

International Recognition and the Future of Traditional Culture: A View from and towards UNESCO

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1. Introduction

On November 25, 2005, the Director General of UNESCO newly selected forty-three cultural elements and proclaimed them as “Masterpieces of Oral and Intangible Heritage of Humanity,” which was the third proclamation following the first in 2001 and the second in 2003.

Japan recommended kabuki, a form of traditional performing arts, for this third proclamation, and it has consequently been included among the forty-three Masterpieces. Two other major forms of Japanese traditional theatre—*noh* and *bunraku*—had already been proclaimed as UNESCO Masterpieces in 2001 and 2003, respectively. There was discussion that Japan could have recommended a cultural form of another genre for the third proclamation to better represent the diverse aspects of its traditional culture. But it was generally believed in Japan that UNESCO would accept kabuki as a Masterpiece once it was submitted as a candidate.¹

However, the candidacy file of kabuki did not necessarily meet with a positive reaction from the UNESCO side, as *noh* and *bunraku* were still regarded as irregular cases among the elements of “Intangible Cultural Heritage” that UNESCO wished to promote in the framework of its safeguarding activities. This reaction speaks of the existing gap between countries, or a country and UNESCO, concerning the objective

1 Each Member State of UNESCO was entitled to submit a candidature for the Proclamation of Masterpieces of Oral and Intangible Heritage of Humanity (At the same time, it was encouraged that neighboring Member States submit a multi-national candidate in cooperation, if a certain cultural element was considered to exist beyond political borders. In such a case, each Member State that participated in the multi-national submission could prepare a separate candidate for its own). In Japan, the Agency of Cultural Affairs was responsible for the study and selection of a candidate, and it was submitted to the UNESCO Secretariat through the diplomatic route.

of the proclamation program and the fundamental understanding of “intangible cultural heritage.”

If translated into Japanese, the name of the program has a glorious image of honor awarded to the most sophisticated and finely maintained aspects of traditional culture. Moreover, the selection process within the Japanese system of protection of cultural properties, which has a long history and has established a base for the Japanese understanding of heritage safeguarding, has a competitive nature. On the contrary, UNESCO’s “Masterpieces of Oral and Intangible Heritage of Humanity” primarily refers to indigenous cultures that are nearly extinct, sacrificed by modernization and globalization. The idea of the program is to rescue them by means of international recognition. Therefore, “sophisticated and finely maintained aspects of traditional culture” are viewed as aberrations to UNESCO’s basic idea for conducting the program.

In fact, the criteria for a cultural element to be a UNESCO Masterpiece include “outstanding value” and “risk of its disappearance” on equal ground.² A candidate has to show both aspects; it is not enough to have just one of these to be recognized by UNESCO as a Masterpiece. This means that UNESCO, at the time it established the program, did not consider the existence of traditional culture that had an “outstanding value” but was not necessarily facing “risk of disappearance.” In other words, the elements that have been designated as “Masterpieces” are, at least in rhetorical terms, regarded as facing the “risk of disappearance.” Here we see that UNESCO’s safeguarding of intangible cultural heritages implies aid for the weak, or recognition of the weak.

The candidacy files for the proclamation were first administratively checked by the UNESCO Secretariat, and then sent to be screened by the International Jury, appointed by the UNESCO Director General. When the 2005 Jury meeting convened, the possibility of the success of kabuki would have been at most 50 percent, even if the political position of Japan, which contributed an enormous amount of funds to UNESCO’s activities in the field of intangible cultural heritage,

2 *Guide for the Presentation of Candidature Files*, including the selection criteria, can be downloaded from the UNESCO website:

<http://unesdoc.unesco.org/images/0012/001246/124628eo.pdf>

was taken into account.³ While the final result saved Japan from the upset the general public would have shared if kabuki had not been selected, the author had complex feelings, knowing the above-mentioned implication of “Masterpiece” on one hand, and on the other hand, respecting and loving the tradition of kabuki as a Japanese.

Although this paper does not aim to analyze this kabuki question, the content is based on the author’s experiences as a staff member of the UNESCO Intangible Heritage Section (November 2002 - February 2005), which included not only official conferences but also informal discussions in staff meetings as well as conversations with colleagues, where kabuki was often mentioned negatively because its “risk of disappearance” was not enough. Not only Japanese, but various people of different cultural backgrounds had respective “complex feelings” towards the decision or evaluation by an international organization regarding their traditional cultures.⁴

The adoption of the Convention for the Safeguarding of Intangible Cultural Heritage⁵ by the General Conference of UNESCO in the autumn of 2003 launched the international protection of traditional cultures into a new stage, where the question was no longer about a simple happy- or unhappy-end story of an award-giving program called the Proclamation of Masterpieces. Here, the act of handing over traditional culture to future generations is clearly recognized as an issue requiring international legal intervention, while the act itself is no doubt cultural. This

3 While Japan for a long time took charge of the biggest percentage of UNESCO’s regular budget among its Member States, it further created in UNESCO, in 1993, the UNESCO/Japan Funds-in-Trust for the Preservation and Promotion of the Intangible Cultural Heritage (from the budget of the Ministry of Foreign Affairs), and has contributed to this particular field more than 11 million dollars by now. At the beginning, the Japanese funds were used for various safeguarding projects mostly in the Asia Pacific region, but recently they have been expensed with more clear focus on the program of the Proclamation of Masterpieces as well as on the organization of numerous international conferences geared towards the adoption of the Convention for the Safeguarding of the Intangible Cultural Heritage that will be dealt with in later sections of this paper. It is not an exaggeration to say that the adoption of this Convention at the General Conference of UNESCO in 2003 was attained by the funds contributed from Japan, and moreover, it can be calculated that approximately one third of the budget of the Intangible Heritage Section of UNESCO has been paid by Japan.

4 In an international organization, staff members are prohibited to represent the interests of their home countries. The author was not in the position in UNESCO to be in charge of the file of kabuki or to defend its value.

5 The text of the Convention can be downloaded from the UNESCO homepage:
http://portal.unesco.org/culture/en/ev.php-URL_ID=15782&URL_DO=DO_TOPIC&URL_SECTION=201.html

paper will look at some of the problems that have been created and left unsolved, unconsciously or consciously, in the course of the establishment of this international framework.

The following section will first briefly describe the current framework for the safeguarding of intangible cultural heritage that UNESCO has developed, and will then point out two major problems that have been introduced into the newly adopted Convention. Based on these discussions, the remainder of the paper will touch upon the nineteenth-century international exhibitions where Japan was invited to promote its culture to the international society for the first time, in order for a historical comparison with the framework of the Convention that today's international society has produced.

Concerning some important technical terms, “intangible cultural heritage” was to replace “traditional culture” at UNESCO and among concerned experts,⁶ and the author was told at UNESCO to no longer use the latter term. The reason given is that while “traditional culture” refers to the remains of the past, “intangible cultural heritage” signifies what was derived from traditional culture but is still living, and UNESCO has to deal with the living heritage. Having made this distinction clear, in this paper both terms will be used mixed in intent, as the terms in Japanese or other languages equivalent to each of these terms do not necessarily have the equivalent nuance.⁷ The author believes that in some cases it is fairer not to rigidly follow the English speakers' rule. The political power of official and working languages, in discussions of culture in particular, should more seriously be taken into consideration in the United Nations.

6 To learn more about the progress of discussions of technical terms, see Van Zanten, Wim, “Constructing New Terminology for Intangible Cultural Heritage,” *Museum International* 221-222 (May 2004), pp. 36-43.

7 In addition, in Japanese, the term *bunkazai* (cultural properties) has historically been used instead of “cultural heritage” (*bunkaisan* in Japanese) that is now considered appropriate in UNESCO discourse. “Cultural properties” in English is different from “cultural heritage,” and there are cases where the mixing up of the two terms is not allowed in discussions in English; however, the Japanese Agency for Cultural Affairs insists on using “cultural properties” as far as the matter is concerned with the Japanese policies and laws for the safeguarding of cultural heritage.

2. The Current Situation and Problems of the International Framework of the Safeguarding of Intangible Cultural Heritage

1) From the Proclamation to the Convention

The above-mentioned program of the Proclamation of Masterpieces of Oral and Intangible Heritage of Humanity was commonly called the “World Intangible Heritage” and was frequently misunderstood by the general public as the intangible version of “World Heritage” that dealt with the tangible cultural heritage and natural heritage. However, these were not parallel to each other, particularly in terms of maturity as a program.

The World Heritage program, since its beginning in 1972, has been an international legal framework based on the Convention Concerning the Protection of the World Cultural and Natural Heritage (World Heritage Convention) administered by its executive organ (The World Heritage Committee) and its Secretariat (World Heritage Centre), while the Proclamation of Masterpieces was simply one of the regular programs of the Intangible Heritage Section of the UNESCO Secretariat, aiming to shed light on the field of intangible cultural heritage that had not attracted enough attention of international society. This program was authorized in 1998, and the first proclamation was carried out in 2001.⁸

The necessity of international legal action for the safeguarding of intangible heritage had already been discussed at UNESCO from around the same time as the adoption of the World Heritage Convention, but it only was after the candidates were called for the first proclamation that such discussions seriously started.⁹ Consequently, the

8 Prior to that, UNESCO had had three major programs in the field of intangible cultural heritage: The Living Human Treasures program (aiming to promote within UNESCO Member States policies similar to the Japanese National Living Treasures system, while it was the Republic of Korea that proposed such an activity to UNESCO in 1993); The Traditional Music of the World program; and The Endangered Languages program. The Proclamation of Masterpieces program was one of the four pillars of the UNESCO Intangible Heritage Section, together with these three older programs.

9 On the intellectual level rather than political, an important turning point of the discussions towards agreement of a binding legal instrument was the international conference “A Global Assessment of the 1989 Recommendation on the Safeguarding of Traditional Culture and Folklore: Local Empowerment and International Cooperation” co-organized by the Smithsonian Institution of the United States and UNESCO in Washington, D.C. in 1999 (for the proceedings, see Seitel, Peter, ed. *Safeguarding Traditional Cultures: A Global Assessment*, Washington, D.C., Center for Folklife and Cultural Heritage, Smithsonian Institution, 2001).

UNESCO General Conference in the autumn of 2001 officially agreed that a legal framework was needed for the safeguarding of intangible heritage and that drafting processes of a convention should be initiated.

During the following two years, a number of international conferences of experts as well as of governmental representatives were held to prepare a Draft Convention, which was finally adopted at the 2003 General Conference. Here, an international agreement having a legal binding force, parallel to the World Heritage Convention, was established for the first time in the field of the intangible cultural heritage.¹⁰

The Convention for the Safeguarding of Intangible Cultural Heritage stipulates in itself that it shall enter into force three months after the thirty countries have completed the ratification procedures (Article 34), and this was attained in April 2006. On this basis, the Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage (Intangible Heritage Committee) was established as the Convention's executive committee equivalent to the World Heritage Committee (Article 5). This Intangible Heritage Committee is to draw up the criteria for making the "Representative List of the Intangible Cultural Heritage of Humanity" (Article 16). The program of the Proclamation of Masterpieces was to end when the Convention entered into force (Article 31, Para. 3); therefore, the above-mentioned third proclamation in November 2005 was the last. Already proclaimed Masterpieces are to be incorporated in the above-mentioned Representative List as a transitional measure (Article 31, Para. 1).

2) The Convention for the Safeguarding of Intangible Cultural Heritage

This Convention imposes on each of the governments comprising its State Parties the responsibility of "taking necessary measures to ensure the safeguarding of the intangible cultural heritage present in its territory" (Article 11 [a]). This means that if a certain form of traditional culture has lost its possibility of being passed on to the next generation, the government concerned is viewed as not having made appropriate efforts in its cultural policy management and it is considered a breach of international law. Considering the nature of the act of the safeguarding of intangible

¹⁰ *Museum International*, No. 221-222 (Views and Visions of the Intangible), published in September 2004, is recommended for learning about the various debates which took place in the course of adopting the Convention. Although it is UNESCO's own publication, authors' perspectives are generally fair and critical.

cultural heritage, the stipulation could not foresee any concrete sanction to such a breach, but it is still important to pressure states with a legal tool to improve their cultural policies. Articles 12-14 mention more concrete measures that the State Parties should take within their respective territories. These activities are called the “Safeguarding of Intangible Cultural Heritage at the National Level” in the Convention.

Having said so, more actual and important effects are expected from the “Safeguarding of Intangible Cultural Heritage at the International Level” provisioned in Chapter IV of the Convention. At the beginning of the Chapter is the above-mentioned “Representative List of the Intangible Cultural Heritage of Humanity” (Article 16). The following Article stipulates the establishment of the “List of Intangible Cultural Heritage in Need of Urgent Safeguarding.”¹¹ Problems connected with the Representative List will be discussed in greater detail in the next section of this paper.

The highlights of this safeguarding at the international level are found in the following chapters: “International Cooperation and Assistance” for intangible cultural heritage and “Intangible Cultural Heritage Fund” to be established in order to realize the cooperation and assistance. The reality is that a new multilateral framework was needed to create such a fund as a mechanism to secure cash flow from developed countries to underdeveloped countries, outside of the existing UNESCO budget. Therefore, in inter-governmental meetings for drafting the Convention, underlying the debates was always some confrontation between developed and underdeveloped countries, which was ultimately about the criteria and amount of the aid, even if they were discussing more culturally substantial matters on the surface, such as the definition of the intangible cultural heritage and the objectives of its safeguarding.

Although each Article of the Convention contains many topics worthy of study, this paper cannot deal with them all. It would be appropriate to end this section by briefly touching upon the structure of this Convention consisting of forty Articles: the Preamble is followed by the General Provisions including the purpose

¹¹ Having these two Lists is understood to solve the above-mentioned problem of the Proclamation program that a Masterpiece had to have an “outstanding value” and to face a “risk of its disappearance” at the same time. However, the relationship between the two Lists and the operational criteria of each of them are yet open for interpretation.

of the Convention and the definition of an intangible cultural heritage; next, the establishment of the organs of the Convention, such as the above-mentioned Intangible Heritage Committee, is stipulated; after this come the central parts of the Convention concerning the safeguarding measures of intangible cultural heritage at the national and international levels; and the final Articles describe the technical matters of this legal instrument.

3) Problems

While the Convention was adopted enthusiastically, many contradictions within it were left unsolved due to political compromises made in order to attain an international agreement. It should be understood that these problems will certainly affect, in the long run, the worldwide cultural environment. This paper will point out two major problems in the Convention, which are the concepts of the “respect of human rights” and “cultural diversity” in the context of preserving traditional cultures. It is not likely that either of them would officially be regarded as a problem in the society of the United Nations where political correctness prevails.

Human Rights

The following is the last sentence of the Convention’s Article 2, Paragraph 1, which defines intangible cultural heritage.

For the purpose of this Convention, consideration will be given solely to such intangible cultural heritage as is compatible with existing international human rights instruments, as well as with the requirements of mutual respect among communities, groups and individuals, and of sustainable development.

The contents here reflect a common sense within the world of international organizations whose mission is to promote human rights as well as development, and it is rather conventional to insert such words when an international agreement is drafted by one of those organizations. If this paragraph generally said that a culture not “compatible with existing international human rights instruments” should not be defined as an intangible cultural heritage by the state parties, there would arise a question of internal intervention. Such a question is avoided by limiting the scope of the paragraph with the phrase “for the purpose of this Convention” at the beginning.

However, at the same time, by clarifying that this paragraph should be read “for

the purpose of this Convention,” the consequence of the paragraph is to be found directly and concretely in the interpretation of other stipulations of the Convention. For example, the contents of this paragraph are to influence the judgment of whether or not a certain cultural heritage should be included in the “Representative List of the Intangible Cultural Heritage of Humanity,” or whether or not a certain cultural heritage is worth being aided by the “Intangible Cultural Heritage Fund.”

The “existing international human rights instruments” theoretically include all the international agreements that have entered into force by today in different fields of human rights, starting from the Universal Declaration of Human Rights (1948). One clear example would be the Convention on the Elimination of All Forms of Discrimination against Women (1979), which is considered the achievement of contemporary debates on gender equality. Article 5 of this Convention stipulates that the “State Parties shall take all appropriate measures” to “modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women.”

This raises a difficult question in the field of intangible cultural heritage where “stereotyped roles for men and women” can broadly be found, if not based on the idea of “the inferiority or the superiority of either of the sexes.” Numerous examples can be found in performing arts or in rituals and festive events around us. Although it is ultimately a personal question to decide to what extent such a body of customary laws can be accepted and to what extent it should be modified or eliminated, it would not be wrong to understand in general that the customary has been handed over in a certain community to the extent which its members can accept. It can be assumed that if a community is observed as a whole, it should have some balancing mechanism; for example, if a customary that prohibits women’s participation has historically been accepted, there may have been a ritual only for women in the same community.

The Convention for the Safeguarding of Intangible Cultural Heritage promoting the handing-over of traditional cultures and the Convention on the Elimination of All Forms of Discrimination against Women aiming to eliminate “customary and all other practices” clearly have contradicting ideas, though these are products of the

same United Nations. What is occurring today is that before such contradiction is seriously analyzed, a vague attitude prevails to combine the opposite ideas. In other words, the official discourse of the “respect of human rights” penetrates into the world of traditional cultures in an easy way.

For instance, it was already observed in the operation of the program of the Masterpieces of Oral and Intangible Heritage of Humanity, that in their candidacy files submitted to UNESCO, some states chose not to touch upon important historical aspects concerning different gender roles found in the cultural element in question, in order to avoid a negative judgment from the perspective of human rights. This is an attitude incited by the mechanism to pick up a particular cultural element and examine it out of the entire context of the concerned community, in the name of safeguarding of intangible cultural heritage compatible with the concept of human rights.

If a state wisely satisfies the international criteria like this, it may even be understood as a healthy and positive attitude to its own culture, although it does not contribute to deepen the debate.¹² However, it is possible that the new Convention for the Safeguarding of the Intangible Cultural Heritage persuades states to give up their customary and to seriously answer to the international requirement, particularly if inclusion in the Representative List of the Intangible Cultural Heritage of Humanity means financial aid.

It is normal for an international organization to attach a condition to its financial aid to member states, and that such a condition, if taken into their policies for the safeguarding of cultural heritage, may actually result in modifying their customary. For example, if a state receives financial aid to be used to ensure the handing-over of a certain performing art that has been transmitted only from men to men, the condition can be that the world of this performing art must accept women as future successors.

12 This problem was directly and frankly discussed for the first time at UNESCO in the meeting of experts “Gender and Intangible Heritage” (December 2003), which the author organized as a staff member of the UNESCO Intangible Heritage Section. The Final Report of the meeting can be downloaded from the UNESCO website:

http://portal.unesco.org/culture/en/ev.php-URL_ID=13598&URL_DO=DO_TOPIC&URL_SECTION=201.html

Of course, this may function to give a longer life to this performing art, but it can also be said that the Convention may make up a general framework in which only politically correct traditional cultures are considered valuable and should be preserved. As such, the international standard of human rights, including gender equality, which nobody can officially deny, is now officially being introduced into the policies concerning traditional cultures.

This may not be regarded as a real crisis in a country like Japan, which can manage its own policies for the safeguarding of its cultural heritage, having world-leading expertise in the field as well as financial power, even if the percentage of the cultural budget is not high. However, in many developing countries, where the public policy priority cannot extend to the safeguarding of cultural heritage before saving people from poverty and hunger, the future of their traditional cultures, exposed to rapid social change, depends directly on international aid. Considering such a situation, it is not an exaggeration to say that the international framework for the safeguarding of intangible cultural heritage that is now being established may irreversibly direct the course of cultures around the world.

Cultural Diversity

In the Convention for the Safeguarding of the Intangible Cultural Heritage, the term “cultural diversity” appears in the Preamble as follows:

The General Conference of the United Nations Educational, Scientific and Cultural Organization

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Considering the importance of the intangible cultural heritage as a mainspring of cultural diversity, as underscored in the UNESCO Universal Declaration on Cultural Diversity of 2001,

.....

Recognizing that communities, in particular indigenous communities, groups, and, in some cases, individuals, play an important role in the production, safeguarding, maintenance and recreation of the intangible cultural heritage, thus helping to enrich cultural diversity,

.....

Adopts this Convention

It can be seen that the Convention considers the enrichment of “cultural diversity” as the ultimate goal, and the safeguarding of intangible cultural heritage as a means to attain it.

The above-mentioned “UNESCO Declaration on Cultural Diversity” is a document that successfully made the concept of cultural diversity an umbrella concept under which all the fields of cultural policies, such as the safeguarding of cultural heritage and the promotion of cultural industry, are to be located. The document is excellent not only at the ideal level, but also at the practical level in having justified the policy actions from the UNESCO side before requested. In everyday tasks performed in the Culture Sector of the UNESCO Secretariat in 2002 when the author served there, activities of different fields seemed to be conducted for different objectives; however, within a couple of years, every activity came to be explained as ultimately serving for the preservation and promotion of cultural diversity. This understanding of cultural diversity as the ultimate goal of every action of cultural policies may influence the future nature of the “Representative List of the Intangible Cultural Heritage of Humanity.”

In the case of a World Heritage which deals with architecture or natural phenomena, it is relatively easy to physically clarify the scope of the heritage to be designated. The intangible cultural heritage is different: it is difficult to pick a particular element out of the integrity of cultural environment of certain people. The inclusion of an element in the list would directly influence the life of some living people, and above all, the evaluation of this element to decide whether or not to include it in the list means a value judgment of the concerned people’s life.

For these reasons, opposing voices to the establishment of the list, copied from the World Heritage program, sounded fairly convincing in the drafting processes of the Convention. What was essential was not to make a list but to have a convention that would substantially persuade the states to take action for the safeguarding of intangible cultural heritage.

The drafting processes of the Convention saw not a few emotional scenes, because the topic apparently touched the cultural identity of each participant of the meetings if he/she was not speaking as an individual but officially representing the respective governments. The author well remembers that the representative of a Latin American

country started to cry, saying that making such a list would only dishonor peoples. Nevertheless, the establishment of the Representative List of the Intangible Cultural Heritage of Humanity was incorporated in the Convention. It was because on one hand, the initial idea to create an equivalent mechanism to the World Heritage was maintained at a superficial level, and on the other hand, there was a pragmatic calculation to have a visibly attractive aspect to the general public within the Convention for the purpose of raising funds for international aid.

The adjective “representative” was added in the course of such debates in order to avoid misunderstandings that only elements included in the list were worth safeguarding and that the other traditional cultures were not so valuable, and to add the nuance that the elements on the list would only be examples of intangible cultural heritage of the whole world.¹³ However, it was not written down in the Convention, and the actual operation of the list was left to later studies of the Intangible Heritage Committee. Consequently, the term “representative” is left open for any interpretation independent from the past debates. There are two possible interpretations:

One is that the Intangible Heritage Committee, as an international organization, should basically respect the selection of a candidate submitted by a State Party of the Convention for inclusion in the list, and the list will be comprised of traditional cultures that each state considers “representative” of itself. Many participants of the past drafting meetings seemed to understand the meaning of “representative” as such, according to the natural interpretation of the term.

However, as time went on after the adoption of the Convention, another interpretation became powerful and started to be discussed more and more convincingly at UNESCO. The idea is that as long as the list is called a “Representative List of Intangible Cultural Heritage of Humanity,” the list has to “represent” the cultural

13 The World Heritage program has actually been exempt from this problem since its beginning, as the “World Heritage” is a proper noun only meaning heritage designated as such and it can be clearly differentiated from the general nouns “(tangible) cultural heritage” and “natural heritage.” While the World Heritage Convention and the Convention for the Safeguarding of Intangible Cultural Heritage are very similar to each other on the surface, they are fundamentally different: While the former basically has a limited scope to deal with the “World Heritage,” the latter generally aims to promote the safeguarding of intangible cultural heritage, spotlighting some of those as “examples.”

diversity of the world, and therefore the international organization should not only rely on the selection to be done by State Parties, but take an active role in selecting and determining the cultural elements to be included in the list. In this idea, “representing the cultural diversity” should firstly mean geographical representation, but secondly, the idea includes a meaning that various genres of intangible cultural heritage should evenly be selected.

This second interpretation certainly has good aspects. It may be effective particularly if a country is not able to make an objective selection of cultural heritage because of internal problems such as the politics relating to minority groups and rivalry in the cultural industry; it may also work well in cases where a government lacks necessary expertise or interest and does not seriously carry out the selection. In these cases, the international organization’s active role, based on this second interpretation of “representative,” may give the list some scientific value and may make it visibly diverse and attractive as well. However, should either UNESCO or the Intangible Heritage Committee have the right to control the “Representative List of the Intangible Cultural Heritage of Humanity,” and therefore, to edit the cultural diversity of the world?

While further legal study is inevitable, the existence of this second interpretation already speaks of a new stage into which traditional cultures of the world are now being pushed. There is no doubt that a traditional culture belongs to its owners. Here, the term “owner” is used in a broad sense including not only those who directly practice the culture, but also those who enjoy or consume it, which means almost the entire society. The protection of cultural properties was once an action to be carried out by such cultural owners for themselves. The establishment of the logic that every traditional culture is a property commonly owned by the whole humanity enabled international cultural cooperation, which simply meant giving help to maintain other people’s traditional cultures. The above-mentioned second interpretation of “Representative List” implies a new stage of international cooperation where the international organization is placed above any owner of cultures, even the whole humanity, as the authorized evaluator of each traditional culture to decide its value as a specimen of cultural diversity of the world.

If selected as a good specimen, a traditional culture may be given international aid and survive longer, but no longer within its owners’ context. What is important here

does not seem to be that the world is culturally diverse as a fact, but that the world is represented as diverse. Not to mention that this evaluator employs human rights as the international criteria to select the specimen.

3. The Similarity of the Current Situation with the State of the Nineteenth Century

1) Rutherford Alcock and the Second International Exhibition in London

As we face the situation described above, similarities with Japan's entry into the international society in the middle of the nineteenth century come to mind. At that time, American and European steamships reached East Asia, and Japan had to abandon its isolation policy (*sakoku*) and open itself to international relations.

It should not be necessary to explain for the readers of this paper the drastic changes of social as well as value systems that Japanese society had to experience in order to survive the Western impact and to become part of "international society," of which, though it claimed to be "international," Japan was not among the original members. The aim was to establish a modern nation state with a constitution, and at the same time, the customary maintained in ordinary people's daily life was to be modernized. In other words, Japanese society endeavored to eliminate from itself the "barbarism" from the perspective of the modern West. For example, it is well known that mixed bathing in public baths, which was part of everyday life, was banned, starting from Tokyo in 1872,¹⁴ in reaction to repeated criticisms that it was a barbarian custom by Western diplomats who had begun to reside in Japan from the 1850s.¹⁵

While traditions considered barbaric were eliminated as a token of modernization, elements that were received positively by "international society" such as exotic beauty or wisdom of barbarians followed another course. The first British Minister, Rutherford Alcock, who arrived in Japan in 1859, was the first foreigner who observed Japanese arts in detail and was fascinated by them. When he created a

14 Ishii Kendo, *Meiji jibutsu kigen* (The Origin of Things and Matters of the Meiji Period), Kyonando, 1970, pp. 52-53.

15 Rutherford Alcock, a British diplomat and the first Westerner in history to reside in the city of Edo, was one of those who were shocked by the customary of mixed bathing in Japan. He mentioned it in his *The Capital of the Tycoon: A Narrative of a Three Years' Residence in Japan* (London: Longman, Green, Longman, Roberts, & Green, 1863) as follows: "Where there is no sense of immodesty, no consciousness of wrong doing, there is, or may be, a like absence of any sinful or depraving feeling" (vol. I, p. 253).

Japan section at the London International Exhibition in 1862 for the first time in history, the exhibits, mainly from Alcock's own collection, were given an official role to represent Japanese culture to the "international society."

Many studies do not include this London exhibition in the history of Japan's participation in international exhibitions, for the reason that the selection of the exhibits was not done by the then Japanese government (bakufu) but was carried out by Alcock.¹⁶ However, even if the exhibits did not represent the bakufu's idea about Japanese culture, it is still true that Japan's participation in this exhibition was decided through the exchange of official letters between Alcock and the Japanese Ministers of Foreign Affairs (*roju*) and was communicated to the host country by diplomatic routes.¹⁷

This explains that Japan's participation in this London exhibition was not a private enterprise of Alcock as is often understood, and that this should be considered the first case of Japan's official participation in an international exhibition. Such an understanding would make clear the fact that the elements to represent the Japanese culture to "international society" for the first time in history had to be selected officially by the eyes of an outsider.

Alcock loved and respected Japanese culture and had a sincere intention to make it known to "international society." At the same time, he did not forget, as a diplomat of the British Empire, the importance of impressing the audience of the exhibition by visual images to show that a Far Eastern country, which had totally been unknown, now appeared on the stage. When the first London International Exhibition in 1851 (The Great Exhibition) was being prepared, Prince Albert, who directed the exhibition, described the enterprise as "a unity (of mankind,) the result and product

16 For example, Yoshimi Shun'ya, *Hakurankai no seijigaku* (Political Sciences of Exhibitions), Chūōkōronsha, 1992; Tsunoyama Yukihiro, *Vienna bankokuhaku no kenkyū* (Studies of the Vienna International Exhibition), Institute of Economic and Political Studies in Kansai University, 2000; Kuni Takeyuki, *Hakurankai no jidai: Meiji seifu no hakurankai seisaku* (The age of exhibitions: Policies of the Meiji Government Concerning Exhibitions), Iwata Shoin, 2005.

17 Concerning the processes, see p. 173 and the following pages of Sano Mayuko, *Alcock no Edo: Shodai Eikoku koshi ga mita bakumatsu Nihon* (Alcock's Yedo: Japan of the Last Days of the Ancient Regime Seen by the First British Minister), Chūōkōron-shinsha, 2003.

of those very natural varieties and antagonistic qualities.”¹⁸ There, Japan had not existed, as it was still under the *sakoku* policy. Another International Exhibition of eleven years later was permitted to include Japan, thanks to Alcock. It can be said that it was far more complete as the nineteenth-century version Representative List of cultural diversity, compared with the first exhibition.

2) Vienna International Exhibition and the Beginning of the Protection of Cultural Properties in Japan

The Japanese exhibits in the 1862 London Exhibition¹⁹ were things that were actually used in the ordinary life of the Japanese at that time, and they were naturally “representative” of Japanese culture, even if selected by Alcock. However, the exhibits “representing Japanese culture to international society” did not change even after the real life of the Japanese started to be modernized and to undergo drastic changes.

In the preparations to participate in the Vienna International Exhibition in 1873, which was the first one that Japan took part in after the Meiji Restoration, the Japanese government decided to emphasize Oriental exoticism by focusing on traditional arts and crafts, and to avoid describing the real state of the society that was making enormous efforts at modernization. It is true that this policy was based on the advice of Gottfried Wagener who was a foreign advisor (*oyatoi gaikokujin*) of the Meiji government,²⁰ but in any case, Japan had a clear intention to make itself welcome to “international society” by fully responding to its expectation of “Japaneseness.”

This means that the Japanese themselves understood and started to take advantage of the effect of exoticism, which had been anticipated and presented by Alcock, an outsider, at the time of the London Exhibition. Japan continued to have a good

18 Quoted from the speech by Prince Albert (21 March 1850, at the Mansion House of London), published in the *Illustrated London News*, March 23, 1850. “Very natural varieties and antagonistic qualities” is different as an expression from the term “diversity” used in today’s debates of cultural diversity. While it would be meaningful to study in detail this evolution of expressions, it would also be worth recognizing that a similar idea already existed in 1850.

19 *Catalogue of Works of Industry of Art, Sent from Japan* (London: William Clowes and Sons, 1862), prepared by Alcock himself, shows the entire line-up of 614 exhibits.

20 See Yoshida Mitsukuni, *Bankoku hakurankai: Gijutsu-bunmeishi teki ni* (International Exhibitions: As the History of Technology and Civilization), rev., Tokyo: Japan Broadcast Publishing, 1985, pp. 68-69.

command of the two faces, internally eager to Westernize itself and externally exotic to the eyes of the West, in the following International Exhibitions until such structure was broken with the case of the Japanese Pavilion at the 1937 Paris Exhibition just before the Second World War.²¹ Having said so, it would be worth recognizing here a simple fact that the opposite direction, that is, to feign modernization externally and to maintain traditional life internally, was not taken.

This two-face structure required Japan to purposely set aside its cultural elements free from Western influence, maintained from the previous era. Japan decided to accept the invitation to the Vienna Exhibition in 1871, and it is worth noting that its preparation processes were combined with the attempt by the Japanese government to collect traditional objects from all the prefectures of the country to preserve them, which is considered to be the starting point of the country's policies for the protection of cultural properties. What occurred is described below.

In 1871, Daigaku (The University), one of the Japanese government organizations at that time and the predecessor of today's Ministry of Education, Culture, Sports, Science and Technology, organized the first modern exhibition in Japan, named "Daigaku Nan-ko Bussankai," in Tokyo. This enterprise aimed to promote industrialization as well as the establishment of a permanent museum, learned through the observation of Western countries by bakufu missions before the Meiji Restoration. At the same time, but originally as a separate project, Daigaku, worrying that the extreme spread of social trends would destroy old customs, proposed to Dajokan (equivalent to the cabinet) the protection of traditional objects. These two ideas were merged, and the second exhibition (named Hakurankai) organized in the following year was given a role to collect and exhibit traditional objects, rather than to promote industrialization.²²

21 Concerning the processes of preparations of the Japanese Pavilion in Paris 1937, see Sano Mayuko, "Bunka no jitsuzō to kyozō: Bankoku hakurankai ni miru Nihon-shōkai no rekishi" (How to Exhibit 'Japan': A History of Japan's Search for Itself in the History of International Exhibitions), in Hirano Ken'ichirō, ed., *Kokusai bunka kōryū no seijikeizaigaku* (Politics and Economics of International Cultural Exchange). Tokyo: Keiso Shobo, 1999, pp. 81-126.

22 See Tokyo National Museum, ed., *Tōkyō Kokuritsu Hakubutsukan hyakunen-shi* (A Hundred Years' History of the Tokyo National Museum), Tokyo: Daiichi Hōki Shuppan, 1973, pp. 23-40, and also Shiina Noritaka, *Nihon hakubutsukan seiritsu-shi: Hakurankai kara hakubutsukan e* (History of the Establishment of Japanese Museums: From Exhibition to Museum). Yuzankaku, 2005.

Participation in the Vienna International Exhibition was a timely addition to such a situation in Japan. As a result, the collection of objects to be exhibited in Vienna and the nationwide research of traditional objects were combined to form two sides of one coin, which gave the project ample budget and human resources. Moreover, the purpose of participation in the Vienna Exhibition helped persuade temples and shrines to allow researchers into their treasuries: Noritane Ninagawa, one of the researchers of the Department of Museum of the Ministry of Education (as reorganized from Daigaku), described the situation as a “fortunate timing” and wrote that for him “there would not have been a more pleasant task.”²³

Although it was certainly a fortunate coincidence that the two projects were to be conducted at the same time, it would be natural to understand that the fact that these were conducted together would have a great impact on each other, not only from the perspective of efficiency but a more essential one. Namely, the policy for the preparations for the Vienna Exhibition, to avoid describing modernization processes and to emphasize the exoticism to the eyes of the West, became solidified as the tasks were merged with those of collecting traditional objects for the national purpose of preserving them. At the same time, people involved in the collecting of traditional objects were required to look for works representing exotic “Japaneseness” for the Vienna Exhibition.

As a result, the starting point of Japan’s policies for the protection of cultural properties was deeply related, on a practical level, with the strategies for the entry into international society, by fulfilling the requirement to be an attractive new element of the “very natural varieties and antagonistic qualities.”

4. Conclusion

Thus, “cultural elements free from Western influence, maintained from the previous era” were carefully set aside as exhibits to represent “Japaneseness.” However, it was not all such elements that were set aside. A country newly entering into “international society” had to emerge, on one hand, having eliminated its barbarism to the extent not unpleasant to the criteria of the modern West, yet on the other hand maintaining some appropriate barbarism, that is, beautiful exoticism to the eyes of the West. International exhibitions welcomed a cultural representation that realized

23 See the above-mentioned *Tōkyō Kokuritsu Hakubutsukan hyakunen-shi*, p.79.

such “universalization” and “peculiarization” at the same time. It was here that a traditional culture of “international quality” was established.

It can be said that Japan managed to produce such “qualified” culture through the processes from the second London Exhibition to the Vienna Exhibition. On the contrary, “unqualified” cultures, having rejected the idea to eliminate their barbarism or not having been given a chance to do so, were labeled as primitive, and had to be regarded, for a long time, as existing outside of, or beneath, and not part of, “international society.” This is evident from the history of exhibitions of human beings that appeared in international exhibitions in the 1890s²⁴ as well as of colonial exhibitions, the most famous of which is one in Paris in 1931.

While the London Zoo attracts visitors by its special event “Human Zoo,” the exhibition of “primitive” human beings in the meaning of colonial exhibitions has been eliminated from the world thanks to the development of ethics during the past century.

Is it true?

If ethics is a matter of discourse and not of practice, its development has duly eliminated the concept of barbarism, and has expanded the “international society” that once meant only a part of the surface of the globe to its entirety. Many of the cultures that had been placed outside of “international society” were proudly accepted as its members after the Second World War. Of course, to be accepted, they had to prove their intention to “modernize” themselves, as Japan had once had to. Such processes have not yet ended.

Cultures that were labeled as primitive are now called intangible cultural heritages, lamented for their extinction, and a framework for international aid is being prepared for their safeguarding. To receive international aid, an intangible cultural heritage has to be not unpleasant to the eyes of the international society, consistent with the concept of human rights as the universal criteria, and at the same time, has to be regarded as different from the other cultures to an appropriate extent, in order to be a

24 The most famous example is the zone called Midway Pleasance constructed as part of the Chicago International Exhibition in 1893.

good addition to the spectrum of cultural diversity called the “Representative List of the Intangible Cultural Heritage of Humanity.” By realizing such “universalization” and “peculiarization” at once, a culture can finally be encouraged to remain on the globe as a culture of “international quality.” It should be noted that many developing countries are now taking the first step of safeguarding their cultural heritage under such guidance of international society.

Thinking about traditional cultures, or discussions of safeguarding cultural heritage—wasn’t it the idea to revalue cultures that had historically been “unqualified,” and to replace them in a fair context; thus, to aim to establish a truly diverse international society? However, the “cultural diversity” in today’s discourses does not seem to paint such a picture of true international society, but only tries to persuade the historical “international society” to accept the “barbarians,” which it placed outside of itself, now as part of itself.

It is not necessary to deny the value of shared political will to safeguard traditional cultures that are facing the risk of extinction, and to ensure safeguarding action by means of an international agreement. However, it is also necessary to watch the processes, not to be deceived by their beautiful image, and not to avoid touching upon historically rooted problems installed in the international agreement. The test of “international qualification,” the way of evaluating things to which the Japanese have been accommodated, has to be doubted from time to time. The author, through her experiences at UNESCO, the origin of the discourse of “cultural diversity,” became aware of such problems, and believes that those who are aware of them have to speak out.

At this historical moment, when the future of traditional cultures has irreversibly been entrusted to the international society, we may want to seriously think about Homi K. Bhabha’s “non-consensual terms of affiliation” that “may be established on the grounds of historical trauma.”²⁵

25 Bhabha, Homi K., *The Location of Culture*, London and New York: Routledge, 1994, p. 17.