

The UNESCO Concept of Safeguarding Intangible Cultural Heritage: Its Background and *Marrakchi* Roots

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In 1998 UNESCO started a programme for the proclamation of ‘Masterpieces of the oral and intangible heritage of humanity’, a pre-project for the new UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage. Jemaa el Fna Square in Marrakech was one of the first Masterpieces proclaimed by UNESCO in 2001. This paper examines the genesis and history of this new UNESCO concept of safeguarding intangible heritage. The Spanish writer Juan Goytisolo gave the decisive impulse for the new UNESCO concept in 1996 in order to safeguard Jemaa el Fna Square in Marrakech. Worrying that contemporary plans of local authorities would definitely change the character of the square and destroy its cultural traditions, Goytisolo asked UNESCO to proclaim the square as ‘oral heritage of humanity’. The wish to protect Jemaa el Fna Square on the one hand, and the existing Convention for the Protection of the World Cultural and Natural Heritage on the other, can be seen as two reference points for the new UNESCO concept.

Keywords: UNESCO; Intangible Heritage; Jemaa el Fna; Marrakech; International Organisation; Juan Goytisolo

Introduction

In 2003 a new Convention for the Safeguarding of the Intangible Cultural Heritage of Humanity was adopted by UNESCO’s General Assembly. In 1998 UNESCO had already started a programme for the Proclamation of Masterpieces of the Oral and Intangible Heritage of Humanity, and a total of 90 objects were proclaimed as such Masterpieces in three proclamation rounds between 2001 and 2005. The proclamation programme and the new Convention based on it are intended as a means of protecting

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local cultural traditions in times of social change or in the face of certain modernisation processes. Examples of the new UNESCO category of intangible heritage are the Kutiyattam Sanskrit Theatre in the southern Indian province of Kerala, the Andean Cosmovision of the Kallawayas in Bolivia, or—one of the comparatively few European examples—the *Mystery Play of Elche*, Spain, which has been staged largely unchanged every year on the Feast of the Assumption of the Blessed Virgin Mary since the late Middle Ages.¹ With the entry into force of the new UNESCO Convention in April 2006, the Masterpieces programme was discontinued; under the terms of the Convention, all existing Masterpieces should be entered automatically in the new Representative List of the Intangible Cultural Heritage of Humanity,² which is modelled on the well-known UNESCO World Heritage List.

UNESCO's new efforts to protect the intangible heritage are receiving increasing attention from the media and in discussions among experts.³ This paper⁴ examines the genesis of these UNESCO activities. It is an attempt to reconstruct some of the important stages in the development of the new UNESCO concept for the protection of intangible heritage, with the aim of increasing our understanding of the ideas which shaped this new concept. The main impulse for the development of UNESCO's new protection concept did not come from isolated expert think tanks, as some clichés on the development of ideas in international organisations would suggest. Rather, this impulse reflects the acute threat in the 1990s to a cultural space, namely Jemaa el Fna Square in Marrakech. This paper should therefore be seen as shedding light on a detail of recent history. It reveals some facts concerning the development of the new UNESCO concept, and it attempts to show to what extent the special role played by Jemaa el Fna in the genesis of the UNESCO concept is reflected in the Convention. A knowledge of these facts is of great potential interest for any future research in the cultural sciences relating to the new UNESCO concept.

Early Measures Taken by UNESCO for the Preservation of Intangible Cultural Heritage

The full background of the development of this new programme for the proclamation of Masterpieces is obviously not familiar even to authors who have discussed the concept.⁵ In some publications, a number of events are (correctly) listed which prompted treatment of the question of intangible heritage at an international level, for instance an initiative by the government of Bolivia to protect the intellectual property rights of popular culture (1973), or the UNESCO *Recommendation on the Safeguarding of Traditional Culture and Folklore* of 1989. However, this recommendation was hardly implemented by the member states, and internal UNESCO analyses declared it to be ineffective just a few years after it was adopted. This list of UNESCO activities in the area of intangible heritage could be continued. For instance, in the 1990s the UNESCO Section for Intangible Cultural Heritage, which had already been set up, created a collection on CD of traditional music from all over the world. In a way, at least in retrospect, the development of the new UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage could be construed as an almost unavoidable

consequence of UNESCO's previous successes and failures in this field. However, it took a decisive external impulse (and many authors who discuss the programme and the Convention which grew out of it are obviously not aware of this fact) to get the development of a convention placed on the agenda at UNESCO. With the development of the Proclamation programme and the Convention, UNESCO was giving birth to a new conceptual and institutional entity, and it was Jemaa el Fna Square in Marrakech which acted as the midwife.

Towards the Development of a New Convention

The Impulse from Marrakech

For many travellers to Morocco, Jemaa el Fna Square in the old city of Marrakech is the stuff of myth; it would be difficult to find an account of the country's tourist attractions that fails to describe it. The square is known for its musicians, storytellers, acrobats, snake charmers and seers, and the many other actors who perform daily in front of a local (and increasingly also tourist) audience and thereby—to use the language of social sciences—reproduce and modify cultural traditions (see Figure 1). As expressed by UNESCO in its tribute,⁶ Jemaa el Fna Square brings together popular oral and intangible Moroccan traditions in a unique way. We find evidence of the existence of intangible traditions on Jemaa el Fna Square in historical sources dating from the 17th century.⁷ However, the square is located in the middle of an aspiring Moroccan city



Figure 1 The storyteller Ahmed Bouchama with his audience on Jemaa el Fna Square (2004).

and has thus been exposed to increasing pressures in the interest of commercial and urban development.⁸

In the mid-1990s, the Spanish writer Juan Goytisolo, who occasionally lives in the Medina of Marrakech, took an initiative which finally—and in a form not intended by him at the time—led to the new Convention for the Safeguarding of the Intangible Cultural Heritage. As perhaps the most intimate European connoisseur of Jemaa el Fna Square and its oral traditions, both of which figure in his novels and short stories, he saw the cultural versatility of the square threatened by local authority plans to build right beside it a new tower block with a glass façade and an underground car park. As Juan Goytisolo remembered in an interview:

At the beginning [of the debate] were some plans on the part of the city authorities; a meeting of the *municipalité* took place, at which three projects were approved [...] Two of them were intended as a valorisation of the square [Jemaa el Fna]: an underground carpark and a building that would be fifteen metres high [...] I spoke briefly and said that all this would endanger the square, and that one should think twice before doing anything. How do you say it in French? Don't put the cart before the horse. And I must add that my objection was listened to in icy silence by those present. (Interview with Goytisolo, May 2005)⁹

Apart from the fact that these plans were scarcely compatible with the status of the Medina of Marrakech as a World Heritage Site, they would—in the opinion of Goytisolo—irrevocably destroy the traditions of the square. Goytisolo urged in drastic terms the importance of saving the art of storytelling as found in Jemaa el Fna: 'It is important to understand that the loss of a single *halaiqui* (here: performer, especially storyteller) is much more serious for humanity than the death of 200 best-selling authors.'¹⁰

Goytisolo obviously saw no way he could definitively stop these plans within a local framework at that time. In January 1996, through his publisher, Hans Meinke, Goytisolo informed the General Director of UNESCO, Federico Mayor, of the threats to Jemaa el Fna Square and proposed that the square be placed under the protection of UNESCO as *patrimonio oral de humanidad* (oral heritage of humanity). A report in *El País* on a reading held in Madrid by Goytisolo from the closing chapter (on Jemaa el Fna) of his novel *Makbara* (cf. Goytisolo, 1993, orig. 1980), and essays published later on in the international press,¹¹ brought to the attention of a wider international public the idea of asking UNESCO to safeguard Jemaa el Fna. The fundamental significance of Goytisolo's proposal for the new UNESCO programme and thus also the new Convention is sufficiently substantiated by letters and other written sources. As a typical example we can quote from a letter from Hans Meinke to the General Director of UNESCO, which to my knowledge is the first written formulation of the proposal:

Dear Federico,

[...] yesterday your ears must have been burning, for Juan Goytisolo came to talk [to me] about taking action on behalf of the famous Jemaa el Fna Square in Marrakech, and about the possibility of persuading UNESCO to declare it as 'oral heritage of humanity'. According to Goytisolo, this square, with its storytellers and reciters, is the only place in the Arab world where the tradition of oral literature is still cultivated.

Apparently it is advisable to propose its protection by UNESCO in order to avoid it being destroyed by speculation.¹²

In early internal memoranda at UNESCO we also find references to Goytisoló's proposal, the 'Proposition de Juan Goytisoló', which reveal how the idea of a programme for the safeguarding of intangible traditions increasingly began to take shape. Similarly, as proposer and joint founder of a civil society—the Association Place Jemaa el Fna Patrimoine oral de l'humanité—Goytisoló created the prerequisites for the protection of Jemaa el Fna Square at a local level in Marrakech. Thus this cosmopolitan intellectual succeeded in getting a local problem placed on the agenda of an international organisation. Below I will explain the factors that led to the success of Juan Goytisoló's intervention.

From Jemaa el Fna to a Globally Valid Concept

The concept of globally regulated protection of local cultural traditions was mainly developed between 1996 and 1998 in close cooperation between UNESCO's Paris headquarters and experts from Africa, Asia, Europe and the Americas, including a group of Moroccan intellectuals and Juan Goytisoló. During this process, what started as a vague idea of proclaiming objects as oral and intangible heritage of humanity was gradually transformed into a set of conceptual instruments, and suitable institutions, structures and procedures for this purpose were designed.

UNESCO staff immediately recognised the generalisability of Goytisoló's 'new idea' for the protection of Jemaa el Fna, and they also first formulated it as a *problem*: the proclamation of Jemaa el Fna alone as oral heritage of humanity might cause offence to other countries with great oral and intangible traditions:

The request submitted by the writer Juan Goytisoló is indeed a new and very interesting idea, but to implement it would be rather complicated. The concept of 'oral heritage' is not included among UNESCO's different categories of heritage. UNESCO will therefore need to define this new category, and then to propose its adoption by the States Parties.

[...] The act of declaring this square in Marrakech as 'oral heritage of humanity' might also cause offence to other countries where a rich oral tradition has been kept alive. This applies in particular to the countries of black Africa.¹³

Expanding a concrete cultural instance, both in content and in geographical terms, to create a worldwide programme happened to coincide with the interests of various UNESCO departments which saw that Goytisoló's idea could be used as an effective lever for the protection of intangible traditions, since previous attempts—in particular UNESCO's *Recommendation on the Safeguarding of Traditional Culture and Folklore* of 1989—had largely failed due to their lack of commitment, as well as incentives and possible sanctions. At the same time, this expansion from a place in need of protection to a global scheme can be interpreted as an expression of the inherent logic behind the practice of a global institution. In the face of a request to protect Jemaa el Fna, it was obviously necessary to treat this unique problem in a generalising way, and to find a new concept for the purpose—modelled on the well-known World Heritage List. In

cultural studies, the idea of local appropriation of global goods is found frequently.¹⁴ But the history of the development of the programme for the Proclamation of Masterpieces of the Oral and Intangible Heritage can be interpreted the other way around, in other words as the *appropriation of a locality*—Jemaa el Fna Square in Marrakech—by a global organisation.

At least during the period from 1996 to 1998, discussions relating to the development of the new UNESCO concept reflect the situation of Jemaa el Fna; in particular, this is shown by the fact that during this phase special emphasis was laid firstly on oral traditions, and secondly on the protection of *cultural spaces*. It is clear that the main idea initially was that most of the Masterpieces to be proclaimed should also be clearly defined places. However, subsequent expert meetings—in particular a colloquium held in Marrakech in 1997—led to the conclusion that Jemaa el Fna as a clearly defined place (in this case no bigger than a square) where certain cultural traditions are practised is a very rare phenomenon in global terms. Intangible traditions comparable to those of Jemaa el Fna and judged to be equally in need of urgent protection can, as a rule, be ascribed only to ill-defined and much larger areas. Thus, the spatial components in UNESCO's conceptions for the safeguarding of intangible traditions become less important as time goes on. In the decisive texts relating to the programme for the Proclamation of Masterpieces, the 'space' that represents a 'strong concentration of the intangible cultural heritage of outstanding value' appears beside the 'forms of cultural expression [...] of outstanding value from a historical, artistic, ethnological, sociological, anthropological, linguistic or literary point of view' as one of two basic forms of Masterpiece.¹⁵ The text of the 2003 Convention on *intangible heritage* attaches less importance attaches less importance to the spatial component, as shown by the following definition:

The 'intangible cultural heritage' means the practices, representations, expressions, knowledge, skills—as well as the instruments, objects, artefacts and cultural spaces [!] associated therewith—that communities, groups and, in some cases, individuals recognize as part of their cultural heritage.¹⁶

A significant intermediate step in the development of the UNESCO concept was the International Consultation on the Preservation of Popular Cultural Spaces held in June 1997 in Marrakech. Both the choice of venue and the preparation of the conference by the Moroccan National Commission for UNESCO with the collaboration of Goytisolo and Moroccan intellectuals clearly show that the conference had a double orientation: a local reference to the safeguarding of Jemaa el Fna, and at the same time a global interest in the development of a generally valid concept for the safeguarding of intangible heritage.

The head (at that time) of the UNESCO department for intangible heritage summed up this conference in a letter to the Moroccan government as follows:

I was particularly aware of the fact that all the international experts at this gathering in Marrakech recognised the exceptional artistic and historical value of the popular cultural performances presented in Jemaa El Fna Square, and that the study carried out by the group of Moroccan specialists and the writer Juan Goytisolo has given the concept of 'oral heritage of humanity' a universal relevance. (Letter from N. Aïkawa, 25 July 1997. Translated from the French by Ruth Schubert)

As a courtesy letter to the Moroccan government, it may be that this letter overemphasises the importance of the role played by Moroccan specialists in the development of the UNESCO programme, especially since UNESCO had commissioned other important papers from international, non-Moroccan experts when preparing this conference (cf., for instance, Denhez, *Working Paper*). But it is indisputable that this conference marks a decisive stage in the subsequent development of the concept, especially since the preparation for the conference involved many activities, which were used in the subsequent development of the programme.

As I have shown, Juan Goytisolo and some Moroccan intellectuals played a special role in the development of the UNESCO concept for the safeguarding of intangible heritage. However, the performers in Jemaa el Fna Square who were directly affected, the 'carriers' of the intangible traditions, were not involved; in the Proclamation process they were objects of reflection rather than acting subjects.

Borrowing from the World Heritage Convention

In 1996/1997 UNESCO staff considered the possibility of extending the existing 1972 World Heritage Convention to include the safeguarding of intangible heritage. This would have had the advantage of responding to certain criticisms of the existing World Heritage List, in particular the objection that some countries, especially in Africa, Asia and Latin America, are under-represented on the list, with the result that it is geographically unbalanced. This idea of extending the existing Convention, as well as the idea of *directly* creating a new Convention for the protection of intangible heritage, was not followed up in 1997/1998. The main reasons for this, according to the sources consulted, lay in the relatively long process required before the adoption of a new Convention would be possible, and the uncertain issue of any attempt to create a new Convention or to make corresponding changes to the existing Convention of 1972.¹⁷ The UNESCO administration thus chose the less complicated solution of setting up a *programme* to safeguard intangible traditions.

But even the new programme for the Proclamation of Masterpieces (which ceased to be valid with the entry into force of the 2003 Convention) was to be modelled on the well-established procedures for the inclusion of sites in the World Heritage List, '[i]n a way roughly similar to the World Heritage List',¹⁸ but deliberately simplified for the purposes of the Proclamation programme. For example, while the members of the World Heritage Committee are elected by the States Parties to the Convention during the UNESCO General Assembly,¹⁹ the jury for the Proclamation of intangible masterpieces was merely appointed by the General Director of UNESCO. The Convention of 2003, however, unlike the 1998 Masterpieces programme, is largely modelled on the standards of the World Heritage Convention of 1972. This gives greater legitimacy to the selection of objects for inclusion in the list. At the same time, this might be seen as a regrettable step from a professional point of view: each future committee, which will largely be composed of diplomats and representatives of the national ministries of culture, will find it difficult to stand their ground in comparison to the creative,

cosmopolitan personalities in the first jury for the Masterpieces Proclamation programme (of which Juan Goytisolo was the chairman).²⁰

In some key terms, the 2003 Convention clearly departs both from the Masterpieces programme and from the 1972 World Heritage Convention. The 2003 Convention deliberately avoids the term Masterpiece (French: *chef d'œuvre*) as used in the Proclamation programme, since it is normally used to refer to the work of an individual artist or architect rather than to traditions that have grown up over many decades or centuries, and that have frequently become marginalised. The 2003 Convention also contains no requirement that the objects to be included in the list must be of *outstanding universal value*, which is still a key concept of the 1972 World Heritage Convention. The 2003 Convention was thus deliberately more modest in its key wording than both the 1972 World Heritage Convention and the 1998 Masterpiece Proclamation Programme. The list *as a whole* must be representative, but each individual cultural tradition does not need to be of outstanding universal value.

Conclusion I: A Local–Global Story and its Factors of Success

The development of the new UNESCO Convention has been narrated here essentially as the history of interactions between actors from Marrakech and the headquarters of UNESCO in Paris, and as that of the global appropriation of a locality. As mentioned above, other authors have told a completely different story of the origins of the UNESCO Convention by referring, for instance, to the role of protecting the intellectual property rights of Indigenous peoples. These accounts are not ‘wrong’, but they are incomplete. They explain some important factors that contributed to the development of the new Convention. On the other hand, it was Jemaa el Fna Square, as I have tried to show in this paper, which initially sparked off the development of the Proclamation programme, and only this can explain certain particularities in this programme and in the Convention. With its deliberate emphasis on the role played by Jemaa el Fna and Juan Goytisolo’s idea, this paper, not least for reasons of space, cannot describe other events which led to the development of the new UNESCO Convention. Thus it is also not a complete account of the background to the development of the new Convention.

From the point of view of political geography, it is interesting to see how a local idea, the safeguarding of a square, was able to change the agenda of an international organisation, and how this led to expansion of the idea both in content and in geographical terms.

But why was Goytisolo’s request to UNESCO so successful that it became the decisive impulse for the new UNESCO activities in the field of intangible heritage? Let us look at the essential factors:

- (1) A vital element in the process seems to have been the double localisation of Juan Goytisolo, who not only lives in the Medina of Marrakech but is also an internationally renowned writer and intellectual with access to the world of global cultural politics. Thus he was able to take what started as a local concern in Marrakech and

lift it straight onto an international agenda, bypassing national authorities in the first instance. In generalised terms, Goytisolo can be referred to in this case study as a scale hybrid social actor, a doubly localised social actor, able to act on different socio-spatial levels of a local–global interaction process.

Here, I refer to actors as scale hybrid in a given context if they are able to act effectively on several socio-spatial levels at the same time, especially on the local and the global level of a specific process (such as a complex interaction process, a conflict, etc.). In such cases, access to resources and integration in formal or informal structures or networks are important conditions for effective action. Scale hybridity is a key term referring to the double localisation of an actor in global–local interaction contexts.²¹

- (2) At the same time, the global organisation UNESCO was open from the beginning to Goytisolo's suggestion, the generalisability of which was quickly recognised. It was obviously seen as an opportunity to try a new form of international protection for intangible traditions, following several largely unsuccessful attempts, linked discursively to existing UNESCO concepts for the safeguarding of the intangible heritage.
- (3) The fact that the General Director of UNESCO at the time happened to be from Spain, like Goytisolo, and that they were acquainted with each other, was certainly a help for Goytisolo in getting his request heard.
- (4) Finally, the authorities at the national level in Morocco, which have scarcely been discussed in this paper, also contributed to what, at least in the short term, was a success story, by not blocking the UNESCO initiative for the protection of Jemaa el Fna, and even encouraging it. As an intergovernmental organisation, UNESCO could not have taken any action in respect of safeguarding Jemaa el Fna Square in Morocco without the agreement of the Moroccan government.

As I have shown, the city administration in Marrakech wanted to transform the square in line with models of 'contemporary' urbanism, while national authorities accepted the UNESCO proposal. Not only the relevant Moroccan ministries, but also King Hassan II, when asked for his opinion by the minister responsible, indicated his support for the Proclamation and safeguarding of Jemaa el Fna. This declaration of support by the king provided a positive impetus for the project, as Juan Goytisolo, looking back, also admits,²² and probably had consequences beyond Marrakech: it is quite possible that if the royal court had said 'no' at an early stage, all further UNESCO activities in this respect would have been stopped, putting an end to the development of this globally relevant concept.

Conclusion II: The Square in the Convention

In the above list of factors which probably contributed to the successful development of the new UNESCO concept on the basis of Goytisolo's suggestion, one factor has not been mentioned which, in the author's opinion, was also significant. At least in retrospect, it appears that Jemaa el Fna Square was a particularly suitable reference

example for the development of a global concept for the protection of local intangible traditions. The following points support this idea:

- (1) At the time in question, Jemaa el Fna Square was already relatively *well known*, a fact which is reflected not least by its appearance in literary works, such as Juan Goytisolo's novel *Makbara* (1993; orig. 1980) or the earlier *Voices of Marrakesh* by Elias Canetti (2003; written in 1954). It can be assumed that the stereotype of Jemaa el Fna as a place where the visitor is offered 'oriental life in a thousand variations [...] as if from a cornucopia'²³ was relatively widespread in the 1990s.
- (2) In the mid-1990s, the square was acutely *endangered*. The local government's plans to construct a high-rise building at the side of the square constituted a concrete threat which would have radically altered the square both as a physical place and as a cultural space. But this concrete danger was easily warded off by urging that the plans be abandoned. The example of Jemaa el Fna thus clearly revealed that a set of instruments for the protection of local cultural traditions can be useful and effective. At the same time Jemaa el Fna served as a reference point for further reflection on possible threats to local cultural traditions, or, to put it more neutrally, influences which might affect them, such as international tourism, urban expansion and social modernisation.
- (3) A central factor which, in the opinion of the author, makes Jemaa el Fna a particularly suitable reference example is the great *diversity of performances and intangible traditions* that are concentrated here in a small space and which have probably always mutually influenced each other to some extent. They include the sacred and the profane, oral literature, drama, comedy, dancing and music (see Figure 2), rhythm and song, codified and spontaneous performances, old traditions and recent new forms, and traditionally urban and originally rural cultural elements. These last elements stem from various geographical cultural backgrounds, ranging from the Haouz of Marrakech to the mountainous regions of the High Atlas, and, especially in the case of the Gnauwa,²⁴ sub-Saharan Africa (see Figure 3). Jemaa el Fna is thus a kind of panopticon (in the literal, not the pejorative sense), representing a large number of possible forms of local intangible heritage worthy of protection, as defined by UNESCO. If I claim here retrospectively that Jemaa el Fna is particularly suitable for the development of the UNESCO concept, this is strictly speaking a circular argument. It is naturally to be expected that an object which served as a reference point during the development of a concept should fit this concept particularly well. However, scarcely any other cultural tradition proclaimed by UNESCO as a Masterpiece has such a great variety of performing traditions as Jemaa el Fna.

It would be only a slight exaggeration to say that the 2003 UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage can be interpreted as an adaptation of the 1972 World Heritage Convention in respect of places and traditions such as Jemaa el Fna. On the other hand, it is clear that in the course of its development, from the initial considerations to the adopting of the new Convention, the new UNESCO



Figure 2 Berber musicians on Jemaa el Fna Square (2006).

concept gradually came to be based less and less on Jemaa el Fna as its (only) reference point.

The mediatisation of the new UNESCO concept in brochures or magazines has produced a new kind of global cultural geography which sometimes conforms to and is sometimes in opposition to usual global cultural geographies. Unlike in the classical World Heritage List, states or sub-continental spaces are represented not by their built monuments, which are generally associated with advanced civilisation, but by local and regional cultural traditions and practices which are being or have been marginalised, at least in some respects, within the local, regional and national context. By proclaiming objects as intangible heritage, UNESCO was at the same time expanding the concept of (World) Heritage in a way that was perceivable to a broader public and not only in professional circles. The concept has also been expanded in other ways, for instance by subsuming former industrial plants under the umbrella of cultural heritage or the preservation of historic monuments; such expansions have always given rise to objections. If the term heritage—which always relates to the past—is expanded or restricted, this involves a shifting of the social boundaries of inclusion and exclusion in the present.²⁵ This is obviously true on the worldwide scale of the UNESCO concept, but it is also true within the local and national context of Marrakech and Morocco, where forms of popular culture that once were marginalised have now been declared as heritage (Arabic: *turath*; French: *patrimoine*).



Figure 3 Gnauwa dancers and drummers on Jemaa el Fna Square (2006).

Mechanisms: The Generation of Concepts in International Organisations

This reconstruction of a vital stage in the genesis of the UNESCO concept for the safeguarding of intangible traditions can be linked to a debate in the social sciences on the creation of new concepts in international organisations. In the course of the so-called *cultural turn*, authors from the fields of social and political science have for some years approached international institutions and organisations from the perspective of cultural studies, and in particular from a constructivist perspective. One question here is that of the *genesis* and the *discursive power* of ideas that are propagated by international institutions and organisations.²⁶ Existing studies are concerned mainly with the big economic institutions, such as the World Trade Organisation and the World Bank.²⁷ UNESCO is certainly not one of the ‘most powerful multilateral institutions’ in the eyes of the general public.²⁸ But precisely for this reason it can be illuminating to contrast central theses such as those proposed by Bøås and McNeill for the genesis of ideas in international institutions, with the history of the development of the new UNESCO concept concerning the intangible heritage of humanity. Not only can this be enriching for the broader debate on the genesis of ideas in international organisations but it can also lead to deeper reflection concerning this particular case history.

If we take, for instance, all the papers in the volume edited by Bøås and McNeill that deal with the genesis of ideas in international organisations, the central theses can be summed up as followed:

- (1) As a rule, international institutions try to choose key terms for their own programmes that will help to ensure consensual and hegemonic implementation of the concept by local and national actors, and which hardly anyone can seriously contest. An example of this is the concept of good governance ('Being against good governance is rather like being against motherhood and apple-pie').²⁹
- (2) New ideas developed by international organisations correspond to the interests of important global actors, especially to the interests of the most important donor countries of the international organisation; in the economic institutions there is a high degree of donor control.
- (3) Once they have made their appearance, new ideas undergo operationalisation and technocratic modification within the international institution. They are rendered compatible with the existing ideas of the organisation.
- (4) The concepts are ostensibly and externally depoliticised. They are also charged economically, in the sense of being endowed with a neoliberal agenda.

How far do these conceptions apply to the case history studied here concerning the genesis of the concept for safeguarding the intangible heritage? The case history of the genesis of the UNESCO concept is located on the periphery rather than at the centre of international regulation and the whole framework of international institutions. If Bøås and McNeill's theses are accepted in principle, it can plausibly be assumed that some but not all of the elements postulated by both authors for the genesis and development of ideas in international institutions will apply to the UNESCO concept for safeguarding the intangible heritage.

Ad (1): if UNESCO proclaims local cultural traditions as 'heritage of humanity', then it is using familiar terminology that everyone associates with the World Heritage of the 1972 Convention. This terminology is highly appropriate for creating a worldwide consensus on the necessity of safeguarding intangible traditions. However, it must not be overlooked that this choice of terms is not based on UNESCO's explicit strategic intentions but is the result of Juan Goytisolo's intuition.

Ad (2): at the time of implementation of the Masterpiece programme, UNESCO's most important donor countries were Japan and Germany or the countries of the EU in general. Indeed, Japan had a strong politico-cultural interest in the development of the Masterpiece programme and in the new Convention; they had many points in common with projects that Japan had been supporting for years in an attempt to safeguard its national intangible heritage. While many countries in the South were highly interested in the new UNESCO concept, this cannot be said of all European countries. Germany, for instance, has not ratified the new Convention even today. The thesis that the donor countries have a strong influence on UNESCO can be neither confirmed nor refuted on the basis of this case history.

Ad (3): in the history of the development of the UNESCO concept for safeguarding the intangible heritage, it is possible to discern processes of operationalisation and concomitant technocratic modification of the original idea. When UNESCO is asked to do something like safeguarding Jemaa el Fna, the matter has to be put in a 'normal form' that can be handled by UNESCO; this was achieved by a process of generalisation

and by the setting up of regulations based on those of the successful 1972 World Heritage Convention.

Ad (4): there is no explicit depoliticisation of the idea of safeguarding intangible heritage in the measures taken by UNESCO; rather, certain cultural practices have gained a previously unknown political importance. There can be no question of a comprehensive 'economisation' of the idea as a result of its appropriation by the politico-cultural organisation UNESCO. The institutionalisation of a concept for the safeguarding of the intangible heritage can be interpreted as meaning that the politico-cultural organisation UNESCO undertakes a kind of cultural upgrading of objects, instead of economisation as in the case of economic organisations; in the example studied here, a cultural upgrading of traditional practices has taken place as a result of the Proclamation. This is indicated by the term *Masterpiece* that was used by UNESCO up to 2005, a term which is commonly associated with the creation of works of art showing extraordinary skill, normally by an individual artist, writer, builder, etc. Even if UNESCO deliberately avoided using this term in the new Convention, it will hardly be possible to avoid a 'cultural upgrading' effect when intangible traditions are inscribed on the new Representative List of the Intangible Cultural Heritage of Humanity.

The exceptional story told here of the genesis of international protection concepts on the basis of concern over a potential threat to a single locality, Jemaa el Fna Square, scarcely matches the cliché of global institutions that obtain their concepts from isolated think tanks in accordance with the interests of the most powerful member countries and from deductive ideological considerations.³⁰ This does not mean that the cliché can be refuted as inappropriate in every case. But the exceptional story at least shows that other forms of production of global concepts are possible, in this case along a local–global axis between the Medina of Marrakesh and the UNESCO headquarters in Paris. It cannot be a coincidence that this exceptional story concerning the genesis of a new form of international governance was possible with an organisation having the self-image of UNESCO.

Notes

- [1] Cf. UNESCO, *Première Proclamation des chefs-d'œuvre du patrimoine oral et immatériel de l'humanité*; UNESCO, *Second Proclamation of Masterpieces of the Oral and Intangible Heritage of Humanity*.
- [2] UNESCO, *International Convention for the Safeguarding of the Intangible Cultural Heritage*, Art. 31.
- [3] Cf., among others: Nas, 'Masterpieces of Oral and Intangible Culture'; Kirshenblatt-Gimblett, 'Intangible Heritage as Metacultural Production'.
- [4] Some of the ideas developed here and parts of the empirical data can be found (in German) in Schmitt, 'Die UNESCO und der Platz Jemaa el Fna in Marrakech'. I am grateful to the 'Local Action in Africa in the Context of Global Influences' collaborative research centre at the University of Bayreuth, Germany, and the German Research Foundation for their financial support. My thanks go to Herbert Popp for his suggestion that I should make a study of Jemaa el Fna Square, and to my former colleagues in Bayreuth for their critical discussions. Finally, I would like to thank all my interview partners in Marrakech, Rabat and Paris, and especially the performers in Jemaa el Fna Square.

- [5] See, for instance, Blake, *Developing a New Standard-setting Instrument for the Safeguarding of Intangible Cultural Heritage*; Kirshenblatt-Gimblett, 'Intangible Heritage as Metacultural Production'.
- [6] Cf. UNESCO, *Première Proclamation des chefs-d'œuvre du patrimoine oral et immatériel de l'humanité*, 5.
- [7] Cf. the historical travel report by Hassan Al Youssi, dating from the 17th century; quoted in, among others, Tebbaa and El Faïz, *Jemâa el Fna*, 98.
- [8] For a more extensive ethnographic approach to Jemaa el Fna Square and a discussion of the question as to how far proclamation as a Masterpiece changed the square, see Schmitt, 'Jemaa el Fna Square in Marrakech'; *idem*, 'Interkultureller Begegnungsraum Place Jemaa el Fna'.
- [9] Original: 'Au début, il y avait des projets de [...] la municipalité, il y a eu une réunion de la municipalité où on a approuvé [...] trois projets dont deux signifiaient la valorisation de la place. Un parking souterrain et un bâtiment de 15 mètres de haut [...] J'ai fait une petite intervention pour dire que tout ça mettait en danger vraiment la place et qu'il fallait réfléchir avant de faire des choses. Comment dire en français? Il faut pas mettre la charrette avant le bœuf. C'est-à-dire que mon intervention était accueillie avec un silence glacial par l'ensemble des gens qui étaient là-bas' (interview with J. Goytisoló, May 2005).
- [10] Quoted according to N.N., 'UNESCO to the Rescue of the *Halaiquis*', *UNESCO-Courier* 12, December 2000 [accessed 20 September 2004], available from www.unesco.org/Courier/2000_12/uk/doss7.htm
- [11] Goytisoló, 'Jemaa-el-Fna: patrimoine oral de l'humanité'.
- [12] Letter from Hans Meinke to Federico Mayor, 26 January 1996—original: 'Querido Federico, [...] Ayer te debieron sonar los oídos, porque me visitó Juan Goytisoló para hablar de una acción en favor de la famosa plaza de Xemâa-El-Fná de Marrakech y de la posibilidad de conseguir que sea declarada por Unesco 'patrimonio oral de la humanidad'. Según Juan Goytisoló, esta plaza de cuentistas y narradores es el único lugar del mundo árabe en el que todavía se cultiva la tradición oral de la literatura. Al parecer, es aconsejable proponer su protección por Unesco para evitar que la especulación la destruya.'
- [13] Note made by a UNESCO staff member, February 1996, translation: Thomas Schmitt and Ruth Schubert—original: 'La demande de l'écrivain Juan Goytisoló est, en effet, une idée nouvelle très intéressante, mais dont la mise en œuvre s'avère compliqué. Le concept de 'patrimoine oral' n'est pas prévu parmi les différentes catégories de patrimoine retenues par l'UNESCO. Il faudra donc que l'UNESCO définisse cette nouvelle catégorie, puis propose aux Etats membres de l'adopter [...] Le fait de déclarer cette place de Marrakech 'patrimoine oral de l'humanité' pourrait par ailleurs éveiller des susceptibilités dans d'autres pays où la tradition orale, d'une grande richesse, reste très vivante. C'est le cas notamment des pays de l'Afrique noire.'
- [14] Cf., for instance, Hahn, 'Global Goods and the Process of Appropriation'.
- [15] Regulations relating to the Proclamation by UNESCO of Masterpieces of the oral and intangible heritage of humanity, Section 6 ('Criteria'), Paris, November 1998.
- [16] UNESCO, *International Convention for the Safeguarding of the Intangible Cultural Heritage*, Art. 2, para. 1.
- [17] Cf. Sasson, *Intervention du Représentant du Directeur Général*, 4.
- [18] Denhez, *Working Paper on a Proposed System to Honour 'Cultural Spaces' with Remarkable Intangible Heritage*, 1.
- [19] Cf. UNESCO, *Convention for the Protection of the World Cultural and Natural Heritage*, Art. 8.1.
- [20] This should not be understood as a critique of the staff of the ministries of culture, etc., but rather as a tribute to the majority of the members of the first jury.
- [21] Scale hybridity is distinguished in this sense from other kinds of hybridity, in particular from cultural hybridity, as introduced in cultural studies in connection with interculturality (see, for instance, Papastergiadis, 'Tracing Hybridity in Theory'). Both terms, scalar hybridity as introduced here and cultural hybridity, refer either explicitly or implicitly to globalisation

phenomena, and they are both of relevance for theories of globalisation. We could now ask whether the concept of scalar hybrid actors would be useful apart from this particular case history and the person of Goytisolo. For Geertz ('Thick Description'), the close linking of a term from social or cultural studies to a particular episode, to a particular study and its interpretation, is not a negative criterion, but he sees this as a typical feature of ethnographic research and the basis on which social and cultural theories are formed. My use of the term does not necessarily define a new 'class' of actors relevant to globalisation processes, but shows possible ways in which single social actors can play a role in them.

- [22] Interview with Juan Goytisolo, May 2005.
- [23] Bonn, *Marokko. Blick hinter den Schleier*, 153; published 1950.
- [24] The *Gnauwa* were originally members of an Islamic brotherhood in Morocco which was almost exclusively composed of black Africans. They developed their own particular style of music, which is influenced by sub-Saharan musical traditions. Today the term *Gnauwa* also refers to *musicians* whose music follows the tradition of this brotherhood.
- [25] Graham et al., *A Geography of Heritage*; see also Soyez, 'Kulturlandschaftspflege', 34.
- [26] Cf. Bøås and McNeill, *Global Institutions and Development*, 2004.
- [27] Cf. *ibid.*
- [28] Cf. *idem*, 'Ideas and Institutions', 212.
- [29] George and Sabelli, *Faith and Credit*, 150, quoted in Bøås and McNeill, 'Introduction', 2.
- [30] Bøås and McNeill, 'Ideas and Institutions', 206.

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