

THE ROLE OF CULTURAL HERITAGE IN MODERN IDENTITY

Madhumita Saha*

ABSTRACT

Cultural heritage has a complex role in identity formation at the individual and collective levels. This paper investigates how entangled intangible and tangible cultural heritage contributes to establishing simultaneous identities. The paper looks at how traditions, practices, and stories inherited by people through generations grant people a sense of belonging, continuity, and self-definition in an ever-changing world. In addition, it considers the effects of globalisation, technology, and changing societal values on the meaning and interpretation of cultural heritage in the formation of contemporary identities. Through various perspectives and case studies, this abstract typically illustrates the dynamic interplay between the past and present in defining who we are today. Furthermore, it includes some mechanisms with the historical narratives and material culture, which are reinterpreted and reevaluated in the contemporary era, shaping the changing ideas of self and community. This paper highlights the ongoing dialogue between contemporary life as well as the heritage.

Keywords: Culture & Heritage, Constitutional Law, UNESCO, Globalisation.

INTRODUCTION

The passed-down physical and non-physical heritages from ancestors affect human societies on a sizable scale. It serves as an archive of stories, treasured beliefs, and traditions that bind people and communities to places. Simultaneously, the identity of a person or a culture is created by a series of numerous modern-day factors like globalisation and social change, which make it fluid and intricate. In this essay, I will argue that culture, either in tangible or intangible form, is one of the most crucial factors in forming, negotiating, and displaying modern individual and collective identities. The range of definitions concerning cultural

^{*}BBA LLB, FOURTH YEAR, LAJPAT RAI LAW COLLEGE, SAMBALPUR UNIVERSITY, ODISHA.

heritage, the complexities of a modern identity, and how the culture impacts the identity, will be discussed in the following sections.

DEFINING CULTURAL HERITAGE

The acronym for the United Nations ensures preservation of education and culture is "UNESCO", which provides a framework for understanding cultural heritage, which includes an overall description as the inheritance of physical artefacts and thus incorporates both tangible and intangible elements. Cultural heritage appears in the form of a vast and complex collection of tangible objects which include but are not limited to artefacts, monuments, building complexes, sites and collections of museums.¹ To follow carefully is the past with symbolic, historic, artistic, aesthetic, ethnological, anthropological, scientific and social values. Intangible Cultural Heritage (ICH) is the traditions or living expressions passed from forefathers to their descendants from one generation to another. Several domains of ICH recognised by UNESCO are oral traditions and expressions, performing arts, social practices, rituals, festive festivities, knowledge, as well as practices about nature and the universe and traditional craft know-how and knowledge. Keep in mind International Educational, Scientific and Cultural Organisation definitions in terms of ICH do not cover other cultural domains like festivals, carnivals and celebrations, even though these, under no circumstances, lack broader cultural importance.

The very nature of the cultural heritage is not fixed; it is dynamic and ever-evolving as a product of multifaceted historical forces and changing value systems. Ultimately, what makes up heritage is a product of societal choice, with each generational cohort having a hand in deciding which parts of the past warrant preservation for the future. The "past" legacy serves as the ground beneath our feet.² These are the material things, such as ancient ruins, their whispers of bygone empires, grand temples ringing with centuries of piety and ancient crafts bearing the knowledge of many hands. But it is also the intangible- the myths that constructed our world, the traditional dances that accompanied celebrations, and the languages that bore the subtleties of our ancestors' minds. This past heritage is not static; it quietly moulds our present, affecting our aesthetics, our beliefs and social hierarchies, often unbeknownst to us. Yet, "Present" heritage is what we make and participate in today, frequently drawing on or

¹ <u>https://rotel.pressbooks.pub/heritagesofchange/chapter/part-1-what-is-cultural-heritage/</u>.

² https://unesdoc.unesco.org/ark:/48223/pf0000216604 unesdoc.unesco.org.

Journal of Legal Research and Juridical Sciences

responding to the past.³ It is the street art that explodes with new life on old walls, recounting modern-day stories, the fusion music that combines traditional melodies with contemporary beats, and the emerging languages that evolve to fit new technologies and world influences. It is the festivals we continue to celebrate, maybe with a new spin, the social traditions we maintain while managing modernity and the learning and skills we keep transferring, tailoring them to the needs of today. This living heritage is adaptive; it's us leaving our imprint on the evolving cultural story. The "Modern" cultural heritage is interesting because it's a work-in-progress heritage.

It typically comprises the iconic designs and technologies that characterise our time, the modern art that portrays our social aspirations and anxieties, and the virtual locations where emerging cultures and identities are being shaped. Consider a revolutionary architectural wonder of the 21st century, a worldwide impactful music genre that originated during our era, or even the changing traditions of online communities. What we build and cherish today will be the legacy of generations to come. It serves as a reminder that we are all co-creators of the cultural terrain that will be left behind for our successors. Essentially, cultural heritage is a perpetual stream. The past dictates the present, and the present determines the modern, which will become the past someday. This is the reflection of human creativity, resilience, and abiding desire to relate to our past and convey our identity in an ever-evolving world. Although UNESCO's definition provides a broadly accepted and certified benchmark, it is important to note that other definitions of cultural heritage exist.⁴

Different governmental institutions and intellectual authors have created their definitions, which are frequently specific to unique situations and uses. In addition, the custodians of any given heritage, the users, who make, transform it, remember and often forget it, have a significant role to play in what it is to them. The definition of cultural heritage also now extends beyond the exclusively cultural to that of natural heritage, which typically covers culturally significant landscapes and biodiversity. Additionally, the advent of digital technology has given rise to digital heritage, such as digitised physical objects and artefacts produced in digital media.⁵ These various perspectives emphasise that cultural heritage is a complex idea, open to continuous interpretation and negotiation by societies.

³ https://www.getty.edu/publications/heritagemanagement/part-two/6/.

⁴ UNESCO world heritage centre, <u>https://whc.unesco.org/en/criteria/</u>.

⁵ The Digital Future of Cultural Heritage. <u>https://www.linkedin.com/pulse/digital-future-cultural-heritage-genco-demirer</u>

UNDERSTANDING MODERN IDENTITY IN A GLOBALISED ERA

In modern sociological and psychological terminology, identity refers to the individual combination of characteristics, beliefs and memberships that constitute one or more persons. It entails a wide array of factors such as personal characteristics, cultural background, social roles, and memberships, all of which affect each other and affect each other to decide how people perceive themselves and are perceived by others. Particularly in postmodern eras, identity is dynamic and multi-faceted, which is constantly constructed and re-constructed by cultural systems.

Sociologist Charles Cooley's "looking-glass self" hypothesis demonstrates the social construction of self, the point being that individuals' self-concept is derived from what they believe other individuals believe about them.⁶ Social identity theory continues to explore the relationship between an individual's self and his or her social identities in terms of group membership, emphasising the need for belonging and social categorisation.

"Manuel Castells" addresses the network society and how globalisation amplifies the interactions, resulting in the formation of hybrid identities. Individuals move through multiple cultural flows, and their identities are fluid and not static but are constantly negotiated and re-created. Global and local are blended, and global forces operate in local sites and local meanings of global forces.⁷

The forces of globalisation and technological change have had far-reaching impacts on construction and the expression of contemporary identity. Globalisation has vastly widened the scope of cultural contacts, bringing people into contact with a range of influences that were previously geographically isolated. This increased exposure has facilitated cultural hybridisation, whereby aspects of different cultures combine to produce new, composite identities. However, between the old cultural mores and these new globalising forces, there may be disorientation, sometimes leading to identity disorientation or alienation from heritage. Technology, and indeed the arrival of online media and social media, is at the centre of the construction and expression of contemporary identities. These media allow people to construct digital identities, in which they generally display aspects of their cultural heritage and background to a globalised public. Here, the impact of globalisation on national and local

⁶ Perception Is Reality: The Looking-Glass Self, <u>https://lesley.edu/article/perception-is-reality-the-looking-glass-self</u>

⁷ Revisiting Castells' Network Society – Digital Society Blog, <u>https://www.hiig.de/en/revisiting-castells-network-society/</u>

identities is central, in terms of anxieties about the potential erosion of unique cultural heritages and the creation of more cosmopolitan types of identity.

"THE TANGIBLE ESSENCE": HOW PHYSICAL HERITAGE SHAPES IDENTITY

As a human condition, it is universal, interwoven with the power dynamics of any society and intimately bound up with identity construction at both collective and personal levels. It would, for instance, be impossible to date such a popular acrostic device relating to the weather as 'red sky at night, shepherd's delight'.⁸ Yet the role of this saying as an item of heritage, the meaning of which is founded upon idealised representations of a communal past and which has purpose or use value in the present, together with a sense of projection into the future, is clear. Rather, we can attempt to outline the history of heritage in terms of a history of power relations that have been formed and operate via the arrangement of the heritage process. It focuses on the history of the struggle to control the use of heritage within society.

Artefacts and museum collections are another astounding example of material cultural heritage, providing evidence of the material habits of past cultures. These objects, from mundane tools to complex works of art, pass on cultural knowledge, artistic creation and technological progress from one generation to the next.⁹ Museums are responsible for explaining and presenting this heritage to the general public, framing understanding and facilitating the construction of the identity by providing context and descriptions around these material traces. The importance of the reconstruction of cultural artefacts, especially for those societies that have suffered from colonial or other kinds of cultural deprivation, highlights the profound interdependence between material culture and national identity and cultural pride. The preservation, research, and display of artefacts ensure that the stories and knowledge contained in material culture continue to shape and inform modern identities.

"THE INTANGIBLE ESSENCE" TRADITIONS, PRACTICES, AND IDENTITY FORMATION

The Intangible Cultural Heritage (ICH) is made of all immaterial expressions of culture, representing the variety of living heritage of humanity also the most important vehicle of

⁸ Positionality and Intersectionality,

https://ecampusontario.pressbooks.pub/universaldesign/chapter/positionality-intersectionality/

⁹ Archaeology and Material Culture, https://pressbooks.nebraska.edu/anth110/chapter/archaeology/

cultural diversity.¹⁰ The main 'constitutive factors' of ICH are essentially constituted by the 'self-identification' of this heritage as an essential element of the cultural identity of its creators and bearers; by its interrelation with the cultural identity of these communities and groups; by its authenticity; and by its indissoluble relationship with human rights. The international community has recently become responsive to ICH needs, and it deserves international safeguarding, activating a legal process that culminated in the adoption in 2003 of the UNESCO Convention on the Safeguarding of the Intangible Cultural Heritage. This convention precisely highlights the main elements of ICH and is based on the right philosophical rationale, but the functioning part, structured on the model provided by the 1972 World Heritage Convention, appears to be incompetent to ensure appropriate safeguarding of the specificities of tangible heritage.¹¹ This subject matter argues that to correct inadequacy, international safeguarding of ICH must rely on the accompanying application, even though in an indirect manner, of international human rights law, for reason that ICH represents ingredient of cultural human rights and an essential prerequisite to ensure the actual realisation and relaxation of individual and collective rights of its creators and bearers. Specific cultural practices epitomise how intangible heritage is deeply preserved, and also the promotion of these intangible practices is vital for maintaining vibrant cultural identities within communities. Performing arts such as music, dance, and theatre serve as powerful expressions and reinforcements of cultural identities.

"NAVIGATING THE GLOBAL LANDSCAPE" THE IMPACT OF GLOBALISATION ON HERITAGE AND IDENTITY

In an era of rapid globalisation, the interplay between cultural identity, tradition and modernity has become increasingly difficult. This paper examines how individuals and communities steer their cultural identities amid the pressures of global integration. By exploring the case studies from various cultural contexts, it examines the challenges and opportunities that arise in the pursuit of cultural preservation while adapting to modern influences. Key themes usually comprise the tension between homogenisation and diversification, the role of technology in cultural expression, and the plan of action employed by communities to maintain their cultural heritage. It includes the necessity of understanding

¹⁰ Intangible Cultural Heritage: The Living Culture of Peoples | European Journal of International Law | Oxford Academic <u>https://academic.oup.com/ejil/article/22/1/101/436591</u>

¹¹ The World Heritage Convention, <u>https://whc.unesco.org/en/convention/</u>.

the cultural identity as a dynamic process that reflects the historical roots and contemporary realities.

"Globalisation does not only involve the expansion of markets; it also involves the erosion of cultural barriers and the fusion of cultural norms"

- Samuel P. Huntington¹²

Globalisation has fundamentally reshaped how we understand both heritage and identity. It is like the world has become a smaller, more interconnected village. On one hand, this can lead to a beautiful cross-pollination of ideas and a greater appreciation for diverse heritages as we learn about each other's histories and traditions through shared platforms. Think about how easily we can access information about ancient civilisations or cultural practices from across the globe. However, this interconnectedness also brings challenges. Local identities can feel diluted or overshadowed by dominant global trends, and unique heritage sites or practices might be commodified for tourism, potentially losing their original meaning and significance. It is a constant balancing act between embracing the richness of a globalised world and safeguarding the distinctiveness of local heritage and identities.

The impact of globalisation on heritage and identity is a double-edged sword. On the positive side, technology and increased communication can help preserve and promote endangered heritage. Digital archives can safeguard artefacts and knowledge for future generations, and global networks can mobilise support for threatened cultural sites.¹³ The increasingly interconnectedness of the world through globalisation presents a compound dynamic for cultural heritage and modern identity. One perspective suggests that globalisation can lead to cultural homogenisation, where the extensive dissemination of dominant cultural norms and products erodes the distinctiveness of local and regional cultural heritages. This can pose a great challenge for the preservation of unique cultural identities rooted in specific historical and social contexts.

Another significant phenomenon in the global terrain is cultural hybridisation, where elements from different cultures interact and blend to form new, composite identities. Cultural heritage is not resistant to this process; it can be reinterpreted and adapted in

 ¹² Samuel P. Huntington, The Clash of Civilizations and the Remaking of World Order.
¹³ The Impact of Globalization on Local Cultures: A Double-Edged Sword

https://www.thepeoplewhoshare.com/the-impact-of-globalization-on-local-cultures/

contemporary contexts, contributing to the formation of these hybrid identities.¹⁴ This blending of traditions and influences can lead to the evolution of cultural heritage and modern identity, reflecting the increasing interconnection and exchange between diverse cultures. While cultural hybridisation can foster greater intercultural understanding and innovation, it also presents certain challenges related to cultural authenticity and preservation of distinct traditions. The journey of cultural identity in modern society often involves navigating this complex interplay between honouring heritage and embracing contemporary global influences.

"THE DIGITAL REALM" TECHNOLOGY AS A MEDIATOR OF HERITAGE AND IDENTITY

Digital technologies have emerged as effective instruments in the preservation and transmission of intangible and tangible cultural heritage. The alert lifestyle on one hand and phenomena such as technological globalisation, rising migration, declining population in some areas of the world, transformation in the population structure, and multiculturalism, on the other hand, guide us away from our cultural heritage.¹⁵ Postmodern revolutions, on one hand, bring an ever-growing demand for the individual to make his or her identity explicit and seek a model to rebuild his or her shattered world, on the other hand. Cultural heritage as a cultural and social process, a discursive construction, has a formative impact on our personal, social and cultural identity. The Inside of this discursive process, transmission of memory from the past in a definite reflexive way, provides room for new negotiations, mediations and interpretations. In the cultural field, there is a tendency to see heritage audiences as active agents in the mediation of the meanings of heritage. In favour of this argument, we try in this current paper to examine the role of cultural mediation in shaping the personal, social and cultural identity of a social sector.

Technology is today a great bridge, connecting us to our heritage and defining us in ways that people never imagined. We can listen to traditional music played on the internet, connecting us to our heritage even if we are miles away from home. Social media allows diaspora communities to maintain their cultural identity and pass on their heritage to the new world. It is like technology has democratized access to our shared past and facilitates new ways of

¹⁴ Discussing Globalization and Cultural Hybridization, <u>https://dergipark.org.tr/en/download/article-file/3069054</u>

¹⁵ <u>https://www.worldbank.org/en/news/feature/2023/12/11/global-migration-in-the-21st-century-navigating-the-impact-of-climate-change-conflict-and-demographic-shifts</u>.

connecting to our cultural self, regardless of where we are located. Technology also facilitates how we relate to heritage. Online discussion, documentaries and interactive screens offer new perspectives and can challenge mainstream representations. This can be thrilling, infusing new life into our knowledge of the past, but it requires critical engagement to ensure accuracy and respect for cultural sensitivities.

"The internet and digital technologies are not merely tools; they are environments where identities are performed, heritage is assessed and reinterpreted, and new forms of cultural expression emerge"

- David Gauntlett¹⁶

Online platforms and social media have also become significant spaces for individuals to express and negotiate their cultural identities. Individuals make steps to curate their digital personas, often incorporating elements of their cultural heritage to showcase their background and affiliations. Cultural heritage is frequently represented and reinterpreted in online spaces, contributing to the formation of digital identities and fostering connections among individuals who share similar cultural backgrounds, regardless of their physical location. However, the digital realm also presents challenges, including concerns about the authenticity of online representations of cultural heritage and the potential for misrepresentation or appropriation. The Critical engagement with digital heritage and online expressions of cultural identity is therefore essential.

DIMENSIONS AND CLASSIFICATIONS OF CULTURAL HERITAGE

In certain international organisations and most nations, there have been self-evident issues like a vague aim, vague concepts, a lack of a theoretical framework and overlapping extensions in the classification of heritage, especially in the classification of cultural heritage, and newly suggested typological classifications have aggravated the current contradictions. This trend indicates that the science of heritage studies neglected its theoretical framework and failed to construct its methodology, causing much confusion in research, application and management of the heritages themselves.

It is thus essential to re-categorise heritages based on their nature and functions, protection methods, management and exhibition demands imposed by their various natures. By referring

¹⁶ David Gauntlett, Making Media Studies: The Study of Media Production and Consumption.

to the authoritative "Convention concerning the Protection of the World Cultural and Natural Heritage" as an example, we examine the classification issues currently dominating heritage circles, declare four principles that heritage classification should adhere to and suggest preliminary ideas for the classification of heritages.¹⁷ Simultaneously, by examination of currently trendy classifications, like "cultural landscape", we suggest new definitions of World Heritage categories, and it is suggested that they occupy in the overall classification system. The most fundamental way of dividing the cultural heritage is between what we can touch and see and what we cannot. We have our natural heritage, which includes landscapes, biodiversity and geological sites. While distinct, it gets intermingled with our cultural practices and beliefs. Then we have our cultural heritage and immovable heritage. This split helps determine the most effective way of conserving and managing three distinct types of heritage.

Both UNESCO and ICOMOS are core worldwide agencies that dictate understandings, classification, and conservation of cultural heritage worldwide. UNESCO sets cultural heritage in a wide context, including tangible, intangible and presently digital heritage. UNESCO is concerned with the heritage of physical artefacts as well as intangible aspects of a group or a society transmitted by past generations, conserved in the present, and transmitted in the interest of future generations. The 1972 World Heritage Convention forms the foundation of UNESCO action. It inscribes and protects properties of Outstanding Universal Value (OUV), recognising that some cultural and natural heritage sites are so significant that they form part of the common heritage of mankind.¹⁸

ICOMOS is an international, non-governmental organisation comprised of professionals engaged in the heritage field (architects, historians, archaeologists, conservators, etc.). ICOMOS is a consultative organisation to UNESCO, i.e. in the case of the cultural properties that are to be nominated for the World Heritage List. ICOMOS develops a set of charters and doctrinal texts which provide principles and guidelines on the conservation, restoration, interpretation and management of the diverse forms of cultural heritage.¹⁹ The Venice Charter of 1964 sets out general principles for the conservation and restoration of monuments

¹⁷ World Heritage Classification and Related Issues-A Case Study of the "Convention Concerning the Protection of the World Cultural and Natural Heritage"

https://www.sciencedirect.com/science/article/pii/S1877042810011821.

¹⁸ The World Heritage Convention, <u>https://whc.unesco.org/en/convention/</u>.

¹⁹ ICOMOS & World Heritage - International Council on Monuments and Sites https://www.icomos.org/en/icomos-and-world-heritage.

and sites. Once again, the Nara Document on Authenticity 1994 reaffirms the respect for cultural diversity and different cultural backgrounds in authenticity judgments. The ICOMOS charter for the Interpretation and Presentation of Cultural Heritage 2008 deals with the visibility and intelligibility of the heritage to the public. ICOMOS evaluates cultural and mixed properties proposed for inscription on the World Heritage List against UNESCO's OUV criteria. It also oversees the state of conservation of inscribed properties and advises on management.

Organisations like UNESCO and ICOMOS created systems of categorisations so that the different forms of cultural heritage could be more comprehensively understood and dealt with. UNESCO categorises cultural heritage as tangible, intangible, natural and digital forms. UNESCO's 2003 Convention for the Safeguarding of the Intangible Cultural Heritage identifies five general categories in which ICH is manifested: oral traditions and expressions, performing arts, social practices, rituals and festive events, knowledge and practices concerning nature and the universe, and traditional craftsmanship. Both UNESCO and ICOMOS share the same objectives of safeguarding and sharing cultural heritage for future and present generations. Both have complementary roles, with UNESCO setting the general framework and conventions, and ICOMOS providing professional and practical advice. ICOMOS uses a thematic classification framework for cultural heritage, such as theoretical and general considerations, archaeology, architecture, urbanism, conservation and restoration, and heritage typologies. UNESCO also established criteria for World Heritage properties to be inscribed on the World Heritage List, designating sites demonstrating exceptional universal value in cultural and natural heritage. Such classification systems provide general frameworks for the identification, documentation, conservation and promotion of cultural heritage around the world. Outside such organisational classifications, some scholarly assumptions and opinions offer more interpretations of the elements of culture and heritage.

CONCLUSION

In conclusion, cultural heritage, in its diverse tangible and intangible forms, plays a fundamental and multifaceted role in shaping modern individual and collective identities. It provides a vital link to the past, offering anchors for memory, transmitting cultural values and knowledge and fostering a sense of belonging and continuity in an increasingly interconnected world. The cultural heritage is both a vital anchor and a dynamic springboard for modern identity. It provides the foundational narratives, values and traditions that shape

our understanding of ourselves and our place in the world. Studying how customs, rituals and stories are passed down and reasoned through across different ages, this paper seeks to illustrate the relevance of traditions about an ever-changing world. Moreover, the study of globalisation, technology, and society's changing norms highlights the multifaceted influences and opportunities created around the understanding and meaning of a society's cultural heritage. It is important to develop approaches to heritage preservation and interpretation that are integrative and flexible in how identity in today's world is perceived to strengthen the understanding that is shaped by diverse global influences. Further research might address how digital communication technologies shape contemporary understandings of cultural heritage and its great influences on identity formation in digital environments. While globalisation and technological advancements present challenges and opportunities for this crucial relationship, cultural heritage remains a source of resilience, distinction and meaning in the contemporary era. The ongoing negotiation between tradition and modernity, mediated by digital technologies, continues to redefine how heritage influences identity and how individuals express their cultural affiliations. Understanding the various dimensions and classifications of cultural heritage, as outlined by organisations like UNESCO and ICOMOS and explored through academic frameworks, is essential for effective preservation, management and the leveraging of heritage to foster a strong sense of identity, promote intercultural understanding and ensure the safeguarding of cultural diversity for future generations. Future research could further explore the evolving impact of digital heritage on identity information, the complex role of contested heritage in social cohesion, and the most effective strategies for safeguarding intangible cultural heritage in a rapidly changing global landscape.