to behave honorably to every other person regardless of differences, be they based on national identity, religion, gender, race, class, or disability. This is not the same as a global polity that understands itself and acts in terms of a notion of supranational solidarity, governance, and citizenship. UNESCO and other initiatives in

⁸⁶ See Edward Steichen, *The Family of Man* (New York: Museum of Modern Art, 1955) and Eric J Sandeen, *Picturing an Exhibition: the Family of Man and 1950s America* (Albuquerque: University of New Mexico Press, 1995).

the name of world heritage speak in terms of humanity, which is a weak concept in political terms. Or more precisely, the value of the term is precisely its standing as “not political,” which signals that much of the world heritage discourse is diplomatic rather than political in a technical sense. This is why humanity is not strictly speaking a political entity and why humanity is such an attractive notion, as part of the language of diplomacy, to world heritage discourse.⁸⁷

The formation of the European Union has prompted the formulation of cosmopolitan communitarianism or the combining of “multiple communitarian attachments” of different scales, with implications for national culture and world heritage. Democracy is the model for the larger world order as an idea of “global civil society” and “widening of the public sphere.”⁸⁸ But globalization is producing a sphere of competitive economic actors more effectively than it is creating citizens with equal rights. *De jure* human rights are all too often not *de facto* human rights. This state of affairs is consistent with consumer models of citizenship in new right economies. While economics does not provide a level playing field, human and, by extension, cultural rights are intended to do just that. In other words, citizens bear a different relationship—ideally one of equality—to one another than do economic actors. The market as a space of competition among unequal actors is the opposite of and counterweight to what a public sphere is supposed to be and do.

Cultural Economics

Understood as a metacultural phenomenon, world heritage is in a different realm from the objects of heritage policy, which are understood as endangered cultural practices. Practically speaking, the objects are to be protected through metacultural operations and economic instrumentalization, the premise being that many cultural practices of subnational groups cannot withstand the pressures of globalization, economic development, political restructuring, and modernization (formal education, social reform, urbanization, industrialization, liberalization). The very grounds for these cultural practices—the people themselves and their life worlds, both habitat and habitus—are what are vulnerable.⁸⁹

While a full discussion of the cultural economics of heritage is beyond the scope of this essay, a few words are in order, by way of conclusion. UNESCO’s mission of peace and prosperity are the constructive face of war and poverty such that heritage interventions must play a role in alleviating conflict and contributing to development. The field of cultural economics is important to these efforts since heritage requires investment and investment is based on economic calculation.

Cultural economics, which is related to, but not synonymous with, contingent valuation, draws on thinking in the environmental field. Much was learned from the law suits arising from the Exxon-Valdez oil spill in 1989. This catastrophe required instruments for establishing damage awards that were based on more than the dollar value of barrels of

87 For the idea that humanity is not a political concept, see Chantal Mouffe, interviewed by Rosalyn Deutsche, Branden W. Joseph, and Thomas Keenan, *Every Form of Art Has a Political Dimension*, Grey Room 1, no. 2 (2001):108.

88 From Eriksen, *Globalization and Democracy*.

89 On world making as a way of thinking about culture, with implications for conceptualizing the phenomena included in intangible heritage, see Johanna Overing, *The Shaman as a Maker of Worlds: Nelson Goodman in the Amazon*, *Man*, New Series 25, no. 4 (1990):602-19.

oil or the cost of cleanup. Two other contexts in which cultural economics is figuring prominently are the World Bank, which now factors culture into its development projects and views culture itself as an investment opportunity, and the Getty Conservation Institute's Economics of Heritage Conservation project.⁹⁰ Proceedings of two Getty meetings have appeared, in addition to several articles.⁹¹

The debate in cultural economics is between culturalists, as they are called by economists, and economists. As more and more of the world is declared heritage—and nothing on the list is deaccessioned—the financial commitment to conservation also grows. How are investors, be they the state, international bodies like UNESCO, or NGOs, to determine where to put scarce resources? The moment something is declared heritage, it enters a complex sphere of calculation. *Valorization*, “the [re]appraisal of the heritage goods by means of deliberations, pleas by art historians, debates in public media,” and proclamations by UNESCO, is followed by *valuation*, “the assessment of values that people actually attach to heritage goods,” based on what they spend to consume them or to ensure that they exist, even if they do not consume them.⁹²

Culturalists make their arguments in terms of peace. They tend to view economics as internal to culture. For culturalists, modes of production, exchange, and circulation are not independent of culture, but constitutive of it. In contrast, economists make their arguments in terms of prosperity. They tend to view culture as external to the market. That is, the market cannot account for culture (or taste). Nor can culture account for the market: “Externalities are benefits, or costs, of an economic good that are not accounted for by some kind of market transaction.”⁹³ Culture is therefore something that can affect economic transactions but is external to the functioning of markets, strictly speaking. Accordingly, economists generally assume rational choice, the sovereign consumer, “the market as the most efficient allocator of scarce resources,” and price as the keys to market equilibrium.⁹⁴

Arjo Klamer and Peter-Wim Zuidhof, upon whose work this account is based, consider the inadequacies of this model for dealing with heritage in terms of market failure, for addressing what to do when the market fails to do for heritage what is needed, because a price for it, as a public good, cannot be set: “This occurs when no one can be excluded from the consumption of a good, and, if it is consumed by an individual, others cannot be prevented from consuming it as well.... The enjoyment of one does not come at the expense of another.”⁹⁵ This is precisely the premise of “the heritage of humanity”

90 For an example of the application of cultural economics to heritage in the context of World Bank initiatives, see [Michael M. Cernea], *Cultural Heritage and Development: A Framework for Action in the Middle East and North Africa* (Washington, D.C.: World Bank, 2001).

91 See [Marta de la Torre and Randall Mason, eds.], *Economics and Heritage Conservation: A Meeting Organized by the Getty Conservation Institute, December 1998* (Los Angeles: The Getty Conservation Institute, 1999), and Erica Avrami, Randall Mason, and Marta de la Torre, eds., *Values and Heritage Conservation: Research Report* (Los Angeles: The Getty Conservation Institute, 2000).

92 Arjo Klamer, and Peter-Wim Zuidhof, “The Values of Cultural Heritage: Merging Economic and Cultural Appraisals,” in *Economics and Heritage Conservation: A Meeting Organized by the Getty Conservation Institute, December 1998*, [ed. Marta de la Torre and Randall Mason] (Los Angeles: The Getty Conservation Institute, 1999), 31.

93 Klamer and Zuidhof, “Values of Cultural Heritage,” 29.

94 Klamer and Zuidhof, “Values of Cultural Heritage.”

95 Klamer and Zuidhof, “Values of Cultural Heritage,” 29. The 1993 exhibition *Secrecy, African Art that Conceals and Reveals*, at the Museum for African Art in Manhattan, showed secrets without giving them away, thereby encapsulating the paradox of giving without giving away. See Mary Nooter Roberts and Wande Abimbola, eds., *Secrecy: African Art That Conceals and Reveals* (New York: Museum for African Art, 1993); Annette B. Weiner, *Inalienable Possessions: the Paradox of Keeping-While-Giving* (Berkeley: University of California Press, 1992), and Fred R. Myers, ed., *The Empire of Things: Regimes of Value and Material Culture*, (Santa Fe, N.M: School of American Research Press, 2001).

concept, notwithstanding culturally specific understandings of proprietary rights, whether in connection with the dreamings of Australian Aborigines or the botanical knowledge of indigenous peoples.

In an effort to integrate economic and culturalist approaches, Klamer and Zuidhof acknowledge inadequacies of the market to provide equitably or appropriately for public goods and look to alternative ways of calculating the value of heritage. Basically, the task of cultural economics is to calculate the value of goods when the market, for a variety of reasons, cannot set the price. Cultural economists Bruno S. Frey and Werner W. Pommerehne distinguish five types of value: option, existence, bequest, prestige, and education.⁹⁶ *Option value* refers to the value of having the opportunity to benefit from an asset, whether or not one ever does. *Existence value* (also called non-use value) refers to the value one places on the mere existence of a cultural asset such as the Garifuna language, without reference to whether or not a global citizen will ever hear it or personally benefit from it in some way. *Bequest value*, as the term suggests, is the value of that the asset may have for later generations. *Prestige value*—the primary value of being proclaimed a masterpiece of world heritage—refers to the benefits that follow from being endowed with elevated status. This is the logic of awards, designations, proclamations, registers, and lists. Moreover, a rise in prestige value, while it may have economic benefits in terms of tourism, for example, may have negative effects on property value by limiting what the owner can do with a building. *Education value* refers to the value of the asset as an educational resource, understood in the context of UNESCO as contributing to positive identity, pluralism, dialogue, culture of peace, and economic development. Stefano Pagiola, who works in the Environmental Department of the World Bank, also distinguishes *extractive use value* (this value is exploited by the *economusée*, which combines exhibition with production and sale of such specialties as chocolate or honey), *non-extractive use value*, which includes *aesthetic and recreational value*, and *non-use value*, which includes *existence*, *option*, and *quasi-option values* (the possibility that a site that appears to have little value now might have more value in the future).⁹⁷ Recognizing the intangibility of heritage as well as its benefits, cultural economists use what is called contingent valuation. Though not perfect, contingent valuation does provide survey data indicating what people would be willing to pay (WTP) or willing to accept (WTA), consistent with the above values, in raised taxes, voluntary contributions, and trade-offs to safeguard or invest in culture.

Klamer and Zuidhof recognize that measurements of intangible value, “in the absence of well-functioning and morally justifiable markets,” not only lack precision, but also they do not take into account culturalist arguments for “valorization of goods as cultural heritage goods.”⁹⁸ Consistent with the notion of heritage as a mode of cultural production in its own right and as a metacultural phenomenon, as discussed above, Klamer and Zuidhof do note that “The way in which the heritage is funded may not only affect the appraisal of the heritage but may even contribute to the ‘creation’ of the heritage,” while “valuation in the market can trigger a process of valorization in which (noneconomic) values come about.”⁹⁹ In other words, valorization (awards and plaques) tends to increase valuation, while valuation (discovering that an old table is worth real money) can lead to valorization by calling attention to values other than economic ones. All heritage is created, and economic arrangements are but one factor in shaping it.

96 Bruno S. Frey, and Werner W. Pommerehne, *Muses and Markets: Explorations in the Economics of the Arts* (Oxford: B. Blackwell, 1989).

97 Stefano Pagiola, *Economic Analysis of Investments in Cultural Heritage: Insights from Environmental Economics* (Washington, D.C.: Environment Department, World Bank, 1996).

98 Klamer and Zuidhof, “Values of Cultural Heritage,” 36.

99 Klamer and Zuidhof, “Values of Cultural Heritage,” 46.

While culture may be an externality in economic theories of markets, economics is not an externality in theories of culture. Cultural economics, perhaps because it tends to focus on tangible heritage, does not address the economic character of a phenomenon before it has been designated heritage. Such considerations are not factored into the model, which assume no or low economic value as the starting point, followed by valorization and valuation, that is, by an increase in value. The unstated premise of cultural economics is a clear separation between the heritage economy and other economies, which culturalists would see as mutually constitutive of the cultural asset and its heritage incarnation, in the past and present.

The heritage economy makes a phenomenon into a particular kind of asset. It is not simply that something without economic value becomes valorized and valued or the reverse. It is rather a question of the economic constitution of the phenomenon, the idea that economic relations—not only the market, but also the gift—are intrinsic to what a phenomenon is, both before and after it becomes heritage. Thus, among the nineteen Masterpieces of Oral and Intangible Heritage of Humanity on the UNESCO list are cultural forms that are state-supported centerpieces of pilgrimage and tourism (the Royal Ancestral Rite and Ritual Music in Jongmyo Shrine in South Korea) and others that have persisted for over two hundred years with no sign of letting up (the Oruro Carnival in Bolivia). Some have lost their audiences and are gradually losing their performers (Sicilian Puppet Theatre in Italy).

The conversion of habitus into heritage and heritage into cultural assets, cultural capital, and cultural good, a process that is integral to concepts of public domain, public goods, fair use, and global cultural commons, can engender the kind of public debate associated with a public sphere. For example, Giovanni Pinna, criticizing state-supported museums in Italy, distinguishes patrimony from cultural assets and demonstrates how the former becomes the latter through a process of “de-symbolization” and revaluation in material terms. Pinna links this phenomenon to the national government, which, in its attempt to unify the country, transfers the “diaspora of cultural assets” to state ownership and centralizes their location and management. Since legislation in 1993, Italian museums have become more visitor-oriented in terms of amenities and earned income, but their fundamental approach to heritage as cultural asset has not changed. Not only have museums removed assets from their places of origin, but also they prevent those assets “from becoming part of a complex of meanings, or in other words, an integral part of the cultural heritage,” for reasons that Pinna links to an ideology of national unity and to a centralized bureaucracy that manages the nation’s cultural assets.¹⁰⁰

In June 2002, a year after Pinna’s article appeared, the Italian parliament, in an effort to reduce the deficit, passed a bill to privatize “everything that at present belongs to the State—land, public buildings, monuments, museums, archives, libraries, estimated by the Ministry of the Economy to be worth †2000 billion,” by transferring it all to two shareholding companies, one of which, “Patrimonio dello Stato spa (State heritage plc), will take over the ownership and exploitation, and even the eventual sale, of government property.”¹⁰¹ There has been intense opposition to this bill in Italy and internationally (World Wildlife Fund and Greenpeace are two opponents to the plan) and confusion as to the fate of cultural assets.

100 Giovanni Pinna, *Heritage and 'Cultural Assets'*, *Museum International* 53, no. 2 (2001):64.

101 *Lightning law to privatise 'la bella Italia,' The Art Newspaper.com*, 5 July 2002, <http://www.theartnewspaper.com/news/article.asp?idart=9721>.

It is precisely such social dramas that precipitate the kinds of public debates associated with a public sphere. It is for this reason that debates arising from the valorization of cultural phenomena seeking world heritage status are a place to look for something like a global public sphere, however overdetermined it might be by institutional and professional actors. At the same time, intangible heritage, precisely because it is inseparable from the human actors who know, remember, embody, do, and perform what becomes heritage, brings their subjectivity and agency to the fore. Every effort to safeguard, preserve, sustain, and foster exemplary and endangered cultural practices—to declare them Masterpieces of Oral and Intangible Heritage of Humanity—alters the relationship of practitioners to their practices. The metacultural outcome—*heritage*, both the designated masterpieces and the heritage enterprise itself—is intended, if not designed, to be better adapted to the social, political, and economic conditions of our time than the endangered practices themselves (even if were they not endangered). This is why heritage is a mode of metacultural production that produces something new, which, though it has recourse to the past, is fundamentally different from it. While this paradox would seem to indicate an imperfect realization of safeguarding and preservation goals, it highlights the centrality of the metacultural goals. Similarly, world heritage produces an asymmetry between the *diversity* of those who produce cultural assets in the first place and the *humanity* to which those assets come to belong in the service of similarly metacultural objectives. Undesignated, the masterpieces on UNESCO's intangible heritage list could never do the work that world heritage is intended to do, namely, to model a particular vision of humanity in terms of a global cultural commons.

NOTE: I would like to thank Richard Kurin, director of the Center for Folklife and Cultural Heritage at the Smithsonian Institution, Lourdes Arizpe, former Assistant Director-General for Culture, United Nations Educational, Scientific and Cultural Organization (UNESCO), Ilana Abramovitch, Manager of Curriculum, in New York's Museum of Jewish Heritage: A Living Memorial to the Holocaust, Ethel Raim, Executive and Artistic Director, Center for Traditional Music and Dance, Jan Turtinen, Max Gimblett, and my New York University colleagues Faye Ginsburg, Fred Myers, Leshu Torchin, Diana Taylor, George Yudice, and Glenn Wharton for their generosity in sharing their insights, and Anurima Banerji for her editorial assistance.