Introduction to the *Research Handbook on Contemporary Intangible Cultural Heritage*

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Cultural traditions are constantly in the process of selection and reselection of certain aspects of that society and within this state of continuation, existing ones fade out and new ones are introduced during different stages of change.

In the analysis of contemporary culture, the existing state of the selective tradition is of vital importance, for it is often true that some change in this tradition – establishing new lines with the past, breaking or re-drawing existing lines – is a radical kind of contemporary change.¹

There are a whole range of reasons why research handbooks come into being. One is that a particular area is considered, by publishers and academics, to be of significant, and increasing, interest to a range of readers, another is where intellectual curiosity is stimulated, an academic event convened, papers submitted, edited and published as a collection. This collection arises from a combination of those, along with serendipitous meetings between its four co-editors. Charlotte Waelde, Catherine Cummings, Mathilde Pavis and Helena Enright came together from working on different projects. Charlotte and Mathilde worked on *InVisible Difference: Disability, Dance and Law*, an AHRC funded project which ran from 2013–15; Charlotte and Catherine worked on *RICHERS, Renewal, Integration and Change: Heritage and European Society*, an EU funded project which ran from 2014–16. Mathilde and Helena met after Mathilde saw a play at the Bike Shed Theatre in Exeter called *The Exeter Blitz Project* about the WWII bombings on which Helena was co-writer and director. Two have law backgrounds (Charlotte and Mathilde), one is a researcher in cultural heritage (Catherine) and the other a theatre practitioner and researcher (Helena). All shared an interest in intangible cultural heritage (ICH), and in particular contemporary ICH. During 2015, they worked together to challenge experts in the law and heritage sectors with an interest in ICH to think about contemporary ICH from a range of perspectives, including the legal frameworks, human

¹ Raymond Williams, 'The Analysis of Culture' in John Storey, *Cultural Theory and Popular Culture* (Routledge 2008) 39.

rights, sustainability, authority and trade which, along with a series of case studies, now largely form the sections in this research handbook – of which we are very proud.

When we first proposed the collection, there was some scepticism both from the heritage and law communities. The first concern was in relation to this notion of *contemporary* ICH: how could something that, in terms of the legal framework is passed from generation to generation and from a heritage perspective is generally thought of as being in the past, possibly be thought of as contemporary? In this respect, the phrase ‘contemporary intangible cultural heritage’ may seem an oxymoron: heritage is associated with the past and what is thought worth preserving from the past to be handed down to future generations. But with a growing interest in the ways in which ICH is increasingly reused to shape contemporary identity and of the important contributions made by digitisation and co-creation to our ICH, there is mounting recognition of the need to re-think what ICH actually is as the processes of creation, transmission and transformation change in the wake of contemporary cultural and institutional practice. As outlined by UNESCO, ICH is traditional, contemporary and living, and at the same time ‘intangible cultural heritage does not only represent inherited traditions from the past but also contemporary rural and urban practices in which diverse cultural groups take part’.²

Our view is that contemporary ICH goes beyond the objective of remembering the intangible past. Contemporary ICH is embedded in and composed of current cultural practices which may *dis*-member past (cultural) constructs to *re*-member the present and future narratives, the latter with their own heritage. Our focus, therefore, in this collection is on contemporary forms of *intangible* cultural heritage, as contemporary ICH more generally shifts preconceived boundaries between the tangible and intangible, and the material and immaterial.

A second concern was in relation to the collection being a *law* and heritage exploration. As a relative newcomer to ICH, and from a legal background, the curiosity of at least one of the editors has been piqued at the reaction of some heritage experts to the place of the law in relation to ICH, as it has sometimes been negative. The suggestion has been made that this is because some heritage experts may see law as part of the authorised heritage discourse (AHD), a heritage phenomenon that is explored and critiqued by several contributors to this handbook. Whatever the reasons, this collection has been edited by both law and heritage experts, and we

² UNESCO ‘What is Intangible Cultural Heritage?’ <https://ich.unesco.org/en/what-is-intangible-heritage-00003>.

believe makes a significant contribution to our understanding of ICH with particular emphasis on contemporary ICH. Our contributors have risen to the challenge in thinking about the contemporary in ICH, both in how that might (and might not) fall within the legal frameworks and be portrayed in heritage practices. Both law and heritage contributors have thought about notions of ‘contemporary’, ‘community’, human rights and obligations, and of identity and multi-culturalism in a changing world. The legal experts have added a richness to thinking about ICH within the legal frameworks with particular regard to the role they may play in safeguarding contemporary ICH. Their insights are contextualised by the ICH case studies on Sinterklaas and Zwarte Piet, adult Third Culture Kids and their use of ICH, Ziwa and Matendera National Monuments in Eastern Zimbabwe and the Banda Islands of Indonesia that, together, bring life to this collection.

As with all collections, it differs in some ways from what we originally envisaged. Because of the centrality of ‘values’ (broadly stated) in ICH, we wanted to include in-depth consideration not only of the 2003 UNESCO Convention on the Safeguarding of Intangible Cultural Heritage (2003 Convention) but also of the Council of Europe’s 2005 Faro Framework Convention on the Value of Cultural Heritage for Society (Faro Convention). While some of our contributors have referenced the Faro Convention, these are in the minority. We argue that this illustrates how much work is yet to be done on this particular Convention to enable us to understand its place and importance in the heritage ecosystem. We had also envisaged one legal expert and one heritage expert responding to each of the sections that make up the framework of the book, and to each other. While we have not fully achieved that goal, and will return to it in our future planning, we think that the structure of the collection as it stands works really well.

These matters aside, the richness of the collection soon becomes apparent as does the contribution that it makes to our knowledge of contemporary ICH, law, and the multifaceted intersections between the two.

CONVERGING CONCERNS AND DISCUSSIONS

Since the 2003 Convention, ICH has been in a state of flux and its safeguarding has raised many questions and challenges such as what constitutes ICH and how can it be safeguarded. ICH is intrinsically linked to the legal framework designed to safeguard it, but this has also expanded at a rapid pace and that adds not only to the complexity but also to the rationale for this research handbook.

This book challenges current thinking around contemporary ICH and the law. It questions, probes and interrogates many different aspects of contemporary ICH, including definitions, the AHD, and the legal frameworks designed to safeguard it. In doing so it highlights not only the gaps and inconsistencies, but also the relevance of the legal framework itself: do contemporary forms of ICH need safeguarding? Are the legal instruments designed to safeguard ICH relevant for contemporary forms of ICH? Can ICH continue to exist and be transmitted to future generations without the authority of the law and international treaties?

Each chapter is concerned with an aspect of contemporary ICH, international treaties and the law. Taken collectively, this book is a departure from the AHD that works to include some forms of culture to the exclusion of others. It challenges and destabilises the authority of existing legal instruments, exposes their limitations and proposes that there are other innovative ways in which contemporary forms of ICH can be safeguarded, whether within the law or outside of it.

A number of themes emerge from the collection: identity; authority; human rights; youth culture; subculture; agency; empowerment; cultural appropriation; community participation; counter-culture; tradition; cultural diversity; globalisation; language; cultural creativity; sustainability; transnationalism and global migration; and ICH as a form of political resistance to legal and cultural authority. The dichotomy between tangible and intangible is discussed and the notion of tradition is questioned to allow for new forms of contemporary ICH and the concomitant complexities of contemporary ICH. The examples of contemporary ICH in this volume are not colourful, exotic and imaginary romanticised western perceptions of ICH, rather they are grounded in the everyday reality of the people and communities that have identified, practice and value the ICH.

Unsurprisingly perhaps, concerns regarding the definition of ICH, and of *contemporary* ICH within it, have surfaced under the pen of both heritage and law specialists. The contributions by Colomer, van Donkersgoed and Brown, Schofield, and also Pavis reveal, in different ways, that determining what is included or not, and what *ought to be*, is not a straightforward task. Both legal and heritage experts have also raised the question of how to best represent communities in the process of electing expressions of ICH worthy of safeguarding, as well as in the safeguarding processes. This is considered from different perspectives in the chapters by Lixinski, Blakely, Blake, Colomer, Vaivade, Cummings, Belder and Figaroa, as well as Chipangura.

Another finding of this collection is the clash of paradigms in the way different fields create or represent knowledge, and in the ways in which they operate as between heritage and law. Their language, scales, values

and priorities often differ and sometimes collide. Macmillan, Donders, Belder and Pavis all reflect upon the extent to which current legal frameworks, specifically, but not exclusively, dedicated to heritage protection, are ill-suited to cater for the concerns expressed by communities or the heritage sector. Indeed, most heritage legal frameworks suffer from the AHD (Lixinski, Macmillan, Blake); human rights are difficult to enforce by non-state actors and have only gained cultural traction fairly recently (Donders, Waelde); administrative law offers limited parameters within which to make a claim against traditions which offend contemporary society (Belder); intellectual property laws have mainly been designed to promote the commercialisation of cultural goods or practices rather than their preservation or safeguarding (Macmillan, Pavis); and so the list continues. But this ‘clash of cultures’ is not exclusive to law and heritage. It applies to other sectors understood more broadly and is reflected in their policies and/or modes of operations. This is notably the case between the world of heritage and that of trade as outlined by Macmillan, and detailed by Vadi in the context of WTO regulations. Policies concerning sustainable development and cultural diversity also show a lack of consideration in practice for ICH safeguarding agendas, according to Brown.

Finally, a theme permeating this collection is how it reveals the courtroom as a forum for claims of ICH protection or safeguarding, or put more bluntly, for claims of *control*. Lixinski, Vaivade, Blake, Blakely, Donders, Harding and Waelde all discuss ways in which the law in heritage regulation, human rights or intellectual property, may prop up claims of control over expressions of ICH, contemporary or not. What these contributions imply, and what also comes through in the respective contributions by Belder and Pavis, is that a number of claims are made on the basis of laws unrelated to heritage protection or safeguarding. This means that decisions are handed down by judges on questions of how, say, administrative or intellectual property laws impact on the way individuals and communities are allowed to engage with, and safeguard, expressions of ICH. For this reason, it is argued that general courtrooms may, and arguably have already become, a forum for ICH safeguarding or control. Consequently, it is judges who are in the position to play the part of community representatives by ruling on claims brought before them, and decide how, when, where and who is allowed to perform ICH whenever human rights, intellectual property law or administrative law, are at stake. However, there is little evidence that the ICH dimension of the dispute is taken explicitly into consideration and it seems that very little critical scrutiny has been paid to the role that the other laws play in this regard. This may be because a conversation is needed between experts in heritage

and law for each to understand what is actually happening in this space. And this underscores the timeliness of this collection which helps to make these developments apparent.

CHAPTER BY CHAPTER

The collection starts with a section on the framework of ICH in which the first contribution is from *Lucas Lixinski* on ‘Regional and international treaties on intangible cultural heritage: between tradition and contemporary culture’. Lixinski discusses both the 2003 Convention and the Faro Convention and their inter-relationships. Lixinski is particularly concerned with the role of regionalism in safeguarding ICH, but argues that while contemporary ICH may not fall within the 2003 Convention at least in part due to the requirement of inter-generationality, while the Faro Convention defines heritage relationally, and seeks to create a heritage community separate from experts. Ultimately Lixinski concludes that there is a strong pull to the past, which makes it challenging to recognise the contemporary except through the avenue of safeguarding practices.

Fiona Macmillan, in her chapter on ‘Contemporary ICH: between community and market’, considers the 2003 Convention and the 2005 UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions and argues that with their introduction it seems that ICH could be about ‘anything at all to which we might attach descriptions like “culture” or “cultural”’ with the result that it becomes almost impossible to regulate. Macmillan does argue that despite the breadth of the possible definition, it should not be automatically assumed that the AHD is the best way in which to draw parameters – which would almost automatically exclude contemporary ICH. She goes on to argue that the form of legal protection that might conceivably matter for ICH, particularly in relation to some types of contemporary cultural practices, is ‘protection from the exercise of private intellectual property rights over cultural production’. Finally, she highlights the agency and power of communities as being central to ICH.

Yvonne Donders introduces the theme of human rights law into the collection through an analysis of the main similarities and differences between human rights and cultural heritage treaties in ‘Protection and promotion of cultural heritage and human rights though international treaties: two worlds of difference?’. The 2003 Convention is rooted in human rights language, and its Article 2 states that only ICH ‘compatible with existing international human rights instruments’ falls within its scope of protection. Yet, as Donders shows, the relationship between the trea-

ties is a tricky one – as Donders states, ‘their protection may not always run parallel but seems to operate in two different worlds’. Human rights treaties are normative treaties, which include mutual rights and obligations between states parties and obligations on states to respect and protect rights for individuals and communities within their jurisdiction. Cultural heritage treaties on the other hand ‘have a more contractual character as horizontal agreements between states parties’. In particular, they do not create substantive rights for individuals and communities and are strongly linked with sovereignty and territory. Donders does however argue that the legal difference should not lead ‘to the protection of human rights and cultural heritage drifting apart’ and should try to link the different obligations in the fields of human rights and cultural heritage – something that they may try to do as hinted at in the reports from states on the implementation of UNESCO Conventions.

Sarah Harding, in ‘Contemporary ICH and the right to exclude’, starts her chapter referring to Lionel Schriver, and goes on to explore the (mis)appropriation of cultural heritage. While she is of the view that appropriation of ICH can amount to cultural destruction she makes the argument that not all uses of ICH should be considered appropriation as not only is it not clear what interests are being served by such an approach, but it also has the potential to stifle cross-cultural communication – a finding that is particularly important in the context of contemporary forms of ICH as reworked by new generations. Indeed, she argues that employing a legal system as a defender of rights may be counterproductive.

Abbe Brown opens the second main section of the collection dedicated to debates within contemporary ICH. In her chapter entitled, ‘ICH, cultural diversity and sustainable development’, Brown explores the questions of cultural diversity and sustainable development policies as they impact on expressions of ICH. Brown notes a positive trend to perceive sustainable development in a holistic manner so as to include culture, and more specifically diversity in culture, which may have implications on our efforts to safeguard ICH. Yet, Brown argues that these collaborative sentiments are yet to be translated into concrete plans in the form of policies or regulatory mechanisms. However, her chapter also evidences a lack of clarity on exactly how sustainable development policies on the one hand and ICH safeguarding plans on the other interconnect. This suggests that these two ‘strands’ continue to be developed in silos, without dialogues between the relevant sectors and/or policy-makers. Brown comes to the conclusion that a shift in thinking about sustainable development, cultural diversity and ICH safeguarding which merge strategies to tackle these three concerns is necessary for a meaningful change in practice to occur.

In 'ICH and human rights: ICH, contemporary culture and human rights', *Charlotte Waelde* picks up on the theme of human rights introduced by Donders in the first section of the collection. Waelde envisages the extent to which the UK's refusal to sign the 2003 Convention may breach individuals' and communities' cultural human rights. She argues that the UK's failure to ensure the safeguarding of ICH could amount to a human rights violation, but her analysis stresses that the UK may safeguard ICH through other means rather than enforcing the 2003 Convention. This poses the question whether other existing frameworks protecting cultural life and cultural heritage, that the UK is party to, could be regarded as a suitable alternative and effective enough to satisfy the standards set by human rights.

The contributions to this collection by Anita Vaivade and Laia Colomer examine the sensitive question of identity in the context of expressions of ICH. *Anita Vaivade's* chapter titled 'ICH as a source of identity: international law and deontology' tackles the question from a legal perspective. Her chapter addresses the importance of cultural heritage as being of crucial value for individuals and communities in relation to their cultural identity, a connection that has become a substantial precondition for heritage identification and an argument for its protection. She highlights the omission of reference to identity in most of the major global international conventions in the field of cultural heritage. In a concern for cultural identities and their protection she stresses the importance of developments in human rights law for the protection of rights to cultural heritage and rights to cultural identity.

Laia Colomer's chapter 'ICH and identity: the use of ICH among global multicultural citizens' engages with the connection between uses of ICH and identity in the context of multicultural children who experienced various cultures growing up, none of which they fully feel they belong to. In this regard, Colomer's discussion accentuates the fragility of both ICH and identity in environments which are increasingly globalised. Her case study explores the meaning of the notion of 'transmission from generation to generation' provided by the 2003 Convention, in a world of global nomads who grow up in different cultures. Colomer's conclusion stresses that identity or the sense of belonging which may define a community cannot be standardised in a linear or predictable fashion. Instead, it is a highly individual experience, despite the homogenous nature of the socio-economic profile of these children.

Authority is the next theme explored by two contributors to this collection. *John Schofield* envisages the interaction between ICH and notions of authority by looking at musical night-life. This he calls 'heritage after dark' as a shorthand to refer to a range of cultural practices such as the Berlin

techno music scene or the small music venue circuits in the UK known as the 'Toilet Circuit'. While Schofield reaffirms in his chapter that contemporary ICH does exist, and is indeed alive and well even in developed countries like the UK (joining Waelde and Pavis on this point), he questions the validity or suitability of frameworks such as the one provided by the 2003 and Faro Conventions in safeguarding forms of 'heritage after dark'. The dogmatic approach of a one-size-fits-all model, and the necessity for ICH to be recognised by a community and passed down from generation to generation appears antithetic to the forms of ICH he reviews in his piece. For this reason, Schofield concludes that this type of ICH may, after all, be better off without being included within generic ICH safeguarding policies. Instead, Schofield suggests that tailored 'do-it-yourself' (DIY) measures may be a better fit for the 'heritage after dark'.

In turn, *Megan Blakely* explores the notion of authority in relation to the Welsh language, in 'ICH and authority: the Welsh language and statutory change'. Blakely investigates the extent to which expressions of ICH, as the expression of a group's identity, has been utilised by authority to exert political power over a minority group. In her case study, Blakely posits that the Welsh language should be regarded as an expression of ICH which has been controlled for political ends under English domination.

Last but not least, three chapters are dedicated to the notion of 'safeguarding' to explore the wide-ranging debates this concept has triggered in heritage and legal communities. First to tackle this question is *Janet Blake* in her chapter 'ICH and safeguarding: legal dimensions of safeguarding the ICH of non-dominant and counter-culture social groups'. Blake's chapter reports her insight on the political uses the safeguarding opportunities provided by the 2003 Convention have enabled. More specifically, Blake stresses the extent to which ICH safeguarding tools may be, and have been, 'high-jacked' by a dominant community to silence minority voices, or erase their representation within a society's culture. Blake's piece draws attention to the underground river of social and political motivations which may fuel the decision to safeguard or *not to* safeguard, a concern which is raised by a number of contributors to this collection, including Lixinski, Donders, Vaivade and Blakely.

Catherine Cummings raises yet another range of questions arising from the notion of 'safeguarding' from a heritage perspective. One of the most important aspects of the 2003 Convention is the implementation of it through the safeguarding of ICH, and this is addressed in her chapter, 'ICH and safeguarding: museums and contemporary ICH (let the objects out of their cases and make them sing)'. She discusses how the 2003 Convention resonates with other organisations that specifically promote and regulate professional museum practice both in their aims to implement

and safeguard contemporary ICH by states that have ratified the 2003 Convention and those that have not, such as the UK. New museum practices, based on communities, inclusion and participation reflect those recommended in the 2003 Convention and museums are therefore ideal arenas in which to safeguard contemporary ICH and implement the 2003 Convention. She includes examples of contemporary ICH, such as graffiti that sit outside the AHD, that are not listed or safeguarded by legal instruments, but continue to flourish due to being identified by communities that value it, practice it and define their identity through it. The dichotomy between tangible and intangible are discussed and she argues that these terms are interdependent, supplementary and permeable.

In the last chapter of this sub-section dedicated to the meanings of 'safeguarding', *Mathilde Pavis* envisages the possibility of framing copyright as another ICH safeguarding tool, alongside the 2003 Convention. Pavis turns to copyright as an alternative to the 2003 Convention which appears to be ill-suited to protect the most contemporary forms of performances for they may fail the requirement of generational transmission imposed by the international treaty (Art. 2(1)). Copyright on the other hand does not and, as such, offers possibilities on this point. However, Pavis's analysis of various national copyright laws (UK, US, Australia and France) reveals that copyright may be prone to patterns of AHD. This finding corroborates the reluctance or scepticism of heritage specialists, practitioners or scholars, to engage with the discipline of law. Nevertheless, Pavis concludes that the heritage discourse of copyright is not inherently 'authorised' and argues that judges and practitioners can, with adequate critical support, steer the framework of copyright away from AHD so that copyright can achieve its potential as complement to the 2003 Convention.

The last section of this collection focuses on the various ways in which ICH finds contemporary uses. Four contributors each offer a case study from different regions of the world. Each bring a practical perspective on concerns raised by previous authors in this collection.

Lucky Belder and Aydan Figaroa put forward the Dutch tradition of Sinterklaas as a form of contemporary ICH in 'Living cultural heritage in the Netherlands: the debate on the Dutch tradition of Sinterklaas'. They examine the controversies that the Sinterklaas tradition has triggered in the Dutch community for the racial stereotypes it conveys, notably through the figure of 'Black Pete'. The authors retrace the ways in which different representatives of various communities within Dutch society expressed diverging views on how the Sinterklaas tradition ought to be, or not to be, performed. One of the fora for such claims was the courtroom. Belder and Figaroa's account of the disputes reveals how unsuited existing legal processes, based here on administrative law and human rights, may serve as

a platform for such purposes. Belder and Figaroa's conversation sits at the crossroads of discussions held by Blake in relation to majority/minority dynamics and offensive forms of ICH, Donders and Harding in relation to human rights as well as Vaivade for her comments on identity-based claims in law.

Moving to the Banda Islands of Indonesia, *Joëlla van Donkersgoed and Jessica Brown's* chapter reasserts the diversity of ICH as they stress the necessity for landscape and seascape to be framed as an integral part of ICH. In 'ICH as the prime asset of a cultural landscape and seascape: A case study of the Banda Islands, Indonesia', van Donkersgoed and Brown document the historical and cultural dimension of the oral history of singing and rowing in the natural sites of the Banda Islands. In their view, the Banda islands should be classed as a 'mixed' site, deserving of international protection for both its natural cultural dimension. This example sheds light on yet another difficulty in seeking protection under international treaties, one which arises from community representation but, more simply, from the many kinds of listing and forms of international protection available.

In 'Cultural heritage sites and contemporary uses: finding a balance between monumentality and intangibility in Eastern Zimbabwe', *Njabulo Chipangura* discusses the attempts at preserving the cultural practices at Ziwa and Matendera National monuments in Eastern Zimbabwe by the local communities. In this chapter, Chipangura argues that, historically, protection measures have tended to marginalise the voice of the communities in favour of the views of experts, an approach which is reminiscent of approaches consistent with the AHD. Chipangura's chapter illustrates in concrete terms how a community's practice of its own identity, traditions and/or ICH has been disrupted by dominant, and in this case colonial, management practices following a pattern of AHD. Chipangura also notes a lack of representation and involvement of the community attached to the sites of heritage being managed in early stages of preservation policies. The chapter describes the extent to which management practices evolved to later involve the local community while being driven by a rationale of economic sustainability.

Valentina Vadi's chapter on 'ICH and trade' raises an interesting paradox. While the risks brought by international trade on ICH are well-known, trade and ICH legal frameworks have failed to enter into any form of cooperation or collaboration to date. Going further, Vadi stresses the clash of culture and understanding between international ICH safeguarding mechanisms and frameworks of economic governance or trade regulation. Some of the sharpest evidence of this contrast of cultures lies perhaps the fact that WTO procedures are entirely focused on promoting international trade and is equipped with highly effective tools/means to

do so, whereas the 2003 Convention is, as Vadi describes, poor in what it achieves substantially and overly focused on cumbersome procedures to afford/grant protection. Moreover, the worlds of the WTO and the 2003 Convention operate on different scales: the first is global, the second favours localism and regionalism.

CONCLUDING REMARKS

The 2003 Convention only came into operation in 2006 – but already there are more than 175 states parties.³ That should, in and of itself, be an indication of how seriously ICH is now taken by the heritage community and regulators alike. That said, there is still much to be learnt about ICH and its parameters. The aim of this collection was to invite fresh thinking around how ‘traditional’ conceptions of ICH might be re-thought, most particularly in response to the re-working of traditional practices in contemporary society, the multi-faceted ways in which society is re-shaping itself and how that is impacting on both traditional and ‘new’ ICH.

The continued absence of some players from the 2003 Convention remains a running sore. Given its recent total withdrawal from UNESCO, the US is unlikely to sign up to the Convention any time soon. But what about the UK? Why has the UK seemingly set its face against the Convention and all it stands for? While there have been some attempts at explaining why the UK has not signed up, none seem sufficient. Perhaps the time has come for more strenuous and coordinated efforts to change this position. Some current initiatives have been noted in this collection including the creation of the Scottish register of ICH, and the fact that UK museums and policy-makers are more aware of the importance of ICH has also been referred to. Leaving aside the politics, establishing an English register could start to highlight the rich and varied ICH that exists here in the UK, as it would in Wales, and in Northern Ireland. Given Brexit and the economic uncertainty that the UK currently faces, perhaps a project highlighting the potential economic benefit that could flow from signing up to the 2003 Convention might help to persuade the UK Government that such a move would be beneficial. A project undertaken by Marta Severo and Francesca Cominelli on ‘Mapping Intangible Cultural Heritage

³ As of October 2017. UNESCO, Intangible Cultural Heritage (official website) <<http://www.unesco.org/eri/la/convention.asp?KO=17116&language=E>> accessed 11 October 2017.

in France⁴ has revealed interesting insights into the permeation of ICH in France in the wake of the 2003 Convention. While the project does not highlight specifically economic benefits, it does identify the main actors related to ICH in France and the links among them. This is done through web mapping – tracing hyperlinks among websites that have relevance to ICH. The results, made available in the form of diagrams showing these links, are startling in their numbers and complexity.⁵ It would be a fascinating exercise to do the same for England (and the UK) and then to devise a methodology that would help us to understand the economic consequences of our absence from the Convention.

Finally, while the links between contemporary ICH, the law and international treaties continue to be debated, as Smith and Akagawa state in relation to the 2003 Convention, the consequences have yet to be fully realised.⁶ This research handbook contributes to that debate, most particularly in its challenge to encourage thinking beyond what John Schofield calls in this collection, ‘the wall’, the boundary between heritage and ‘everything else’.⁷

⁴ Severo, M and Cominelli F, ‘Mapping Intangible Cultural Heritage in France’, Conference Proceedings Cultural Mapping: Debating Spaces and Places, Valletta, Malta, October 2015.

⁵ For the website of the project see <<http://www.acteursdupci.fr>> accessed 28 November 2017.

⁶ Laurajane Smith and Natsuko Akagawa (eds) *Intangible Heritage* (Routledge 2009).

⁷ John Schofield, this collection.