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PROTECTION

OF INTANGIBLE CULTURAL HERITAGE AND CULTURAL ANALYSIS

PROTECCIÓN DEL PATRIMONIO CULTURAL INMATERIAL Y ANÁLISIS CULTURAL

Asadova Minakhanim Rafiq¹

E-mail: minaxanim.asadli@mail.ru

ORCID: <https://orcid.org/0009-0002-1728-4188>

¹ Azerbaijan Tourism and Management University. Azerbaijan

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ABSTRACT

Our rich intangible cultural heritage, folklore, and traditional knowledge thrive as living traditions that evolve and transmit intergenerationally, not fading relics of the past. They manifest our history while shaping the future - today's traditions progress from our past, just as today's advances will become tomorrow's traditions. As philosopher Friedrich von Hayek elucidated, traditions organically arise in a locality, becoming invaluable resources constituting national wealth. Consequently, communities and nations with abundant cultural riches increasingly demand safeguarding these creative traditions and knowledge systems. Considering the above, this article examines intangible cultural heritage and cultural analysis. The academic exploration delved into multifaceted dimensions of the phenomena aiming to unravel complexities surrounding intangible cultural heritage conservation. Overall, it was found that vibrant intangible heritage, being locally rooted and evolving, calls for nuanced, adaptive safeguarding approaches rather than fixation in some static envisioning of tradition - the continuum between past and future necessitates careful negotiation.

Keywords: Intangible cultural heritage, UNESCO, treaty, cultural analysis.

RESUMEN

El rico patrimonio cultural inmaterial, folclore y conocimientos tradicionales prosperan como tradiciones vivas que evolucionan y se transmiten intergeneracionalmente, no como reliquias del pasado que se desvanecen. Manifiestan nuestra historia al mismo tiempo que dan forma al futuro: las tradiciones de hoy provienen de nuestro pasado, de la misma manera que los avances de hoy se convertirán en las tradiciones del mañana. Como aclaró el filósofo Friedrich von Hayek, las tradiciones surgen orgánicamente en una localidad y se convierten en recursos invaluable que constituyen la riqueza nacional. En consecuencia, las comunidades y naciones con abundantes riquezas culturales exigen cada vez más salvaguardar estas tradiciones creativas y sistemas de conocimiento. Teniendo en cuenta lo anterior, este artículo examina el patrimonio cultural inmaterial y el análisis cultural. La exploración académica profundizó en las dimensiones multifacéticas de los fenómenos con el objetivo de desentrañar las complejidades que rodean la conservación del patrimonio cultural inmaterial. En general, se encontró que el vibrante patrimonio intangible, al estar arraigado localmente y en evolución, requiere enfoques de salvaguardia matizados y adaptativos en lugar de fijación en alguna visión estática de la tradición: la continuidad entre el pasado y el futuro requiere una negociación cuidadosa.

Palabras clave: Patrimonio cultural inmaterial, UNESCO, tratado, análisis cultural.

INTRODUCTION

Intangible cultural heritage (ICH) encompasses the living facets of culture - the expressions, traditions, knowledge, and practices that are dynamically transmitted through generations within communities. Unlike static tangible heritage such as monuments and artifacts, intangible heritage is fluid, evolving in response to shifting contexts. It is embedded in the everyday life of communities, groups and individuals who are the carriers of these cultural practices. Safeguarding intangible cultural heritage involves considering it as a process intertwined with the identities and continuity of its bearers. More than just documenting traditions, efforts emphasize engaging practitioners, educating younger generations, and nurturing the conditions for these expressions to adapt and thrive. Promoting intangible heritage also contributes to cultural diversity and richness. In this regard, UNESCO has spearheaded initiatives to formally recognize and raise awareness of the importance of safeguarding intangible cultural heritage. These efforts aim to develop sustainable models to ensure its continuity - not by fixing traditions in some primordial form, but by supporting communities in nurturing and transmitting culture as a living process (Liu & Pan, 2023).

Sustainable tourism is an important topic of research related to intangible cultural heritage since this activity has been shown to increase the awareness of people and to help in the protection although it is not free of drawbacks (Richards, 2018). The work of Dou et al., (2018) is interesting since the authors put forth knowledge graphs based on domain ontology and natural language processing as a strategic approach for obtaining and managing extensive intangible cultural heritage data; undoubtedly technology plays and will play an important role in ICH protection. Case studies such as the integration of digital technology in the Celadon Cultural Industrial Park (Zhang et al., 2018) and the UK's decision not to ratify the UNESCO Convention (Hill et al., 2018) showcase implications and shortcomings. Furthermore, protection strategies encompassing daily life (Zhou, 2020), citizen participation models and spatial distribution analyses (Zhang et al., 2022) reveal the breadth of the field.

In general, the protection of intangible cultural heritage (ICH) occupies the intersection of cultural preservation, community identity, and sustainable tourism development but in practice, it has posed several multifaceted challenges. For example, one significant challenge is the ephemeral nature of intangible heritage, which is often communicated through tacit practices and embodied traditions, making it difficult to document and preserve. The transmission of intangible heritage is often reliant on oral traditions, and as older generations pass away, there is a risk

of knowledge and practices being lost (Hou et al., 2022). Additionally, the rapid pace of globalization and modernization poses a threat to the continuity of intangible cultural heritage practices, as they may struggle to compete with contemporary lifestyles and forms of entertainment (Yan & Li, 2023). These challenges require innovative approaches, active participation from the public, and the use of technologies such as 3D and digital tools to ensure the safeguarding of intangible cultural heritage (Eichler, 2021; Skublewska-Paszowska et al., 2022).

It is important to remark that UNESCO has provided appropriate data for the analysis of important developments regarding the definition, content, and scope of the concept of cultural heritage. In particular, the criteria that help measure the outstanding universal value of heritage sites registered on the World Heritage List are important resources in understanding the perspective on cultural heritage that is deemed necessary to be protected (Ortiz & Jiménez de Madariaga, 2022). In this context, the 6th criterion, one of the ten criteria that must be met to be included in the World Heritage List, attaches importance to the holistic protection of the heritage by considering tangible and intangible cultural values together.

Taking the above into account, this study aims to examine the contribution of the tangible and intangible dimensions of cultural assets that need to be protected on the UNESCO World Heritage List to the "heritage" quality. The research method used was the literature analysis specifically related to the study of UNESCO World Heritage Sites, and to associate and interpret these concepts with selected heritage sites. The common feature of the selected heritage sites is that they gain heritage status only with the 6th criterion, that is, only with their intangible cultural values. To accomplish this, in this study, the perspective on cultural heritage was analyzed through UNESCO's two most accepted conventions, the 1972 and 2003 conventions, and the handling of tangible and intangible cultural values together in heritage areas was examined within the scope of the 6th criterion. In line with the key concepts and key places obtained, the concept-heritage area-heritage structure relationship was examined through sample heritage areas. The areas selected for the sample were considered the main data source within the scope of the study in question, as they were included in the World Heritage List by only containing the 6th criterion. The type and quality of the tangible elements contained in the heritage areas were analyzed with the intangible cultural value that gives them their extraordinary universal value, and their contribution to the heritage value was analyzed.

DEVELOPMENT

1. Protection of intangible heritage as a cultural asset

UNESCO, which stands for United Nations Educational, Scientific and Cultural Organization, is a Paris-based organization that was decided to be established on November 16th, 1945, and approved by 20 countries on November 4th, 1946. It carries out pioneering activities in many sectors on the international platform. The main mission of its establishment is the idea of “establishing the intellectual and moral solidarity of humanity and preventing a war environment that is likely to occur again.” UNESCO has played a leading role in the education, science, and culture sectors with the agreements it has prepared and the activities it has carried out. It has provided great support to the conservation discipline, especially in the cultural sector, with the Convention on the Protection of the World Cultural and Natural Heritage signed in 1972 (UNESCO, 1972) and the Convention on the Protection of the Intangible Cultural Heritage signed in 2003 (UNESCO, 2003). It can be said that what we consider heritage today was not considered heritage when it first emerged. An element becomes an inheritance when many and various factors come into play. With the increasing awareness of conservation in the 20th century, discussions focusing on the concept of cultural heritage and methods of preserving cultural heritage were moved to the international platform and received the support of some organizations.

The organizations, including UNESCO, have influenced today's conservation approaches with their financial and educational contributions. Throughout history, various definitions have been introduced to the concept of cultural heritage and its scope has expanded with the understanding of the current period. Nowadays, the importance of subjects in the conservation cycle has increased and cultural heritage has gained a status worth protecting due to the meaning that sometimes individuals and sometimes communities attach to it (Eryazıcıoğlu & Cengiz, 2018, p. 638). In this context, cultural spaces have become preserved and transferred to future generations with the meanings they contain and the values they represent, rather than the way they were built. An understanding of heritage focused on the human-culture-space relationship has also influenced the discipline of folklore, and the studies carried out in this field have focused not only on productions but also on places that have an important role in cultural transmission and the establishment and preservation of collective memory.

In addition to the approach that associates the lifespan of historical buildings with physical and economic parameters, the lifespan of cultural heritage is also associated

with intangible parameters in today's conservation approach. It has only recently become accepted that the distinction between tangible and intangible heritage is merely methodological. Intangible cultural heritage is the common memory of humanity consisting of literature, art, feasts, knowledge, and skills that it keeps alive by transferring from generation to generation throughout history. In other words, intangible cultural heritage cannot exist without social components. Then, tangible heritage consists of the elements of various types and scales in which these creations are produced or represented.

2. Intangible heritage in cultural analyses

While until the second half of the 20th century, the protection of cultural assets was seen as an issue for which states were responsible within their sovereignty borders, in the 1970s, the first efforts to protect cultural and natural heritage in peacetime emerged and the concept of “common heritage of humanity” which was discussed in international platforms and increasingly accepted within society (Idris et al., 2016, p. 9). In the face of dangers that occurred in the 1960s and threatened cultural assets, the need for international cooperation arose for conservation activities. Especially the floods that occurred in Venice and Florence in 1966 and the danger of submersion of Nubian Monuments in Egypt due to the Aswan Dam were the main subjects of discussions on various platforms (Ahmad, 2006). Conservation activities supported by many international organizations, especially UNESCO, have increased and international standards for conservation activities have been tried to be determined through legal regulations. The studies carried out during this period also accelerated the emergence of the “Convention on the Protection of the World Cultural and Natural Heritage”, which we can consider the most important cultural agreement prepared by UNESCO and which is still valid today. The Convention Concerning the Protection of the World Cultural and Natural Heritage was adopted at the UNESCO General Conference held in Paris between October 17th and November 21st, 1972 and entered into force on December 17th, 1975.

The acceptance of the 1972 convention by almost all states (192 states) is an indicator of cultural heritage awareness. Within the scope of the Convention, the establishment of an international cooperation and assistance system that supports the efforts of states to identify and preserve their national heritage is aimed by introducing to the world cultural and natural heritages with superior universal values, which are accepted as the common heritage of humanity. It is aimed to convey the awareness of protecting and preserving this heritage to young people and to ensure the necessary cooperation to preserve the

cultural and natural values that have been damaged or destroyed for various reasons. Cultural heritage that needs to be protected in the convention is discussed in two separate categories: cultural and natural heritage. While monuments, building groups and sites are examined under the title of cultural heritage, natural monuments consisting of physical and biological formations or groups of such formations, geological physiographic formations, areas where animal and plant species under threat of extinction grow, and natural sites with outstanding universal value are examined under the title of natural heritage. In line with the Convention, the "World Heritage List" and the "World Heritage List in Danger" were created (UNESCO, 1972). The cultural heritage perspective that dominates the cultural conventions prepared by UNESCO before 1972 gives priority to "objects", that is, portable historical artifacts, and the conventions aim at preventing the smuggling of historical artifacts.

The use of the term "heritage" instead of "property" for the first time in the World Heritage Convention, which is an international text that has weight in the field in which it is prepared, means the acceptance that the values that need to be protected have special importance beyond belonging to a single state. Unlike its predecessors, the Convention for the Protection of the World Cultural and Natural Heritage is a convention for immovable cultural values and focuses on structure/architecture. The 1972 Convention focused entirely on tangible heritage and the cultural transfers occurring around this tangible heritage were not mentioned. This contract, which deals only with the material aspects of the material and spiritual values that constitute culture and ignores socio-cultural dynamics, does not comply with the holistic conservation approach. The lack of regulation at the contract level regarding the cultural heritage that is transmitted from generation to generation through oral expressions and kept alive in this way began to be criticized more strongly after the definition of cultural heritage in the 1972 convention, and the criticisms formed the agenda of the meeting held in Bolivia in 1973. The most important feature of this document, which went down in UNESCO history as the Bolivia Declaration, is that for the first time in a document at this level, folklore is recognized and defined as a cultural heritage that needs to be protected (Oguz, 2013, p. 7).

After that, in 1982, the Intangible Heritage Department was established within UNESCO and the terms non-material heritage or spiritual heritage were used instead of folklore. The concern for nomenclature can also be understood from the name of the Recommendation on the Protection of Traditional and Popular Culture issued in 1989. The terminological meaning of cultural

heritage outside the 1972 Convention was a matter of debate until 2003. The "Convention for the Safeguarding of the Intangible Cultural Heritage", adopted at the session of the 32nd General Conference of UNESCO on October 17th, 2003, gave priority to the preservation and preservation of cultural heritage within the scope of intangible cultural heritage it defined and emphasized the importance of collective memory, shared experience, social identity or historical continuity. The aim is to preserve its dimensions (UNESCO, 2003). What distinguishes the 2003 contract from the documents issued in previous years is that it is not object-oriented and aims to protect the cultural heritage together with the knowledge, traditions and knowledge that produce, sustain and transmit it (Oguz, 2013, p. 11). The choice of the word "safeguard" used in this contract, as opposed to the word "preservation" used in previous documents, also reveals the difference in the protection approach between the contracts (Idris et al., 2016). The approach that aims to protect the "process" in intangible cultural heritage and the approach that focuses on protecting the "result" in tangible cultural heritage brings different perspectives and results. Then, intangible cultural heritage also supports the preservation of traditional architectural techniques but does not tend to focus only on the "result" produced.

3. Protection of the intangible cultural heritage of Azerbaijan

Our country has been a member of UNESCO since June 1992. In 1996, a memorandum on cooperation between UNESCO and Azerbaijan was signed. Since that time, our relations with this prestigious UN organization on science, education and culture have been expanding. On August 13th, 2004, Mehriban Aliyeva, deputy of the Milli Majlis, and president of the Heydar Aliyev Foundation was awarded the title of UNESCO Goodwill Ambassador for her tireless efforts in the field of preservation and development of oral folk literature and musical heritage of Azerbaijan. It was after this that relations between this organization and Azerbaijan began to develop further.

UNESCO carries out consistent work in the direction of the protection of human values in the world and their transmission to future generations. Non-material cultural examples of Azerbaijan also attracted the attention of this organization and mugham art, Novruz holiday, ashig and carpet art, which are national and spiritual values, were included in the representative list of this organization for the protection of intangible cultural heritage. Mehriban Aliyeva was elected a member of the Intergovernmental Committee for the Protection of Intangible Cultural Heritage as a result of her services to the protection of Azerbaijan's intangible cultural heritage and the development of UNESCO-Azerbaijan

relations. After that, the relations in that area were further strengthened.

It should be noted that Azerbaijani mugham art was included in UNESCO's representative list of intangible cultural heritage protection in 2003. After that, attention and care for our mugham art began to increase. In particular, the implementation of a number of successful measures related to the protection and development of our mugham art by the Heydar Aliyev Foundation at the initiative of Mehriban Aliyeva led to a great revival in this field. The International Mugham Center was built in Baku. When talking about the successes in this field, examples can be given of the preparation of the Azerbaijani mugam anthology, the Karabakh singers album, the international mugham competitions held in Azerbaijan, etc.

Now, our mughams, which are the national and spiritual wealth of our people, are heard in most countries of the world and are met with great interest. These works carried out in the conditions of globalization pave the way for the integration of national and moral values in the world. In such circumstances, Mehriban Khanim's inclusion of ashig art in UNESCO's representative list for the protection of intangible cultural heritage led to a new success after the inclusion of mugham art in the list of world cultural heritage. This confirmed the secularity and humanity of our national heritage, sparking interest among all nations, regardless of race and religion. It moderated the cold attitude towards the art of love. The basis for the use of Azerbaijani national creativity in the world was created and it was characterized by the emergence of this heritage as a factor that expresses humanity. Soon, our ashik art became known globally, with Azerbaijani ashiks performing concert programs in the Louvre Museum of Paris and the city of Strasbourg (Aliyeva, 2020).

The national and moral values of Azerbaijan, accepted in the international framework, are able to surprise the world, in the truest sense of the word. At the 4th session of UNESCO's Committee for the Protection of Intangible Cultural Heritage held in Abu Dhabi, according to the final decision of the institution, together with Azerbaijan's Ashiq art, the Nowruz holiday was included in UNESCO's list of intangible cultural heritage. Taking into account that the Nowruz holiday is celebrated in several countries, it was presented to UNESCO as an example of international intangible cultural heritage on the recommendation of the organization. This success is the result of the purposeful policy of the President of Azerbaijan, Ilham Aliyev, and his high concern for the culture of our people. The First Lady of Azerbaijan, Mehriban Aliyeva, has played an important role in promoting the intangible cultural heritage of our

country, especially the arts of mugham and ashig, and our national traditions globally.

After the inclusion of mugham and ashig art in the UNESCO representative list of the intangible cultural heritage of humanity, the Nowruz holiday has drawn attention directed towards presenting the magnificence of Azerbaijani carpet weaving to the world. Thus, in 2010, one of the important events in Azerbaijani culture was the inclusion of our carpet art in the representative list of the intangible cultural heritage of humanity. In the fifth session of the institution's Intergovernmental Committee on Intangible Cultural Heritage, held in Nairobi, Kenya, the inclusion of the art of Azerbaijani carpet weaving in the representative list of intangible cultural heritage gave impetus to the authenticity and integrity of Azerbaijani carpets and recognition of carpet weaving schools. At the same time, it once again proved that the Azerbaijani school of carpet weaving is globally recognized, and no one can appropriate or claim these artworks.

Thus, after Azerbaijani mugham and ashug arts, the inclusion of our national carpet art is another successful step in promoting our culture internationally. Although widespread, the art of carpet weaving arguably originated in Azerbaijan, with carpets produced here regarded as unparalleled worldwide. The inclusion of Azerbaijani carpets, preserving infinite nobility and humanity, in UNESCO's list is a great national success. Today, carpet art in Azerbaijan enters a new developmental phase - the adoption of legislation protecting this ancient craft and the establishment of a carpet museum complex expresses the state's concern for safeguarding this heritage.

CONCLUSIONS

Safeguarding intangible cultural heritage, as defined in the 2003 UNESCO Convention, necessitates a multifaceted approach considering production processes, intergenerational knowledge transfer, sociocultural contexts, and global-local dynamics. Both the 1972 and 2003 conventions significantly contribute to protecting heritage, but a comprehensive, holistic methodology is needed. UNESCO shapes international conservation outlooks through campaigns prioritizing integrated tangible and intangible value conservation. In this sense, the World Heritage List's sixth criterion, evaluating properties with both physical and spiritual attributes, provides valuable integrative preservation models. As UNESCO continues broadening its protective ambit, the incorporation of diverse ethical and national treasures like Azerbaijan's cuisine and settlements demonstrates a collective commitment to championing the cultural richness of the nation. In addition, ongoing efforts presage the prospective addition

of further cherished heritage to this prestigious register. Overall, while listing remains important, truly safeguarding intangible cultural heritage requires nuanced, multifocal attention to production, transmission, context, and balanced governance across local and global scales.

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