

**NATIONAL POLICY ON SOUTH AFRICAN LIVING  
HERITAGE**

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**DEPARTMENT OF ARTS AND CULTURE**

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## **Acronyms**

## Definition of Terms

For purposes of this policy framework:

**"2003 UNESCO Convention"** means the 2003 UNESCO Convention for the Safeguarding of Intangible Cultural Heritage;

**"bearer"** means a person involved in the experience, practice, and/or transmission of living heritage, whether as a practitioner, a custodian, or in any other role;

**"bearer community"** means a network of individuals who share a self-ascribed connectedness and identity, anchored in the practice and transmission of a specific form of living heritage over several generations;

**"community"** means a network of persons who share a self-ascribed sense of connectedness and identity, anchored in the practice and transmission of living heritage;

**"cultural diplomacy"** means the exchange of ideas, information, art, lifestyles, value systems, traditions, beliefs, and other aspects of culture across nation states, with the intention of mutual understanding;

**"custodian"** means a bearer of living heritage who takes on a special responsibility to ensure the continued viability, practice, and transmission of living heritage elements;

**"documentation"** means committing elements of living heritage to record in order to keep the knowledge and skill about living heritage and its bearer communities;

**"group"** means persons from one or more communities who share specific characteristics such as skills, experience, and knowledge in the practice and transmission of their living heritage;

**"identification"** means measures to recognise, research, and frame the living heritage of various communities for documentation;

**"individual"** means a person who possesses specific skills, knowledge, or experience of living heritage. Individuals may play a particularly important role in the practice, revitalisation, and/or transmission of specific elements of living heritage, especially endangered living heritage;

**"intangible cultural heritage"** means living heritage as defined in this policy;

**"inventorying"** means measures to take stock of the living heritage of various communities, and includes an audit of living heritage;

**"living heritage"** means cultural expressions and practices that form a body of knowledge and provide for continuity, dynamism, and meaning of social life to generations of people as individuals, social groups, and communities. Living heritage allows for identity and a sense of belonging for people as well as an accumulation of intellectual capital for current and future generations in the context of mutual respect for human, social, and cultural rights;

**"living treasures"** means specialist practitioners of high public regard in living heritage, whether it is arts, rituals, social philosophies, or indigenous knowledge, and for purposes of national recognition of living treasures, **"living national treasures"** are persons who possess, to a very high degree, the knowledge and skills required for safeguarding or recreating specific elements of living heritage;

**"Minister"** means the national Minister of Arts and Culture;

**"preservation"** means measures of conserving the living heritage of people and enhancement of an equitable social environment in which the living heritage of all people thrives"

**"promotion"** means the raising of awareness about the content and value of living heritage in communities and through generations, while enhancing both its utility and social value;

**"protection"** means deliberate measures taken by official bodies and communities to defend living heritage or particular elements from threat, exploitation, or harm, perceived or actual; protective measures may be legal or community rooted;

**"research"** for living heritage means measures aimed at better understanding, given elements of living heritage: its history, meanings, artistic and aesthetic features, social, cultural, and economic functions, practice, models of transmission, and the dynamics of its creation and recreation;

**"safeguarding"** means "measures aimed at ensuring the viability of the intangible cultural heritage [i.e. living heritage], including the identification, documentation, research, preservation, protection, promotion, enhancement, transmission, particularly through formal and non-formal education, as well as the revitalization of the various aspects of such heritage", as in the 2003 UNESCO Convention;

**"social cohesion"** means a process that assists the building of shared community values. This process is characterised by the presence of strong public institutions capable of mediating social conflict equitably and of reducing inequalities of condition (wealth, income, education, health) and inequality of

opportunity and generally enabling people to have a sense that they engage in a common enterprise, facing shared challenges, and belonging to the same community or democracy. It refers to the extent to which a society is coherent, united, and functional, providing an environment within which its citizens can flourish;

**"sustainable development"** means development that ensures that the use of resources and the environment today does not restrict their use by future generations;

**"transmission"** means measures taken to communicate and transfer living heritage between social groups and individuals and from one generation to the next; and

**"ubuntu"** means an African social philosophy that promotes an obligation of humans towards the welfare of one another, while taking responsibility for the environment. It is recognition of the significance of each and every human life and the need for humans to take care of one another as social beings and to take care of the environment that surrounds them. Often phrased as a belief that *motho ke motho ka batho* ("a person is a person through others"), it emphasises that humanity is not simply biological, but largely a product of socialisation and active promotion of good social values. It enshrines communal responsibility for human rights and human welfare.

# Chapter 1

## Setting the Policy Agenda

### 1.1. The South African context

1.1.1. In South Africa, the necessity for national policy promoting living heritage is created by the historical imbalances in the manner in which the living heritage of different communities has been regarded as well as the need for coordination of living heritage, which is managed by various agencies, including communities. The history of apartheid ensured that the practice and promotion of languages, the performing arts, rituals, social practices, and indigenous knowledge of various social groups were not balanced, and in some cases, it was actively discouraged. South Africa emerges from centuries of a political climate that ensured that social groups were hierarchically graded and that some had heritage that was not freely appreciated and promoted. For example, a false impression was created that traditional dress code and traditional dances of certain social groups were backward and clashed with colonially adopted religions such as Christianity. Indigenous foods, the processing of which included certain techniques, are disappearing due to industrialisation and neglect.

1.1.2. As a result of this history, one of South Africa's main problems is lack of social cohesion. The manifestation of the problem of lack of social cohesion is seen in incidents of racism, xenophobia, crime, corruption, and in some cases, lack of ethics and care in institutional and public service. In addition, absence of social cohesion manifests itself in terms of lack of appreciation for cultural diversity. It also manifests itself in the growing socio-economic disparities. This is because apartheid managed to integrate issues of culture and economic status in grading social



groups. While the historical legacy of socio-economic imbalances is being addressed through government programmes, there is a need to liberate the potential for South Africans to celebrate their mutual social existence by safeguarding their heritage and celebrating their equal entitlement to it.

1.1.3. The 2003 UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage, which South Africa has ratified, sees living heritage as “manifested inter alia in the following domains”:

- a) Oral traditions and expressions, including language as a vehicle of the intangible cultural heritage
- b) Performing arts
- c) Social practices, rituals, and festive events
- d) Knowledge and practices concerning nature and the universe
- e) Traditional craftsmanship<sup>1</sup>

1.1.4. In South Africa, living heritage has significant social and economic value. The importance of living heritage, including popular memory, was identified during the anti-apartheid struggle as an important counterpart to the celebration of colonial buildings and artefacts, which were seen as the main heritage resource. Under apartheid and colonialism, much of the indigenous living heritage was marginalised and even demonised. The living heritage of people indigenous to Africa, and of slaves brought to this country, was affected by dramatic changes in land ownership, livelihoods, language use, and social structure. In democratising the heritage landscape after 1994, it has thus been very important to recognise the significance of living heritage and to safeguard it for future generations.

## **1.2. Challenges confronting living heritage management**

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<sup>1</sup> 2003 Convention, article 2, paragraph 2.

1.2.1. There are historical challenges within which the policy process has taken place and that it needs to address. It is important for these to be articulated in this policy in order to contextualise the interventions proposed by this policy. These challenges are:

- the artificial separation of tangible and intangible (living) heritage;
- the legacy of unequal knowledge systems;
- the understanding of human rights and equality; and
- potential misinterpretation of “safeguarding” as meaning “stagnation”.

### **The artificial separation of tangible and living heritage**

1.2.2. Living heritage cannot be abstracted from tangible heritage. Therefore, some of the institutional challenges in South Africa are related to the linkages between institutions that deal with tangible heritage and those that deal with living heritage in a manner that still leaves communities that are served clear of various institutional mandates. South Africa needs to tailor-make its model, partly recognising and adapting the roles of current agencies and institutions of heritage. Until this policy process, living heritage associated with heritage objects and places was protected under the NHRA of 1999, but this does not include other forms of living heritage.

### **The legacy of unequal knowledge systems**

1.2.3. South Africa has undergone centuries of both the marginalisation of indigenous knowledge and greater promotion of positivism as a mode of knowledge reception. Positivism is reliance mainly on the seen and the tangible objects in receiving information. Since some of the living heritage involves other knowledge systems where this “objective” orientation is not the only manner of understanding reality, a challenge exists in cross-communication on why certain aspects of living heritage that are not seen as “objective” are important. Thus, it is difficult for some to understand the

African cultural attitudes towards the unborn and the departed, and rituals related to these. Hence, the continued contestation in the minds of some people between perceived rights of women in the choice of abortion, on the one hand, and the perceived right to life of the foetus, on the other hand.

1.2.4. Over centuries of colonialism, South Africa has seen certain groups associating themselves more with objectivity and associating other groups with superstition. This has had a double effect of marginalisation: some communities have been alienated from objectivity and scientific heritage, while, at the same time, some aspects of their heritage that are not “objective” knowledge (such as the need for, and effect of, rituals) have been devalued. There is, therefore, a need for redress in terms of recognising objective and subjective elements in all knowledge systems and restoring integrity in their cultural logic, while encouraging alignment with human rights policy instruments, nationally and internationally. The challenge is to avoid association of whole cultures with superstition or subjective knowledge and to avoid association of only certain social groups with scientific heritage.

### **The understanding of human rights and equality**

1.2.5. There is a challenge related to the alignment of cultural practices with the Bill of Rights (as in practices such as “virginity testing”, traditional leadership, and polygamy, for instance). Westernisation prioritises the individual. The popular human rights discourse also prioritises the individual. Some social groups in the African tradition see the social unit as bigger than the individual. This does not mean that the African setting provides no recognition of the individual, but in the African tradition, “community” encapsulates “the individual” in specific ways that define his or her status in relation to various situations. The status of children and

their capacity for decision-making are variable in different communities. Notions of respect impose some prescriptions of social inequality between adults and children. This does not necessarily clash with human rights. However, is difficult to establish the boundaries of the level of choice and discretion in decision-making that should be universally given to children. At the same time, human rights must be asserted so as to protect against abuse of “respect” in the relations between people of all ages.

### **Potential misinterpretation of “safeguarding” as meaning “stagnation”**

1.2.6. It is a challenge to ensure that safeguarding heritage is not interpreted as making heritage rigid or preventing socio-cultural change. Protection, promotion, and transmission of heritage must be done in ways that enable communities to practise and promote their heritage in a changing environment, not as imposed rigid principles. Protection, promotion, and transmission must be means of legitimising diversity and continuity of heritage rather than of promoting modernity, stagnation, or a singular way of performing social practices. There is a need to balance safeguarding, on the one hand, with the dynamism of heritage, on the other hand. Therefore, policy on living heritage at various levels of government must involve non-prevention of social change clauses.

1.2.7. The NHRA states, “Heritage resources ... must be carefully managed to ensure their survival” because they are “valuable, finite, non-renewable and irreplaceable”<sup>2</sup>. Living heritage is, indeed, valuable and irreplaceable in the sense that it is rooted in the history and identity of a group or community, but one of the specific strengths of living heritage is that it is constantly being reproduced, developed, and renewed by that group or community who are bearers of the living heritage. Safeguarding living heritage, therefore, does not mean preventing change or “freezing” it, but

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<sup>2</sup> Act 25 of 1999, section 5(1)(a).

encouraging continued practice and identification with it by bearer communities or groups. It also means safeguarding the conditions under which the living heritage is practised, for example, by ensuring sustainable supplies of natural resources required for its practice or negotiating continued access to sites that are commonly used for festivals.

### **1.3. The agenda for living heritage policy in South Africa**

1.3.1. There are two important sides to the role of living heritage in the South African society. The first is the safeguarding of living heritage as a valuable resource for future generations. The second is the achievement of social cohesion. Sustaining and promoting South African forms of living heritage can help promote a positive African identity within a globalising world. It will also address tensions between tradition and modernity. Living heritage provides people with a sense of identity and continuity within communities. Understanding common features of cultural traditions across South Africa can also foster national unity and pride, while maintaining respect for human rights. Living heritage based on the African philosophy of ubuntu can promote a sense of common responsibility.

1.3.2. Ubuntu is a social philosophy that promotes an obligation of humans towards one another's welfare, while taking responsibility for the environment. It is recognition of the significance of each and every human life, the need for humans to take care of one another as social beings, and the need to take care of the environment that surrounds them. Often phrased as a belief that *motho ke motho ka batho* ("a person is a person through others"), it emphasises that humanity is not simply biological, but largely a product of socialisation and active promotion of good social values. It enshrines communal responsibility for human rights and human welfare. As an inclusive social philosophy, ubuntu is a national living heritage element that will be instrumental in establishing and encouraging

social cohesion in South Africa. Together with appreciation of other elements of living heritage such as the performing arts and languages, ubuntu promotes a balance between diversity and affinity between fellow humans.

1.3.3. Regardless of the colonial onslaught on living heritage, local communities have been managing their changing living heritage effectively for generations – the grandmother telling stories to young people around the fire, the potter making pots according to ancient patterns, the kwaito artist performing for the youth, old ceremonies (for example, Diwali celebrations), and new ceremonies and honours (such as national orders) are performed. This valuable heritage needs to be actively safeguarded and encouraged.

1.3.4. Safeguarding living heritage depends on people continuing to enjoy and practise their living heritage. According to the 2003 Convention, safeguarding means “measures aimed at ensuring the viability of the intangible cultural heritage, including the identification, documentation, research, preservation, protection, promotion, enhancement, transmission, particularly through formal and non-informal education, as well as the revitalization of the various aspects of such heritage”<sup>3</sup>.

1.3.5. In the context of South African history, the role of the state is to help recognise and celebrate the value of living heritage practices by ensuring that:

- processes are created to help people to record their heritage in order to identify and safeguard its value to communities;
- common interests are protected within a democratic state;

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<sup>3</sup> 2003 UNESCO Convention, article 2.

- people contribute innovatively to industries (in areas such as medicine) and to tourism, using IKS for innovation;
- people contribute to sustainable economic development and social cohesion and communities continue to celebrate their heritage;
- people are afforded proper coordination of living heritage in South Africa and in relation with other countries; and
- community participation is integral to the management of living heritage.

1.3.6. The 2003 UNESCO Convention encourages countries to think about criteria that will promote equity in auditing and promotion of heritage. While the constitutional framework as well as the convention enshrines the human rights paradigm, the context of continual negotiation of alignment with socio-cultural rights must not be forgotten. By recognition of the South African context of historical imbalances in recognition of heritage, this periodically reviewable policy serves as a framework guiding South Africa's direction in management of living heritage.

#### **1.4. Community participation**

1.4.1. Community participation is an important principle in the safeguarding of living heritage. The 2003 Convention recognises community participation as an integral part of the management of this heritage. This policy framework recognises that living heritage is inalienable from communities in which it is living. Therefore, as a policy, it enables what is fundamentally driven by communities. The policy thus emphasises the importance of community participation as well as underscores the importance of equity in human rights and cultural rights as has been discussed. In the context where various governmental and non-governmental organisations are facilitating the safeguarding of heritage, community participation must be evident in those facilitated processes.

1.4.2. Those agencies must:

- seek active consent and involvement from the bearer group or community in all stages of safeguarding living heritage;
- when conducting research, solicit active participation from the bearer group or community to ensure that the outcome is rooted in the historical practice of bearer groups or communities and, if it has commercial orientation, that its sale to outsiders is not detrimental to the safeguarding of the living heritage or sustainable development;
- consult with communities and human rights experts to ensure that the living heritage practice or its use within the commercial framework complies with the requirements of human and cultural rights;
- ensure that profits or benefits made by “a living heritage project” are deployed to the general benefit of the bearer group or community;
- uphold respect for human rights, research ethics, as well as cultural rights in their practice as facilitators; and
- promote social cohesion and good socio-cultural values as a priority mutually shared by facilitators of heritage safeguarding and bearer communities.

1.4.3. In terms of community benefits, this policy on living heritage:

- underscores the importance of community involvement and initiative in safeguarding living heritage;
- enables South Africans to discuss the logic of their living heritage against the backdrop of human rights;
- promotes equality of communities’ and individuals’ entitlement to their living heritage, thus creating scope for redress and equity on living heritage;
- promotes living heritage that encourages empowerment of communities and unity of the South African nation, thus promoting social cohesion; as well as



- allows for negotiation and promotion of living heritage shared with neighbouring countries.

1.4.4. One of the main strengths of the South African constitutional framework is the value attached to consultation in both policy development and implementation. Therefore, in the spirit of both the 2003 UNESCO Convention and the South African Constitution, consultations are obligatory. This policy framework is sensitive to questions that could arise out of a top-down approach in the inventorying and documentation of living heritage. It is also aware and conscious of disparities that exist in the arts, culture, and heritage sector, particularly at local government level, where most municipalities do not always have capacity and resources. Because municipalities and provinces are closer to communities than the national government, their collaboration, input, and guidance are mandatory. To this end in the entire safeguarding process starting with the inventorying process, which is described in Chapter 4, the DAC and the National Heritage Council (NHC) are bound, at all times, to engage relevant stakeholders.

## **Chapter 2**

### **Scope of Application and Definitions**

#### **2.1. Purpose**

2.1.1. This policy framework was written in response to the need identified by the Department of Arts and Culture (DAC) to create national policy on living heritage, also known as intangible cultural heritage (ICH). South Africa's living heritage, as in other parts of the world, is facing tremendous challenges. Most elements of living heritage are under threat of extinction due to neglect, modernisation, urbanisation, globalisation, and environmental degradation. This national policy framework is an attempt to arrest continuing marginalisation of this important heritage. It is also aimed at affirming cultural diversity and mutual social existence. Living heritage is at the centre of people's culture and identity; it is important to provide space for its continued existence and practice in the South African nation. In recognition of the significance of this heritage, South Africa has ratified the 2003 UNESCO Convention. This will lead to the exchange of international best practice as well as harmonisation of norms and standards in the safeguarding of living heritage. It is also the objective of the policy to encourage regional collaboration on issues of living heritage.

2.1.2. South Africa has various initiatives on living heritage that are located in various sectors of government because they link to mandates of different government departments. Some sectors have promulgated policies that, in part, impact on living heritage. There is thus a need for an overarching policy framework that coordinates these initiatives and policies, setting standards on management of living heritage for the country.

2.1.3. This policy framework, therefore, aims at:

- empowering communities and individuals in safeguarding their heritage;
- recognising the role played by various stakeholders (including communities and civil society organisations) towards living heritage;
- providing scope for the government to facilitate and monitor the identification and safeguarding of living heritage;
- providing a framework for social cohesion in South Africa;
- providing for a framework of cultural diplomacy, enabling living heritage to be shared across national borders; and
- providing a mandate to the DAC to set norms and standards on living heritage management throughout South Africa.

## **2.2. Defining “living heritage”**

### 2.2.1. In terms of the 2003 UNESCO Convention:

The “intangible cultural heritage” means the practices, representations, expression, 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. This intangible cultural heritage, transmitted from generation to generation, is constantly recreated by communities and groups in response to their environment, their interaction with nature and their history, and provides them with a sense of identity and continuity, thus promoting respect for cultural diversity and human creativity. For the purposes of [the] Convention, consideration will be given solely to such intangible cultural heritage as is compatible with international human rights instruments, as well as with the requirements of mutual respect

among communities, groups and individuals, and of sustainable development.<sup>4</sup>

2.2.2. This definition of intangible cultural heritage has been adopted in this policy framework, as it encapsulates issues that have been identified as part of living heritage in South Africa. However, the term “living heritage” is preferred in the context of this policy. “Living heritage” refers to intangible cultural heritage as defined above, with more emphasis on dynamism of culture and association of this heritage with both cultural continuity and social meaning. This is important in the context of South Africa where discriminatory practices and historical imbalances with respect to living heritage were effected through association of certain cultures with backward orientation, while others were associated more with progressive orientation.

2.2.3. The term “living heritage” thus serves to emphasise the continuity of heritage that was actively discouraged during colonialism and apartheid and through missionary work. It places emphasis on both continuity of what was suppressed and the formulation of a new national identity. Living heritage must not be seen as merely safeguarding the past, but it must be seen as safeguarding the logic of continuity of what all communities or social groups regard as their valuable heritage, shared or exclusive.

2.2.4. “Living heritage” has also been used in other policies within South Africa. The Arts and Culture White Paper of 1996 argues that “[a]ttention to living heritage is of paramount importance for the reconstruction and development process in South Africa. Means must be found to enable song, dance, story-telling and oral history to be permanently recorded and

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<sup>4</sup> 2003 UNESCO Convention on Safeguarding Intangible Heritage, article 2, paragraph 1.

conserved in formal heritage structure”<sup>5</sup>. The National Heritage Resources Act (NHRA) defines heritage resources in a way that also makes reference to living heritage. According to it, heritage resources include “places to which oral traditions are attached or which are associated with living heritage”<sup>6</sup>.

### **2.3. Constitutional mandate on arts and culture**

2.3.1 The Constitution allocates various functional domains to one or more spheres. Within the context of culture and related matters, four such concurrent functional domains are relevant:

- Culture is a functional area of concurrent national and provincial legislative competence<sup>7</sup>.
- Indigenous law and customary law are subject to Chapter 12 of the Constitution.
- The provisions of the Constitution expressly confer language and regulation of official languages on the provincial legislative competence.
- Traditional leadership is subject to Chapter 12 of the Constitution.

2.3.2. In respect of these concurrent functional domains, the National Executive is empowered by the Constitution to formulate national framework policy and to implement national framework legislation; in addition, the national legislature is enabled to enact national framework legislation. The roles of provincial executives and provincial legislatures, respectively, are to formulate a detailed policy framework and implement such framework and detailed provincial legislation. Such detailed provincial legislation may be enacted by the provincial legislature concerned. These province-specific

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<sup>5</sup> Arts and Culture White Paper, 1996, Chapter 5, article 2.

<sup>6</sup> Act 25 of 1999, sections 1 and 2.

<sup>7</sup> Schedule 4, Part A.

detailed policies and legislation must be aligned with the national framework policy and legislation.

2.3.3. No specific matters relating to culture are allocated to local government in terms of the Constitution<sup>8</sup>. However, the Constitution provides that municipalities may administer any other matter assigned to them by national or provincial legislation (and this may include aspects relating to cultural matters)<sup>9</sup>. In addition, the national and provincial governments must assign to a municipality (by agreement and subject to any conditions) the administration of any matter of any concurrent function or any exclusive provincial function that necessarily relates to local government if:

- those functions can best be effected locally; and
- municipalities have the capacity to administer them.

2.3.4. While national and provincial coordination is important, living heritage can best be administered locally. Community participation cannot be a one-way consultation on matters of living heritage. Living heritage is located within communities. Thus, the involvement of the sphere of local government in facilitating the management of living heritage is imperative.

## **2.4. Intervention of this policy**

### **Intervention within South Africa**

2.4.1. Since the South African Constitution enshrines both cultural group rights and human rights, the country is continuously negotiating alignment of these rights. Living heritage is located in this space of negotiated

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<sup>8</sup> RSA Constitution, Schedule 4, Part B and Schedule 5, Part B.

<sup>9</sup> RSA Constitution, section 156(1)(b).

alignment. Institutions such as the SA Human Rights Commission (SAHRC), Culture, Religion, and Languages Commission (CRL), and the Pan South African Language Board (PanSALB) were created in terms of the Constitution in order to constantly monitor and intervene in that process of alignment as well as to deal with specific cases of misalignment of practice with statutory obligations to human rights and cultural rights.

2.4.2. It is clear that the South African Constitution deals with both the need for equality and redress of previous imbalances, particularly with regard to issues of heritage. This is clear in its focus on languages quite early in the Constitution (its Chapter 1) where it deals with its founding provisions. After citing the official languages, the Constitution says:

"Recognizing the historically diminished use and status of the indigenous languages of our people, the state must take practical and positive measures to *elevate* the status and advance the use of these languages"<sup>10</sup>.

2.4.3. This early attention to languages in the Constitution symbolises its concern for redress regarding living heritage. The founding of PanSALB and the articulation of its mandate to be inclusive and redressive in dealing with languages show the Constitution's mission to be redressive and equitable regarding living heritage<sup>11</sup>.

2.4.4. In the Constitution's treatment of living heritage, it is clear that while there is recognition of the current times as a historical moment to redress previous social imbalances, this is balanced very carefully with equality of human rights. This informs the Constitution's treatment of elements that are broadly cited by the 2003 UNESCO Convention as "knowledge and

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<sup>10</sup> Constitution, 1996, section 6(2).

<sup>11</sup> Constitution, 1996, section 6(5).

practices concerning nature and universe”. The Constitution’s Chapter 2 – the Bill of Rights – deals with them as “religion, belief and opinion”. It gives people “the right to freedom of conscience, religion, thought, belief and opinion” and a choice of following particular traditions in conducting ceremonies such as marriages, while balancing this with the need to conduct religious observances on an equitable basis and maintain the voluntary nature of participation<sup>12</sup>.

2.4.5. The need for alignment of cultural rights with human rights is captured explicitly in section 30 of the Constitution: “Everyone has the right to use the language and to participate in the cultural life of their choice, but no one exercising these rights may do so in a manner inconsistent with any provision of the Bill of Rights.” This task of human and cultural rights alignment confronts challenges at practical level as debates continue on certain cultural practices and rituals (such as “virginity testing”, circumcision) and cultural institutions (such as traditional leadership) that are part of the South African living heritage. As has been stated, the context of diversity and continuous negotiation of social values underpinned by the Constitution must be recognised in the South African context. This policy framework enables that constant negotiation, while enshrining equity in human rights and entitlement to cultural rights. The policy, therefore, addresses the need for both safeguarding of living heritage and promotion of social cohesion in South Africa.

#### **Intervention within broader policy context**

2.4.6. This policy also affirms South Africa’s commitment to international conventions and protocols that promote international coordination on matters of culture and heritage. These are discussed in this policy in Chapter 7 where issues of cultural diplomacy are outlined. The objective

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<sup>12</sup> Constitution, 1996, section 15.



of this alignment is to promote social interaction informed by human rights and mutual respect of peoples of different nationalities.

2.4.7. Within South Africa, there is also a necessity to ensure systematic monitoring of culture and heritage issues within the government. Intergovernmental collaboration must include all the levels of government from local government to the roles of ministers and MECs (MinMEC) as well as technical committees (TIC) in promoting living heritage. South African living heritage flourishes and finds expression not only nationally, but also in provinces and local authorities. MinMEC and TICs are important governmental institutions that ensure implementation of policies. An active role must be played by these structures in the implementation of this policy and taking further measures towards promotion and safeguarding of South African living heritage.

## **2.5. Resource provisions for living heritage**

2.5.1. Government financial support to living heritage has been a serious challenge since the advent of democracy. In order for the safeguarding of living heritage to be feasible, adequate resources have to be made available. To this end, all spheres of government, not only national, must set aside financial resources for the safeguarding of living heritage present within their jurisdiction. In order to correct past mistakes where spheres of government used money intended for arts, culture, and heritage on other costs, communities must be given the right to inspect budgetary allocation for living heritage.

2.5.2. All spheres of government are encouraged to critically look at their resources for arts, culture, and heritage, particularly as they pertain to living heritage. Living heritage is an integral part of people's identities. Given the challenges of social cohesion and the development of a South

African identity, it is important that elements that would promote a sense of a national identity are promoted. This can only come about when people see attention being given to their cultural issues on national, provincial, and local platforms. Therefore, a holistic and seamless approach needs to be adopted and centrally driven through the NHC and the National Inventory Office. The National Council of Provinces must be involved in setting up financial models for provincial attention and financial support to living heritage.

## **Chapter 3**

### **The Policy Process**

- 3.1. The White Paper on Arts, Culture, and Heritage, 1996, says that “The Ministry and the National Heritage Council will establish a national initiative to facilitate and empower the development of living heritage projects in provinces and local communities”. The White Paper further says that “The aim is to suffuse institutions responsible for the promotion and conservation of our cultural heritage with the full range and wealth of South African Customs”. Subsequent legislation that emanated from the White Paper such as the National Heritage Resources Act of 1999 and the NHRA gave the South African Heritage Resources Agency (SAHRA) and the NHC, respectively, the mandate to protect, preserve, and promote South African living heritage.
  
- 3.2. In the course of implementing the above-mentioned Acts, it became obvious to the DAC that a legislative pronouncement alone without a detailed policy framework for the safeguarding of South African living heritage was not achieving the intended results. Further, stakeholders of the department, in particular living heritage practitioners, were beginning to question the department’s commitment to transformation due to the continued marginalisation of this heritage, especially when it came to budgetary allocation. Meanwhile, internationally, the UNESCO Convention on ICH was adopted in 2003. This convention provides norms and standards for safeguarding living heritage at both international and national levels.
  
- 3.3. Nationally, the absence of a national policy framework meant that government supported ad hoc and uncoordinated living heritage projects.

This was fraught with many limitations such as absence of medium and long-term strategies to sustainably develop the sector. In view of these shortcomings, the Minister of Arts and Culture, Dr Pallo Jordan, advertised a call for nomination of experts and practitioners to sit on a national panel that would draft a national policy framework on living heritage. Thirty-six nominations were received from people throughout the country. A committee was subsequently appointed by the Director-General to evaluate and make recommendations to the minister. Thirteen panel members were approved and ratified by the minister. The panel consisted of members representing a range of expertise, including traditional healing, academic analysis of heritage, history, and other theme-specific expertise. The panel first met in June 2007, a meeting at which the DAC provided them with terms of reference and a scope of their work. The panel, in collaboration with the Ministry, developed and agreed on methodology of how the panel was to perform its task. Panel members were requested to select themes of living heritage on which they held expertise and to do policy-related research on these.

- 3.4. Members had to present findings on their research themes to the panel. The themes that panel members worked on were ubuntu, oral history, performances, rituals, popular memory, skills and techniques, indigenous knowledge systems, a holistic approach to nature, society and social relationships, and cultural traditions. Most of these were taken from the 2003 UNESCO Convention on ICH, while other themes looked at social challenges that confronted the South Africa nation such as social cohesion and national identity. The modus operandi was that, in the end, policy proposals would be extracted from research themes for inclusion in the policy framework.
- 3.5. As experts and practitioners, the panel members were to source already available data on these. This was to be supplemented by targeted

interviews with other practitioners and experts on living heritage. Literature review was a major part of the exercise. Two panel members also went to Japan in November 2007 on a fact-finding mission. The purpose of the visit was to study Japanese practice as a comparative case in the safeguarding and promotion of living heritage. Their mission was to examine institutional arrangements, funding models, integration of living heritage with education, and economic uses of living heritage, among other things. The aim was to study the Japanese model not in order to acquire it for the South African context, but to compare and learn from the Japanese experience and their logic of framing their management of living heritage in a particular manner.

- 3.6. Two panel members were appointed as report consolidators. Their task was to extract and consolidate policy proposals from a variety of thematic research. While efforts were made to develop evidence-based policy, time and resources did not allow for detailed primary research. Nonetheless, the panel made some key policy proposals, addressing key challenges as contained in their terms of reference.
- 3.7. Panel workshop discussions provided useful insights into the nature and dynamics of South African living heritage. These insights were complemented by outcomes of a national consultative workshop on the ratification of the 2003 UNESCO Convention. The workshop was attended by a range of stakeholders, including the Portfolio Committee on Arts and Culture, Contralesa, UNESCO, traditional healers, traditional leaders, non-governmental organisations, community-based organisations, and other spheres of government.
- 3.8. The workshop was unanimous that the DAC should ratify the 2003 UNESCO Convention on ICH. It encouraged the department to expedite a process of developing a national framework on living heritage. Panel

members were also invited and encouraged to attend conferences on living heritage. These included the UNESCO capacity building workshop for the SADC and the 2008 South African Museums Association conference, whose theme was “sacred and secret knowledge”.

- 3.9. This national policy framework is aimed at affirming aspects of heritage that have been marginalised for many years. It is also about deepening transformation within heritage by bringing into the centre a heritage that has been considered peripheral in the last five hundred years and forging social cohesion across South Africa. It is founded on a principle of partnership with bearer communities. Public consultations and community participation will, therefore, be an integral part of establishment, review, and continuous enactment of this policy.

## **Chapter 4**

### **Identification and Documentation of Living Heritage**

#### **4.1. The significance of identification and documentation**

4.1.1. This policy guides identification and documentation of living heritage in a manner that recognises that living heritage is rooted in communities. Tangible heritage has elaborate processes for its documentation. The World Heritage Convention of 1972 has a register of heritage sites of outstanding universal value. The NHRA of 1999 also provides categories of heritage of significance. It makes provision for national heritage, provincial heritage, and local heritage. This policy outlines the processes of identification and documentation for living heritage.

4.1.2. The 2003 UNESCO Convention ICH does not provide for hierarchies in recognition of living heritage. Instead of heritage of outstanding universal value as articulated in the 1972 Convention, it makes provision for two lists, namely, a “representative list of the ICH of humanity” and a “list of Intangible Cultural Heritage in need of urgent safeguarding”. This approach is partly due to the sensitivity of living heritage, particularly as it is intractably linked to issues of identity. It is a horizontal rather than vertical approach. In other words, it is premised on the notion of equality of living cultures. This is in line with the South African Constitution, which recognises cultural diversity.

4.1.3. An inventory of living heritage such as a multimedia database or a publication is a systematic process of identifying and defining living heritage. According to the convention, “each state party shall draw up and regularly update one or more inventories of ICH present in its territory”<sup>13</sup>. This must be recognised by the communities, groups or, where

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<sup>13</sup> UNESCO Convention, article 12.

appropriate, individuals concerned as belonging to their cultural heritage and must be identified and defined with their participation.

4.1.4. Identification and documentation are critical processes towards establishing reservoirs of information and knowledge on living heritage. Identification and storage (that is, documentation) are the basis for preservation and continuity, as is reflected even in some of the authoritative texts of humankind (such as the Bible and the Koran). Besides scripture, such “documents” took the form of rock paintings in other social contexts. Documentation is an important feature of both knowledge production and the knowledge economy. Language can also be regarded as a form of documentation, as it holds history through proverbs and idioms.

4.1.5. Identification and documentation ensure that knowledge about an element is recorded, preserved, and protected for a range of reasons. It could be for knowledge and knowledge’s sake, documentation for research purposes, and knowledge production. One thing about identification and documentation is that, if correctly done, it could deepen the understanding of an element. Once documented, it also means that the evolutionary change and disturbance of an element can be continuously monitored and evaluated. In the twenty-first century, this identification and documentation can take multiple forms. One form of documenting South African living heritage was done by missionaries and colonialists. The colonial and imperial governments were at the forefront of collecting information about indigenous populations. However, the key motivation for this collation was to gather information that would assist in the subordination and governance of indigenous populations.

4.1.6. Identification and documentation are critical aspects in the safeguarding of South African living heritage. Identification is critical to defining heritage



for the purposes of inventorying. Therefore, criteria for identification need to be as clear and explicit as possible. Identification is also the first step in the process of safeguarding. Once a living heritage element is communally identified, the element will be part of the process of documentation, protection, and transmission.

#### **4.2. Archival sources of South African living heritage**

4.2.1. Throughout the country, missionaries, anthropologists and other researchers collected information about local communities. They gathered important information about local populations. The research collected included living heritage. Missionaries and colonialists saw African cultural practices as one of the hindrances to the civilisation of Africans; hence, the Africans were encouraged and even coerced to abandon their cultural practices. Thus, incidentally, records of missionaries captured cultural elements that may have disappeared in the last 500 years.

4.2.2. After the missionaries, the establishment of universities meant that most of the research would be done by them. Universities such as the Universities of the Witwatersrand, Cape Town, and KwaZulu-Natal established Anthropology Departments that did a lot of ethnographic work. These universities retain rich collections in folklore, performances, etc. While there is some sense of South African living heritage, the problem is that research and documentation are dispersed. There is no sense of a coherent system of documentation for safeguarding, let alone promotion. Communities continue to practice their cultural practices with limited support from government. In terms of the 2003 UNESCO Convention on ICH, state parties are obliged to keep inventories of living heritage within their borders.

4.2.3. In the 2003 Convention, research and documentation should be done with the widest consultation of communities that practise living heritage. In the context of dispersed records, the first objective of the policy is to do an audit of critical documentation of records of living heritage residing at South African universities and other institutions. This would be followed up by a memorandum of understanding on the continued safeguarding of those records between these universities and the National Heritage Council (NHC).

4.2.4. These records would constitute part of the historical research that will assist in the documentation and inventorying of living heritage. Of particular importance are the integrity and dynamic change of living heritage elements. The objective is not necessarily for the research to confirm existing cultural practices and elements, but where applicable, for appropriate research to correct distortions. The role of the NHC in this regard is to establish a credible database of living heritage research at South African universities and establish a focal point for facilitating access to such living heritage. In line with the ideals of equality and representativity that the Constitution and the convention promote, the DAC and NHC will ensure that all cultural practices of South African communities are equitably funded and promoted. Currently and subject to review, it is suggested that in order to redress imbalances resulting from the historical privileging of tangible heritage, forty per cent of the department's funding budget and that of the NHC be dedicated to funding living heritage in the first five years of the implementation of this policy. In those years, the National Ministry should develop an appropriate funding model for living heritage.

### **4.3. Inventorying living heritage**

4.3.1. The 2003 UNESCO Convention makes provision for each state party to “draw up in a manner geared to its own situation, one or more inventories of the Intangible cultural Heritage present in its territory”. These inventories shall be regularly updated. South Africa has a rich and diverse heritage that is constitutionally protected. This policy starts from the premise that living heritage comes in multiple forms and is manifested through various mediums. It is proposed that, as a basis for solicitation of living heritage from communities, national inventories be done on:

- orality and performances – incorporating dance and music;
- rituals and festivals;
- memory;
- skills and techniques;
- indigenous knowledge systems;
- cultural traditions;
- holistic approach to nature; and
- society/social relationships/ubuntu.

4.3.2. This is not meant to be exhaustive, but a beginning in mapping out the South African living heritage landscape. Consenting communities must also state their domains of living heritage. In the spirit of the South African Constitution and the 2003 UNESCO Convention, all South African communities must participate in the audit to ensure that, after five years from the implementation of this policy, South Africa has a representative inventory of living heritage. The inventory will be arrived at after the broadest consultation with relevant stakeholders, mainly communities, non-governmental organisations, and researchers. In the short and medium term, in order to expedite listing on both the representative and endangered lists of UNESCO, communities will be requested to prioritise living heritage that they consider an important part of their identity.

- 4.3.3. The inventories will be continuously updated after every ten years. It will be the responsibility of the DAC to update these inventories. Before any process on inventorying, the department will advertise in all South African languages the intention to do so and request the participation, involvement, and input of all cultural communities. In an effort to harmonise participation by a range of stakeholders, the department and all spheres of government will encourage the establishment and support of cultural organisations that are at the forefront of safeguarding South African living heritage.
- 4.3.4. The inventory is aimed at existing living heritage that is being practised in South Africa. Living heritage that is revived by communities as well as endangered living heritage will also be inventoried. The inventory shall not contain living heritage that promotes discriminatory practices or contradicts the South African Constitution and the Bill of Rights.
- 4.3.5. Due to the history of apartheid and the divisions that it created and fostered among South African communities, this policy proposes an inventory/inventories that will be domain determined. It does not impose a regional or ethnic orientation. This is aimed at encouraging cultural diversity and not further polarised communities along ethnic and regional lines. Communities will be given an opportunity to register elements of their living heritage. Communities will also choose to list in all, a few, or none of the domains. The registers will be open-ended to provide ample space for communities, practitioners, and non-governmental organisations to continuously change and add or subtract as they see fit. If the names of the domains do not capture the communities' living heritage, communities are encouraged to suggest domains that, in their languages and context, would be the most appropriate.

4.3.6. It is a fact that certain practices, particularly rituals and performances, are context bound and secrecy based. This policy acknowledges and respects this, but maintains that it is in the best interest of those practices to be documented. This could be done by practitioners themselves. They would also be at liberty to choose appropriate methods of documentation. Ways and means would have to be found by practitioners with the assistance of relevant documentary institutions through which documentation would not necessarily compromise the secrecy and sacredness of living heritage elements.

#### **4.4. The National Inventory Office**

4.4.1. Given the magnitude of this task, and limited existing capacity in the DAC, an inventorying unit called the National Inventory Office (NIO) shall be created in the Ministry of Arts and Culture's Heritage Branch. The core mandate of the unit will be the management of the inventory. The inventory unit will also be the depository of all living heritage inventories. The National Inventory Office shall work with all spheres of government to develop inventories of South African living heritage, in particular with local government. To this end, the department will lobby the Department of Provincial and Local Government, SALGA, and traditional authorities in an effort to ensure that inventories are arrived at through participative and consultative processes. In the medium and long term, living heritage inventories should be part of the planning process and inform strategic plans of local government.

4.4.2. In collaboration with stakeholders, the National Inventory Office will develop a timetable for audits, their review, and safeguarding plans for endangered living heritage. The unit will be a focal point where other spheres of government can be supported when they embark on their

inventories. It will also play a supportive role to the National Heritage Council in facilitating access to living heritage inventories and registers.

#### **4.5. The inventory and the national lists**

4.5.1. The national inventory on living heritage would be a broad national database, where South African cultural elements would be listed. Elements would have gone through an elaborate process of consultations and confirmation before they are listed in the national inventory.

4.5.2. Linked to the process of national inventorying, communities will prioritise living heritage to be on both the national and tentative lists. It is obligatory that the national list is representative. Only living heritage elements on the national list can be inscribed on the tentative list. The tentative list will be made up of living heritage elements that are ready to be inscribed on UNESCO's representative list and heritage in need of urgent safeguarding.

4.5.3. Apart from national databases and registers of living heritage, books, journals, and other media such as audio-visuals and documentaries would be employed to promote living heritage. Care would be taken to ensure that the current situation of distortions and misrepresentations is addressed. Community practitioners, non-governmental organisations, and all spheres of government must be vigilant and guard against these. In particular, the National Inventory Office will annually publish a list of living heritage to be listed on both UNESCO registers. The purpose of this is again to solicit further input from stakeholders.

#### **4.6. National Listing Committee**

4.6.1. In light of the magnitude of South African living heritage, a national committee will be established by the minister to evaluate and approve the listing of South African living heritage on the national list. Like the inventory, the national list will be managed by the National Inventory Office. In order to ensure geographic and national parity, the minister will have the final say on whether an element or elements are listed. The committee will have a lifespan of a council board as in the department's statutory bodies. It will comprise of experts, practitioners, and community cultural activists. The committee will not make a decision without the input of the relevant living heritage practitioners or communities.

4.6.2. The committee will only facilitate the process; the communities themselves would have a significant role in determining whether an element is listed on a tentative list or remains in the national inventory. In the main, because both processes are consultation driven, it should not be difficult for an inventoried living heritage to be transferred to the tentative list.

#### **4.7. Criteria for listing**

##### **The national list**

4.7.1. In line with the requirements for community participation outlined in this policy, the constitutional principles, and the 2003 Convention, for living heritage to be listed in the national inventory, it will have to comply with the following conditions. The living heritage element will have to:

- fall within the definition of living heritage in this policy and the 2003 Convention;
- be recognised as part of cultural heritage and be continuously recreated within a bearer community, although it may be in danger of disappearing and be currently practised by one individual;
- be listed in the national inventory with the participation and the prior informed consent of the bearer communities involved;

- be compatible with human rights, sustainable development, and the encouragement of mutual respect in a diverse society; and
- have a safeguarding plan in place.

### **The tentative list**

4.7.2. According to the Operational Directives approved by the Intergovernmental Committee of the 2003 UNESCO Convention, living heritage will have to comply with certain conditions to be eligible for inclusion on the UNESCO Representative List of Intangible Cultural Heritage. The living heritage element will have to:

- fall within the definition of living heritage in this policy and the 2003 Convention;
- be included in a national inventory of living heritage, with the maximum possible participation and free, prior, and informed consent of the individuals, groups, or communities concerned;
- be compatible with human rights, sustainable development, and the encouragement of mutual respect in a diverse society; and
- have a safeguarding plan in place.

### **Endangered living heritage list**

4.7.3. Endangered heritage requires immediate action. Listing must take place almost simultaneously with actions to protect endangered heritage. While it is one of the requirements that endangered heritage also appears on the national list, communities must be encouraged to begin their own measures to safeguard their heritage until the due processes of inclusion on various lists are undertaken. Where bearer communities motivate for assistance even before the listing processes, various stakeholders (including government) must do everything feasible to render support. To



be listed on the endangered heritage list, living heritage elements will have to:

- fall within the definition of living heritage in this policy and the 2003 Convention;
- be included in a national inventory of living heritage;
- be compatible with human rights, sustainable development, and the encouragement of mutual respect in a diverse society;
- have a safeguarding plan in place, including an audit of urgent resources, time frames, and skills necessary to reduce the risk of danger to the living heritage elements; and
- have an immediate but continually developed implementation plan until danger of disappearance is eliminated.

4.7.4. Further, the 2003 UNESCO Convention encourages bilateral and regional cooperation of countries. In listing common living heritage, South Africa will collaborate with its neighbours in developing both lists. An effort will be made to ensure that South African living heritage that the country shares with its neighbours is adequately safeguarded by all countries concerned.

## **Chapter 5**

# **Protection, Promotion and Transmission of Living Heritage**

### **5.1. Rationale**

5.1.1. As stated in Chapter 1, one of the key intentions of a policy on living heritage is to safeguard living heritage for future generations. This can be done through creative steps that balance the need for intervention with encouraging community consciousness on its own safeguarding practices. This policy proposes a protection, promotion, and transmission framework that will require all stakeholders to have a role in these steps of safeguarding. Due to the varying degrees of heritage degradation at local levels, multiple responses are needed. At a national level, there is also diversity, which needs to be managed in a sensitive manner. Protection, promotion, and transmission of living heritage must, therefore, be guided by a consciousness of the social and physical environment. Protection, promotion, and transmission of living heritage must take place at all levels of society. They must take place in an integrated manner, but also in a way that overlaps with protection and preservation of the environment.

### **5.2. Protection**

5.2.1. Various spheres of government must cooperate on protection of living heritage, just as they will cooperate in identification and inventorying as outlined in the last chapter. Local and provincial governments will design more locally responsive plans protecting heritage in their jurisdiction. National government must provide a policy environment that is conducive to such protection. It must also facilitate a cooperative environment for

protection to take place. To this end, this policy suggests that all government spheres shall:

- provide guidelines for handling copyright and patents problems and solicitation of copyright from communities;
- provide guidelines for reporting complaints related to abuse of secrecy of knowledge; and
- establish an inventory of statutory bodies doing work related to living heritage and facilitate access to such bodies.

### **Copyright and secrecy**

5.2.2. While it is the business of both the communities and the local government sphere to be more specific about what is protected in living heritage, there are certain overarching general challenges. Lack of respect for intellectual property and copyright is one of them. This challenge also needs to be looked at in the context of complexity and, at times, inadequacy of the copyright regime to address the tension between individual and communal rights. To some extent, the current copyright instruments are geared towards addressing commercial exploitation, individual access, and ownership. Some instruments are found wanting in dealing with communally generated ideas, innovation, and inventions. This policy argues that effort should be made to deal with these shortcomings of copyright legislation. In instances where this has been done, the popularisation of such measures should be increased. South African cultural communities in their diversity should be made aware of their rights and obligations in the protection of their living heritage.

5.2.3. Some aspects of living heritage are based and thrive on secrecy and sacredness. In the past, the sacredness and secrecy were consistently and continuously flouted, mainly by outsiders whose interests were to study these practices. The policy does not propose an absolute ban on

the study of sacred and secret living heritage practices, but proposes that due diligence be exercised. Respecting sacredness is not only about respecting these cultural practices, but affirming and valuing the people who practise the living heritage. To this end, South African institutions of higher learning and other research organisations must develop acceptable ethical standards on issues of secrecy and sacredness.

5.2.4. Practices emanating from secret and sacred knowledge must be aligned with the Bill of Rights, relevant sector legislation, policies of ethics, and principles of informed consent in the interaction between cultural practitioners and communities. Responsible heritage or cultural practitioners need to consider ubuntu in conducting ceremonies in private and sacred spaces. Authorities such as traditional leaders and traditional healers who have jurisdiction and power of monitoring must also ensure alignment with the Constitution and ubuntu in sacred and secret practices.

### **Indigenous knowledge and spatial planning**

5.2.5. Provincial and local spheres of government are closer to bearer communities than the national government. The whole of South African geographic space is covered by municipalities. Therefore, provinces and municipalities must translate the implications of this policy into appropriate strategies for the protection of living heritage. To some extent, the pre-1994 legislative framework still has bearing at local government level. By-laws and regulations have been amended, changed, and some repealed to take into account the ideals of a non-racial and democratic state. However, to some extent, planning continues to reinforce the colonial and apartheid landscape with its concomitant racial divisions. Some African cultural practices, such as slaughtering of animals for rituals, continue to be illegal in suburban areas. Urban planning continues to be oblivious to the cultural diversity of the country.

5.2.6. Despite the municipal planning function being required to attend to all areas since the advent of wall-to-wall municipalities, spatial planning and land use management systems do not take into account indigenous knowledge in planning. In some areas, despite the cultural need, there are no spaces to practise or perform certain cultural practices such as initiation. In planning practice, “need and desirability” as well as “amenity” are still articulated as though they are universally defined. In order to bring to practice the ideals of the Constitution with regard to cultural diversity as well as affirm the cultural practices of millions of South Africans, all spheres of government should cooperate in addressing these challenges. This can be done without infringing on the rights of others. To this end, local spheres of government are encouraged to review their by-laws as well as develop by-laws that take into account the challenges of cultural diversity.

#### **Living heritage and sustainable development**

5.2.7. Living heritage practices take place within an environment. The twenty-first century is confronted with a serious set of environmental challenges. In an effort to deal with some of these challenges, the policy should address issues of sustainable development. Sustainable development means development that ensures that the use of resources and the environment today does not restrict their use by future generations. To ensure continued human survival as well as continued transmission and safeguarding, it is critical, therefore, for living heritage practice to be compatible with the sustainable development of bearer communities and their environments.

5.2.8. This is required by both the 2003 UNESCO Convention and the 1992 Convention on Biological Diversity. The Convention on Biological Diversity encourages states parties to:

"respect, preserve and maintain knowledge, innovations and practices of indigenous and local communities embodying traditional lifestyles relevant for the conservation and sustainable use of biological diversity and promote the wider application with the approval and involvement of the holders of such knowledge, innovations and practices and encourage the equitable sharing of the benefits arising from the utilisation of such knowledge, innovations and practices."<sup>14</sup>

Heritage safeguarding plans should thus contain mechanisms for linking heritage management to sustainable development in the community.

5.2.9. Management of heritage resources has to be seen as an integral part of social and economic development in communities. The DAC is committed to encouraging sustainable economic development through culture, integrating a concern to safeguard living heritage as part of social development and education. The NHRA states that the identification, assessment, and management of tangible heritage resources must "contribute to social and economic development" in a sustainable way (that is, "safeguard the options of present and future generations")<sup>15</sup>. "Policy, administrative practice and legislation must promote the integration of heritage resources conservation in urban and rural planning and social and economic development."<sup>16</sup> This is particularly true of living heritage management because unless communities can sustain themselves, they will not be able to continue practising and safeguarding their living heritage.

5.2.10. In safeguarding living heritage in South Africa, government oversight and community action will be encouraged to ensure that living heritage

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<sup>14</sup> Convention on Biological Diversity, article 8(j).

<sup>15</sup> Act 25 of 1999, section 5(7).

<sup>16</sup> Act 25 of 1999, section 5(5)-(6).

recognised by the state and entered in inventories of the national estate contributes to sustainable development. Compatibility with sustainable development does not mean that the living heritage that is protected in South Africa necessarily needs to generate income for the communities that practise it. It means that practising living heritage should not irreversibly deplete natural or social resources. Continued practice is enabled by healthy communities, so where profits are made from living heritage practice, bearer communities need to benefit appropriately.

5.2.11. In order to make living heritage more sustainable within the tourist market:

- proper curation of performances by locals for tourists must be done so that stereotypes are not perpetuated;
- products must be checked for authenticity within the socio-cultural environment from which they emerge;
- good products must be sold to tourists;
- access to market rewards must be afforded to community members who generate the products; and
- a sustainability plan for living heritage practices must be developed (for example, for certain ceremonies, there is need for replenishing reed for traditional dances).

### **5.3. Promotion and awareness**

5.3.1. Promotion is about advancing living heritage in communities, between social groups and individuals, and through generations, while letting its dynamic evolution continue. While agencies are important (governmental and non-governmental), the purpose is to enhance communication on living heritage across generations of ordinary citizens by the citizens themselves. There are three issues that are foregrounded in this policy with respect to promotion that need to be taken forward by communities

and other stakeholders in dealing with living heritage. These are the promotion of living heritage by various societal institutions, the celebration of ceremonies and festivals as well as organisation of cultural events in various communities, and the promotion of the use of various languages.

### **Societal institutions and living heritage**

5.3.2. It is in the interest of every stakeholder in society to promote living heritage, as living heritage defines the nature of social relations. These stakeholders include individuals, family, NGOs, FBOs, leaders, educational institutions, business, the public service sector, as well as the media. All of these stakeholders also have a role to play in the promotion of living heritage.

5.3.3. Formal education at all levels has a role in promoting living heritage through its curriculum. As a sector, education is important in the innovation of relevant modes of transmission of living heritage from one generation to the next, and in promoting positive aspects of living heritage that ensure social cohesion.

5.3.4. NGOs, FBOs, as well as political, traditional, and community leaders have a responsibility to ensure promotion of living heritage that is sensitive to human rights and promotes social welfare. The public sector also has an obligation towards promotion of living heritage in its Batho Pele principles and in the community participation imperative as embodied in various pieces of legislation.

5.3.5. The business sector must promote social cohesion and social welfare through promoting living heritage. Upholding the principles of ubuntu and goodwill in business and social corporate responsibility is a necessary role to be played by the business sector.



5.3.6. The media has an important role to play in promoting living heritage and, specifically, creating and maintaining social cohesion. Community and national media forums must encourage respect for cultural diversity and promote the arts and the significance of living heritage.

5.3.7. In taking responsibility in promotion of living heritage, the societal stakeholders must promote:

- adherence to human rights;
- tolerance to cultural diversity;
- sensitivity to gender and disability issues;
- respect for individual and group choices; and
- advancement of the sustainable environment.

### **Events, ceremonies, festivals**

5.3.8. Promotion of living heritage between various generations can enhance social cohesion both at local and national level. Organising specific projects designed to expose the younger generation to the living heritage resources in the country can be beneficial for creating and maintaining social cohesion in the country. In South Africa, the month of September is branded as a heritage month. This branding gives space to focus on awareness and education on heritage. Living heritage projects must be well designed such that institutions of education are able to integrate heritage issues with formal learning in a way that enriches both. Civil society and other societal institutions must take part in enhancement of the citizens' capacitation with living heritage through performing arts, story telling, and deliberations on cultural issues.

5.3.9. Besides the active promotion of living heritage through agencies such as government and civil society, community-rooted celebration of living

heritage must be promoted. Ceremonies and festivals that mark different stages of human development at individual, community, and national level need to be celebrated. As was pointed out above, this requires spatial planning that takes cognisance of local heritage practices. In order to achieve this, community participation is very important in local-level planning. Communities across borders and between countries also share events, ceremonies, and festivals. The South African government and its counterparts must seek to establish good cultural diplomacy that enables these interactions on living heritage within recognised international protocols.

### **Promotion of languages**

5.3.10. Language is an instrument of living heritage in South Africa. The Constitution places a lot of emphasis on this and has created a statutory body, PanSALB, to monitor the equitable advancement of languages. It promotes redress towards languages, and it specifies the promotion of sign language, which ensures that people with a disability can also enjoy communication on heritage.

5.3.11. Language transmits ideas, expressions, collective memory, and interpretations of the cultural value systems. Each recognised South African language should be given the necessary support to develop and to sustain its role in communities. While all of the eleven official languages are protected by the Constitution, certain historical variables are inclined to oppress and suppress the development and sustenance of the minority languages. To protect the living heritage, languages must be actively transmitted through the teaching of all languages at schools. Communities and individuals must be allowed to express themselves in their own languages. Research on languages must be encouraged, and

authors must be encouraged to write in their own mother tongue. The youth must be encouraged to learn their languages and to write in them.

#### **5.4. Transmission**

5.4.1. As was pointed out above, protection, promotion, and transmission are integrated and can be done simultaneously. Language as described above as part of promotion is an example of a vehicle that allows this integrated intervention on living heritage. Language transmits living heritage, while, at the same time, appropriate intervention on languages would ensure the necessary protection and promotion of living heritage. Besides the integrated interventions, most of which have already been described, this section focuses on transmission via living treasures as important agents in transmission and guardians of excellence in living heritage.

5.4.2. Transmission takes place through different institutions of society, events, and organised measures. Events such as competitions on aspects of living heritage are organised by communities. Community practitioners are best placed to develop assessment criteria for such competitions within living heritage domains that emanate from communities. Government shall also encourage communities to transmit living heritage through recognition of excellence and possession of unique skills through its programme on national living treasures.

5.4.3. Skills transfer is an integral part of any knowledge-based system. There is usually a gap in the transfer of living heritage knowledge to younger generations. Stakeholders in living heritage should ensure that there is constant flow between young and old to close the knowledge gap.

#### **5.5. Living national treasures**

5.5.1. Living treasures are an invaluable element of the transmission of living heritage. They give living heritage direction, prestige, and recognition. The transmission of knowledge and skills that living treasures have is critical to the substance of living heritage. Living treasures are the custodians of skills and knowledge that are critical for cultural experiences of community. They are also a point of call in terms of educating individuals, communities, and government to value arts and culture.

5.5.2. Living national treasures are persons who possess, to a very high degree, the knowledge and skills required for performing or recreating specific elements of the living heritage. Recognition of living treasures as well as encouragement of their role will protect, preserve, and promote living heritage. This policy establishes a national programme of living treasures as a mechanism to encourage the transmission of living heritage within community contexts. It lists the criteria as well as the conditions for the appointment of living treasures.

### **Criteria in selection**

5.5.3. The basis on which such persons are selected is:

- the value of their skill as a testimony of human creative genius;
- the character and reputation of such individuals in their community;
- the risk of their knowledge disappearing;
- the ability to transmit living heritage; and
- recommendation by the community.

5.5.4. Posthumous recognition of a living treasure may be considered where strong recommendation is made by bearer communities and where the strength of the criteria listed above is applicable.

## Status of the appointment

- 5.5.5. Nomination, motivation, and appointment must be done in a participative manner as led by the DAC. The department must also facilitate a process of designing appropriate symbols, remuneration, and tenure of the appointment.
- 5.5.6. Recognition as living treasure is a lifelong status, while remuneration is dependent on the candidate's ability to transmit living heritage within his/her community.
- 5.5.7. Living treasures shall be appointed for life and selected with consideration only of their talents, prowess, and skill in a particular field of art and culture, irrespective of race, creed, skin colour, gender, sexual orientation, or political affiliations. Retirement and morbidity must not prevent recognition of individuals as living treasures if their distinct talent is well known.

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## **Chapter 6**

### **Living Heritage and Social Cohesion**

#### **6.1. Social cohesion in South Africa**

6.1.1. Living heritage is at the core of ensuring social cohesion in society. The challenges of social cohesion in South Africa as exacerbated by its history of racial discrimination are deep and require strategic attention. In any society, lack of social cohesion is gauged in the extent of crime and social ills such as xenophobia, gender-based violence, cruelty to children, and corruption. The intensity of these problems is a sign of social dislocations that require attention. Living heritage and, specifically, ubuntu (as defined in Chapter 1) have a huge role to play in creating social cohesiveness in South Africa.

6.1.2. Lack of social cohesion can also be a result of systematic detrimental interference with community life. Apartheid was a political means to legitimise differential treatment and lack of equal regard of one another by South Africans. This political inequality also led to economic differentiation, an environment that continues to be unfairly competitive and to produce stark economic differentiation. Despite an in-principle free and fair environment enabled by the Constitution, in practice, there is a branding of poor people with a particular socio-economic category that makes their experience of life very different from the constitutional principles that operate.

6.1.3. This policy framework seeks to create an environment for social cohesion in South Africa. Generally, unity and coherence of society are at the core of social cohesion. Given the history of assisted and resultant social

dislocations in South Africa, the social cohesion that this policy framework seeks to achieve can be described as a process that assists the building of shared community values; this process is characterised by the presence of strong public institutions capable of mediating social conflict equitably and for reducing inequalities of condition (wealth, income, education, health) and inequality of opportunity and generally enabling people to have a sense that they engage in a common enterprise, facing shared challenges and belonging to the same community or democracy<sup>17</sup>. Social cohesion thus refers to the extent to which a society is coherent, united, and functional, providing an environment within which its citizens can flourish.

6.1.4. As an African philosophy, ubuntu provides for a positive social ethos and an environment where measures to create unity are not only punitive through law enforcement agencies. Ubuntu is not only aligned with many social philosophies that emphasise mutual welfare between humans; it also has alignment with constitutional principles of equality, freedom, and respect between people. It promotes human rights by adding a strong element of social responsibility. It takes its alignment with the Constitution further on the question of mutual social welfare, as it assumes that social relations are a process of mutual and constant negotiation of welfare in the context of changing local and broader circumstances.

6.1.5. Ubuntu, therefore, addresses social dislocations by mainstreaming a constructive ideology in the daily practices of agencies and in behaviour between community members. This achieves a social cohesion that is informed by a positive ethos as well as management of social anomalies. Social cohesion is thus about the existence of a social framework of relations where positive values are shared and conflict and social inequalities are dealt with by trusted institutions.

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<sup>17</sup> Social cohesion and social justice strategy (2004), DAC.

6.1.6. The promotion of social cohesion must include recognition of important national symbols, rituals, and festivals that help to create national identity. This is where tangible heritage and intangible heritage are seen to be inseparable. There are several examples of national symbols and festivals that must be recognised and safeguarded, as they contain the living heritage of South Africa as a nation. These include the national flag, the national anthem, the national coat of arms, and the history of important heritage sites. There are also important ceremonies and festivals that promote South African identity and culture. These include the opening of Parliament, the inauguration of the president of the country, the ceremony of giving of national orders, and the celebration of national calendar dates. In addition to the national identity rituals and festivals, provinces, municipalities, and communities have their own important rituals and symbols that they celebrate. Sometimes these are the counterpart of the national events. Sometimes these are ceremonies and rituals unique to specific communities.

6.1.7. Social cohesion across national boundaries and among various nationalities must also be promoted. Civil society organisations as well as communities must find the international environment permitting of cooperation on living heritage. Some communities within the African continent have similar histories, national anthems, and festivals. Spontaneous interaction on these must be promoted by an enabling cultural diplomacy context.

6.1.8. Even families within communities have ceremonies and rituals that are important to their members. All of these rituals, ceremonies, and festivals must be safeguarded. Story telling promoting ubuntu must be encouraged. Diversity and unity must both be recognised through stories,



and equity in diversity must be promoted. Living heritage that does not promote ubuntu must be discouraged.

## **6.2. Ubuntu and the human factor in social relations**

6.2.1. As part of cultivating good living heritage, the South African government needs to instil and monitor ubuntu-informed social existence – in bureaucratic practice and between citizens. In accordance with recognition of the significance of each life, South African bureaucratic practice (government and non-governmental) must be informed by ubuntu orientation in its practice. The following outlines the fundamentals that shall be accomplished through observing critical human factor issues, with respect to ubuntu.

6.2.2. At policy level, all government departments and public service stakeholders need to check their policies for alignment with the constitutional imperatives of equality, freedom, and respect for human dignity, which also underpin ubuntu. When discrepancies are identified, such policy shall be reviewed. Ubuntu shall be central in the articulation of all policy imperatives. Government departments shall create mechanisms for ensuring that their policies cohere with the national philosophy and are responsive to social welfare.

6.2.3. Accordingly, all government departments and public agencies must check that contingency and case specificity are possible in resolution of human issues (that is, sufficient discretion of accessible authorities is possible – in cases such as disaster management or short-term measures to provide for essential needs while durable provisions are being organised). All contingency plans must be based on humaneness and social welfare.

- 6.2.4. Human factor issues are not only problematic in the public sector. The private sector must abide by ubuntu and Batho Pele in its businesses and service. Market-related decisions must be influenced by principles of ubuntu in setting standards for pricing and quality of products and services. The business sector must consider the implications of its decisions for broader society.
- 6.2.5. Promotion of ubuntu must be actively done by leaders and managers of various organisations and communities. Leaders and managers themselves must be trained in ubuntu. Training courses in leadership and management shall have their fundamentals based on ubuntu. A management and leadership regime that is premised on ubuntu shall be promoted by various stakeholders.
- 6.2.6. Ubuntu must also inform traditional systems of governance and all systems of justice. Traditional leaders must, therefore, be custodians and practitioners of ubuntu in their communities and should be living examples of how ubuntu can be applied through harmonised systems of justice.
- 6.2.7. Diversity in religious and cultural expressions must be recognised as long as their inherent practices do not create impediments for people to negotiate their expressions based on their right of choice and freedom.

### **6.3. Promoting ubuntu locally and nationally**

- 6.3.1. In promoting ubuntu, South Africa must design a strategic framework informed by activities at both local and national level. At local level, stories promoting ubuntu must be documented and shared. Within communities, reflection on ubuntu must be encouraged. In order to highlight the significance of ubuntu and social cohesion, the month of April is selected for the promotion of ubuntu. One day of the month of April

must be named “Ubuntu Day” where ubuntu as a positive social value will be promoted.

6.3.2. As part of mainstreaming it into government practice, ubuntu must inform the review of plans as well as inform the improvement of long-term plans. In order to encourage people to mainstream it into their work, ubuntu as a theme must inform awards ceremonies of government.

## **Chapter 7**

### **Cultural Diplomacy and Living Heritage**

#### **7.1. Political and historical context**

7.1.1. Until the 1990s, South Africa was a pariah state, shunned by many countries in the world due to apartheid. The South African foreign policy promoted the ideology of apartheid. However, with the unbanning of liberation organisations and the release of political prisoners, the government was quick to reposition its foreign policy and international economic initiatives. This policy seeks to complement foreign policy through outlining cultural diplomacy that enhances good international relations.

7.1.2. In the 1970s and 1980s, the South African government pursued an aggressive policy towards neighbouring countries. Freedom fighters and perceived enemies of the apartheid government were killed throughout the region (in Mozambique, Lesotho, Zimbabwe, Swaziland, and Zambia). Some of the country's neighbours continue to deal with the consequences of this aggression. Graves of South African freedom fighters remain in these countries as reminders of these sacrifices. Ironically, while the government continued with its "swart gevaar" propaganda, South Africa continued to tap into the human and natural resources of the continent. The advent of the mining industry led to a huge inflow of peoples from the regions, first to Kimberley when diamonds were discovered and then to Johannesburg after the discovery of gold. It is correct to argue that the industrialisation of South Africa led to increased regional integration and dependence. The economies of some SADC countries remain intractably linked with that of South Africa. When companies recruited miners to work

in South African mines, these people came with their cultural practices and customs, cultural practices that enriched South African culture.

7.1.3. In fact, this regional integration and interdependence predate the colonial and industrial epoch. Southern African people are not only geographically linked, but share a lot of culture as well. South Africa shares languages with Mozambique, Zimbabwe, Lesotho, Botswana, and Swaziland. For example, some South African amaSwazi see themselves as related to the King of Swaziland. South Africa also has strong cultural and historical links with Zimbabwe. Afrikaans is a language shared with many Namibians. There are many other examples of continuity of culture and heritage between the borders of South Africa and its neighbours.

## **7.2. Foreign policy and the economic diplomacy context**

7.2.1. The South African foreign policy is unequivocal on the importance of the continent and the region. It is also clear on the leadership role that South Africa should play. The South African foreign policy (2008) discussion document says that “when policies are formulated in South Africa, role players should consider the manner in which a particular issue presents an opportunity for South Africa to promote the interest of the SADC region or the African continent”. The discussion document further states that “the regional group, to which a country belongs often, plays a fundamental role in multilateral diplomacy. On many issues such as on tariffs and on trade and industrial policy, South Africa consults with South African Customs Union member states before making commitments in negotiating with the European Union (EU). SADC countries as a regional group should also be consulted on broader policy issues”. Lastly, the discussion document states that “relations with SADC member countries are of primary importance and each embassy must handle SADC issues in an integrated manner, as a matter of priority”.

7.2.2. It is clear from the South African foreign policy that the African continent and the SADC region, in particular, are at the core of the nation's foreign policy. This centrality manifests itself in a plethora of ways. In line with ubuntu, South Africa has been an important player in resolving continental problems and challenges. It has had peacekeeping missions in the politically unstable countries where there have been wars. This emphasis on conflict prevention and preventative diplomacy is born out of the realisation that until order and stability are restored, the continent will be unable to meet the many developmental challenges it faces. In the SADC region, this integration is to be found in the relaxation of travelling requirements such as passports and visas and the establishment of frontier parks where national parks are open and game can move freely within countries, unrestricted by fences.

7.2.3. Regional historical dynamics, unfortunately, did not provide an environment conducive to the joint promotion and preservation of the region's culture and heritage. It is, nonetheless, encouraging to see that some significant progress has been made since the new political dispensation. Economically, the region is making steady progress on economic integration. The SACU's aim is to maintain the free exchange of goods between member countries. It provides a platform for a common external tariff and a common excise tariff to this customs area. All customs and excise collected in the common customs area are paid into Southern Africa's National Revenue Fund. The revenue is shared among members according to a revenue-sharing formula as described in the agreement. The Southern African Development Community (SADC) continues to provide the necessary political leadership to the region. The African Union and its programmes, such as NEPAD, are advancing development and deepening continental integration in governance, the economy, the environment, etc.

### 7.3. Cultural diplomacy and living heritage

7.3.1. Cultural diplomacy is described as “the exchange of ideas, information, art, lifestyles, value systems, traditions, beliefs and other aspects of culture, with the intention of mutual understanding”<sup>18</sup>. Others see cultural diplomacy as an unequivocal recognition and understanding of foreign cultural dynamics.

7.3.2. Around the world, countries use cultural diplomacy as part of foreign policy to promote and protect their interests. Notable institutions that promote the cultures of their countries include the British Council, the French Cultural Institutes, the Goethe Institute in Germany, and the Japan Foundation, to name but a few. South Africa has made remarkable progress since the advent of democracy to promote its diverse South African cultures. However, there is a need for systematic coordination in this regard. A body responsible for the coordination of cultural diplomacy initiatives is established through this policy. This body must:

- identify areas of priority within the region and internationally for cultural diplomacy;
- promote living heritage in a manner that strengthens foreign policy and economic diplomacy;
- take stock of living heritage similarities with, and differences from, other countries in order to contribute to the body of knowledge in South Africa about the living heritage of those countries;
- facilitate civil society exchange programmes on living heritage between South Africa and other countries;
- monitor South Africa’s alignment with international conventions and protocols on issues of living heritage; and

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<sup>18</sup> Milton C. Cummings, “Cultural Diplomacy and the United States Government: A Survey” (Center for Arts and Culture: Washington DC, 2003).

- perform these tasks through working with South African embassies, SATOUR, the International Marketing Council, and other relevant stakeholders.

7.3.3. While South African cultural groups form an important part in promoting the country, this has not been done in a sustainable and coherent manner. This policy proposes that as far as issues of living heritage are concerned, the South African government and the DAC, in particular, shall use this heritage to deepen regional collaboration and integration. The Southern African living heritage in the form of language, performance, rituals, etc. is not restricted by national boundaries. Means should be found to encourage this cross-border heritage and protect as well as promote it. Cross-border partnerships should be encouraged in the inventorying of shared living heritage.

7.3.4. The 2003 UNESCO Convention states “without prejudice to the provisions of their national legislation and customary law and practices, the states parties recognize that the safeguarding of ICH is of general interest to humanity, and to that end undertake to cooperate at the bilateral, sub-regional, regional and international levels”<sup>19</sup>. Further, the convention states that international assistance may be jointly requested “by two or more states”<sup>20</sup>. In an effort to promote regional collaboration in the area of living heritage as well as safeguard living heritage that resides in the region, the DAC shall encourage joint efforts in identification, documentation, and listing with fellow SADC countries.

7.3.5. This will be done in the context of community engagement and involvement. The department should endeavour to discourage a situation where this happens as a government-to-government process without the

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<sup>19</sup> 2003 UNESCO Convention, article 19(2).

<sup>20</sup> 2003 UNESCO Convention, article 23(2).



input of communities and other stakeholders. In the medium and long term, the SADC should harmonise safeguarding plans of living heritage in the region. A regional forum may also be established for the exchange of information and best practice.

7.3.6. The DAC will ensure that bilateral cultural cooperation with the SADC region encompasses living heritage. In instances where bilateral agreements have been signed and are operational, the department will reopen negotiations to include living heritage.

7.3.7. Economic and political integration in the region and continent has deepened. In order to propel arts, culture, and heritage to the same level, the South African government will put issues raised in this policy as far as it relates to cross-border heritage on the agendas of both the African Union and the SADC. While the actual implementation of this aspect of policy will be done at bilateral level, cooperation across countries should be promoted.

7.3.8. African countries are members of UNESCO; they cooperate and collaborate within the African group, where they caucus and lobby for common positions in meetings and assemblies of the organisation. Yet, on the continent, intercontinental collaboration still lags behind, even after the adoption of NEPAD. Living heritage provides opportunities for deepening intercontinental integration.

7.3.9. On multilateral organisations, it is interesting to note that the South African policy states that “a fundamental issue all these organizations have in common is that the national state considers it in its interests to cooperate and therefore voluntarily shapes its domestic policies to comply with the agreed international policy”<sup>21</sup>. This policy is primarily framed to address

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<sup>21</sup> SA Foreign Policy Discussion Document, Department of Foreign Affairs, June 2008.

key domestic challenges that South African living heritage faces, but simultaneously borrows international best practice from the 2003 UNESCO Convention on living heritage. This policy framework also proposes that in order to have a seamless interaction between culture and foreign policy, the Department of Arts and Culture should systematically engage the Department of Foreign Affairs to ensure that culture is one of the key pillars of South African foreign policy. This should go beyond inviting artists on international trips, but be entrenched in the practices and projection of the South Africa nation abroad.

7.3.10. Coupled with this, the Department of Arts and Culture should play an increasing role in the affairs of both SATOUR and the International Marketing Council as far as promoting South African culture is concerned. There have been plans to have cultural attachés in South African embassies; this has the potential to contribute to a positive projection of South Africa overseas. This should be pursued as a matter of urgency, but with clear reporting lines to both the Departments of Foreign Affairs and Arts and Culture.

## ACRONYMS

ACCU	Asia-Pacific Cultural Centre for UNESCO
Contralesa	Congress of Traditional Leaders in South Africa
CRL	Commission for the Promotion and Protection of the Rights of Cultural, Religious, and Linguistic Communities
DAC	Department of Arts and Culture
DFA	Department of Foreign Affairs
DPLG	Department of Provincial and Local Government
DRC	Democratic Republic of Congo
EU	European Union
FBO	Faith-based Organisation
ICH	Intangible cultural heritage
MEC	Member of the Executive Committee
MinMEC	Ministers and MECs
NIO	National Inventory Office
NEPAD	New Partnership on African Development
NGO	Non-governmental organisation
NHC	National Heritage Council
NHRA	National Heritage Resources Act
PanSALB	Pan South African Language Board
RSA	Republic of South Africa
SACU	Southern African Customs Union
SADC	Southern African Development Community
SAHRA	South African Heritage Resources Agency
SAHRC	South African Human Rights Commission
SALGA	South African Local Government Association
SAMA	South African Museums Association
SATOUR	South African Tourism
TIC	Technical Committee
UNESCO	United Nations Educational, Scientific, and Cultural Organisation