



Civil engagement, integration and better management of the national intangible heritage to raise awareness of European common values - EU context, perspectives and active citizenship

Ethical Considerations in Intangible Cultural Heritage

Ownership, Consent, Representation, and Cultural Sensitivity



What is Intangible Cultural Heritage?



Oral Traditions

Stories, legends, and knowledge passed down through generations by word of mouth.



Social Practices

Rituals, festivals, and community customs that strengthen social bonds and cultural continuity.



Performing Arts

Traditional music, dance, theater, and ceremonial performances that express cultural identity.



Traditional Knowledge

Skills and practices concerning nature, craftsmanship, and traditional healing methods.

ICH provides communities with identity and continuity, fostering respect for cultural diversity and human creativity in our globalized world.

The Ethics-Culture Connection

"Safeguarding Intangible Cultural Heritage requires a bridge between respect for cultural diversity and ethical stewardship, ensuring communities retain ownership and voice in sharing the rich tapestry of human traditions."

Ethics, rooted in the Greek term *ethos*, guides human action toward the good. Culture encompasses knowledge, art, morals, customs, and beliefs that form the foundation of social communities.

From phenomenological philosophy, culture and identity share an intrinsic relationship - individuals discover themselves through interpreting cultural symbols and signs.



UNESCO's Ethical Framework



Community Participation

Communities must be active partners in preserving their heritage, not passive subjects of study.

- Co-responsibility in decision-making
- Free, prior, and informed consent
- Transparent research processes

Respect for Identity

Cultural diversity contributes to humanity's full development and must be protected.

- Equality and human dignity
- Culture of peace and sustainability
- Global citizenship through tolerance

Prevention of Exploitation

Safeguards against cultural appropriation and undue commercialization are essential.

- Intellectual property protection
- Vigilance against commodification
- Community benefit-sharing

The Challenge of Ownership



Community Rights

ICH belongs collectively to communities, not individuals, creating complex ownership patterns

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Individual Practitioners

Individual knowledge holders play crucial roles in maintaining and transmitting culture.

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Legal Frameworks

Traditional IP laws are inadequate; new sui generis systems are needed for ICH protection.

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Global Interests

Balancing local ownership with broader cultural preservation and sharing needs.

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Consent and Documentation Challenges

Informed Consent Issues

Establishing informed consent prevents cultural appropriation and emphasizes community autonomy in decision-making.

Communities must evaluate the impact of sharing their heritage and take co-responsibility for identifying threats to their culture.

Marginalized groups face particular challenges in protecting their cultural rights and ensuring fair representation.

Representation Risks

Power imbalances determine who tells cultural stories and how they're told to global audiences.

Simplified or commodified cultural elements can undermine authenticity and perpetuate harmful stereotypes.

Community muralism exemplifies both cultural expression and vulnerability to erasure through urban development.



Cultural Appropriation vs. Appreciation

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Cultural Appreciation

Deep cultural engagement with explicit consent from originating communities.

- Equitable exchange
- Respectful learning
- Community benefit

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Cultural Appropriation

Taking cultural elements without permission, often for profit or superficial use.

- Sacred rituals as tourist spectacles
- Stereotypical portrayals
- Economic exploitation of artisans

⊗ The commodification of indigenous ceremonies and crafts often strips them of meaning while profits flow to external stakeholders, leaving communities with minimal returns.

Preservation vs. Evolution Dilemma



Static Preservation

Risk of "fossilizing" cultural practices, compromising their authenticity and vitality.

Dynamic Balance

Achieving nuanced balance between safeguarding traditions and enabling adaptation.

Modern Relevance

Cultural expressions must adapt to remain relevant while preserving core identity.

Resource allocation challenges require prioritizing which practices to preserve, while avoiding conservation triage that treats cultural extinction as acceptable.

Recommendations for Ethical Practice

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Participatory Approaches

Engage communities as active partners, not subjects. Use interactive digital technologies to amplify marginalized voices.

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Cultural Sensitivity Training

Develop specialized skills for researchers and practitioners in ethical representation and community engagement.

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Free, Prior, Informed Consent

Establish culturally appropriate consent processes that respect community sovereignty over their heritage.

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International Standards

UNESCO and other organizations must enforce ethical guidelines while supporting community-led initiatives.

A Call to Action

The Path Forward

Communities, researchers, policymakers, and global organizations must collaborate to develop frameworks that honor cultural authenticity while promoting inclusive dialogue.



ICH preservation requires urgent action from all stakeholders to address ethical challenges and ensure cultural sustainability

The future depends on recognizing ICH as a vital contributor to cultural diversity and mutual understanding across societies

