



This paper is taken from

*Human Rights and Citizenship Education
Proceedings of the eleventh Conference of the
Children's Identity and Citizenship in Europe
Academic Network*

London: CiCe 2009

edited by Peter Cunningham, published in London by CiCe, ISBN 978-0-9562789-6-8

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Berg, W. (2009) Cultural Diversity and Human Rights, in Ross, A. (ed) Human Rights and Citizenship Education. London: CiCe, pp 86 - 88

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This paper does not necessarily represent the views of the CiCe Network.



Lifelong Learning Programme

This project has been funded with support from the European Commission. This publication reflects the views only of the authors, and the Commission cannot be held responsible for any use which may be made of the information contained therein.

Acknowledgements:

This is taken from the book that is a collection of papers given at the annual CiCe Conference indicated. The CiCe Steering Group and the editor would like to thank

- All those who contributed to the Conference
- The CiCe administrative team at London Metropolitan University
- London Metropolitan University, for financial and other support for the programme, conference and publication
- The Lifelong Learning Programme and the personnel of the Education and Culture DG of the European Commission for their support and encouragement.

Cultural Identity and Diversity

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Abstract

The UNESCO-Convention on Protection and Promotion of the Diversity of Cultural Expression has already been signed by numerous states. Hence these states are obliged to respect cultural diversity within the state and worldwide. They have to provide individuals and communities with access to global culture, and, at the same time, give them the opportunity to express themselves according to their traditional culture. The Convention is a good argument contra global players who like to define cultural products and services in terms of market economy only. On the other hand, the Convention raises lots of questions as it seems to legitimize back-warded regimes to keep (indigenous) people in ignorance or traditionalism, hurting their Human Rights. The Convention on Protection and Promotion of the Diversity of Cultural Expression, which has been noticed scarcely, has strong societal and educational impacts. These impacts, however, are ambiguous and ambivalent. Fostering self-determination of individuals and communities, also minorities and regional identity, the Human Rights are prerequisite; otherwise "traditions" can continue to oppress liberty, equality, democracy. To acknowledge diversity as a value, a wealth, and to respect individuals and communities who live according to their rules, is a strong challenge for the state, the education system, for civil society and all individuals. It needs more than tolerance, at least when communication and cooperation requires to develop a kind of modus vivendi.

The Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005) has rarely been noticed. It is an impressive pleading in favor of cultural diversity and identity. It is a clear statement about the only restricted function of market economy and, in the same moment, acknowledges the economic aspect of culture (creative industries). Its political impacts, however, are ambiguous and ambivalent. It is fostering the self-determination of communities, also minorities, strengthening regional identity. The Human Rights are prerequisite. On the other hand culture, comprehended as "tradition" only, can be instrumentalized in order to continue to oppress liberty, equality, democracy.

Identity and Citizenship

One objective of this convention is "to give recognition to the distinctive nature of cultural activities, goods and services as vehicles of identity, values and meaning" (Art. 1 g). Accordingly the states "shall encourage the active participation of civil society in their efforts to achieve the objectives of this Convention" (Art 11)! As there is no distinguished application, it remains lip service. The convention is no legal instrument though individuals or groups can refer to directly: "the ability of individuals to choose cultural expressions" (Art 2.1.) must be guaranteed. But "human rights and fundamental freedoms, such as freedom of expression, information and communication" (Art. 2.1.) are principles, which underpin the convention. The convention contributes to Human Rights as it is enhancing UNESCO's mandate to promote the free flow of ideas by word and image.

Tolerance, respect, recognition

The convention is "recalling, that cultural diversity needs to flourish within a framework of democracy, tolerance, social justice and mutual respect between peoples and cultures" (fourth sentence of the introduction), "in particular the respect for cultures of persons belonging to minorities and indigenous peoples" (Art. 2, 3rd principle). This is a real and beautiful entitlement which has to be obeyed by all nation states. There is, however, only a kind of monitoring, but no international court or any other authority people can appeal to.

Cultural traditions

On the basis of this convention all states have to recognize "the importance of traditional knowledge as a source of intangible and material wealth, and in particular the knowledge systems of indigenous peoples" (7th sentence in the introduction). The claim is that these traditions contribute to sustainable development, which is actually not always the case. There are lots of cases in which local traditions do not fit to Human

Rights at all. On the other hand, the Convention raises lots of questions as it seems to legitimize regimes to keep (indigenous) people in ignorance or traditionalism. It is one of the central problems of this convention that it wants to protect cultures and promote the exchange between them, to combine the conservation of a state and the societal progression (which appears to be inevitable). The convention delivers good arguments for any nationalist policy as it allows to “protect” traditional expressions of meaning and habits, to promote domestic cultural industries.

Access and exchange

The convention obliges states to provide individuals and communities with access to global culture, to all systems of knowledge, data, insights in other cultures, etc. To date, the reality is far from offering equal opportunities, and – according to Rifkin (2000) - inequality is becoming more of a problem with regard to access. The more global communication and exchange are progressing and – for instance - indigenous people do have access to TV or Information technologies, the more their traditions are in jeopardy and threatened, whilst national policies can hardly protect them (and should not!). “Protection” does not include defense or rejection, just safeguarding and enhancement (s. Art. 4.7.).

Market Access

The convention gives a strong incentive to open the domestic markets for art, music, film and all other cultural activities, products and services in favour of developing countries, minorities, and indigenous peoples. However, the culture market is dominated by cultural industries from the US and Europe. What is deemed to be chic, fashionable, valuable is still determined by “white urban elites” in the highly developed countries, even if they integrate “exotic” motives. It is a good idea to promote cultural industries and commerce, but the convention seems to ignore that – as long as the western style is predominant – cultural goods and services, in order to be purchased, have to fit to the demand, so, for example, expectations of tourists may mean cultural diversity degenerates to a market of souvenirs and folklore. Witness also the UNESCO Convention on World Heritage list of sites, which can be seen as mirroring the Western comprehension of culture.

Cultural expression and commercial value

The convention succeeds to figure out the double nature of culture which on the one hand expresses meanings and constitutes identity, and on the other is simply a commodity or service which can be traded. Article 20 tries to establish a balance between economical interests and cultural essentials: the free trade (WTO) is one principle, the protection of culture another one, and there is no difference of rank, no subordination. Behind the “exception culturelle” is an economical interest, too. Protection of culture is a kind of protection of domestic markets. The cultural industries, namely music and film, in developing and developed countries are encouraged to cooperate “*in relation to the specific needs of developing countries*” (Art. 14 a VI).

Article 6 enumerates various measures as to how to enhance “*diversity of the media*”, including public service broadcasting (6h). Many observers reduce the convention to one purpose: European film industries should not be overwhelmed by Hollywood.

The convention provides good argument to counter global players who like to define cultural products and services in terms of market economy only.

The measures the states may adopt can also aim providing public financial support for nonprofit organizations, artists, public institutions etc. (Art. 6).

Culture policy

This convention gives states a distinctive right to “*formulate and implement their own culture policies*” (Art. 5.1). In Article 2.2, the states assure themselves that they have (still?) the “*sovereignty*” to adopt measures to protect and promote diversity on their territory! How does it come that such a truism has to be mentioned? It is due to the fact that neoliberalism has already succeeded to determine globalization as a global market which is beyond the control by the national states.

Signal

To acknowledge diversity as a value, a wealth, and to respect individuals and communities who live according to their rules, is a strong challenge for states, their education system, for civil societies and all individuals. It needs more than tolerance, at least when communication and cooperation requires the development of a kind of *modus vivendi*. The convention is another signal to perceive culturally diverse items not as bad, odd or strange. Actually, it is the educational system, not least the companies and workplaces, which have to make sure, that people can experience diversity without fear, as a wealth and enrichment.

Globalization

As Human Rights are indivisible, including the freedom of information, belief and opinion, and as the Convention highlights access to global knowledge and communication, as cultural exchange takes place necessarily, the contemporary diversity of culture cannot be confirmed and conserved forever. The question is how to establish rules for fair encounters and self-determined changes.

Culturalism

The convention and the academic and societal debate about it suffer from a sort of culturalism: Mostly the notion of culture is not defined properly. Often enough “cultures” are viewed like actors or confused with states or territories, also peoples or ethnicities: e.g. “...*conditions for cultures to flourish and freely interact...*” (Art. 1d). Cultures never interact, people do, and powerful people do it with power. We are pleading for a pragmatic and empirical approach. Culture is a set of rules which are leading people’s perception, beliefs, judgments and actions. Actually territories and communities which “have one culture” are an historical exception. There is a plentitude of cultural items which have a certain range of usage, but are not necessarily restricted to one state or one community. The communication between communities (encounters, marriages, etc.) and the change and exchange of cultural items (trade!) is a matter of fact everywhere.

Conclusions

1. The convention merits more public acknowledgement than it has to date. It is an important signal as it transforms Human Rights into cultural aspects of daily life, and hence is a tool for education in schools. The impacts and conclusions which can result are, however, arguable and controversial.
2. Beside political impacts the importance for the educational system is obvious: individuals and communities have to learn to respect minorities, appreciate diversity and to cope fairly with cultural differences.
3. Within the economic way of thinking (globalization) the convention is a reminder that market economy (including cultural activities, goods and services) is only one aspect of life and development, whereas at the same time culture is, though to some amount marketable, for individuals and communities important as part of their identity and an authentic expression of their self-determined life.

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