

Registration of UNESCO's Intangible Cultural Heritage and Contestation of Belongings in Northeast Asia

Sunhee Park, Seoul National University, Republic of Korea

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Abstract

UNESCO has played a leading role in the protection of cultural heritage. While 2003 Convention for the Safeguarding of the Intangible Cultural Heritage(ICH) calls for international cooperation to safeguard the world's intangible heritage, it inadvertently fosters nationalist claims on cultural ownership. The signatories of the Convention may treat the Convention as an approval of authentic ownership and use its lists to confirm their cultural proprietorship. Inclusion on the list of cultural heritage may generate contestation of belongings among countries over their origin and ownership. This study tends to examine the cases between Korea and China over the registration of UNESCO's ICH. Among the 19 elements of ICH registered by Korea until January 2017, there are several heritages (*Pansori, Danoje, Nongak, Arirang*), especially the *Arirang*, which is one of the most representative Korean folks, in cultural debates and conflicts with China over its ownership. This paper proposes to examine that despite ICH's initial intention to safeguard the world's intangible heritage, the heritage listing has been served as a strategic tool for politico-nationalistic purposes increasing the contestation of belongings. Examples from Korea and China illustrate that UNESCO's Cultural Heritage regime can amplify connection between heritage and nationalism hence questioning the role of UNESCO in Culture.

Keywords: UNESCO, Convention for the Safeguarding of the Intangible Cultural Heritage, Cultural ownership, Korea, China

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Introduction

UNESCO has played a leading role in protecting the cultural heritage. In 1972, UNESCO has adopted the World Cultural and Heritage Convention, creating the World Heritage List and thus, important heritage is registered in its list. This is believed to contribute in better preservation of countries' heritage that represents universality of humanity and outstanding values. Until the 1970s, cultural heritage mostly referred to tangible culture that is represented as monumental and exceptional. In 1982, Declaration of the World Conference on Cultural Policies first clarified that 'Culture' does not only involve tangible culture, but also wide-ranging concept including lifestyle, value and belief structure. More specifically in 1989, Recommendation on Traditional Culture and Folklore defined the forms of intangible culture heritage as the art of "language, literature, music, dance, games, mythology, rituals, customs, handicrafts, architecture and other arts." Due to the recommendation in 1989, intangible, ordinary and daily culture expression has been acknowledged as an essential part of the culture. The recommendation has directly contributed in establishing the '2003 Convention for the Safeguarding of the Intangible Cultural Heritage (also known as ICH Convention),' which enabled the wide-ranging cultural agreement. The ratification allowed expansion of the term 'Cultural Heritage' in international standard, and included intangible cultural heritage (ICH) as well as the traditional knowledge on managing natural sources.

While ICH Convention calls for international cooperation to safeguard the world's intangible heritage, the tendency of state-centric nationalist claims on cultural ownership has become even stronger than before. The signatories of the convention make it seem like an approval of authentic ownership and the confirmation of their cultural proprietorship. Registration for the cultural heritage list may generate contestation of belongings among countries over their origin and ownership. In particular, decisions on the representative lists of ICH seem to cause intense competition between the nations.

If the prior tendency of UNESCO's culture protection was 'Universalism,' intangible heritage started to show difference in its direction from 2003. As the Stoczkowski (2009, 10) explains, starting from the 2000s, UNESCO's former universalistic mission, together with the new tendency for cultural diversity were emphasized, and highlighted the cultural attribution. Moreover, unlike the tangible cultural heritage, the feature of intangible culture heritage closely connects the identity of community and the affiliated group. It is important to note that the most intense contestation prevails in the registration of ICH in Northeast Asia, and this seems to be deeply related with the identity issue.

Table 1: Total of inscriptions are 298, of which 16 are multinational. (2008-2012)¹

Regions	Elements/programmes		Submitting States	
	Number	% of Total	Number	% of Total
Western Europe and North America	49	16%	10	11%
Eastern Europe	48	16%	17	18%
Latin America and Caribbean	44	14%	18	19%
Asia and Pacific	123	40%	17	18%
Africa	23	8%	18	19%
Arab States	17	6%	13	14%
TOTAL	304	100%	93	100%

Table 1 shows that the 40% of ICH registered in the UNESCO comes from Asia and Pacific countries. This is overwhelmingly more than that of Western Europe and North America (16%), Eastern Europe (16%), and Africa (8%). In particular, despite the fact that ICH comprises of 70~80% of the major cultural heritage in Africa, the actual registered numbers of African ICH is low, showing how the registered list of ICH in UNESCO is concentrated in Asia.

Table 2: Countries with the Highest Number of UNESCO Inscribed Intangible Cultural Elements²

Rank	Country	Number of ICH elements inscribed by UNESCO
1	China	38 (39)
2	Japan	22 (21)
3	South Korea	19
4	Turkey	14
5	Spain	14
6	Croatia	14
7	France	13
8	Belgium	12
9	Mongolia	12
10	India	12

Table 2 shows that the reason for high proportion of ICH in Asia is especially because of the Northeast Asian countries' competitive registration, primarily in China, Japan and Korea. Among the top 10 countries to register the heritage, the first, second and the third is respectively China, Japan and Korea. So far, from 2008 - the start of ICH registration - to now, Korea has inscribed 19 elements and China has inscribed 39. It is more likely that the 2003 ICH Convention provoked the national pride in protecting the ownership of the culture. With this critical mind, this study examines the controversial cases between Korea and China over the registration of UNESCO's ICH.

¹ UNESCO (2013), Media Kit- Intangible Cultural Heritage, Intangible Cultural Heritage Section, p. 21.

² <http://www.worldatlas.com/articles/countries-with-the-highest-number-of-unesco-inscribed-intangible-cultural-elements.html> (January 2017).

Among the 19 elements of ICH registered by Korea, there are several heritages (*Danoje*, *Nongak*, *Arirang*), especially the *Arirang*, which is one of the most representative Korean folks, in cultural debates and conflicts with China over its ownership. It is important to note that this conflict did not exist before the initiation of ICH registration. Hence, it is believed that these debates have been intensified by the registration of the UNESCO's ICH list. Considering the conflict between Korea and China, it is doubtful whether the ICH Convention actually contributes in world peace, as its original purpose. The cases of Korea and China shows that it may rather instigate the inter-state conflicts regarding the cultural issue.

This paper proposes that despite ICH's initial intention to safeguard the world's intangible heritage, the heritage listing has been served as a strategic tool for politico-nationalistic purposes, increasing the contestation of belongings. Examples from Korea and China illustrate that UNESCO's Cultural Heritage regime can amplify connection between heritage and nationalism, hence questioning the role of UNESCO in Culture. Lastly, it further investigates on the expansion of state-centric nationalism, which is contrary from the UNESCO's original will to transcend the borders in preserving the culture.

Tendency of UNESCO's Culture Protection: From Universalism to Multiculturalism

Although there are keywords that represent the UNESCO's culture preservation mission; such as common heritage of humanity, cultural diversity, creative value, sustainable development, the core concepts that penetrate the UNESCO's culture preservation tendency are 'Universal Value,' and 'Cultural Diversity.' UNESCO has long been emphasizing the universal aspect of culture preservation. In 1972 Convention, the importance of 'Outstanding Universal Value' and 'Authentic Character' (UNESCO Media Kit, 12), are mainly pointed out, whereas in 2003 ICH Convention, UNESCO's basic principle has changed from 'Universality of Humanity' to 'Cultural Diversity.'

According to Stoczkowski, from 1945 until now, UNESCO's core policies can be sequentially arranged in three periods. During the first period (1945~1965) the main principle of UNESCO was based on universality of humanity with the main aim to resolve racial inequality, and thus focused on the education for the third countries and the solution plan for economic and population related problems. The second period (1965~1985) shows that UNESCO's main principle transformed to the issue of 'preservation and development.' In this period, the Western economic system has reached its limit and hence the ugly sides of economic development, such as the problems of environmental pollution, destruction of cultural heritage, overpopulation in the third countries were emerged as urgent matters. This was when the World Heritage Convention was signed. Originally, the discussion on the world heritage started from the Egyptian heritage protection movement, since it was in danger of being destructed by the high dam construction. At the time, UNESCO's ruling idea remained as the 'Universality of Humanity,' and considering the long-time interests that West has had in Egypt, the Egyptian heritage fulfilled the so-called "Outstanding Universal Value"

Stockowski insists that it is the third period when the major idea of UNESCO started to change. During this period, UNESCO adopted the Living Human Treasure (1993), UNESCO Masterpieces of the Oral and Intangible Heritage of Human Treasure (2001), IHC Convention, Convention on the Protection and Promotion of the Diversity of Cultural Expressions. Here, the core principle is preservation of 'Cultural Diversity.' Preservation of common heritage of humanity that focused on the universal values transformed to the "celebration of the virtues of cultural diversity (Stoczkowski, 11)." The ICH Convention adopted in the third period shows the UNESCO's tendency to place much value in cultural diversity than in the promotion of universality. This was carried out with hopes that UNESCO's culture preservation method could contribute in changing the Western perspective to an expansion of non-Western community and minorities' rights.

Intangible Cultural Heritage (ICH) and Identity

In the past, the concept of UNESCO's Culture Heritage implied the dichotomous thinking; of which the tangible heritage belonged to the Western developed nations, and the intangible heritage mostly to the developing nations. However, as the concept of cultural heritage started to expand, the importance of ICH has been magnified. Expansion of the concept from material heritage to the immaterial heritage meant transforming from a West-centric tradition to the other peripheral parts of the world. If the 2003 ICH Convention arranged measurements to solve the imbalance between the tangible and intangible cultural heritage, what actually is the difference between the two?

ICH, transmitted from generation to generation, is "constantly recreated by communities and groups in response to their environment, their interaction with nature and their history, and provides them with a sense of identity and continuity, thus promoting respect for cultural diversity and human creativity." (ICH 2003, Article 2, 1)

According to the above clause in the ICH Convention, it is noticeable that intangible culture heritage is more related to the countries' cultural identity and their history, compared to the tangible cultural heritage. In the case of ICH, it encourages wide-range participation from the community, and the preservation of ICH regards the identity and consistency as crucial factors. The communities emphasized here are not only limited to those who produce and teach certain culture, but also includes people who appreciate and enjoy the heritage, participates in sustaining the base of its identity and consistency, and in some cases even reproducing it. Thus, community here can be identified as a country pursuing a common cultural identity. Therefore, UNESCO's tendency to value cultural diversity in the perspective of cultural relativity has the possibility of raising some concerns. The common asset of humanity that needs to be protected through the UNESCO's ICH Convention is preservation of diversity, but at the same time since ICH cannot be separated with the identity of certain collective group, the registration of ICH may be regarded as securing confirmation of the identity. In other words, it provides an excuse for advocating the exclusive ICH ownership through the certain identity confirmation. Such confirmation of exclusive ownership would also result in stronger national rights on culture. In the process of deciding the exclusive ICH ownership, UNESCO's ICH registration system has amplified new conflicts and tension between the countries.

Registration of ICH and the Case of Northeast Asian Countries

UNESCO's interest in protecting ICH is more likely to have started because of Asian countries' influence. From 2001 to 2005, UNESCO has actively engaged in the project for 'Masterpieces of the Oral and Intangible Heritage of Humanity.' During this period, 90 pieces of 70 countries' oral masterpieces and intangible heritage of humanity were selected, and the system is known to be modeled after the designation system of important cultural asset in Korea and Japan. Especially the resolution of UNESCO's 142nd Session Executive Board in 1993 that increased the interests for ICH and the cultural transmitter worldwide, was related to the 'Living Human Treasure System, which was introduced by Korea before.

The Asian countries that were active in making the international norms of the ICH were even to a level of being "aggressive" when registering the ICH. The statement of Tim Curtis, Chief of the Culture Unit in Bangkok UNESCO Office, that the 2003 Convention has become an Asia-Centric Convention, as opposed to what was originally alleged to be the Euro-centric 1972 Convention, also depicts this situation. Due to the contestation of belongings between the three Northeast Asian countries in 2012, UNESCO has given priority to the multinational registration and non-registered states. Also, the registration rule was changed in a way so that the three list mechanism (Representative List, Urgent Safeguarding List, Register of Best Practices) could become one, and the subject of examination would eventually be 'one application per country.'

Competitive Registration of UNESCO's ICH in Korea and China

Korea and China are two of the most representative countries with inter-state conflicts for the ICH registration. Among the 19 lists of Korea's ICH, the following lists in the Table 3 are the ones that are continually disputed with China.

Table 3: UNESCO's ICH Registration List that are in Disputes between Korea and China

Year of Inscription by UNESCO	Korean Registration	China's Reaction
2003	<i>Pansori</i> epic Chant	In 2011, Chinese Ministry of Culture registered <i>Pansori</i> and <i>Arirang</i> as China's national immaterial cultural heritage through its third registration of National Programme of Intangible Heritage and the Notice on Strengthening Protection of Cultural Heritages by the State Department.
2005 2009	<i>Gangneung Danoje Festival</i>	In 2009, four years after Korea registered <i>Danoje</i> as its heritage, China changed its name to ' <i>China's Dragon Boat Festival</i> ' and registered it on the UNESCO's ICH list

2012	<i>Arirang</i>	In 2011, Chinese Ministry of Culture registered Pansori and Arirang as China's national immaterial cultural heritage through its third registration of National Programme of Intangible Heritage and the Notice on Strengthening Protection of Cultural Heritages by the State Department.
2014	<i>Nongak</i> : community band music, dance and rituals	' <i>Farmer's Dance of China's Korean Ethnic Group</i> ' was registered as the China's intangible cultural heritage in the UNESCO's ICH list.

Ever since China joined the ICH Convention, it has rapidly established the Intangible Cultural Heritage Law (2011) and finished its national investigation to select representative lists for ICH registration. China's ICH policy started later than Korea and Japan, yet it has arranged a systemized procedure in a short-term period, and as a result prevails as the heavyweight nation in terms of East Asia's ICH. The above table shows the lists of registered ICH that has brought about disputes between Korea and China. First of all, *Pansori* is a representative folk music in Korea, and it is renowned that Korean classical novels, such as *Simcheongjeon* and *Chunhyangjeon* have been presented in *Pansori* style. Nevertheless, China argues that it is a culture of Chinese ethnic minority, *Chosonjok*, ("Chosun" meaning the Korean Kingdom that lasted for five centuries from 1392 to 1897), and went as far as to register Pansori as China's national ICH. The '*Farmer's Dance of China's Korean Ethnic Group*' which was registered by China before Korea in the UNESCO's list in 2009, is also argued as a culture of *Chosonjok*, which means it's traditionally a Korean heritage. As a response, Korea registered the heritage five years after China in 2014 as '*Nongak, Community Band, Music, Dance and Rituals*.' Moreover, *Arirang*, which is the most representative folk song in Korea that is even thought of as the DNA of Korean ethnicity, has a deep historical symbol for the Koreans. During the Japanese colonialism era, *Arirang* expressed the spirit of anti-Japanese resistance, and the sorrow of overseas Korean immigrants not being able to return to their homeland. In 2000 Sydney Olympic, when the North and South Korean representatives marched together, *Arirang* was played as the representative song that can bond both North and South Korea. As it can be seen from the examples, *Arirang* reflects several generations of Koreans' collective identity. Although it is clearly the most representative cultural heritage in Korea, China requested for a common/shared registration with Korea in 2011. This request was not accepted, and in response, China registered *Arirang* as a culture of their minority ethnicity, *Chosonjok* in its '2011 China's National Programme of Intangible Cultural Heritage' list, as it did for *Pansori*.

As for the case of *Gangneung Danoje Festival* registered by Korea in 2005, it is the other way around. In Korea, *Gangneung Danoje Festival* is a regional festival on May 5th of the lunar calendar. It's a traditional festival that is celebrated after the sowing to thank the predecessors for allowing good harvest. On this day, men would wrestle in *Ssireum*³ competition, women would enjoy swinging or wash their hair in water

³ A type of wrestling sport in Korea.

infused with sweet flags. China also has a similar tradition, and it's called *Duanwu Festival* (or *China's Dragon Boat Festival*). It is one of the three biggest festivals in China and it's also designated as a national holiday period of one to three days. The festival seems to have much more meaning in China than in Korea as the tradition has been preserved generation by generation, however in this case Korea registered the tradition first as its ICH in the UNESCO, and hence Korea received endorsement of UNESCO over *Danoje*. Both Korea and China understand the ICH as a source of exclusive ownership, and uses it as a way to fix its cultural ownership through the UNESCO ICH registration.

In order to solve this conflict between nations, Korean National Commission for UNESCO has hosted the '2009 International Forum on Intangible Cultural Heritage in East Asia,' and UNESCO has adopted the 'Recommendation on Common Intangible Cultural Heritage.' The first clause of the Recommendation asks the nation-states to "promote inter-local and international recognition that intangible cultural heritage is shared by people beyond territorial borders, which should not be understood as cultural borders," however the Recommendation does not have a legal force in the international law. In the case of *Danoje*, since both Korea and China celebrates the common festival, it could have been registered as a common heritage, but it is registered respectively in different names. As for *Juldarigi*, a tugging ritual and game with the traditional performance of pulling the rope against each other, is an example of which Korea registered as a multinational heritage. In 2015, *Juldarigi* was registered as a common ICH of Korea, Cambodia, Philippine and Vietnam. Such international action is more challenging for China than Korea, because of its huge territory and numerous different ethnic groups in it.

Formation of a Single Unified Chinese Ethnicity and Culture

Culture is an important factor in China's project to make a state-nation. American Sinologist John King Fairbank (1979, 98) explained the nature of Chinese nationalism, and emphasized how its culture is an important factor.

"Undoubtedly this universalism has meant that culture (the way of life) has been more fundamental in China than nationalism. Early Chinese emperors asserted that they ruled over all civilized mankind without distinction of race or language. Barbarian invaders who succeeded them found it expedient to continue and reinforce this tradition."

China consists of 56 different ethnicities including the Korean ethnic group. Culture is thus used as the major source of unifying the vast country. Fei Xiaotong, Chinese renowned sociologist and anthropologist asserted from 1989 that the theory of "Pluralism-unity structure of the Chinese nation" forms an essential base in filling the gap between the single identity as a Chinese ethnicity and the various ethnic identity. This "new Chinese ethnicity concept" puts cultural factor over the ethnic background that pursues blood ties. Thus, China, comprising of multi-ethnicities, re-established the history and culture of its various ethnic groups by making the ethnic minorities' culture and history into a national Chinese one. This not only makes ethnic minority indivisible in terms of territory, but also forms a state-centric ethnic perspective that knots the history and culture into one. Chinese government, following the theory of Fei Xiatong, hopes to make its minor ethnic heritages as the national Chinese one, and

imprint it worldwide. In this context, China is more specifically interested in the ICH of minor ethnicities. China's image has long been associated with oppressing the ethnic minority, but it is now trying to show the world its soft image of embracing minor ethnicities through the UNESCO ICH registration.

In 2008, when registration for the UNESCO's ICH list was initiated, China registered its traditional culture, such as *Kun Qu Opera*, *Guqin*, and *Muqam*, a regional culture from the Uyghur, where separatist movement from China was strong. The purpose of registering *Muqam*, a combined art form of music, singing, and dancing in the Uyghur regional festival, as China's ICH in 2008 was clearly to immobilize the Uyghur ethnic minority in China. Likewise, in 2010, *Tibetan Opera*, the intangible culture from the Tibet ethnicity that has long requested independence, was also registered as the China's ICH list. In addition, the Chinese government has already significantly included (23%) the ICH of the Tibet ethnicity in selecting the national immaterial culture heritage. Considering the ethnic population ratio, this is clearly an overrepresented number of an ethnic minority. In order to officially possess distinct culture as Chinese heritage by the registration of UNESCO's ICH list, China regards all cultures within the Chinese territory, whether it was from the past or from the present, into a national Chinese culture. Therefore, China not only included Korean ethnicity's historical heritage and culture but also other ethnic minorities' in deciding the historical scenic spots, tangible cultural heritage, intangible cultural heritage and so on. On surface, it is to protect and preserve historical heritage and culture of the ethnic minorities, however, the authentic purpose behind is to make the common history and culture of national Chinese ethnicity. These intentions and actions may result in China introducing Korea history and culture as if it belonged to China, because Chinese government is registering the *Chosonjok's* partial culture as the Chinese ICH. UNESCO's registration method opens up the stage for carrying out these actions.

UNESCONIZATION: Leading to the Rise of Nationalism?

Assignment of national ownership to intangible heritage is clearly not the original goal of the UNESCO's ICH Convention. However, as it can be observed from the registration competition between Korea and China, ICH registration has been misunderstood as a sort of receiving a patent. On the surface, China seems to acknowledge the cultural rights of ethnic minorities within China, and wishes to preserve the culture of Chosonjok, Uyghur and Tibetan ethnicity through selecting and developing their ethnic culture and registering it as cultural heritage in UNESCO. Unfortunately, China's intentions are different from what it may seem. The figure below (Figure 1) shows that between an ethnic group and the nation-state there is a linear continuum with numerous points.

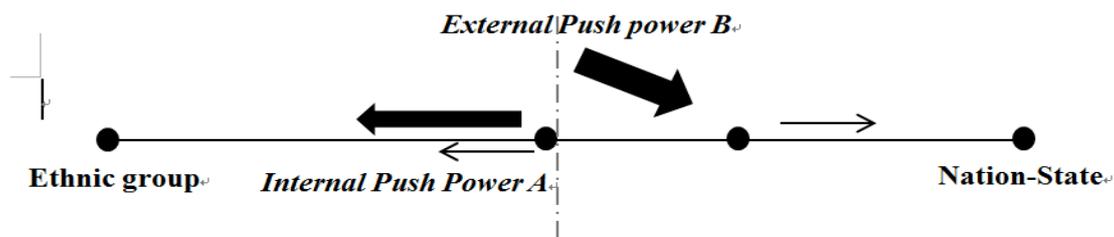


Figure 1: The ethnic group-Nation-State continuum⁴

This linear continuum explains the relationship between an ethnic group and a Nation-State. In reality, an ethnic group can be located at any point on the continuum. Likewise, although in the figure the cultural minority (ethnic group) and the national state are located at the furthest ends, it does not necessarily mean that they are located there in reality. In other words, the distance between the ethnic group and nation-state can be very diverse, and in some cases it could even correspond. If China's intention in registering an ethnic group's culture in the UNESCO ICH list was to develop and preserve the culture, it would primarily work as the 'Internal Push Power A' in the figure. Thus, allowing ethnic minorities to enjoy their own culture within the single state of China. However, if the purpose of ICH registration is to make the culture national-level and to strengthen the "pluralism-unity structure of the Chinese nation" as Fei Xiaotong claimed, it seems more accurate to assert that the case of China is the 'External Push Power B' rather than the 'Internal Push Power A.' UNESCO's ICH registration has enabled a way of developing and protecting the cultures of Chosonjok, Uyghur, and Tibet. However, it has also allowed China to use it as a tool to make a stronger unity as a nation, and work as "External Push Power B" towards ethnic minorities.

Conclusions

The registration of UNESCO's ICH list has brought about sharp focus on the relationship between cultural heritage preservation, cultural conflict, and national identity. Furthermore, this has fueled historical disputes between Korea and China. The Northeast Project, identified by the Chinese government as the "research project of Northeastern China" was a five-year research project from 2002 to 2007. According to China, it is an academic project with pure intentions to discover the history and geography of China's northeastern borderlands. However, the Northeast Project is difficult to be regarded as purely academic undertaking, because there were endless attempts to make the Korea's Goguryeo era (B.C. 37 - A.D. 668) as a partial history of China. In 2004, North Korea and China even registered Goguryeo culture heritage on the World Heritage List, respectively. It is an attempt to change the ancient Korean history of 'Three Kingdoms of Korea,' that unfolded by the Goguryeo, Baekje, and Silla. This shows China's plan to cover any past history within the current territory of China as its own culture and history. Not only the Northeast Project that causes disputes with Korea, but also the Northwest Project with Uyghur, Southwest Project with Tibet, North Project with Mongolia, and South Project with Vietnam, all cast doubts on China's intention for carrying out their research project, as they are

⁴ Adapted from Rong Ma (2007), *A New Perspective in Guiding Ethnic Relations in the 21st Century: 'De-politicization' of Ethnicity in China*, Discussion Paper 21, China Policy Institute of University of Nottingham, p. 4.

the regions that are closely located by the Chinese border, and have the possibility of separatist movements or territorial disputes. China's primary goal is to imprint the world that the culture of ethnic minorities is that of national Chinese through the UNESCO ICH registration. The next step would be to include all the history and culture of ethnic minorities to absorb them as a national culture. Even if UNESCO's initial intention wasn't about national competition, it is true that its current system has played a role in making the single unified Chinese ethnicity, and this has resulted in tensions between neighboring countries of Northeast Asia and the increase of the nationalistic tendency.

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Contact email: europaparksh@snu.ac.kr