Research Handbook on Contemporary Intangible Cultural Heritage

Law and Heritage

Edited by Charlotte Waelde, Centre for Dance Research, Coventry University, Catherine Cummings and Mathilde Pavis, The University of Exeter and Helena Enright, formerly Bath Spa University, UK

Bringing together key insights from expert legal and heritage academics and practitioners, this book explores the existence and safeguarding of contemporary forms of intangible cultural heritage (ICH). Providing a detailed analysis of the international legal frameworks relevant to ICH, the contributing authors then go on to challenge the pervasive view that heritage is about ‘old’ tangible objects by highlighting the existence, role and importance of contemporary forms of ICH to modern society.

‘This book is an excellent and extremely welcome addition to the libraries of a wide and interdisciplinary range of readers dealing with intangible cultural heritage, including researchers, practitioners and policymakers, in both legal and non-legal disciplines. This is an important book not only for the enhancement of knowledge already achieved between its covers, but also in view of its great potential for inspiring further work in the still under-studied field of contemporary ICH.’

– Paula Westenberger, IPKat

‘...this book opens up a rich field of thinking about intangibles as cultural heritage. Focusing on contemporary forms of intangible cultural heritage (‘ICH’), the various chapters explore how different legal regimes, from human rights, to trade, IP and heritage law clash and interact, prompting us to think about their different rationales. Overall, this handbook does not provide what one would normally expect from a handbook: a structure and a sense of coherence to a field of research. This should be seen as one of its main accomplishments. Instead of projecting an artificial sense of coherence, the various chapters together convey how intangible cultural heritage is a dynamic, pluralist and contested field of research. The editors’ aim of encouraging thinking “beyond the walls” of disciplines and legal regimes is largely accomplished. For those unfamiliar with research on intangible cultural heritage, this book is an excellent point of entry into the topic.’


‘For those interested in ICH generally, this set of essays serves up some novel and well researched food for thought. Because ICH does not enjoy a single definition or established place in the law, the authors’ work to question existing avenues of discourse breathes some fresh life into the topic by going back to first principles. It re-introduces readers to the types of living expressions that comprise ICH, whose vibrancy bolsters intercultural dialogue, and encourages mutual respect for other ways of life.’

– Molly Torsen Stech, Journal of Intellectual Property Law and Practice

‘This excellent Research Handbook focuses on contemporary forms of intangible cultural heritage (ICH) which are too often neglected in current discussions. The Research Handbook is varied in its geographical scope with case studies and examples drawn from countries as diverse as the UK, the Netherlands, Indonesia and Zimbabwe amongst others. It explains the framework of contemporary ICH, the major debates within the field and how use is being made of ICH in many different areas such as minority politics, trade, human rights, copyright, cultural landscapes and by national governments as well as local communities. This is an important book for anyone interested in the ongoing vitality of the human qualities of our heritage. Such an

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for anyone seeking a thorough understanding of the law and politics of contemporary ICH and the often uneasy co-existence of global, national and local interests and policy making in this field.’

– Christoph Antons, Newcastle Law School, Australia

‘This remarkable interdisciplinary collection is a tour de force. The stellar cast of authors offers unique critical discourses on how tradition, heritage, and contemporary culture interact with each other and with cultural policy and law including intellectual property and human rights – as viewed from both international and communitarian perspectives.’

– Uma Suthersanen, Queen Mary, University of London, UK

‘This Research Handbook provides a comprehensive interdisciplinary discussion on a number of important aspects of intangible cultural heritage. It considers not only matters of (legal) definition and problems of protection or the notion of “protecting”, but also issues like human rights, identity of individuals and communities, or the preservation of living cultural heritage in art and language. This volume is a must-have for academics and policymakers, including for those who are not lawyers but need to deal with them.’

– Andreas Rahmatian, University of Glasgow, UK