

World Heritage and Cultural Diversity

Editors

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Preface

With the international conference on World Heritage and Cultural Diversity – Challenges for University Education, the international Master's programme World Heritage Studies at Brandenburg University of Technology at Cottbus celebrated its 10th anniversary in October 2009. This innovative and unique interdisciplinary study course is primarily based on the World Heritage Convention adopted by UNESCO in 1972. The Convention defines the commitment to preserve cultural and natural sites of "outstanding universal value" as heritage of humanity for present and future generations. In it the educational mandate of World Heritage and the idea of sustainability, of a responsible and future-oriented handling of our heritage, are placed. In this respect the study course follows the request to lead young people to constructively engage with the socio-economic, cultural, ecological, political and technical challenges that are connected with the protection of heritage. Priority is given to capturing World Heritage in its complex diversity, which means the physical polymorphy of heritage, the significance of its immaterial aspects, as well as its contribution to intercultural dialogue and mutual understanding.

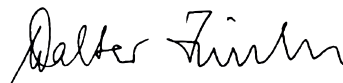
World Heritage education is therefore attributed high significance. This was already acknowledged in the *Cottbus Declaration*, which was adopted at the symposium on Constructing World Heritage in Cottbus on 5 June 2004:

"The protection and safeguarding of the heritage of mankind is a central task for all societies and hence also a task for universities and schools. To that end, innovative forms of education and advanced professional training are required, such as international, intercultural, and interdisciplinary study programmes. Knowledge about World Heritage should be implemented in all university and school curricula."

The symposium took place on the occasion of the inauguration of the UNESCO Chair in Heritage Studies. In 2003, UNESCO recognized the success of the Chair in Intercultural Studies at Cottbus University, which was heading the Master's programme World Heritage Studies until 2009, by awarding the title of UNESCO Chair, thereby integrating Chair and study course into the international network of UNESCO Chairs to foster university cooperation worldwide.

The international conference stands in a long tradition of the very successful collaboration between the Chair in Intercultural Studies, the UNESCO Chair in Heritage Studies and the German Commission for UNESCO. Over recent years several conferences have been jointly organized and publications designed to celebrate the significance of World Heritage and to actively participate in the definition and application of terms and methods in the field of heritage protection. I wish to express my sincere congratulations to the Chair for its important contribution to the success of the World Heritage Studies course, which it has headed for the past ten years.

Now, it is my pleasure to commend the publication associated with this conference, which will, I feel sure, provide interesting and intriguing insights into World Heritage.



Minister (retd) Walter Hirche

President of the German Commission for UNESCO

A philosophical preface

By “culture” on the one hand we understand both the process of *transformation* of nature by human beings and the results of this transformation. The very notion of culture thus comprises the whole range from physical to intellectual transformation, from “tangible” to “intangible”.

Human beings on the other hand are but transformers of nature into culture. At the same time, we are beings, both constituted by and constitutive of time: Our own products are cultural products only insofar as they are temporal entities being transferred from one generation to the next. This transfer process is what we usually call “tradition” or – in a slightly different perspective – “heritage”.

Anthropologically speaking, to be human implies to be capable of distinguishing between past and future by permanently being present. The necessary condition for being able to distinguish past from future is memory. Therefore memory seems to be the very essence of humanity. Memory, however, presupposes an additional dimension. To be capable of distinguishing between the past and the future requires still another capability: to distinguish oneself from other beings, subject from object, me from the other. In short, to be human means to be temporal and to be capable of reflecting the ever-present self as opposed to the environment and the past.

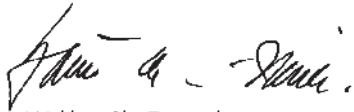
Each and every culture is characterized by its peculiar way of objectifying its own products and of institutionalizing memory. In European culture it took some time to develop this idea of the relation between culture, memory and individual as well as social or collective identity; but it took even longer to realize that

there is a necessary relation between the past, its reflection in history and the future. “The future needs the past” is just one way of expressing this strong mutual dependence of the two temporal dimensions constitutive of humanity.

Reflecting on the fact that human beings are not just transforming nature into culture, but also the future into the past, there is a tendency to overlook the obvious: categorically speaking, the future is ruled by *possibility* while the past is governed by *reality*. It takes but one more thought to reach the obvious conclusion: quantitatively or rather numerically speaking, possibility always implies *plurality*: There is no one “real” future but always just a plurality of “possible” futures. The very process of transforming nature into culture is at the same time the process of transforming the many possible futures into the one real past. Therefore being human is equivalent to being capable of transforming the Many into the One.

It was not until the age of Enlightenment that philosophy and humanities in its modern shape came into being. It was not until the beginning of modern sciences and humanities that Europeans came to realize that there is an abundant plurality of different cultures which at the same time are opening up space for cultural alternatives and thus for freedom. But it took another two centuries until people came to realize that to understand diversity is to unleash its creativity. Neither the humanities nor the social sciences existed until then. During the last two centuries the “great divide” between the “two cultures” (C. P. Snow) seemed to define the limits of science and academic knowledge. Dualism, not pluralism, was the result. Only after the multitude of cultures became evident were cultural studies born.

It is against this background that both the World Heritage Studies course at Brandenburg University of Technology and this volume celebrating the 10th anniversary of the World Heritage Studies programme have to be understood. "World Heritage" and "Cultural Diversity" look as if they are grammatical singulars but, taken together, they express not only plurality but even pluralism.

A handwritten signature in black ink, appearing to read 'Walther Ch. Zimmerli'.

Walther Ch. Zimmerli

President of Brandenburg University of Technology at Cottbus

Preface

The World Heritage Convention has continued to evolve since it was adopted in 1972, and the World Heritage List has become a leading reference worldwide of the most extraordinary sites on the planet. As the reach of the Convention has expanded, so has the need for qualified people to help safeguard these sites. BTU Cottbus is one of the universities contributing directly to this crucial need.

Ten years of World Heritage Studies at BTU Cottbus is reason enough to organize an international conference on the topic World Heritage and Cultural Diversity – Challenges for University Education. Ten years of World Heritage Studies at BTU Cottbus have thereby, if nothing else, been an occasion to discuss and reflect upon new developments and perspectives in the context of the UNESCO Conventions concerning the protection and the use of the tangible, intangible, and natural heritage of humankind, particularly in respect of the run-up to the 40th anniversary of the World Heritage Convention that will be celebrated in 2012. The World Heritage Centre supported the World Heritage Studies programme during its founding phase and has ever since accompanied it in a constructive and critical manner. We have not only been involved deliberately – for example in the development of the curriculum – but also, and for the most part, in setting priorities with regard to such important topics as the implementation of the provisions of the 1972 World Heritage Convention, the introduction of an emphasis on cultural landscapes or best practice management of World Heritage sites. We have been co-organizers of international conferences run by this programme and are also acting as patron for this conference.

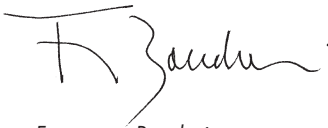
It is therefore my particular pleasure to write this preface to the fourth in the series of World Heritage Studies. As with previous

conferences and the resulting publications, this one has succeeded in attracting top-level experts and internationally renowned contributors to comment on these innovative, and at the same time controversial, topics. For this reason, especially, the thematic orientation of this publication needs to be pointed out. *World Heritage and Cultural Diversity* presents and reflects on a broad range of UNESCO's short-, medium- and long-term development goals that had been previously formulated in the Millennium Declaration. This is to say that this publication stands in the tradition of a broad-ranging concept of culture, which also conceives the protection of the heritage of humanity as a socio-economic and socio-cultural dimension of development. The conference and this publication already aim to bring the material and immaterial values of the world's cultural goods closer to people everywhere in the context of UNESCO's Global Strategy for a Representative, Balanced and Credible World Heritage List. The point is to spread knowledge and awareness about the values of the various heritage programmes that bind different nations together. The publishers have once again succeeded in an exemplary manner. *World Heritage and Cultural Diversity* considers not only the 1972 Convention, but also the 2003 Convention for the Safeguarding of the Intangible Cultural Heritage and the 2005 Convention on the Protection and Promotion of the Diversity of Cultural Expressions, and aims explicitly at reflecting these forward-looking Conventions towards social, economic and cultural development. For this reason alone, this publication should enjoy wide distribution.

Yet another strategy underlies this publication, however. Developed to commemorate the 10th anniversary of the World Heritage Studies programme, it is directed at the entire scientific community. This includes on the one hand young professionals, who are, among others, alumni of the programme, active as

young scientists and practitioners in the context of the heritage of humanity. This also includes UNESCO Chairs that have already established their profiles for some time with scientific expertise in international debates on the protection and usage of heritage, particularly in the context of climate change and its effects on culture and nature. The publication thereby pursues a strategy for education and professional training, which is last but not least laid out in the strategic goals of UNESCO.

World Heritage and Cultural Diversity opens up new horizons and will reach a large audience. I am therefore also pleased to welcome new activities of the UNESCO Chair in Heritage Studies at BTU Cottbus: the establishment and consolidation of a PhD programme in *Heritage Studies*. I expect this publication, like the previous ones, to set the stage for the International Graduate School in Heritage Studies concerning the discussion and implementation of the Conventions in cultural and socio-economic practice.

A handwritten signature in black ink, appearing to read 'F. Bandarin', with a stylized, flowing script.

Francesco Bandarin
UNESCO Assistant Director-General for Culture
Director of the World Heritage Centre

Prologue

Stella Chiweshe, Zimbabwean musician

Intangible Musical Heritage

The materiality of the Shona people in the twenty-first century has become a force that breaks away from the spirituality of musical heritage, which had been the cornerstone of society. The last hundred years have seen a rise in materiality to such an extent that it has caused the individual to become more egoistic and ambitious for personal gain and immediate gratification, casting aside the musical heritage that has been handed down by parents to children.

This disintegration is the downfall of communal spirituality. What can be the link between the two forces? How can a society hold itself together? What traditions can move across and be accepted in the new? What can be a healing influence to keep the spirit in harmony with itself? People are lost without their traditions, which contribute to mental and physical diseases and disharmony in a society.

These diseases are running through and obliterating mind and soul. What can rest and heal the spirit in these great times of change? In my life, it is *mbira* music, my cultural heritage, which has become a bridge with healing water that is restoring body and soul, earth and air. I include myself in these great songs for it is through me that the songs of my ancient people resonate.

These simple *mbira* songs heal and strike deep into the soul of the individual ego, serving as a call to reunite with the soul of the earth, to restore harmony within ourselves. Hence the need to cultivate, preserve, promote public awareness and appreciate our own indigenous sacred traditions in each culture, as well as to create an understanding of different manners and gestures of other cultures. Stella Chiweshe, the *mbira* queen of Zimbabwe, started playing

mbira music when it was forbidden for a woman to play an instrument. This was between 1966 and 1969, the study years of *mbira-dzavadzimu*. The instrument itself consists of twenty-two to twenty-eight metal keys mounted on a hardwood soundboard, and is usually placed inside a large gourd that works as a resonator. The keys are played with the two thumbs plucking down and the right forefinger plucking up.

During the 1970s she played throughout Zimbabwe, as she has said, mainly solo. At this time she recorded more than twenty singles in Zimbabwe, of which her first, *Kasahwa*, went gold in 1974. In the 1980s she continued to develop her music and founded her first band, *Earthquake*. With tours all over the world, she again played as a soloist and also with her band. At that time it was not only forbidden to play the instrument, but *mbira* music was furthermore not convenient for women, because a woman's place was at home and not playing all night at ceremonies.

Additionally, Stella Chiweshe became a member of the National Dance Company of Zimbabwe as an *mbira* soloist, actress and dancer. And again she performed around the world. To mention only a few of the countries where she gave concerts – Zimbabwe, Mozambique, Australia, Germany, Switzerland, Bulgaria, Yugoslavia, India, China, the Republic of Korea, the United States, New Zealand, Italy, the United Kingdom and the Scandinavian countries.

Another artistic field for her was acting, for example in a film where she played the role of Ambuya Nehanda – the national heroine of Zimbabwe who was killed on 28 March 1898 by the colonial government. In the late 1990s she founded the Mother Earth women's group in Zimbabwe. Since then she has been continuously performing either as a soloist singer or with a band. This is why Stella Chiweshe has been recognized as the first female artist who gained prestige and was honoured with recognition in a music tradition that has been dominated by men.

She is one of the few musicians in Zimbabwe and southern Africa who for more than thirty-five years has been working as a musician of traditional *mbira* music. Stella Rambisai Chiweshe is nicknamed “Ambuya Chinyakare” (Grandmother of Traditional Music). But she is not only recognized as an artist. She is a professional singer in the entertainment industry and in the international music circuit as well.

When asked for some background information about herself, she wrote:

If I may say that I was born on 8 July 1946. I am now a great-great-grandmother, that means one of my six grandchildren has two sons. I have three daughters, the first passed away when I lost the pregnancy at six months. I count her but most people do not count those who are no longer in bodies, I count her because she talks to me through my dreams sometimes and, giving advice or asking questions. The second is Charity Mukweshwa Shaw, born in July 1963. The third and last is Virginia Mukweshwa Hetze, born in May 1966. I got married in Germany to Peter Reich in 1988. I keep travelling back to Zimbabwe every year. The reason why I do not speak good German is because I travel a lot around the world with my music. I will continue to play my music until I go back home to where all of us humans belong. Even when I become blind I can still play. It can only be impossible when I lose my two thumbs and the right index finger that I use for playing.

Who other than Stella Chiweshe could write a preface for a book on the subject of cultural diversity?

Introduction

Marie-Theres Albert

World Heritage and Cultural Diversity: What Do they Have in Common?

Background

The Master's programme in World Heritage Studies, founded at Brandenburg University of Technology in 1999, was the first to place the Convention concerning the Protection of the World Cultural and Natural Heritage (known as the World Heritage Convention) for the protection of the heritage of humanity at the heart of its curriculum. Today other universities have developed study courses following the example of Cottbus. The integral elements of the World Heritage Studies curriculum at Cottbus were and still are – apart from the focus on the Convention – the broad and dynamic concept of culture, as well as a special emphasis on cultural and natural diversity. In this respect it seems natural that *World Heritage and Cultural Diversity*, the fourth publication from the World Heritage Studies course, is concerned with the close relation between the heritage of humanity and the diversity that represents this heritage. Like previous publications, it is the result of an academic conference, which used the 10th anniversary of the study course as an occasion to invite experts from all over the world to have future-oriented discussions on aspects of heritage in relation to cultural and natural diversity.

The subject matter originates from the fact that over recent years, due to the adoption of the Convention for the Safeguarding of the Intangible Cultural Heritage (2003) and the Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005), the international community has considerably expanded its understanding as to which cultural goods shall be protected. The World Heritage Convention has received important and necessary additions through these new instruments.

Essentially, the concept of culture that underlies the Convention has been broadened and new nominations now have to be measured against that broader concept. Beyond this – in the context of UNESCO's so-called Global Strategy – new categories and focal points for the identification and nomination of culture and cultural heritage have been formulated and established in recent years. It is indeed remarkable how constructively the world community has created legal instruments to protect the cultural diversity of local, national and regional cultural expressions from unifying tendencies of global culture.

Against this background, the editors have compiled a volume that presents the diversity of human life embodied in its tangible and intangible forms of expression, and related to the heritage that reflects this diversity. This has generated new insights into heritage and diversity, and therefore benefits the academic discussion.

Goals

One aim of this publication is to discuss the ways in which the different aspects of cultural diversity, as they appear in real life, can be protected by international legal instruments and how such instruments may affect this. The understanding of culture presented here reaches further than the approaches that underlie the Conventions. The common substance of all contributions, either directly or indirectly, refers back to the fundamental ideas of the United Nations and of UNESCO. For the achievement of these objectives, the UN Millennium Declaration, one of its most important and forward-looking documents, has served as a conceptual orientation. The Millennium Declaration explicitly reverts to the founding ideas of the UN and transports these objectives by promoting the diversity of world cultures into the twenty-first century.

Another aim is to connect this broad understanding of diversity, in all its manifold expressions, to current as well as future World Heritage sites. This concern is reflected in Part 3 on *Tangible and*

Intangible Expressions of Heritage. World Heritage sites are representative expressions of material culture that have been created by human accomplishments. Both need to be considered and established in the nomination categories of World Heritage. It is essential to determine the potential of heritage for human development. This potential is not sufficiently embraced in the ten criteria for the definition of outstanding universal value, as defined in the *Operational Guidelines for the Implementation of the World Heritage Convention*.

The potential of the World Heritage Convention for human development most notably lies in the understanding of how humans – from a historical point of view – have shaped their material and immaterial life expressions, or how human interventions in material and immaterial culture have created heritage. All contributions revolve around this aspect, most specifically in Part 2, *Heritage in Time and Space* and Part 4, *Political Dimensions of Heritage*.

Concerning the present and the future, Part 5, *Cultural Landscapes and Sustainable Development*, offers some profound discussions on how this heritage should be evaluated and used today, or respectively, what the international community should do in order to sustainably protect this heritage.

World Heritage and diversity

Particularly since the World Heritage Committee's Budapest Declaration of 2002, the call for a better thematic, cultural and geographical balance regarding the worldwide nomination of heritage sites has been a pressing issue. The background is that approximately 50 per cent of all heritage sites are located within Europe and North America. For this reason, the distribution of types of heritage site shows a bias towards monuments and historic old towns. Accordingly, the most frequently applied criterion for the definition of outstanding universal value aims primarily at monuments: "(iv) [Nominated properties shall therefore] be an outstanding example of a type of building,

architectural or technological ensemble or landscape which illustrates (a) significant stage(s) in human history" (UNESCO, 2005, p. 52).

Thus UNESCO World Heritage does not do justice to the diversity of cultures. Given the abundance of similar types of site, in similar geographical regions, with similar historical contexts, it could be said that the nomination process results in uniformity, not diversity.

One concern of this publication, therefore, is to strengthen the diversity of World Heritage and to establish arguments for the enrichment of the dimensions concerning the definition of outstanding universal value. It needs to be considered if, and how, these abstract categories for the definition of outstanding universal value can be amended through further specific criteria that should derive from the interests of the people, and therefore could contribute to the practical implementation of community participation in heritage matters. The formal declaration of the World Heritage Committee concerning the fifth "C", for "Community involvement", which was adopted in 2007 in New Zealand, is not sufficient to reach this goal. Equally, besides tangible aspects of World Heritage sites, these sites' intangible values have to be recognized more comprehensively. In this respect also, criterion (vi): "be directly or tangibly associated with events or living traditions, with ideas, or with beliefs, with artistic and literary works of outstanding universal significance" (Jokilehto, 2008, p. 78) seems to be in need of improvement. The point is to give people more recognition in their creative work. Contributing to this endeavour is one of the aims of this publication.

Success implies that heritage sites will be better received by the respective local communities. Thus, new potentials concerning sustainable socio-economic development of heritage sites should be created. The fundamental idea of this publication is how the cultural, religious, economic and political diversity of human

development and expressions can be represented by World Heritage while constructively influencing the rather static structure of conventional architectural conservation.

Cultural diversity and expressions

The scientific construct of diversity of cultures is as old as culture itself. Cultures have always formed different subcultures and a diversity of life expressions. Cultures are never closed systems. Even when autocratic systems have tried to isolate cultures from the outside world, these cultures would inwardly develop in different ways, progressing and creating new material and immaterial expressions. This dynamic until now has not been sufficiently reflected in discussion about World Heritage, so this publication is an attempt to take the discussion forward.

The expression of cultural diversity plays an integral role in cultural development itself and is not a phenomenon caused by recent social developments. Cultural diversity originates in the dynamic processes by which cultures move from the past to the present, and by which they shape their futures.

The implied question is how diversity should be understood and communicated so that people may benefit from it. This question refers to the diversity of human cultures, to their values and norms, as well as to religions and their representations. Diversity has always manifested itself in different styles of music, performance and art. Diversity can also be seen where current living conditions transform into different cultural expressions, such as in today's youth culture.

Diversity – as mentioned above – refers to the heritage of humanity and how the categories of this heritage must be defined so that geographical, cultural, religious, tangible and intangible diversity can be represented.

This need for an application-oriented interpretation of cultural diversity has to be answered by international and national UN

institutions, such as UNESCO, but also by research institutions. The latter should, in a further step forward, develop strategic recommendations on how to make cultural diversity usable for human development in a constructive way, and if necessary, how to place more emphasis on its protection. For all these reasons, *World Heritage and Cultural Diversity* addresses a burning issue.

In the context of the Convention for the Safeguarding of the Intangible Cultural Heritage, the Convention on the Protection and Promotion of the Diversity of Cultural Expressions, in addition to the World Heritage Convention itself, a number of fundamental questions occur that are addressed explicitly and implicitly by the contributors, notably:

- How can intangible heritage and cultural expressions be protected in dynamically changing cultures without hampering cultural innovation – the dynamic potential of all cultures?
- What is the sense in safeguarding intangible heritage, and when does support and protection of lifestyles turn into making a museum out of people's lives? Where is the line between the protection of culture and its transformation into an exotic object?
- How can traditions be conserved and passed on without becoming static?
- What needs to be done to prevent the safeguarding of intangible cultural goods from becoming counterproductive to the development of diverse practices and cultural innovation?

International dimensions of heritage

The United Nations Millennium Declaration and its Declaration on the Rights of Indigenous Peoples of 2007 have added important political goals and implementation strategies to the UNESCO Conventions of 1972, 2003 and 2005 for the protection of tangible and intangible heritage. These declarations

establish the right to have diverse life expressions while suggesting plans for its implementation. These demands need to be applied to the Conventions for the safeguarding and conservation of heritage. Moreover, the general goals for human development formulated by these new instruments need to be applied to the heritage of humanity as well. This creates a new framework concerning the mediation between World Heritage and cultural diversity, within which lies the connection to education in general, and to university education in particular.

The papers published here discuss if, and to what extent, such instruments are being taken into account in political practice, for example in the nomination or management of heritage sites. They are also concerned with whether the newly established demands of various stakeholders have been clearly formulated in policy instruments. They question the criteria for the valorization of heritage that is based on social norms. Existing agreements and implementation strategies are discussed with regard to current problems, while also looking at the everyday life experiences confronting these strategies. All criteria are examined either directly or indirectly. They are exposed to an analysis that examines the definitions of outstanding universal value, authenticity and integrity in the context of the above-mentioned goals, and which – if necessary – redefines them. Even though the various aspects of diversity and cultural expressions are equally important, this publication can only deal with a selection of topics. The focus is on those aspects which have been formulated in the context of the UN Charter and the Millennium Declaration, but which so far have practically never been transferred to the safeguarding and sustainable use of World Heritage.

In Part 2, heritage is considered in the context of time and space, while taking into account migration, economic and technical developments and their impacts on cultures. Part 3 further elaborates on the interdependencies between religious experiences and secular culture. In Part 4, political and legal developments and their consequences on specific cultures are analysed

through specific case studies. Part 5 relates heritage to sustainable development. In this focus area, among others, cultural landscapes are discussed as the reflection of dynamic interaction between man and nature in all its various facets. Each section is introduced by contextual and overarching contributions.

A line is thus traced ranging from the historically inherited significance of World Heritage sites for cultural practices, to touch on the intangible aspects of their development, in addition to their reassessment for present and future generations.

Part 1: Setting the Framework

The contributors outlining the central themes are experts who deal with the construct of diversity and heritage in their respective fields, and who are also devoted to its implementation in social practice, such as through education. Already, the extent of the discussion is becoming clear, while the possibility of a focus is starting to take shape. The intertwined connection of cultural diversity and World Heritage, as well as the implementation of new insights from theoretical and practical contributions into further education initiatives, is the concern of all the authors in this introduction.

Part 2: Heritage in Time and Space

Whether people are motivated by “free” choice to act on a supra-national scale, or whether they are forced to leave their countries due to economic hardship, those who move away from their natural environment change both themselves and their surroundings. This is true of the former natural environment as well as the new one. In particular, temporary migrants who return to their home cultures after years of travel and stays in foreign cultures contribute very much to the diversification of cultural expressions.

These migrants add new knowledge to an existing culture and learn new things themselves. They are multipliers of knowledge

and transformers of cultures. One of the aims of this publication is to give more significance to culturally diverse expressions of human life in international discourse, while making these expressions known through intercultural dialogue. Thus, the additional message is to construct diversity as such, and to define it against the uniformity caused by globalization. Expressions of cultural diversity and cultural change can be found in almost every society, but so far they have only been integrated to a very minor degree into discussions about the diversity of heritage.

The most advanced is the discussion on migration and its impact on material culture. Through migration, technological innovations have found their way to new regions, where they were adapted in ways specific to each region. This is expressed in cultural shifts, such as from visual culture to oral culture, from oral culture to print or typographic culture and from print culture back to the visual culture of the twentieth and twenty-first centuries. These changes leave behind various traces that must be treated as cultural expressions of outstanding universal value.

While migration is both an old and new topic, in addition to there being many reasons for a discussion of migration in the context of diversity and heritage, the consequences of global involuntary and voluntary migration on the nomination of World Heritage and on expressions of cultural diversity have been little analysed – a deficiency taken into account here.

Migration movements are shown to enable and sustain the diversification of cultural expressions. This is represented by new “cross-over” cultures and has resulted in changing cultural identity. The conflicting priorities discussed in this section go beyond this issue however, also covering the political changes in Eastern Europe as it touches on the utilization of space concerning serial nominations. The triumph over time and space owing to new technologies is not least an expression of modernity. How this development can be connected with heritage is also discussed.

Part 3: Tangible and Intangible Expressions of Heritage

This section presents the diversity of cultural and religious expressions that are cutting across time and space, asking if, and how, the outstanding universal value that defines the nomination of World Heritage can be amended so that intangible cultural expressions are considered to a higher degree than in the past. This relates to historical religious practices. Also taken into consideration are rituals and customs, prayers and songs, which serve cultural necessities and are partly still practised today without being appropriately accounted for in the context of the nomination. While pilgrim routes such as the Camino de Santiago (St James Way) are represented on the World Heritage List, it must be asked whether the nomination even recognized the historical and cultural diversity that developed between these peoples. The discussion refers back to the criteria of the World Heritage Convention, as well as to the 2003 and 2005 Conventions.

An important message conveyed in this section is for more significance to be placed on the culturally diverse expressions of human life within international discourse, and for these expressions to be communicated to people of different societies through intercultural dialogue. In this respect, the aim is to practically position diversity in opposition to the uniformity of globalization.

Part 4: Political Dimensions of Heritage

This section discusses the representation of oppression and resistance in different situations while addressing the historical question if, and how, tangible and intangible expressions of power and dominion have been adequately taken into consideration in the UNESCO Conventions. The question of whether the misery produced by power structures and the violation of human rights is examined in a manner that may lead future generations to both a rational and emotional understanding of this injustice. The aim is to elaborate strategies that enable people to place

themselves into the situation of transforming experienced agony into a proactive support for human rights.

On the other hand, this section also deals with the right to existence, as well as the cultural expressions of minorities living in majority cultures that have developed through diverse historical processes. In Europe, for example, until today the culture of the Sinti and Roma peoples was discriminated against by their respective national mainstream cultures. The slave routes in Africa, across the oceans to the destinations of slaveholder societies, give an equally sad glimpse of this history. The initiatives and laws that claim retribution and compensation can however be valued positively; such as the 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, the United Nations Declaration on the Rights of Indigenous Peoples and, not least, the debate on the restitution of stolen cultural goods. The message is that oppression – from a historical viewpoint – has yielded resistance that has yet to be institutionally supported to a higher degree.

Part 5: Cultural Landscapes and Sustainable Development

The concluding section discusses how cultural diversity is to a large extent represented by cultural landscapes and the development perspectives of these landscapes in an environment threatened by human encroachments. The category of cultural landscapes was first discussed in 1992, and since 1994 more and more cultural landscapes have been listed as World Heritage sites. The forms of cultural landscapes range from landscapes designed for aesthetic reasons, from landscapes that have developed organically, to associative landscapes. Excluded from the concept of cultural landscapes are those formed by industries and industrial society, such as the post-mining landscape in the historical region of Lower Lusatia on the German/Polish border. Most particularly however, this type of landscape allows an especially deep understanding of the different layers of cultural diversity.

This section does not merely introduce cultural landscapes in the classical sense but covers geographical regions and towns as well, notably emphasizing how people destroy their own living environment.

Summary

The papers published in this collection are only facets of the broad range of topics relating to the protection of heritage and diversity. Nevertheless, they may be considered as representative of this whole complex. They can to a large extent be seen as starting points for a long-overdue debate. The responses are as diverse as the topics they derive from. It only remains to be stated that we wish for both positive and critical feedback from our readers.

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Part 1

Setting the Framework

World Heritage and Cultural Diversity: Challenges for University Education

It is a great honour for me to participate at this international conference co-organized by the UNESCO Chair in Heritage Studies at Brandenburg University of Technology and the German Commission for UNESCO, and I would like to express my deep gratitude to the organizers for extending their kind invitation to attend such an important gathering and offering such warm hospitality.

It also gives me great pleasure to attend this conference, which coincides with the tenth anniversary of the establishment of the UNESCO Chair on Cultural Heritage and the launching of its successful programme, and I want to use this unique opportunity to convey my congratulations and best wishes to my colleague and friend Marie-Theres Albert.

Having been involved for more than forty years with cultural heritage, I find it all the more difficult to present, in a relatively short time, such a complex topic as World Heritage and Cultural Diversity – Challenges for University Education.

In the very substantial working papers prepared for this international conference, all important challenges and serious issues have been brought to our attention, and since the adoption of the Convention concerning the Protection of the World Cultural and Natural Heritage on 16 November 1972, abundant literature (articles, theses, books) has been produced on the impact of this Convention in terms of safeguarding and management of our common cultural heritage.

I therefore concentrate my remarks on some major points that would help, hopefully, to widen the discussion and to make some response to challenges such as the adaptation of

university education to the relatively new paradigm of the protection of cultural and natural World Heritage.

New meaning of cultural heritage

The first point I would address relates to the new meaning of cultural heritage and the fact that this concept has considerably evolved since the meeting of the International Association of Architects in Athens in 1931. After referring to the most representative collections of works of art and of monumental remnants of cultures, as we can see in Article 1 of the UNESCO Constitutive Act, this concept of heritage was gradually extended to new categories drawn from non-artistic sectors of activity, such as industrial heritage and modern architecture, and is encompassing more recent concepts of intangible cultural heritage and cultural landscapes, not to mention specific contexts such as underwater cultural heritage.

Undoubtedly, it is with the concept of cultural and natural World Heritage developed through the 1972 UNESCO Convention that the international community has been aware of its responsibility towards a “World Heritage” that transcends, in principle, political and geographical boundaries.

It is important to note that with this new concept, the creativity and the diversity of the various peoples of the world have been formally recognized by normative international documents.

As at 2009, the World Heritage List includes 890 properties: 689 cultural, 176 natural and 25 mixed in 148 countries and the Convention has been ratified by 186 States Parties.

At the same time, we must acknowledge that the *Report of the World Commission on Culture and Development*, chaired by the former UN Secretary-General, Javier Pérez de Cuéllar, had already underlined in 1995 this larger anthropological concept of heritage, considering “that a right place should be given to diversity in the field of heritage, and that everywhere, it should

be recognized that, in this field, there are no universal recipes to be applied" (Pérez de Cuéllar, 1995).

Today, the concept of cultural heritage is an open one, which can develop new objectives and put forward new meanings as it reflects living culture rather than an ossified image of the past. Furthermore, we have become aware over recent decades, since the adoption of the 1972 Convention, that culture and nature cannot be separated in our approach to "heritage" if we are to render a true account of the diversity of cultural manifestations and expressions, and in particular those in which a close link is expressed between human beings and their natural environment.

More recently, attention has focused on the conceptualization and the designation of a complementary dimension to heritage, one that is related to its intangible dimensions. This is the result of a closer focus on the individual or/and community systems of knowledge, both spiritual and philosophical, in which people pursue their creative activities. Beyond the quest for the components of intangible cultural heritage, the concept has taught us that tangible vestiges and remains cannot be appreciated in their own right, but rather necessarily in relation to others, and through an understanding of their interactions with their physical and non-physical environment, both human and natural.

This approach should reply to the concern expressed by Marie-Theres Albert in her contribution to the Krakow International Conference held in May 2006, where she declared: "I disagree with such a one-sided view of cultural heritage and its significance. ... No building, no monuments, no historic structure and no historic site will by itself guide experiences or forms of identities. Cultural assets, however authentic or of 'universal value' – to stay with UNESCO's definitions – only become significant for the formation of identities if they are declared to be representative for convictions of today's society" (Albert, 2006).

To conclude this first point relating to the new meaning of cultural heritage, I would like to note that it is widely recognized that UNESCO has played a pioneering and historic normative role in proclaiming, from 1954 to 2005, through six Conventions, ten Recommendations and two Declarations, a comprehensive international legal framework for cultural heritage:

- 1954 – Convention for the Protection of Cultural Property in the Event of Armed Conflict (Hague Convention) with regulations for the execution of the convention as well as the Protocol and the Conference resolutions;
- 1970 – Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property;
- 1972 – Convention concerning the Protection of the World Cultural and Natural Heritage;
- 2001 – Convention on the Protection of Underwater Cultural Heritage;
- 2003 – Convention for the Safeguarding of the Intangible Cultural Heritage;
- 2005 – Convention on the Protection and Promotion of the Diversity of Cultural Expressions;
- + ten Recommendations;
- + two Declarations.

In our era of globalization, we can affirm that this globalized approach with its international legal protection of cultural heritage is contributing positively to advancing the knowledge and appreciation of the various cultures of humanity, but it is not leading to any kind of standardization or uniformity nor any hegemony of one culture over another.

Article 7 of the UNESCO Universal Declaration on Cultural Diversity recognizes cultural heritage as the wellspring of creativity, "... heritage in all its forms must be preserved, enhanced and handed on to future generations as a record of human experience and aspirations, so as to foster creativity in

all its diversity and to inspire genuine dialogue among cultures” (UNESCO, 2001).

Having briefly considered the strong link between cultural heritage and cultural diversity, although there are many more aspects that could have been developed, I would like to address a second point about the threats to cultural heritage and then why it is necessary to develop strategies for training and capacity-building as one of the responses to why and how this heritage could be protected and transmitted to future generations.

Increasing threats to cultural heritage

Cultural heritage has therefore become a more complex reality that is all the more fragile and threatened as we become increasingly conscious of the part it plays in the life and development of societies.

The Values and Heritage Conservation Research Report published by the Getty Conservation Institute in 2000 notes that: “... in the current climate of globalization, technological advancement, population mobility, and the spread of participatory democracies and market economies, it has become quite clear to the broad conservation community that these and other societal trends are profoundly and rapidly changing cultures and communities. The future challenges of the conservation field will stem not only from heritage objects and sites themselves but from the contexts in which society embeds them” (Avrami et al., 2000, pp. 3–4).

Furthermore, since the end of the Second World War, smaller-scale conflicts have expanded in various parts of the world and cultural heritage has increasingly become a target, with a clear aim of attacking the symbols of culture and destroying a people's identity. This destruction can often lead the international community to react.

In the wake of the destruction of cultural heritage during the Second World War, the international community responded with the UNESCO 1954 Hague Convention. Since then, the nature of warfare has changed, with conflicts becoming less a matter of external belligerents and more one of internal conflicts. During these internal conflicts, warring parties often specifically target cultural heritage.

The Second Protocol of the 1954 Hague Convention, adopted in 1999, was written to address in particular this changing nature of conflicts. The international community for its part must continue to identify proper mechanisms to respond to the growing demand for the preservation of heritage badly damaged during such conflicts.

Brigadier General Wolfgang Peischel, Austrian Bundesheer, said at a meeting at The Hague, 25 March 2009: “Lessons learned from the early KFOR deployment stage showed that cultural properties often turn out to be the ultimate backing and identity-founding symbol, the last expression of self assertion of people who lost almost everything in a perpetuated act of violence and ethnic cleansing” (Peischel, 2009).

UNESCO is the sole UN agency whose mandate includes the protection of cultural heritage and whose coordination role has been included in the United Nations Development Group appeal mechanism for the reconstruction of post-conflict countries launched by the UN Secretary-General.

This was the case in the following selected examples where I have been personally involved as a UNESCO staff member.

Viet Nam

After the war, UNESCO organized the first international seminar on the protection of cultural heritage, held in Hanoi and then Hué in 1993. This was the start of a long-term programme of rehabilitation of the old city of Hué and the preparation of files for

inscription of sites such as Ha Long Bay, Hoi An Ancient Town and My Son Sanctuary, all affected during the period of war.

Iraq – Islamic Republic of Iran

After the war between the two countries, UNESCO sent a fact-finding mission to assess the damage along the borders of but also in the historic centres of Baghdad and Esfahan, which had been affected by exploding missiles.

Cambodia

The first intergovernmental conference on safeguarding the Angkor site inscribed on the World Heritage List and at the same time on the World Heritage List in Danger in 1992 was organized by Japan in 1993 and UNESCO created an International Coordinating Committee for the safeguarding and the development of Angkor. It is still active and quite successful.

Bosnia and Herzegovina

Annex 7 of the 1995 Dayton Peace Agreement entrusted UNESCO to organize regular meetings between the representatives of the three communities for the establishment of a common list of their cultural heritage. Subsequently, UNESCO was involved in the rehabilitation of the Old City of Mostar and the reconstruction of its medieval bridge that had been deliberately destroyed.

Croatia

UNESCO sent a technical mission to Vukovar for the situation on the city museum and discussions with the Serbian authorities on the restitution of objects at the end of the conflict. The rehabilitation and reconstruction of the Old City of Dubrovnik was also undertaken with UNESCO assistance.

Ethiopia – Eritrea

During the conflict between these two countries, the archaeological stela of Matara, situated near the borders, was destroyed by bombing. A UNESCO mission was sent to assess the damage and restore the stela.

Afghanistan

After the looting and destruction of the National Museum of Kabul and the criminal destruction of the Buddhas in Bamiyan Valley, an international seminar was organized by UNESCO in April 2002 in view of the reconstruction of the National Museum and the protection of the Bamiyan site, which was simultaneously inscribed on the World Heritage List and the Danger List.

Iraq

UNESCO conducted two missions following the war against Iraq, the first in May 2003 and later in July 2003, in order to assess the situation of the badly looted Iraqi Museum (more than 15,000 objects were stolen) and the damage perpetrated in major archaeological sites of the country (Babylon, Umma, Nineveh, Ashur, Ur, etc.) and regional museums. Since then, thanks to international cooperation efforts, the Iraqi Museum has been restructured and about 4,000 objects returned.

Lebanon

Following the conflict in summer 2006 and the bombing of several cities, a UNESCO mission was sent to Lebanon in order to prepare an assessment report on the country's World Heritage sites. Except for the archaeological site of the old harbour of Byblos, which was hit by an oil spill from the destruction of a power station, the other World Heritage sites did not suffer major damage.

Jerusalem

Since the harsh winter of 2005, which had an impact on the Mughrabi ascent that leads to the Esplanade of the Mosques, and following the excavations undertaken by the Israel Antiquities Authority, a crisis developed. New projects for access have been discussed between the Israeli authorities and the Jordanians with the participation of UNESCO World Heritage Centre and the Advisory Bodies the International Council on Monuments and Sites (ICOMOS) and the International Centre for the Study of the Preservation and Restoration of Cultural Property (ICCROM).

Conflicts affecting cultural heritage are unfortunately not the only threats. In 2000, the president of ICOMOS, Michael Petzet, took the initiative to regularly publish reports on *Heritage at Risk*, presenting the “global trends” affecting heritage, such as the changing balance between public values and private interests, the accelerated rate and greater scale of destruction and the lack of human, financial and professional resources. To name but a few:

- Archaeological sites and harmonious cultural landscapes have been torn down by unprecedented civil engineering projects (dams, roads, etc.);
- Uncontrolled industrialization and unplanned urban growth have been at the origin of irreparable damage;
- Air pollution has badly damaged limestone, especially marble, which had remained intact for centuries.

Many risks from natural hazards are catastrophic for cultural heritage, which is particularly vulnerable to the consequences of climate change and global warming, for which human beings are largely responsible. Recent events such as tsunamis, repeated flooding, hurricanes and destructive earthquakes bear witness to spectacular and dramatic destruction. One of the latest examples is the L'Aquila earthquake in Italy.

With this in mind, I want to address the third point of my presentation on the challenges for adequate preservation and management of cultural heritage and what should be the role of education in universities.

Challenges of education for cultural heritage

The protection of cultural heritage, its presentation and transmission to future generations, are therefore considered today as ethical imperatives, inseparable from the respect for the dignity of the individual and the “desire to live together” on the part of peoples and communities with different cultural identities. Human rights and fundamental freedoms, and in particular access to education, allow us to exercise, within a democratic

context, our individual as well as our collective responsibility linked to our attachment to our cultural heritage.

As my colleague Mechtild Rössler recalls in a paper on the training of heritage professionals in the framework of the World Heritage Convention: “Article 5 of this legal instrument asks the States Parties to give the Convention a function in the life of the communities and how could this be achieved without awareness raising and capacity building of professionals in long term heritage conservation, protection and management. It calls specifically for the establishment of specialized institutions by the national authorities” (Rössler, 2007, p. 38).

The inventory, protection and conservation, as well as the presentation of immovable heritage, require professional knowledge with specialized skills in a large range of disciplines, such as history, history of art, archaeology, anthropology, architecture, civil engineering, biology, chemistry and physics, economics, sociology, legislation, administrative and management sciences.

It is important to recall, at this stage at the end of the 1970s, that there were not many specialized educational institutions capable of delivering a training programme with a curriculum adapted to the protection and management of this new form of cultural heritage qualified as World Heritage. At the time there were very few specialized institutions, and those that did exist were mainly located in Europe and North America.

ICCROM was the only international intergovernmental centre set up by UNESCO in 1956, following a resolution of the General Assembly held in New Delhi (India), with the following mandate embodying the following statutory functions: information and documentation; research; technical assistance and cooperation; training; communication and awareness. My colleague and special advisor, Jukka Jokilehto, who is currently in charge of writing a history of ICCROM, underlines that:

"... in the programmes of the Organization, a particular emphasis has been given to training and education. Different forms of training have included a series of international courses, organized since the early 1960s, which have established a basic reference for the organization of training programmes in Member States, as well as providing specialized education for mid-career professionals responsible for the conservation of historic sites and collections" (Jokilehto, 1995, p. 41).

During the last thirty years a large number of study courses and training centres have been established in various parts of the world, generally linked with existing academic structures. But the gap between Europe and North America and the Asian and African continents still remains considerable.

In 1995, the ICOMOS-CIF Training Committee organized a seminar on Training – Needs and Ethics in Helsinki (Finland), which proposed strategic guidelines for future action. During the discussion on conservation ethics, reference was made to the Nara Conference on Authenticity in relation to the World Heritage Convention and special attention was given to develop conservation training programmes taking into account cultural and heritage diversity.

ICOMOS has emphasized that conservation must make use of a variety of technologies and "that it is possible to safeguard a part of the immovable cultural heritage with simple and effective means and technologies within the scope of local labour, in as much as traditional techniques have survived or have been reintroduced" (ICOMOS, 1995).

It therefore recommended: "... that the public authorities avoid launching preservation projects employing high level technology without having explored all possibilities of using local methods. The authorities should encourage the establishment of research laboratories on the technologies suited to the specific problems of the country. These research laboratories would have the task

of defining the nature of the practices which ensure the authenticity of each heritage. This research could also be applied in contemporary architecture for it could well result in the rediscovery of an architectural vocabulary specific to the culture" (ICOMOS, 1995).

These important considerations should be carefully studied when preparing strategies for training courses whether they are for long or short duration. Furthermore, academic programmes should always be linked with practitioners, and space should be given to non-formal education, which still constitutes an important part of the transmission of knowledge and *savoir-faire* transmitted by "traditional masters", for example in earth architecture or wooden constructions.

A rapid review of the very well-documented *Training Strategies for World Heritage Management*, edited by Marie-Theres Albert et al. (2007) shows that what we have in hand is a good illustration of the rapid development of various institutions and programmes dealing with this subject.

As a follow-up to recommendations requiring establishment of a world network of training centres as well as the creation of national and regional institutes, I would like to mention a programme that I launched when in charge of UNESCO's Division of Cultural Heritage, in collaboration with the Polytechnic University of Valencia (Spain), putting in place in 1995 the network Forum UNESCO – University and Heritage. The first meeting of this network, which is now quite successful and linked to the World Heritage Centre, took place first in Valencia in 1996, then Quebec (Canada) in 1997, Melbourne (Australia) 1998, and Ifrane-Al Akhawayn (Morocco) in 1999.

I also organized a meeting at UNESCO Headquarters with ninety-five vice-chancellors and presidents of universities in June 1999. On that occasion, they decided to ensure the ethical and voluntary commitment of their universities on behalf of their

national heritage as well as the heritage of humanity, to activate the role of universities in the protection and enhancement of heritage in conjunction with ICOMOS, the International Council of Museums (ICOM), ICCROM, the Council of Europe, the International Federation of Landscape Architects, the World Monuments Fund and the International Association of Universities.

A new trend has been developing in recent years with the establishment of UNESCO Category II Centres, in particular the follow-up of activities relating to appropriate training in order to ensure the required monitoring, periodic reporting, preparation of indicative lists and files for proposed inscription of sites on the World Heritage List. It is clearly a reply to concerns expressed at regional level for better training for capacity-building.

One of these centres has already been in operation in China since 2008, the World Heritage Institute for Training and Research for Asia/Pacific (WHITR/AP) at Beijing Shinghua and Shanghai Tongji universities. ICCROM is partner of this centre for the training courses offered to architects.

Other centres are in the pipeline, such as the Regional Centre for Arab Countries to be created in the Kingdom of Bahrain, after the agreement given by the Executive Board of UNESCO in spring 2009, and by Resolution of the General Conference at its Session in October 2009 (17 October 2009). Similarly, a regional Centre for Latin America has also been opened in Rio de Janeiro (Brazil).

I would like to conclude by apologizing for having addressed too briefly some issues which should be more thoroughly analysed and discussed, but I am sure that the work in following days will rectify that in the debate on this very important subject that is bringing us together in this prestigious university.

We have at the beginning of the twenty-first century the unique opportunity to enjoy our common human heritage in its world-

wide diversity, to appreciate it, and to do our best to reinforce the international obligation of collective solidarity to safeguard it.

The challenge is to reconcile universality and identity in our approach to World Heritage, both in practical as well as philosophical terms. Today we are all faced with this new challenge: to make diversity of heritage an instrument for dialogue and understanding.

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UNESCO's World Heritage Programme – Reasons for its Popularity

In 1993, the name “UNESCO” appeared 5,251 times in German newspapers, but only 1,136 articles mentioned the World Heritage programme! Ten years later, in 2003, World Heritage alone was mentioned 8,803 times out of 14,000 articles relating to UNESCO. This in absolute numbers of articles. In relation to all UNESCO-related articles, the World Heritage part grew from 21 per cent to 63 per cent!

These numbers show that the World Heritage programme is a success. Not only because until 2009 890 sites were inscribed on the World Heritage list, and not only because 186 states have signed the Convention: The World Heritage programme is first of all a success story because of its great popularity. That means it is better known, accepted and supported by the people of the world than any other UNESCO programme.

Why is the World Heritage programme the most popular UNESCO programme among journalists, among politicians, among “normal” people? What is the key to, what are the reasons for, that success? What is the secret of its vitality?

From whichever angle you look at it – and this publication which is one of the outcomes of the international conference World Heritage and Cultural Diversity – Challenges for University Education, held 23–25 October 2009 in Cottbus on the occasion of the 10th anniversary of the World Heritage Master's programme, is the best example – World Heritage becomes more and more interesting the closer you get to it. Be it migration, conflict, intangible values, landscapes, sustainability – all these conference topics give rise to new ideas and animated discussions, to new questions, new findings and new perspectives. The World Heritage programme is the

most stimulating UNESCO programme. Journalists would say: “It is the sexiest!”

Why?

The answer is as evident as it is simple: World Heritage touches the daily life of human beings, and at the same time it connects them and their daily life with universal questions, thus illustrating *la condition humaine*.

A few months ago, nearly every morning one could hear numerous radio programmes commemorating the famous Woodstock festival of forty years ago. One of the songs at this festival was sung by Roger Daltrey from The Who, a song from the rock opera *Tommy*: “See me, feel me, touch me, heal me”, repeated over and over.

One day, when I arrived at my office, I still had this music in my mind. And while I was reading the first e-mails of the day with the regular questions, lamentations, criticisms concerning World Heritage – I was sure: That's it! People see it, people feel it, they can touch it! And sometimes, they want to heal it.

“See me!” People see it. World Heritage is visible! Academically speaking: World Heritage is cognitively perceptible.

“Feel me!” World Heritage is also and always intangible heritage. People are moved by it: The Cathedral of Cologne is more than a huge building; the old town of Regensburg is more than an ensemble of buildings. For my older neighbours and my family in Cologne, the cathedral is associated with their remembered experiences. My mother's generation for example links their survival of the Second World War with the survival of Cologne Cathedral. It is part of their “identity”, of their memory. It makes them feel good to see it during the day. People are proud of their town, their cathedral, their monastery, their landscape, etc.

"Touch me!" World Heritage is physical. It is part of the urban landscape, of the daily way to work, of urban planning procedures, of local politics.

Because of all these attributes World Heritage is an outstanding subject for participation in social life. People have compassion. "Heal me!" Sometimes they try to "heal" it. People hear and talk about it in public and private discussions. World Heritage is part of public awareness, it appears in the media. And thus, it is part of a broader notion of lifelong learning, of education, of civilizing individuals and societies.

This sensual vitality of World Heritage proves that it is the opposite of stagnation or musealization. Vitality is a precondition of World Heritage's success. Nobody wants or should want to put the sites under a "glass dome". Conservation means management of change: in this sense, World Heritage sites safeguard the past, but they are not at all a synonym of stagnation.

All these cognitive, spiritual, physical and participative attributes contribute to and are the reasons for the worldwide reputation of the World Heritage programme. This reputation, on the other hand, engenders commercial, financial, and economic advantages – connected with tourism and also with privileged financing supported by public awareness.

The power of tourism can be very strong. Tourism and marketing alone are sometimes the "hidden agenda" behind the commitment of some stakeholders to World Heritage. But commercial and economic aspects are only in the second rank as sources of international interest and international commitment.

The interplay and the interaction of inherent sensual vitality and this international reputation are essential. The inherent attributes merge with the aspect of universality. World Heritage sites are part of an international network. Through UNESCO's World Heritage programme the abstractly well-known "globalization"

comes to people's home towns and homes. It is the positive side of globalization: challenges in the shape of cultural diversity, as spiritual values and artistic wealth.

But sometimes this same globalization arrives at a higher level of debate, in a hotter "state of matter" – as in cases of conflict: Then international experts appear and "foreigners" intervene in local affairs, international media reach an international public, and international publicity (good or bad) is the consequence. Everything gets more global, more universal and less familiar or intimate, and also less provincial or narrow minded. Just as during the Olympic Games, comparisons are made, concurrency acquires a higher level and greater intensity. And it is very easy on these occasions to distinguish the cosmopolitans from the partisans of Freud's "narcissism of small differences".

The conclusion is that UNESCO's World Heritage programme means international cultural policy with locally rooted attributes and contributions. It means "act locally, think globally". Thus, this programme is of great importance in educating people to become global citizens.

The imperative "act locally, but think globally" is nothing less than another version of Kant's famous imperative complemented by a diachronic dimension. Sustainability is defined as a "development that meets the needs of the present without compromising the ability of future generations to meet their own needs". This goal of sustainability is inherent to the notion of heritage.

There is no serious heritage without sustainability. Responsible treatment and management of World Heritage is identical to acting sustainably. Learning and teaching World Heritage studies – such as the World Heritage Master's programme in Cottbus – therefore means learning and teaching civilization and global citizenship, safeguarding and protecting our wealth, our knowledge, our capacities, our wisdom and our cultural diversity for the generation living now, and for future generations.

The topics of this conference are nothing less than a few hotspots or focal points of this evidence: flight, migration, symbiotics, adaption, will never stop. On the contrary, it is evident that they will increase, intensify and become more and more complicated in a world that overcomes all limits of time and space.

Our memory of past errors and successes will be necessary in conflict and post-conflict situations. The perception of diversity and of human rights will be in the core zones of these conflicts and in every multilateral matter of policy.

The intangible values, the invisible aspects of what we can see and touch will also become more and more important for civilization – which is only another word for a worldwide “training in good behaviour and social manners” – to enable us to live in respect and solidarity with the rest of mankind.

Last but not least: the sustainable use not only of landscapes, but of all our physical and cultural resources is already, here and now, the precondition of the survival of mankind. “We have not inherited this earth from our forefathers but borrowed it from future generations”.

“See it! Feel it! Touch it! Heal it!” Congratulations on the fourth publication based on the first ten years of hundreds of BTU World Heritage Studies at Cottbus – and congratulations on the very captivating conference which formed the background to it. As my Korean colleague would say: “Kadja – let's go ahead!”

On the Future of the World Heritage Convention

Background, documents and decisions¹

The World Heritage Convention, the flagship programme of UNESCO, is considered one of the most successful international instruments for the conservation of heritage sites. The success demonstrates its almost universal membership (186 out of 193 current Member States of UNESCO are States Parties to the Convention) and the large number of listed properties under its protection (890 in 148 countries as of June 2009). The Convention is approaching two important milestones: forty years since it came into force in 1972 and the inscription of the 1,000th property on the World Heritage List.

At its 32nd session (Quebec City, 2008), the World Heritage Committee decided, in view of the approaching 40th anniversary and the potential inscription of the World Heritage List, to convene a Reflection Workshop on the future of the Convention. To prepare the workshop, States Parties were asked to reflect on a number of issues and questions (WHC-08/32.COM/INF.10).

To maintain the credibility of the List was a key point. Leading questions were whether there is a desirable limit to the number of properties inscribed in order to maintain the credibility and value of the “brand”; how could the capacity of the Convention be increased to ensure the effective conservation of inscribed properties; if increasingly complex properties, such as serial national and serial multinational properties, need new concepts; and should properties already inscribed be reviewed and reassessed to ensure that they meet the evolving approaches and policies expressed by the Committee.

In addition, States Parties were asked to address the emerging gap between resources and needs of the World Heritage Centre and the Advisory Bodies and to respond to the questions of how the Committee could more strategically determine priorities for limited funds; how financial, technical and organizational resources could be strengthened; and how internal processes could be made more efficient.

The Committee has to find ways to deal effectively with an ever-increasing volume of work while it is important to ensure that sufficient attention is given to policy and strategic issues. States Parties were asked what mechanisms were available to alleviate the Committee's workload, whether existing governance arrangements continue to meet changing needs, and if time should be explicitly set aside for considering policy and strategic issues.

Under the forty-four written submissions from States Parties are some remarkable reflections, ideas and proposals. Because of time restrictions, only a few are highlighted. To slow down the rate of new inscriptions, a time limit between inscriptions from each State Party and a further reduction of the number of nominations for inscription each year were recommended. For maintaining the credibility of the List the assessment of the current List with the focus on how outstanding universal value is captured and a clearer definition, applicable to all regions, was proposed. Two remarkable answers concerning the application of the Global Strategy for a Representative, Balanced and Credible World Heritage List to conservation, sustainability and capacity-building and to reinforce Advisory Body capacities to continue thematic studies and gap analyse the question of re-examining the Global Strategy. The advice to explore contributions of multinational serial nominations and to rationalize similar properties addressed the imbalance between categories and

¹All the relevant documents are available online (<http://whc.unesco.org/en/futureoftheconvention>).

property types. Concerning geographical imbalances in the List, States Parties recommended helping developing countries to improve heritage capacity through training, technical assistance, and participation in missions, expert group meetings and Committee sessions and to limit the number of properties from individual States Parties.

Proposals for new funding sources were to introduce a “user pays” system, such as a processing and administrative fee to be paid by a State Party for each property inscribed and to require that a percentage of increased income due to inscription is paid to the Fund. Recommendations concerning the conservation requirements of States Parties were to develop guidance manuals on what inscription means, addressing basic concepts, mechanisms, criteria, standards and procedures and to strengthen the implementation of Article 5 of the Convention, on the protection, conservation and preservation of properties. According to some States Parties, the nomination and monitoring of properties by category or theme, rather than region, would allow better references for discussion and summary statement of each. Even the implementation of strategic measures to select properties for reactive monitoring would improve the prioritization of material going before the Committee. Moreover, recommendations were made to ensure the dominant presence of technical experts on delegations and to enable a greater contribution from expert observers to Committee debates in order to increase expert and balanced representation.

On the basis of these written submissions, the key themes of the workshop addressed the values, messages and image of the Convention, conservation and sustainable development and the World Heritage System. At its 33rd session (Seville, 2009), the World Heritage Committee set up a Consultative Body with a specific mandate to review the outcome of the Quebec workshop, to formulate its recommendations thereon and to report back to the Committee at its plenary session (WHC-09/33.COM/14.A2). The decision adopted by the Committee highlighted the need to develop an overall strategic plan to guide the implementation of

the Convention over the next decade and identified some high-priority short- to medium-term activities on which action needs to be taken immediately. These include developing an inclusive plan of action to increase community awareness and engagement; exploring creative approaches, including through the Tentative List process, which might reduce the number of properties that experience significant problems; and drawing up recommendations to assist States Parties to respond effectively to the range of problems experienced by inscribed properties.

The General Assembly of States Parties to the World Heritage Convention at its 17th session (Paris, 2009), having examined the relevant information, called upon States Parties to cooperate in continuing the process of reflection on the future of the World Heritage Convention, addressing *inter alia* the following important topics (WHC-09/17.GA/10):

- The relationship between the World Heritage Convention, conservation and sustainable development;
- The credibility of the public image of the Convention, awareness-raising and community involvement in its implementation;
- Capacity-building for States Parties, particularly for developing countries and other stakeholders, to implement the Convention;
- Strategic management and the Global Strategy for a Credible, Representative and Balanced World Heritage List;
- The efficiency and transparency of decision-making of the statutory organs of the Convention;
- Working relationships with other relevant Conventions and UNESCO programmes.

Documents and decisions on the future of the Committee and the General Assembly underline that the future of the Convention is a challenge for university education as part of the World Heritage system. The system needs brilliant concepts, experts, highly educated managers and a committed younger generation to ensure

the future of the Convention, the management and conservation of World Heritage sites. University education has a key function, but only a few universities try to meet this requirement. Many study programmes concern the preservation of monuments, but an ideal complement to these is a Master's degree in World Heritage Studies, including courses in international law and site management.

Development of World Heritage Studies in University Education

When I began my university career in Australia in the late 1960s there were no heritage programmes; indeed, there was no heritage legislation in Australia until 1974. That is not to say there was no heritage conservation taking place, but it was done by private organizations, such as the National Trust, and private individuals rather than as the result of government policy and programmes. Architects wanting to develop their skills and understanding in the conservation field were forced to go to Derek Linstrum's course at the English University of York or to ICCROM in Rome.

Enormous changes have occurred in the ensuing forty years internationally and within Australia; I have been part of them and hope I have made a small contribution to shaping them in sensible ways. Today, heritage conservation courses are found in most Australian state capital cities and two in the national capital, Canberra. The nature of these course offerings has altered significantly over time. The first course I developed and taught was about architectural and urban conservation and was mostly for planners. The Master of Cultural Heritage course I developed at Deakin University in the late 1990s has several foci: collections and museums; heritage places, widened to include cultural landscapes, shared heritage and World Heritage; and intangible heritage.

Changing conception of heritage

This move from a narrow to a broader view of what constitutes cultural heritage reflected the shifts in philosophical debates and practice over that period, in UNESCO, ICOMOS and ICCROM internationally, as well as within many countries around the world. It is now well understood that our conception of heritage has changed in that time from monuments, sites and related

artefacts, to precincts, historic urban centres, whole towns and villages, cultural landscapes and historic urban landscapes, associative values and intangible heritage – the talents embodied in people, such as artistic skills in dance, music and painting, or skills in language, or craft and construction skills. Initially this meant the creation of a series of specialist courses, some dealing with the conservation of monuments and sites and drawing heavily on the archaeology and architecture disciplines, others focusing on science- and laboratory-based materials conservation, and yet others on museology or public history. It also led to the emergence of a strong research agenda of theoretical and practical importance.

In the 1980s and 1990s, heritage conservation education shifted from technical restoration to focus on broader planning and management issues, often connected to economic development through tourism. In the last fifteen years, the increasingly holistic conception of heritage has led to new multidisciplinary courses drawing many of these specialist interests together. Indeed, in some countries, heritage studies has emerged as a new interdisciplinary area in its own right, bringing together history and geography, architecture and archaeology, economics and town planning, anthropology, art history and museum studies. It was also recognized that wide variations exist in the way heritage is understood from one world region to another, from one culture to another, and that this is another element in the world's rich and creative cultural diversity. The 1994 international conference held in Nara (Japan), was a turning point in this regard, culminating in the Nara Document on Authenticity that gave legitimacy to conservation philosophy and practice that differed from the European approach that had previously prevailed. It marked a radical shift towards achieving greater parity between cultures and empowering local people to play a meaningful role in heritage identification and protection.

The trend towards involving local communities in the implementation of the World Heritage Convention has strengthened

during the present decade, as seen in Decision 31 COM 13B taken at the 31st session of the World Heritage Committee in Christchurch in 2007 to add a fifth “C” – Community – to the first four, Credibility, Conservation, Capacity-building and Communication, which had been adopted in the Budapest Declaration of 2002. This shift has also been reflected in teaching and research in a number of university courses where heritage is understood as being produced through socio-political processes reflecting society's power structures. For Laurajane Smith (2006), for example, there is an Authorized Heritage Discourse that effectively creates “heritage”, establishes what its value is and how it should be managed. This approach has produced a rich stream of research and teaching in universities, shifting the locus of heritage studies into the social sciences. While we may continue to agree that the conservation of heritage for future generations to enjoy is our primary purpose, we can no longer ignore the political character of heritage. It means that while there remains a very clear need to produce graduates with practical architectural conservation expertise, heritage planning and management skills, the social sciences can add skills for analysing the social, political and economic context and for negotiating heritage conservation outcomes in situations where the identification, evaluation and interpretation of heritage items is contested between various groups within the community.

Thus, increasingly heritage is seen not simply as a reflection of the world's rich and creative diversity but as the very underpinning of the cultural identity of people and its maintenance is considered a basic human right. In other words, heritage conservation can no longer be seen just as a technical issue; it always involves fundamental philosophical and ethical questions and these must be incorporated into heritage courses in universities: Why are we doing it? Who for? Who said? Are the local people whose heritage is being “protected” involved? How does it fit with other human rights? How does it fit with sustainability? Books dealing with the links between cultural diversity, heritage and human rights are now becoming available to support the

teaching of these issues (see, for example, Silverman and Fairchild, 2007; Langfield et al., 2010).

Cultural diversity

Today many people are concerned that this rich cultural diversity is under threat. The forces of globalization are said to be sweeping the world, undermining local cultures and imposing a degree of uniformity, of blandness. Although the picture is in fact much more complex than a simple “Westernization” (or “Americanization” via Hollywood and the music industry), there are some reasons for anxiety (Logan, 2002a). The protection of variety in the world is important and becoming increasingly urgent.

Other commentators, however, have noted that since the end of the Cold War, there has been an upsurge in small and localized conflicts, mostly provoked by cultural differences. Think of the Balkans conflicts, Timor, Chechnya, Georgia and so on. Samuel P. Huntington's “clash of civilizations” (1996) is conflict based on cultural difference at its most extreme. World politics, he says, is entering a new phase, in which the great divisions among humanity and the dominating source of international conflict will be cultural. People seeing the world this way may well call for less cultural diversity, rather than its protection. I personally would agree that some manifestations of “heritage” deserve to be forgotten today, just as the American slave trade, Chinese foot-binding and Indian suttee have been left behind in the past.

Another criticism directed at the concept of “heritage” is that it is history distorted by governments and political elites for ideological purposes (Hobsbawm, 1997, p. 5). This is of course true – all governments use particular, often mythical representations of the nation's history to create a sense of national identity. Heritage, used in this way, can be dangerous, a major cause of conflict – indeed of war and genocide.

Thus there are good aspects of heritage and bad. Dilemmas such as these make heritage studies an important and

challenging subject for a university to focus on. How do we decide which elements of heritage are worth protecting? Part of the answer lies in finding out what the community wants. But what if the community – local, regional, or global – is divided on such matters? Another part of the answer then lies in having recourse to notions of universal values, such as those espoused by the United Nations and UNESCO in its various international Charters and Conventions. The right to maintain particular forms of cultural heritage does not override the more fundamental human rights such as women's rights, or the rights of children to be children rather than young labourers or soldiers.

World Heritage and the spirit of UNESCO

UNESCO was established in 1945 and was – and to an extent necessarily remains – a creature of its time, a modernist creation (Logan, 2002*b*). The key actor in the distinctive new chapter that the twentieth century brought to cultural heritage protection was the establishment of a globalized effort over and above the work of nation-states. This entailed a new cultural heritage bureaucracy on an international level, the development of new sets of “universal” standards, and a new set of places deemed to be of World Heritage significance. All of this was done in the spirit of goodwill and optimism that infused the modern movement and that made possible the establishment of the so-called Bretton Woods organizations such as the United Nations, as well as the parallel organization specifically dealing with cultural heritage, UNESCO, and its subsequently established specialized agencies, ICOMOS, ICOM and ICCROM.

In recent decades cultural relativists have challenged the drive towards uniformity implicit in the global activities of the modernist organizations, and various parts of the world have reacted against aspects of the global cultural heritage approach. The Venice Charter, for example, is no longer regarded as the single, universal way to conserve heritage places. It has been supplemented in large parts of the world by alternatives and modifications such as the Nara Document and Burra Charter. But if it

is no longer acceptable to provide a universal answer to the question of how we identify, evaluate and save heritage, the challenge of the twenty-first century is to make the most of the complexity of standards that now exists. The philosophy behind the global effort to protect World Heritage and the processes of identifying, conserving and managing World Heritage attempt to deal with the issues and orientations. This is especially seen in the *Operational Guidelines for the Implementation of the World Heritage Convention*, which, unlike the Venice Charter, have been revised or expanded eighteen times since they were first promulgated in 1977.

If UNESCO and its World Heritage Centre have responded to these changing times, so too must university courses. The issues being dealt with in the World Heritage system are fraught and they provide wonderful material with which to educate students in the collection and analysis of data and in listening to and weighing up multiple views of the world. “World Heritage” is a mental construct; the outstanding universal values that are protected are simply subjective values, with all the complexity that this entails. The focus of World Heritage, at least as the States Parties to the Convention see it, is on celebration and commemoration with a strong emphasis on achieving economic advantages through tourism and political status through having their heritage recognized internationally. Judging by much of the self-interested political bargaining that surrounds World Heritage Committee sessions, it seems that the system is losing its universalist objectives.

Indeed, it might be useful to remind the Member States of the founding Constitution of UNESCO, the basis of all UNESCO's activities, and certainly students in university courses should reflect on it. For the central notion, although the Constitution drafters make the point less explicitly than we might do now, is that maintenance of cultural diversity is a basic human right. This is the key idea in the Preamble when it talks about war being made in the minds of men: that is, cultural difference is often the cause of, or at least the excuse for conflict; when people meet other people

who have different cultures they tend to regard them as alien and a threat, and this can lead to tension, conflict, war, genocide and ethnic cleansing. The Preamble goes on to say that it is therefore in the minds of men that we need to build bridges to peace. We need cross-cultural dialogue to create greater understanding, tolerance and empathy between cultures. The need for intercultural understanding and tolerance is clearly as urgent today as it was sixty years ago when the Constitution was adopted.

The World Heritage Convention then seeks to protect key heritage sites as reflections of diverse cultural identities. If it is accepted that the diversity of cultural identities is important, it can be logically argued that the way we go about this should also be culturally diverse. This is essentially the key new idea in the Nara Document on Authenticity. The *Operational Guidelines* have therefore a difficult balancing act to accomplish – to set some rules and minimum standards for protecting World Heritage sites while allowing for cultural diversity at the same time. They attempt to convey the spirit of the UNESCO Constitution – to achieve more effective intercultural dialogue – but this is somewhat lost in procedures, protocols and politics. This is indeed a very post-modern dilemma.

The way UNESCO has programmed its heritage work shows a widening conception of heritage but the various aspects have tended to be separated organizationally, making it hard to see the holistic nature of heritage. The international campaigns for the protection of the heritage of mankind were largely technical, while World Heritage is largely management, the conservation works themselves being undertaken by the States Parties. At least these two programmes have been integrated into the World Heritage Centre in recent years. The Memory of the World programme meanwhile deals with archives and library collections, while museums are left a little to one side, although the International Council of Museums (ICOM) has been housed within the UNESCO grounds (Miollis campus) for several decades. Intangible heritage, which has always had a place in the World

Heritage Convention, now has its own Convention (2003). Cultural expressions and cultural industries also have their own Convention (2005) and programmes are still in their infancy.

It is often said that the World Heritage Convention is the most popular, if not the most successful of the UNESCO Conventions. Certainly it now has almost universal acceptance, with 186 countries ratifying it and becoming States Parties to the Convention – but the World Heritage system is not without its problems. As suggested above, the Convention's popularity is partly for the wrong reasons. Where is the World Heritage system going? Is it in danger of losing sight of the spirit of UNESCO and turning into the cultural heritage equivalent of the Olympic Games? Is the focus on World Heritage detrimental, in many countries, to the rest of the heritage? As the World Heritage List moves towards having 1,000 entries, are we now starting to see places nominated that are merely the top of the national heritage list rather than having clearly identifiable outstanding universal value? Is the agenda becoming dominated by national and nationalist interests rather than focusing on achieving more and better intercultural dialogue?

World Heritage education

It is clear that there are many complex and fascinating questions on which to build an intellectually challenging university course. I have some concern about focusing too narrowly on World Heritage and at my university we have chosen to embed it within a more general approach to heritage that covers world, national, state/provincial and local levels. Nevertheless in terms of World Heritage education, the *goals* should be:

- To support the spirit of the UNESCO Constitution as a key element of the course's philosophical and ethical basis;
- To offer an impartial critique of established trends, policies and processes, making use of independent thinking based on the best information and methods available;
- To reconsider policy directions and develop relevant and positive policy responses to problem issues;

- To identify, develop and teach best practice, which includes promoting a multidisciplinary range of skills (technical restoration, materials conservation, interpretation strategies, site and museum visitor management, intangible, etc.) and which is taught through coursework and research (Master's with minor theses, PhD by thesis or with major thesis);
- To consider and monitor impacts on local communities;
- To transmit effectively the conservation ethos (message) to all stakeholders, not just to the authorities but to all those affected by heritage decisions.

I adhere to a liberal view of the university and its purpose. It is not a place that primarily serves the market or any particular branch of industry. That is what a R&D programme does and industries should be doing this anyway. There is an important distinction to be made between education and training. University education should be broad, questioning, liberating and improving. With regard to World Heritage, university teachers are not trainers seeking merely to serve the needs of the World Heritage system. Of course there is a necessity to do some of this and perhaps some training institutions can specialize, but as university educators, while we provide technical expertise, we have also to engage our students in the larger philosophical concerns and to inculcate in them an appreciation of ethical responsibility.

University courses should return to the spirit of the UNESCO Constitution and focus on the critical interconnection between cultural diversity, the right to maintain diversity, the need for intercultural dialogue and understanding, and the achievement of greater tolerance and, ultimately, peace. We need to consider how we can make the heritage systems around the world, not just the World Heritage system, work to this end. It is good but not enough to have people of different cultures sitting in the same room, on the same committee, following the same *Operational Guidelines* or, in universities, taking the same course syllabus and examinations. Perhaps we need to be advocating changes to the system, such as giving priority to new World

Heritage inscriptions that say something about sharing heritage or that find ways to interpret sites in more cross-culturally sensitive ways, telling various sides of the story or highlighting messages of reconciliation.

In a conference here at BTU Cottbus in 2006 I was also asked to discuss heritage education in universities (Logan, 2007). I began by arguing that universities have a responsibility to deal with these challenging issues and that their heritage courses should be as holistic and multidisciplinary, if not interdisciplinary, as possible. But they should also be responsive to student needs and interests as well as maintaining active links with the "heritage industry". These aims are often made difficult by the universities themselves, as when faculty structures get in the way of bringing all the heritage elements together into a single unit or programme. There are tensions, too, between the pressures on course design and content coming from parts of the heritage industry that are more interested in training to meet specific industry performance needs than the wider educational needs of the students or the need to maintain universities as places where pedagogical principles seek to encourage free, open and critical enquiry. Finally, I argued that we should have a commitment to help build a fairer and safer world. This foreshadowed the main point of my paper today, which is to argue for embracing, as a key ambition for university heritage education, the building of bridges to peace through intercultural dialogue and to do this using as a pedagogic vehicle the rich and diverse cultural heritage of communities around the world.

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Part 2

Heritage in Time and Space

Preface

Migration, internal and external political, economic and cultural changes, technological innovation – they all influence the shape and form of our heritage. In most instances they enable and sustain the diversification of cultural expressions. In some cases these processes could also threaten established cultural identities. The contributions to this section outline heritage transformation in time and space. They open a discussion on the necessity for sufficient representation and methods to ensure the richness and complexity of heritage. Topics covered include transnational and transcultural movements, cultural and religious syncretism impacted by ancient trades and pilgrimage routes, illustrating how to represent diversity and authenticity at serial natural heritage sites and how to modify the criteria for defining outstanding universal value. Bringing to mind recent technological developments, the possibility of applying new technologies to the work of World Heritage protection is also analysed. Moreover, there is an example of transformation under a suitable preservation system and the implementation of heritage conservation policies at local, regional and national levels. There is a general consensus on the need to increase the political and emotional awareness of these issues, and the closely related theme of applicable linked and comprehensive university education.

Geneviève Susemihl's paper, "Transnational and Transcultural Movements and World Heritage", introduces three examples of cultural heritage of First Nations in Canada – the Klondike (a region), *Atanarjuat (The Fast Runner)* (a film), and Kamloops Indian Residential School (a building). The main idea is that cultural heritage can function as a signifier of cultural diversity, keeper of transcultural historic narrative, and shaper of identity. Susemihl holds that cultural, religious, economic and political diversity of human development and their expressions "need to be represented in cultural World Heritage in lively structures,

connecting them to contemporary purposes". In order for more people to be aware of the migration stories, new and modern techniques of storytelling, connecting the heritage of the past to our contemporary world, are needed. Furthermore, she stresses the importance of reading World Heritage above all as transcultural. The paper illustrates the urgent need to adjust the selection criteria for World Heritage sites for the sake of strengthening "the visibility and representation of peoples' movements through cultural World Heritage".

In "Flight, Displacement, Exile and Migration: How to Represent Such Complex and Multifaceted Phenomena at World Heritage Sites?", Alice Halsdorfer is concerned with phenomena that have existed for centuries, along with their continuing influence on post-modern identities which has implications for World Heritage. Flight/displacement/exile have been insufficiently represented at World Heritage sites. States of origin are unlikely to address flight and displacement unless political changes have taken place, and on the other hand, states of exile tend to focus on aspects considered to belong to their "mainstream culture". The fact that nominations may only be entered by states makes it difficult for migrant groups to promote their heritage claims or enforce their cultural rights. To facilitate global and local understanding, Halsdorfer argues that there should be application rights for migrant groups and adoption of criteria to better protect migrant and minority cultures. Further, to incorporate personal experience and migrant identities a closer connection between World Heritage sites and related intangible heritage could be established. Lastly, Halsdorfer contends that serial nominations should be encouraged in order to reflect dynamic change.

In "UNESCO and Digitalized Heritage: New Heritage – New Challenges", Caroline Robertson-von Trotha and Robert Hauser attempt to categorize a number of important issues in the context of digitalized heritage and UNESCO's Memory of the World Programme. They argue that the protection of heritage using

technologies of digitalization not only promises cost-efficient and permanent data protection, but also offers an interactive form of discussion and an opportunity for intercultural communication. The authors discuss aspects of digital heritage, its definition and the concept of “new heritage”. Furthermore, they examine the technical and cultural impacts in the process of adopting new media technologies into the work of World Heritage protection. The paper makes clear that more research is needed in the future – technologies of digitalization raise crucial questions around how tangible and intangible World Heritage should be digitalized and managed. Through analysis of the Memory of the World portal, the authors point out the challenges of preservation and transmission of heritage, while emphasizing its potential for intercultural education. They also suggest more active role for States Parties in the preservation of digital documents.

Along with cultural heritage, natural heritage also finds its place in this section as an example of the necessity, challenges and successes of serial nominations to the World Heritage List. In “Serial Natural Heritage Sites: A Model to Enhance Diversity of World Heritage?”, Barbara Engels deals with the concept of serial World Heritage properties, as defined in the current *Operational Guidelines* to the World Heritage Convention. She explores the increased number of nominations of serial natural heritage sites to the World Heritage List in light of the requirements for outstanding universal value of properties, indicating that individual characteristics of the separate components complement each other and add to the collective value of a serial site, or enhance its integrity. Furthermore, Engels details how serial World Heritage sites provide not only models for cooperation on a transnational level, but also more appropriate “opportunities to fill global gaps”, find a better balance and augment the diversity of sites represented on the World Heritage List. She maintains that nomination as World Heritage represents a critical incentive and motivation for States Parties to improve the protection of valuable ecosystems and consider the establishment of protected areas. Finally, she calls for the drafting of a

broader guidance, which would allow States Parties, World Heritage managers and other stakeholders to effectively use the concept of transboundary World Heritage in nomination and management practices.

Migration movements could lead to rapid reconstruction and change of the cultural distinctiveness of a society. In “Aspects of Transcultural Movements along the Ancient Trade Routes of the Himalayas”, Susanne von der Heide examines aspects of transcultural movements along ancient trade routes through the Himalayas. In Bhutan, traditional trade patterns led to the establishment of important monasteries along trade routes, forming Buddhist cultural landscapes of great significance. Cultural heritage with its diversity is considered the foundation on which the identity of the Bhutanese people is built. Since the 1980s, the mainly Hindu Nepalese migrants have changed the dynamics. The impact of Hinduism on neighbouring cultures has been accelerated in part by labour migration. The acculturation of these migrants has the potential to transform the cultural identity of the whole society, a trend that is clearly in evidence along the ancient trade and pilgrimage route through the Nepalese district of Mustang. The ancient Buddhist cultural heritage in the southern area of Mustang is partly dilapidated or is falling into oblivion. Additionally, the increasing labour migration of the Lopa people of North Mustang to other countries is another threat to their cultural heritage.

In “Towards a Heritage Preservation System: The Dilemmas of Poland's Transformation”, Jacek Purchla presents the case of the establishment of a heritage preservation system in the period of political, economic and cultural transformation in Poland after 1989. The present ineffective protection mechanism in Poland stemming from the inadequacy of the current state policies in the field is unable to extricate the heritage from unreasonable exploitation and destruction. The existing legal and financial tools with the main concentration on the economy are insufficient in the case of heritage protection, and political leaders overlook

the significance of heritage preservation. The paper suggests that there is an urgent need to create a modern effective heritage management strategy and system in Poland, responsible for the protection and care of historic sites and objects. Furthermore, like Susemihl, Purchla maintains the crucial importance of local communities in the process of heritage valorization and preservation. The heritage debate and subsequent new system should involve all stakeholders, local government and civil society alike.

During the long process of history, heritage is passed down from generation to generation and invariably influenced by patterns of migration, or reinvented through modernization and technological breakthroughs. In this process, issues of outstanding universal value and serial nominations, digital and documentary heritage, became relevant within the context of World Heritage. They have enriched the discourse on cultural diversity and heritage in spatial and temporal transformation. This discourse must continue with the topics discussed, which are worthy of further research and analysis.

Standard References

Transnational and Transcultural Movements and World Heritage

Introduction

In the past ten years the concept of culture fundamental to the World Heritage Convention has been broadened and enhanced. With the adoption of the Convention for the Safeguarding of the Intangible Cultural Heritage (2003) and the Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005) fresh focuses have been articulated for recognizing cultural expressions and nominating cultural heritage. These novel standards are the consequences of a broader understanding of cultural diversity that has been developed by the international heritage community and that has initiated the proposal of numerous tangible and intangible life expressions of distinct cultures worldwide. There are, however, certain dimensions of human life that need to be better recognized by the concept of World Heritage and the categories of outstanding universal value. Among others, the recognition and safeguarding of cultural heritage signifying cultural changes in time and space in an increasingly globalized context – and thus cultural heritage representing people's movements – need to be considered more thoroughly.

People's movements – whether voluntary or involuntary – are still insufficiently represented in cultural World Heritage. Transnational and transcultural movements, i.e. the migration of people and peoples, including the settling of new areas and work migration, but also the slave trade, trafficking in human beings, or ethnic cleansing, has not yet been adequately reflected in World Heritage. Only eight of 714 cultural and mixed properties on the World Heritage list have been considered by

UNESCO as dealing with migration (UNESCO, 2007, website).¹ These few sites, however, do not represent the complexity and extent of migration movements and their cultural impacts exhaustively enough.

People who move and leave their natural environment have a massive impact on historical changes, their communities and surroundings. They contribute enormously to the diversification of cultural expressions, multiplying knowledge and transforming the cultures of the receiving societies. The numerous traces left behind must consequently be treated as cultural expressions of outstanding universal value.

Worldwide, there are countless material and immaterial cultural references that represent people's movements. North America, for example, is a gold mine for migration studies as well as the study of cultural diversity and the dynamics and innovations through people's movements (e.g. Kahn, 2003; Susser and Patterson, 2001). The current list of World Heritage sites in North America, however, tells a different story. Of the thirty-five listed sites in Canada and the United States, only fourteen are cultural properties. Two out of six cultural properties in Canada and four out of eight in the United States are related to Native American cultures, whereas the remaining properties are related to English, French and Spanish colonial life and the political birth of the two nations. World Heritage sites dedicated to the movement of ethnic minorities, commemorating their movements and cultures, are virtually non-existent.

There are no World Heritage sites telling the story of the thousands of Chinese immigrants who came to North America as *gam saan haak* ("gold mountain men"), lured first by the California gold rush of 1849 and later by railroad jobs, to live "on

¹ The list of sites has recently been removed from the UNESCO web pages and redirected to the International Migration and Multicultural Policies site (<http://www.unesco.org/new/en/social-and-human-sciences/themes/social-transformations/international-migration/>, accessed 25 June 2010), on which current news and policies are listed. There is no longer a list of properties on the UNESCO home page that connects cultural heritage sites with the theme of people's migration.

the frontier with barbarians" (Lee, 1990, p. 61) until the Chinese Exclusion Act of 1882 in the US and the imposing of a head tax on Chinese immigrants in Canada in 1885 closed the entrance gates. Their unique cultural heritage as well as their personal and emotional adjustments left deep traces in Chinese-American and Chinese-Canadian traditions and lifestyles. There are no World Heritage sites telling the stories of the Jewish exiles who came from a variety of countries in different waves, escaping religious or mortal persecution or economic pressures in Europe. These immigrants brought with them new religious customs and traditions, but at the same time had to face discrimination, prejudice and unemployment in the receiving societies. There are also no World Heritage sites in North America commemorating the routes of the slave trade and the *underground railroad*, an informal network of secret routes and safe houses used by nineteenth-century black slaves in the United States to escape to free states and Canada with the aid of abolitionists who were sympathetic to their cause. Finally, there are also no World Heritage sites reflecting the countless movements of Native Americans, who had already settled North America long before Columbus set foot on this vast continent. While some of them traditionally lived as nomadic and semi-nomadic peoples, others were forced to migrate and relocate multiple times throughout history, which had enormous consequences for their traditions, communities, religions and cultural diversity.

Regardless of whether people's movements have been caused by changing economic conditions, natural catastrophes, military might or some other reason, cultural heritage reflecting migration needs to fulfil certain requirements. Besides being of outstanding universal value and meeting at least one of the cultural selection criteria, there are specific aspects or functions that need to be considered representing people's movements. These implicit features that cultural World Heritage must comprise, I

argue, are first the reflection of cultural diversity; second the keeping of stories (and histories); and third the shaping of identity. In this paper I discuss these aspects more thoroughly, drawing on three different forms of First Nations' cultural heritage in Canada, i.e. a region, a film, and a building. Even though these examples of cultural heritage have not yet been inscribed on the World Heritage List,² they serve as excellent illustrations for the different aspects. While outlining ways in which these forms of cultural heritage reflect people's movements, I comment on the above-mentioned aspects in more detail.

Cultural heritage as signifier of cultural diversity: *the Klondike*

The relationship between land, history, ethnic or national identity and cultural heritage has been a fascinating subject in Cultural and Migration Studies for years. This "interrelationship between the natural givens and cultural manifestations is an axiom" (Lutz, 2007, p. 9), however, that is neither limited to a certain region, nor to the present time. Throughout history, migrants always had to re-establish their ways of life and to readapt to new geographical, climatic, social and cultural conditions. And looking at the world today we see that the pressures of human migrations, whether as outright conquest or by slow infiltration and resettlement, have affected many territories.

One region that has been moulded by countless movements of diverse ethnic people who had to adapt to new living circumstances is the Klondike – an area in Canada's Yukon Territory and British Columbia that was submitted to the UNESCO World Heritage Tentative List as a transboundary serial cultural landscape in First Nations traditional territories in 2004. It includes the Tr'och Tr'ochëk fishing camp, the Chilkoot Trail, the Klondike gold fields and the historic district of Dawson, illustrating "life before, during and after the Klondike Gold Rush of

² Whereas the Klondike was inscribed on the UNESCO Tentative List in 2004, there have not yet been any attempts to nominate the other two sites discussed here. Their nominations, however, would be a significant enrichment of the List in terms of the representation of people's movement in time and space.

1896–1898” (UNESCO, 2004, website). First Nations’ stories and languages communicate this environment, which echoes centuries of indigenous presence as well as physical and cultural transformations wrought by corporate mining and migrations. The name “Klondike” itself is an anglicized version of the name of the First Nation group in the Dawson area, the Tr’ondëk Hwëch’in.

The history of the Klondike has been one of continuous change and migration. Centuries before the arrival of the first Europeans, Tlingit traders brought goods such as weapons and beads into the region, trading them for furs. In 1846, the first Europeans ventured into the area, shortly after which the Hudson Bay Company opened a fort, and in 1862 William West Kirby arrived as the first missionary at Fort Youcon. Starting in 1896, more than 100,000 stampederers from all over the world entered the region and built Dawson City right across the river from the village of the Tr’ondëk Hwëch’in. During the 1940s, white construction workers came to build the Alaska Highway, and today hundreds of tourists visit this area every year.

As a location of cultural heritage, the Klondike represents the movements of many peoples. It thus signifies cultural diversity as reflected in material and immaterial traces of diverse ethnic cultures, but also tells of the interaction between these cultures once migrations had ceased. Opulent administrative and institutional buildings tell about the past prosperity of Dawson as a former territorial capital. The Klondike gold fields, sites of the labour-intensive individual miner society, the gigantic Dredge No. 4, and massive tailing piles left by corporate mechanized mining tell about the world’s greatest and most renowned gold rush. During this period, however, the Klondike was for whites only; Natives were welcomed only as curiosities or suppliers of provisions and furs (Coates, 1985, p. 83). Today, little is known about the Yukon’s First Nations or the Tr’och Tr’ochëk fishing camp, the centre of the Tr’ondëk Hwëch’in traditional territory downriver from the Chilkoot Trail, and the image of the Klondike

in people’s minds primarily represents the gold rush, without signifying much cultural and ethnic diversity.

Traces of human settlement in the Klondike, however, go back 8,000 years. The Tr’ondëk Hwëch’in First Nation (or Han, named after their language) have been inhabiting the Yukon around Dawson for hundreds of years, as a semi-nomadic people, living from hunting and fishing. Contact with the newcomers presented fresh challenges and opportunities. While trade increased and new goods and economic practices were introduced, the Han tried to maintain their survival and assist the newcomers using a combination of traditional and newly introduced skills, goods and materials. To protect the Han from the damaging influences of the gold rush, Chief Isaac removed them from Tr’ochëk to Moosehide, downstream from Dawson, where the government established a Han reserve. Furthermore, foreseeing the impact that new lifestyles would have on the Han traditional culture, he entrusted songs and dances of his people to the people of Mansfield, Alaska, “to be returned when the time was right and the Tr’ondek People were ready” (Wenger and Brown, website).

During the years following the gold rush, the Han worked to find a balance between their traditional lifestyle and the ways of the newcomers. While Yukon First Nations set the land-claims process in motion during the 1970s, the Tr’ondëk Hwëch’in began negotiating their individual land claim in 1991 and signed the Final Agreement in 1998. Today, the tribal government is growing and evolving to support citizens in ensuring a strong and healthy future, while maintaining connections to traditional knowledge and the land. Promoting the Han language, learning traditional skills from the Elders, and investing in young people’s education have all strengthened Tr’ondëk Hwëch’in development. The respect for their heritage and dedication to the future is reflected in a variety of ways, such as the establishment of a cultural centre, the designation of the Tr’ochëk National Historic site, and the return of the traditional songs and dances from the Native people of Mansfield.

Cultural diversity and migration is presented in the history and the very traces that have been felt by its inhabitants and written on the land of the Klondike. Listed under criteria (iv) and (v) on the UNESCO tentative list, the Klondike is indeed an “outstanding example” of a cultural landscape that illustrates significant stages in different ethnic peoples history, representing traditional indigenous and newcomers settlements and land-uses as well as interactions between whites and indigenous cultures. Given that it presents an image that does not only denote gold-rush culture and history, the region will make an excellent cultural heritage site representing people's movements and cultural and ethnic diversity.

Cultural heritage as keepers of transcultural stories: *Atanarjuat (The Fast Runner)*

Besides cultural diversity, a second aspect that needs to be an inherent feature of World Heritage is storytelling. We relate to cultural heritage in the same way that we relate to land – through stories. While migrants might be able to preserve immaterial cultural heritage throughout their movements, most material cultural heritage, like the land itself, must be left behind. And whereas indigenous people have “stories relating to the land”, as Hartmut Lutz argues, “which tell them where they are from, why they are here, and how they must live to survive and thrive, the newcomers can claim no such stories. Their narrations relate to the Old Place, and it takes generations to develop a body of cultural narratives related to the ‘New Land’ which entail a specific history shared by the people on and of that land” (Lutz, 2007, p. 14).

Cultural heritage thus ought to serve as keeper of stories of diverse cultures and movements. Storytelling today, however, can take on different forms. Instead of presenting cultures merely as a part of the past and preserving lifestyles by “museification”, cultural heritage must tell old stories in new ways, connecting the heritage of the past to the contemporary world and making use of modern techniques of storytelling. Preserving

documentary heritage that reflects the diversity of languages, peoples and cultures and thus presents “a mirror of the world and its fragile memory”, the UNESCO Memory of the World programme is a first step in that direction. An excellent example of a documentary that embodies cultural heritage and serves as keeper and narrator of stories is the film *Atanarjuat*, which tells the story of an ancient, migratory people in a modern, digitalized form.

The film *Atanarjuat (The Fast Runner)* – one of the most celebrated Canadian films of recent years – is the first Inuit feature film ever to be written, directed and acted entirely by Inuit in their language Inuktitut (Isuma, 2007a, website). Set in Igloodik and the area between Baffin Island and the Melville Peninsula in the pre-contact past, the film is an “electronic storytelling” of an ancient Inuit legend that is a central story in their oral tradition, passed down through centuries, and one that the filmmakers heard as children. In a community already split by rivalry and lust for power, an evil shaman arrives to increase the pain by committing a murder and placing a curse. The cure plays out through the lives of the characters, until spiritual forces and human courage begin a process of healing and growth. The story has also “didactic functions”, as Kerstin Knopf argues, “as it admonishes listeners not to let envy, rivalry, and personal interest overtake the sense of responsibility and community that is of utmost importance” for the survival of the Inuit society (Knopf, 2008, p. 204).

Standing “in constant dialogue with colonial filmic discourse which has objectified and stereotyped colonized cultures and established them as the ‘inferior Other’” (Kopf, 2008, p. 209), the film, the making of the film and the setting in Igloodik reflect the development of transculturality in Canada's Arctic, which was caused by “Western contact, colonization, Christianization, and the implementation of Canadian assimilation politics” (Knopf, 2008, p. 202). The community of Igloodik, with a population of about 1,600 people today, is one of the oldest and

most traditional Inuit communities in Nunavut. For almost 2,000 years, the area was inhabited by the Dorset culture, while today many people are descendants of the members of the Qid-larssuaq migration to Greenland in the 1800s. The first direct contact the people of Igloodik had with Europeans was in 1822 when the British Navy ships *Fury* and *Hecla* under the command of Captain William Edward Parry wintered at Igloodik. In the 1930s, the Roman Catholic Church set up a mission, and three decades later, the Anglican Church, the Igloodik Co-operative, a school, a nursing station and the RCMP detachment were established. The present Inuit economy is a co-existence and combination of several income sources, including wage labour, traditional sustenance, arts and crafts production, and welfare.

Despite all the changes that Igloodik has undergone, the community has never lost sight of its cultural roots. The Igloodik Research Centre focuses on documenting Inuit traditional knowledge and technology, as well as climatology and seismic data research. Through an active Elders group, valuable land skills and traditional sewing techniques are taught to the community (Qikiqtani Inuit Association, 2007, website) and the only Inuit circus, *Art-cirq*, engages young people in traditional Inuit culture to relate with the techniques of modern circus. For the film production, Inuit were employed as cast, crew and support staff, jobs and local spending on the film channelled money into the local economy, and the film became the cornerstone of an Inuit-owned Nunavut film industry (Isuma, 2007b, website).

The film itself is a transcultural document and product, as it integrates components of Inuit and Western cultural origin and filmmaking techniques. Western techniques of storytelling and film technologies were adapted to Arctic conditions and to an Inuit story. For the writing of the script, eight Elders were interviewed for their unique version of the legend as it has been passed down to them orally by their ancestors, before combining their various narratives into a single story in Inuktitut and English (ibid.). A modern storyteller narrates and translates an ancient myth set in

Igloodik at the last millennium into modern film and thus continues the tradition of storytelling in a modified way, bringing back lost traditions to contemporary listeners/viewers and preserving oral knowledge for future generations. Moreover, the plot, length and slow pace of the narrative also “help position the film in the sphere of oral tradition” (Knopf, 2009, p. 341).

In addition, the film reconstructs a pre-contact Inuit way of life, on and off screen, and revives the traditional making of costumes, tools, weapons, and means of transportations. The traditional sets and props used in the film were reconstructed on the basis of Inuit cultural knowledge combined with Western anthropological findings of museums. The kayak in the film, for example, was rebuilt according to drawings made during the Perry expedition in 1822 which are now held in the British Museum. While thus the filmmakers relied on cultural knowledge that has been “made part of the Western anthropological museums discourse” (Knopf, 2008, p. 208), the film production took an active part in preserving traditions and sustaining Inuit cultural knowledge. The remaking of traditional clothes, tools, hunting weapons, sleds, a kayak, igloos, and seal-skin tents by local artists and elders after traditional models was also part of a unique community approach of the film. Moreover, while filming on location in the Igloodik region, cast and crew camped in dwellings and conditions in the tundra very similar to their ancestors' hundreds of years ago (Isuma, 2007c, website).

As a transcultural heritage product the film *Atanarjuat (The Fast Runner)* together with its setting of Igloodik, preserves and passes on traditional stories and values of the Inuit without them becoming static. Furthermore, the “autonomous presentation of Inuit culture from an inside perspective helps to de-exoticise the filmed material and its cultural context”, as Kerstin Knopf argues (Knopf, 2009, p. 347). By consciously merging Indigenous and Western cultures, the filmmakers and the film safeguard intangible cultural elements without becoming counterproductive to the development of diverse practices as well as to cultural

innovation. As such the film, with its production and setting, serves as an outstanding intangible example of the cultural heritage of a unique culture and tells a story of migration and transculturality.

Cultural heritage as shapers of identity: *Kamloops Indian Residential School*

A third intrinsic feature of cultural heritage is the representation and formation of identity. Identity is formed through cultural heritage when people transmit "the significance of their respective material and immaterial historical products from the past to the present and to future generations" (Albert, 2006, p. 30). The preservation and conservation of cultural assets thus helps to maintain and reinforce cultural identity, whereas the destruction of cultural assets, whether material or immaterial, is "accompanied by a destruction of identities" (Albert, 2006, p. 31). It is through the forming and manipulating of cultural and ideological beliefs and values connected with cultural heritage that cultural identities are thus shaped and reshaped.

Migrants also use cultural assets as shapers of identity. This is true for intangible cultural assets such as the songs, dances, or stories that migrants may carry with them into new territories. But also the material cultural assets that migrants encounter in their new region often serve as identifiers for the newcomers, while at the same time migrants may lose part of their identity through the loss of material culture. This is especially true for the land, which, in material and immaterial terms, "co-determines who we are", as Hartmut Lutz states. "Over time and generations, a region's climate, the food it produces, and the people we interact with in that region, influence our physical condition. More obviously, the region (in)forms our mental history" (Lutz, p. 14). Once torn from the land, migrants may lose or change their cultural identity. At the same time, the immigrants personal relation to their home country, their self-identification, change of values and satisfaction, together with their economic, political, social and cultural adaptation, help to evaluate their integration success in the receiving society (Susemihl, 2004, pp. 32–36).

One movement of Native Americans that remains significant to First Nations identity or loss of identity, culture and society today is the forced removal of Native American children from their families to Indian boarding schools. The idea that successful acculturation depended on separating the children from their "uncivilized" families and home communities became a central part of the education systems that developed in Canada, the United States and Australia during the late nineteenth and early twentieth centuries, and boarding schools became "the favourite tool to accomplish the goal of cultural assimilation" (Nichols, 2010, p. 2). At these schools, instruction in a combination of sedentary agriculture, vocational education and Christianity were used to destroy native cultures and replace them with "civilization". The children were converted into temporary migrants, forced to leave their home communities for many years, but often returned after years of physical and spiritual absence and estrangement (Nichols, 2010, p. 20).

From 1874 to the early 1990s, more than 150.000 Native children in Canada were educated in 130 residential schools funded by the government and run by churches of various denominations. Kamloops Indian Residential School, in northern British Columbia, which operated from 1893 to 1977, was one such school where children completely isolated from their families, communities and cultures were forced to assimilate. While initially attendance at these schools was voluntary, legislation was passed to enforce attendance when parents refused to send their children (SCES, 2000, p. 8). The last of the residential schools was closed in 1996, and in 2008 Canadian prime minister Stephen Harper issued a formal apology for the government policies of assimilation. South of the border nothing of this kind has occurred yet (Beech, 2010, website).

Attendance at residential schools had a devastating effect on children. They lived at the school throughout the year and were alienated from family relationships, cultural and spiritual practices and teachings. The Secwepemc Daniel Saul (age 59)

speaks with deep contempt and bitterness about humiliations and pains that he had to endure as an 8-year-old when his hair was cut, when he was no longer allowed to speak his native Secwepemctsin language, even though he did not know any other language, when he experienced physical punishment and did not see his parents for long periods of time (personal interview, 13 August 2008). The feeling of shame directed at the Secwepemc culture and language was deeply instilled in the children, and when they became adults they were unable to pass on their language and culture to their children. This attempt to force assimilation left deep scars with those affected, which continue to be felt in every Secwepemc community and which include cultural and spiritual estrangement, family dysfunction, near extinction of the language, loss of traditional lands and indigenous knowledge, substance abuse, and a high suicide rate (SCES, 2000, p. 11; personal interview with Jerry Adams, Vancouver Aboriginal Friendship Centre Society, 25 August 2008).

Separating the children emotionally and geographically from their families, communities, language, customs and spiritual beliefs for years was traumatizing. The structure and cohesion of family life suffered, parenting skills were diminished, low self-esteem and self-concept problems arose as children were taught that their own culture and way of life was inferior and "savage", and traditional production skills tied to the land were lost (Martens and Daily, 1988, p. 110). Witnessing or experiencing abuse, sleep deprivation, hunger, neglect or degradation would each compound to the severity of trauma.

Today, Kamloops Indian Residential School serves as a museum and research centre, where former students work as guides facing their childhood memories every day. The building also functions as a meeting point, a place where community members are looking for traditional values and healing. Ironically, on the site of the former school, where for decades authorities sought to eradicate traditional First Nations values, archaeologists have

found remnants of ancient decaying pit houses and tools such as stone points that are remains of an old Secwepemc winter village site and thus witnesses to Secwepemc history and culture dating back more than 2,000 years (Secwepemc Museum & Heritage Park website).

Kamloops Indian Residential School shaped the identity of its unwilling students in many ways. When uprooted from their home communities, the children lost part of their identity, which could not be replaced with a new identity, as the dominant white society had intended. While the school signifies the lost identities of the "stolen children", it also helps them to return to their cultural roots. The site furthermore represents different histories of First Nation culture, from ancient indigenous life as represented in archaeological findings, to assimilation policies and contemporary cultural recovery. The reading of these (hi)stories is of utmost importance to First Nations' culture today, as Hartmut Lutz explains: "Such historical explorations of the conflicted past constitute first steps in reading the palimpsest and creating a collective narrative of peoples in time and place Before a healing can begin, the festering sores of the past need to be opened and (ad)dressed ..., and once credit is given and grievances and guilt-laden legacies are acknowledged, dialogues and co-operations can follow" (Lutz, 2007, p. 21). Kamloops Indian Residential School thus serves well as cultural heritage for First Nations' migration culture, reflecting the shaping of Native identities throughout history.

Conclusion

The cultural heritage of people's movements is a great opportunity not only for understanding history, but for exploring people's contemporary lives. Representing the dynamics of movements and migration by cultural World Heritage, however, is challenging. For to exemplify the routes taken by migrants, the networks they created, the new "cross-over" cultures they formed or the identities they may have lost or gained, many aspects need to be considered.

Cultural, religious, economic and political diversity of human development and their expressions need to be represented in cultural World Heritage in lively structures, connecting them to contemporary purposes. Cultural World Heritage, other than sites and documents of outstanding universal value, must reflect cultural diversity and incorporate different ethnic pasts. Furthermore, cultural heritage must tell cultural narratives in modern ways i.e. recount the stories of cultures, nations and histories for people to learn, experience and relate to. Finally, cultural heritage serves to shape identity. As migrants identify with cultural heritage and their self-identification provides one measure of their integration and adaptation success, heritage will support the formation of identities through the reflection of cultural values and traditions. As can be seen from the examples above, community involvement is of utmost importance in preserving, protecting, exploring and interpreting cultural heritage.

To learn more about the movement of people, cultural World Heritage needs to be read in transcultural ways. For regardless of whether immigrant or indigenous, we can all learn to read the traces of time in space and cultural heritage, about the many layers of poly-vocal history that “coexist in space, forming a palimpsest which archaeologists can read and storytellers, historians and writers of fiction may form into chronological narratives” (Lutz, 2007, p. 2).

Finally, in order to strengthen the visibility and representation of people's movements through cultural World Heritage, selection criteria need to be revised and adjusted with migrant cultures, transcultural and transnational movements being acknowledged and protected, even though such cultures might only have limited influence on developments in architecture, art or landscape design. We also need to critically analyse the extent to which instruments such as the United Nations Millennium Declaration and its 2007 Declaration on the Rights of Indigenous Peoples are taken into account in practice when discussing migration and cultural heritage. Taking these thoughts into consideration,

the representation of people's movements in cultural World Heritage will be a valuable extension of the UNESCO List.

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Flight, Displacement, Exile and Migration: How to Represent Such Complex and Multifaceted Phenomena at World Heritage Sites?

Introduction

In view of current migration streams, flight, displacement, exile and migration remain important issues on political agendas at national and international levels. Almost every state is affected as a state of origin or destination or as a combination of both. Despite the importance of migration, little attention has been paid to the interactions between the history of migration, the personal experiences of migrants and the impact of migration on societies, on the one hand, and the nomination and presentation of World Heritage sites, on the other hand. For the promotion of cultural diversity, it will be necessary to reflect on voluntary and involuntary cultural influences and exchanges in more detail. To fully present various forms of migration as well as their impact on World Heritage seems impossible. Still, it is worth the challenge to reflect on some selected aspects.

Voluntary and forced migration as complex and multifaceted phenomena

There are many different motives for people to leave their environment, which often overlap, such as better economic and social opportunities, political instability and armed conflicts including civil wars, persecution and violations of human rights, natural and human-made disasters, development projects and economic changes (Wagschal, 2007, pp. 297–98).

While “migration” is the generic term, “flight” refers to voluntary movement and “displacement” to forced movement and

occupational activities by the authorities. However, flight is often motivated by circumstances beyond the migrant's control (Hugo, 2008, p. 15). Thus, scholars and policy-makers question the distinction between voluntary and forced movement and emphasize the dynamic interaction between individual decisions and the socio-economic context in which they are taken (UNDP, 2009, pp. 12–13). Closely connected to border crossings are “smuggling” and “trafficking”, covered for example by the UN Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others (1950), the UN Convention against Transnational Organized Crime (2000) and the two protocols supplementing it: Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children; and Protocol against the Smuggling of Migrants by Land, Sea and Air.

“Exile” refers to the next stage in the migration cycle. After arrival, some migrants are legally admitted to residence. Others live clandestinely on the margins of society. In cases of trafficking, the exploitation continues. Many migrants are prevented from full access to welfare, rights and citizenship (Pecoud and Guchteneire, 2007, p. 20). Some migrants proceed on their journey, others return to their state of origin. International law tends to focus on two types of migrant: refugees and migrant workers, as reflected the UN Convention Relating to the Status of Refugees (1951) and its Protocol (1967), the UN Convention on the Reduction of Statelessness (1961), the ILO Conventions No. 97 (1949) and No. 143 (1975), the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (1990).

Need for a global and local understanding of migration

The principle of universality suggests that migration has to be understood as an issue of global importance and that all states

¹ The views and opinions expressed in this paper are those of the author and do not necessarily reflect those of the Senate Chancellery – Cultural Affairs, Berlin.

are together and equally responsible for the protection of migrants and their human rights.

A global view on migration is of high priority because migration in its current form is deeply influenced by globalization and crucial for development and economic change (GMG, 2008, p. 75). Even if the UN Millennium Declaration does not explicitly formulate any goals relating to migration, there are links to the eradication of extreme poverty, hunger and environmental sustainability (Usher, 2005, pp. 28–30; Skeldon, 2008, pp. 5–7). In addition, the problems of migration are expected to increase with the global financial and economic crisis (IOM, 2009, p. 8).

However, a global view on migration must not level out local factors and specific power structures. Also, it is insufficient to focus on border crossings only. The situation of internally displaced persons is similar to those of migrants (Cohen and Deng, 2008, p. 4).

Influences of migration on post-modern identities

Whereas the impact of globalization on hybrid and fragmented identities is widely discussed, the important role of migration in the context of identity formation needs to be emphasized: It is the challenge of integration and reintegration that causes personal and emotional difficulties but offers at the same time new perspectives. The importance of literature describing personal experiences has recently been highlighted by the Swedish Academy, which described Nobel prizewinner Herta Müller as a writer “who, with the concentration of poetry and the frankness of prose, depicts the landscape of the dispossessed” (Rich and Kulish, 2009, p. C25).

Breyten Breytenbach has also reflected on his South Africa roots in a literary way: “At the age of twenty I left behind me a country, a continent, a youth, a language, an identity and perhaps also a memory. What came after would have to be imagined. In due time I realized that the past, too, would need to be invented so as to give depth and coherence to the ongoing. Many

years down the road I was to learn that ‘identity’ was a temporary awareness ‘The placing of I’, if it may be so described, would in fact be a process” (Breytenbach, 1996, p. 159).

Stuart Hall developed a theory of identity framed by the ambivalence between “being” and “becoming”, “continuity” and “différance”. The basis of his analysis was the African, European and American traces in Caribbean identities and his own experiences: “My own sense of identity has always depended on the fact of being a migrant ... Now that, in the postmodern age, you all feel so dispersed, I become centred: what I’ve thought of as dispersed and fragmented comes, paradoxically, to be *the* representative modern experience ... welcome to migranhood!” (Hall, 1988, p. 44).

Dynamic changes and ambivalent interactions created by migration

In an ideal way, multi-ethnic patchwork societies are created where cooperation and dialogue maximize the benefits of migration. According to the UNESCO Universal Declaration on Cultural Diversity (2002), cultural diversity “is one of the roots of development, understood not simply in terms of economic growth, but also as a means to achieve a more satisfactory intellectual, emotional, moral and spiritual existence” (art. 3). States, which have started to restrict migration in the light of the economic crisis, should be aware that they may not only suffer long-term economic losses (IOM, 2009, p. 1) but also immediate losses of cultural diversity.

In reality, migration may result in an increasing loss of traditional and local cultures. There is a risk that global exchange produces a homogeneous mainstream culture, criticized as McDonaldization (Ritzer, 1993, p. 1) or Hollywood culture (Bruner, 2008, p. 411). Also, migration may cause a lack of commonality. “Ghettos” may be created as places of isolation and frustration, as the “*crise de banlieues*” in France and similar incidents have shown. Flight and displacement often disrupt communities in the

states of origin and alter social relations in the states of destination. Thus, it is very challenging to achieve a better safeguarding of cultural diversity and improve social cohesion.

Representation of migration at World Heritage sites

UNESCO'S Sector for Social and Human Sciences has published a list of eight World Heritage sites selected because of their importance in the history of migration.² These are:

- Liverpool – Maritime Mercantile City (United Kingdom) – a major port for the mass movement of people from slaves to European emigrants in the eighteenth and nineteenth centuries;
- Statue of Liberty in New York (United States) – the famous landmark at the entrance of the harbor welcoming millions of people from all over the world in the late nineteenth and early twentieth centuries;
- Aapravasi Ghat in Port Louis (Mauritius) – the first depot for Indians used in sugar plantations or transferred to Reunion Island, the Caribbean, Africa and Australia, symbol of the modern indentured labour diaspora initiated by the British Government in 1834;
- Island of Gorée (Senegal) – the largest Atlantic slave-trading centre on the African coast from the fifteenth to the nineteenth centuries; a reminder of human exploitation;
- James Island and Related Sites (the Gambia) – a testimony of both the beginning and abolition of slavery and the African-European trade from the fifteenth to the twentieth centuries;
- Forts and Castles, Volta, Greater Accra, Central and Western Regions (Ghana) – important links in the routes established by the Portuguese in the sixteenth and seventeenth centuries;
- Urban Historic Centre of Cienfuegos (Cuba) – an initial settlement by French immigrants since 1819 and a subsequent trading place and eclectic townscape;

- Humberstone and Santa Laura Saltpeter Works (Chile) – the working place of thousands of pampinos from Chile, Peru and Bolivia who forged a distinctive culture and struggled for social justice in the late nineteenth and early twentieth centuries.

However, this list should not be considered exclusive. It is quite easy to identify further World Heritage sites that could be linked to flight, displacement, exile and migration. For example:

- Ecosystem and Relict Cultural Landscape of Lopé-Okanda (Gabon) – one of the principle migration routes of Bantu and other peoples in the Neolithic and Iron Age;
- Alhambra, Generalife and Albayzín, Granada (Spain) – a reminder of the decree by Queen Isabella and King Ferdinand of Spain in 1492 ordering the expulsion of all Jews and Muslims from the country;
- Monastery of the Hieronymites and the Tower of Belém in Lisbon (Portugal) – a commemoration of Vasco da Gama's journey to India in 1497 and the royal family's exile in Brazil after escaping the forces of Napoleon in 1807;
- Wartburg Castle in Eisenach (Germany) – the place of Luther's exile where he was saved from religious persecution in 1521 and 1522 and translated the New Testament;
- Auschwitz-Birkenau, German Nazi Concentration and Extermination Camp (Poland) – the largest concentration camp standing for the systematic and cruel displacement and genocide of 1.5 million Jews and other people from 1940 to 1945;
- Robben Island in Cape Town (South Africa) – a symbol for the displacement caused by forced removals and political imprisonment during colonization and apartheid;
- Historic Centre of Avignon (France) – a memorial of the exile of the popes between 1309 and 1377;

² http://portal.unesco.org/shs/en/ev.php-URL_ID=11374&URL_DO=DO_TOPIC&URL_SECTION=201.html

- Historic Centre of Sighișoara (Romania) – a town influenced by the culture of Saxon craftsmen and merchants in the twelfth century currently facing de-population because of a process of re-emigration;
- Göreme National Park and the Rock Sites of Cappadocia (Turkey) – an area with dwellings, troglodyte villages and underground towns used by the first Christians to escape from Roman persecution and by approximately 15,000 people until the twelfth and thirteenth centuries;
- Historic Centre of Salvador de Bahia (Brazil) – the first slave market in the New World from 1558 and melting pot of European, African, American and Indian cultures.

Despite the number of sites linked to flight, displacement, exile and migration, certain issues and insufficiencies should be discussed.

Need for a global and local approach

The principle of universality has not only influenced the understanding of migration but also the concept of World Heritage. In the 1972 World Heritage Convention, “outstanding universal value” is a key term (Francioni, 2008a, p. 17). According to the *Operational Guidelines* (2008), this requires a degree of “cultural and/or natural significance which is so exceptional as to transcend national boundaries and to be of common importance for present and future generations of all humanity” (para. 49).

The traditional Western focus on tangible monuments is one of the reasons for the small number of sites connected to migration and the large number of descriptions focusing on aesthetic aspects (Bernecker, 2005, pp. 10–11; Hoffmann-Axthelm, 2002, p. 21). The political implications are often no more than a side aspect. Even some of the World Heritage sites mentioned above are mainly listed for other reasons, for example:

- Liverpool's Maritime Mercantile City is described as “one of the world's major trading centres”, “a pioneer in the

development of modern dock technology”, a site with “a great number of significant commercial, civil and public buildings” (<http://whc.unesco.org/en/list/1150>);

- Lopé-Okanda “demonstrates an unusual interface between dense and well-conserved tropical rainforest and relict savannah environments” together with “a remarkable collection of some 1,800 petroglyphs” (<http://whc.unesco.org/en/list/1147>);
- The Alhambra combines a fortress and residential areas with “magnificent gardens” and provides “a rich repository of Moorish vernacular architecture, into which the traditional Andalusian architecture blends harmoniously” (<http://whc.unesco.org/en/list/314>);
- The Monastery of the Hieronymites and the Tower of Belém exemplify “Portuguese art at its best” (<http://whc.unesco.org/en/list/263>);
- Wartburg Castle “blends superbly into its forest surroundings and is in many ways the ‘ideal castle’” (<http://whc.unesco.org/en/list/897>);
- Göreme National Park and the Rock Sites of Cappadocia are described as a “spectacular landscape”, “entirely sculpted by erosion” with “sanctuaries that provide unique evidence of Byzantine art in the post-Iconoclastic period” (<http://whc.unesco.org/en/list/357>).

Generally, it seems difficult to encourage states to submit applications openly addressing migration. On the one hand, states of origin are usually unwilling to address flight and displacement unless political changes have taken place. Thus, many of the World Heritage sites are linked to slavery and colonialism. On the other hand, states of exile tend to focus on cultural aspects considered to belong to their mainstream culture, in particular if migrants are expected to return to their states of origin.

As a result, there are hardly any World Heritage sites connected to the large migration streams in the late twentieth and early twenty-first centuries. On the Tentative List there is one entry

worth mentioning: The Marshlands of Mesopotamia, Iraq – a symbol of the diminution of the inhabitants of the Ma'dan tribes who have fled to the Islamic Republic of Iran or been internally displaced from the 1950s to the present. Among the gaps remaining, there are urban areas such as Chinatown in New York, the Muslim cultures in Marseille or Berlin, the Sinti and Roma settlements in Europe, points of arrival such as Lampedusa in Italy, refugee camps from the wars in Darfur.

Nevertheless, the international community has realized that a global view on World Heritage must lead to a wider understanding of cultures and consider, for example, local aspects. New concepts question the traditional Western focus on tangible monuments and instead advance concepts such as that of cultural landscapes (Dailoo and Pannekoek, 2008, p. 31). Even more importantly, some places have been explicitly included on the list for their symbolic value and political implications, e.g. Auschwitz-Birkenau or Robben Island (Prigge, 2002, p. 62). There is an ongoing discussion that strongly suggests that aesthetic values may be replaced by historic meanings. In the end, all World Heritage sites have a political value, as the tragic destruction of the Bamiyan Buddhas has shown (Albert and Gauer-Lietz, 2006, p. 32; Hladik, 2004, p. 215). Also, there is always a specific local context influencing what is considered worth preserving (Katana and Abungu, 1995, p. 159).

Migrant identities and personal experiences at World Heritage sites

Migrant identities are not represented properly at World Heritage sites. Some documents relating to flight, displacement, exile and migration are included in the Memory of the World Register, such as the Human Rights Archive of Chile and the Collection of Russian, Ukrainian and Byelorussian *émigré* periodicals 1918–1945. Further submissions have recently been included, such as the Archives of Terror in Paraguay, the Diaries of Anne Frank and the Registry of Slaves of the British Caribbean 1817–1834. However, it seems difficult to make

migrant identities and personal experiences visible in World Heritage sites as such.

Scholars have suggested that there is a “cultural dimension” to heritage sites that transcends “form” and “material” and takes into account “the aspect of cultural diversity” (Jokilehto, 1995, pp. 19–20). Beyond a cultural dimension, there could even be an “emotional dimension” taking into account the important role of personal experiences because “for some, built heritage is a collection of documentary artefacts while for others, it constitutes ... something that evokes feelings and memories” (Bumbaru, 1995, p. 280). Chile's Humberstone and Santa Laura Saltpeter Works explicitly aim at the preservation of the memory of the culture of the *pampinos*. Robben Island is presented “in a way that heals apartheid's wounds rather than being a reminder of it” (Forrest, 2005, p. 5). Such an emotional dimension could reflect on the influences of migration on the processes of identity formation and deepen the links to human rights.

Representation of dynamic changes and ambivalent interactions

The UNESCO Universal Declaration on Cultural Diversity (2002) stresses that “culture takes diverse forms across time and space” and that diversity “is embodied in the uniqueness and plurality of the identities of the groups and societies making up humankind” (art. 1). As a consequence, the importance of World Heritage sites should be determined by the uniqueness and plurality of cultural expressions and the number of changes and interactions between groups and societies that it shows. Historic town centres such as Cienfuegos and Salvador de Bahia do not present a homogeneous culture from a single historical period. Instead, they reveal manifold interactions by an eclectic mix of architectural structures and elements. As long as people live there, such sites will undergo further modifications (Laenen, 1995, p. 351). Furthermore, our understanding of World Heritage sites is an ongoing process (Albert, 2002, pp. 32–34), comparable to Umberto Eco's concept of the *opera aperta* (Jokilehto, 1995, p. 30).

How to improve representation of migration in World Heritage sites in future?

Due to the insufficiencies identified above, it is very important to find ways to improve the representation of flight, displacement, exile and migration at World Heritage sites. There are several possibilities: The formal application procedure could be changed – but this would certainly be difficult (Braun, 2007, p. 367). The criteria for defining “outstanding universal value” could be modified – this is an option as the *Operational Guidelines* (2008) are periodically revised (Yusuf, 2008, p. 31). New strategies in conservation, presentation and documentation could be developed for World Heritage sites already nominated – some of these could immediately be put into practice (Laenen, 1995, p. 356) as the suggestions below indicate. These should be understood as proposals that may serve as a starting point for subsequent analysis and discussion.

Some suggestions to facilitate a global and local approach

Application rights for migrant groups could strengthen the representation of flight, displacement, exile and migration at World Heritage sites. According to Francesco Francioni, the Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005) has “removed cultural heritage from the exclusive control of national sovereignty; it has empowered non-state actors ... to claim international protection, if necessary, even against their national state” (Francioni, 2004, p. 1228). Also, the Convention for the Safeguarding of the Intangible Cultural Heritage (2003) requires “the widest possible participation of communities, groups and, where appropriate, individuals ...” (art. 15).

However, proposals for all heritage lists can be made by states only. With respect to the World Heritage Convention (1972), States Parties are encouraged to prepare Tentative Lists with the participation of local communities, non-governmental organizations and other interested parties (Scovazzi, 2008, p. 158; Saint Andre-von Arnim, 2007, p. 148). Even without a formal change in the application procedure, it seems possible to

encourage internal proposals at national level (Braun, 2007, p. 183). It is also important to draw attention to contemporary migration.

The criteria for defining outstanding universal value should be expanded to better represent migrant and minority cultures. The limitations of the existing criteria became self-evident at an early stage (Yusuf, 2008, p. 32). In connection with the Cultural Diversity Convention (2005), Rudolff has proposed adding one sentence to the definition: “outstanding universal value is understood as the entirety of human cultural expressions and reflected by the multiplicity of particular features and concepts constructing human cultural diversity and heritage values”. She refrains from revising the criteria in more detail because “if one reads through the current 10 criteria while thinking of something particularly distinctive rather than something universal, they still make perfect sense” (Rudolff, 2006, p. 115).

A definition referring to the concept of cultural diversity would definitely be a start. However, there remain doubts whether one sentence would be sufficient to strengthen the representation of migrant cultures, particularly if such cultures have only a limited influence on certain aesthetic developments or demonstrate close links to other cultural traditions. In the meantime, the *Operational Guidelines* (2008) and the ten criteria have been revised (para. 77). Still, they bear the risk that heritage sites related to migration are ignored for not being a masterpiece or an outstanding example or for not being sufficiently representative or universally important.

A few words added to the current criteria could improve the situation. For example,

- (i) represent a masterpiece of human creative genius *or a strong expression of cultural diversity*;
- (ii) exhibit an important *or specific* interchange of human values, over a span of time or within *or between* (a) cultural area(s) of the world *or between individuals or*

- groups of peoples, on developments in multicultural identities or societies, architecture or technology, monumental arts, town-planning or landscape design;*
- (iii) *bear a unique or at least exceptional testimony to minority and migrant cultures or any other cultural tradition or to a civilization which is living or which has disappeared;*
- or
- (iv) *be directly or tangibly associated with events or living traditions, with ideas, or with beliefs, with artistic and literary works of outstanding universal significance or with the history of migration.*

However, it must be kept in mind that the last criterion should preferably be used in conjunction with other criteria.

Some suggestions to incorporate migrant identities and personal experiences

A closer connection between World Heritage and related intangible heritage could be established (Hönes, 2009, p. 168; Carducci, 2008, p. 375). The intangible heritage list should focus specifically on migrant culture to better complement World Heritage sites in this respect.

Emotional effect should be created at World Heritage sites. There is a current trend in migration museums towards building awareness and empathy (IOM/UNESCO, 2006, p. 2). Similarly, World Heritage sites could preserve memories and show the different motives for migrants leaving their homes. There is an increasing awareness that the relationship between heritage and identity creates open and multilayered learning processes offering a range of meaningful experiences (Epstein, 2006, p. 39). Emotional participation may encourage visitors to actively support human rights. Also, tours guided by migrants could be a means to communicate personal feelings and memories, similar to tours offered by former prisoners in Robben Island.

Some suggestions to show dynamic changes and reflect on ambivalent interactions

There are only a few cases of several states entering conjoint applications (Braun, 2007, p. 170) for World Heritage inscription. Such applications however are perfect tools for international collaboration (Schlünkes, 2006, p. 98). It would be appropriate to promote them in future to make interactions between different places visible, especially the links between states of origin, transit and destination. Some sites are protected with their local extensions, such as the route of Santiago de Compostela or the Rideau Canal. However, the dynamic of migration and the typical routes of migrants are not represented virtually as routes or official links between several places. It would be desirable to create routes or even networks in future showing migration streams and fruitful exchanges between cultures.

Although cultural diversity needs to be protected, there is no “original culture” and no “migrant culture” to be conserved as such. The World Heritage Convention should not preserve monuments as static objects of contemplation. Instead dynamic management should reflect on changes and keep interventions visible (Cameron, 1995, p. 285). Also, the dynamics between individual and sociological aspects must be reflected: productive components of cultural influences should be understood as a supplement to but not a distraction from emotional disturbances and personal difficulties suffered by migrants.

Outlook

It will be a challenge in the future to show the ambivalences of flight, displacement, exile and migration and their relationship with World Heritage sites as complex and multifaceted phenomena. University education could increase political and emotional awareness and reveal the dynamics and variety of migrant culture as well as cultural interactions. This may productively influence World Heritage site applications and nominations.

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UNESCO and Digitalized Heritage: New Heritage – New Challenges

Introduction

With the computerization that has occurred in almost all areas of modern industrial societies in the last decades, cultural products including various kinds of texts, drawings, music, pictures or films are increasingly available only in digital form. This applies also to different kinds of information, such as raw scientific data, statistics, engineering datasheets, the technical drawings of architects, maps and geographical data. These are all created digitally (known as “digitally born”) or converted into digital form from existing analogue resources. Moreover, computer-based digital communication allows for new forms of creative innovation and cultural production including blogs, internet art, private websites and wikis, while at the same time providing global access to all kinds of digital cultural goods. The internet fosters the global dissemination and sharing of cultural products and promotes intercultural communication.

Cultural heritage in the digital age – the “new heritage”

Digitalization is now often the only way that documentary heritage can be effectively preserved. This is especially true for particularly old and valuable cultural objects, such as papyrus rolls or books which are, because of their age, very susceptible to damage and sensitive (especially with respect to their use). Conversion into digital objects also opens up possibilities of global access to them via the internet or other forms of digital communication. Through this process they become available as information and as knowledge resources independent of the time and space of the person attempting to access the digital object.

Digital cultural objects have some specific properties that distinguish them from analogue objects. They can generally be

copied an unlimited number of times without any decline in quality. It is also quite difficult to distinguish the original from the copy (unless metadata such as the exact time and date the copy was made is also saved). Digital cultural objects are frequently ephemeral and require purposeful production, maintenance and management in order to be retained. Using digital communication technologies such as the internet, digital objects can be accessed from any place that provides internet access. As these properties lead to new possibilities of using and sharing such objects (e.g. manipulation, decrypting, etc.), they circumvent existing concepts of copyright, property law and ownership. Moreover, digital objects are attached to certain formats (such as pdf or doc formats) that (can) define significant properties of these objects, in addition to their being “locked” into the hardware and software environments they depend on. Due to these characteristics the digital cultural objects that constitute both the contemporary and future cultural heritage are also called the “new heritage”.

The preservation of digital objects and with it the process of transmitting the new heritage (into the future) is becoming more and more problematic, first of all due to technical development: rapid technical change leads to data mediums and data formats quickly becoming obsolete. Operating systems and their hardware platforms change roughly every two years, with quite radical changes occurring every four years, which gives rise to major compatibility issues. In addition to these technical problems, there are other more practical ones, such as the fact that archives and libraries lack objective and well-founded guidelines and criteria for digital preservation. There are hardly any practicably applicable guidelines or criteria available to help decide which information is worth preserving from among the flood of material and data - be it intellectual estates, raw scientific data, text documents, administrative documents, websites, items shown in museum exhibitions, photographs, films, images or multimedia objects.

In the light of this situation, libraries, archives, museums, and scientific data-centres are fighting an unwinnable battle against the loss of digital memory. Although there are some initiatives and projects dealing with these problems (e.g. InterPARES 1–3,¹ ATHENA² or Europeana³) the long-term availability of digital information and with it an essential part of the cultural heritage is at risk.

The preservation of intellectual or documentary cultural heritage – an important resource for future generations – represents a global social challenge, and the development of strategic methods to address this issue will be an important task for the future.

Definition of digital heritage

As this paper deals with the digital heritage, an exact definition of the term should be provided. As the theoretical work on this topic is still quite limited – it is a rather recent addition to scientific discourse – we have located only a few definitions. The one we found most useful and which is cited quite often, is that of the 2003 UNESCO Charter on the Preservation of the Digital Heritage:

“The digital heritage consists of unique resources of human knowledge and expression. It embraces cultural, educational, scientific and administrative resources, as well as technical, legal, medical and other kinds of information created digitally, or converted into digital form from existing analogue resources ...” (UNESCO, 2003b).

Two further definitions by Cameron and Kenderdine (2007) and Kenderdine et al. (2007) may also be useful, although their focus is slightly different in that they highlight the term “virtual” and therefore focus primarily on the forms of presentation and perception:

“Virtual cultural heritage – the preservation and interpretation of cultural and natural heritage through real-time, immersive, and interactive techniques” (Cameron and Kenderdine, 2007, rear page flap).

“Virtual heritage ... expresses itself in the formulation of virtual environments in terms of their capacity to act as unproblematic ‘windows onto the past’” (Kenderdine et al., 2007, p. 280).

Last but not least, there is a definition of “new heritage” by Yehuda Kalay et al. (2007), although, as will become apparent, we use this term in a slightly modified way by highlighting differences between the traditional cultural heritage and the new heritage: “New Heritage: broadens the definition of virtual or digital heritage to address the complexity of cultural heritage such as the related social, political and economic issues surrounding the sites, artefacts and aspects of cultural heritage” (Kalay et al., 2007, p. 11).

Although the first presented definition from the Charter is practical enough for daily work, it is not sufficient for deeper conceptual and theorizing on the topic. The very differences between digitalized objects – which are in coexistence or in reference with a master object that is material and analogue – and born digital objects which are only self-referential, are not reflected by this definition. Furthermore, the aspects of authenticity and reliability of digital objects, which become more and more important as new forms and possibilities of generating digital content by collecting and sharing cultural digital objects via online platforms emerge, and by taking the manifold possibilities of altering and manipulating digital objects into account, are not touched on at all yet. More aspects could be addressed here to emphasize that a lot of theoretical work has to be done and further research is needed.

¹ The International Research on Permanent Authentic Records in Electronics Systems.

² Access to cultural heritage networks across Europe.

³ European digital library network. Providing access to Europe’s cultural and scientific heritage through a cross-domain portal.

UNESCO Conventions and programmes relating to digital heritage

The 1972 World Heritage Convention was a major step towards the protection and preservation of cultural World Heritage, and has been ratified or at least accepted by 185 states. The main aspects of the Convention are, first of all, the expansion of the preservation activities of UNESCO; secondly, making the distinction between material and intangible cultural assets explicit for the first time; and, thirdly, breaking open the limiting concept of “cultural possession” in favour of that of “cultural heritage”. This terminological change of direction – i.e. that of describing cultural goods as heritage instead of as possessions – should be emphasized (Weigelt, 2007). The concept of possession was bound to a Euro-American perspective that characterized cultural assets primarily as goods that could be traded on economic markets. On the other hand, the concept of cultural heritage emphasizes that a cultural asset is more of a symbolic object with a specific independent identity than a mere commodity with monetary value. Protecting the cultural and natural heritage consequently entails protecting the cultural asset in its tradition and preserving it in the context of a living culture.

The shift to an expanded concept of cultural heritage paved the way for greater consideration of intangible cultural assets that were excluded from a concept of possession. With its Memory of the World programme, set up in 1992 and implemented since 1995, UNESCO intensified efforts to preserve the “documentary cultural heritage”. Memory of the World is a register of culturally significant written documents, films and audio recordings, preserved first of all in order to safeguard them and secondly to make them accessible.

Two further Conventions concerning the preservation of the cultural heritage were established at the beginning of the twenty-first century: the 2003 Convention for the Safeguarding of the Intangible Cultural Heritage and the 2005 Convention on the

Protection and Promotion of the Diversity of Cultural Expressions. Despite the somewhat paradoxical and extremely far-reaching implications of the certification of intangible cultural assets, these agreements can be considered a great success (Meyer-Rath, 2007), for they represent UNESCO's increased efforts with regards to the world's cultural diversity. Here too, technology – and digitalization in particular – plays an important role. Indeed, these agreements have found a way to at least partially preserve the intangible heritage for posterity via multimedia technology.

Memory of the World Programme and Charter on the Preservation of the Digital Heritage

Since 1995, when Memory of the World came to life, UNESCO has made great efforts to preserve the documentary and intellectual heritage worldwide. The aim of the programme is the preservation and dissemination of valuable archive holdings and library collections worldwide (see www.unesco.org/web-world/mow): “The vision of the Memory of the World Programme is that the world's documentary heritage belongs to all, should be fully preserved and protected for all and, with due recognition of cultural mores and practicalities, should be permanently accessible to all without hindrance”.

The Charter on the Preservation of the Digital Heritage (UNESCO, 2003b) presented a valuable basic framework in the new scientific field of the digital or new heritage. By defining key terms and highlighting the importance of the new heritage as well as the major problems involved in preserving it, the Charter has become a guideline for people dealing with this topic in both scholarship and practice. Two very important statements for the preservation of the new heritage should be mentioned here. The Charter points out:

- that access to this heritage will offer broadened opportunities for creation, communication and sharing of knowledge among all peoples,

- that this digital heritage is at risk of being lost and that its preservation for the benefit of present and future generations is an urgent issue of worldwide concern (UNESCO, 2003b).

The heart of Memory of the World is its corresponding portal, the major component of which is the world register – in some ways the most publicly visible aspect of the programme. At the time of writing, the register lists 193 documentary objects from different nations that are representative of the memory of the world. The objects receive their status in a similar but not analogous procedure to World Heritage nominations. In their regular meetings, which occur every two years, States Parties can make two proposals about which documentary items are to be included in the register. National nomination committees are responsible for preparation of the proposals for the International Advisory Committee which gives advice to the Director-General of UNESCO, who takes the final decision on which proposals are accepted. Through the nomination process, the country of origin is informed that great efforts should be taken both to preserve these objects and to make them globally accessible.

Looking at the current register, it quickly becomes clear that there is still a long way to go in order to meet the targets and realize the vision set out in the programme's Charter.⁴ The 193 items currently registered at the Memory of the World portal represent only a small fraction of the documentary heritage from around the world that is worthy of nomination. As the portal has already been in existence for some fifteen years, it can be critically questioned when it will have extended to a size of representation that authentically and convincingly lives up to the goal of "Memory of the World" and if the nomination proceedings are adequate to support this goal.

One major shortcoming is that there are no digital versions of the objects listed in the register. In most cases, there is neither a link to access the digital content nor any information as to whether a full digital version of that item actually exists. For people from countries other than the ones the items belong to, finding digital copies is a difficult if not impossible task. Looking for example at the *Song of the Nibelungs*, which is registered, it is difficult for people who do not speak German to find the digitalized version of Codex C, for example, because a link to it does not exist.⁵ Furthermore, although the *Song* is hosted by the Baden Regional Library and accessible online, there is no English-language version of the library website, making it almost impossible for foreigners to find these copies in the flood of results via Google or any other search engine. Unfortunately, this is true for all eleven registered German objects, with the exception of the *Children's and Household Tales* (Kinder- und Hausmärchen) by the Brothers Grimm. Taking the vision of the Memory of the World into account, which states that the heritage "with due recognition of cultural mores and practicalities, should be permanently accessible to all without hindrance", we can see that many obstacles – and above all else linguistic ones – have yet to be removed.

A second shortcoming we would like to mention is that of the presentation of the items, especially in terms of context, which is almost completely lacking. There are only brief descriptions of the items. By not giving sufficient information about the cultural (historical, social, linguistic and institutional) contexts within which the items are to be "read", Memory of the World presents itself as a programme of reinterpretation and reconstruction of cultural identity – and in the end of cultural national history as well. We elaborate this point in more detail below, using the example of Grimm's *Household Tales*.

⁴In criticizing the portal we are fully aware of its lack of adequate funding and staff. Our critique is therefore directed at the importance of the portal's task and the need for financial strength.

⁵Those who do not read German might want access to this Codex to examine the unique illustrations that accompany the text, which are of interest to students of both art and history, as well as other related disciplines.

Some other shortcomings of the register should be mentioned. It consists only of an unstructured list of items, which raises the question of the list's actual use. Moreover, it is not possible to search the register. The search engine at the top of the page is only Google.

While these points might seem to be somewhat critical, we hope to initiate a discussion that will take on the question of how to make Memory of the World a more useful portal.

Because UNESCO's financial and staffing resources are limited, we suggest that States Parties should take on a greater amount of responsibility with regard to this programme. Towards this end, UNESCO needs to create more specific regulations for the presentation of the documentary heritage online. These regulations should stipulate multilingual access to the available digital copies of material, as well as reliable, high-quality contextualizations that would ideally also be multilingual, or at the very least available in English.

Internationalization of memory – dilemmas of preservation and change

Since 5 November 2008, UNESCO has been officially registering intangible cultural assets in its Representative List of the Intangible Cultural Heritage of Humanity. As early as 1992, it has been managing the Memory of the World register. Entry into the list is tantamount to being certified as a particularly unique and authentic cultural asset. With their certification as documentary World Heritage through UNESCO – i.e. within the process of heritage production – cultural fragments are separated from their integrally habitual uses. At the same time, these certified fragments are given a second life as representatives of themselves: a chosen cultural product is supposed to represent its original cultural meaning and the original culture that belongs to it in an exemplary manner.

This process, however, entails far-reaching problems that can be illustrated by Grimm's fairy tales, for example. In 2005,

Grimm's *Children's and Household Tales* was registered with the Memory of the World as an exceptional national-cultural narrative that is exemplary of the German storytelling culture. The justification for this entry notes that this anthology of fairy tales is "the most well-known and most widely distributed book worldwide of German cultural history" (Memory of the World, 2005). This rationale is explicitly nationalistic in its evaluation and one-dimensional in its interpretation. Wilhelm and Jacob Grimm – motivated by a spirit of romanticism and patriotism – compiled the fairy tales in two volumes in order to stylize them as the original source of German narrative. For the Brothers Grimm, the fairy tales were the remnants of quintessentially German myths that had been submerged by history. Consequently, the fairy tale anthology was from its very first hour onwards a revaluation of a cultural asset – the revaluation of stories transmitted orally in local contexts into stories put down in writing in an excessively nationalist context. It was precisely this notion of these fairy tales being "quintessentially German" that was so eagerly received and promulgated by the Grimm Society during the German Empire, as well as by the National Socialists (Hemme, 2007, pp. 2300ff.). Emphasizing the national context of Grimm's fairy tales is therefore insufficient. Described as representatives of German culture, the fairy tales undergo a clear reinterpretation.

At the same time, the listing of a cultural asset in the Memory of the World implies an explicit internationalization of memory. The Grimm Brothers' fairy tale anthology is thus consciously internationalized. Here, the fairy tales are reinterpreted a second time. From the space of authentic national memory, the collective memory is transformed into something global. These iconic fairy tales of a romantic and patriotic context, then of a national context, then of a National Socialist context, and finally of the context of a federal republic, become the heritage fairy tales of a globalized world. The programme of preservation reveals itself to be a programme of shifting contexts and revaluation. In many respects it therefore

leads to a changed perception and reception of the certified cultural asset.

A further key problem is revealed by considering the preconditions of readings that are moulded by cultural socialization, i.e. readings in which cultures observe and assess themselves. The simultaneously different regional reinterpretations that can take place parallel to the internationalization of memory are emphasized: thus, new individual perceptions can be produced, and stereotypifications that are already present can be reinforced.

Memory of the World and education

UNESCO has made and still makes great efforts in research and education. Just to name one example, the programme of UNESCO Chairs was conceived as a way to advance research, training and programme development in higher education by building university networks and encouraging interuniversity cooperation through the transfer of knowledge across borders. Since it was set up in 1992, the programme has aroused great interest among Member States.

UNESCO is also aware of the digital heritage's great significance for intercultural education. As quoted already above the Preamble of the Charter on the Preservation of the Digital Heritage highlights the importance of "access" to digital heritage. Only if people are technically and cognitively (in terms of competence) able to access the heritage it will offer broadened opportunities for creation, communication and sharing of knowledge among all peoples.

Thus the significance of the digital heritage for intercultural education in particular will be addressed. Intercultural education can only succeed in a meaningful way if sufficient knowledge about other cultures can be imparted. Grasping other cultures is only

possible through knowledge and understanding. Access to cultural memory and specifically to the documentary heritage of other cultures opens up new perspectives and opportunities for intercultural education. In its present form the Memory of the World portal is, however, very limited as a means of assistance and visualization in schooling, vocational training and university education. For it to be used for these purposes, certain prerequisites must be met. In our opinion, the most important conditions for use in intercultural education are, first, guaranteeing access to the full contents of the objects (e.g. the digital content of a book and not only a picture of the cover). Having a multilingual access portal is an important part of this – in which it is possible to navigate within the objects (in order to be able to use the objects at all). A multilingual presentation of the contexts is also important – this presentation should be revamped in order to be accessible to various user groups (children, laypersons, experts). Only through the presentation of context can intercultural users adequately work out the symbolic content of an object of cultural memory and thereby understand its relevance for their respective cultures. The implementation of wikis would also be conceivable, and along with this the possibility of non-institutionalized participation in and structuring of the portal. Via the wiki, publications could undertake contextualizations (as in Wikipedia). It would thus be conceivable that relevant questions and problems would be referred to, and that other objects with a direct or indirect connection to the object at hand would be referred to as well; reference could also be made to cultural artefacts and their significance for the understanding of the object; to changing interpretations and understanding at local and international levels, and so on. A semantic network could thus arise, one that not only places individual objects of memory in relation to one another, but also makes their symbolic meaning – and with it the cultural context – accessible by placing it in relation to the other objects. If the concept of "cultural turn"⁶ (Jeffrey, 1988) is taken seriously, then the symbolic meaning of an object

⁶ If unfamiliar with the term "cultural turn" see for first hints Wikipedia (http://en.wikipedia.org/wiki/Cultural_turn).

is not to be gained through the object itself, but rather only through its relationship with other objects.

In such a wiki, people from other cultures could also describe their own relationship to the object of memory. This requires not only an intensive engagement with the other culture, but also reflection on one's own cultural contexts. According to Krüger-Potratz (2005), the goal and significance of intercultural education is thereby taken into account: intercultural education (and upbringing) does not, after Krüger-Potratz, necessarily mean the establishment of new or additional contents or methods, but rather the critical examination and alteration of attitudes towards – as well as perceptual and thought models of – habits, professional routines, things generally taken for granted, etc. (ibid., p. 34). Thus, multilingual access and unrestricted possibilities of contextualization first make cultural memory accessible for intercultural education.

Intangible heritage and digitalization

The Proclamation of Masterpieces of the Oral and Intangible Heritage was formulated at the 1997 UNESCO General Conference. Subsequent proclamations issued in 2001, 2003, 2005 and 2009 have so far produced a list of over a hundred outstanding cultural traditions. They include myths, epics and stories that have been handed down in oral form. They also include performing arts such as music, dance, games and outstanding traditional crafts.

The cultural forms that UNESCO has declared to be intangible heritage do not exist as such, they need to be mediated to come into being. Naturally, intangible heritage is mediated by people acting as mediums. Audiovisual means, however, allow cultural expressions to transcend space and time.

However, the topic of audiovisual and multimedia representation as a precondition for the preservation of culture in general, and that of the intangible cultural heritage in particular, is fraught

with a number of controversies, primarily over how these various complex processes should be properly conducted. The variety of participants involved in these processes are likely to include performing artists, indigenous filmmakers, visual anthropologists, media artists and television professionals, all of whom have different opinions about – and use different approaches in – constructing narratives. Overlooking this crucial point by assuming that intangible heritage can be “documented” in a straightforward manner will create major difficulties in the future. It will inevitably exclude voices, narrative strategies and points of view that are already underprivileged. The technical, theoretical and epistemological problems involved in documenting and preserving the intangible heritage (in digital form) are closely connected to the problems of preserving the documentary or new heritage. It therefore makes sense to link research activities in both fields, and also possibly provide links to this research on the UNESCO website and its online portals.

Outlook – research on cultural heritage and the dynamics of change

Research in Germany is also increasingly devoting itself to the domain of cultural heritage – and it is doing so by pursuing questions from within a range of very different disciplines. In addition to specialized research within the various disciplines, the increasing need for interdisciplinary approaches is becoming apparent. Thus a new focus was set up in 2007 with the field of competence, Cultural Heritage and Dynamics of Change, within the area Technology, Culture and Society at the Karlsruhe Institute of Technology. The field of competence includes interdisciplinary aspects such as architectural theory, art history and building history, as well as disciplinary research in renovation and redevelopment. With regard to the history of science and technology, the focus is on researching ethical, professional and cultural developments, as well as dialectical processes of preservation and change. Within this framework, the new project Cultural Transmission – the Digital, is concerned with both material and intangible aspects of the cultural heritage with regard to

its preservation and transference in the digital age. Here, the research focuses on the many great social challenges – present and future – to which these processes give rise. Transmission through documentation and archiving always implies the decoupling of individual objects from their context and hence recontextualization.

The question of what changes the perception and interpretation of artefacts undergo through digitalization comes to the fore here. Documentation and archiving have, until now, always existed in an identifiable context (that of the library, archive, museum, etc.) that authoritatively secured the cataloguing of the object. Data on the internet, however, make decentralized access and contextualization by non-experts possible. It can therefore be seen how, via the amateur's decentralized access to technical means within the internet, non-institutionalized documentations can arise as new forms of knowledge and cultural production. In this scenario, the ethical question of the criteria for determining and selecting the “cultural heritage” is raised. On the one hand, the “digitalized world” opens up interactive realms that can give rise to “deviant” evaluations. On the other hand, it opens up the technical vision of a powerful memory that at first does not seem to require evaluative selection. However, this “memory” operates under the medial premises of digitalization and requires ever-new forms of (qualitatively oriented) data filtering from the user's perspective, in light of the massive amount of data. Open access brings about not only a “democratic” freedom of access, but also a loss of the authority of central institutions, insofar as it is possible to selectively access individual data records and ignore the contextualizations present in order to produce new ones. Here, legal aspects of intangible property rights present further key problem areas. In addition to the questions the humanities raise about the handling of information, the technical formulations of questions concerning digitalization and its consequences – in particular the ageing of materials and formats, but also selection and filtering – are quite relevant and particularly problematic.

Multidisciplinary research projects keep the interplay among cultural heritage, cultural diversity, the formation of modern identities (Robertson-von Trotha, 2009; Hauser, 2009), and conceptions of social responsibility in their sights. Processes of change thus take place within a complex relational network among constraints, the need to adapt, and the need for renewal, i.e. between the readiness to take on the new and the responsibility to preserve “old” cultural assets. The dynamics of change comprise a complex texture of conscious and unconscious processes that are generally not controlled. An important task therefore consists in researching and anticipating both its intended and its unintentional consequences.

Conclusion

We have attempted to thematize several important points in the context of the digitalized heritage and UNESCO's Memory of the World programme. We considered it important to point out the special significance of the programme – and in particular the significance of the programme's portal – for the documentary and digital heritage. We began by presenting the background of the topic of “digital heritage” for a better understanding of its social relevance and the urgency of its preservation and transmission. We continued by taking up questions relating to terminological definitions. On the one hand we made reference to the pioneering work of providing definitions that is contained in the Charter, and its importance for the preservation of the digital heritage. On the other hand we revealed that more research is needed in the future. The main section examined the Memory of the World portal more closely, and in doing so contrasted the Charter's actual achievements with its far-reaching claims. The goal here was to demonstrate that the current state of the portal does not fully do justice to either the programme's goals or the importance of this topic in general. Due to UNESCO's limited financial resources, the Member States should, in our opinion, take on more responsibilities than they hitherto have. In this regard, the necessary requirements mainly entail multilingual access to the digital objects (provided that they already exist)

and sufficient contextualization for better intercultural understanding. Here, it is important to consider the dilemmas of preservation and transformation – this is a crucial task of reflection for both UNESCO and its Member States. Note that preserving the heritage also raises questions of contextualization and of how the material is to be presented. In addition, we also took up the topic of the Memory of the World portal's potential for intercultural education.

Our suggestion here, along with the above, was to significantly expand the official list of nominated objects (by reforming the nomination procedure) as well as the descriptions of those objects through a wiki platform that both laypersons and experts (i.e. social communities) could contribute to. In our opinion, this coupling would correspond to a concept of democratic participation in the documentary heritage that would be very much in keeping with the times, and would lead to democratic participation in the documentary heritage's preservation (e.g. by allowing users to make different connections to the cultural contexts). However, UNESCO cannot perform all these functions by itself, and it is therefore the task of the Member States to support UNESCO both conceptually and practically. In many areas, a considerable amount of research is still necessary. In the last section of the text, important research questions are therefore raised, questions that the Karlsruhe Institute of Technology is taking up in its new field of competence, Cultural Heritage and Dynamics of Change, as well as in the new project, Cultural Transmission – the Digital.

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Serial Natural Heritage Sites: A Model to Enhance Diversity of World Heritage?

Introduction

The concept of serial World Heritage properties has gained much popularity during recent years. This is reflected in the increasing number of nominations and inscriptions of serial properties on the UNESCO World Heritage List. The fact that serial World Heritage properties present a growing trend in the last decade's inscriptions suggests that they offer benefits to the World Heritage Convention and its implementation. The contribution of serial properties to the Global Strategy for a Representative, Balanced and Credible World Heritage List, with its aim of ensuring that the List reflects the world's cultural and natural diversity of outstanding universal value, could be one of these benefits.

In order to make best use of serial properties an in-depth knowledge of the current status of serial World Heritage sites is needed. Given the high complexity in terms of concepts for establishing the outstanding universal value, integrity and authenticity as well as in terms of management systems, serial World Heritage nominations are not only of great interest for future work in the Convention but also merit further analysis and discussion. This paper suggests that serial natural World Heritage properties are a tool to enhance the diversity of sites on the List and analyses the serial natural properties inscribed to prove this hypothesis.

Definition and role of serial World Heritage properties

The definition of a serial World Heritage property is given in the *Operational Guidelines* of the Convention. Para. 37 sets them as follows: "Serial properties will include component parts related because they belong to:

(a) the same historical-cultural group;

(b) the same type of property, which is characteristic of the geographical zone;

(c) the same geological, geomorphological formation, the same biogeographic province, or the same ecosystem type and provided it is the series as a whole – and not necessarily the individual parts of it – which are of outstanding universal value" (UNESCO, 2008).

This implies that serial properties play an important role, especially in recognizing significant properties united within a single theme to be of outstanding universal value, as opposed to the early focus of the Convention on "icons". Since the inclusion of this definition in the *Operational Guidelines* (and even before) a broad variety of serial properties have been inscribed on the UNESCO World Heritage List.

What makes up the outstanding universal value of a serial property?

Serial properties have the function of recognizing outstanding universal value where the key values cannot be displayed in only a single property. The outstanding universal value of a property may be expressed through the metaphor of it "telling a story". For a serial property the component parts can be thought of as different chapters of that story. Serial properties can thus add value in relation to the option of nominating a single property when a series of distinct component parts is needed to "tell the story" of the values within a coherent region, feature or set of values.

Various examples exist among the natural properties inscribed on the World Heritage List:

- Origin and development of geological phenomena (e.g. volcanoes at Jeju Volcanic Island and Lava Tubes, Republic of Korea, inscribed in 2007);
- Complete story of a geological time period (community of plants, animals and the environment of a complete time, e.g. Joggins Fossil Cliffs, Canada; inscribed in 2008);

- Representing islands within an archipelago and displaying functional integrity, complete variety of ecosystems (e.g. Socotra Archipelago, Yemen, inscribed in 2008);
- Different variations of an ecosystem/vegetation type (e.g. Primeval Beech Forests of the Carpathians, Slovakia/Ukraine, inscribed in 2007).

In practical terms, this means that the nomination of a serial property needs a comprehensive idea of the “story” the overall property wants to tell, and what the individual contribution of each component part is. This includes a careful comparative analysis not only on a global level to be able to prove the outstanding universal value of the property but also on the national or – in the case of a transnational nomination – regional level to identify and select suitable component parts. The number of component parts which is needed to display the outstanding universal value depends of course on the individual story.

On the one hand, this number may in part vary in relation to the relevant criteria. The number of component parts for properties under criteria (ix) and (x) may be influenced by the minimum critical size of the individual area which is needed for protection and the distance between isolated fragmented patches of ecosystems. For properties under criterion (x) the duplication of values/features might be accepted (redundancy), when adding to integrity (e.g. Cape Floral Region Protected Areas, South Africa) as the inclusion of similar values can be necessary to ensure integrity/protection whereas properties under criterion (viii) might need component parts which contribute to their representativeness.

On the other hand, the number of component parts may be limited by the ability to effectively manage the property (as a coordinated/integrated management is part of integrity).

This leads to the conclusion that the aim should be to include the minimum number of component parts which are adequate to (a) establish outstanding universal value and (b) ensure the integrity

of the property. A clear justification for the inclusion of every component included in a serial World Heritage property is obviously needed. Note that, at present, the guiding documents of the Convention do not cover this important question.

Individual component parts may add to the outstanding universal value of the series by:

- Adding distinct features necessary for the property to fulfil the criteria for inscription;
- Enhancing significantly the integrity of the property (through elements such as reinforcement, ecosystem functioning, habitat linkages or ecological corridors).

Nomination practice has shown that the choice and number of component parts is sometimes impacted by the fact that scientific findings and conclusions may differ from political interests and that existing protected areas and their boundary design play an important role in the selection.

Status and trends of serial natural World Heritage sites

The concept of serial World Heritage properties has gained much popularity during recent years, as reflected in the increasing number of nominations and inscriptions of serial properties on the World Heritage List.

Among the 176 World Heritage properties inscribed for their natural values, thirty-eight are serial properties (two of them being mixed sites). With twenty-nine States Parties having a serial natural property inscribed, serial properties show a globally growing trend (Engels et al., 2009).

Whereas in the early years of the Convention natural properties were generally large national parks, this has changed in the past two decades: The first serial natural property was inscribed in 1986 (Gondwana Rainforests of Australia); since 1993 almost

one serial natural property has been inscribed each year. In 2005, a total of five serial natural sites had been inscribed and in 2009 both of the natural properties inscribed were serial (The Dolomites, Italy; and The Wadden Sea, Germany/Netherlands). Figure 1 shows the overall trends in inscription of serial natural World Heritage properties.¹

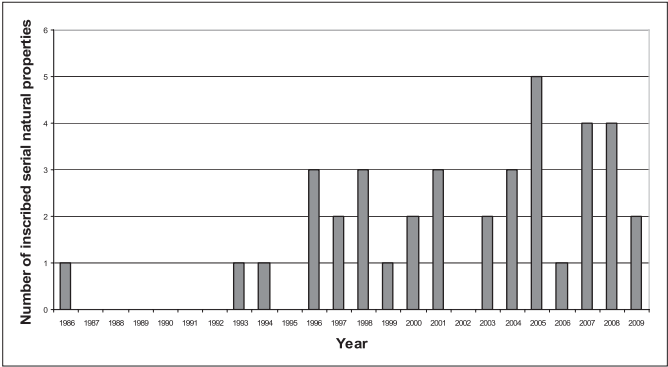


Fig. 1: Trends in inscription of serial natural World Heritage properties

A first analysis of the Tentative Lists shows that seventy-five of 299 sites on these lists are of serial character, suggesting that this trend will be pursued. Note that the current format of Tentative Lists does not ask for a clear indication of the serial character of a site listed, nor does the current format allow for details regarding future component parts.

States Parties	UNESCO region	Name of property
Finland/Sweden	EU/NA	High Coast / Kvarken Archipelago
Hungary/Slovakia	EU/NA	Caves of Aggtelek Karst and Slovak Karst
Mongolia/Russian Federation	EU/NA/AP	Uvs Nuur Basin
Slovakia/Ukraine	EU/NA	Primeval Beech Forests of the Carpathians
Germany/Netherlands	EU/NA	The Wadden Sea

Table 1: Overview of serial transnational natural World Heritage properties (2009)
Note: EU/NA: Europe/North America; AP: Asia-Pacific.

At present, five of the thirty-eight serial natural properties are transnational (involving two States Parties). This is mostly a European phenomenon: all these properties are located in countries of the UNESCO-Europe region; one of them (Uvs Nuur Basin) in two UNESCO regions (Table 1).

None of these properties would have been inscribed if only one country alone had nominated them (an example is the inscription of the Slovak and Ukrainian beech forests which had only been submitted after the Slovak forests nomination had failed and the Advisory Body IUCN had suggested a broader approach to include other forest areas in neighbouring countries). This leads to the conclusion that the serial approach is a tool to enhance the diversity of the List.

This is of special importance for Europe and other regions of the world where large ecosystems and natural phenomena are divided by political boundaries and where natural features at their best can be found in more than one country. The concept of serial properties allows for nomination of natural properties where the outstanding universal value can only be met by combining several component parts. Without the option for serial properties, the World Heritage List would be less regionally balanced for natural properties, fourteen European natural properties being serial (Table 2).

Region	Serial natural	Total natural	%
AF	4	33	12.1
LA/C	6	35	17.1
AP	10	48	20.8
EU/NA	14	57	24.6
AR	1	4	25.0

Table 2: Regional distribution of serial natural properties (2009)
Note: AF: Africa; AP: Asia-Pacific; AR: Arab States; EU/NA: Europe/North America; LA/C: Latin America/Caribbean.

¹ All figures and tables are based on Engels et al. (2009). The data have been updated with status of inscriptions as of July 2009.

In many regions of the world, habitat fragmentation and human pressure has shaped nature. The serial concept is an instrument to address this development and takes up the concepts of ecological connectivity networks and their role in preserving biodiversity on a global scale. This allows for a much greater diversity on the World Heritage List.

A model for transnational cooperation?

The nomination and management of transnational serial properties require intensive collaboration bearing both great opportunities and challenges. Serial transnational properties worldwide have developed management models which can be applied to non-World Heritage sites.

The classical model of one management authority (e.g. protected area administration) is being replaced by complex management systems involving cooperative approaches and newly created management structures for the purpose of World Heritage. An expert workshop in 2008 brought together for the first time various site managers and explored the various management models in more detail (Engels et al., 2008).

To achieve joint management, outstanding universal value has to be translated into a shared set of overall goals and subsequently into tangible and measurable objectives for the component parts. A joint approach to define the objectives is advisable, but not all objectives need to be similar for all component parts that make up the serial site. This is of even more importance for transnational properties where legislative, cultural or linguistic differences influence the management approaches.

The broad variety of management approaches also presents an aspect of bringing more diversity to the World Heritage List in terms offering management options and offer good models for transnational nature conservation management worldwide.

How diverse are serial natural properties?

Size and number of component parts

The average size of a natural serial World Heritage site is 767,286 ha. The size of serial natural World Heritage sites varies from 2,550 ha (Dorset and East Devon Coast, United Kingdom) to 3,830,200 ha (Volcanoes of Kamchatka, Russian Federation). Serial natural properties add important large properties to the List. The size of the individual component parts varies considerably.

The number of components also varies considerably (Figure 2), while seven properties are composed of two components only (e.g. Nanda Devi and Valley of Flowers National Parks, India) the inscribed properties cover up to twenty-three individual components (Caves of Aggtelek Karst and Slovak Karst, Hungary/Slovakia). The number of components has to be identified for every serial property in relation to the character of the site, the story it wants to tell and is ideally based on a well-founded comparative analysis to select the component parts. For example, ecological processes and *in situ* conservation may (sometimes) need several areas to guarantee integrity of a property.

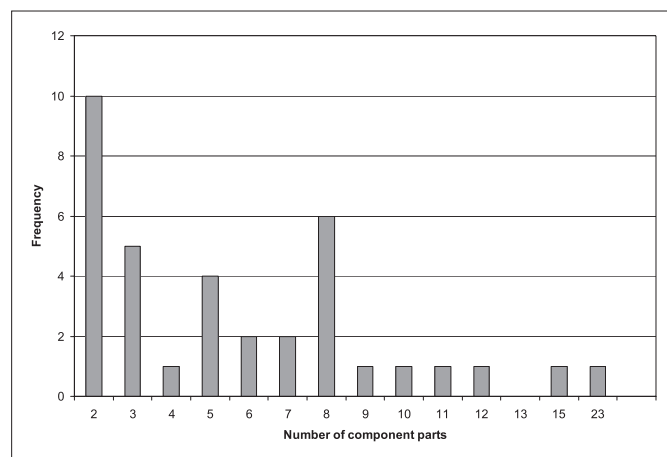


Fig. 2: Number of component parts of serial natural World Heritage properties (2009)

World Heritage criteria

The analysis of the criteria under which serial natural properties have been inscribed shows, that the four natural criteria – (vii) to (x) – are almost evenly distributed with the combination of criteria (ix), (x) and (vii), (ix), (x) prevailing (Figure 3).²

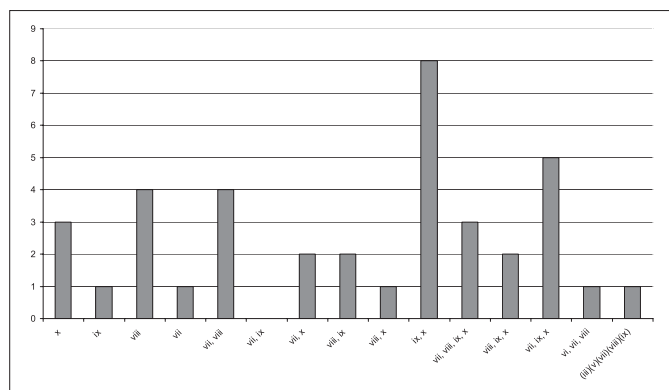


Fig. 3: Criteria (and their combination) under which serial natural World Heritage properties have been inscribed (2009)

Ecosystem diversity

With regard to ecosystems covered by serial natural World Heritage properties, forest ecosystems as well as islands/marine sites dominate (Figure 4). None of the marine/islands serial properties would have made it to World Heritage status without the serial concept as only the combination of the various components (individual islands) allows for establishing the outstanding universal value. The forest ecosystems reach from temperate broadleaf forests such as the Primeval Beech Forests of the Carpathians (Slovakia/Ukraine) to the Tropical Rainforest Heritage of Sumatra (Indonesia), islands and marine ecosystems inscribed as serial properties can be found in the tropics (Lagoons of New Caledonia, France) as well as in temperate zones (The Wadden Sea).

Nomination as World Heritage may represent an important incentive and motivation for States Parties to enhance their protection of valuable ecosystems and the establishment of protected areas. This is of utmost importance for marine conservation as the global network of protected areas is still to be completed in terms of marine protected areas.

Serial nominations provide important opportunities to fill global gaps in the World Heritage List: The IUCN Global Gap Analysis (IUCN, 2004) had identified gaps concerning ecosystems such as marine (noting for example the Gulf of California, Mexico), deserts (Socotra desert, Yemen) or grasslands (tundra ecosystems). Various nominations of later years corresponded to this gap analysis and it can be noted that many of the inscribed properties filling the identified gaps are serial (Gulf of California; Socotra Archipelago; Saryarka – Steppe and Lakes of Northern Kazakhstan).

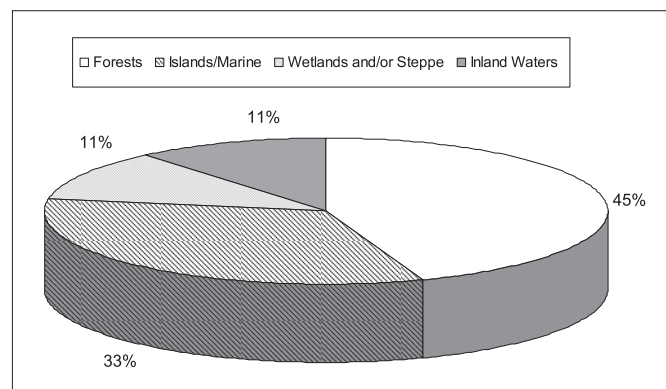


Fig. 4: Ecosystem types represented by serial natural World Heritage properties (2009)

The future of serial properties

At present, serial World Heritage properties are intensively discussed by the World Heritage Committee which is seeking for an

²Criteria for inscription: see para. 77 of *Operational Guidelines for the Implementation of the World Heritage Convention* (2008).

enhanced understanding of the role and functioning of serial properties. The *Operational Guidelines* now contain provisions relating to nominations and management of serial properties (paras 114, 137 and 139) but current practice and experiences with nominations and management have shown that these do not fully take into account the specific needs and challenges (e.g. in the nomination format, guidance for management, etc.).

Current processes under the Convention are seeking more guidance on serial properties and two expert meetings relating to serial natural World Heritage, held at the International Nature Conservation Academy (Vilm, Germany) have pointed out various needs (Engels, 2009; Engels et al., 2008). An initial analysis on serial natural World Heritage properties is already available (Engels et al, 2009).

Given the high complexity in terms of concepts for establishing outstanding universal value, integrity and authenticity as well as in terms of management systems, serial World Heritage nominations are not only of great interest for future work within the Convention but also merit further analysis and discussion. This includes the relationship with other designations (RAMSAR, UNESCO Biosphere Reserves, European Diploma, etc.) and the role of serial properties in the Global Network of Protected Areas and the function within the Programme of Work on Protected Areas under the Convention on Biological Diversity (CBD).

Last but not least, serial World Heritage properties not only present great opportunities for a more balanced World Heritage List but could also pose a threat to its credibility, as they might lead to the inflation of the list, increase the workload for the World Heritage Centre and its Advisory Bodies (in evaluation and monitoring), and present challenges for management, presentation and interpretation. This leads to the conclusion that broader guidance will be needed in future to enable States Parties, World Heritage managers and other stakeholders to effectively use and implement the concept of serial World Heritage.

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Aspects of Transcultural Movements along the Ancient Trade Routes of the Himalayas

Introduction

The impact of Hinduism on neighbouring Buddhist cultures, partly due to trade or labour migration, and the process of acculturation which often accompanies this, can lead to a transformation of cultural identity of an entire society. This process is often named "Sanskritization", "Brahmanization", or "Hinduization" (Srinivas, 1962, p. 42). It can be observed very well on different ancient trade and Buddhist pilgrimage routes throughout the Himalayan areas connecting Tibet and India.

After the occupation of Tibet by the Chinese in 1959–60, thousands of Tibetan refugees had to organize their flight partly along these ancient pilgrimage routes into neighbouring countries that were offering them sanctuary. This created the last surviving areas of their Buddhist culture, which makes these places unique today. Some of the small Himalayan areas in India, Nepal and Bhutan are now the only surviving examples of the impressive ancient Tibetan culture.

Moreover, the modern advent of tourism has brought some Western values into these various Himalayan regions. Today's well-known trekking routes were developed along those old trade paths with fascinating cultural heritage sites. Along with these new influences, increasing labour migration to other countries can often be observed; this is another threat to the cultural heritage and identity of the people living there. With regard to this, it may be noted that the continual diffusion of Western values and lifestyles plus the general process of globalization that goes along with this has encouraged mobility, and so too migration.

Mustang, a large district in north-western Nepal extending into the high Tibetan plateau, has experienced all these three

external influences. The area of Mustang, formerly well known for its salt and grain trade through the Annapurna and Dhaulagiri Himalayas, is divided into a southern part where the Thakali people have mainly settled; and a northern part, also called the former kingdom of Lo Mustang, where the Lopa live. Since the tenth century a very important Buddhist cultural landscape has evolved in both parts of Mustang, thanks to its position along the trade route, with influences from the Indian subcontinent and from the northern Tibetan and partly even Chinese culture. In this way, over the passage of time, a close interaction between man and nature has shaped the cultural landscape of the area, boasting centuries-old monasteries, temples, stupas and recently rediscovered historically significant inhabited caves and cave temple sites.

In the last two centuries, an enormous cultural change has taken place in Mustang and the impact of the above-mentioned external factors, but especially the influence of Hinduism in southern Mustang, has left its traces on the Buddhist culture there. As a result, even though the people of southern Mustang are now trying to protect and re-establish their Buddhist heritage, this has been proved to be very difficult, as too many monuments are already destroyed or disintegrating and intangible values have fallen into oblivion in this southern part of the district.

The impact of Hinduism has also had a certain influence on northern Mustang, but not to such an extent that the Buddhist culture was neglected or that the Lopa people gave up their Buddhist beliefs, as some of the Thakalis of southern Mustang did. The Lopa had difficulties in maintaining their heritage, as their way of life and their culture was not supported by the Nepalese Government, led by a Hindu king in those days. The introduction of a democratic system since 1990 in Nepal brought a lot of changes to Mustang with regard to safeguarding the Buddhist heritage, and also the opening of the restricted area of northern Mustang to foreigners in 1992 helped the Lopa to re-establish their traditional Buddhist-oriented culture. The recent inscription

of the walled capital of the former kingdom, Lo Manthang, on Nepal's Tentative List of World Heritage sites, is supporting the efforts of the Lopa people to protect their extraordinary heritage.

This paper focuses on the different religious, political and social impacts that challenged the preservation of the Buddhist heritage in southern and northern Mustang in the past and the present. In this context the inscription/adoption of Lo Manthang as a World Heritage site would be a milestone for safeguarding this threatened Buddhist heritage place.

World Heritage status of Lo Manthang

Two years ago Lo Manthang, with its medieval palace and famous monasteries from the fifteenth century, was included on Nepal's Tentative List, thus officially recognizing the uniqueness and general value of an ancient Buddhist heritage site. Northern Mustang has become one of the last witnesses to the preservation of Tibetan Buddhist culture.

In this way it will be easier in future for the local inhabitants, the Lopa of northern Mustang, to protect their Buddhist heritage, as they are proud of their traditional way of life and belief and have a very strong sense of identity. With the envisaged recognition as a World Heritage site they would not only receive more financial support for the protection of their heritage sites but also more worldwide interest in their culture. In this remote part of the world, complete isolation for centuries had allowed them to safeguard their religious heritage expressed in the distinct architecture of this area and the intangible cultural traditions linking the Lopa with their surrounding landscape. In fact, it should be therefore suggested not only to inscribe the walled city of Lo Manthang, but to define a certain area of northern Mustang as a cultural landscape where all these values can be taken into account. A proposal to inscribe northern Mustang with all its major heritage sites as a cultural landscape on the World Heritage List was formulated by the present author four years ago (von der Heide, 2006).

Inclusion on the Tentative List followed a decade during which Buddhism had been re-established in the former kingdom of Mustang, a process initiated after northern Mustang was opened to tourism in 1992 by the Nepalese Government. Whereas southern Mustang was already open to tourism in the mid-1970s, the former kingdom had been a restricted area for decades because of its closeness to the Tibetan-Chinese border. When northern Mustang was opened up many of the ancient Buddhist heritage sites were decaying, partly due to lack of support from the Nepalese Government, which was oriented towards Hinduism at the time and therefore not very interested in developing the Buddhist heritage of the country. After 1992 interest increased in the former kingdom of Mustang, as many tourists knew about Tibetan culture and wanted to support the survival of this ancient heritage. In this way tourism and foreign interest brought financial support into northern Mustang, which helped Buddhist culture to be re-established.

Besides this positive effect of tourism, a negative impact is that several Lopa have started to migrate to the south of Nepal and even abroad. It is hoped therefore that recognition as a World Heritage site and especially as a cultural landscape will make it easier not only to preserve the ancient heritage but also to obtain worldwide support and create new job opportunities in Northern Mustang to help to counteract this movement. In this way a new quality tourism, with an interest in culture and nature, together with trekking tourism in selected areas, which is flourishing in Mustang at the moment, could be brought to northern Mustang. Another challenge is the construction of a so-called green road to link the remote areas of Mustang with the south of Nepal. This will make it much easier to visit different sites and places on the one hand, but in due course it will also bring many new unforeseen influences from outside. It is hoped that the envisaged World Heritage status of Lo Manthang will help the Lopa people to keep a "healthy" balance between all these challenges.

Below I describe and analyse some of the circumstances that led to the abandonment of Buddhist values among the people of southern Mustang and a subsequent loss of their cultural heritage and some degree of their identity. This also had a negative impact on northern Mustang.

In the last two centuries the south of Mustang has been transformed culturally due to the gradual influence of Hinduism, the state religion of the then Nepalese Hindu Kingdom, propagated by local trading communities. Therefore today the ancient Buddhist cultural heritage in the southern area is to a greater extent deteriorating or has fallen into oblivion. Some of the ancient Buddhist temples there would have met the criteria for nomination as a UNESCO World Heritage site, but are now destroyed or altered due to the influence of Hinduism – the traditional architecture has been changed, for example, or statues in temples replaced with Hindu idols or maintenance not carried out.

In northern Mustang many important Buddhist sites were also in a very poor state due to lack of maintenance towards the end of the twentieth century. When in 1989-90 a new political system with democratic values was introduced to Nepal it led eventually to the restoration of Buddhism, at least in northern Mustang; which has slowly influenced the area of southern Mustang as well.

Southern Mustang and the Thakali traders

The southern part of Mustang district, called Thak Khola valley, lies some 250 km north-west of Kathmandu, the capital of Nepal. Situated between the Dhaulagiri and Annapurna massif, Thak Khola extends for over 30 km along one of the old trading routes between India and Tibet. The Thakalis who live there today engage predominantly in farming and herding. Since the mid-1970s many Thakali families have been catering for trekking tourism. In the past, however, their significance arose from being a trading people dealing in salt, wool and grain between Tibet and India. The population of the three

distinct Thakali groups today is estimated at 12,000 (von der Heide, 2001, pp. 73–113).

In the context of a well-defined ancestral cult among the local inhabitants, the influence of Tibet led the traditionally minded Thakalis of Thak Khola valley to a syncretism of pre-Buddhist notions and the Tibetan Vajrayana Buddhism, in particular the Nyingma tradition. Impressive Buddhist monasteries and temples were constructed over the centuries along the ancient trade route, as the Thakalis were also wealthy traders who had formerly invited Newari craftsmen and artists from Kathmandu to design mural paintings and woodcarvings for their highly revered buildings. From the mid-nineteenth century onwards, in Thak Khola these religious influences were supplemented by Hinduism, which henceforth began to expand much at the impetus of the then ruling Hindu Rana maharajas of Nepal (1846–1951) and the Thakali Subbas working for them at that time as custom collectors in Mustang.

Under Rana rule, a number of Thakalis – those who made the “highest bid” – were granted the title of Subba and were thereby empowered to collect customs duties from passing trading caravans. A Subba was a senior official of the civil administration, a customs-collecting magistrate, particularly during the time of the Rana rulers. Over the course of time one particular family and its descendants succeeded not only in making this title hereditary, but also in coming into possession of nearly all important social positions by virtue of their influence as middlemen in the salt, wool and grain trade, with the support of the Rana maharajas. The Subba Thakalis and their family members, who had meanwhile become close to the Hindu Rana rulers, thereupon built a trading network in the western, southern and central parts of Nepal, and many Thakalis who worked for them thus migrated seasonally, later semi-permanently, then finally residing permanently in the various trading centres in Nepal, mainly in the prosperous south of the country.

Danger of cultural loss and reconstructing identity

After the Tibetan border closed in 1959, the traditional salt and grain trade between Tibet, Nepal and India came to a complete halt, and thus this source of livelihood for the Thakalis in Thak Khola ended. Therefore, many of them also migrated to the southern, predominantly Hindu-influenced regions of Nepal where many of their relatives were already working for the Subbas. Several villages in southern Mustang had become almost deserted since so many Thakalis had left them for better opportunities in the south. In tandem with the migration of the Subba families, an increasing assimilation in past decades into the "Hindu social order" of central and southern Nepal could be observed, for example the adoption of Hindu ceremonies and festivals and no longer consuming yak meat. In some cases it reached the point where Thakalis abandoned their traditional form of communal life, which is oriented to ancestral beliefs and to the Vajrayana Buddhism practised in Thak Khola.

The adaption to Hindu society had been rising since the end of the nineteenth century – but more particularly since the mid-twentieth century, when the Subbas ordered people to do their utmost not to speak Thakali (which belongs to the Tibeto Burman family of languages) outside Thak Khola in order to avoid the impression of being an ethnic group of Tibetan origin. In Thak Khola, their region of origin, every precaution was taken by the Subbas to keep the thought from emerging that the Thakalis had perhaps originally emigrated from Tibet, and their written histories about their past were also partially changed in this respect. Even their original names were altered in order to give an impression that the Thakalis were not an ethnic group but a caste group belonging to the Hindu Chettris. Also, as a result of these practices, their Buddhist priests and traditional ritual healers in Thak Khola, who were influenced by the pre-Buddhist Tibetan Bon tradition, were no longer supported; the monasteries and temples were slowly yet steadily disintegrating and no one preserved them.

Only after the economic situation in southern Mustang improved significantly, due mainly to the growth and resulting impacts of trekking tourism from the mid-1970s, during the rule of the Hindu king Birendra, did several Thakali families return to Mustang, becoming engaged in the tourism industry. They celebrated their traditional festivals less than in the past and were instead, for example, observing Dashain, one of the main Hindu festivals in honour of the goddess Durga. Likewise, the Buddhist monastic institutions of the Thakalis were increasingly neglected.

Today, whereas most Subba families of the Thakalis and their close relatives have not wished to identify themselves with a Buddhist and pre-Buddhist past aligned with ancestral beliefs, the new generation of Thakalis has taken the opposite view. The reformation of the government and the introduction of a democratic political system with recognized parties at the beginning of the 1990s, also brought changes for the Thakalis. As a consequence of the democracy movement, there was the banding together of various ethnic groups strongly oriented towards Buddhism, forming the Nepal Federation of Nationalities (*Janajati maha sangh*), an umbrella association in which they could now, united, stand up for their ethnic interests. The Central Association of the Thakalis was one of the founding associations of this *Janajati* movement. This movement helped the Thakalis to reconstruct their almost lost identity.

New opinions on how to preserve their own culture and traditional religious beliefs were aired and taken up by their Central Association. For example it was concluded that they are not Hindus. As a result, in Thak Khola along the old trading route in southern Mustang, the idea is slowly growing stronger that the cultural heritage should be preserved in their region. Ironically, for unfortunately most of the old Buddhist temples are already in a very poor condition, the Thakalis have started constructing some new Buddhist temples there.

Northern Mustang – former ancient kingdom of Lo Mustang

The inhabitants of the former small kingdom of northern Mustang, the Lopa, were never engaged in trade to such an extent as the Thakalis. In fact the trade in the former kingdom was controlled mainly from the end of the nineteenth century up to the mid twentieth century by the Thakali Subbas from southern Mustang. In this way the Lopa were also influenced by the Subbas, as they were to a certain extent economically dependent.

Their former kingdom lies to the north of the mountain giants Annapurna and Dhaulagiri, on a high plateau near to neighbouring Tibet on Nepalese territory. Up to May 1992, the region was completely inaccessible. With few exceptions, foreigners were not permitted entry. Legends and myths swirl about this region, which is also known as the Kingdom of Lo.

The Lopa are related ethnically and culturally to the Tibetan sphere of influence; in fact, before the kingdom of Lo became independent in the fifteenth century, the area used to belong to Tibet. This finds expression in their way of life, their script and their festivals and in particular in their religious belief which is related to Vajrayana Buddhism of the Sakya school.

The Sakya tradition is very well known in Tibet for its patronage of art as well as for philosophical learning. Fortunately being outside of Tibetan territory, only the monasteries in the area of northern Mustang have survived until today. Many of them were authentically consecrated by the founder of the Sakya-Ngor tradition, a sub-school of the Sakya order, the great master Ngorchen Kunga Zangpo (1382–1456), of the mother-monastery of this tradition in southern Tibet, which was completely destroyed during the Cultural Revolution. Today, the impressive Namgyal Monastery, built in the fifteenth century next to the capital of the former kingdom, Lo Manthang, is the oldest remaining building to have been founded by this great master.

A day's ride from the Tibeto-Nepali border, at 3,790 m, is the fortress-like Lo Manthang, a unique walled settlement, founded in the fifteenth century by king Amepal under the guidance of the famous scholar Ngorchen Kunga Zangpo (Jackson, 1979; Henss, 1993). The densely packed place is surrounded by an impressive 6 m rammed-earth wall, which originally had only one entrance although today there are several. Situated along the main trade route to Tibet, the capital became a famous spiritual centre from the fifteenth until the mid-eighteenth centuries, when the whole Mustang area became part of the new Hindu kingdom, the unified state of Nepal, founded by king Prithvi Narayan Shah following his conquest of the Kathmandu valley in 1769. Since that time the whole of Mustang has slowly had to face up to declining support for its Buddhist heritage sites.

Lo Manthang boasts a massive five-storey medieval palace and significant Buddhist monasteries such as Jhampa Lhakang, housing a collection of the finest Mandala paintings, and Thubchen Lhakang, with its remarkable architectural structures as well as intricate mural paintings, all built in the fifteenth century.

There are also the remains of old Bon traditions as well as recently rediscovered ancient cave monasteries and temples along the ancient trade route, dating from the eleventh century onwards, with marvellously rendered wall paintings and numerous scriptures, underlining the importance of this cultural landscape as a spiritual centre even before the fifteenth century, with continuing religious and cultural development demonstrating the close ties with the Tibetan kingdom. Especially between the eleventh and thirteenth centuries, famous Buddhist scholars and saints such as Atisha (982–1054), Marpa (1012–1097) and Milarepa (1040–1123) passed through Lo Mustang, the southernmost border district of the area of Western Tibet rule, on their way to the kingdom of Purang-Guge, as the late Dzongsar Ngari Thingo Rinpoche and the present author were able to prove (Thingo and von der Heide, 1998a; 1998b; von der Heide, 2006). They often remained in Mustang for a long time and

under their influence new temple sites arose and monastic complexes were built, containing partly impressive ornated cult rooms. Artists came from far afield to do commissioned work there, and local workshops also seem to have come up. Hardly anything is known, however, about these early masters in Mustang. But we can better understand now, in any case, how a spiritual and cultural centre of Buddhism was able to develop so quickly following the founding of the kingdom of Mustang by king Amepal in the fifteenth century, inasmuch as the required basis for it had been laid long before.

Since this former rather isolated kingdom was opened up to tourism, the population of Mustang, approximately 5,600 Lepas, became aware that their cultural heritage was under threat from the rapid changes. One attempt to preserve this heritage was to build up an infrastructure in order to keep the newly open region from being “swamped” by foreign tourists (Bista et al., 1997; von der Heide, 2000). Despite all the negative aspects of tourism, it is still a very important source of revenue in this part of the world. Besides, the admiration that tourists show for the former kingdom of Mustang as one of the remaining areas of Tibetan culture helps the Lopa people to appreciate their own heritage even more. Since the opening of this former restricted area in 1992 only 1,000 tourists per year have been allowed to enter Mustang. Whoever wants to visit is required to pay a high entrance fee per person per day to the government, in addition to the costs of the trekking agency. With the envisaged recognition as a World Heritage site it is also hoped that a more qualified tourism interested more in Buddhist culture and nature will visit northern Mustang.

Impacts of the democracy movement in southern and northern Mustang

The political reformation of the government in 1989–90 and the attempt to develop a democratic political system in Nepal also brought immense changes to the people living in northern Mustang. The Lopa began to associate with the political parties that

were active in northern Mustang, and also became interested in the *Janajati* movement and its umbrella organization, the Nepal Federation of Nationalities, an association in which their neighbours, the Thakalis of southern Mustang, were active founding members. Some influential Lopa personalities had meetings with the Thakali leaders involved in this movement and obtained more information about it, even though they did not become members themselves. The author was present during several of these meetings with different prominent Thakali leaders who tried to convince the Lopa to join the *Janajati* movement.

The stated aim of the *Janajati* movement is the elimination of disadvantages suffered by minorities (particularly in the economic and social arena) and the preservation and promotion of the groups' cultural heritage. At the same time, the plan is to ensure that minorities become more actively engaged in developments affecting them. The population groups that are counted as *janajatis* (“nationalities”) are those that speak their own language, foster their own culture, belong to a particular religion or live in a particular region of the country, and do not fall under the traditional Hindu *varna* system. This alliance represents an attempt to preserve old traditions – for example, songs, dances, local languages and certain ceremonies – that are now on the verge of disappearing from memory within the new landscape. During protests, the *janajatis* have always drawn attention to the fact that they are not against Brahmins or Chhetris, but are fighting only against Brahminism, which discriminates on the basis of class or caste differences, regarding some ethnic groups above others.

The association of the Thakalis with the *Janajati* movement led to the strengthening of their Buddhist culture, which had been neglected in the 1990s under the previous Hindu-oriented government, with the king as head of state. Buddhist monasteries and monastic schools in southern Mustang, for decades fallen into decay, were reintroduced in those years and were restored, partly with the help of foreign institutions. This revival of

Buddhism in Mustang also had an impact on the Lopa people, for the influence of Hinduization was also prevalent among them, albeit not to such an extent as among the Thakali. After 1963, for example, when the Nepalese Government had set up schools in northern Mustang, the Hindu teachers of these schools gave their Lopa pupils Nepali names (most of them still use their Nepali names instead of their given Tibetan names) which was government policy at the time. The family and relatives of the Lo Gyalpo (king) of Mustang received the family name "Bista" in this way, as a result of this practice, indicating that they belonged to the Hindu warrior caste, the Thakuri Chettris.

Now democracy in Nepal has given minority groups a voice, which they have raised in order to draw attention to their concerns. In previous years the numerous ethnic groups would not have dared to express their needs.

Tourists, who have been allowed to visit northern Mustang since 1992, have also had a positive impact in this respect as they have supported the Lopa people's efforts to protect their unique cultural and religious heritage. Many reports and films have been published about this "former forbidden kingdom", strengthening the idea of the need to preserve their traditional culture.

Thus the political movement in Nepal starting in the 1990s, combined with the encouragement of foreign institutions and tourists, has helped the Lopa to implement new ways of preserving their culture and traditional religious beliefs. That the majority of the Thakali in southern Mustang now say that they are Buddhists and not Hindus has an effect in terms of reinvigorating traditional Buddhist culture and generating open support for it in northern Mustang. Cultural associations and foundations have been established by individual Lopa or together with foreign organizations to safeguard the unique heritage of the former kingdom in Mustang. The Mustang Cultural Conservation Association, for example, and the Tashi Gephel

organization were founded under the aegis of the Gyalchung (king's son) of Mustang. The aim of these organizations is to protect the culture and tradition of the ancestors (Bista et al., 1997).

In this way significant projects have been developed, such as the restoration of the Jhampa Lhakhang and the Thubchen Lhakhang in Lo Manthang, supported by the American Himalayan Foundation; or the conservation project at the oldest cave temple in Mustang, the Mentsun Lhakhang, carried out by HimalAsia and the Gerda Henkel Stiftung, Germany (von der Heide, 2009). Moreover, the establishment of new monastic schools, for example at the Choede Monastery in Lo Manthang, the monks schools at Namgyal Monastery, at Nyiphu or in Kagbeni and the new nunnery school in Tsarang village have all helped to restore Buddhism in northern Mustang.

The opening up of northern Mustang, and the closer contact with foreign institutions and tourists, has on the other hand encouraged more out-migration of the Lopa, not only into central and southern Nepal but also abroad, for example – the most recent trend – to the United States (Tulachan, 2001, pp. 43–72).

Conclusion

In future it will be important to find a healthy balance between these different developments, which is a difficult task bearing in mind the out-migration of the Thakali, discussed above, who partially lost their cultural identity in this way. Trading communities such as the Thakali are much more susceptible to cultural change, whereas the Lopa, having been engaged mainly in agriculture and cattle breeding, were less affected by the impacts of cultural change.

The main factor that is likely to affect Mustang more than migration will be the green road currently under construction. It is difficult to forecast what kind of changes will influence the Mustang area. But in this major transition period it definitely will be a threat for the preservation of the Buddhist culture of northern

Mustang, which has been protected to the largest possible extent and is one of the last remaining areas where traditional Tibetan culture is still prevalent.

The inclusion of Lo Manthang on Nepal's Tentative List was therefore one of the safeguarding measures required to protect the heritage of northern Mustang in future, as it gives that area special recognition worldwide. Moreover, changes at buildings and temples can no longer be easily undertaken without consulting the responsible authorities. In this context it is important for Lo Manthang that measures have to be considered to exactly define the protected heritage zone of the ancient walled settlement, in order to ensure its future integrity while acknowledging change, brought in by the new road.

Besides the built heritage of this area, it is the intangible, invisible heritage of northern Mustang that encompasses the knowledge of the people living here, their spirituality and religious beliefs, which made the region so special and shaped this extraordinary landscape. A further required measure would thus be to extend the envisaged World Heritage inscription and define a certain area as a cultural landscape that will encompass all the major heritage sites and value the intangible heritage of northern Mustang. The inscription as a cultural landscape would help in fact much more to protect the Buddhist heritage of northern Mustang, as a larger conservation area would need to be managed, with the involvement of local people trained specially for this purpose. They should manage their cultural landscape and link it to the relevant government authorities. As major political changes are expected in the country, the involvement of local people in site management would ensure that their cultural landscape would be kept more intact and that decision-making would not be pursued solely from outside as has often been the practice so far. This has sometimes led to conflict with local communities, who did not adopt the changes proposed by the Nepalese Government. Therefore interested local youth and other stakeholders should be trained in heritage

conservation measures, management and documentation techniques, in order to be able to manage their cultural landscape properly and even help to develop an integrated conservation programme and guidelines for the management of the site.

At the moment only Kathmandu University is offering these education facilities in Nepal. Scholarships should therefore be developed and supported to send interested students from Mustang to study conservation and management at heritage sites at this university. In future this programme could be even linked, for example, with the curricula of the UNESCO Chair in Heritage Studies at BTU Cottbus, to share expertise and international experience which will be helpful in managing the heritage site or cultural landscape.

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Towards a Heritage Preservation System: The Dilemmas of Poland's Transformation

Introduction

The year 2009 – the twentieth anniversary of the fall of communism in Central Europe – is an ideal time to reflect more broadly on the nature of our transformation, and on the place of culture in the light of the rapid, far-reaching changes that we have experienced since 1989. Today there can be no doubt that culture since communism has succumbed to the classic syndrome of the transition period. This is particularly clear in Poland. The 1980s – the time of the upsurge of Solidarity and martial law – are still prominent in our memory. That was a unique time, when culture played a very special role in the nation's life. It was culture that tipped the balance in the Poles' great political dispute, and culture that provided a reflection of our identity and our creativity. With the fall of communism and the beginning of the transformation process, culture gradually became politically sidelined. A characteristic feature of this was the weakening position of successive ministers of culture within the government, and the lack of a cohesive strategy in state cultural policy (over the period 1990–2009 the ministry has had eighteen constitutional bosses!). This has aggravated the lack of symmetry between the transformation of the state and its decentralization, on the one hand, and the increasingly anachronistic model of national culture in Poland, on the other – all the more so in that the existing, old model and scope of state patronage of culture is less and less suited to the civilizational change through which we are living today.

Transformation in culture

It is very telling that the cultural changes wrought in Poland since 1989 have not been the result of the internal evolution of the sector but above all a function of external reforms – including changes as fundamental as the democratization of the state,

local government reform, decentralization, privatization, changes to the taxation system, and European integration. At the same time, in most countries of this region undergoing the difficult processes of transformation, culture was perceived above all as ballast, a traditional burden on the budget, not a catalyst for change. Any interest in culture on the part of the new political class in many countries of the New Europe was largely restricted to successive attempts to instrumentalize culture, for example in the service of a new state ideology. For right-wing parties, especially in many post-communist European countries, culture is a convenient tool for playing on national emotions. This essentially achieves little more than the petrification of the old model of state patronage that is the legacy of the previous age.

Yet transformation in culture, especially in the context of globalization and integration, is a vastly complex, many-layered phenomenon. It also affects the modernization processes that are long overdue in our part of Europe, the realm of social consciousness, and the rapid changes in the cultural context, changes in the model of consumption and rapid commercialization, and the information revolution.

Does all this mean that there has also been a change in Polish thinking on heritage and heritage protection? After all, Poland and Central Europe have a unique experience, which is derived not only from the nature of our road to independence and modernity in the nineteenth century, the tragedy of Central Europe in the twentieth century, and the lesson of communism, but also from the fact of the sudden change that occurred after 1989, the speed and complexity of which is now usually expressed in the fashionable word “transformation”.

Central Europe since 1989 is seeking an identity somewhere between national renaissance and globalism. The restoration of memory is often accompanied by the conscious creation of new signs and symbols representing the longed-for sovereignty. Is it not characteristic that in the heart of Vilnius the silhouette of the

Palace of the Grand Princes of Lithuania took shape, even though the ruins of what was known as the Lower Castle were erased from the city's cultural landscape and its residents' collective memory two hundred years ago? Is this the belated end of the historicist mode of thinking on heritage, or another wave of modernism, which commonly emerges from negation of the bal- last of the past? Until very recently, especially in the Polish polit- ical reality, the canon of our national heritage appeared to be untouched, and its protection signified first and foremost the duty to defend our own identity. To what extent has transformation altered our attitude to heritage and its place among the priori- ties of the life of our society?

It is still too early to expect exhaustive answers to these questions, partly because this far-reaching change is still under way. Trans- formation is a complex process. "Emerging from real socialism" and building the structures of a sovereign, democratic state are changes that in turn spark off processes affecting society. The rapidity, depth and many dimensions of Poland's transformation are intertwined with globalization and European integration.

Managing heritage potential

So what is the nature of the relationship between heritage and Poland's transformation? In recent years opposing tendencies have collided head on in terms of this issue. On the one hand the "area" of heritage has expanded significantly, and the potential for its protection has also increased exponentially. On the other, the marginalization and instrumentalization of cultural heritage, and in particular the crisis in the system for its protec- tion, are becoming increasingly obvious. Transformation has presented heritage in Poland with new challenges and new threats. These are especially evident in the centres of our major cities. The rapid changes in their cultural landscapes, often their degeneration, are the result of the triumph of market mechanisms combined with the weakness of the "soft state". Progress from the passive, static way of thinking of heritage as a *sacrum* to its protection amid the reality of the elemental processes of the

privatization and commercialization of public space requires fundamental changes in the way heritage potential is managed.

The issues of heritage protection and the new areas of conflict and danger that emerged with the transformation cannot be taken in isolation from the serious crisis in the institutional culture sector in Poland. In Poland's case, the tension between politics, economics and culture described by Daniel Bell in his now classic book *The Cultural Contradictions of Capitalism* (1994) has above all weakened the position of culture, and caused its political marginalization and rapid commercialization.

The marked asymmetry between politics and economics on the one hand, and the increasingly diminished position of culture on the other, is leading to inevitable conflict in the field of heritage. At the same time, state policy on culture and cultural heritage is not keeping pace with the rate of economic transformation, and this is compounding the crisis in culture in Poland and weaken- ing the potential of our heritage in both the material and non- material dimensions.

On the basis of Poland's experience we can already formulate the following basic conclusions:

- Politics is of fundamental importance in balancing relations between culture and heritage.
- The passivity of the state leads not only to waste of heritage potential but also to its degeneration.
- Heritage, which is an asset that is common property, is today falling victim to private interests; the state is demon- strating surprising weakness in its function of guardian of the common good (Cracow, for example, the symbol of Polish piety towards heritage, is today a city without a plan, its her- itage is being subjected to virtually uncontrolled commercial- ization, and its "beauty" to officially sanctioned defacement).
- The inevitable process of the marketing and commoditization of heritage is a new and significant challenge for the state.

The key to balancing relations between heritage and culture and economic growth lies with politics (here the role of local government is vital!). The creation and implementation of an integrated national and regional strategy on heritage requires the syndrome of “ministerial Poland” to be overcome. Heritage is more than just culture and education; it is also spatial planning, regional development and tourism.

- The twenty-first century will be a century of communication through culture. Intercultural dialogue will also mean intercultural rivalry. In this context, too, it is time to perceive the European dimension of our national culture.
- To be able to conduct effective international dialogue in culture, Poland needs to release its institutional culture from state hands into the public domain.

The experience of Polish transformation in the field of heritage and its preservation to date has created the urgent need for a new opening. Cultural heritage is not ballast but opportunity – but on condition that we look at it from a multidimensional angle, and without restrictive preliminary assumptions. Our priority must be to overcome the “besieged fortress” syndrome that monument preservation in Poland has become in our time.

What is still ballast, however, is the Marxist dogma of the non-productivity of culture. This is reinforced today by the stereotype of the budget “gang” constantly begging for pennies from the public purse. Our opportunity lies in disseminating a new way of thinking about heritage - as a factor in development. We are helped in this by Poland's membership of the European Union, EU funds, and the strengthening of local government as a “guardian of the common good”.

It is also vital to remember that heritage as a resource has some unique attributes. As such, heritage management needs to be based on social economy, not on over-exploitation. The systemic root cause of the conflicts in cultural heritage preservation today is a result of the increasing unpredictability of change on the one

hand, and the inadequacy and incoherence of the current state policy in this area on the other. *It is now painfully clear that the present system is failing to protect a very large part of our heritage stock, chiefly because it lacks mechanisms enabling it to adapt to the changing conditions.*

The existing legal and financial tools were designed to work within a static system operating in conditions of a centrally managed command and control economy, and they formed a system of *monument* preservation. Today we face the urgent need to establish in Poland an effective system of *heritage* preservation, a system that will earn the support and trust of local communities, for they, as well as the owners and users of monuments, are fundamental links in the *heritage* protection chain. The essential difference and difficulty here lies in the fact that while a *monument* belongs to the past, heritage serves contemporary purposes. Another major obstacle is the ignorance of the political classes regarding this issue. None of the changes in outlook or politics that have taken place in Poland to date have yet brought about a breakthrough in approaches to preservation of heritage through its management.

On the basis of observation of mature democracies, in which concern for heritage seems to come almost naturally, born out of tradition, it might be possible to risk the statement that Polish society is only just embarking on a phase of public debate on the real role of historic monuments in contemporary life. Ideally, this discussion should lead to a valorization of local heritage by the community, and this should find reflection in formulation of plans for monument preservation and development of the social economy, as well as other legal instruments by the local authorities. Local government and civil society are vital to the creation of a modern system of cultural heritage preservation in Poland.

Among the most vital and urgent tasks facing those responsible for monument care and preservation at national level today are the following:

- Recentralization ("disaggregation") and reintegration of the monument conservation services;
- Restoration of autonomous status to (depoliticization of) the office of General Conservator of Monuments, and improved staffing of the conservation services;
- Creation of alternative, non-budget mechanisms for financing preservation, analogous to the environmental protection system that already exists in Poland;
- Basing the cultural heritage resource management system above all on the social economy and not on commercialization of monuments;
- Overcoming the syndrome of "a Poland of uncooperative ministries" – especially in the area of spatial planning;
- Better use of existing legal instruments, such as the cultural park (assigning such status should be within the remit of the voivodship conservator of monuments), for effective protection of the cultural landscape;
- Revision of the policy on inscription on the register (even at the price of returning to categorization of monuments) by employing Historical Monument status as a form of protection eligible for particular state support;
- Launch of work on the creation of a comprehensive heritage education system, consisting above all in fostering respect for tradition and for the value of its legacy, and in teaching about effective heritage resource management;
- State support for active civil society participation in monument care and preservation, in particular optimal use of the potential of non-governmental organizations;
- Ratification of international Conventions on cultural heritage preservation and strict observation by Poland of both the spirit and the letter of such documents.

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Part 3

Tangible and Intangible Expressions of Heritage

Preface

The rich and diverse cultural heritage of mankind is manifold and consists of tangible as well as intangible dimensions. Heritage preservation and communication strategies become increasingly fascinating and challenging at the juxtaposition of tangible and intangible. Likewise, heritage experts should be increasingly aware and thoroughly consider and recognize their inseparable interrelation. The papers and case studies in this section deal with examples that illustrate the vital interdependency of material and immaterial dimensions of heritage and thereby show how intangible cultural expressions and traditions contribute to the importance and authenticity of heritage sites. Another emphasis is on the importance of religion in the context of heritage and identity and shows its contribution as well as its challenge to intercultural dialogue. The papers deal with the conditions and difficulties of dialogue and the promotion of cultural diversity in multicultural societies and the role that religion plays in this context, thereby examining the potential that intangible cultural expressions hold for the enhancement of intercultural exchange and mutual understanding and what kind of attitude towards the other is required to live cultural diversity successfully.

Human cultural diversity is represented through intangible and tangible heritage expressions. In this context, Britta Rudolff in "Local Identity on the Global Stage: The Challenges of Representing Diversity" deals with the question of how global diversity is represented through the UNESCO heritage Conventions. She concludes that the current representation is still not balanced because the majority of nominations originate from developed countries of the Northern Hemisphere and heritage assets of the "South" are not adequately represented. Rudolff points out that UNESCO originally launched the Intangible Cultural Heritage programme with the aim of arriving at a more balanced representation of global cultural diversity, but that the first official

listing of expressions of intangible cultural heritage has been a disappointment, as it was not capable of producing a less Eurocentric notion of global heritage. She also raises the important and justified question of whether a balanced representation of World Heritage can ever be achieved through the UNESCO Lists and whether a mutual agreement on how to equally represent all regions of the world is attainable. However, she also maintains that alternative nomination models detached from regional groups and national boundaries should be encouraged and that students from diverse backgrounds that are enrolled in contemporary heritage studies programmes can help to develop new and innovative approaches to solve the current dilemma.

In "World Heritage Sites of Conscience and Memory", Christina Cameron deals with the important role of intangible values for the significance of heritage sites of conscience and memory. As sites of conscience very often possess only weak to non-existent physical evidence, the intangible dimensions contribute to their significance. This makes it difficult to determine their outstanding universal value within the context of the UNESCO World Heritage Convention, which deals more comfortably with physical manifestations. The question is how to define the authenticity of such heritage sites and whether authentic material evidence alone is enough to evaluate their significance. The reconstruction of lost physical fabric is often part of a process of reconciliation and restoration, as the Historic Centre of Warsaw in Poland or the Old Bridge of Mostar in Bosnia and Herzegovina clearly show. The paper reveals how the World Heritage Committee became aware of the important intangible aspects of such places and has consequently moved towards a greater acceptance of the role of intangible heritage values for the definition of the authenticity of heritage sites. Even though sites of conscience and memory still represent only a minuscule number on the World Heritage list, they are of global importance due to their ability to keep important memories of war, human rights abuses or other injustices alive and therefore contribute through their symbolic power to the enhancement of peace and dialogue.

In "Religious and Cultural Diversity and World Heritage in Modern Constitutional States", Jagdish Gundara deals with issues of intercultural dialogue and thereby specifically touches on the tension between secularism and religion in modern constitutional states. He emphasizes a conception of the role of the state as an assurance for the protection and cooperation of believers and non-believers alike. After a historical outline of the development of the relationship between the sacred and society, he also tackles the conflict between the universality of human rights and the particularity of certain religious values and traditions in multi-faith and secular societies, which necessitates the intensification of interfaith and intercultural activities. He furthermore examines the role that education can play in enhancing such efforts that aim at the application of universal principles for constitutional citizenship, while simultaneously guaranteeing the freedom and protection of diverse faith systems and groups in society. Gundara stresses the point that mutual respect is a major value in the teachings of all religions and therefore not in conflict with the values of secular citizenship. He argues that respect is a prerequisite for cultural diversity and a multicultural society and that dialogue can help to discover shared values and principles and lead to the appreciation of differences.

In "Tolerance and Diversity", Judith Herrmann poses the fundamental question of what kind of attitude is required to create the atmosphere within a multicultural society whereby cultural diversity can be lived. She asserts in accordance with Jagdish Gundara that respect for the other, rather than tolerance, produces the conditions that we need for diversity. She argues that an aspect of tolerance, which is derived from the Latin *tolerare*, which means "to bear, endure, suffer", inevitably involves a notion of judgement and disapproval of the other. Therefore, respect is a more adequate expression for reflecting a positive attitude to other people in the context of diversity because it involves the willingness not only to tolerate, but also to learn and benefit from one another. It is therefore respect that creates the condition for intercultural dialogue. The various material and

immaterial expressions of our common heritage represent vital assets of such a dialogue and allow us to understand ourselves in relation to the other, whom we learn to appreciate for her or his distinctness. Respect as a shared common value paves the way for the recognition of the equality of cultural expressions as the ground on which a diverse and creative society is based.

Following these papers that elaborate on the role of intangible cultural heritage and the challenge of diversity for dialogue in multicultural societies, this section turns to case studies that illustrate the theoretical issues dealt with. In his case study "Indian Classical Dance in the Secular Context of a Multi-Ethnic Society in Singapore", Huang Ziming provides an example of an expression of intangible cultural heritage that has potential significance for contributing to dialogue in a multicultural society through the enhancement of mutual respect and better recognition of the other. The tradition that he deals with is called Bharatanatyam, a form of classical Indian dance that has come to represent the identity of the South Indian population in Singapore. Ziming argues that this form of dance can function as a valuable contribution to intercultural exchange in the multi-ethnic island nation. However, this can only happen if an intercultural communication strategy is developed that acknowledges the religious significance, which is inevitably an inherent and historic element of this tradition.

Ulrich Schaaf's case study also provides ideas and insights on the complex issues of heritage protection and preservation that consider the material, as well as immaterial, elements of cultural heritage. The values associated with sites, especially with those that bear testimony to conflict, or sites that once hosted great cultural diversity, can easily be misconceived by modern society. In "The Silesian Lutheran Churches of Peace in Jawor and Świdnica: Symbol of the Struggle for Religious Freedom or Witnesses of Religious Tolerance?", Schaaf discusses how the historic value of this Polish site that was acknowledged by UNESCO when it was inscribed in 2001, can be conceived

very differently depending on the perspective of investigation. Monuments such as the Churches of Peace have not always been seen as monuments of artistic value, because their testimony is directly linked to a political dimension. Schaaf's research on the development of the appreciation of the artistic values of the churches affirms that perception has changed over time. He thereby asserts that UNESCO's view of the churches as "witnesses of the extraordinary act of tolerance" could also be interpreted as "a symbol of the struggle for religious freedom". His case study thereby provides a good example of the fact that it is not only the artistic value of the material assets that determine the appreciation of a heritage site, but also the intangible aspects that play a considerable role.

In conclusion it can be asserted that the aim of this section is to familiarize the reader with the view that heritage sites also obtain their significance through the intangible values that local communities and visitors associate with them and not only through their material dimensions. We can enjoy and appreciate a place for its architectural beauty, value its building style from an artistic or historical point of view and most certainly we should do everything that is possible to preserve its physical structure from decay, but in order to fully grasp and understand the meaning of a historic site, we have to see it in its cultural context: why was it built and what was its original purpose? What does it mean for the people who live in its proximity?

Standard References

Local Identity on the Global Stage: The Challenges of Representing Diversity

Struggle towards diversity

Emphasizing intangible and tangible expressions of heritage in a publication on *World Heritage and Cultural Diversity* presents the opportunity to discuss a variety of current and potential future challenges. These can be either epistemological concepts that promise potential for scientific investigation and reconstruction, professional challenges in the application of models and guidelines, or educational needs for the heritage community, and its academic development in the early twenty-first century. The difficult and often contested role of intangible heritage expressions in the context of World Heritage Sites is one of the aspects triggering ongoing discussion. Equally, the section heading invites an exploration of the interrelation of the two relevant UNESCO instruments, the 1972 Convention concerning the Protection of the World Cultural and Natural Heritage (World Heritage Convention) (UNESCO, 1972) and the 2003 Convention for the Safeguarding of the Intangible Cultural Heritage (Intangible Heritage Convention) (UNESCO, 2003). Such explorations could be aimed at evaluating their early attempts at cooperation and their potentials for mutual enforcement. However, these aspects seem to have been discussed previously at a number of international university seminars, such as the University of Montreal round table – “Tangible and intangible heritage: two UNESCO Conventions” (Cameron and Boucher, 2007), or the Cambridge Heritage Seminar – “Tangible-intangible cultural heritage: a sustainable dichotomy?” (Baillie and Chippindale, 2007). Yet another focus could be on cultural diversity and the processes which link the representation of intangible and tangible heritage expressions to the promotion of cultural diversity under the auspices of UNESCO. It is this aspect which this paper seeks to explore in analysing and deconstructing the status quo of diversity representation in UNESCO's heritage Conventions. For this

purpose, cultural diversity is conceptualized in predominantly one of its range of characteristics, as the driving force and expression of a “common heritage of humanity ... [that] should be cherished and preserved for the benefit of all” (UNESCO, 2005, Preamble). Cultural diversity is produced by and expressed through heritage diversity and vice versa.

Diversity of heritage, or better the attempt to represent the cultural diversity of the globe through UNESCO heritage Conventions, is a fascinating and currently passionately debated endeavour. Coined by the UN standard concept of equitable geographical balance or representation (Thakur, 1999), this endeavour has been translated into a desire for representative and balanced heritage appreciation; an ambition that has become the stumbling block of UNESCO's heritage listing Conventions. This is not only evident in the long-lasting struggle of the World Heritage Committee to establish measures towards better representation of all cultural regions, which is best known under the name Global Strategy (UNESCO, 1998a; UNESCO, 1994), but has also already entered the discourses of the Intangible Heritage Committee, which has merely started its listing procedures.

The 4th session of the Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage (Intangible Heritage Committee) recently convened in Abu Dhabi (United Arab Emirates). Surprising to all representatives was the atmosphere of disappointment that surrounded the first official listing of expressions of intangible cultural heritage. The event, which according to the expectations of most delegates should have given opportunity for celebration, was perceived as a demonstration of failure to respond to the one central, not to say core, objective of the 2003 Convention. Since its very inception, the 2003 Convention was aimed at counterbalancing the perceived Eurocentric representation of the 1972 Convention and function as “a corrective to the World Heritage List ... [which] generally excluded the cultures of many states, particularly those in the Southern Hemisphere” (Kurin, 2004, p. 69). To promote especially the

cultural expressions of the Southern Hemisphere, the then Director-General of UNESCO, Koïchiro Matsuura, advocated this new Convention which would reduce the North-South imbalance of UNESCO heritage listing activities, a phenomenon which he himself vocalized:

“When I myself chaired the World Heritage Committee, just before being appointed to head the Organization, I was nevertheless very conscious of an imbalance. This had to do with the geographical distribution of sites on the World Heritage List, which was more broadly representative of the ‘North’. That imbalance in fact reflected a weakness in our system, which, being exclusively concerned with protecting the tangible heritage, overlooked the intangible heritage and thus left out a great many cultural features that are nevertheless fundamental in a map of cultural diversity, often belonging to cultures of the ‘South’. There was no way UNESCO could really do its job of preserving cultural diversity without giving equal attention to its two basic ingredients, namely the tangible and the intangible heritage” (Matsuura, 2001, p. 1).

Taste of failure

Less than a decade later, the new convention is operational following a record number of ratifications in just a few years. The criteria for inscriptions on two separate lists, the List of Intangible Cultural Heritage in Need of Urgent Safeguarding (Urgent Safeguarding List) and the Representative List of the Intangible Cultural Heritage of Humanity (Representative List), are defined in the *Operational Directives* (UNESCO, 2008b, paras 1–2) and first candidatures were received in 2008/09, with the first new entries proclaimed in late 2009. After only one single listing cycle following its new set of criteria, the so-called Representative List already showed a dominant majority of “Northern” expressions. Apparently this trend is neither what

the authors intended nor expected, and left some of them rather stunned. Given the spirit of “catastrophe” that surrounded the unexpected imbalance, most discourses of the Abu Dhabi meeting centred on attempts to explain what had happened, and exploration of potential ways and methods to redirect this early tendency. The key speakers, spearheaded by the Director-General of UNESCO, straightforwardly declared the failure of the 2003 Convention, at least with regard to its central aim of representing global cultural diversity. The first listing, intended to transport the message of rebalance, gave the wrong signal, as “this imbalance gives the impression that some regions have more intangible heritage than others, and you will all agree that this is not the message that you wish to transmit” (Rivière, 2009, p. 3).

Their concerns are quite valid, as the geographical representation of the first listing cycle indeed gives rise to severe doubts regarding the capacity of the instrument to address the existing bias. Submissions for the following cycle which have already been received do not promise improvement – rather the contrary. “Looked at objectively”, noted the Director-General, “this crucial, so-called representative list is hardly ‘representative’ from a global perspective” (Matsuura, 2009, p. 4).

Statistical analysis of representation of UNESCO regional groups underlines the above reactions.¹ For the purpose of simplification, a few groups of countries are focused on here, as they have been named by World Heritage List critics, as creating the most obvious impression of disproportionate distribution. Following the analyses in the context of the World Heritage Global Strategy and the ICOMOS *Gaps* report, regional imbalance on the World Heritage List is expressed first and foremost in a small number of cultural sites in Africa, the Pacific and the Caribbean and a rather obvious over-representation of cultural

¹ UNESCO’s 193 Member States are organized into six regional groups – (I) Europe (West), (II) Europe (East), (III) Latin America and the Caribbean, (IV) Asia and Australia-Pacific, (Va) Africa and (Vb) Arab States.

sites in Europe and East Asia (ICOMOS, 2004). The 2003 Convention established a slightly different discourse, that of North-South representation.

Considering groups and balanced numbers, there is on the one hand Europe and North America, a group of fifty-one UNESCO Member States of which thirty-four had ratified the 2003 Convention at the time of the Abu Dhabi meeting. To this group could also be added what may Eurocentrically be called the "Far East", with sixteen states of which eleven are parties to the 2003 Convention. This group is perhaps most representative of what is referred to as the "North" in the 2003 Convention discourses and as the well represented in the World Heritage framework. On the other hand, the so-called under-represented regions of the World Heritage List, or a sample of the "South", consisting of the Caribbean Region of twenty-five states of which sixteen joined the 2003 Convention; the Pacific Islands, fourteen states of which only one had acceded to the instrument; and sub-Saharan Africa with forty-five states of which twenty-four ratified at the time of the first listing.

Simple ratio calculation of merely these ratification numbers illustrates that apparently the convention written for the South has attracted a higher rate of ratifications in the North. It should come as no surprise that this will consequently lead to a higher Northern representation of activities in the Convention's lists and programmes. However, the imbalance of the first listing cycle expressed in numbers is really surprising. Following the division introduced, the North listed sixty-five out of seventy-six items on the Representative List (divided into twenty-three from Europe and forty-two from East Asia) while what was defined as the "South" listed only five intangible heritage expressions, two in the Caribbean and three in Africa. The Director-General of UNESCO arrived at similar concerns in his presentation of ratios on the basis of UNESCO regional groups:

"Of the 76 inscriptions made this week and the 90 elements incorporated into the List last year, 44 per cent are from one

single region – Group IV. The rest are distributed as follows: 16.9 per cent are from Group II; 13.3 per cent from Group III; 10.8 per cent from Group I; 10.2 per cent from Group V(a) and only 4.2 per cent from Group V(b)" (Matsuura, 2009).

Note that these statistics are still embellished by the inclusion of the Masterpiece incorporations (included in 2008 from the previous proclamations of Masterpieces), without which they would be even more alarming. For the 2009 cycle alone, 57.8 per cent of all incorporations are from Group IV, 22.4 per cent from Group II, 7.9 per cent each from Groups I and III and only 4 per cent from both Groups V.

Representations on the Urgent Safeguarding List draw a similar picture, with ten overall Northern expressions, of which three are located in Europe and seven in East Asia, which represent the North. In contrast to these ten, only two registered expressions in Africa count for the South. During the second cycle anticipated for November 2010, the situation cannot be expected to improve on either list, and the Director-General has already warned that "the marked geographical imbalance of these first nominations is likely to deteriorate in the future. Of the 147 nomination files received for inscription in 2010, 98 elements – or 66 per cent – are from Asia" (Matsuura, 2009), almost exclusively from those East Asian states previously considered as representative of the North. It actually seems that China, Japan and the Republic of Korea, who share forty of seventy-six entries in the Representative List during the first nomination cycle in 2009 – that is 53 per cent of all expressions – are competing for the highest number of entries, a tendency which is not very likely to stop soon.

Ambitions and stigmas

How did the policies of the 2003 Convention fail to address the potential of imbalance and why is its reality after only one implementation cycle so far removed from its envisaged objectives? First, we must acknowledge that the experts who drafted the

Operational Directives to the Convention clearly misjudged the ambitions of the Member States. While trying to maintain a distance from the World Heritage Convention in order not to repeat its mistakes, they may have done better to observe it as closely as possible in order to learn from its experiences. The experts for example reiterated on several occasions, with the support of the UNESCO Secretariat and a number of Member States, that the Urgent Safeguarding List should be the centre of interest as it provides the basis for international funding, support and cooperation, while the Representative List should be treated as merely a register, with a simplified listing process to create visibility for the diversity of heritage expressions. This interpretation does not seem to be shared by many States Parties, who are perhaps too familiar with the World Heritage Convention, where the World Heritage in Danger List – equally intended as a tool to facilitate funding and international cooperation - has throughout the years been perceived more and more as an instrument of sanction and stigmatization. Why should states volunteer or even make efforts to have their heritage placed on such a list?

The Director-General expressed surprise about this phenomenon, in particular as it contradicted all previous debates in the organs of the 2003 Convention.

"I want to be frank and express my dismay about the marked imbalance between the Urgent Safeguarding List and the Representative List. This is particularly surprising because during the elaboration of the Convention and in adopting the *Operational Directives* in June 2008, many countries repeatedly emphasized that the primary aim was to safeguard living heritage facing threats of deterioration, disappearance and destruction. ... Yet, for the first accelerated cycle of the Urgent Safeguarding List, UNESCO received only fifteen nomination files, while for the Representative List, we received 111 files. ... Does it mean that we in fact are more concerned about the Representative List than the Urgent Safeguarding List? I hope not" (Matsuura, 2009, p. 3).

The proposals for the forthcoming cycles seem to confirm Matsuura's fear: 111 nominations in 2009 and 147 in 2010 (a total of 258) have been presented for the "less important" Representative List and only fifteen proposals in 2009 and five in 2010 (a total of twenty) to the Urgent Safeguarding List, the key list of the Convention (Khaznadar, 2009). Part of this phenomenon has been manufactured in the text of the Convention by accepting the incorporation of Masterpieces, then demanded by many States Parties. With the incorporation ceremony in Istanbul (UNESCO, 2008a), the Representative List, intended by experts to be merely a register, reflecting global diversity rather than a distinction, started off with the wrong signal. By including the expressions listed as Masterpieces of the oral and intangible heritage of humanity recognized in the earlier UNESCO programme (UNESCO, 2001), expressions that had previously received honour and distinction were transferred to a new list which was consequently perceived in a similar way.

The consequences are rather alarming. We have on the one hand the Representative List, which is perceived as prestigious but has almost no entrance barrier and is already completely overwhelmed with nominations, and on the other hand the List of Urgent Safeguarding – inclusion into which is a far more difficult process but is yet awaiting increased attention. This situation is aggravated, according to the Convention's Secretariat, because the Subsidiary Bodies evaluating the candidatures and the Secretariat team are so overwhelmed with work caused by the sheer numbers of submissions to the Representative List, that no human and financial resources remain available for the most important tasks, especially support and capacity-building for the target states in the Southern Hemisphere (Khaznadar, 2009).

The balance of heritage diversity

Following this statistically coloured report on further UNESCO lists of growing imbalance, it seems worth the effort of returning to the key question of representing heritage diversity within UNESCO cultural heritage Conventions. How can diversity of all

heritage expressions be reflected in an international register? Policies and strategies may need to be developed towards solutions, but where to find such solutions? In strategic management it is often recommended to define a vision before outlining the particular policies and strategies required to reach the envisaged results. However, in this case defining a vision seems by no means easy. What would a perfectly balanced list look like? Would it be a list with the same number of expressions from each UNESCO Member State? Or with the same number of expressions from each geocultural region? Do we have to calculate a quota based on number of residents, geographical size and other aspects to serve the needs of very large and diverse countries such as China? However, such a quota would imply that a Pacific island state with more than 200 languages and cultural communities could only have very few expressions listed because of the limited number of residents and the small size of its territory. What does the ideal heritage list look like that we are all striving to achieve and which could constitute our vision?

Drawing on the example of the World Heritage List, which is generally agreed to be neither representative nor balanced, it may be extremely difficult if not impossible to reach mutual agreement on how balance could be achieved. The World Heritage Committee has spent fifteen years (since 1994) promoting a Global Strategy for a more credible, balanced and representative list, and has yet to define how such a desired product would look. Without a clear vision, it is equally difficult to define performance indicators or monitoring mechanisms. Accordingly, regular reports by the World Heritage Centre describing the slow but constant success of the Global Strategy, in their lack of indicators or established evaluation procedures, are not very convincing.

The Global Strategy was initiated sometime between the 11th Committee session in 1987 in Paris, during which the Committee for the first time reflected on the challenges caused by the high number of nominations and the under-represented or non-

represented regions and themes (UNESCO, 1988a), and the 1988, 12th Committee session in Brasilia during which, after ten years of operational listing activity, the World Heritage Committee was approximately at the same point that the Intangible Heritage Committee reached in its first year of full operation (UNESCO, 1988b). In the light of the heavy workload caused by the number of nominations and the unsatisfactory representation of several regions and themes, the Committee decided to conduct a "Global Study" described as "a retrospective and prospective global reflection on the Convention" (UNESCO, 1988b, p. 4). In addition – it was decided, after no clear consensus for future strategies could be reached – an informal working group should further explore opportunities to address the issues at hand (ibid.). The debates in Brasilia appear to parallel the recent Session of the Intangible Heritage Committee in Abu Dhabi. After establishment of a working group and lengthy discussions during which some key individuals – including the President of the General Assembly of States Parties – called for immediate draconian measures including a revision of the *Operational Directives* adopted only in 2008 to be considered during an extraordinary Committee meeting and General Assembly as soon as possible (Khaznadar, 2009, p. 3), the Committee in a lack of consensus reached the decision to establish a working group (UNESCO, 2009, Dec. 4COM.19).

After the initial establishment of a working group by the World Heritage Committee in 1988, it took six more years with five expert meetings and workshops until the adoption of the first Global Strategy at the 18th session of the Committee in Phuket in 1994 (UNESCO, 1995). The objectives for the implementation of the Global Strategy were more precisely defined another four years (and five expert meetings and workshops) later, during an expert meeting in Amsterdam in 1998 (UNESCO, 1998a), which proposed four medium-term objectives, one of which was "a more balanced and diversified World Heritage List" (UNESCO, 1998b, p. 16). This objective has remained as the key ambition of the Global Strategy, and is still included in

its full title: Global Strategy for a Representative, Balanced and Credible World Heritage List. Central measures of the Global Strategy have been thematic studies on under-represented themes and capacity-building initiatives to increase the availability of the Tentative List. These should be judged successful as indicated by the increasing number of Tentative Lists made available by Member States. In addition the number of nominations was limited to two per State Party and the number of overall examination of files per year restricted to forty-five. It cannot be proved at this point that these measures increased the representation of under- or non-represented regions and themes, but apparently, they managed to slow down the increasing North/South divide.

Conclusions

What can be learned from this particular experience? Is it that we have to accept that both lists will never be really representative and all efforts to redirect the process are in vain? There does not seem to be a clear positive or negative response to this question. Probably no list will ever be really representative, but that does not mean all efforts are free of commendable achievements. On the other hand, efforts are indeed short of meaning and purpose as long as they lack a definition of aim, that is, at least a basic idea what a well-represented list would be. In the process of trying to define the ideal of balanced representation, it may be worth being courageous and asking whether a numerical "equitable geographical balance" of sites or expressions on these lists is indeed a realistic or at least desirable vision.

In light of the continuing lack of numerical equitability, it is worth reconsidering if diversity and representation can indeed be reflected on numerical scales. The exploration of alternative models detached from regional groups and national boundaries should be encouraged. However, this would require in-depth brainstorming or rather a "diversity think-tank" within UNESCO or UNESCO-focused university heritage programmes. Students should be motivated to contribute to this rather unexplored field

so much in need of new ideas and innovative thinking. It seems that contemporary university programmes focused on heritage studies have a strong potential to provide new solutions to the dilemma. Several such programmes seem to have taken considerable steps forward to change and abandon the very notion of quantifiable representation, or already are implementing alternative approaches in their policies and student selection. About a decade ago, Lee remarked that heritage professionals consisted predominantly of middle-aged "European-American type academics" (Lee, 1999, p. 47) that would hardly allow any conceptual diversification to happen. While his impression is still somewhat predominant in international professional conventions, a visit to the university programme in heritage studies promises a new trend. Students from a variety of cultural contexts and geographical regions share their experiences and together explore new potentials for the decades to come. In consequence, the ongoing diversification of heritage professionals is probably one of the most noteworthy contributions to a better representation of cultural diversity in UNESCO heritage Conventions and a structural reconfiguration of the heritage discipline.

Until these young professionals gain voices in the international debates of UNESCO we may still face a transitional period of restrictive approaches. The World Heritage Convention will hold on to its policy of limited nominations per year and per State Party, which will probably be gradually expanded in response to political pressures. The Intangible Heritage Convention will introduce a similar system, as was already called for by the Assistant Director-General for Culture, "I have particularly in mind the suggestion that the number of nominations per state and per annum for the Representative List be limited to three" (Rivière, 2009, p. 3). Whether by limitation of candidatures or other measures, a revision of the listing procedures in the *Operational Directives* can be expected in the medium term. Most measures already proposed may help to slow down the increasing imbalance, predominantly because they would give the Secretariat more time to support nominations from

under-represented regions. But they will not, as in the case of the World Heritage List, be far-reaching enough to revise the general trend. A few experts such as Khaznadar call for draconian measures that turn the steering wheel around and redirect the course of the 2003 Convention, “the situation is serious and band-aid solutions, half-measures that amount to naught, the continuation of old habits and attempts to reproduce the World Heritage model are all out of the question” (Khaznadar, 2009, p. 4). However, these calls have not produced specific proposals for implementation and there remains much scope for academic researchers and creative student theses to help the UNESCO heritage listing Conventions out of this cultural diversity impasse.

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World Heritage Sites of Conscience and Memory

Introduction

Sites of conscience bring to mind a well-known proverb: “You can’t judge a book by its cover”. By their very nature, sites of conscience are characterized by strong intangible values and weak to non-existent physical evidence. These are places that bear witness to human rights abuses including genocide, slavery and other violations of freedom. Often the tangible remains of these horrific events have disappeared.

Canadian sites of conscience

Three well-known examples from Canada illustrate clearly these characteristics. The first example is Castle Mountain in Banff National Park (Figure 1), a majestic and distinct landmark that has been portrayed countless times in travel literature and visited by millions of tourists over the years. At first glance, its rocky peaks tower above the silent pine forest, a sentinel in the Rocky Mountains landscape. Yet this seemingly empty place once bustled with the activity of hundreds of internees detained during the First World War. The Castle Mountain facility was one of twenty-four internment camps in Canada from 1914 to 1920 that housed some 70,000 internees, mostly young men who had emigrated from the former Austro-Hungarian Empire. Although some internees were classed as “enemy aliens” – prisoners of war because they had belonged to enemy reserves – the majority were civilians, settlers and farmers who were in fact of Ukrainian ethnic origin from Galicia and Bukovina, then part of the Austro-Hungarian Empire. The internees were put to work building roads, bridges, recreational facilities and other works in and around the national parks (Luciuk, 1988). Time has erased the physical traces of the camp and its barbed-wire enclosure although this sad episode remains alive in the memory of the descendants.



Fig. 1: Castle Mountain, Banff National Park, Alberta (photo by Kmfl64, 7 June 2003)

The second example, a site near Lemon Creek, British Columbia, stands for a group of Second World War Japanese internment camps. Near this tranquil mountain stream in the heart of the Rockies once stood such a camp (Figure 2). In 1941, the Japanese air force attacked the American base at Pearl Harbor in the Pacific, causing the Canadian government to relocate over 20,000 ethnic Japanese away from the coast to internment camps set up in the interior of British Columbia and further afield in the prairies. Despite the fact that 75 per cent of this group of ethnic Japanese held Canadian citizenship, it was feared, though never proven, that they might chart the British Columbia coastline in support of an enemy attack from the Japanese navy. Although the allegations of espionage were never substantiated, the Canadian government nonetheless confiscated and sold their property, including homes, boats, businesses and personal effects, and forced these innocent people – mainly men between ages 18 and 45 – to work as farm labourers in the fields and orchards of British Columbia (NAJC, 2010).

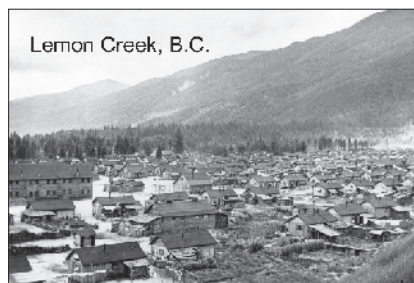


Fig. 2: Japanese internment camp, Lemon Creek, British Columbia (K. Suga / Japanese Canadian Cultural Centre Archives)

The third group of sites of conscience can be found in the residential schools dotted across Canada in the nineteenth and twentieth centuries. While they might look like ordinary school buildings, their innocent appearance belies their more sinister past as manifestations of a deliberate government program aimed at assimilating Canada's Aboriginal citizens. The extent of the operation was massive. Over 150,000 Aboriginal, Métis and Inuit children were removed from their homes and placed in about 130 residential schools funded by government and operated by various religious groups. In line with the government's assumption that Aboriginal cultures could not adapt to modernization, the purpose of the policy of "aggressive assimilation", as the government called it, was to prepare Aboriginal people to live in mainstream society. The boarding schools focused on teaching about Canadian and Christian customs and forbade the use of Aboriginal languages or traditions (Figure 3). For the most part, the residential school system failed in its initial purpose. In addition, students were often mistreated and forced to endure physical, emotional and sexual abuse (Milloy, 1999).

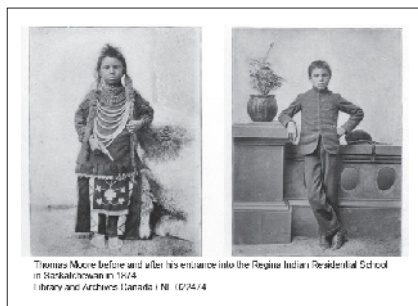


Fig. 3: Thomas Moore at the Regina Indian Residential School, Saskatchewan, in 1874 (Library and Archives Canada, NL-022474)

World Heritage sites of conscience

These three Canadian examples demonstrate the challenging nature of sites of conscience. Traditional research techniques and physical examination of such places do not necessarily reveal their significant intangible value. The same situation prevails for World Heritage properties. Only a minuscule number of the 890 sites currently inscribed on the World Heritage List have

been nominated as sites of conscience. In general, discussions about this kind of site at the World Heritage Committee are awkward, emotional and sometimes accusatory. They reveal the disputed nature of historical narrative.

Within the context of the UNESCO World Heritage Convention, which deals more comfortably with the physical manifestations of heritage places, sites of conscience present a challenge to determine the threshold of outstanding universal value for their intangible dimensions. Among the ten criteria used to determine outstanding universal value, (vi) is the most relevant in these cases. It requires that a property "be directly or tangibly associated with events or living traditions, with ideas, or with beliefs, with artistic and literary works of outstanding universal significance" (UNESCO, 2008, para. 77). In the face of regional and cultural diversity, the particular challenge of applying this criterion lies in the subjectivity of determining the exceptional global significance of events, traditions, ideas and beliefs as well as artistic and literary works. One of the few places that led to an easy consensus for using criterion (vi) was L'Anse aux Meadows National Historic Site at the northern tip of Newfoundland, Canada. The archaeological vestiges convinced the World Heritage Committee in 1978 that this was the site of an eleventh-century Viking settlement, the first European presence in North America, deemed to be an event of outstanding importance.

In addition to the challenge of determining exceptional significance, sites of conscience often present complex issues related to their authenticity, one of the qualities a cultural property must have in order to become a World Heritage site. The early definition of authenticity in the World Heritage system defines the concept in strongly physical terms as "authenticity in design, materials, workmanship and setting" (UNESCO, 1977, para. 9). Sufficient physical fabric survives in some sites of conscience to meet the test of authenticity. Early examples include the Island of Gorée, off the coast of Senegal, the largest slave-trading centre on the African coast from the fifteenth to the

nineteenth centuries. Inscribed as a World Heritage site in 1978 under criterion (vi) alone, the site retains the slave quarters and the houses of the slave traders. Another example is Auschwitz-Birkenau German Nazi Concentration and Extermination Camp (1940–1945) in Poland. Inscribed on the World Heritage List in 1979 under criterion (vi) alone, this place still bears the cruel evidence of the holocaust, including barbed wired walls, barracks, gas chambers and cremation ovens.

But not all sites of conscience have surviving physical evidence. As the Canadian examples cited above demonstrate, some reveal little of their past. Others have been reconstructed wholly or partly, often within a process of reconciliation and reaffirmation. In these cases, the early definition of authenticity led to particular difficulties for World Heritage listing. The test case on reconstructed sites is the Historic Centre of Warsaw proposed by Poland in 1978. Reconstructed after the Second World War, the historic centre was deferred by the World Heritage Committee because it did not appear to meet the Committee's test for authenticity (Figure 4). The case continued to be discussed for two more years before it was inscribed under criterion (vi) alone on the grounds that Warsaw was “a symbol of the exceptionally successful and identical reconstruction of a cultural property which is associated with events of considerable historical significance”. The degree of discomfort that the Committee felt in dealing with this reconstructed historic centre and relying on criterion (vi) in its intangible dimension – a symbol of the

patriotic feeling of the Polish people – is evident from the changes that were made at the same time to its rules: “There can be no question of inscribing in the future other cultural properties that have been reconstructed” (Cameron, 2008, pp. 20–21).

As implementation of the World Heritage Convention advanced, other sites of conscience raised different issues. In an early analysis of potential cultural nominations, French delegate and ICOMOS member Michel Parent warned the World Heritage Committee of the negative precedent set by the inscription of Auschwitz-Birkenau and recommended that “it should stand alone among cultural properties as bearing witness to the depth of horror and of suffering ... and that all other sites of the same nature be symbolized through it” (Parent, 1979, p. 21). Parent's recommendation went unheeded. In 1996 Japan presented the Hiroshima Peace Memorial (Genbaku Dome) for inscription (Figure 5). On a technical level, the ruined structure that survived the atomic blast on 6 August 1945 met the test of authenticity. The ICOMOS evaluation found that the building had no architectural significance *per se*; rather, it recommended inscription of the Hiroshima Peace Memorial for its associative values. The Committee listed the property “exceptionally” on the basis of criterion (vi) alone, as a stark and powerful symbol of the most destructive force ever created by mankind and as a symbol of hope for worldwide peace (UNESCO, 1997, p. 69).



Fig. 4: Reconstruction of Historic Centre of Warsaw, Poland, following the Second World War (Murat Ayranci photographer, courtesy of SuperStock)



Fig. 5: Hiroshima Peace Memorial and Genbaku Dome, Japan (UNESCO, Giovanni Boccardi, 2006)

The listing process was controversial and divisive. Journalists from the world's media networks thronged the corridors of the conference hall in Mérida (Mexico), hassling Committee members as they came and went from the closed-door session. Inside, some countries felt compelled to table official statements of disagreement. China expressed its reservations on the nomination:

"During the Second World War, it was the other Asian countries and peoples who suffered the greatest loss in life and property. But today there are still few people trying to deny this fact of history. As such being the case, if Hiroshima nomination is approved to be included on the World Heritage List, even though on an exceptional basis, it may be utilized for harmful purpose by these few people. This will, of course, not be conducive to the safeguarding of world peace and security" (UNESCO, 1997, Annex V).

For its part, the United States dissociated itself from the decision. In its statement, the country expressed its concern about the lack of historical perspective in the nomination:

"The events antecedent to the United States' use of atomic weapons to end World War II are key to understanding the tragedy of Hiroshima. Any examination of the period leading up to 1945 should be placed in the appropriate historical context. The United States believes the inscription of war sites outside the scope of the Convention. We urge the Committee to address the question of the suitability of war sites for the World Heritage List" (UNESCO, 1997, Annex V).

After this divisive episode, members of the World Heritage Committee resolved to rigorously and literally apply criterion (vi), in particular its proviso that "the Committee considers that this criterion should justify inclusion in the List only in exceptional circumstances and in conjunction with other criteria" (UNESCO, 1998, para. 24). This is the context for the odd circumstances surrounding the inscription of another site of conscience just three

years after the Hiroshima listing. For the nomination of Robben Island, the maximum security prison that had incarcerated Nelson Mandela for twenty-seven years, South Africa proposed criteria (iii) and (vi). The technical advisor ICOMOS initially recommended that the property should be listed under criterion (vi) alone, on the grounds that its exceptional value derived from the fact that Robben Island symbolized the triumph of the human spirit, freedom, and democracy over oppression (ICOMOS, 1999, p. 153). While this assessment correctly reflected the deep spiritual significance of the site as a worldwide icon of hope and the universality of human rights, the ICOMOS recommendation brought into focus the issue of using criterion (vi) alone.

In corridor discussions during the July 1999 Bureau session, South African officials expressed their concern that Robben Island would be rejected, given the Committee's new-found determination to apply strictly the full import of criterion (vi). As a result of last-minute negotiations, the second criterion was resurrected. The Bureau proceeded to support inscription because the buildings bear eloquent witness to its sombre history (iii) and the island and its prison buildings symbolize the triumph of the human spirit, freedom and democracy over oppression (vi) (UNESCO, 1999, p. 45). If Bureau members noted this procedural manoeuvre, they were ready to overlook it in their enthusiasm and admiration for the vision of Nelson Mandela. At the Committee session, the delegate of Thailand acknowledged that the significance of the site lay in its associative values and proposed that criterion (vi) be amended during the session so that inscription would be possible only under this criterion. This suggestion was not adopted. The final report notes that many members expressed their pleasure and emotion, congratulating South Africa for having proposed this site which symbolizes the fight against oppression and the process of national reconciliation (UNESCO, 1999, p. 17).

Sites affected by military conflict during the dissolution of Yugoslavia presented new challenges to the World Heritage Committee. At the 15th session of the Committee, held in

Carthage (Tunisia) in December 1991, the representative of the Director-General of UNESCO expressed grave concern for the devastation inflicted on World Heritage sites in the country, particularly the Old City of Dubrovnik. He appealed to the international community to take measures to restore the historic city to its former glory. Over the objections of the Yugoslav observer who claimed the right to represent his country, the World Heritage Committee took the unprecedented decision to inscribe Dubrovnik on the World Heritage List in Danger, because of “the state of exceptional emergency caused by the armed conflict” (UNESCO, 1991, p. 31).

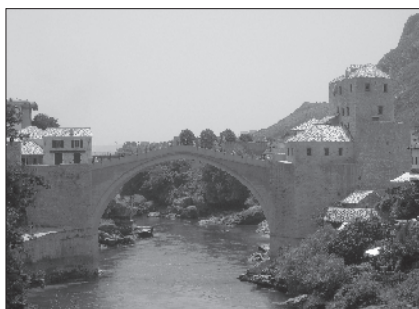


Fig. 6: Old Bridge Area of Mostar, Bosnia and Herzegovina (UNESCO, Sinisa Sesum)

The Committee was further challenged by another site from the former Yugoslavia. The Old Bridge Area of the Old City of Mostar (Figure 6), proposed for World Heritage listing by the new State Party of Bosnia and Herzegovina, had been heavily damaged by the war. Its buildings from pre-Ottoman, Ottoman and European cultures were devastated and its famous medieval bridge was destroyed. Because the boundaries and criteria were unclear and the bridge itself was undergoing reconstruction, the site was deferred twice by the World Heritage Committee in 2000 and 2003. The thorny issue of authenticity was once again before the Committee in 2005. Its policy discouraging the listing of reconstructions was still in place, having been in the *Operational Guidelines* since 1980 (UNESCO, 1980a, para. 18), following the inscription of the reconstructed historic centre of Warsaw, when the Committee decided that would be no question of inscribing any more reconstructed cultural properties.

But the question was less about fabric and more about associative value. The Old Bridge Area of Mostar belongs to the category of sites of conscience where human rights abuses and other violations have occurred. Indeed, the nomination file focuses on the intangible values of the site, characterizing it as a place of memory, a symbol of reconciliation and coexistence among diverse cultural, ethnic and religious communities. In 2005 a revised proposal was considered in the highly charged atmosphere of recent painful memories of the Yugoslav conflict. ICOMOS tried to offer balanced advice. On the one hand, it noted the high proportion of reconstruction and new material which raised concerns about authenticity; on the other hand, it pointed to changes in the definition of authenticity in the revised 2005 *Operational Guidelines* which could justify an overall authenticity, a “kind of truthfulness” with strong intangible dimensions. In the end, ICOMOS made a distinction between “reconstruction of fabric and restoration of the intangible dimensions of this property, which are certainly the main issue concerning the outstanding universal value of this site”. The debate ended with listing of the site under criterion (vi) alone. The outcome shows how much the Committee’s philosophical and policy stance had evolved over twenty-five years towards a greater acceptance of intangible heritage values (Cameron, 2008, pp. 22–23).

Two recent examples of World Heritage sites of conscience from Mauritius still evoked powerful emotions and spirited debate at the Committee. In 2006, Apravasi Ghat was inscribed under criterion (vi) alone as the first site chosen by the British

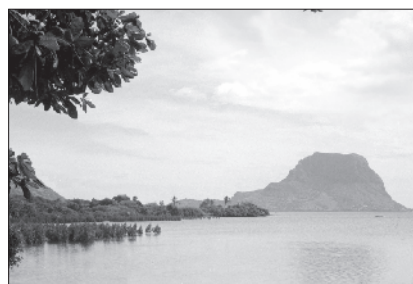


Fig. 7: Le Morne Cultural Landscape, Mauritius (UNESCO, Jasmina Sopova)

Government in 1834 for the “great experiment” in the use of indentured, rather than slave labour. It retains strong memories of almost half a million indentured labourers who moved from India to Mauritius to work on sugar cane plantations or to be trans-shipped to Australia, Africa or the Caribbean. In 2008, Le Morne Cultural Landscape (Figure 7) was listed under criteria (iii) and (vi) because its steep mountain still bears evidence of maroonage or small settlements of runaway slaves dating from the eighteenth and nineteenth centuries. Criterion (vi) captured the site's intangible values: “The dramatic form of the mountain, the heroic nature of the resistance it sheltered, and the longevity of the oral traditions associated with the maroons, has made Le Morne a symbol of slaves' fight for freedom, their suffering, and their sacrifice, all of which have relevance beyond its geographical location, to the countries from which the slaves came – in particular the African mainland, Madagascar and India and South-east Asia” (UNESCO, 2009, pp. 160–61).

Why so few?

With a World Heritage List containing 890 properties and a global history of conflict and injustice, why have so few sites of conscience been listed? To understand this situation, it is useful to recall the fact that States Parties alone have the responsibility for nominating sites within their sovereign territory. It raises the question of how States Parties perceive the nature of the World Heritage List. Is it celebratory with only positive stories and achievements? Or is it commemorative where important sites with both positive and negative connotations can find their legitimate place? In the final analysis, it is individual countries who decide which sites to choose and how they want them to be considered. There are arguably a number of unrecognized sites of conscience on the World Heritage List. As an example, in 1992 the Russian Federation nominated the Cultural and Historic Ensemble of the Solovetsky Islands (Figure 8) for consideration as an important monastic site dating back to the fifteenth century. It has achieved World Heritage status as an outstanding example of a monastic settlement in the inhospitable environ-

ment of northern Europe which admirably illustrates the faith, tenacity and enterprise of late medieval religious communities. What is not recognized by UNESCO is its subsequent role as part of the Soviet system of forced-labour camps beginning in 1923. Stalin later reorganized it into the one of the severest Gulags in his empire. The prison was closed in 1939. Within the World Heritage site there is now a museum that presents life during the Gulag period. There is a strong probability that other unrecognized sites of conscience can be found on the World Heritage List.



Fig. 8: Cultural and Historic Ensemble of the Solovetsky Islands, Russian Federation (Wikimedia Commons, Mihail Vasiliev photographer, 07.2004)

Why are sites of conscience important?

Sites of conscience are poignant reminders of past injustices and powerful catalysts for making the world a better place. They have the power to involve ordinary citizens. At the Hiroshima Peace Memorial, for example, the city holds a huge annual ceremony to mourn those who perished in the bombing as well as to pray for the realization of everlasting world peace. The Mayor of Hiroshima reads the Peace Declaration during the ceremony, calling for the abolition of nuclear weapons. Such sites also provide opportunities for apology, healing and reconciliation. The Canadian Government has taken important steps to address the human rights abuses associated with the Canadian sites mentioned in this paper. In 1988, Japanese Canadians received an apology and redress settlement from the

government, following their campaign for democracy and equal rights. For victims of the residential school system, the government formalized in 2007 a C\$1.9 billion compensation package and in 2008 the prime minister delivered an official apology in Parliament. In addition, following the South African model, a Truth and Reconciliation Commission was established to examine the legacy of the residential schools. Sites of conscience can also provide space for dialogue about human rights issues and their contemporary implications. Such educational programmes exist at sites such as the Island of Gorée and Robben Island. This is the avowed purpose of the New York based International Coalition of Sites of Conscience that links together seventeen sites. The organization offers programmes and funds to stimulate dialogue and promote humanitarian values, including civic engagement activities and learning exchanges.

Conclusion

Sites of conscience, often lacking in physical material evidence, invariably have powerful intangible values that recall human rights abuses and other injustices. Reconstruction of lost physical fabric is often part of the process of coming to terms with the past. In the context of World Heritage, such reconstructions make it especially difficult to assess the authenticity of cultural sites. Beyond the well-known World Heritage sites of conscience, there may be others camouflaged within the existing World Heritage List. These places can contribute to sustaining memories and understanding the roots of conflict. Their positive capacity to foster a broad-based contemporary dialogue about human rights underscores their global importance.

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Religious and Cultural Diversity and World Heritage in Modern Constitutional States

Introduction

Modern constitutional and democratic states have an important task in protecting the rights of all citizens as well as providing them with the protection of the law. These rights include the protection of religious institutions and the right of citizens to believe or not to believe in the sacred. This chapter does not use the term “secular” in its common meaning of the separation of church and state. Jawaharlal Nehru, the first Prime Minister of India, provided an Indian version of the European concept of the term secularism which meant that while religion was completely free, the state gave protection and opportunity to all (religions and cultures) to create conditions for tolerance and cooperation. The role of a secular constitutional state is therefore not in conflict with the sacred or the religious but provides protection to those with no beliefs as well as those of different belief systems.

This chapter analyses the Janus-faced nature of the sacred and of the nation-state and its implications for interfaith understanding or conflict. This is partly the case because the German sociologist Ferdinand Tönnies' assumption of a historical movement from *Gemeinschaft* (rural community) towards *Gesellschaft* (urban society) has not taken place. Tönnies had formulated an understanding that in industrial societies, because of their association with modernity, the ethnic and kinship status of social differentiation would be replaced by social class as a driving force in social organization. Durkheim, Weber and Marx had argued this case and, while social class analyses are still valid, issues of ethnicity and the sacred have reasserted themselves.

Religions are both transnational and multicultural. This raises the complex issue of multicultural citizenship as articulated by Kymlicka, which is less associated with legal citizenship (Kymlicka,

1995). Their strength also has the weaknesses of an Achilles' heel in achieving values in the twenty-first century. Hans Küng (1991), for example, outlines his major project for encouraging an ethical quest: “No survival without a world ethic. No world peace without peace between the religions. No peace between the religions without dialogue between the religions” (Küng, 1991, p. xv).

The conclusion of Küng's book returns to this thought: “Therefore the programme which guides us and which comes together as one may be summed up once again in three basic statements:

- No human life together without a world ethic for the nations;
- No peace among the nations without peace among the religions;
- No peace among the religions without dialogue among the religions” (p. 38).

Küng has come face to face with the absence of a value system as a modus for the present world. According to him, religious institutions (and by inference other self-selective bodies) need to learn a process of dialogue. Dialogue without an educational, public and social policy spin-off dies a natural death. These spin-offs also need to be institutionalized. Küng is moving towards one basic ethic. Although not wishing a unitary religion or ideology, he claims that we require some “norm, values, deals and goals to bring it together and to be binding on it” (p. XVI). A potential educational and public policy framework exists through the various international human rights instruments, all of which subscribe to a high common value. Such initiatives necessitate a policy mix between the universalistic definitions of citizenship and the “politics of recognition” of the specificities of ethnicity and the sacred.

Scholars in higher education institutions need to develop ideas of a non-centric basis of knowledge. This presents curriculum developers with the obvious dilemmas of the rootedness of cultures and civilizations as well as their interconnectedness.

Civilizational knowledge can be pooled to draw the “best” from each phase of human history, and a more syncretic understanding from across civilizations and periods of time could inform the teaching and learning process differently. This would help to improve intergroup and interfaith relations in the context of secular, democratic and the constitutional state.

Civilizational basis of sacred and secular knowledge

In the first phase, between the fifth century BC and seventh century AD, universalist concepts of humanity were established by great religions such as Zoroastrianism, Buddhism, Christianity and Islam and the Confucian and Hellenistic philosophies (Amin, 1997, p. 80). This focus on a particular faith by each of the tributary religions is indicative of the need for the secular state to attempt to develop better interfaith relations and understanding, especially within the public domain and societal contexts. This is however not an easy task for educators because interfaith as well as intrafaith legacies are not only about cooperating to develop a legacy of common and shared culture. It is a legacy of crusades and jihads which are sometimes too complex for educators to teach.

The second phase of the development of knowledge, especially in the Mediterranean region during the eleventh and twelfth centuries, was the collaboration of progressive Catholic, Muslim and Jewish faiths working on Greek scientific and other texts which led to translation of these Greek works from Arabic to Latin and contributed to the Renaissance. Hence, what underpins interfaith dialogue is not the rhetoric of dialogue but an actual project involving faith communities.

The third phase during the modern period has made a contribution to universalism through the philosophy of the Enlightenment. This vision of society was based on the notion of a social context and the French Revolution sought a nation based not on ideas of blood and ancestors but of free citizens. The abolition of slavery and ideas of secularism went beyond mere religious

tolerance. However, despite the fact that the nation was not an affirmation of the particular but of the universal, such universalist objectives have not been achieved. During the American Revolution, in a nation largely based on immigration, the right to be “different” was recognized. Nevertheless, there has been little defence of the right to be “similar” within a constitutional state, especially of the descendants of slaves and indigenous Americans. Hence, inclusive social and political frameworks for all peoples in diverse states across the world have not been optimally developed.

Fourth, the rise of socialism in the nineteenth century further contributed to notions of radical transformation, especially through Soviet Bolshevism. The price paid by socialism in respecting difference and not building inclusive rights to be “similar” has been very evident in the dissolution of Yugoslavia and the Soviet Union. These states did not develop inclusive citizenships with common and shared values and the colonized nations did not have substantive options to develop the public policies to liberate the colonized from class inequalities, minority status, gender inequalities or narrow nationalism and racism.

Fifth, the post-colonial states likewise faced great challenges of maintaining unity, with divisiveness being foisted on them by the colonizers and their own national elites. Most of them have tried to maintain notions of nominal national unity despite tendencies towards fragmentation. The Bandung Principles (1955) of non-alignment that avoid polarities need to be revisited to develop the notions of secular, inclusive, equal and democratic polities in the Commonwealth. The post-colonial nations were largely based on constitutions, which embody powerful features of the modern state. However, the reversals of these very important principles need to be challenged to strengthen more equal, inclusive and socially cohesive societal frameworks.

The educational and political challenge for democratic ideas is to hold notions of respecting difference but at the same time

ensuring the right to be similar. Such an approach could begin to break the polarizations between particularism and universalism. The establishment of a common set of resemblances among citizens of many states can largely be activated in the political and education systems.

The sacred and racism in the Middle Ages

Europe is not immune from the need to reconceptualize the validity of Indian and Nehru's ideas of protective secularism. The history of religions and racism in the Middle Ages provides a sanguine backdrop for this reconsideration.

These early interactions between different groups cannot be ignored in discussing the sacred and diverse identities in Europe. The Greeks and Romans distinguished between the civilized and the barbarous, but these categories were not regarded as hereditary. While there was colonization and there were slaves, there was no concept of race and racism although ethnic prejudice did exist in antiquity.

Anti-Judaism was endemic to Christianity from the beginning. Writers such as US historian George Fredrickson state that anti-semitism became racism when the belief took hold that Jews were intrinsically and organically evil rather merely having wrong beliefs and wrong dispositions. "Ghettoisation and racial discrimination marked the later centuries of the Middle Ages" (Bartlett, 1993).

In the fourteenth and early fifteenth centuries, the Iberian peninsula saw the rise of anti-black racism; the beginning of identifying blacks with servitude, as sub-Sahara Africans were seen as descendants of Ham (James, 1997).

However, Islam itself and especially the Moriscos and the Jewish Conversos suffered a terrible fate in Spain especially after the Reconquista in 1492. In the period 1609–14 the entire Morisco population of one-third of a million was driven out of Spain by the powerful religious champions of the True Church.

The situation is more complex because during the Renaissance the rise of Christian Humanism points in a totally different direction and further change in the relationship of the sacred with the society.

Role of imperialism and colonialism

The rise of imperialism and colonialism in the nineteenth-century British Empire further complicates the issues of sacred and secular. In the twenty-first century one aspect of this legacy, inherited from the nineteenth century, is that while some intellectuals have remained progressive others have turned to religious belief, while most of the masses remain devout. This is true not just in Europe and the Americas but in Asia, Middle East and Africa. Hence, there is no simple equation between low levels of education and high levels of devoutness because many people from the educated elites have now become devout.

As imperialism and colonialism spread in the nineteenth-century empires of Europe, intellectuals from the European-dominated coastal cities in Asia and the Middle East also challenged the older forms of religious institutions and philosophic elements in their religious inheritance. Hence the strengthening of the nation-state, and its spread through colonization, led to religions also strengthening and modernizing themselves. This dialectical inter-relationship between sacred and state cannot be ignored in enhancing contemporary understanding of this intricate and problematic relationship between the sacred, the secular and the state.

Religion, culture and World Heritage

A few issues concerning public and religious institutions and artefacts are briefly referred to: (i) the destruction of heritage sites by other faiths; (ii) attempts to renovate which lead to negating heritage site status; and (iii) the claim of heritage artefacts by the countries of origin currently stored in the so-called "encyclopedic" museums.

At present, when religions and other belief systems speak of heritage, frequently they can only make utterances from behind the barriers of privileged positions, protected under domestic law. In most cases they are protected by secular states and by secular constitutions, which many of these groups try to denounce. The destruction of the Ajodhya Mosque in India by Hindu fundamentalists is one recent example of this issue and more recently, the Taliban destroyed the Bamiyan Buddhist monuments in Afghanistan, which UNESCO is currently trying to reconstruct.

Second, the attempts by some states to make over monuments to cash in on tourism is illustrated by the facelift given by Bolivian archaeologists to Akapanka pyramid, a vestige of the Tiwanaku civilization which existed from 1500 BC to AD 1200. The stone pyramid was built AD 300–700 but as it was plastered during renovation the World Heritage Committee is considering whether to withdraw World Heritage status (*The Guardian*, 2009).

Third, debates are now taking place in public institutions about the way in which European and American museums that refer to themselves as “encyclopedic” are facing demands for return of artifacts from different artistic heritage by the countries of origin. These include demands by Greece and Nigeria for the Parthenon and Benin sculptures at the British Museum; the Pergamon altars now in Berlin having been moved from Turkey, as well as the Egyptian artefacts at the Paris Louvre. What are the best ways of resolving these fairly serious inter-state and intercultural conflicts within public institutions for artefacts of human heritage?

In the case of religions, many major religious bodies are seen to be caught up in reactionary movements that do not respect the heritage artefacts and sites which pertain to those of other faith groups. In multifaith and secular societies this necessitates the intensification of interfaith and intercultural activities and there

are examples of social action projects where the smoothest religious discourse on citizenship issues has taken place, and where leadership in non-governmental organizations has been both positive and dynamic. Such ecumenical dialogues are accompanied by institutional measures and social action to strengthen interfaith links; they do not serve better intercultural relations in secular constitutional and democratic states.

Inclusionary initiatives and measures

Exclusion of groups on religious or social groups' ethnic or racial grounds poses major challenges for all involved in teaching and pedagogical planning. Similarly, fundamentalist beliefs about the economy or the market can have similar exclusive effects, and can give rise to other fundamentalisms. For example, one of the strengths of Islamic knowledge is that it has drawn on a wealth of cultures, including Semitic, Hellenistic, Iranian and Indian. The Hellenistic role of Aristotelian philosophy has been profound. This syncretic influence needs to be maintained by dialogue not only with the faithful but those who are not of the faith. The power of the concept of knowledge is recognized by the Islamic notion that “kings are rulers of people but scholars are rulers of kings”. In the contemporary context, however, kings, scholars and the rest of humanity increasingly need to ascribe to democratic engagements and values.

The rise of strong belief systems in modern secular states may be a reflection of how these states have failed to provide a safe inclusive and secure framework for different faith communities. It also may be partly attributed to strong assertions of the rights of citizens, which are not accompanied by effective measures to ensure their implementation, at both political and social levels. The division that took place at the 1993 international human rights conference in Vienna between the Western and Asian countries on individual and group rights is another case in point. This distinction was not shared by the Asian non-governmental organizations or by the Dalai Lama. Speaking to that conference on 15 June, he stated that he did not see any

contradiction between economic development and the adherence to the Universal Declaration of Human Rights by people in the developing world.

The application of principles for constitutional citizenship within the major world religions will go a long way towards the enhancing of human dignity – in concert with interfaith and intercultural education in nation-states. These concentric interests have forced the religious factor to be cognizant of secular value standards. Except at the margins, the creative edge of growth in humanistic/secular values has had a positive effect on the scholastic and popular presentation of religious formulations and identities.

Research and curricular issues in higher education systems

In dealing with such complexities teachers, students and institutions would need an enormous amount of support to acquire relevant skills, knowledge and understandings. These virtues can be developed through enabling the participation of students and lecturers in situations that embody greater levels of equality.

The ways to a good life at community and educational levels do not depend on singular conceptions but on a mutual realization. The evolution of cosmopolitan unity lies in recognizing the values of civilizational and cultural diversity as mentioned above, which as American educator Alain Locke suggested can draw on the principles of cultural reciprocity. Hence, both within informal lifelong learning and formal university education as well as the cultural aspects of the arts, music and drama have been used to enhance interfaith understandings as well as giving specific faith groups an opportunity to speak for themselves at an educational level, without being misrepresented.

In this sense the role of those in education is to engender an interest in students to become active citizens, based on public policies which are inclusive. Here, it is important to examine the

kind of history being taught. Is it a history of conflict, of militarism, triumphalism or is it a history of building friendships? Is it a history that leads to ethnic cleansing, or is it a history that is disarmed and helps intercultural understanding? The real challenge is how the democratic processes in society and experiential democratic education can guarantee social integration in highly differentiated contexts. Yet there are already positive examples among many British young people. The following are examples from the British context and people of immigrant origin. Das, of the Asian Dub Foundation, describes himself as a "Hindi British Asian, English, Bengali European". Pandit G. describes himself as a "half-Irish, Asian, Scot" (*The Times*, 1999). These modern multiple identities are of great significance in modern democratic states because they embody fewer "hidden hatreds". Paradoxically, at the level of historical diversities, another set of issues comes into play with devolution of power. For example, it may be easier in the United Kingdom to enhance cordial relations especially between England, Wales and Scotland. However, in devolved Northern Ireland, it may be more difficult to make links and solidarities across religious and nationality divides. Here the notion of the *Kulturation* on the basis of the ethnic and sacred is more powerful than the *Staation* based on constitutions and citizenship.

There are also difficult lessons to be learnt from ethnic cleansing in the former Yugoslavia. Can the same Kosovo fields be understood by both the Albanians and the Serbians to build shared meanings and not triumphalism and imagined histories and imagined pasts, which exacerbate intercultural conflicts? Can the symbols of the battles in the Kosovo fields or the Battle of the Boyne in Northern Ireland be used to develop shared heritage sites?

Hence the role of history in secular, multicultural and multifaith societies is to build shared and common values and resemblances among individuals and groups and to be used to develop active democratic citizens who can work for greater levels of equality. Greater levels of equality can also help to reduce

binary oppositions such as winners/losers, devout/atheist, us/them, and belongers/non-belongers.

As constitutional citizenship legally bestows equality, which is neither gradable nor divisible, racial justice and equity can be actualized only if institutional racism is absent. These issues become more critical as the rise of xenophobia, chauvinism and racism can have consequences for even the dominant nationalities, within many countries. However, for those who are not citizens, indigenous peoples or even immigrants, their rights are more tenuous, especially groups such as refugees and asylum-seekers.

The simmering of religious discrimination also takes on exclusionary significance at public institutional levels and Islamophobia has resonance for other faiths. In other words, if in states that discriminate against Muslims another faith does not take any action, then their faith may be next. Hence, interfaith dialogues and initiatives need to include measures against the victimization of any one faith group.

Intercultural education within higher education systems ought to recognize the possibility of the rise of reactive identities in many European countries. Among minority communities a "siege mentality", largely sustained by language or religion, can develop. Among dominant groups this may be based on racism, xenophobia and territorial ownership to the exclusion of those seen as the "other". Intercultural conflicts based on a combination of these differences have already taken place. Ethnic cleansing returned to south-east Europe fifty years after the defeat of fascism. The challenge for political and modern constitutional systems is to turn single notions of identity to multiple notions of identity.

Changing nature of human rights

In historical terms, not only societies but also the nature and type of human rights change. For example, within modern constitu-

tional systems, rights have changed from the eighteenth century, when the first generation of rights were largely civil in nature, to the nineteenth century when political rights became a reality, to the third generation of social rights in the twentieth century, which also include human rights. Given the various levels of inequalities, the state also tries, as the British sociologist the late T. H. Marshall indicated, to initiate a "tendency towards equality" by creating basic conditions that lead towards social equality. This is a dynamic and active concept, not a passive one. However, political devolution, regionalism and centralization within many countries introduce a new set of issues. They create a new political logic, because not only are there issues of interrelationships between the devolved and regionalized polities, but also between the contemporary and historically diverse groups within them. These devolutions in turn need to be reconciled to the harmonization and centralization processes especially at the level of nation-states and an international organization such as UNESCO.

The challenge is to build social and cultural cohesion and inclusive polities, which can accommodate notions of difference but also create conditions for the belongingness and equity of diverse groups. From a higher education and research perspective this presents a "creative moment", as notions of intercultural and interfaith education as well as secular values can be utilized to develop integrative mentalities based on differences and multiple identities. Such academic work cannot just be based on well-meaning rhetoric but on sound social science and humanities research. In this respect, for those who work in higher education systems some aspects of cultural diversity may need to be challenged.

There is already a legacy of the exclusive and negative phenomena of racism, xenophobia, chauvinism and sexism. However, constitutional citizenship and human rights is a recent concept as part of the modern nation-state because in ancient and medieval societies, (where monarchies, empires and chiefdoms existed) people's rights were more circumscribed.

Tolerance

Ethnic and religious tolerance continues to be a delicate issue in our times. At the international level, there is a growing sensitivity to changing patterns of acceptable behaviours and continued escalation of threats about the “clash of civilizations”. The topic is central to any contemporary considerations of societal conflict – and its prevention and resolution. Religious tolerance is among the most basic universal rights, but does not extend to practices that conflict with other basic democratic rights. Frequently, lack of respect for each others' human dignity and the cause of conflict occur when cultural distinctions are exacerbated by and through religious differences and identifications. In other contexts political and economic exclusions and marginalization can also exacerbate conflicts.

Religion can contribute to human liberation as well as to human oppression:

“Certainly religions can be authoritarian, tyrannical and reactionary and all too often were so in the past: they can produce anxiety, narrow-mindedness, intolerance, injustice, frustration and social isolation; they can legitimate and inspire immorality, social abuses and wars in a people or between peoples. But religions can also have liberating effects, oriented on the future and beneficial to human beings, and indeed often have had. They can disseminate trust in life, generosity, tolerance, solidarity, creativity and social commitment, and can encourage spiritual renewal, social reforms and world peace” (Küng, 1991, p. 6).

There is a common understanding that it is the duty of a constitutional secular state to protect diverse sacred and faith systems. It therefore follows that the faith and belief systems have reciprocal obligations to protect the state and its institutions, which guarantee their safety, security and freedom.

A contemporary addressing of the increased problem of intolerance and lack of respect penetrates the heart of citizenship and

fundamental freedoms. There cannot be a full appreciation of values until there is an understanding of the religious factor.

Theoretically, respect and tolerance constitute major values taught by and through religions. The role of religions in human values can be paramount through identification with values of citizenship. More precisely, most societies or sovereign states have become linked to international instruments through their constitutions and as signatories to treaties. Are there ways the religions and religious communities can subject themselves to the same scrutiny, which they often demand of the other? Are religious bodies prepared to face the intensity of their obligations as citizens thinking in an even more radical manner? The remarkably rapid international and national expansion of citizenship rights could be a subject for analysis, but one thing is clear, citizenship can be the interfacing edge of religion and culture in any society, in the search for an articulation of social values.

Religions are not strangers to the field of citizenship rights, and continue to occupy a significant position in the struggle to ensure implementation of citizenship rights and the “conscientization” internationally and domestically – most active at the international and broader national levels, but locally as well. Religion is a significant factor in global analysis – as long as it participates and does not pontificate. The dilemma is clear, that if the major religions projected their innate ecumenical sense of universality, that is, if they could communicate a spirit of solidarity, tolerance and unity, then distinctiveness would become a creative moment in present-day culture. Hence, distinctive identities may not be exclusive of the notions of multiple citizenship and personal and public identities.

Issues of acceptance, inclusion and human rights

Following the havoc wrought by the Second World War, the nations of the world accepted a set of standards or goals that have penetrated every society from that day to this. The opening

phrase of the Universal Declaration of Human Rights recognizes the inherent dignity of all members of the human family. The now widespread use of the elastically defined concept "human dignity" serves as the cornerstone for the most broadly accepted document in human history. The other parts of the complete document – the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights – flesh out and add to the principles of the Declaration. Being Conventions they do have the status of law since entering into force in 1976. The Universal Declaration and the two Conventions (with an Optional Protocol) constitute the finest achievement of standard setting for and by the human community to date; the International Bill of Human Rights. More than sixty additional human rights instruments adopted by the United Nations cover most aspects of behaviour in order to protect, enhance and develop human dignity. One of the instruments commanding attention is the 1981 Declaration on the Elimination of all Forms of Intolerance and of Discrimination based on Religion or Belief (see Walkate, 1989, for the Declaration's history).

The younger generation is also orientated towards vandalism, violence and crime, and some of it may be the result of experiencing injustice, marginalization or the lack of a voice. Such behaviour may result from an attempt to resist the denial of citizenship values and the continued stereotyping of victims as the cause of social problems. The lack of a voice for certain groups of university students may be one practical manifestation of this, and lecturers and higher education institutions can deal with this issue by developing inclusive institutional policies, practices and curricula.

Higher education systems may need to consider whether Greek ideas of *paidea* and German notions of *Bildung* should be interculturalized to build a broadly based framework of values among diverse bodies of university students.

Conclusion

Potential conflicts which have implications for heritage sites have recently arisen between socially diverse groups. This is especially true of societies in the process of democratization, which need to move towards specific recognition of identities on the one hand, but grounded in generally accepted constitutional principles. Thus, dialogue-based research and teaching at higher education institutions within democratic frameworks can lead to the discovery of shared values or, at least, to an appreciation of differences and diversities out of a shared societal base.

As educators and others attempt to overcome potential conflict through sustaining a democratic union of diversities, this chapter has suggested that education for constitutional citizenship and human rights offers an approach to values in which communities can have a dialogue about that which is sacred. As common basic values centre on relationships which in many societies are influenced by the religious factor, it is worth enquiring whether or not world religions can contribute to enhancing interfaith values education within intercultural encounters by sharing a commitment to citizenship and human rights precepts and standards. Can they also accept the legitimacy of modern democratic and secular constitutional principles and help to protect the sacred pillars of public institutions such as the independent judiciary, legislature and democratically functioning governments?

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Tolerance and Diversity

Introduction

"Since wars begin in the minds of men, it is in the minds of men that the defences of peace must be constructed" (UNESCO, 1945). These opening lines of the Preamble to UNESCO's Constitution, which are engraved in ten languages on a stone wall at the Organization's headquarters in Paris, express the core of its mission. Peace and democracy are supposed to be founded on "the intellectual and moral solidarity of humankind" (ibid.). The fulfilment of peaceful coexistence and mutual understanding begins in the way people think about each other and depends on what kind of attitude shapes people's behaviour towards otherness. The practice of tolerance in the face of cultural diversity is commonly understood to represent one of the most important requirements and means in order to fulfil this goal.



Fig. 1: A stone wall on which the opening lines of UNESCO's Constitution are engraved in ten languages was designed by the Israeli artist Dani Karavan and is a reminder of the meaning of tolerance (UNESCO, Square of Tolerance © Judith Herrmann)

In this sense not only World Heritage sites but also the immaterial cultural heritage promote tolerance and mutual understanding, the right behaviour towards otherness in the face of diversity. By preserving cultural heritage, both tangible and intangible, through internationally adopted instruments, the international community acknowledges the importance of these expressions and recognizes their diverse appearance and meanings. At the same time, multiple meanings, competing interpretations of past events, and

conflicts of values – aspects that come along with human creativity – are often bound up with intercultural tensions (see Kutukdjian and Corbett, 2009, p. 9). In order to find strategies for tackling differences certain behaviour towards the other is needed.

In this context, the terms "tolerance" and "intercultural dialogue" are often used as catchwords to promote diversity and ultimately integration in multicultural societies. In most cases, however, they remain abstract categories and ends in themselves, based on a moral obligation we have towards the other. So, how to behave and act properly – how to live diversity – if we do not share a common understanding of these terms?

In the following, a conceptual analysis aims at drawing a way towards understanding the concept of tolerance in relation to diversity in the context of UNESCO's instruments. Thereby the question is raised whether the existing definition of tolerance is adequate to actually practise diversity in an active way, which resembles UNESCO's strive for intercultural dialogue and mutual understanding.

Definition of diversity

Before analysing the term tolerance, "diversity" is defined in order to understand how social reality is conceived. As early as 1945, in UNESCO's Constitution, the "fruitful diversity of ... cultures" was acknowledged (UNESCO, 1945, art. 1.2). Today the meaning of the term has changed from "recognizing the diversity between cultures, to affirming that they are of equal dignity, then to recognizing cultural diversity in itself and, finally, the diversity of cultural expressions" (Stenou, 2005, p. 49).

The most recent development concerning the definition of diversity is characterized by a democratic response, emphasizing the need for peaceful coexistence within multicultural societies. It concerns the reconciliation of the right to be different with societal cohesion and rests on shared values and norms. The UNESCO World Report: Investing in Cultural Diversity and

Intercultural Dialogue, which was launched in October 2009, summarizes this approach by introducing the expression “diversity in unity” (Kutukdjian and Corbett, 2009, p. 27). Instead of describing cultural difference as hierarchical conflict, common cultural traits and universal values are emphasized. This perception of diversity is based on the conception of culture promoted in the 1950s in the context of UNESCO. Claude Lévi-Strauss, French ethnologist and structuralist, spoke in favour of the equality of cultures and interpreted diversity as being the result of different “geographical, historical, and sociological circumstances” (Lévi-Strauss, 1976, p. 324). Thus, the equal dignity of human beings and their expressions was acknowledged to represent an essential prerequisite for peaceful living together.

Both the UNESCO instruments that directly address diversity reflect this approach. The 2001 Universal Declaration on Cultural Diversity (hereafter 2001 Declaration) and the 2005 Convention on the Protection and Promotion of the Diversity of Cultural Expressions (hereafter 2005 Convention) focus on the freedom to practise one's own culture. By promoting alternative ways of living, cultural freedom, which constitutes a cultural right, encourages creativity and diversity. The right to culture implies the right to be different (Stavenhagen, 1998, p. 8). Crucial for the idea of universal rights, thereby, is not the dominance of one system of values, but rather a common basis of human needs. At the same time, the violation of these basic human needs is the limiting factor for their application.

In 2001, cultural diversity was defined for the first time by UNESCO. The 2001 Declaration gives an idea of the term's understanding: “Culture takes diverse forms across time and space. This diversity is embodied in the uniqueness and plurality of the identities of the groups and societies making up humankind” (UNESCO, 2001, art. 1).

These cultural identities can evolve and adapt “drawing on multiple allegiances and enriched through contact with other

cultures” (UNESCO 2002, p. 2). Diversity refers to differing and evolving identities making up humanity. This conception points the way towards the understanding of the diversity of cultural expressions within the 2005 Convention. UNESCO Member States intended to reinforce the idea included in the 2001 Declaration of Cultural Diversity being “the driving force of development, of international solidarity, and of mutual comprehension” (UNESCO, 2007a, p. 47). Article 4 of the Convention defines diversity to refer to different cultural expressions of social groups (UNESCO, 2005). These expressions carry cultural content that is meaning and values, which originate from or express identities, and depend on the context they evolve in.

The 2001 Declaration and 2005 Convention are complementary: while the first document focuses on people and their identities, the latter introduces the concept of cultural expressions and their meanings. These expressions, yet, also originate from or express identities and are hence linked to people and human creativity. Human creativity represents a constitutive element of the world and is the source of diversity. The 2005 Convention goes a step further by emphasizing the dynamic character of diversity and hence the multilayered nature of these expressions as sources for understanding oneself as well as the other (UNESCO, 2005, art. 4.1).

There are two important aspects to this:

- Cultural diversity is expressed by differing meanings and identities, which are created and recreated in intra- as well as intercultural processes, so their appearance depends on the respective historic, which means social, cultural, political and economic context.
- It is via actively engaging with other identities and cultural expressions, their multiple meanings, that an understanding of oneself as well as of the other is created (see Hall, 1996, pp. 4f.).

This dynamic conception of diversity, which focuses on interaction, found its full coverage not only in the 2005 Convention, but also in the 2003 Convention for the Safeguarding of the Intangible Cultural Heritage (hereafter 2003 Convention). The 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” (UNESCO, 2003, art. 2.1). It concerns a set of contemporary manifestations and evolving representations, such as oral traditions, performing arts, rituals and traditional craftsmanship. Cultural heritage is understood as the construction of meanings and identities, as representations of specific contexts.

According to this perception the diversity of cultural expressions, such as the intangible cultural heritage, represents a source for mutual understanding and peaceful coexistence. Based on shared norms, which acknowledge the equality of cultural expressions and the right to be different, intercultural dialogue means actively engaging with the respective other and recognizing cultural sharing as well as differences. It includes “consideration of the ways in which cultures relate to one another, awareness of cultural commonalities and shared goals, and identification of the challenges to be met in reconciling cultural differences” (Kutukdjian and Corbett, 2009, p. 9). In this sense “diversity is less a function of the isolation of groups”, as explains Lévi-Strauss, “than of the relationships which unite them” (Lévi-Strauss cited in Arizpe et al., 2000, p. 27). Intercultural dialogue becomes a means to manage cultural diversity.

Living diversity demands a certain attitude towards otherness to live peacefully together. Several questions arise: which attitude is needed to live peacefully together? Could tolerance be the right attitude? In order to answer this question, the concept itself has to be understood. So, what does tolerance actually mean?

UNESCO's concept of tolerance

Tolerance is a catchword that is often used in intercultural and ideological-political debates. It has however found little constructive reflection in international instruments.

Since the UNESCO Constitution was drawn up in 1945 the term tolerance has been in use, although only in 1995 did it become the subject of a declaration. Following an initiative by UNESCO, that year was proclaimed the International Year for Tolerance. In more than fifty national, regional and international meetings tolerance, multiculturalism, diversity, religious and cultural dialogue were among the topics debated throughout the year. The efforts culminated in the Declaration of Principles on Tolerance (hereafter 1995 Declaration), which was adopted and signed in Paris by UNESCO's Member States on 16 November 1995, the day of the Organization's fiftieth anniversary. Tolerance was acknowledged to be so important that even a day, 16 November, was declared International Day for Tolerance. Based on universal human rights and fundamental freedoms, the practice of tolerance was agreed to represent *the* moral duty and virtue to secure peace.

Article 1.1 of the 1995 Declaration defines tolerance as “respect, acceptance and appreciation of the rich diversity of our world's cultures, our forms of expression and ways of being human” (UNESCO, 1995). Used in this way, it means that tolerance functions as an integrative or umbrella term, which tries to explain the concept via three other terms. This, however, conveys a misleading conception as each of these terms has a specific conceptual connotation and gives a different indication on the nature of human behaviour towards otherness (see van Quaquebeke et al., 2007).

Another attempt to define the term is being made in Article 1.4. It states that tolerance “means that one is free to adhere to one's own convictions and accepts that others adhere to theirs” (UNESCO, 1995). Tolerance is understood as accepting the fact

that human beings and their expressions are naturally diverse. Tolerance in this sense entails a positive concept: the freedom to believe in whatever one claims to be truthful. This is an important approach. At the same time, however, each difference is attributed a positive value *per se*.

An aspect of tolerance, which is not included in the 1995 Declaration, but which can be identified when reverting to a theoretic-philosophical perception, is disapproval. Deriving from the Latin word *tolerare*, which means “to bear, endure, suffer”, tolerance predominately refers to “the deliberate decision to refrain from prohibiting, hindering or otherwise coercively interfering with conduct of which one disapproves” (Horton, 1998, pp. 429–30). Otherness in this sense relates to a cultural characteristic of the respective other – whether it be a person or material or immaterial expression –, which not only deviates from what one knows or is used to, but at the same time is to be disapproved. The practice of tolerance thus requires the act of dissociating oneself from others by evaluating the respective other. The 1995 Declaration does not reflect this concept. It does not provide guidelines when it actually comes to differing and disapproving.

Altogether, UNESCO's definition focuses on tolerance as a means, in the name of human rights, to establish peace in a world which is constituted by differences. It provides a basic approach for dealing with diversity: tolerating otherness aims at living peacefully side by side. For the sake of peace and survival, mutual tolerance is the best of all possible alternatives. Peaceful coexistence is preferred to conflict and it is agreed to a reciprocal compromise, to a certain *modus vivendi*. The definition itself, however, is rather vague and unsubstantial, as it perceives tolerance as an umbrella concept. It does not provide clear guidelines on when we have to be tolerant or with which expression, on how to behave, particularly when it comes to disapproving otherness. Accordingly, UNESCO's concept of tolerance remains a rather abstract category. Moreover, the question

arises whether tolerance is actually enough when it comes to intercultural exchange and actively living together.

Tolerance and diversity

As we have seen so far, tolerance and diversity are mutually dependent. Diversity, as a constitutive element of our social reality, requires tolerance in order to persist. And tolerance represents an essential means to secure the survival of differences. If we look at the definition of tolerance in relation to the perception of diversity, though, we can detect that being tolerant may not be enough to actually *live* diversity.

Tolerance, which – from a philosophical perspective – is defined via disapproval, implies an evaluation of otherness and ultimately ranking of identities and cultural expressions. It concerns a rather basic and passive approach towards recognizing equality. It promotes living side by side for the sake of peace. Accordingly, the practice of tolerance seems to be more suitable in times of conflict and imminent danger. If we aim at making our creative diversity capable of living, however, more than just tolerance is needed. Living together in multicultural societies requires not only accepting the presence of differences, but also the influence we have on each other. The acknowledgment and appreciation of the respective other as being equal and within his or her uniqueness requires active engagement. The willingness to learn from the other and about each other requires openness and active listening. In this sense it concerns the acknowledgement of a more reciprocal equality. Living diversity means to be open-minded and ready to relinquish one's own standpoint, and ultimately leads towards development.

This approach is being conveyed by the most recent perception of cultural diversity. In order to understand the many meanings that cultural heritage may have, active engagement is required. Constructing and deconstructing heritage means comprehending the diversity of cultures. In terms of strategies followed by UNESCO it particularly concerns the strengthening and

involvement of local communities and the growing importance of the diverse meanings people attach to cultural heritage. In 2007, for example, the World Heritage Committee acknowledged local communities to be paramount for the survival of heritage (UNESCO, 2007b). As meaning holders they create and recreate the values and immaterial expressions associated with World Heritage properties in intergenerational processes. The 2003 Convention even directly addresses living traditions and cultural expressions of minorities and indigenous people. It aims at safeguarding the intangible cultural heritage by securing their continued practice.

Considering the diversity of opinions in conservation as well as communication strategies as regards heritage sites, and recognizing the diverse values, meanings and identities associated therewith, means actively acknowledging cultural diversity and respecting, not simply tolerating others. Within this process of intercultural dialogue a shared conservation ethos and mutual understanding is being created and transmitted. The various heritage expressions become means for communicating and demonstrating diversity. Learning about cultural heritage means understanding oneself in relation to the other, our common legacies and varieties, and hence, respecting the other within their distinctness. Indeed, the term "respect" represents a more adequate expression for reflecting a positive attitude to other people and rejoicing in diversity (see Pérez de Cuéllar, 1996, p. 15).

Conclusion

As UNESCO aims at more than survival and living side by side – it aims at actively engaging with differences and understanding diversity – tolerance may not be the best expression to apply in this context. Tolerance is neither *the* universal attitude to practice peaceful coexistence, nor does it refer to an umbrella concept that includes respect and appreciation. Accordingly, the existing definition of tolerance in the context of UNESCO needs to be critically questioned and outlined against related terms. No matter which expression we use and how we behave,

tolerance can never be enough when it comes to actually living diversity in an active way.

An adequate implementation of attitudes – the prioritization of common, goal-oriented and effective action and the development of guidelines for living together, not only side by side – demands a clear and shared understanding of terms while recognizing the legitimacy of the meanings and interpretations of all stakeholders. This is even more important as concepts differ according to time and space, as well as in the face of a globalized, which means interconnected, world. The process of combining shared values with cultural-specific meanings and a diverse interpretation to develop common guidelines resembles not only the acceptance of cultural diversity, but, more importantly, respecting and even appreciating it. It is the task of UNESCO, the only international organization with an explicit mandate for culture, its intergovernmental committees and the entire UNESCO network, to strive for its implementation within their everyday work. Constantly reflecting about and revising terminology, becoming aware of meanings, helps to avoid misunderstandings and to find ways to deal properly with otherness and diversity. At the same time it makes concepts more global and diverse, thereby returning to the spirit of UNESCO's Constitution and its focus on the linkage between universal values, the right to maintain diversity, the enhancement of intercultural dialogue and understanding, and the realization of peace.

Tolerance, respect and appreciation, concepts that form the basis for UNESCO's common action, have to develop in people's minds in order to establish peaceful coexistence. Consequently, "since wars begin in the minds of men, it is in the minds of men that the defences of peace must be constructed".

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Case Studies

Indian Classical Dance in the Secular Context of a Multi-Ethnic Society in Singapore

Dance as a form of cultural heritage has an immediacy that is potentially even greater than buildings and monuments, for it is located in the body itself. Given a ritualistic nature that may be felt beyond its visual appeal, dance can easily be emblematic of a cultural identity. The showcasing of different ethnic dances at national occasions has unsurprisingly become standard practice for the representation of ethnicities that matter in a country, in a politically correct manner. But of course, just as a cultural heritage site may amount to mere scenic backdrops for glamour shots of casual tourists, with scant attention paid to its deeper cultural and historical significance, ethnic dance to the casual audience may amount to little more than part of a grand spectacle like a beauty pageant, with no regard for such content as inner beauty. And when religious significance is involved, its use to promote intercultural understanding may be tentative at best.

The dance form Bharatanatyam represents the identity of the South Indian population in Singapore, especially speakers of Tamil, one of the four official languages in the island nation along with English, Chinese and Malay. It is one of eight Indian classical dance forms that are recognized by Sangeet Natak Akademi, India's national academy for the arts, the most recent addition being Sattriya of Assam in 2002. Bharatanatyam is generally considered to be the regional dance style that is most faithful to aesthetic principles laid down in the *Natya Shastra*, a Sanskrit treatise on dance, drama and music written about 2,000 years ago; but the term Bharatanatyam itself was first coined in the 1930s, during a movement to revive and reinvent the dance form that coincided with nationalist activism. Originally a form of solo dance performed by temple and court dancers, it had previously been known by other terms such as *sadir* or

dasi attam, but these were felt to carry too much negative connotations from the *devadasi* tradition (temple dancers who were supposedly "married" to a Hindu deity and hence never bound in marriage to any man), which was stigmatized during colonial rule as some kind of immoral practice under male patronage.

In Singapore, Bharatanatyam has been flourishing among the Indian community since the 1950s. Apart from Hindu festivals at temples, it is regularly performed in public auditoriums and theatres today under two main categories, one being solo dance debuts known as Arangetram, which marks a dancer's graduation after several years of regular classes in Bharatanatyam, typically at a relatively young age before marriage. Parents tend to spend lavishly on this special occasion, which is attended by families and relatives, friends and parents' business associates. But the very description of these as dance debuts may be misleading, for more often than not the performance is not the launch of a professional career, but rather marks the fulfilment and end of an amateur dancer's foray into what is considered a religious or spiritual art. This phenomenon is also observed in other countries of the Indian diaspora, for the Arangetram is something that "symbolizes cultural continuity" of a South Asian community outside India and "confirms a young woman's belonging" to the community just like a rite of passage (O'Shea, 2007, pp. 154–55).

The other most significant type of performance would be dance drama or creative productions staged by dance groups with funding from the National Arts Council and various foundations, though filling a theatre is usually not easy, given the sheer availability of choice for arts lovers and the small niche market for classical Indian dance. According to the *Renaissance City Plan III Report* (2008) published by the Ministry of Information, Communication and the Arts, audiences in Singapore had some 27,000 arts activities, or seventy-three per day, to choose from in 2007, four times as many activities as ten years earlier. Publicity for such

productions happens to be limited by different factors. *Tamil Murasu*, the only Tamil newspaper in Singapore, has a readership hovering around just 10,000 although there are more than 300,000 Indians in Singapore with over half being Tamil in origin, whereas the English newspapers with much larger circulation figures generally do not feature Indian dance productions unless they have interesting contemporary and secular themes instead of the traditional mythological stories about Hindu deities.

Classical Indian dancers used to be featured in performance regularly on national television between the 1960s and 1980s on Channel 8, which was then shared between Chinese and Tamil programmes. (This incidentally was how I was first exposed to Bharatanatyam dance as a child.) Such programmes were later overtaken by classical dance programmes imported from India and broadcast on the new Channel 12 when programmes in different languages expanded and became segregated. Then with the trend of media privatization in the 1990s and 2000s, classical dance has all but disappeared from local Indian television programming, which has become better known for popular movies and other forms of entertainment. A slight reversal in this trend has occurred recently in the form of classical dance contests conducted in the style of *American Idol*.

From a third-party perspective, it could be argued that Indian classical dance is one least likely to be endangered among ethnic dance forms in Singapore. Unlike the case of the Malay community, for which the practice of dance is not encouraged by the Islamic faith and is even avoided during the month of Ramadan, classical Indian dance is something that is identified with Hindu practice and considered a form of offering to the deities. An often-cited quote from the *Natya Shastra* states that the deities are more pleased by the practice of dance than by pilgrimage or any form of offerings. In Chinese culture, dance has been more of a secular entertainment in comparison. Chinese opera would be the equivalent art form that is performed at religious festivals, as may be observed among the Chinese community in

Singapore, but its heyday was some decades ago. Incidentally, while troupes of traditional Chinese dance and acrobatics are brought in from China as part of Chinese New Year celebrations at shopping malls, the notable celebration of the Chinese “ghost month” consists of a *getai* style of pop songs in dialects as favoured by the working class, whereby typically scantily dressed singers perform among feasting and drinking.

Here it is argued that the challenge for Indian classical dance in Singapore is not so much preservation and carrying on of the tradition *per se*, but rather how to make the art form stay creative and relevant for a new generation of audiences, and very importantly whether and how it may perhaps be used to help to promote racial harmony with other ethnic groups, or indeed help to foster intercultural dialogues. Whereas Singapore has seemed to serve as a good example of peaceful coexistence among different communities for the longest time, there are indications of divisions beneath the surface. *The Ties That Bind and Blind*, a Nanyang Technological University report based on surveys conducted between 2006 and 2007 on attitudes of racial or religious groups towards others (Chin and Vasu, 2007), finds that Chinese are least accepting towards being in a place full of Indians, with 75 per cent approval compared with 79 per cent for Malays and 86 per cent for “Others”, and also least receptive towards the prospect of Singapore’s majority population being Indian, at 56 per cent compared with 58 per cent for Malays and 66 per cent for “Others”. In terms of the attitude of Christians towards non-Christians, the report notes a 76 per cent approval of being in a place full of Hindus compared with 99 per cent for Buddhists or Taoists and 82 per cent for Muslims; and only 58 per cent are receptive towards Hindus becoming a majority population, compared with 97 per cent for Buddhists or Taoists and 61 per cent for Muslims.

The report concludes with the suggestion that “tolerating the different” would be the “realistic and viable option to sustaining cohesion in a culturally diverse society”, rather than expecting

society to commit to “substantial common values in the place of tolerance” (Chin and Vasu, 2007, p. 35). The idea of tolerance may well be the most prevalent interpretation of “racial harmony” advocated by government ministries and agencies, rather than mutual understanding. Interestingly, the results of a survey of religious attitudes among some 2,800 Singaporean secondary-school students showed that while three-quarters of them stressed the importance of tolerating people of other religions, the general definition of “tolerance” is simply “not talking about it” (Chew, 2008; see also Lee, 2009).

If nothing else, Singapore has no shortage of legal instruments to rely on in guarding against discord among its multi-ethnic population. It has a Maintenance of Religious Harmony Act, in effect since 1992, which allows the government to restrain any person of authority in any religious group or institution for “causing feelings of enmity, hatred, ill-will or hostility between different religious groups”, or for carrying out activities to promote a political cause under the guise of propagating any religious belief, and so on. This is in addition to a Sedition Act, last revised in 1985, which covers tendencies such as exciting disaffection against the government as well as promoting “feelings of ill-will and hostility between different races or classes of the population of Singapore”; this act was first used in 2005 when three men were charged for making seditious and inflammatory racist comments on the internet. In February 2010, three Chinese youths aged 17 to 18 were held by the police for allegedly posting racist remarks on Facebook against Indians; while eventually released, they could have faced fines of up to S\$5,000 and three years' jail under the Sedition Act.

These two acts are in addition to the Internal Security Act of 1955, inherited from the British colonial administrators, which was used to detain more than a hundred opposition party and labour union leaders in the 1960s, including Chia Thye Poh who was eventually detained without trial for thirty-two years, possibly the longest-serving prisoner of conscience in the last century.

In the 2000s, over thirty alleged members of an Islamic militant group were arrested under the act. A pastor of an evangelical church was called up by the Internal Security Department in February 2010 and given a warning after video clips posted on YouTube in which he was seen interviewing a former Buddhist monk and nun about their conversion, whereby he appeared to make disparaging comments on tenets of Buddhist teachings such as nirvana, meditation and reincarnation.

Clearly, such legal measures may be necessary for national security in terms of maintaining ethnic and religious harmony, but something else is needed to promote intercultural dialogues, beyond tolerance in the form of avoiding discussion of differences, to promote an “open and respectful exchange or interaction between individuals, groups and organizations with different cultural backgrounds or world views” with aims such as to “develop a deeper understanding of diverse perspectives and practices”, in the words of the European Institute for Comparative Cultural Research with regard to intercultural dialogue (see www.interculturaldialogue.eu). In Singapore, the simplest formula for the promotion of racial harmony is generally to organize community events that showcase music and dance performances of different ethnic cultures. Ironically, cultural differences often surface in such grass-roots events. Classical Indian dancers regard the performance stage as sacred and would perform a little ritual of prayer before dancing; it is the practice of not only artistes but also patrons of Bharatanatyam dance to remove their shoes before stepping onto the stage, just as one would only enter a Hindu temple barefooted. Most artistes would also consider it an insult from the part of the audience to consume food during a classical music or dance performance, and would hence decline an invitation to perform for a feasting event. For non-Indians such as Chinese, however, dance and food make an ideal combination and conflicts sometimes arise when event organizers, who may even be Indian themselves, neglect the taboo while entertaining their VIPs.

Perhaps Bollywood dance would be a better choice than Bharatanatyam if the aim is merely to promote “racial harmony” in Singapore using a lower aesthetic denomination. But that is not the topic of interest here and incidentally, Bollywood entertainment, which has become increasingly popular among non-Indians in Singapore, is generally limited to Hindi movies, not something that the South Indian population identifies with. Tamil movies, in contrast, have for a long time been stereotyped in Singapore by way of a joke that describes the song and dance as nothing but “running around the trees”. Sadly too, a lot of people do not see a distinction between Indian classical dance and cinematic dance, and imitation of “Indian dance” conflating the two still affords comic relief by Chinese entertainers at concert events. This should perhaps come as no surprise for there is no such difference in social and religious significance between folk and “classical” attached to Chinese dance; “Chinese classical dance” as a genre was first coined in the People's Republic of China only in 1950 as a special form adapting movements from Chinese opera, and makes no historical claim, and the fact that Chinese dance today often incorporates ballet movements does not cause much of an issue in cultural identity.

The lack of appreciation of classical Indian dance among the Chinese community has not always been the case, however. Bharatanatyam once found popularity among Chinese school students in the colony in the late 1950s, a phenomenon which may not be so strange given the historical background of the Bandung Conference held in 1955 to promote Asian-African solidarity. More specifically, there was the popular idea among subjects of the British colony of “developing Malayan culture” through interaction among Chinese, Malays and Indians, as mentioned even in a 1953 declaration for the establishment of Nanyang University, a Chinese-language university that was completed in 1958 through donations from people of all walks of life in the Chinese community. It was an interesting period of cross-cultural exchange, which saw an experiment by Bhaskar's Academy of Dance in 1956 of staging the Chinese folk tale Liang Shanbo and

Zhu Yingtai in the form of Bharatanatyam dance, using costumes that imitated Chinese opera and Indian instrumental music on pentatonic scales to approach Chinese music; it was played at the Victoria Theatre for a week, a record made possible through the support of Chinese secondary schools. A dozen Chinese students also took part in the academy's 1958 dance production of *Thirukutrala Kuravanji*, which belongs to a traditional genre of Tamil dance drama dating back to the seventeenth century. But such interest in Indian classical dance among the Chinese community proved to be a passing fad that fizzled out like the anti-colonialist and leftist movement in Singapore.

Nevertheless there have still been non-Indian learners of Bharatanatyam in Singapore every now and then, though active performers are rare. The first Singaporean Chinese to have completed the Arangetram in Bharatanatyam, in fact possibly the first Chinese anywhere to do so, was one Richard Tan Tai Kiat who travelled to the state of Tamil Nadu in India in 1965 to study the art after his initial training in Singapore. He held his Arangetram in 1967 at the famous Meenakshi temple in Madurai, then performed in the cities of Bombay, Patna and Madras the same year. The second Singaporean Chinese known to have completed his Arangetram, apparently also the last thus far, is theatre practitioner Sonny Lim, who held it in Melbourne (Australia) after training under a dance guru based there. Unfortunately, a most prominent figure of the Chinese community who has declared his association with Bharatanatyam was lawyer Tang Liang Hong, a parliamentary candidate of an opposition party in the 1997 general elections, who was labelled during the campaign by the ruling People's Action Party (PAP) as anti-Christian and a Chinese chauvinist; he faced thirteen defamation suits from PAP ministers and MPs after the election and eventually fled Singapore claiming that he had received death-threat letters.

Supposing political history had gone the other way, and the dominant Chinese population had been ideologically motivated

to further attempts in the 1950s to adopt Indian and Malay dance forms as part of a common local heritage. The scenario might well have turned out as in the People's Republic of China, whereby dance forms of non-Han nationalities including Mongolian, Tibetan and so on are adapted into standards. But it would be difficult to picture the kind of secularization in China being applied to Indian classical dance in Singapore, with all its religious connotations. In fact part of the fascination of the handful of Singaporean Chinese who practise classical Indian music and dance may well be related to their spiritual associations. India in the mind of many Chinese is the birthplace of Buddhism, and also the mythical land that Buddhist monk Xuan Zang of the Tang dynasty travelled to with his monkey warrior disciple, Sun Wukong, according to mythology as depicted in the classic novel *Journey to the West*. Chinese devotees who visit a Buddhist temple for prayers in Singapore can often be seen burning joss sticks at a neighbouring Hindu temple as well, like a form of polytheist belief which many Chinese people already follow without making any hard and fast distinction between Buddhism and Taoism.

In spite of any such affinity that one may choose to see between Buddhism and Hinduism, Bharatanatyam dance with its sophisticated rhythmic footwork and its cryptic gestural language is still largely alien to the Chinese in form and style. Needless to say, its religious symbolism will be of even less appeal to an audience of other faiths. It may be useful here to gain perspective by recalling the views of Western writers on Hindu art in the earlier part of the twentieth century. British anthropologist Arthur Maurice Hocart once described the symbolism of the many-armed deities in Hindu art as "decadent" in the sense of being "interested in ideas and [acting] from ulterior motives", sharing with other Western writers the view of Hindu art from the tenth century onwards as a deterioration from art of the Gandhara and Gupta periods which showed Greek influence. He wrote in 1952: "The romantic art of India delights in the presentation of old myths which had suffered the eclipse of Buddhism, but it is

not the story that really interests the artist but the opportunity for emotional expression and for flaunting an aggressive creed. The moral bias is typical of decadence" (Hocart, 2004, p. 241).

Partha Mitter, writing on "decadent" art of the South Indian temple, observed that Hocart and other Western writers have spoken of "the violence, the exaggeration, and the cult of the monstrous in Hindu art", "conjuring up a steamy, unwholesome world of a tropical forest exuding a sickly sweet smell of death and incense" (in King, 1999, pp. 95, 106).

Symbolic meanings abound in Bharatanatyam just as in the iconography of Hindu sculptures. For example when Shiva, the supreme god in the Shaivite tradition of Hinduism, is enacted in Bharatanatyam in the form of Nataraja, the cosmic dancer, poses and hand gestures echo the Chola bronze image of Nataraja like that seen at the famous Chidambaram Temple. The right palm is raised at shoulder level to symbolize protection or fearlessness, while the left hand points towards the raised left foot signifying liberation from illusion. Many other hand gestures symbolize the hand drum held by the second right hand in the sculpture, as well as gestures and movements to symbolize other features of Shiva such as his third eye, the crescent moon on his head, his matted hair and the serpent that adorns him. There are twenty-eight basic single-hand gestures and twenty-four double-hand gestures which learners of Bharatanatyam have to memorize by heart for different applications in dance.

Indeed, "pure dance" without religious references expressed through hand gestures or dramatic enactment of Hindu mythology corresponds to only a small fraction of the Bharatanatyam repertoire. There are three categories of Indian dance in the classical concept: Nritya, Nritya, Natya. Nritya refers to pure rhythmic dance; Nritya refers to dance with some expressions; Natya refers to dance theatre. Unlike for example ballet and most other forms of theatrical dance in the world, much of Bharatanatyam is a form of mime using a highly codified language of hand

gestures which make it different to understand and appreciate for the uninitiated. This can be observed in a typical solo performance like an Arangetram, which would consist basically of the following items in a fixed sequence along with some additional items: Alarippu, Jathiswaram, Shabdam, Varnam, Padam and Thillana. Of these, Alarippu and Jathiswaram are pure rhythmic dance, belonging to the Nritya category. Shabdam belongs to Nritya, as it incorporates poses, hand gestures and facial expressions that evoke Hindu deities. The centrepiece of a performance would be a Varnam, usually about 30 to 45 minutes in duration, alternating between Nritya, Nritya and Natya; a typical story would describe a deity as the object of love for a female character, depicting her pangs of love and longing for union. This is followed in the second half by items like Padam, which belongs to Natya. What serves as a finale would then be the Thillana, which is predominantly a rhythmic dance.

The formalization of this format of Bharatanatyam repertoire known as the Margam ("path") has been attributed to the Tanjore Quartet, four brothers who were dance masters or choreographers in the royal court of the Maratha king Serfoji II in the early nineteenth century. The term Margam echoes the description of dance in *Natya Shastra* as a way to Moksha, or salvation. Legendary dancer Balasaraswati (1918–1984), who represented the *devadasi* tradition, described Bharatanatyam as an "artistic yoga" of revealing the spiritual through the corporeal, and famously likened this sequence of the Bharatanatyam dance repertoire to the structure of a great temple, consisting of different spaces from the outer hall to the inner sanctum. The format is so rooted as part of the Bharatanatyam tradition even creative dance productions in Singapore featuring group dancers tend to approximate its structure.

There have been contemporary choreographers in the international arena, such as Chandralekha and Shobana Jeyasingh, known for drawing on the vocabulary of Bharatanatyam for more abstract works. In Singapore, "contemporary" works in Indian

dance may not necessarily mean a break from traditional dance styles but rather a kind of repackaging in presentation to emphasize the literary rather than the religious aspects of dance items, or simply the use of more trendy and upbeat musical arrangements. As long as a choreographer uses classical songs, there would be a tendency to translate the words of classical poetry into movements, and these would contain many religious references. It may also be argued that the spiritual aspect is an integral part of the aesthetics in Bharatanatyam. Bharatanatyam and the songs in Carnatic music on which the choreography is based, have their roots in Bhakti or devotion. Even Kalidasa (4th or 5th century CE), the Sanskrit playwright who is as revered in India as Shakespeare is in English literature, has described Natya as a pleasant ocular sacrifice for the gods. While the concept of "Rasa" as essence or flavour is something central to Indian aesthetic theory in the performing arts, referring usually to the *navarasa* or nine emotions expressed in dance, the idea of Bhakti is considered pivotal to the art, as the ideal is for the ego to be subjugated and the dancer surrendered to divinity as part of the dance to create aura and ambience for the audience.

Religious significance in Bharatanatyam is something historically inherent which must be accepted, in the name of cultural diversity, as a form of traditional art or intangible heritage. In drawing the line between secular and religious occasions in Indian dance performances, productions staged in a theatre with emphasis on the artistry of music and dance can be distinguished from performances at religious occasions or semi-social events of dance Arangetrams which would feature an altar of Nataraja on stage and a ceremony of prayers. But nothing is too clear-cut, just as in Western classical music, for a performance of Handel's *Messiah* at a concert hall may be considered a secular setting, yet if the venue of a good professional performance happens to be a church, there is no reason for a non-Christian fan to shun it. In Singapore, the National Arts Council simply takes artistic merit as key factor in the decision of giving grants for Indian dance, as long as a production does not denigrate or debase a person,

group or class of individuals on the basis of race or religion, or serve to create conflict or misunderstanding in Singapore's multi-cultural and multi-religious society, according to grants agreements (see page 9 of the Grant Application Guidelines for Major Grant Scheme, 2009 on www.nac.gov.sg website). While the National Arts Council generally does not give grants to Arangetram performances of Bharatanatyam, the reason cited would not be a religious one, but simply that there are too many such events and dance students who stage their Arangetram are often not committed to being dance artistes. (It is known that many Indian girls stop dancing after Arangetram, especially if it is held just before their marriage and their husbands are traditionalists who do not like the idea of their wives attracting the attention of male members among the audience.) If there is any religious issue, it usually lies with performers who are non-Hindu; there are churches or pastors in Singapore who may advise Indian church-goers to renounce the practice of Bharatanatyam before they can be confirmed as Christians.

While the mainstream media in Singapore seem to shun Bharatanatyam of religious significance, Singapore does have platforms that can help to promote intercultural understanding through classical Indian dance, such as the Arts Education Programme in public schools which usually consists of 40-minute performances and demonstrations. But an intercultural strategy in communication does not come naturally to Indian dance artistes, who have learned the art from their gurus without questioning the system of knowledge in the tradition. There may also be a tendency to downplay religious references in dance items such as Ganesh Stuthi, which is a typical opening item in praise of the elephant-headed god. Choosing suitable songs for a Bharatanatyam dance that can be easily interpreted to a non-Indian audience is always a challenge. There are stories that can be given a humanist rather than religious interpretation, for example stories of Rama as a brave hero, or Krishna as a mischievous child. However, this would work better with extended dance drama rather than short items. A dance drama may also

contain characters that may be sensitive in social significance, such as the portrayal of the caste of Brahmins who are revered as gods in Hindu mythological tales.

There is certainly a need to rationalize the intercultural approach while presenting Bharatanatyam to a multi-ethnic audience. In *Philosophy and Human Movement*, writer David Best distinguished between "aesthetic appreciation" and "artistic appreciation" in dance and cited the experience of watching a performance by classical Indian dancer Ram Gopal. While he did not see its meanings at all, he said: "I was enthralled by the exhilarating quality of his movements ... So it seems clear that my appreciation was of the aesthetic, not the artistic" (cited in McFee, 1992, p. 43). Such an "aesthetic appreciation" is clearly subjective though it may be inspired by such factors as speed and techniques. The objective in promoting classical Indian dance should not be simply to impress with an exotic but incomprehensible art form. It should be to guide "artistic appreciation" by explaining the form and structure of the dance as well as its various significances, and giving the audience a handle by which they can better appreciate the next performance they see. In fact, the objective should also be to open doors to "cultural appreciation".

Presenting aesthetic considerations to advance the case for cultural diversity, as in the argument of romantic liberals such as Herder and Schiller, may not be effective on their own as these are a matter of taste and cultures are not merely objects of aesthetic contemplation but also moral systems, as political theorist Bhikhu Parekh (2000) has pointed out. But a diversity of culture helps people "to see the contingency of their culture and relate to it freely", and it "creates a climate in which different cultures can engage in a mutually beneficial dialogue". Indian dancers may find it easy to appeal to a Chinese audience if they do a kitsch peacock dance that relies on colourful feather costumes rather than classical dance movements, but their real challenge would be to make a Chinese audience grasp that there is a system to their complicated dance form, which may look bizarre at first sight yet should not be trivialized.

Beyond that, one may argue that this is a postmodern era where anything goes, a dance form like Bharatanatyam may be full of religious meanings, but it may sometimes also be interpreted simply in terms of mythology or humanist expressions. The thing about religion is one may take a fundamentalist attitude in which there are only absolute rights or wrongs which have to be fought over as on a battlefield. But in the arts, artistes and audience alike should find it easier to imagine a different point of view.

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The Silesian Lutheran Churches of Peace in Jawor and Świdnica: Symbol of the Struggle for Religious Freedom or Witnesses of Religious Tolerance?

In 2001, the UNESCO World Heritage Committee decided unanimously to include the Protestant Churches of Peace of Jawor and Świdnica (Poland) on the World Heritage List. As rationale the committee put forward the following: "Criterion (iii): The Churches of Peace are outstanding testimony to an exceptional act of tolerance on the part of the Catholic Habsburg towards the Protestant communities in Silesia in the period following the Thirty Year's War in Europe. Criterion (iv): As a result of conditions imposed by the Emperor, the Churches of Peace required the builders, to implementing pioneering constructional and architectural solutions of a scale and complexity unknown ever before or since in wooden architecture. The success may be judged by their survival to the present day. Criterion (vi): The Churches of Peace bear exceptional witness to a particular political development in Europe in the seventeenth century of great spiritual power and commitment" (UNESCO, 2001).

The question whether there are further or even contrary alternatives of evaluation besides the values determined by UNESCO seems to be of particular interest in the scientific discussions about World Heritage and is the subject of the following discussion. Taking a closer look at historical literature can provide answers to this question. The particular focus here is on the statements provided in literary works about the Churches of Peace and Protestantism in Silesia, in architectural and art history publications (Figure 1) as well as in recent Silesian history. However, the following outline is only representative, touching on the most important points.

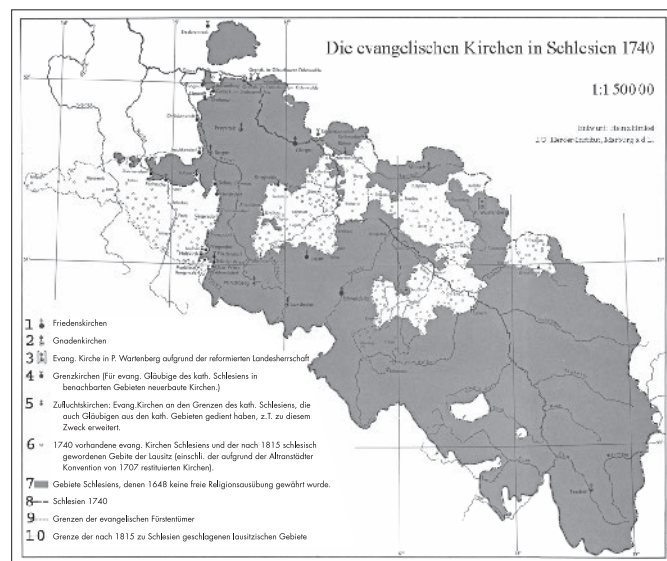


Fig. 1: The Protestant Church in Silesia 1740 (Grundmann, 1970, Map 1). Key: 1. Churches of Peace; 2. Churches of Grace; 3. Protestant church in Prussian Wartenberg as a result of the reformed state authority; 4. Border churches (new churches in adjacent regions for Protestants living in the Catholic areas of Silesia); 5. Refuge churches: Protestant churches at the borders to the Catholic areas of Silesia, which also served believers from the Catholic areas, partly extended for this purpose; 6. Protestant churches existing in Silesia in 1740 and in the areas of Lusatia which were added to Silesia after 1815 (including the churches restituted as a result of the Treaty of Altranstäd in 1707); 7. Silesian areas, which were not granted freedom of religion in 1648; 8. Silesia 1740; 9. Borders of the Protestant principalities; 10. Border of the Lusatian areas added to Silesia after 1815.

The specific political and confessional situation in Silesia from the Reformation until the eighteenth century plays a key role in the written material about the Churches of Peace, particularly in the anniversary publications released since the eighteenth century, and about Protestantism in Silesia. The following aspects are highlighted here:

- The Reformation, which had spread almost unimpeded until the end of the sixteenth century and covered large sections of the population;
- The beginning of the Counter-Reformation from the late sixteenth century onwards;

- The assurance of religious freedom to the followers of the "Peace of Augsburg" in the Letter of Majesty (1609);
 - The confirmation of religious freedom in the Accord of Dresden (1621);
 - The Peace of Prague (1635) which reconfirmed religious freedom – although restricted to the city of Wrocław (Breslau), the mediate principalities of the Piasts of Brzeg (Brieg), Legnica (Liegnitz) and Wołów (Wohlau) and the Podiebrads of Münsterberg, Oleśnica (Oels) and Bernstadt;
 - The Peace of Westphalia (1648), which basically verified the agreements of 1635 and which did not force the Lutherans in other Silesian hereditary or mediate principalities to change their religion, allowed them to attend Protestant church services outside their principality and, in addition, allowed them to build three churches in the Habsburg hereditary principalities outside Głogów (Glogau), Jawor (Jauer) and Świdnica (Schweidnitz);
 - The church reductions ordered by Ferdinand III between 1653 and 1654, resulting in the seizure of 656 churches from the Protestants living in the hereditary principalities;
 - The Treaty of Altranstädt (1707) through which Karl XII of Sweden achieved, among other things, the return of 125 churches and the building permission for another six – the so-called Churches of Grace – in the Habsburg hereditary principalities;
 - The granting of religious freedom to all three legally recognized confessions (Catholics, Lutherans and Calvinists), by Frederic II after he had incorporated Silesia into Prussia in 1740;
- (Anders, 1856; Anders, 1886; Berg, 1857; Eberlein, 1952; Goguel, 1852, pp. 1–49; Heuber, 1906, pp. 1–75; Lehmann, 1802, pp. 1–22, 47–49; Worthmann, 1902, pp. 7–41).

Against this regional historical background and concerning the Churches of Peace, it is repeatedly pointed out that the Protestants in the Habsburg hereditary principalities were merely given permission to erect three churches outside the city walls and that

the churches had to be built of wood and clay only (Blaschke, 1913, p. 292; Goguel, 1852, pp. 17–21; Heuber, 1906, pp. 47–51; Lehmann, 1802, pp. 17–20; Wasner, [1902], p. 3; Worthmann, 1902, pp. 17–21; Worthmann, 1929, p. 3).

Since the end of the nineteenth century, both architectural and art historical literature have continually mentioned the three Churches of Peace, classifying them as sacred timber-framed buildings of which only the churches in Jawor and Świdnica have been preserved to the present day. The building in Głogów (Figure 2) consisted of three equally high naves capped with saddle roofs; the central nave had an additional altar niche. The side aisles might have included interior galleries. The church in Jawor consists of a three-naved basilica-like longhouse including an altar room in the east and two three-sided galleries inside (Figures 3 and 4). It measures approximately 47 m long and 26 m wide and has a height of about 16.6 m. After its extension around 1700, when two more galleries were added, it could allow up to 6,000 people to attend church service. In Świdnica, however, the original basilica-like wood-frame building consists of a three-naved longhouse, which is crossed by a three-naved transept in the centre, including two galleries encircling the whole interior room. The church's dimensions are somewhat smaller; but following an extension around the year 1700, too, the church was able to host as many as 7,500 thanks to the additional lodges and chancels. Authors of various publications often highlight the usefulness, boldness and exceptional size of the these timber-framed constructions, planned by Wrocław fortress builder Albrecht von Saebisch and built under direction of master carpenter Andreas Gamper from 1654 to 1657 (Fritsch, 1886, pp. 581–82, 602–05; Lutsch, 1889a, pp. 208–10; Lutsch, 1889b, p. 405). For example, Hans Lutsch, the first Provincial Curator of Silesia, writes in his *Bildwerk Schlesischer Kunstdenkmäler* (Illustrated Work on Silesian Art Monuments) the following about the church in Świdnica (1903, p. 211): "... a keen accomplishment, of highest usefulness as regards

interior design, thus something worth to be considered rather in the technical than artistic sense; a requirement for this accomplishment is high proficiency as carpenter”.

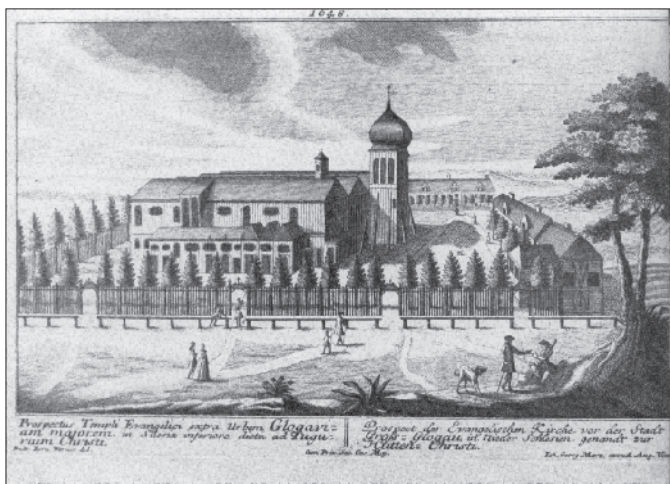


Fig. 2: Głogów, God's Hut Church of Peace, copper engraving, F.B. Werner, before 1735



Fig. 3: Jawor, Holy Ghost Church of Peace, copper engraving, F.B. Werner, before 1735



Fig. 4: Jawor, Church of Peace, interior with view to altar and pulpit (photo: author's archive)

The exceptional importance of the Churches of Peace for wood-frame architecture and the art of carpentry were questioned during a short period around the mid-twentieth century. So in his book on Silesian rural architecture, government building officer Hans Härtel (1941, p. 21) compared the wood frame of the Churches of Peace with the construction of contemporary barns and came to the conclusion that the arbitrary insertion of the windows into the truss belts were an indication for already having lost any concept of constructing timber-framed walls in an organic way.

It was also characteristic for Härtel and other German house researchers of this time to try to ascribe cultural features solely to the Germans or Teutons respectively. Härtel wrote: “Slavs stuck to the lowest levels as regards their living standards, their cultural achievements were of no relevance at all” (1941, p. 11). After the Second World War, Polish scientists came up with some reactions to such descriptions. In his work on Silesian art published in 1948, Tadeusz Dobrowolski (1948, p. 267) described the Protestant churches – among others also the Churches of Peace – as extremely provincial and simple. Marian Morelowski, too,

came to the conclusion in his work about the peak of the Baroque period in Silesia (1952, p. 28) that the Protestant timber-framed churches were primitive objects. In his opinion, the attempt of applying wood-frame constructions suitable for houses for the construction of churches had been a miserable failure. Their outward appearance did not resemble a church, but a heavy and ugly lump.

Since the end of the nineteenth century, research has also dealt with the importance of the Churches of Peace for the construction of Protestant churches. There are various opinions expressed in the literature as regards the architectural design chosen for the churches and the positioning of pulpit and altar. Some scientists, for example Karl Emil Otto Fritsch in his fundamental work *Der Kirchenbau des Protestantismus von der Reformation bis zur Gegenwart* (The Church Building of Protestantism from the Reformation Era to Present), considers the demand for unity of a room in principle and good visibility and audibility of the priest from every seat – all requirements deriving from Lutheran liturgy – as fulfilled solely in Świdnica church with its encircling galleries and the pulpit's central position in the crossing area (Figures 5 and 6). They conclude that Jawor church, on the other hand, exhibits a weak command of the architectural task as the pulpit's position right in the middle of the northern side means that a considerable number of visitors cannot see the prayer (Fritsch, 1886, p. 602; Fritsch, 1893, pp. 57–60; Gurlitt, 1889, p. 90; Lutsch, 1903, p. 211; Poscharsky, 1962, pp. 258–59).

Other scientists consider the Church of Peace of Jawor a successful further development from a simple hall-like church to a room surrounded by galleries, which is as important as the cross-wise construction of the church in Świdnica. Representative of this thesis is Alfred Wiesenhütter's work on the Protestant construction of churches in Silesia or the eastern parts of the German empire (Wiesenhütter, 1926, pp. 14–16; Wiesenhütter, 1936, p. 50). In addition, both Churches of Peace are ascribed an exemplary role, especially regarding the six Churches of Grace built at

the beginning of the eighteenth century (Grundmann, 1922, pp. 6–15; Wiesenhütter, 1926, pp. 14–16).

Ehler W. Grashoff, however, believes (1938, pp. 13–25) that it is not about the floor plan used. To him the question of gathering a community around one single point is important – a vertical axis in which pulpit, altar and baptismal font are joined together – i.e. the question of the gallery's centralistic tendency. In *Raumprobleme des protestantischen Kirchenbaus im 17. und 18. Jahrhundert* (Problems of Space in the Protestant Way of Building Churches in the 17th and 18th Centuries) he writes about the Church of Peace of Świdnica and states that here the whole subject of the Protestant way of constructing churches was taken up successfully, whereas he does not mention Jawor church at all.



Fig. 5: Świdnica, Holy Trinity Church of Peace, copper engraving, F.B. Werner, before 1735

The artistic importance of the Churches of Peace is another aspect that has been repeatedly analysed. Respecting their outer appearance, it is always emphasized that they are merely functional buildings determined by a timber-framed construction without any representative facade (Banaś, 1971, pp. 76–78;



Fig. 6: Świdnica, Church of Peace, interior with view to altar and pulpit (photo: Tobias Trapp, Estate ZHD (Center for Craftmanship and Monument Preservation). Fulda, Ulrich Schaaf

Fritsch, 1886, pp. 582, 604–05; Gurlitt, 1889, p. 90). There is also agreement about the interior design and fittings, which is attested a low artistic value. These judgements can be found in Cornelius Gurlitt's *Geschichte des Barockstils und Rococo in Deutschland* (History of Baroque and Rococo in Germany) published in 1889 (Gurlitt, 1889, p. 90) as well as in Paweł Banaś' (1971, p. 79) work about the Protestant architecture of Silesia in the second half of the seventeenth century.

Banaś (1971, pp. 74–82), however, attributes further values to the Churches of Peace. Taking into account the situation of Silesian Protestants after the Thirty Years' War, he uses for example the term "diasporal architecture", which particularly applies to the Churches of Peace. Furthermore, he particularly emphasizes the Old and New Testament images and mnemonic verses on the galleries' balustrades, characterized by the naive didactics of biblical scenes.

The last section of this paper deals with the question of values attributed to the Churches of Peace within recent literature on Silesian history. In publications on Świdnica, for example, it is especially pointed out that the emperor, as laid down in the Peace of Westphalia (1648), allowed the Augsburg Confession supporters living in the Silesian principalities directly belonging to the royal court to build not more than three churches at their own expense outside the towns of Świdnica (Schweidnitz), Jawor (Jauer) and Głogów (Glogau) – this only on special request. Furthermore, the reduction of Protestant churches within the bounds of the hereditary principalities between 1653 and 1654 is explicitly mentioned. Given this historical background, scientists conclude that an equality between the two Christian confessions, i.e. the Catholic and the Lutheran, which was the actual aim of the Peace of Westphalia, could not be achieved, particularly not in the Silesian hereditary principalities (Hutter, 1990, p. 258) or that the freedom of religion in Świdnica, Jawor and Głogów is by no means to be compared with tolerance towards the Lutherans (Kotełko, 1995, pp. 107–08, 149–50).

Recent works on Silesian history point to the fact that the Protestants were granted a certain status when they received building permission for the Churches of Peace, a status which questioned or even condemned the Habsburgs' principle of Catholic autocracy to failure (Conrads, 1994, pp. 290–302; Deventer, 2003, p. 327). Norbert Conrads, however, does not evaluate the confessional-political decisions taken in the Peace of Westphalia positively:

"Wasn't it just natural that the Piast territories and Wrocław (Breslau) were allowed to stay Protestant? What does the granting of three Churches of Peace imply when the emperor in return was allowed to close 656 Protestant churches in his hereditary principalities? Wasn't the Catholic confessionalisation of Silesia, which Austria was now aiming at, already somewhat anachronistic after the end of the ample religious war? ... The government also failed to communicate the concession of the three

Churches of Peace as a deliberate act of tolerance, which might have soothed the Protestants' outrage over the loss of hundreds of churches. To many people this seemed like an 'overall attack of counter-reformation', as the historian Eberlein called it eventually, in other words: an undercover continuation of the Thirty Years' War" (Conrads, 1994).

In other historical discourses of German and Polish researchers the agreements of the Peace of Westphalia and the associated construction of the Churches of Peace in the following have been regarded again and again within the context of the intensive re-Catholicization policy of the Habsburgs (Bahlcke, 2002, pp. 57–67; Was, 2002, pp. 173–86; Wiszewski, 2006, pp. 290–93). In the light of this, Jörg Deventer (2003, pp. 268–319) points in his work on the Counter-Reformation in Silesia to the role of the Churches of Peace as focal points of the Protestant will and desire for self-assertion.

To mark the occasion of the 350th anniversary of the peace agreements of Münster and Osnabrück, two comprehensive collections of essays were published in 1998, reflecting the current state of research regarding the Thirty Years' War and the Peace of Westphalia according to the aspects of history and art history interrelations (Bußmann and Schilling, 1998a; 1998b). Here, Heinhard Steiger (1998, pp. 437–46) comes to a positive conclusion as regards the legal role of the treaties. He underlines that after a devastating and long-term war pivotal conflicts were solved by finding compromises and making agreements and by establishing peace inside and around the empire. Later he stresses the basic confessional parity achieved between Catholics, Lutherans and Calvinists at empire level. Analysing types of two- and three-confessional configurations, Anton Schindling (1998, pp. 465–73) comes to the conclusion that the Habsburg hereditary lands must be a type almost similar to a closed religious state. He tags the Silesian Protestants' status, which was only officially granted to them due to the insistence of Electorate Saxony and Sweden, as an exception that,

in addition, does not correspond to the actual confessional conditions within the Silesian population.

Summing up, one can say that the historical literature almost unanimously attributed an extraordinary importance to the Churches of Peace: as monuments of the art of carpentry and sacral wood-frame architecture. UNESCO, too, followed this valuation by including the churches of Jawor and Świdnica, which have been preserved to the present day, on the World Heritage List. As the architecture and interior design have both been denied exceptional artistic value, UNESCO did not take that into consideration. However, the assessment of the churches' historical importance seems to be contrary. While in older as well as in more recent literature the Lutheran Churches of Peace are represented as a symbol of the struggle for religious freedom against the background of counter-reformatory measures of the Catholic rulers, UNESCO interprets them as witnesses to the extraordinary act of tolerance on the part of the Habsburgs. Nevertheless, neither in the documentation presented by the State Party nor in the expert's opinion can arguments for this conclusion be found in UNESCO's rationale. Maybe UNESCO refers to the Peace of Westphalia which basically resulted in a fundamental parity between the three large confessions on empire level, paving the way towards religious pluralism and tolerance. The fact that two opinions are so opposed makes clear that the discussion on the importance of the Churches of Peace has not yet come to an end. This paper should thus be understood as an invitation to continue the discourse.

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Part 4

Political Dimensions of Heritage

Preface

Heritage is an omnipresent and defining feature of modern society. It is diverse and defines all people by being the cornerstone for their cultural identity. The papers and case studies in this section demonstrate how the importance of heritage goes much further than the splendour of humanity's tangible creation and the expressions of our intangible legacy. It goes beyond the outstanding artistic and historic value of a monument or the manifestation of human genius. Heritage is presented in relation to politics and justice and as a concept intertwined with the notions of human rights, property rights and identity. These interrelations are susceptible to a variety of impediments that shake the very underpinnings of our societies and are the reason why heritage remains an essential component of who we are.

Taking into account that destruction and dispersal of heritage are responsible for the most far-reaching and long-lasting consequences to the understanding of humanity's past, the cohesion of today's society and the construction of the future, the scale of the international illicit art market is alarming. Looting, illegal excavations and theft from archaeological sites, repositories and museums are among the most vicious forms of heritage destruction and call for a reaction in order to protect and preserve what is in danger. Christian Manhart, in "UNESCO's Fight against Illicit Traffic of Cultural Property: Restitution and Needs of Museums in Developing Countries", outlines the role of UNESCO in the combat of illicit trafficking of cultural property. He refers to the main instruments the Organization makes use of, such as the Conventions created to battle the illegal trade, the UNESCO 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, and the UNIDROIT 1995 Convention on Stolen or Illegally Exported Cultural Objects which the Organization promotes. The engagement of UNESCO in a variety of activities,

presented in this paper, illustrates the importance of different approaches aiming to counter illicit traffic, such as inventorying, raising public awareness, capacity-building and local populations' inclusion in the protection of their heritage. A vividly debated topic is the restitution of cultural property that has been transferred from its place of origin in one way or another. UNESCO's Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation provides a forum for requests of restitution by source countries and for the required mediation procedure. However, the restitution discourse takes place in an environment where strongly opposed views have to be accommodated by compromise, thus rendering it highly complicated.

This complexity is often encountered in the legal aspects surrounding the discussion. One such is presented in Christoff Jenschke's contribution on the "Obligation to Restitute *objets d'art* According to the First Protocol to the 1954 Hague Convention Versus National Immunity from Seizure" portrays a dilemma that might occur between the obligation of restitution of stolen cultural property and the immunity from seizure given to certain *objets d'art*. Analysing the obligation to reconstitute cultural property in the case of illegal appropriation according to international law, the dilemma is encountered when objects are granted immunity from seizure. With the purpose of making exhibitions possible through granting immunity from seizure in order to minimize the risk of legal action, how does this reconcile with claims of restitution? The complications in this contradictory situation lie in the existing legal ambiguity and its defining legal aspects as explained by Jenschke.

How far do peoples' rights in relation to their heritage actually go, and to what degree are they the custodians of their heritage, given the stewardship and responsibility for its preservation? Stefan Disko writes on "World Heritage Sites in Indigenous Peoples' Territories: Ways of Ensuring Respect for Indigenous

Cultures, Values and Human Rights” and looks into how the rights of indigenous populations are taken into account, particularly within the framework of World Heritage sites. A number of enlisted sites, mainly natural sites in areas connected to the livelihood of indigenous populations, are recognized for values that do not reflect the indigenous peoples' own understanding of their territory and culture. This fact testifies to the importance of the issue and the need for a change in attitude towards it. The exclusion of the local inhabitants of a site and their cultural patrimony leaves out an important part of the site's significance. Disconnecting these two components creates a great loss and renders both the site and the population weaker. The site loses part of its value and the people lose their land and source of livelihood and resource for cultural continuation. Disko presents an eight-point plan of recommendations pointing out steps that will include the indigenous voice throughout the procedure of nomination of a site to the World Heritage List and further on in its management. One of the key issues discussed is the different perception of heritage held by the Western world and UNESCO in contrast to the one held by indigenous populations. Whereas the former fails to see the interrelation and therefore makes a clear division between cultural and natural heritage, the latter has a more complex perception and understanding of culture which embraces both notions.

To further demonstrate the intricacy of resolving the consequences of illicit trade and requests for restitution, William Xiaojun Wei and Mathew Levitt present a case study of the animal bronze heads from China's Yuanmingyuan Old Summer Palace in “The Qing Bronze Heads Case: Problems and Suggestions Regarding the Repatriation of Cultural Property”. The authors point out that the cultural heritage of a nation or group is so intrinsically connected to its identity that these issues become socio-political, attributing a higher significance and magnitude to the matter. Addressing restitution claims as a negotiation process that aims to benefit all parties involved and serve all nations under the concept of universally shared heritage, the

issues of communication and cooperation take on a whole new importance. Wei and Levitt bring up two essential factors for a successful restitution debate: communication and cultural sensitivity in the sense of considering the mindsets and cultural perspectives of each disputing party, both vital components of a fertile discussion. The fact that the existing legislation often fails to provide an adequate basis for resolution of restitution cases creates the need to explore alternative solutions, while considering all the factors involved in each case. The authors look into these alternatives and suggest other ways in which cultural heritage and property rights disputes can verge on resolution. It is largely a question of everyone's right to have access to heritage, a concept that surpasses the idea of ownership and possession.

The impact of warfare on the preservation of heritage further proves the political dimensions of heritage. As material heritage is a perishable public good, states and nations have a compelling responsibility for preserving it. However, civil wars and political upheavals occur, controls break down, vast areas are threatened by the hostilities, and they become looting fields or treated as enemy territory with strong identity connotations which needs to be destroyed. Throughout the ages the spoils of war have mainly been the cultural heritage of the conquered.

In this case heritage, as a source of collective identity, becomes a target in the heat of a conflict. In “Dealing with the Past: The Role of Cultural Heritage Preservation and Monuments in a Post-Conflict Society”, Nadia Capuzzo Derković discusses the systematic destruction of cultural heritage during the conflict in the former Yugoslavia. Striving for homogenization of societies, ethnic cleansing and effective war strategies, heritage is often a target as it is a symbol of cultural identity. Moreover, cultural identity can be politically manipulated and used as a means to convey ideas and perceptions. In this sense, heritage is able to deviate from the true past. Being a component that bonds people, cultural identity is often used as a way to create a coherent

group and distinguish it from other groups. On the contrary, as presented by Derković, heritage can also have a reconciliatory role in a post-conflict country such as Bosnia and Herzegovina. She emphasizes the significance of heritage preservation which is evident through the resulting cultural and social cohesion and the potential political stability and economic development it may offer a post-conflict society.

The UNESCO Universal Declaration on Cultural Diversity, adopted in 2001, states that “Cultural rights are an integral part of human rights” (art. 5) and this section demonstrates this idea throughout. Political power is an essential dimension of heritage and as such it dignifies heritage as fundamental to the shaping of our societies. Read on.

Standard References

UNESCO's Fight against Illicit Traffic of Cultural Property, Restitution and Needs of Museums in Developing Countries

Introduction

With globalization, the licit and illicit trade in cultural property has become a major, and growing, international business, affecting museums, public and private collections, religious buildings, cultural institutions and archaeological sites worldwide.

Therefore, the importance of the 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property is also growing continuously. The Convention provides its States Parties with measures preventing the import and trade of stolen artefacts, restitution provisions, inventories, export certificates, monitoring trade, the imposition of penal or administrative sanctions, training, and an international cooperation framework. To date 120 countries have ratified the Convention, and UNESCO is glad to now have on board such important art market countries as the United States, Canada, the Russian Federation, Germany, France, the United Kingdom, Australia and Japan. The newest States Parties are Belgium and the Netherlands, which are also significant art market platforms, and Haiti which became a Party just a month after the major earthquake on 12 January 2010 in order to have a tool to prevent thefts.

Other instruments

However, the 1970 Convention is insufficient by itself. Because it does not include civil law provisions, it was necessary to develop other instruments. UNESCO therefore strongly promotes the UNIDROIT Convention of 1995 on Stolen or Illegally Exported Cultural Objects, which considerably improves the chances of restitution and which is complementary to the 1970 Convention

from a private law perspective. Unlike the 1970 Convention, the 1995 UNIDROIT Convention focuses on a uniform treatment for restitution of stolen or return of illegally exported cultural objects. Claims are processed directly through States Parties' national courts (or other competent authorities). In case of theft, claimants may be individuals or States (Parties), while in case of illicit export, claimants are exclusively States (Parties). The UNIDROIT Convention is not limited to inventoried objects as is the 1970 Convention, covering instead all stolen and illicitly exported cultural objects and requiring their return. Cultural objects that have been unlawfully excavated are to be considered stolen and have to be restituted. The 1995 Convention gives a right to indemnity or compensation – not to the thief or to the receiver of a stolen object, but only to a third party that acquired the object in good faith (i.e. without knowledge of its illicit provenance) and conditional compensation to due or reasonable diligence.

There is enormous controversy surrounding the 1995 Convention and strong lobbying against it, particularly in “receiving” countries. Therefore, to date, only thirty countries have ratified this Convention. UNESCO urges those countries which have not yet done so to ratify it.

In many cases, bilateral negotiations for return are successful. However, because the 1970 Convention is not retroactive before ratification by the concerned states, another body had to be created: the Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation. There are twenty-two members of this committee elected every second year during each UNESCO General Conference. In 2008, the Committee celebrated its 30th anniversary. At the invitation of the Republic of Korea, a celebration was held in Seoul in order both to reflect on the Committee's past and to look to its future. So far, the Committee has not achieved many cases of restitution. Some cases have gone on for many years – the case of the Parthenon Marbles, for example, has been before the Committee for three

decades. At the Seoul meeting, discussions were held about strategies to increase international cooperation for restitution, as well as alternative solutions when pure restitution is impossible, such as long-term or permanent loans.

The Committee continues to consider claims for restitution. In 2010, the case of the Makonde mask, claimed by the United Republic of Tanzania from a private Swiss museum, has been solved and the mask returned to the National Museum of Tanzania. In addition to the Parthenon marbles, there is still the open case of the Sphinx of Boğazköy, claimed by Turkey from a museum in Berlin. Of course, the purpose of this Intergovernmental Committee is not to empty all Western museums or to bring all cultural objects to their countries of origin. It is intended only for some very significant objects and for those that were stolen or illicitly exported, although the definition of illicit export is often a point of contention in itself. This can be seen in the case of the Parthenon Marbles, where there is no consensus by the two parties involved as to whether or not the marbles were illicitly exported by Lord Elgin in the nineteenth century.

Today's looters are less glamorous than Lord Elgin. In Afghanistan, for example, many extremely poor villagers living in miserable conditions have no source of income other than to dig. From their perspective, there is no difference between digging for antiquities and digging for potatoes in their earth. It is difficult to explain the difference to people in their situation. They are paid very little for the hard and often dangerous digging and are mostly exploited by the warlords holding the power over the territory concerned.

In Kharwar, formerly a large Buddhist city in Afghanistan, the Minister of Culture, Makhdoun Raheen, requested UNESCO's assistance. He was very concerned about the ongoing looting of the site and asked UNESCO to conduct preventative excavations on the site. The hope was that presence of an international team could bring an end to looting. This would also have

provided employment to the villagers and the possibility to create awareness for the protection of the remains of their past. Unfortunately, UNESCO efforts were unsuccessful. An Italian team sent first was threatened by the warlord and forced to end its excavations immediately. A Japanese team was sent next, extremely keen to excavate this Buddhist site. However, after three weeks, the situation proved too dangerous for them as well, and they had to return. This is very unfortunate, as this site has never been researched and no archaeologist has yet had the opportunity to see, study or document it. Now its structures are systematically being destroyed just for the objects being removed from them. These objects lose their historical context and value. For example, artefacts from the Graeco-Buddhist culture that emerged following the third century BC can originate from what are now several countries in Central Asia: from northern Pakistan and Afghanistan, to southern Uzbekistan and Tajikistan. When items from sites such as Kharwar appear on the art market, it is almost impossible to determine their exact provenance and they become useless for historical research.

Another example of illicit excavations is the area of the Minaret of Jam, also in Afghanistan, the second tallest minaret in the world. In the eleventh and twelfth centuries, this was the site of an important Muslim city which is not yet sufficiently researched. Dug into the slopes next to the minaret are countless holes, created by the illicit excavation of local villagers. Here, UNESCO's preventative excavations employed these villagers to work alongside Italian and British archaeological teams in order to safeguard and research these structures. Another goal of this project was to create awareness among the villagers for their cultural heritage, which is their cultural identity as well.

An important numismatic treasure consisting mostly of silver coins was discovered in 1947 by the French archaeological mission in Afghanistan at Mir Zakah, a small village in southern Afghanistan near the Pakistani border. Half of the coins were sent to the National Museum in Kabul while the other half came

under legal contract to the Musée Guimet in Paris. While the portion that went to France still exists, most of the coins in the Kabul Museum were looted in the early 1990s.

A spectacular and much larger second treasure was found by villagers in the same place in 1992, during the hottest phase of the Mujahideen war in Afghanistan. It contained three tons of silver coins which went to several important hubs of the art market. UNESCO was first offered the treasure in 1993 through an Afghan art dealer in Peshawar (Pakistan), for the amount of US\$600,000. As custodian of the 1970 Convention, UNESCO is unable to make such purchases, as they may be seen to validate looting and illicit trade. Also, it lacks the necessary funding and has neither storage nor conservation facilities to care such items properly. So, while UNESCO was unable to purchase the collection itself, it tried to identify a museum that would be willing to take the coins and safeguard them. However, no museum approached was ready to do this, even secretly. The coins disappeared, re-emerging on the market some years later in Switzerland. Again they were offered to UNESCO, this time for US\$1 million, and again UNESCO could not make the purchase and the silver coins disappeared.

Recent reports place a large number of them still in Switzerland. A smaller percentage was sent to the United States, where several hundred kilograms were melted down in order to produce fake jewellery. Jewellery made from old silver, dating in this case from the second century BC to the second century AD, is desirable for forgers, as it confuses dating techniques that would normally identify pieces as fakes. This is a tremendous loss for historical knowledge of the Central Asian Region. Professor Osmund Bopearachchi, a specialist in Central Asian numismatics teaching at the École Normale Supérieure in Paris, discovered on these coins the heads of heretofore unknown kings from kingdoms installed in Central Asia by Alexander the Great. These coins would have enormously expanded our knowledge of the history of Central Asia and Greece.

The looting of Bamiyan's mural paintings is also a cause for concern. In addition to the famous Buddhist statues, blown up in March 2001 by the Taliban, Bamiyan has 700 caves carved in the rock cliffs by Buddhist monks between the second and ninth centuries AD. Of these caves, twenty-six still contain mural paintings. These are frequently targeted by looters, whose efforts to cut them out often results in large pieces falling down or breaking into pieces. When the UNESCO team entered the caves, a layer of broken plaster with paintings often covered the ground. In the 1970s, Japanese specialists made an extensive inventory of these paintings. Frustratingly, the assessment by professors Miaji and Maeda revealed that 80 per cent of them had disappeared within the last thirty-five years, through neglect, theft, and also through deliberate destruction – first by the Russian army, then the Mujahideen and finally by the Taliban.

UNESCO worked to safeguard the caves with a Japanese team, financed by the Government of Japan, in the hope to be able one day to restore these paintings. In 2002, UNESCO took the very simple step of installing locking doors on the caves with paintings. This has proved effective and no thefts have since taken place from the Bamiyan caves.

UNESCO has also concluded contracts with several institutions to locate and safeguard looted Afghan cultural property, with the aim of returning them to their country of origin as soon as the security situation permits. The Japanese Cultural Heritage Foundation was very efficient in finding important and particularly fine pieces, mostly stolen from the Kabul Museum. A contract has also been signed with the Bibliotheca Afghanica of Bubendorf (Switzerland), whose director, Paul Bucherer-Dietschi, actually returned in 2007 all cultural objects he had found in Switzerland. However, UNESCO is currently not in favour of such returns, as the situation is deteriorating in Afghanistan, and this is not thought to be the right moment for restitutions.

UNESCO also works frequently with INTERPOL, New Scotland Yard and other police forces, in order to identify looted cultural objects. This is done by contributing information about stolen objects to their respective databases, provision of specialists who can identify seized objects and establishing contacts with the relevant antiquities authorities of the country of origin.

UNESCO's Museums Programme

The Museums Programme is complementary to the struggle against illicit traffic. In this effort, UNESCO received important funding from the United States, which has provided more than US\$6 million since 2005, when the Museums Section was created. Museums are not only repositories of cultural objects, but have a role in education in conveying a message to their visitors. Museum activities should also be designed to attract new publics, in particular those which generally think museums are not for them, such as young people and local communities. In the course of this programme, the main needs of museums in developing countries have been identified. They are in particular infrastructure and capacity-building, enhancing inventories, building of adequate storage rooms as well as basic and preventive conservation.

The infrastructure building and staff training was particularly important at the Kabul Museum in 2002 and 2003, just after the war. The building was a ruin with the entire first storey destroyed by rockets. With the help and funding of many nations, UNESCO restored the building, reconstructed the missing parts, installed windows and heating, and provided electricity, water and basic equipment. Staff were trained, exhibition and storage spaces reorganized, and partnerships established with major museums in a variety of countries to link the museum staff to the outside world. UNESCO is also involved in the rehabilitation of the National Museum of Iraq in Baghdad, as well as in

approximately twenty-five smaller projects in Africa and Asia.

Another major ongoing project is the creation of the National Museum of Egyptian Civilizations in Cairo, which will be the largest museum in Egypt. While UNESCO is not involved in the construction, it is working cooperatively in developing the inventory database, advising on security, designing storage and conservation facilities, training staff and museography. A new project is the rehabilitation of the Islamic Museum in Jerusalem, substantially funded by Saudi Arabia. This museum, which is situated on the Haram adjacent to the Aqsa Mosque, was closed in 1999 for political reasons and is since deteriorating with only two staff remaining. Here, the roof and electricity have to be repaired, objects conserved, the inventory updated and staff employed and trained. This project is complementary to another one dedicated to the restoration of the historic Islamic manuscripts of the Aqsa Mosque, where UNESCO has installed a conservation laboratory inside a tomb within the complex and initiated a major programme to train staff on the spot but also in Italy and Cyprus. For both projects on the Haram in Jerusalem, it was vital to establish good cooperation with the religious Waqf, as well as the competent authorities of Palestine, Israel and Jordan in this part of Jerusalem.

Additionally, UNESCO has produced a series of publications to train museum specialists, which are translated not only into its six working languages (English, French, Russian, Chinese, Arabic and Spanish) but also into more than twenty local languages, to ensure their wide dispersal. It also maintains a database of national cultural heritage legislation. This resource is on the UNESCO website, accessible to everyone, and includes more than 2,000 acts or pieces of legislation from some 170 countries.¹

¹ http://portal.unesco.org/culture/en/ev.php-URL_ID=33928&URL_DO=DO_TOPIC&URL_SECTION=201.html. For more information, the Section's general website is at http://portal.unesco.org/culture/en/ev.php-URL_ID=34324&URL_DO=DO_TOPIC&URL_SECTION=201.html

Obligation to Restitute *objets d'art* According to the First Protocol to the 1954 Hague Convention versus National Immunity from Seizure

Immunity from seizure

To make art exhibitions complete, curators depend on loans from various museums and collections from all over the world. However, many collectors and museums lend their *objets d'art* only if they are assured of getting them back. In times of claims and actions for restitution by persons who might have a better title than the possessor, it is even more problematic to lend cultural property to somebody in a foreign legal system. In order to minimize or even exclude a risk of legal action, many states have implemented in their laws provisions that allow the competent authorities to grant certain *objets d'art* immunity from seizure (in Germany: Art. 20 Abwanderungsschutzgesetz – Act for the Protection of German Cultural Property Against Movement – or the Swiss Art. 10–13 Kulturgütertransfergesetz – Cultural Property Transfer Act).

Obligation to restitute cultural property

On the other hand, there are many – by now almost innumerable – regulations in public international law which deal with the restitution of illegally taken cultural property. Not all regulations accrue to binding law, e.g. the resolutions of the United Nations General Assembly.¹ These mainly deal with peace law obligations to restitute cultural property which took its way from colony to occupying power or which was taken from indigenous people. Others call for restitution of cultural property that was taken

from Italy during the Grand Tour or from archaeological excavations in Turkey or Greece (cf. Greenfield, 1996, pp. 42–90, to the Elgin Marbles debate). The same applies to UNESCO's Recommendations in this context.²

Customary international law is binding for all states. Applied to the matter at hand, this concerns predominantly the duty to restitute cultural property taken in times of armed conflict by an occupying power from the occupied territory – widely known as “looted art” or “trophy art”. This obligation has been in existence since around 1815, when the Vienna Congress forced Napoleon to hand back the art taken from allied territory (Syssoeva, 2005, pp. 151–321; Toman, 1996, pp. 3–20; Jenschke, 2006, pp. 362–63).

Also binding are the obligations laid down in treaties. International law knows a lot of obligations to restitute cultural property which was stolen, illegally exported or taken during armed conflicts (Tsang, 2007; Jenschke, 2005, pp. 38–112; Roca-Hachem, 2006, pp. 394–96). Here, we take a closer look at the obligation to restitute cultural property that was looted during armed conflicts, e.g. the First Protocol to the 1954 Hague Convention on the Protection of Cultural Property in the Event of Armed Conflict³ (see also Toman, 1996, pp. 331–51). Art. I paras 2 and 3 provide for restitution of cultural property that was exported from occupied territory. Namely, the importing state has to seize the cultural property imported from occupied territory once it passes its boundaries:

I. 2. Each High Contracting Party undertakes to take into its custody cultural property imported into its territory either directly or indirectly from any occupied territory. This shall either be

¹ http://portal.unesco.org/culture/en/ev.php-URL_ID=37062&URL_DO=DO_TOPIC&URL_SECTION=201.html

² Recommendation for the protection of movable cultural property of 28 November 1978. http://portal.unesco.org/en/ev.php-URL_ID=13137&URL_DO=DO_TOPIC&URL_SECTION=201.html

³ http://portal.unesco.org/en/ev.php-URL_ID=15391&URL_DO=DO_TOPIC&URL_SECTION=201.html

effected automatically upon the importation of the property or, failing this, at the request of the authorities of that territory.

I. 3. Each High Contracting Party undertakes to return, at the close of hostilities, to the competent authorities of the territory previously occupied, cultural property which is in its territory, if such property has been exported in contravention of the principle laid down in the first paragraph. Such property shall never be retained as war reparations.

The fictitious case

As shown above, a state can be confronted with two kinds of action for restitution: First, the call for restitution by the lender of an *objet d'art* who was granted immunity from seizure. Second, the claim of restitution by the state from the territory of which the cultural property was removed while the state was occupied. This might lead to an – at first sight – unsolvable dilemma in international law. It can only be solved in case one claim prevails over the other.

The problem can be made transparent with the help of the following fictitious case:

Cultural property, let us say a painting by Rembrandt, is illegally taken from State A – party to a current armed conflict – and comes to State B. The possessor of the Rembrandt in State B wants to lend it for an exhibition in State C. In State C the picture gets immunity from seizure and is shown there in an exhibition. All three states are Party to the First Protocol of the 1954 Hague Convention.

Civil legal proceedings should fail since the possessor in State C can avert claims with the grant of immunity from seizure. Courts in State C are bound by the national laws. In most cases, international treaties, once they are ratified, only rank on the same level as national laws. In case they are transcribed into national law – as is the case in Germany (Gesetz zur Ausführung der Konvention vom 14. Mai 1954 zum Schutz von Kulturgut bei

bewaffneten Konflikten – Act for the Implementation of the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict) only national law will apply in a lawsuit. Here, the grant of immunity from seizure according to Art. 20 Act for the Protection of German Cultural Property Against Movement would avert the claim for restitution according to Art. 1 Act for the Implementation of the 1954 Hague Convention (Siehr, 2006, p. 5).

However, State A still can make a claim for restitution against State C based on international law and before an international tribunal. The lending state has to fulfil an obligation by international law in favour of the state of origin of the cultural property (here State A).

Whether State A is successful before the tribunal depends on the rank of claims. State A can make two claims: against State C and against State B. The claim for restitution against State B is the primary claim since the *owner* of the Rembrandt is located in State B. Whereas in State C there is only a *possessor*, in consequence, the claim against State C is a secondary claim. Furthermore, international law also knows immunity from seizure. There are a variety of bilateral treaties that grant the lending parties immunity from seizure (cf. the examples shown at Prott and O'Keefe, 1989, p. 208, recital 369). Moreover, international art transfer would grind to a halt if a lender had to fear action for restitution whenever an object is lent. Granting immunity from seizure creates confidence within the international community (Mußgnug, 1985, p. 29). It would be betrayed if the grant were not worth the paper it was printed on.

Conclusion

Upholding international art transfer as part of cultural exchange is only possible if the trust in a granted immunity from seizure ranks higher than the secondary claim of a state against another state into whose territory an *objet d'art* was imported against the regulations of the First Protocol to the 1954 Hague Convention.

However, a state granting immunity from seizure will do best to prove provenance at a high level before granting immunity from seizure in order to minimize its own risk. In case there are two substantiated claims (the lenders according to his grant of immunity from seizure and the states according to the First Protocol of the 1954 Hague Convention), only one can be settled by restitution. The other claim has to be settled by paying indemnity. Switzerland has found a good solution: according to Art. 12 para. 2 lit. b of the Cultural Property Transfer Act, immunity from seizure is only granted if the import of the cultural property is not illegitimate. This means that a thorough provenance search is a must before granting immunity from seizure.

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World Heritage Sites in Indigenous Peoples' Territories: Ways of Ensuring Respect for Indigenous Cultures, Values and Human Rights

Introduction

Of the 890 properties designated as World Heritage sites under UNESCO's 1972 World Heritage Convention as of February 2010, a significant number are situated in the territories of indigenous peoples or areas over which indigenous peoples have rights of ownership, access or use.¹ These sites are located in many different parts of the world and on all continents. While they vary greatly in terms of size, some of them are the size of small or medium-sized countries and include parts or all of the territories of not just one, but several indigenous peoples. Although establishing an exact number of these indigenous sites on the World Heritage List would be difficult and would require careful analysis, it is estimated that there are roughly between seventy and a hundred such sites. The vast majority of them are inscribed as "natural sites", with no reference to indigenous culture or the existence of indigenous peoples in the justification for inscription.

The number of indigenous sites on the World Heritage List is likely to increase in the future, considering that the World Heritage Committee actively encourages nominations from under-represented regions and of under-represented types of properties (in the context of the Global Strategy for a Representative, Balanced and Credible World Heritage List). The Committee has revised the selection criteria so that they are more

inclusive and appreciative of living cultures and traditions, and has amended the *Operational Guidelines for the Implementation of the World Heritage Convention* to allow for the inscription of outstanding "cultural landscapes" on the basis of their continuing economic, cultural or spiritual value to indigenous peoples (see AHC, 1995). It is also noteworthy that the United Nations General Assembly has recommended that UNESCO should intensify efforts to recognize indigenous heritage as heritage of humanity under the framework of the *World Heritage Convention* (UNGA, 2005, para. 15).

This paper deals with the question of how to ensure that indigenous peoples' human rights, as affirmed by the General Assembly in the 2007 United Nations Declaration on the Rights of Indigenous Peoples, are respected in World Heritage areas and in the various processes of implementing the World Heritage Convention. A number of suggestions are made on concrete steps that the World Heritage Committee could, or should, take in this regard. These measures would also help to ensure that the indigenous understandings of sites – the values and meanings attached to sites by indigenous peoples – are properly taken into account in the management and protection of World Heritage sites, starting with the nomination procedures.

Indigenous sites on the World Heritage List: cultural or natural heritage?

As its official title already indicates, the World Heritage Convention differentiates between cultural heritage on the one hand and natural heritage on the other, defining the two types of heritage in Articles 1 and 2 respectively. As a consequence, the Committee maintains a distinction between "cultural" and "natural"

¹ The expression "territories of indigenous peoples" in this paper refers to areas which indigenous peoples have "traditionally owned, occupied or otherwise used or acquired" (UN Declaration on the Rights of Indigenous Peoples, art. 26), irrespective of whether or not the indigenous rights to these areas are officially recognized by a particular state. There may also be World Heritage sites that, although not located in the territory of an indigenous people, are nevertheless of special economic, cultural, spiritual or other value to indigenous peoples and therefore subject to certain indigenous rights.

properties, the classification depending on the criteria under which a site is inscribed on the World Heritage List. This distinction has been criticized as over-simplified, as it takes “no account of the fact that in most human societies the landscape, which was created or at all events inhabited by human beings, [is] representative and an expression of the lives of the people who live in it and so [is] in this sense equally culturally meaningful” (WHC, 1994, p. 4).

In response to such criticisms, the Committee has taken various steps to soften the dichotomy between cultural and natural heritage, and to give recognition to the fact that it is not adequate or possible to make a strict separation between cultural and natural values in the specific contexts of many World Heritage sites. These steps have included the introduction of the cultural landscapes category in 1992, and the merging of the selection criteria for cultural and natural heritage into a single set of criteria in 2003, “to better reflect the continuum between nature and culture” (see WHC, 1998, para. IX.11; and Decision 6 EXT.COM 5.1, 2003). However, although the Committee has combined the criteria, it has – somewhat contradictorily – continued to uphold the distinction between “cultural” and “natural” properties.

The distinction is particularly problematic in the context of World Heritage sites that are located in the territories of indigenous peoples, because the cultures, ways of life and spiritual beliefs of indigenous peoples are inseparable from their lands, territories and natural resources, and because natural and cultural

values for indigenous peoples are deeply interconnected.² Also, indigenous peoples' land management practices and traditional knowledge have in many cases greatly contributed, and continue to contribute, to the biological diversity in their territories, as is increasingly recognized by conservation organizations (including UNESCO).³ Indigenous peoples therefore generally consider a strict distinction between cultural and natural heritage as artificial and inadequate, and consider that their heritage should be managed and protected as an interrelated whole. For example, a 1998 *Review of Aboriginal Involvement in the Management of the Wet Tropics World Heritage Area* (in Australia) emphasizes:

“Rainforest Aboriginal people (and, in fact, indigenous Australians generally) see the trend by western managers to manage a region's values according to two distinct categories (i.e. natural and cultural values) as artificial and inadequate. Rainforest Aboriginal people adopt a holistic view of the landscape, asserting that a region's natural and cultural values are in fact inseparably interwoven within the social, cultural, economic, and legal framework of Bama custom and tradition. They are also concerned at the tendency, particularly at the day-to-day level of management, by western managers to treat cultural heritage considerations as secondary to those afforded to natural values” (WTMA, 1998, p. 12).

An Indigenous Peoples Forum held in 2000 in conjunction with the 24th Session of the World Heritage Committee in Cairns (Australia), therefore petitioned the Committee to “recognise the

² As the UN Special Rapporteur on the protection of the heritage of indigenous peoples, Erica-Irene Daes, has observed, “heritage” for indigenous peoples “includes all expressions of the relationship between the people, their land and the other living beings and spirits which share the land ... All of the aspects of heritage are interrelated and cannot be separated from the traditional territory of the people concerned”. Daes therefore stresses that it is “inappropriate to try to subdivide the heritage of indigenous peoples ... All elements of heritage should be managed and protected as a single, interrelated and integrated whole” (UN Commission on Human Rights, 1993, paras 31 and 164).

³ See, e.g. Roué (2006), WWF International and Terralingua (2001), and the 1992 Convention on Biological Diversity, art. 8(j). According to the World Heritage Committee, “The continued existence of traditional forms of land-use supports biological diversity in many regions of the world. The protection of traditional cultural landscapes is therefore helpful in maintaining biological diversity” (*Operational Guidelines*, 2008, Annex 3, para. 9).

holistic nature of Indigenous natural and cultural values and traditions" (World Heritage Indigenous Peoples Forum, 2000, p. 99).

The continuing need for the Committee and States Parties to address this concern is evident from the already noted fact that the vast majority of the indigenous sites on the World Heritage List are inscribed as "natural sites", with no regard for indigenous cultural, spiritual or economic values in the justification for inscription. In all these cases, the "outstanding universal value" recognized by the Committee does not reflect the indigenous peoples' own understanding of their territory and heritage. This conflicts with para. 81 of the 2008 *Operational Guidelines*, where it is stated: "Judgments about value attributed to cultural heritage ... may differ from culture to culture ... *The respect due to all cultures requires that cultural heritage must be considered and judged primarily within the cultural contexts to which it belongs*" [emphasis added].

Should not the judgement as to whether a site is treated as a "cultural" or "natural" site also primarily be made within the cultural context to which it belongs? And should there not be a similar provision for judgements about value attributed to natural heritage sites?

These questions are important, because the justification for inscription, of course, affects management priorities and frameworks, and if the indigenous peoples' own values are not properly taken into account, this can have major implications for them. For example, if a site is inscribed and protected as a natural site, without recognizing the existence and role of the indigenous inhabitants, this can lead to all kinds of restrictions on their land-use practices and undermine their ways of life. It can lead to a loss of control over their lands and can have significant consequences for their ability to maintain and

strengthen their cultures and traditions and develop their societies in accordance with their own aspirations and needs. Disregard of indigenous peoples and their values in World Heritage nomination and inscription processes can therefore have far-reaching human rights implications, in addition to constituting a human rights violation in itself.

Human rights concerns and considerations

Until recently, the establishment of national parks and nature protected areas usually implied that these places were then largely treated as untenured "wilderness" areas, where human intervention and use – with the exception of tourism – was either prohibited altogether or subjected to tight restrictions, regulations and permits. For indigenous peoples this often meant that they found themselves classified as "squatters", "poachers" or "encroachers" on their own lands, that their customary land management practices were treated as threats to the "natural environment" of the sites, and that they were denied access to natural resources critical to their livelihoods, survival and health. In many cases indigenous peoples were forcibly removed or pressured to leave following the creation of national parks or protected areas (Colchester, 2003; Dowie, 2009; WWF and Terralingua, 2001; SPFI, 2009). Often they were not even consulted when the protected areas were established and subsequently excluded from management and decision-making processes.⁴ The fact that their particular cultures and ways of life were inextricably linked and interconnected with these places and the associated plant and animal species, and had ensured their conservation and protection since time immemorial, was disregarded and disrespected. So were indigenous peoples' customary rights to their lands and resources, their land tenure systems, and their various social, economic and cultural rights associated with the respective sites. Moreover, while protected areas have often greatly limited their economic development options, indigenous peoples

⁴According to the Forest Peoples Programme (2003, p. 4), "the majority of protected areas in developing countries have been established on indigenous peoples' lands without their consent, often resulting in forced removals, impoverishment and cultural loss".

have rarely shared equitably in the – often substantial – economic benefits, such as tourism revenues. Indigenous delegates at the Fifth World Parks Congress in Durban (South Africa) in 2003 stated:

“The declaration of protected areas on indigenous territories without our consent and engagement has resulted in our dispossession and resettlement, the violation of our rights, the displacement of our peoples, the loss of our sacred sites and the slow but continuous loss of our cultures, as well as impoverishment. It is thus difficult to talk about benefits for Indigenous Peoples when protected areas are being declared on our territories unilaterally. First we were dispossessed in the name of kings and emperors, later in the name of State development and now in the name of conservation” (WPC Closing Plenary, 17 September 2003, Statement by Indigenous Peoples).

Unfortunately, these observations and concerns also apply to many of the protected areas that have been recognized as World Heritage sites. There are several indigenous sites on the World Heritage List – in particular, but not only, “natural sites” – where the local indigenous peoples have almost no role in management and are regularly marginalized in decision-making that affects their lands, cultures and everyday lives in significant ways.⁵ In some of those sites, indigenous peoples are essentially treated as threats to their own territories, through management systems that were imposed on them and are not linked to their own governance systems. At least in some instances, the designation as World Heritage sites may in effect have consolidated

or even aggravated indigenous peoples' loss of control over their lands, and over their economic, social and cultural development as peoples. There are a number of nature protected areas on the World Heritage List, where local indigenous people were pressured to leave or forcibly removed following the establishment of the protected area, and there are even cases where, as Sarah Titchen has observed, “Indigenous peoples have been actually physically removed from protected areas as a way of justifying inscription of an area on the World Heritage List as a place of natural importance devoid of what is perceived as the negative impact of local inhabitants” (Titchen, 2002).⁶

This raises the question of what can be done by the World Heritage Committee to ensure that such injustice and marginalization does not occur in World Heritage areas, that indigenous rights are respected in the implementation of the Convention, and that indigenous peoples' values, priorities and understandings of their own territories are properly reflected in nomination procedures and management of sites. A related question is what steps can be taken to promote and facilitate reconciliation and redress in World Heritage areas where indigenous rights have been violated in the past.

A useful tool in this regard is the United Nations Declaration on the Rights of Indigenous Peoples, which was passed by the UN General Assembly in September 2007 and whose provisions UN agencies and other international organizations are called on to respect, promote and apply in their various programmes.

⁵ See for example the situation of the Baka people in the Dja Faunal Reserve, Cameroon (Tchoumba and Nelson, 2006; Nguiffo, 2001), the Karen in the Thungyai-Huai Kha Khaeng Wildlife Sanctuaries, Thailand (Buergin, 2001; Colchester, 2003, p. 17), or the Maasai in the Ngorongoro Conservation Area, United Republic of Tanzania (Kipuri and Sørensen, 2008, pp. 11f.; Olenasha, 2006, pp. 159f.).

⁶ An example where indigenous people were forcibly evicted from their ancestral lands during the World Heritage nomination process is Bwindi Impenetrable National Park, Uganda (Dowie, 2009, p. 67; Tumushabe and Musiime, 2006). In the case of Thailand's Thungyai-Huai Kha Khaeng Wildlife Sanctuaries, the resettlement of remaining Karen villages within the sanctuaries was announced in the World Heritage nomination for the near future (Buergin, 2001, pp. 2, 7). Thailand's 2003 Periodic Report on the state of conservation of the site threatens: “If Karen villages inside the WH zone exert increasing demands on natural resources in the park, relocation will be conducted” (Thailand, 2003, p. 234).

Art. 41 of the Declaration requires UN agencies and other inter-governmental organizations to “contribute to the full realization of the provisions of this Declaration” and to establish “ways and means of ensuring participation of indigenous peoples on issues affecting them”. Art. 42 stipulates that “The United Nations, its bodies ... and specialized agencies, including at the country level, and States shall promote respect for and full application of the provisions of this Declaration and follow up the effectiveness of this Declaration”.

The Declaration affirms a wide range of political, economic, social, cultural, spiritual and environmental rights of indigenous peoples and “reflects the existing international consensus regarding the individual and collective rights of indigenous peoples” (UN Human Rights Council, 2008, para. 43). It provides a clear-cut frame of reference for states and international agencies for the formulation, implementation and evaluation of programmes and projects targeted at or impacting indigenous peoples. UNESCO's former Director-General Koïchiro Matsuura officially welcomed the adoption of the Declaration as “a milestone for indigenous peoples and all those who are committed to the protection and promotion of cultural diversity”, and ensured that it would “undoubtedly provide the foremost reference point [for UNESCO] in designing and implementing programmes with and for indigenous peoples” (Matsuura, 2007).

Additionally, the UN Inter-Agency Support Group on Indigenous Issues (IASG), of which UNESCO is a member, has “pledge[d] to advance the spirit and letter of the Declaration within our agencies' mandates and to ensure that the Declaration becomes a living document throughout our work” (IASG, 2008a, para. 10).⁷ The members of the IASG have also agreed to review their

policies and other instruments regarding indigenous peoples from the perspective of the framework of the Declaration, “so that all policies, programmes, projects, other instruments and activities ... are consistent with the Declaration” (IASG, 2007, para. 9).

To facilitate such efforts, the United Nations Development Group (UNDG) has elaborated *Guidelines on Indigenous Peoples' Issues* on the basis of the Declaration, which provide “lines of action for planning, implementation and evaluation of programmes involving indigenous peoples”. They are meant to “assist the UN system to mainstream and integrate indigenous peoples' issues in processes for operational activities and programmes at the country level”, and set out “the broad normative, policy and operational framework for implementing a human rights-based and culturally sensitive approach to development for and with indigenous peoples”. They are also thought to “provide a framework for duly integrating the principles of cultural diversity into UN country programmes” (UNDG, 2008, p. 3). Another useful publication is the *Resource Kit on Indigenous Peoples' Issues* prepared by the Secretariat of the UN Permanent Forum on Indigenous Issues (SPFII), which is designed to provide guidance as to “how to engage indigenous peoples and include their perspectives in development processes, including monitoring and reporting processes” (SPFII, 2008, p. 1).⁸

A key principle, affirmed in the UN Declaration and highlighted in both the *UNDG Guidelines and the Resource Kit*, is the principle of free, prior and informed consent. This principle is central to indigenous peoples' exercise of their right to self-determination, in particular with respect to developments affecting their lands, territories and natural resources, and “should be

⁷ See also the report of IASG's special meeting in February 2008 on how organizations of the UN system can integrate the Declaration into their policies and programmes (IASG, 2008b).

⁸ See also the 2007 report of the UN Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people, Rodolfo Stavenhagen, which focuses on the application of the human rights-based approach to indigenous peoples (UN Human Rights Council, 2007).

respected and used as a methodology when designing programmes and projects that directly or indirectly affect indigenous peoples” (SPFII, 2008, p. 17). The substantive and procedural norms underlying free, prior and informed consent “empower indigenous peoples to meaningfully exercise choices about their economic, social and cultural development” (Motoc and Tebtebba Foundation, 2004, para. 9).

Art. 19 of the UN Declaration articulates the principle as follows: “States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them.”⁹

Naturally, this also applies to conservation initiatives affecting indigenous peoples, as the *UNDG Guidelines* explicitly note: “Conservation efforts on indigenous lands, including the establishment of new and management of existing protected areas, have to take place with the free, prior and informed consent and full participation of the communities concerned” (UNDG, 2008, p. 18, “Guiding human rights principles”).¹⁰

In the specific context of World Heritage sites, this also means that nominations of sites in indigenous territories should either be made by the indigenous peoples themselves, or at least with their full knowledge and agreement at all stages. The same

applies to management plans, periodic state of conservation reports, and international assistance requests.

Conclusion and recommendations

Unfortunately, the implementation of the World Heritage Convention often falls short of the principles of the UN Declaration on the Rights of Indigenous Peoples, and in many cases indigenous peoples and communities have been marginalized in the various processes of the Convention. This can have serious consequences for the ability of the affected indigenous groups to maintain and nurture their cultures and traditions (and therefore their intangible cultural heritage), and to develop their societies in accordance with their own needs and interests.¹¹ At the same time it could have significant ramifications for the credibility of UNESCO as an organization committed to the furthering of respect for human rights and the fostering of cultural diversity, especially considering the high visibility of the World Heritage Convention as one of UNESCO's flagship programmes.

In the following paragraphs, recommendations for specific actions by the World Heritage Committee are given, the adoption of which could help to address these concerns. In particular, the Committee should:

- *Formally commit to a human rights-based approach and endorse the UN Declaration on the Rights of Indigenous Peoples.*

⁹ Similarly, art. 32(2) requires indigenous peoples’ “free and informed consent prior to the approval of any project affecting their lands or territories and other resources”. Art. 10 states that indigenous peoples shall not be relocated from their lands or territories without their free, prior and informed consent. An international workshop organized by the UN Permanent Forum on Indigenous Issues in 2005 clarified various aspects of free, prior and informed consent and suggested a number of elements for a common understanding (see UNDG, 2008, p. 28). Among other things, the principle implies that there is an absence of coercion, intimidation or manipulation, that consent is sought sufficiently in advance of any commencement or authorization of activities, that respect is shown for time requirements of indigenous decision-making processes in all phases of a project, and that full and understandable information on likely impacts is provided (including information on potential risks and on benefit-sharing mechanisms).

¹⁰ This has also repeatedly been stressed by the UN Committee on the Elimination of Racial Discrimination, e.g. in the Concluding Observations: Ethiopia (2007, UN Doc. CERD/C/ETH/CO/15, para. 22).

¹¹ As emphasized in the UN Declaration, “control by indigenous peoples over developments affecting them and their lands, territories and resources will enable them to maintain and strengthen their institutions, cultures and traditions, and to promote their development in accordance with their aspirations and needs” (Preamble).

In overseeing the implementation of the Convention in indigenous territories, the Committee should formally adopt and follow a human rights-based approach, for which the UN Declaration should provide the basic normative framework. This would be in line with UNESCO's expressed goal to integrate a human rights-based approach into all of its programmes and activities (*UNESCO Strategy on Human Rights*, 2003; *UNESCO Medium-Term Strategy for 2008–2013*, paras 6 and 69), and would be a way of making the World Heritage Committee's fifth Strategic Objective ("To enhance the role of communities in the implementation of the World Heritage Convention") meaningful for indigenous peoples. It would also be in line with UNESCO's commitment to fostering cultural diversity, considering the importance of indigenous peoples' collective rights for the maintenance and development of their distinct cultures and ways of life.

- *Be more consistent and rigorous in ensuring effective indigenous participation in all processes of the Convention (nomination processes, elaboration of management plans, site management, monitoring, etc.)*
- *Establish an indigenous advisory body*

The establishment of an indigenous advisory body was first proposed in 2000 by the World Heritage Indigenous Peoples Forum in Cairns (Australia). The Forum called for the creation of a "World Heritage Indigenous Peoples Council of Experts" (WHIP-COE), out of concern about the "lack of involvement of indigenous peoples in the development and implementation of laws, policies and plans, for the protection of their holistic knowledge, traditions and cultural values, which apply to their ancestral lands within or comprising sites now designated as World Heritage Areas" (World Heritage Indigenous Peoples Forum, 2000, p. 4).

Considering the large number of indigenous sites that are now on the World Heritage List, the establishment of an indigenous advisory body appears indispensable for ensuring an adequate

level of indigenous involvement in the implementation of the World Heritage Convention that is in accordance with international human rights standards. The existence of such a body is therefore crucial for the consistent application of a human rights-based approach.

The indigenous consultative body should be involved in all Advisory Body evaluations of nominated properties that are situated in the territory of indigenous peoples. This would ensure that indigenous communities and their values are not ignored or disregarded when their territories are nominated for World Heritage listing, and that the "outstanding universal values" are balanced with indigenous values and do not "trump" the indigenous values. The indigenous advisory body should also be involved in monitoring the conservation of indigenous World Heritage sites and reviewing Periodic Reports. It would provide an important contact point for indigenous communities living in World Heritage areas, and enhance their ability to participate directly in the Committee's work and bring issues to its attention. Maybe such a body could also fulfil functions related to other UNESCO instruments in the field of culture, such as the 2003 and 2005 Conventions on intangible heritage and the diversity of cultural expressions.

- *Strengthen the provisions on community participation in the Operational Guidelines*

Currently the *Operational Guidelines* (2008) merely "encourage" States Parties to ensure the participation of "a wide variety of stakeholders":

"12. States Parties to the Convention are encouraged to ensure the participation of a wide variety of stakeholders, including site managers, local and regional governments, local communities, non-governmental organizations (NGOs) and other interested parties and partners in the identification, nomination and protection of World Heritage properties."

The Committee should ensure that indigenous peoples are treated as rights-holders and key decision-makers, whose consent must be obtained, and not merely lumped together with a wide variety of “stakeholders” to be “consulted” in decision-making processes. The stakeholder approach negates indigenous peoples' status and rights under international law, including their right to self-determination and their collective rights to their lands, territories and resources. The relevant provisions in the *Operational Guidelines* should be reworded so that they specifically refer to indigenous peoples and do not give the impression that the involvement of indigenous peoples is something that is up to the States Parties. They should make clear that the full and effective participation of indigenous peoples in the identification, nomination, management and protection of World Heritage sites is *an essential and indispensable requirement*.

- *Update the Nomination Format and the Tentative List Submission Format (include fields on participation of local communities / indigenous peoples)*

Neither of the two formats (both annexed to the *Operational Guidelines*) currently contains fields explicitly requiring states to provide information on the local communities living in or near the sites, on the ways in which they were involved, and whether the submissions meet with their approval. In contrast, the format for Periodic Reporting has recently been revised and now contains a number of fields enquiring about the involvement of local communities and indigenous peoples, and the impacts of World Heritage status on their lives (see WHC, 2008).

- *Refrain from listing sites located in indigenous territories without indigenous peoples' free, prior and informed consent*

By way of comparison, States Parties who wish to inscribe elements on the lists established under the Convention for the Safeguarding of the Intangible Cultural Heritage must demonstrate to the responsible Intergovernmental Committee that the proposed

elements have “been nominated following the widest possible participation of the community, group or, if applicable, individuals concerned and with their free, prior and informed consent” (*Operational Directives for the Implementation of the Convention for the Safeguarding of the Intangible Cultural Heritage*, June 2008, Criteria for inscription, U.4 and R.4). No such requirement exists with respect to the World Heritage List.

- *Refrain from listing sites in indigenous territories as “natural sites” and encourage the relisting of existing natural sites in indigenous territories as “mixed sites” or cultural landscapes*

As shown above, the distinction between cultural and natural heritage is problematic in the context of indigenous heritage sites, and the listing of indigenous sites as “natural sites” can be at the expense of indigenous peoples' cultural values and can have major implications for their lives and human rights. Accordingly, indigenous peoples are in various cases striving to get natural World Heritage sites relisted under cultural heritage values, an example being the Wet Tropics of Queensland World Heritage site in Australia (WTMA, 1998).

- *Undertake a review of all World Heritage sites, with the full participation of indigenous peoples, to identify shortcomings with regard to indigenous rights*

This would be in line with UNESCO's promise to review its policies, programmes and activities with a view to ensuring consistency with the UN Declaration on the Rights of Indigenous Peoples (IASG, 2007, para. 9).

The adoption of the above measures by the World Heritage Committee would help to empower indigenous peoples living in World Heritage areas and support their ability to safeguard and foster their distinct cultures and ways of life. It would help to ensure that indigenous peoples' human rights are respected and fulfilled in the management and protection of World Heritage

sites, and that they are effectively involved in the implementation of the World Heritage Convention at all levels. In World Heritage areas where indigenous communities have historically been excluded from management and decision-making processes, or where their rights were violated in the past, these measures would ensure that World Heritage status contributes to readdressing and redressing these circumstances.

In addition, the adoption of such measures would underscore the need and expectation for World Heritage sites to be conservation models that are managed to the highest international standards¹² and in accordance with international best practice. It would demonstrate that UNESCO takes its commitments to human rights and cultural diversity seriously.

¹² Note the pertinent standards adopted by the 4th World Conservation Congress in 2008 (Resolutions 4.049-4.056), "recognizing, promoting and calling for the appropriate implementation of conservation policies and practices that respect the human rights, roles, cultures and traditional knowledge of indigenous peoples in accordance with international agreements and their right to self-determination" (Res. 4.048). The WCC has formally endorsed the UN Declaration on the Rights of Indigenous Peoples, acknowledging that "injustices to indigenous peoples have been and continue to be caused in the name of conservation of nature and natural resources", and recognizing that "the ability of indigenous peoples to protect and support biological and cultural diversity is strengthened by a fuller recognition of their fundamental human rights, both individual and collective" (Res. 4.052). There are also a number of noteworthy Decisions by the Conference of Parties to the Convention on Biological Diversity, e.g. Decisions IX/18 (2008) and VII/28 (2004).

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Case Studies

The Qing Bronze Heads Case: Problems and Suggestions Regarding the Repatriation of Cultural Property

Introduction

The international cultural artefact market has long since been the concern of archaeologists, anthropologists, historians, governmental and private organizations, and groups concerned with the preservation of cultural heritage such as UNESCO. International attempts have been made to deter the market surrounding illegal cultural artefacts and to preserve sites of archaeological, cultural and historic significance, such as The Hague 1954 Convention, the UNESCO Convention of 1970 and the UNIDROIT Convention of 1995. National governments have also addressed the issue, leading to such legislation as the Native American Grave Protection and Repatriation Act in the United States. International organizations have formed in response to the problem, such as the Association for the Protection of the Art of China in Europe as well as the Art Loss Register. Unfortunately, all these efforts have met with limited success as the sale of illegally acquired artefacts continues in the global market.

Repatriating stolen cultural artefacts is a complex issue. The value of art crime is estimated (1993) as between US\$3 billion and US\$6 billion, with a recovery rate for stolen art of 12 per cent (Borodkin, 1995). The 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property allows countries to make claims against other countries for illegally exported antiquities and admonishes adherents to respect other countries' export restrictions regarding cultural property. Although this is a first step towards putting structure around the repatriation of

cultural and historical artefacts, there are still many unaddressed considerations. Historically, the repatriation battle has raged between artefact-rich nations (usually developing countries), and art-purchasing nations (usually developed countries). The problem is also compounded by the issue of time. The Hague 1954, UNESCO 1970 and UNIDROIT 1995 Conventions contain statutes of limitations that fail to address those artefacts that were removed from one nation by another before the temporal reach of these Conventions. In such cases, there are no definitions of legality to be placed upon removed cultural artefacts, other than by the country from which they were taken so many years ago. This leaves the country or group of origin no legal or internationally recognized claim to the artefacts that were taken from them. Conflicts of diplomacy arise when one country retains the cultural materials of another, especially when the country of origin has requested their return. The sale of such materials only enflames the issue. What actions are to be taken, for example, when the sale occurs of artefacts labelled "legal" by the market nation and "illegal" by the country or group from whom they originated (source nation)? How can "cultural property" be defined and cultural heritage restored without an internationally recognized legislation that effectively reaches far back enough into history as to address the plethora of culturally significant materials being privately traded without regard to those from whom they came? Moreover, how should "cultural significance" be defined?¹ And how is a company that specializes in the sale of cultural antiques supposed to behave economically and ethically in the climate of such socio-political and cultural confusion?

The Qing Bronze Heads case

These issues recently came to attention with the February 2009 Christie's auction in France of two Qing bronze heads featuring a rabbit and a rat. These heads belong to a collection of twelve (five of which have since been returned to China) that were

¹ See UNESCO 1970 and The Hague 1954 for suggested definitions of "cultural significance".

looted from the Yuanmingyuan Old Summer Palace in China by French and British troops during the Opium Wars in 1860. Beijing's Poly Art Museum acquired three of the bronze heads (ox, monkey, tiger) in 2000. A Hong Kong millionaire purchased the horse and boar heads. He donated the horse's head to China; the boar's head remains in his casino in Macau. The rabbit and rat heads were owned by fashion designer Yves Saint Laurent. The location of another five of the bronze heads (dragon, snake, sheep, rooster, dog) is unknown. The proposed auction of the rabbit and rat heads resulted in legal action by China that was overturned in French courts, again demonstrating the issues of legality in such cases. They were auctioned with the winning bid made anonymously by telephone at €31.4 million for the pair. The bidder was a Chinese businessman, Cai Mingchao, who then refused to pay as a protest to their sale and on the grounds that his government has restricted their import into China.

For most Chinese, the value of the bronze heads as cultural artefacts is greater than their value as art objects. Apart from their monetary value, the Qing bronze heads symbolize for China the humiliation brought on by Western transgressions during the events leading up to and including the Opium Wars of the mid-nineteenth century. Hong Kong, the site of Christie's Chinese office, was ceded to the British crown in the "unequal" Treaty of Nanjing that ended the first Opium War. The apparent lack of concern for supposed Chinese cultural heritage on the part of Christie's and of France can only serve to underscore the slighting memory of the loss of Hong Kong to Western powers. Pierre Berge's offer to return the heads in exchange for the affordance of Tibetan liberties alludes to the loss of Tibet with the fall of the Qing dynasty and the subsequent struggle to hold it within the ideological Chinese nation community and the international conflicts that have resulted. Cai Mingchao's refusal to pay for the heads has for some Chinese citizens tarnished the economic reputation of the emerging global power. While some suggest that China should simply purchase the artefacts, this misunderstands

the "Chinese mind" and fails to acknowledge the cultural insult perceived by China and that, based on this perception, China could never participate in such an undignified auction (Bernard Gomez of APACE, on the France 24 television programme *The Debate* on February 26, 2009). On the other hand, although the bronze heads were no doubt taken from China illicitly (especially under the 1954 Hague Convention, had it been enacted at the time), China's demand for the return of the bronze heads under such a pretence ignores the complex issues involved in the facilitation of black markets by the illegalization of cultural artefacts, not to mention a failure to diplomatically address French socio-culture in a climate of fragile Sino-French relations.

Christie's – as well as other auction houses that profit from the sale of cultural artefacts – are placed in a difficult position by situations such as these. They have an economic responsibility to their clients but are also directly affected by international relations and governmental policies of the countries they operate within. The illegalization of cultural artefacts could significantly damage these companies, especially within an already recessive economy, only to have them replaced by untaxable and uncontrollable black markets. Furthermore, research has shown that companies that participate in illegal activity suffer only minor and temporary sales disruptions, demonstrating that the illegalization of cultural artefacts may do little to deter their sale (Baucus and Baucus, 1997; Moore 1988; Price, 1999).

Besides its cultural significance, an issue of intentionality also arises when all parties involved stand to benefit financially from the ownership of the artefacts, including both the dealing party (or parties) and the country (or countries) of origin. In this case, because the bronze heads were private property owned by and then stolen from the Qing dynastic emperor, the current Chinese Communist Government's claim to the heads is dubious. With the fall of dynastic rule, can it be assumed that dynastic private property automatically becomes public property? Whether we are speaking about the bronze heads specifically or the palace

property in general, we are dealing here with a forced transfer of ownership that impoverished the former owner (the Qing emperor) and benefited the inheritor (the French and British troops or the People's Republic of China). Likewise, we are also dealing with a discontinuity in rule. Essentially, one Chinese Government ended and another began. Such a discontinuity carries socio-cultural implications. It would be difficult to refute that the change in government had some amount of socio-cultural impact. Therefore, can we argue that the Chinese socio-culture under dynastic rule was the *same* Chinese socio-culture under Communist rule? If we cannot, we must examine whether the property of the former *automatically* belongs to the latter. Furthermore, because the repatriation of the bronze heads stands to increase state capital as the currently-held bronze heads are popular attractions in the state-owned Poly Art Museum, China's intention could be argued as one of monetary exploitation rather than cultural sincerity. It is this ambiguity that only adds to the difficulty in cases of repatriation.

Apart from these questions, according to both French and Chinese law, the case would have legally expired under either country's statutes of limitations. Strictly speaking, China has no international legal claim to the heads. Neither the UNESCO 1970 nor UNIDROIT 1995 Conventions address the case due to their statutes of limitations. Similarly, although the Hague Convention of 1954 addresses the case in theory (forced transfer of ownership under military action), it is retroactively powerless (both China and France are signatories to all three Conventions).

Overall, the events surrounding this auction have demonstrated not only the cultural misunderstandings encoded within the communications between these parties, but the legal ambiguity when dealing with international trade of cultural artefacts without effective international guidelines and legislations that address the cultural, economic and socio-political concerns of all involved.

Recommendation

The bronze head debate demonstrates two points: First, that cases of repatriation such as these can be exceedingly difficult to resolve as they resonate within the economic, political and socio-cultural spheres of multiple nations and involve a number of international parties (France, China, APACE, Christie's, Xiamen Harmony Art International Auction Company, National Treasure Funds of China, Cai Mingchao, Pierre Berge, Stanley Ho, Sotheby's, China Poly Group and the Poly Art Museum, The Beijing Poly International Auction Co. Ltd., etc.). Second, that currently existing Conventions such as The Hague 1954, UNESCO 1970 and UNIDROIT 1995 are not always able to adequately address the veracious complexity of these claims or the multifaceted issue of protecting cultural heritage.

Despite this, some suggestions can be made. For example, if Yuanmingyuan were to join its counterpart, the Yiheyuan "New" Summer Palace, as a UNESCO World Heritage site, the repatriation of the bronze heads would perhaps be more forthcoming. As a World Heritage site that reached beyond local cultural boundaries into the international cultural-historical sphere, Yuanmingyuan could incorporate the shared cultural histories of China, Britain and France, preserving the integrity and posterity of all three national heritages. Incorporation into a "serial site" that establishes and demonstrates the contiguity between temporally, historically and socio-culturally related sites in the three countries might provide a solution for the parties involved. It must also be acknowledged, however, that repatriation of the bronze heads could set a burdensome precedent for others to follow; one in which private ownership and cultural institutions are transgressed. Repatriation may also compromise the integrity of currently existing World Heritage sites, such as Museumsinsel (Museum Island), Berlin. Repatriation of any of the artefacts that warranted Museumsinsel's World Heritage status, such as the Pergamon Altar or Ishtar Gate of Babylon, would no doubt damage the German cultural-historical landscape. Perhaps where legislation fails, diplomacy must carry the burden of decision.

There have been a number of cases in which repatriation was successful and occurred beyond the reach of international Conventions such as UNESCO 1970 or UNIDROIT 1995. Examples include:

- *Kunstsammlungen zu Weimar v. Elicofon* (Merryman, 1987–1988, p. 483; 1985: 1889, note 23);
- *Hooge Rad der Nederlanden* (Merryman, 1987–1988, p. 483, note 16);
- US repatriated Crown of St Stephen to Hungary in 1977 (Merryman, 1989, p. 351);
- Netherlands repatriated cultural property to Indonesia (Merryman, 1989, p. 351; Merryman, 1990);
- Mayan Codex stolen from Mexico by France and stolen back by Mexico (Merryman, 1986, p. 846; Riding, 1982);
- Italy repatriated throne of Menelik II to Ethiopia (Throne of Menelik II recovered from Italy, *The Ethiopian Herald*, 15 June 1982);
- France “loans” artefacts to Laos and Iraq in exchange for pottery (UNESCO referees a bitter contest, *ASIaweek*, 22 October 1981);
- Britain returns 21 arch items to North Yemen (UNESCO referees a bitter contest, *ASIaweek*, 22 October 1981);
- Australia returns drum to S. Pacific (UNESCO referees a bitter contest, *ASIaweek*, 22 October 1981);
- Belgium and Netherlands return materials to Zaire and Indonesia (UNESCO referees a bitter contest, *ASIaweek*, 22 October 1981);
- American institutions return pieces to Peru and Panama (UNESCO coordinates “restitution”: some nations, museum return cultural treasures, *The Blade*, 4 October 1981);
- Australia and New Zealand made shipments to Papua New Guinea (UNESCO coordinates “restitution”: some nations, museum return cultural treasures, *The Blade*, 4 October 1981);
- French court orders the return of a stolen statue to Cairo (UNESCO coordinates “restitution”: some nations, museum return cultural treasures, *The Blade*, 4 October 1981);

- Christie's sale of Medici papers in London; repatriation of state-owned but not private papers by British court (Merryman, 1985, p. 1890); *privately owned articles (of royal lineage) not returned to state;
- *Attorney-General of New Zealand v. Ortiz*; *British court denies restitution of Maori artefacts (to be auctioned by Sotheby's) to New Zealand (at time neither the UK nor NZ were parties to UNESCO 1970).

Many of these involve some form of repayment or trade in exchange for repatriation. If a museum is able to replace one cultural artefact with another that the country of origin is more willing to circulate, both parties may benefit and no one is at a complete loss. Another common feature of these successful cases is a cooperative effort by both parties to ensure the safety of a cultural artefact during and after repatriation to the country or culture of origin. The continued involvement of a repatriating country in the life of the repatriated artefact could maintain and perpetuate an already existing cultural-historical relationship to the benefit of both parties. Although the location of an artefact will change, its existence will continue to involve the shared cultural histories of both parties and neither will be impoverished of heritage. By regarding these successful cases as models of action, further successful cases of repatriation are likely to occur.

The mindsets and cultural perspectives of each disputing party must also be considered. Only by addressing cultural particularities can effective communication be established and desirable solutions produced. Effective communication between the two nations, and successful negotiation, requires a multidimensional understanding of intercultural dissonance (including an awareness of individualistic versus interdependent ethos, high-context versus low-context cultures and language styles, and monochronic versus polychronic concepts of time) and methods by which to overcome and adapt to these (Cohen, 1997, pp. 19–32). Also required is a mutual understanding of the other's conceptions of the individual, the organization, and the

association of one to the other. Fei Xiaotong's influential work on Chinese society *From the Soil* (Fei, 1992) describes China's differential mode of association with concentric circles of influence and the West's organizational mode of association where organizations have clear and discrete boundaries. Understanding, acknowledging and accounting for these differences in organization and association are crucial for effective communication in intercultural dialogues.

Although currently existing Conventions and organizations may not be able to adequately address all cases involving the illicit trade of cultural artefacts, other options are available. A thorough examination of each case yields clues as to how repatriation can be successfully achieved to the benefit of the parties involved and humanity's shared global heritage. By thoughtfully considering all the factors involved in a case – including the cultural, economic, political and social particularities – solutions may be generated without needing to adhere to a generalizing legislative template. What is clear is that communication and cooperation are the keys to resolution. These must be culturally sensitive and inclusive of all the parties involved, including governments, ethnic groups, or single individuals. While these may be lofty goals, they are nevertheless important considerations in the protection of cultural heritage.

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Dealing With the Past: The Role of Cultural Heritage Preservation and Monuments in a Post-Conflict Society

Introduction

This paper presents the main conclusions of my research¹ on cultural heritage destruction and projects of reconstruction after an armed conflict and in a politically divided country. This research analyses the aspects of cultural and historic site management in post-conflict situations and the role of heritage preservation in dealing with the past issue in Bosnia and Herzegovina since 1996.

The consequences of the Socialist Federal Republic of Yugoslavia dissolution and the emergence of nationalistic rule were dramatic for Bosnia and Herzegovina. Until the break-up of the war in April 1992, the population of this former Socialist Republic was truly multinational, reflecting its historical development. Three *narodi*,² Croats, Muslims³ and Serbs, lived on the same territory. During the war, cultural heritage became a target as symbol of multinational Bosnian-Herzegovinian identity.⁴ Historic and religious monuments were systematically destroyed because they represented heterogeneity. Territories were to be homogenized and deprived from richness of other cultures. This principle of national homogenization of the Bosnian-Herzegovinian territories, based on a rewriting of the past, was and remains a threat for heritage preservation.



Fig. 1: Interior of the National and University Library of Bosnia-Herzegovina, Sarajevo, 1996 (photo: author's archive)

According to the data gathered in 1995 by the Institute for the Protection of the Cultural, Historical and Natural Heritage of Bosnia-Herzegovina, "2771 architectural heritage properties were demolished or damaged [during the war]: 713 of them were totally destroyed and 554 were burned out and unusable" (Commission to Preserve National Monuments, 2004, p. 30). Even incomplete, these data reveal the nearly total devastation of the Bosnian-Herzegovinian heritage (Figures 1 and 2).

Fifteen years after the signature of the General Framework Agreement for Peace in Bosnia and Herzegovina (December 1995), also known as the Dayton Peace Agreement, the

¹ Doctoral thesis entitled "Urbicide et mémoires: destructions et reconstructions à Sarajevo", University of Geneva, Switzerland, December 2009.

² The term *narodi* refers to ethno-national identity. The English equivalent would be nation or national community.

³ Until the beginning of the war, Bosnian Muslims used to define themselves and to be defined by others as members of the Muslim *narod*, a term inherited from their recognition as constitutive nation by Yugoslav authorities back in 1968. Since the creation of the Bošnjački Sabor (Bošniak Assembly) in 1993 – during the war – the term Bošniak is used to define Bosnian citizens of Islamic religion.

⁴ Referring in this case to an inclusive identity containing the different national and citizen affiliation present on the same territory. This one results from long-term contacts, which promoted the emergence of a heterogeneous identity.

cultural heritage landscape still bears witness to the deliberate destruction of architecture and monuments.



Fig. 2: Destroyed Old Bridge in Mostar, 1996 (photo: author's archive)

How can a society exercise its capacity to go back in time if the traces left by the social group have partially disappeared? As heritage contributes to the sense of belonging, how do memories of the traumatic event influence projects of reconstruction and restoration of heritage objects? In Bosnia and Herzegovina, the reconstruction of heritage and cultural properties can be seen as a promoter of social cohesion whereas preserved ruined buildings could underline divisions among communities and prevent the restoration of a sense of belonging to a common territory. According to this, preservation of heritage is not only a value in itself but can be an efficient instrument for sustainable development and national or regional reconciliation.

The totemic function of architecture then becomes evident, as buildings are essential witnesses to national history. Their destruction is in a way a desperate recognition of their symbolic values as they fix, illustrate and focus on national history (Babelon and Chastel, 1994, p. 48). Heritage materializes the cultural identity of a nation, a people.

The reconstruction and protection of the historic and cultural heritage of Bosnia and Herzegovina follows a process of affirmation of collective identity. As destruction of heritage is meant to eradicate the foundations of a multicultural society, reconstruction strengthens, in certain cases more than it prevents, community cleavages. In this context, the reappropriation of places invested by the terror settled during the armed conflict is a precondition for the process of reconciliation. Therefore reconstruction is not solely structural and material; restoration of sense of place should also be promoted. In this way, the management of reconstruction projects should ideally be the result of a dialogue between communities, local authorities and international stakeholders.

The Commission to Preserve National Monuments was established pursuant to Annex 8 of the General Framework Agreement for Peace in Bosnia and Herzegovina. Its mandate is to promote heritage as a generator and resource for stimulating social rehabilitation and reconciliation. Since the end of the war, the country has been structurally divided into two political entities: the Federation of Bosnia and Herzegovina and the Republika Srpska. When the Commission issues a national monument decision, this decision concerns the state level, i.e. including both entities, but the monument is under the protection of entity levels. As a consequence of the war and as a result of national homogenization of territories, an important movement of population transformed the multinational social fabric of Bosnia and Herzegovina. Consequently, the reconstruction of cultural heritage or historical places of worship is closely related to the return of refugees.

To reconstruct a mosque or church where the believers were expelled can revive or instigate tensions rather than reconcile the inhabitants. The example of the reconstruction of the mosque Ferhad Paša (or Ferhadija) in the city of Banja Luka – located in the Republika Srpska – is significant.

Built in 1579, the demolition of the mosque began on 7 May 1993. In the following months, the remains were voluntarily moved with the aim of erasing the traces of the building on the site. Although the mosque was one of the symbols of Banja Luka and thus an integral part of the urban environment of the inhabitants, independently of their national or religious membership, the ceremony organized on 7 May 2001 to celebrate the laying of the first stone symbolizing the reconstruction, ended in riots with the death of one man and around thirty wounded. In May 2003, the Commission nominated the site as well as the remains of the mosque as a national monument. The decision of the Commission implies the responsibility of the Republika Srpska government in the application of protective measures at the site and the reconstruction of the mosque. Reconstruction works are in progress today.

Another consequence of the war in Bosnia and Herzegovina is the exploitation of architectural features in the process of construction of particular collective memories. At the moment, different interpretations of monument destruction are expressed and tend to set national communities and citizen groups against each other. At the same time, the Commission to Preserve National Monuments is working on the reconstruction and protection of monuments, seeking to promote a collective Bosnian cultural heritage. In this context of memory “competition”, practices of *patrimonialization* (heritagization) show the expression of group memories whose aim is often to assert precedence at a specific site. The uses and misuses of the past reveal the tensions within the system of spatial and temporal markers of identity. Indeed, public places, historic monuments and cultural heritage no longer constitute any more the foundations of collective memory. We can observe a fragmentation of identity referents according to the membership of various communities today.

The following examples reveal the complexity with which the reconstruction projects and the initiatives to protect the heritage

are confronted. The case of the Alad a mosque is symptomatic of the strategy of ethnic cleansing during the war in the city of Foča, in the Republika Srpska. Built in 1550, the Alad a mosque, known also as *Šarena d amija* (coloured mosque), was destroyed in 1992. During the summer of 2004, the works of an exhumation team appointed by the federal Commission for missing persons, looking for victims of the recent war around Foča prison, had to be interrupted because suspected fragments belonging to the Alad a mosque were discovered. The acts of ethnic cleansing in the town of Foča were particularly violent. This violence materialized in the burial of human bodies with the remains of a historic place of worship. The image is symbolically powerful and reveals the will to eradicate and erase the presence of the other.

The Bridge of Višegrad – or Mehmed Paša Sokolović Bridge (Figure 3) – was built on the River Drina at the end of the fifteenth century, on the orders of the grand vizier Mehmed Paša Sokolović. When the Commission to Preserve National Monuments announced publicly the will of the state of Bosnia and Herzegovina to see the bridge appear on the UNESCO World Heritage List, women victims of the war association in Višegrad

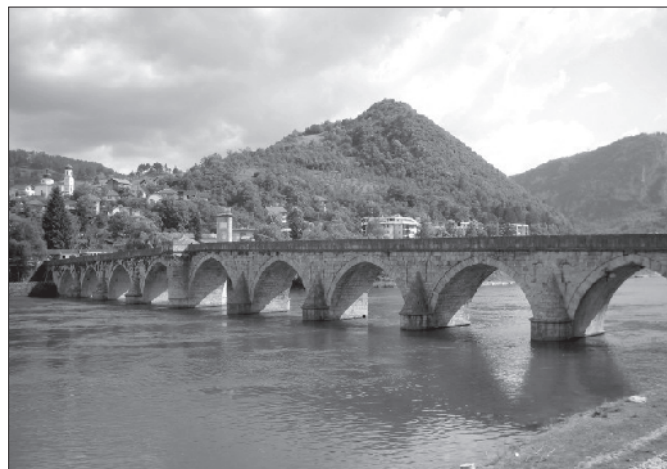


Fig. 3: Mehmed Paša Sokolović Bridge in Višegrad, 2007 (photo: author's archive)

addressed a letter to the members of the Commission expressing their disapproval of this heritage site qualifying as a national monument. During the ethnic cleansing of the city, the bodies of the victims, mostly unarmed civilians, were thrown in the River Drina from the bridge.

These survivors are the witnesses of crimes committed in the course of the last war in which this architectural masterpiece was used as a place of execution. The bridge crystallizes their fears and they perceived it as the symbol of their persecution, the humiliations they had to suffer and the violation of their rights. In memory of the Višegrad victims in 1992, they therefore expressed their disapproval concerning the nomination of the bridge as a national monument.

In the words of Amra Had imuhamedović (Commission to Preserve National Monuments, 2006, pp. 18–19), one of the three national members of the Commission: "... just as glory and magnificence, pride and justice are a part of the heritage that encourage us to great work, so shame and humiliation, cruelty and crime are a part of the heritage that remind us of the consequences of evil. ... In the hope that the beauty of the bridge, ... will never again see the shadow of such atrocities cast over it, we are convinced that it is important to preserve the bridge for future generations, without disregarding any aspect of its history ...". The bridge has to connect individuals.

These examples reveal the complex interweaving between destructive events, the perception of them by the victims and the symbolic value of cultural heritage. The projects of reconstruction of the heritage – deliberately destroyed to expel people and cleanse a territory of the presence of the other – have to be introduced by actors whose objective is the protection of a common cultural and historical heritage. In this sense, the mandate of the Commission to Preserve National Monuments is significant in the process of reconciliation. Its mandate, through the nomination of national monuments, is to make cultural heritage significant for

all the national communities. Its objective is to de-ethnicize, to depoliticize the heritage so that it becomes an identity marker for all the citizens of the country, and not only for one community in particular.

The destruction of the cultural heritage and the other identity markers shattered the spatiality lived by the inhabitants of a place and, by extension, the role of its markers in the mobilization of memory. The problem of cultural heritage restoration is closely connected with the work of memory and the essential need to restore a historic continuity, interrupted by the tragic events that sealed the dislocation of the Socialist Federal Republic of Yugoslavia since 1991. The key lies in joint planning of projects of reconstruction and restoration by the local authorities as well as in promoting the symbolic elements of a common past to strengthen the reconciliation process.

We have seen that heritage reconstruction and preservation do not only concern the rehabilitation of an architectural continuity. In the examples presented, reconstructions and initiatives of cultural heritage protection are connected to the process of reconciliation between the national communities of Bosnia and Herzegovina and to dealing with past issues. To use the symbolism of the bridge, it is important to restore reliable bridges between communities opposed during the war. Reconstruction projects can facilitate intercommunity relations and restore a sense of belonging to the territory, i.e. to Bosnia and Herzegovina as a whole.

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Part 5

Cultural Landscapes and Sustainable Development

Preface

The category of cultural landscape was introduced in 1992 to UNESCO's criteria for the nomination of World Heritage properties. The variety of landscapes inscribed has enriched the World Heritage List ever since. Cultural landscapes are combined works of man and nature, and therefore more likely to be connected to human society, settlements and the environment as a whole. The nomination of cultural landscapes furthermore includes the opportunity to judge the impact of human activities on nature with regard to economic, social and cultural development. Factors can be identified either as potentials or as threats, as strengths or as weaknesses. Based on the potential of the cultural landscapes category, this section plays a considerable role in linking a World Heritage site with strategies for sustainable development. Thus this category is the most suitable in combining World Heritage with other UNESCO programmes, i.e. the goals defined in the Millennium Declaration.

The first paper in this complex section is by Mechthild Rössler and functions as an introduction to the topic. In "World Heritage and Sustainable Development: The Case of Cultural Landscapes", Rössler not only provides a historical overview of the concept of sustainable development since the Brundtland Commission of 1987, but beyond this relates theoretical positions to the nomination practice of cultural landscapes. It is not just the case studies she presents that render this rather abstract topic comprehensible, but also the theoretical context so expertly explained. The paper concludes with the same message on which this publication is based, that the potential of World Heritage still has much to offer for human development.

The contribution by Michael Turner, "The Perception of Urban Space as Landscape: From Site to Space and Scape", has a completely different emphasis on urban space as a cultural

landscape. With his central categories of "time", "space" and "place" he implies concepts of sustainable development, not least due to the fact that urban landscapes especially are characterized by their aesthetics, as well as through their use by human interventions. Turner approaches the discussion and reflection on the topic in an abstract manner. By including theoretical classics in this context, he defines his understanding of an urban landscape as the "sum total of unbuilt land", "urban building and structures", as well as the arising matrix of "public and private open spaces of the urban landscape". He includes central lines of argument from literary studies, cultural studies, philology, philosophy, and last but not least, from the perspective of photography. His paper on the topic of urban landscapes transcends an association of city as a material heritage, and brings the reader into the immaterial connotations that are linked to a city as landscape according to individual experience.

Steven Yieko Ojoo, in "Indigenous Interpretation of the Luo Cultural Landscapes", approaches the topic through the process of globalization. He explains that globalization and nationalization may lead to the loss of special intangible features, authenticity and value of cultural landscapes, and therefore in many cases to the loss of symbols of identification for certain groups of people. Safeguarding strategies on the basis of discourses regarding modernization and heritage protection are needed. Furthermore, and related to cultural landscapes, a critical view on the implementation of the World Heritage Centre's *Operational Guidelines* is needed. Ojoo enters into this discussion. In order to safeguard the intangible heritage of indigenous peoples; and in order to preserve their traditions and religious lifestyles, which are by any standards a part of world cultural diversity; an adaptation of the guidelines to meet the needs of indigenous peoples and their land is urgently required. He includes an example of a marginal community in the Luo cultural landscape, their traditions and artistic and religious lifestyles. This paper also highlights that this is only one of numerous

examples where a call exists for the protection of living traditions and cultures against the demands of globalization. Priority is to be given to diversity and interpretations.

Ana Pereira Roders and Ron van Oers, in "Outstanding Universal Value, World Heritage Cities and Sustainability", aim to contribute to the growing body of knowledge concerning management of World Heritage properties through mapping the current process being undertaken, to the process of managing properties of outstanding universal value. The results have proved that such management processes consist of a wide framework, including the outstanding universal value assessment, which not only involves the States Parties, but also the Advisory Bodies, the UNESCO World Heritage Centre and the World Heritage Committee. Except with the States Parties, the management practices were seen as universally defined and implemented as a process. However, no universal methods or tools, in addition to weights or values, have been found or identified for any of the above four participants. Further research will focus on the practices undertaken by States Parties in the assessment process – identification, proposal and management (protection and demotion); and map what is currently defined and implemented as a process, together with their methods and tools, and if existing, criteria and weights.

Shadi Azizi, Nader Afzalan and Mahda Mohammadbagher present their paper, "A Case Study of Cultural Landscape as a Potential for Sustainable Development of Local Scale: Garmsir Village Redevelopment", from the viewpoint that cultural landscape has a somewhat human imprint in the landscape. This is a result of the interaction between socio-economic and physical-geographical conditions. The example of Garmsir village, the focus of the study, is a rare and successful case concerning the indigenous development of an organic cultural landscape in the Islamic Republic of Iran. The authors point out the indigenous people's understanding of the strengths and weaknesses of the village, and describe the crucial factors that lead to the success

of the redevelopment process. In this case, they emphasize that it was both the respect shown in meeting the demands of the local community and the tourists' expectations and interests. At the same time, as the valley became an international attraction, people's lifestyles and values were seriously affected in terms of globalization. Therefore they find it important not to overlook the inhabitants' rights when developing a global cultural landscape.

In the paper by Yuri L. Mazurov, "Challenge of Climate Changes for Historical Heritage: Monitoring and Reporting in the Russian Federation", the Russian strategy of handling climate change is dealt with. The emphasis of this paper lies more with the problem that environmental protection and climate protection are possibly much harder to implement in transformation societies than in developed industrial societies. The central thought is that natural heritage is a manifestation of cultural heritage. In order to protect natural heritage, it is necessary to convert the material values that are connected with heritage to immaterial values, which means to raise awareness. This is indeed a difficult task in the Russian transformation society. To show that this concept can still be successful, Mazurov includes the example of setting up an innovative environmental monitoring project in Russia, which makes it possible to calculate the effects of climate change on heritage sites over short-, medium- and long-term time spans.

In "Impacts of Early Land Use and Mining on River Landscapes", Thomas and Alexandra Raab focus on the change of landscape over the course of time and during the history of natural landscapes. Landscapes are affected and developed by various human interactions and through political and cultural interests. The range is broad: it starts with climatic, cultural and socio-economic changes in very early times and continues through important modern industrial activities and trading. Mining is one of the major uses of landscape, and of course holds the most striking challenges for everyone involved. Nevertheless, mining may be considered as one of the important factors for

developing either the landscape itself or the culture of miners. The landscape change in Europe dates to around 10,000 years ago. The main focus in this paper is on river landscapes concentrated in Central Europe. The authors present and describe how environmental changes may be seen as results of natural and human influence on the landscapes through different historical epochs. They furthermore integrate a theoretical analysis of concepts of landscape based on a complex knowledge in the fields of life, earth and prehistorical science.

In summary, the range of papers published in this section are on the one hand representative of its topic, but on the other hand have left many aspects open to discussion. Although the debate on the close relation between cultural landscape and sustainable development is self-evident, it is still in its early stages. But the first steps have been taken.

Standard References

World Heritage and Sustainable Development: The Case of Cultural Landscapes

Introduction

The World Heritage Convention of 1972 has evolved considerably over time. The Convention, based on earlier considerations (see Rossler, 2007; Titchen, 1996) between the two World Wars on safeguarding the heritage of humanity and joint efforts by different nations and UNESCO to preserve the Nubian Temples from the waters of the Aswan Dam (Egypt) in 1960, was shaped into a unique document in the framework of the First United Nations Conference on the Human Environment in 1972. It was adopted by the UNESCO General Conference in 1972 and entered into force only three years afterwards in 1975. The first sites, such as Galápagos Islands (Ecuador) or the Rock-Hewn Churches, Lalibela (Ethiopia) were inscribed as early as 1978. At that time the term “sustainable development” was not used – it evolved only in the 1990s with its current meaning.

At the time of writing the World Heritage Convention covers 911 sites in 151 countries on the World Heritage List and has been ratified by 186 countries, which makes it the most universal legal instrument in heritage conservation.

This paper retraces the concept of sustainable development and its application in the framework of the World Heritage Convention using the example of cultural landscapes. It also draws conclusions for the future of this international legal instrument highlighting intergenerational equity as a principal and fundamental concept in heritage conservation. It also emphasizes the need to see World Heritage properties in a broader context of sustainability debates and connectivity with surrounding areas.



Fig. 1: Agave Landscape and Ancient Industrial Facilities of Tequila (Mexico)
Photo: Carlo Tomas © UNESCO

World Heritage and sustainable development

Although conservation is closely linked with sustainability, the term entered the global debate in particular through the Brundtland report in the 1990s and the 1992 United Nations Conference on Environment and Development (UNCED) held in Rio de Janeiro (Brazil). A broadly shared and accepted definition was proposed by the Brundtland Commission: “Sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs” (WCED, 1987).

This was taken up by the United Nations General Assembly in 1987 in the Preamble to Decision 42/187: “Believing that sustainable development, which implies meeting the needs of the present without compromising the ability of future generations to meet their own needs, should become a central guiding principle of the United Nations, Governments and private institutions, organizations and enterprises ...”.

It is therefore not surprising that in the same year as UNCED, 1992, the term “sustainable land-use” entered the *Operational Guidelines for the Implementation of the World Heritage*

Convention with the introduction of the World Heritage cultural landscape categories by decision of the World Heritage Committee:

"The term 'cultural landscape' embraces a diversity of manifestations of the interaction between humankind and its natural environment ... Cultural landscapes often reflect specific techniques of sustainable land-use, considering the characteristics and limits of the natural environment they are established in, and a specific spiritual relation to nature. Protection of cultural landscapes can contribute to modern techniques of sustainable land-use and can maintain or enhance natural values in the landscape. The continued existence of traditional forms of land-use supports biological diversity in many regions of the world. The protection of traditional cultural landscapes is therefore helpful in maintaining biological diversity" (para. 39 of the *Operational Guidelines*, adopted by the 16th session of the World Heritage Committee in 1992; in 2005 integrated without change as Annex 3 of the *Operational Guidelines*).

Only in 2005 with another revision of the *Operational Guidelines*, separate paragraphs were developed, in particular: "6. Since the adoption of the Convention in 1972, the international community has embraced the concept of 'sustainable development'. The protection and conservation of the natural and cultural heritage are a significant contribution to sustainable development."

Another paragraph was also introduced concerning "sustainable use": "119. World Heritage properties may support a variety of ongoing and proposed uses that are ecologically and culturally sustainable. The State Party and partners must ensure that such sustainable use does not adversely impact the outstanding universal value, integrity and/or authenticity of the property. Furthermore, any uses should be ecologically and culturally sustainable. For some properties, human use would not be appropriate."

The general observation could be made that despite the changes in 1992 and 2005, the concept was not rapidly and easily embraced by the official texts, including the *Operational Guidelines* and specific World Heritage Committee decisions under the 1972 Convention. In contrast, sustainable development has been fundamental for all stakeholders in World Heritage conservation, as World Heritage sites are key destinations for local, national and international tourism in many cases. They are also natural, cultural and landscape sites sustaining local communities, providing ecosystem and other cultural, social and environmental services.

Cultural landscape case studies

It was not surprising that the concept of sustainability entered the *Operational Guidelines* with the introduction of cultural landscapes. These sites are of outstanding universal value for their exceptional interaction between people and their environment. Sustainability is therefore at the heart of their survival over centuries. They express a long and intimate relationship between people and their natural environment. Particularly, rural landscapes formed through specific techniques of land-use that guarantee and sustain biological diversity serve as learning grounds for establishing sustainable livelihoods, and for facing current and future challenges such as adaptation to adverse impacts of climate change. This is indispensable for empowering local communities to address and overcome poverty (e.g. the Rice Terraces of the Philippine Cordilleras, the Agave Landscape of Mexico, or other agricultural landscapes) and to act towards overall sustainability (including renewable energy) in the management vision of the site.

A few examples illustrate the sustainability approach and existing and potential future challenges:

Hortobágy National Park (Hungary) is the illustration for the *Puszta*, a landscape of unique pastoralism which evolved over centuries. It is a site where the original ecosystem was completely changed by human intervention and transformed into a



Fig. 2: Hortobágy National Park – the Puszta (Hungary)
Photo: © Till Westermayer

balanced and sound cultural landscape sustaining a living tradition. One of the questions is how such systems can survive with global change.

This is the case also for another landscape in Europe, *Val d'Orcia (Italy)*. The landscape is part of the agricultural hinterland of Siena, redrawn and developed when it was integrated in the territory of the city-state in the fourteenth and fifteenth centuries to reflect an idealized model of good governance and to create an aesthetical picturesque landscape. The landscape's aesthetics inspired many artists, whose images have come to exemplify the beauty of well-managed Renaissance agricultural landscapes. This agrarian and pastoral landscape reflects an innovative land-management system. Such landscapes however may be under threat through new policies, such as European agricultural policies.

A living system such as *The Vega Archipelago (Norway)* forms a cultural landscape of more than 100,000 ha, most of it small



Fig. 3: Vegaøyan – The Vega Archipelago (Norway)
Photo: DN Lars Løfaldli © DN Lars Løfaldli

islands in the North Sea centred on Vega, just south of the Arctic Circle. The islands are a testimony to a distinctive way of life based on fishing and harvesting the down of eider ducks in an inhospitable environment. There are fishing villages, quays, warehouses, eider houses (built for eider ducks to nest in), farming landscapes, lighthouses and beacons. The Vega Archipelago reflects the way fishermen and farmers have, over the past 1,500 years, maintained a sustainable living and the contribution of women to eiderdown harvesting.

Management for sustainability of cultural landscapes

A major international conference was organized in 2003 focusing on sustainable management of World Heritage sites (UNESCO, 2004).¹ The experts at the conference made it clear that best practice standards for management are needed for any World Heritage site and specifically adapted management approaches for cultural landscapes and sacred sites. Legal protection is not sufficient for the preservation of cultural landscapes and their transmission to future generations, as their

¹Linking Universal and Local Values: Managing a Sustainable Future for World Heritage (Amsterdam, Netherlands, May 2003).

survival depends on a multiplication of factors linked to the daily intervention of people with their environment. The people living in and actually managing their land have in-depth knowledge of the history of the place and processes over time, thus being able to adapt to changes and future evolutions. Therefore management of cultural landscapes is a broad concept which requires the deep involvement of stakeholders, as well as adapted operational measures of conservation crucial for enhancing the integrity and the survival of a site's outstanding universal value.

Integrated management of cultural landscapes not only requires a clear long-term vision for the site but also to ensure its social, economic and ecological sustainability. This is most important for living cultural landscapes, but actually for all, whether of the designed, living or associative category.

An interesting case is relic landscapes such as *St Kilda (United Kingdom)*, which has had practical no permanent community since August 1929 living at the site, but requires management of both natural and cultural landscape values. At the same time even a relict site with no local people has stakeholders involved:



Fig. 4: *St Kilda (United Kingdom)*
Photo: Armelle de Crepy © UNESCO

St Kilda is not only of associative value for the people of the Outer Hebrides and of Scotland, it also triggers actions with economic impacts such as the establishment of a local museum, regional development through cruise ships and ecological tourism, and other evolutions in a truly remote area of Europe out of reach of individual tourists and visitors.

The living associative values were recently demonstrated by the production of an opera on the story of the birdmen of St Kilda, which was a hit at the 2009 Edinburgh Festival and has been produced in several European languages. It gave rise to a new concept: a virtual visitor centre, an idea to be shared with many remote heritage places and specifically for complex cultural landscapes with many different layers, whose story could be demonstrated by such an educational and awareness-raising tool. This may also be a new avenue for the future of many sites with difficult access but also for serial sites and potential future large-scale nominations. Such linkages through technological tools (Google Earth, on-line stakeholder exchanges, etc.) may also create new economic opportunities while reducing carbon footprint and enhancing environmental sustainability.

Through management planning, those responsible for a World Heritage property have to show strategic and practical aspirations that they are aiming at maintaining the outstanding universal value, integrity and authenticity of a site.

The management of a cultural landscape should ensure that its presentation, use and interpretation is consistent with the conservation of World Heritage values, that is the specific and unique interaction between people and the environment and its tangible expressions and attributes. The management of a World Heritage cultural landscape should specifically ensure appropriate community involvement, including indigenous people, local communities and other stakeholders, starting from the identification throughout the nomination, inscription and management processes. This is further outlined in our recent

handbook for conservation and management of cultural landscapes (UNESCO, 2009). Management should be based on cooperative approaches, including stakeholder involvement in management; often in cultural landscapes the stewards, owners and managers are local people and communities.

Another crucial point is that management should respect the traditional and customary law; in this respect since 1992 traditional management, if well documented, is allowed under the *Operational Guidelines* for cultural properties, a change integrated with the inclusion of the cultural landscape categories and since 1998 for natural properties.

The management of World Heritage cultural landscapes should be flexible and adaptable and measured in cultural, social and environmental terms; this also means linkages of World Heritage cultural landscapes in the broader ecological region. Context should be taken into account, particularly to ensure sustainability. Finally, the management of World Heritage cultural landscapes should be based on the best available knowledge and skills, which may require interdisciplinarity, transdisciplinarity and multidisciplinary.

Towards a new vision of sustainability and World Heritage

Following the Future of the World Heritage workshop held at UNESCO in February 2009, a draft vision for the future was prepared, which was discussed by the World Heritage Committee:

“The rich diversity and value of our shared cultural and natural inheritance is appreciated and protected by all humankind, and our cooperative efforts through the World Heritage Convention promote and increase understanding and respect between all the communities and cultures of the world. The Committee aimed

to achieved through cooperation, ‘Increased awareness and appreciation by communities and people around the world of the diversity and richness of our shared natural and cultural heritage’, local and international communities value and feel a connection with our unique world heritage and a greater appreciation of their national, regional and local heritage as an integral and positive contributor to their sustainable development” (Annex 1 of Decision 33 COM 14.A.2; contained in the Decisions of the 33rd session of the World Heritage Committee).²

Often sustainable development is reduced to tourism development exclusively. However it has to be seen in a much broader picture for cultural landscapes specifically: they not only provide a basis for sustainable land-use, living grounds for people, plant and animal species, but also in situ conservation of the agro-diversity of the world, important for the survival of tomorrow's generations. Even tourism development has to be seen as multifaceted and increasingly complex: it is linked to enhancing local rural and urban development, supporting local communities and indigenous people and developing incomes through diverse services. At the same time the mainstreaming of cultural, social and environmental sustainability is happening at a global level, not least through the Copenhagen Summit on Climate Change.

Conclusion: World Heritage and intergenerational equity

Working towards the 40th anniversary of the World Heritage Convention in 2012 and taking into account the priorities set by the World Heritage Committee; sustainable development is emerging strongly on the agenda. Since the introduction of the concept into the *Operational Guidelines* as “sustainable land-use” in 1992 and the inclusion of paragraphs on sustainable development in 2005, a major evolution in the interpretation of

² <http://whc.unesco.org/en/sessions/33COM>

the World Heritage Convention took place towards sustainable conservation as a basic principle. This evolution takes place mainly at site level as documented by many examples.

The World Heritage Convention is not only unique in addressing both nature and culture, but also provides an exceptional base from which to address all aspects of sustainability at World Heritage sites, and specifically cultural and environmental sustainability through conservation actions.

In fact, cultural landscapes can be a test case for sustainable conservation through the close involvement of the people maintaining these sites. If the sites are not managed sustainably they cannot be transmitted. Sustainability is therefore a fundamental concept of the World Heritage Convention itself, although the term was not used at the time it was drawn up.

Therefore, World Heritage conservation is not only about the preservation of the heritage created by past generations, it is very much about the preservation of the heritage of our future. It is thus strongly linked to the concept of intergenerational equity. This concept is at the heart of the World Heritage Convention, as Brown Weiss noted in 1989 in her book *In Fairness to Future Generations*. The fundamental principle of this Convention is to transmit the places of outstanding universal value to future generations. These generations have the right to the heritage of the past for their natural resources, identity and cultural diversity.

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The Perception of Urban Space as Landscape: From Site to Space and Scape

Introduction

In the context of the World Heritage Convention we have moved from the point in time to the line of time; from built icons to urban themes; from building to context; from place to space. These transformations represent the new challenge for urbanism where growth and change need to be understood and managed.

Time, space and place

Space is that boundless, three-dimensional extent in which objects and events occur and have relative position and direction. It is often conceived in three linear dimensions, although with time, it is to be part of the four-dimensional continuum known as space-time. The concept of space is considered to be of fundamental importance to an understanding of the physical universe although disagreement continues between the philosophers over whether it is itself an entity, a relationship between entities, or part of a conceptual framework.

It is this very disagreement which is inherent in the historic urban landscape, where history represents "time" and landscape represents the "space" of the city – the place.

Many of the philosophical questions arose in the seventeenth century, during the early development of classical mechanics. In Isaac Newton's view, space was absolute – in the sense that it existed permanently and independently of whether there was any matter in the space. Others such as Gottfried Leibniz considered that space was a collection of relations between objects, given by their distance and direction from one another. In the

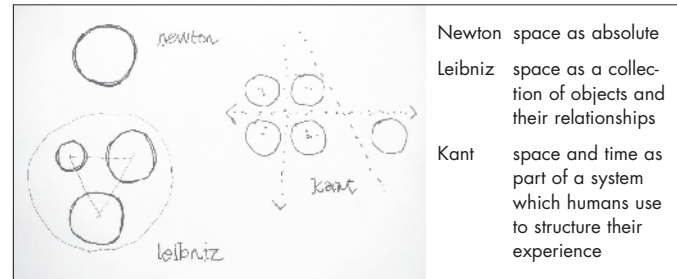


Fig. 1: Philosophers' concepts of space and time

eighteenth century, Immanuel Kant described space and time as elements of a systematic framework which humans use to structure their experiences (Figure 1).

The urban landscape can be viewed both as a series of structures and edifices more or less organized by human action and as a panorama of social and cultural histories framing our present and inscribing our past. Seen in this way, "... the conurbation becomes one huge archaeological site as the city reveals its inner self through a continuous process of urban renewal and revitalisation in which the very innards of the landscape are exposed and delayed like a vast anatomical dissection" (McCormick, 1998).

The urban landscape

The urban landscape comprises the sum total of the unbuilt land within and around our towns and cities. Indeed urban buildings and structures themselves can also be thought of as part of the urban landscape, in that their form and distribution defines the matrix of public and private open spaces of the urban landscape, as well as providing its backdrop. The urban landscape is the sum of all these parts, but it also needs to be understood as a whole which is greater than their sum.¹

¹ The European Urban Landscape Partnership seeks to further a holistic and integrated understanding of this landscape.

Jeremy Whitehand (1993) expanding on the German morphogenetic traditions of M.R.G. Conzen, sees that urban landscapes are an important part of our daily lives. Buildings, streets, gardens and parks are a fundamental means by which we orientate ourselves within cities, and contribute significantly to our daily levels of efficiency and well-being.

Yet despite the controversy surrounding a few special places, the people and forces responsible for shaping ordinary town and city landscapes have rarely been systematically investigated and are poorly understood. By viewing urban landscapes in relation to the individuals and organizations responsible for their creation, Whitehand provides a crucial missing dimension to urban landscape history and a sharp insight into the dynamics of contemporary urban change.

Although the urban landscape is where the vast majority of people live and work, it appears to be strangely invisible to many people, in particular to many urban policy-makers. Despite calls for an integrated approach, the only oblique reference to the subject was in relation to biodiversity, which is hardly the main justification for the importance of the urban landscape although we humans are an integral part of this biodiversity. The debate on the UNESCO "historic urban landscape approach" recommendation, to which Whitehand was party, is long overdue.

One of the main reasons for the invisible nature of the urban landscape is that we are not used to perceiving it in its totality. We need aerial photographs to understand the layout of Haussmann's Paris, and fish-eye lens images of the wrap-around views of Pushkin's Saint Petersburg. We walk in the street carrying the mental image of the city. Walker (1998) notes that in the cityscapes of George Grosz and Otto Dix, the geography of the city resembles the infernal regions of Hieronymous Bosch, where each individual is consigned to a particular torment and compelled to repli-

cate mechanically a specific and pointless task in utter isolation from the swarming multitudes on all sides. Once again the invisible city viewed in parts through the rooms of place.

Academic research

Central to the goals of the European Urban Landscape Partnership² are the aims of the European Landscape Convention: "to promote landscape protection, management and planning and to organise European cooperation on landscape issues". The Convention not only raises the landscape to a matter of European cultural and environmental policy, but for the first time places urban and peri-urban landscapes on an equal footing with natural and rural landscapes.

The integrated approach opens the door to concepts developed within the framework of UNESCO urban biospheres as urban ecosystems are the cities, towns and urban strips constructed by humans. This is the growth in the urban population and the supporting built infrastructure has impacted on both urban environments and also on areas that surround urban areas.

Urban ecosystem research is currently focused on:

- understanding how cities work as ecological systems;
- developing sustainable approaches to development of city fringe areas that reduce negative impact on surrounding environments;
- developing approaches to urban design that provide for health and opportunity for citizens.

In addition to this body of knowledge, we bring to the table three university laboratories that observe the city, TUDelft (the Netherlands), Columbia (New York), and Bartlett School of Architecture (University College London).

² http://www.urban-landscape.net/contst_public/urban_landscape.php

Urban landscapes at TUDelft³ investigate the evolving urban landscape and its typologies, landscape architectural-based urban development in the Netherlands and abroad, and the design of urban spaces, urban fabrics and urban regions within the framework of the architecture of landscape. The social, economic and technological development of society demands a fundamental reassessment of the design and the planning of our landscapes. At the same time, landscape plays an increasingly important role in understanding and conceptualizing public spaces in compact urban environments. In this approach landscape is seen as that which lies underneath, the site or substratum which is the point of departure for all urban design and planning. The Urban Landscape Lab⁴ is an interdisciplinary applied research group at Columbia University in the City of New York. Here the focus is on the role of design in the analysis and transformation of the joint built/natural environment, and study of ecological processes and urban systems as hybrid phenomena through targeted pilot projects, practical strategies and experiments. This landscape/ecology-based approach to urbanism brings together a wide range of disciplines to focus on specific environment and development issues as they relate to built form. The teaching and research interests share common objectives: to effect positive change in the urban landscape in terms of biodiversity, climate change, water quality and access, waste and sanitation. The focus is on the physical design of infrastructures, landscapes and dense urban fabrics as change agents in a collaborative, interdisciplinary working model that involves feedback, exchange and monitoring efforts with scientists and engineers.

The Space Syntax laboratory at the UCL's Bartlett School of Architecture brings together disciplines to reintegrate the city into its urban fabric by a configurational approach in understanding the structure and functioning of cities. Space syntax is

a theory of space and a set of analytical, quantitative and descriptive tools for analysing the layout of space in buildings and cities. The theoretical work in the Space Syntax Laboratory is taught in the Graduate School and also takes advantage of a close working relationship with Space Syntax Limited, a UCL spin-off consulting company. The company has also contributed important results on crime and spatial design with new research presented at International Space Syntax conferences.

But these islands of research provide us with nuts and bolts, and are not part of the experience of the historic urban landscape. The experience is understood through the subject and the object or the observer and participant.

The theatre of space

My eldest granddaughter has completed her baccalaureate in theatre, studying and acting the plays of Brecht. The excitement of returning with her to Brecht and rereading his poems of the impact of the cities in Germany between the years 1925 and 1928 (Brecht, 1976) has added a dimension for the reflection on the historic urban landscape. The subject of expressionism is discussed by Walker (1998) and emanates its strongest contours when cast against the background of the modern urban landscape. In the midst of the most developed concentration of the forces of technological achievement and civilized social organization, the isolated and alienated character of the modern subject comes most prominently to the surface.

In the *Jungle of Cities*, Brecht's arrangements of scenes recall the *stationendrama* model of expressionist theatre. Certain scenes are arranged as a series of vignettes from isolated stage areas where self-sufficient minidramas are enacted. Scene 5 alternates between the separate dramas played out in a dirty bedroom, a hallway and a gin mill type saloon. This use of the stage is a

³ Delft University of Technology: <http://www.tudelft.nl/>

⁴ Janette Kim, Director; Katherine Orff, Founder and Director, Columbia University.

paradigm of the city where the destruction of the family from the prairie lands takes place in the great city jungle.

Extending this idea, Silvija Jestrovic (2005)⁵ introduces the notion of spatial inter-performativity to discuss theatre's relationship to actual political and cultural spaces. She examines how theatrical and political spaces refer to and transform one another.

But for the literary base, it is Richard Lehan (1998) that has provided the most extensive encounter with the Western idea of the city moving from the early novel in England to the apocalyptic cityscapes of Thomas Pynchon. Along the way, he gathers a rich entourage that includes Daniel Defoe, Charles Dickens, Emile Zola, Rider Haggard, Joseph Conrad, James Joyce, T.S. Eliot, F. Scott Fitzgerald and Raymond Chandler. The European city is read against the decline of feudalism and the rise of empire and totalitarianism; the American city against the phenomenon of the wilderness, the frontier, and the rise of the megalopolis and the decentred, discontinuous city that followed.

- walk and talk
- *liston(e)*
- *spazieren*
- *flâneur*
- *Dizengoff*

- stroll, loiter, saunter
- constitutional

Fig. 2: The experiences of space

Lehan charts a narrative continuum full of constructs that “represent” a cycle of hope and despair, moving from myth to mastery and mystery. He summarizes the urban paradigms of the past

and future helping in the conceptualization of the city as a product of the literary imagination. Nevertheless, he adds the caveat that textualizing the city creates its own reality, but cannot substitute for the physical city. “Literary texts and cultural paradigms help us to focus and to arrest the flux of time.”

Street culture

The space and place of the city as perceived from the street in each generation and the art of walking has generated a culturally indigenous terminology. This has been translated through semiotics into the fields of architecture and design, theatre and choreography. While the walk and talk in the Greek polis of Socrates continues in the academic quad, it is the street culture that bonds the spaces together as a landscape. The cultural language of the city has given us the experiences of the Italian *liston(e)*, the German *spazieren*, the French *flâneur* and the Israeli *Dizengoff* (Figures 2 to 5). It was only the English that strolled aimlessly, loitered, sauntered and developed the constitutional.



Fig. 3: Interior of the Galeries Lafayette, redefining the public sphere in Haussmann's Paris



Fig. 4: Venice – Piazza San Marco and the Colonnade of the Procuratie Nuove, c. 1756, a painting by Canaletto
(www.canalettogallery.org)

⁵ Silvija Jestrovic was an SSHRC postdoctoral fellow at York University in Toronto, and has recently taken up an appointment in the School of Theatre Studies at the University of Warwick (UK). She is currently working on a book-length project entitled *Avant-Garde and the City*.



Fig. 5: Dizengoff Street, Tel Aviv (photo: author's archive)

Eighteenth-century depictions of life in Venice clearly focus on the diverse activity of the street. Every day at the Listone in Piazza San Marco, Venetians gathered for their evening stroll:

"Each evening there was the *liston*, or promenade, in the piazza, crowded with masqueraders, whose gaiety and wit diverted the ladies and gentlemen seated under the porticoes of the Procuratie, while at the further end, by the sockets of the three standards and in the darker corners, was the rendezvous of harlots, pimps, and pathics" (Pompeo Molmenti, 1761).

Walter Benjamin in his review of Franz Hessel's *Spazieren in Berlin* (1929, *On Foot in Berlin*), makes the distinction between studying (*studieren*) and learning (*lernen*). "A whole world separates these words. Anyone can study, but learning is something that you can only do if you are there for the duration." To study a city is to take it as an object to be analysed and otherwise accounted for. To learn, on the contrary, would be to become transformed by experience (not *Erlebnis* – the experience of a

remarkable event – but *Erfahrung* – which would be more like an *ethos* or way of being).

Lauster (2007) observes that "Hessel's *Spazieren in Berlin* contains motifs that are central to Benjamin's idea of the *flâneur*. These include, on the one hand, delight in immersing oneself in the crowd, the object of observation, and on the other hand, being viewed with suspicion since the keen 'reading' of urban physiognomies shows an affinity with the business of criminals and detectives. The first-person observer of Hessel's Berlin sketches should be closely related to the third-person *flâneur* depicted in Benjamin's later work".

Flâneur

But it is the *flâneur* that has captured the imagination of the urban designer. The texts at the end of the Victorian decadence and the flamboyance of the writers in the wake of urban change in the twentieth century are now being incorporated as a social commitment. The term *flâneur* comes from the French masculine noun *flâneur* – which has the basic meanings of "stroller", "lounger", "saunterer", "loafer" – which itself comes from the French verb *flâner*, which means "to stroll".⁶ Charles Baudelaire developed a derived meaning of *flâneur* – that of "a person who walks the city in order to experience it". Because of the term's usage and theorization by Baudelaire and numerous thinkers in economic, cultural, literary and historical fields, the idea of the *flâneur* has accumulated significant meaning as a referent for understanding urban phenomena and modernity. In French Canada, *flâner* is rarely used to describe strolling and often has a negative connotation as the term's most common usage refers to loitering, an English influence. While there is no English equivalent for the French word *flâneur*, just as there is no Anglo-Saxon counterpart of that essentially Gallic individual, the deliberately aimless pedestrian, unencumbered by any obligation or sense of

⁶From Wikipedia, the free encyclopedia.

urgency, who, being French and therefore frugal, wastes nothing, including his time which he spends with the leisurely discrimination of a gourmet, savouring the multiple flavours of his city (Skinner, 1962). The English could, at the most, consider their “constitutional” which might include taking the dog for a walk.

Benjamin's two motifs that of cultural memory and that of the *flâneur* are critical for the interpretation of urban space as landscape. In their underdeveloped state these motifs remain provocative, if perhaps somewhat idealistic. Hessel learns his city, Berlin, by walking its streets, *spazieren*, and remaining open to the city's random stimulations, the serendipity and the involuntary associations. The resident's memory, which conjures the senses of change and transformation as well as the relative permanence and impermanence of people and places, can determine which remain, while others are often surprisingly lost to some principle of renewal or decay. And it is this alternative temporality of cultural memory, Benjamin suggests, that informs the dweller's understanding of his dwelling environment. In this way, the landscape becomes the evidence of the past, both tangible and intangible.

His essay written in 1939 *On Some Motifs in Baudelaire in Illuminations* (1999a), harnesses a range of key texts and arguments concerning memory, historicity, modernity and urbanism, and creates what is now one of the single most influential studies of the modern city providing the polemics for the urban landscape.

A sociological reading of Walter Benjamin's “Arcades Project” or *Passagen-werk* is provided by Joseph D. Lewandowski. Specifically, the essay demonstrates how Benjamin's city can both be an administratively constructed objective site with a reflexively structured subjective space responding to the street life. The distinctive street culture that characterizes this account as the “dialectic of urbanism”, recalls that “the city ruins of the

collective way of life of the past are never simply past, dead, or lost to progressive demolitions and architectural plans of urban administration” (Lewandowski, 2005).

His analysis of urban experience is based on what he calls the method of historical materialism linking to the definitions of *correspondence* of Baudelaire. He coins this the “data of remembrance” with the murmur of the past being heard. Benjamin acknowledges a historical privilege to particular works, for their ability to register the shocks or anxieties of their time or place and “the techniques based on the use of the camera ... extending the range of the *mémoire volontaire*”.

Photography

Benjamin (1999a, p. 182), quoting Baudelaire, remarks that “photography should be free to stake out a claim for ephemeral things, those that have a right to a place in the archives of our memory”. The comparison with the discipline of photography is helpful as the image is perceived within the realms of street photography and urban landscape photography. For Benjamin it is more than a medium, it becomes the essence of understanding the dialectic city. Peter Marshall defines urban landscape photography as

- in some way describing a town or city;
- representing an attempt to understand our experience of the city;
- showing a dedication to the subject, expressed through a body of work rather than isolated images;
- concentrating on structures or processes rather than on people.

Together with Mike Seaborne, both London-based photographers who work in the urban landscape, they have developed a website⁷ called *Urban Landscapes* that is dedicated to the

⁷<http://www.urbanlandscape.org.uk/>

exploration of urban landscape photography. "Street photography" looks mainly at urban experience largely through a study of the people who live it. Urban landscape photographs often include people, but they are clearly situated and existing in the structures of the town or city.

The challenge for urban landscape photography is not only to record the physical manifestations of this relentless process, but also to make visible the underlying social and cultural forces which ultimately determine their form and meaning.

The enduring power of photography lies in the acceptance of its images as credible documentary records with enduring archival validity. The apparent transparency of the photographic image promotes the idea of comparing photographs of the same subject taken at different times. Through photography, therefore, the urban landscape as it appears today may be compared directly with what it looked like in the past, so providing a new context in which both historical and contemporary images may be viewed and interpreted. Our understanding of history can be divided into two periods: the time before photography and the period following its invention (Seaborne, 2003).

This comparison is ideally applied to the architecture of the city.

"It is not that what is past casts its light on what is present, or what is present its light on what is past; rather, image is that wherein what has been, comes together in a flash with the now to form a constellation. In other words, image is dialectics at a standstill. For while the relation of the present to the past is a purely temporal, continuous one, the relation of what-has-been to the now is dialectical: is not progression but image, suddenly emergent" (Benjamin, 1999b, p. 462).

Benjamin argues for the great consequences that the camera and the photograph have had on both memory and culture. In a startling analogy, rich with the metonymic vocabulary of photography, Bergson's work becomes in Benjamin's description the snapshot of his age: "In shutting out this experience the eye perceives an experience of a complementary nature in the form of its spontaneous after image, as it were. Bergson's philosophy represents an attempt to give the details of this afterimage and to fix it as a permanent record" (Benjamin, 1999a, p. 154).

Just as the photograph provides a permanent record of a transient moment, the philosophy of the time fixes on a contingent image of memory and renders it essential. Experience has, then, perhaps become blind to the conditions out of which it arises. Benjamin (1999c, p. 265) observes in his review of Hessel that "Baudelaire is the source of the cruel *aperçu* that the city changes faster than a human heart".

Benjamin's method is simultaneously historical and aesthetic but the notions of history and aesthetics are transformed in the process. Parker (2004) poses the question that underlies Benjamin's text as follows: how and to what extent is urban experience determined by historical conditions? The main answer that his readings provide would be that, under the conditions of modern urbanism, the ways in which history determines experience do not become matters of conscious awareness. Indeed the dialectical image provides a dynamic relationship between the site, space and scape encompassing the historic urban landscape and provides the seal of authenticity. The requisite base for assessing all aspects of authenticity is the ability to understand all sources of information, in relation to original and subsequent characteristics of the cultural heritage and their meaning.⁸

⁸Para. 80 of the *Operational Guidelines for the Convention concerning the Protection of the World Cultural and Natural Heritage*, 1972.

Experiences of space

Contexts – urban life

While Baudelaire characterized the *flâneur* as a “gentleman stroller of city streets”, he saw the *flâneur* as having a key role in understanding, participating in and portraying the city. A *flâneur* thus played a double role in city life and in theory, that is, while remaining a detached observer. This stance, simultaneously part of and apart from, combines sociological, anthropological, literary and historical notions of the relationship between the individual and the greater populace. Social and economic changes brought by industrialization demanded that the artist immerse himself in the metropolis and become, in Baudelaire's phrase, “a botanist of the sidewalk”.

Because he used the word to refer to Parisians, the *flâneur* (the one who strolls) and *flânerie* (the act of strolling) are associated with Paris. However, the critical stance of *flânerie* is now applied more generally to any pedestrian environment that accommodates leisurely exploration of city streets – in particular commercial avenues where inhabitants of different classes mix.

The observer-participant dialectic is evidenced while such acts exemplify a *flâneur's* active participation in and fascination with street life while displaying a critical attitude towards the uniformity, speed and anonymity of modern life in the city.

The notion of the *flâneur* is important in academic discussions of the phenomenon of modernity. While Baudelaire's aesthetic and critical visions helped to open up the modern city as a space for investigation, theorists, such as Georg Simmel, began to codify the urban experience in more sociological and psychological terms. In his 1903 essay *The Metropolis and Mental Life* (Frisby and Featherstone, 1998). Simmel theorizes that the complexities of the modern city create new social bonds and new attitudes towards others. The modern city was transforming humans, giving them a new relationship to time and space, inculcating in them a “blasé attitude”, and altering fundamental notions of freedom and being.

The urban landscape

The *flâneur* has also become meaningful in architecture and urban planning describing those who are indirectly and unintentionally affected by a particular design they experience only in passing. Walter Benjamin adopted the concept of the urban observer both as an analytical tool and as a lifestyle. From his Marxist standpoint, Benjamin describes the *flâneur* as a product of modern life and the Industrial Revolution without precedent, a parallel to the advent of the tourist. His *flâneur* is an uninvolved but highly perceptive bourgeois dilettante. Benjamin became his own prime example, making social and aesthetic observations during long walks through Paris. Even the title of his unfinished *Arcades Project* comes from his affection for covered shopping streets.

Lauster (2007) challenges the substance of what is accepted as a critical key to nineteenth-century urban experience by implying that Benjamin's concept is based on incorrect readings of Baudelaire and Poe, and is conceived in opposition to earlier, journalistic depictions in which the *flâneur* features as an empirically observed and observing stroller within a whole spectrum of metropolitan types.

In the context of the historic urban landscape, designing for *flâneurs* is one way to approach issues of the psychological aspects of the built environment. Architect Jon Jerde, for example, designed his Horton Plaza and Universal CityWalk projects around the idea of providing surprises, distractions and sequences of events for pedestrians.

Mike Savage (2000) considers how Benjamin examined the relationship between history, experience, memory and the built environment. This integrative approach which is critical in attempting to resolve the conflicts of conservation and development opens up the understanding that memories are lodged in specific places where people have been placing the past and present in a dialectic relationship. He argues that Benjamin's concept of “aura” can

be used to place his interest in cities and urbanism in context. "Cultural treasures", as the obelisk in the Place de la Concorde, being contemplated with "horror", left in an urban context lose their meaning to the passers-by. Savage summarizes that the processes of perception themselves are historically specific and with the mechanically reproduced cities, the aura which Benjamin detected in the urban realm has disappeared. He concludes that "the contemporary *flâneur* might still speculate that the consumer-centred postmodern city is based on unstable foundations". This no doubt is the challenge for the design of cities.

As a postscript, it should be noted that Benjamin's work seems to have had little impact on the study of religion, despite his importance as a central figure in much of what is called cultural analysis today. Perhaps this is a result of the perception of Benjamin as a Marxist. Over the past few years a seminar on Fantasy, Imagination, and Walter Benjamin's "Profane Illumination" given by Richard D. Hecht, professor at UC Berkeley has taken up a number of twentieth-century Jewish thinkers whose work has been of great significance for the study of religion and cultural analysis. The correspondence between Walter Benjamin and Gershom Scholem (1992) is evidence to the dichotomy in their friendship. For Scholem, Benjamin was a figure driven by religious impulses. He notes that while one can argue that Scholem's effort to locate Benjamin in the religious sphere was an extension of the debate they had since their first meeting in 1915 about the nature of Judaism, it underscores that religion was a significant category in his thought. Hannah Arendt in her introduction (Benjamin, 1999a) records that Benjamin gave up his theological background but not the theory and not the method of drilling to obtain the essential in the form of quotations. This is perhaps obscured by a backward reading of contributions as "Art in an Age of Mechanical Reproduction" (Benjamin, 1999a, pp. 211–35).

Assuming the work of Walter Benjamin, we reflect on his interpretations of matter, memory, and the transformations of urban space. The *flâneur*, representing the diachronic cosmopolitan

walker in these material and urban places became the model for his philosophy of the future and his understanding of experience. Benjamin understood that the *flâneur* is the paradigm for the new interpretation that he hoped to accomplish in his work, a reading of material images in all their multiple forms. He described this "reading" as a "profane illumination" which for Benjamin had two central dynamics – fantasy and imagination.

Our urban landscape needs the fantasy and imagination to transcend the understanding of place and enrich the depth of focus that the dialectic memory recalls in the space of the city. It requires an innovative integrative approach of mutual respect between peoples, their generations and their environment; a Kantian redefinition where new life-styles and experiences interact with their land and timescape.

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Indigenous Interpretation of the Luo Cultural Landscapes

Introduction

The *Operational Guidelines for the Implementation of the World Heritage Convention* define cultural landscapes as clearly defined geocultural regions representing the “combined works of nature and of man” (UNESCO, 2008b, para. 47). The guidelines further explain that cultural landscapes embrace a diversity of manifestations of the interaction between humankind and the natural environment; and that certain categories of cultural landscape may be valued because of the religious, artistic or cultural associations of the natural element. With this background as precedent, the discussion on indigenous interpretations of the Luo cultural landscapes is relevant in highlighting the threatened tangible and intangible heritage of a marginal community in Kenya.

The Luo Nilotic community is the third largest ethnic group in Kenya. An insight into their cultural landscapes through changing visual history over the past century aims at unraveling the challenges faced by the cultural group in the globalizing world. The group, like most others, has an intimate expressive relationship with their environment. Indigenous interpretations will include traditions and belief systems that govern their artistic, religious and ceremonial lifestyles and how they relate to nature. The discussion focuses on their cultural landscapes and how the local community over the past decades has incorporated new ways to cope up with the inevitable dynamics of globalization and cultural change.

As heritage managers, our duty to highlight and safeguard living traditional cultures has been less than adequate. This is due to various factors including the pace and demands of modernization and globalization that seriously threaten both living and

tangible heritage. It is therefore a priority to find realistic solutions to reconcile the protection of cultural heritage diversity and the pace of development, while also acknowledging cultural change. Several cultural landscapes are fast degrading without viable monitoring strategies. Such sites are also increasingly exposed to human destruction necessitated by factors including survival instincts in the currently demanding economic situation. A stable foundation is therefore necessary to offset the imbalance.

Therefore, having lived for over twenty years within the Luo community, and interacting with local heritage bearers, the author interprets some aspects of the Luo cultural landscapes, and assesses how globalization impacts on the community, recommending practical strategies to help to safeguard the community's heritage.

A brief introduction to the Kenyan cultural scene

Anthropological research shows that Kenya has a diverse population that owes its origin to other parts of Africa. The major ethnic divisions are Bantus, Nilotes and Cushites. The Bantus owe their ties to central Africa and were/are mainly agriculturalists. The two major Bantu speakers in Kenya are the Kikuyu and the Luhya, forming 20.78 per cent and 14.38 per cent respectively of a population of slightly over 39 million. They mainly occupy the wetlands in Kenya's central and western provinces (*World Fact Book*, 2010a).

The Nilotes, on the other hand, have three sub-divisions (river-lake, highland and plain Nilotes). The river-lake Nilotes include the Luo, forming 12.38 per cent of the total population. They were/are mainly fishermen. Highland Nilotes include the fourth largest community, the Kalenjin (11.46 per cent). The Maasai, who belong to the plain Nilotes, form just 1.76 per cent of the total population. The highland and plain Nilotes are nomadic pastoralists. The Nilotes occupy the lake region in the eastern part of the country, the Kenyan highlands and the savannah

plains. Other tribes, such as the Cushites, are mixed farmers and historically known to be hunters and traders. Most of the other tribes form less than 2 per cent respectively (*World Fact Book*, 2010a)

Kenya has a pronounced cultural heritage which broadly encompasses the expressions and creativity of its forty-three ethnic groups. The preoccupations of these groups are intertwined with their traditional norms, values and practices (Mullis, 1963). For example nomadic pastoralists such as the Maasai and Samburu normally have makeshift temporary houses made of mud, tree branches and sometimes animal hides. Because of their lifestyle most of their artefacts are light and portable, such as small wooden jars for carrying animal blood or milk. Their art also places a great deal of symbolism on functional and ritual objects. For example, the social status of a man is determined by the number of livestock he owns and decorative beads are used to emphasize this.

Notably, 78 per cent of the Kenyan population still live in their native ancestral lands (*World Fact Book*, 2010a). Despite adjusting to the standards set by globalization and its effects, there are still some aspects of intangible cultural heritage that have withstood the wave of cultural dynamism. The Luo community is such an example of a society faced with the struggle to adapt their intangible heritage to the modernizing world.

Luo cultural landscapes

The ICOMOS Charter for the Interpretation and Presentation of Cultural Heritage Sites (2008) defines cultural interpretation as “the full range of potential activities intended to heighten public awareness and enhance understanding of cultural heritage site. These can include print and electronic publications, public lectures, on-site and directly related off-site installations, educational programmes, community activities, and ongoing research, training and evaluation of the interpretation process itself”. Therefore cultural interpretation is the communication of

information about, or the explanation of the nature, importance and purpose of historical, natural or cultural resources, objects, sites and phenomena using personal or non-personal methods.

Fowler (2003) defines interpretation as “communication of information about, or the explanation of, the nature, importance, and purpose of historical, natural, or cultural resources, objects, sites and phenomena using personal or non-personal methods”. Thus, cultural interpretation involves communication processes designed to reveal meanings and relationships of cultural and natural heritage to the public, through first-hand involvement with an object, artefact, landscape or site.

According to Fowler (2003), cultural landscapes are “distinct geographical areas that uniquely represent and embrace a diversity of manifestations of the interaction between humankind and its natural environment”.

The interpretation of Luo indigenous cultural landscapes is based on the perspectives of traditional Luo practitioners. With modernity altering the lifestyles of most communities, it is remarkable that some parts of the Luo community still follow and practise their traditions. The interpretations also take into consideration some of the domains of the 2003 Convention for the Safeguarding of the Intangible Heritage including oral traditions and expressions, social practices, rituals and festive events and traditional craftsmanship (UNESCO, 2003).

Evans-Pritchard traced back the history of the Luo, noting that originally this community and other Nilotes came from the River Nile region of the Sudan, entering Kenya through the northern part of Uganda. The Acholi and Lango tribes of Uganda are considered to be related to the Luo because they have similar traditional practices and language (Evans-Pritchard, 1949). The Luo community settled around Lake Victoria to practice their long tradition of fishing. They settled under forty different clans

Lao tribes (locations) and tribes assimilated or partly assimilated, in the Lao

Interpretations of Luo cultural landscapes

Housing and family values

The Luo homestead (*Dala*) was traditionally constructed on a higher slope for early-warning purposes during conflicts, to avoid flooding during the rainy seasons and for aesthetic reasons. Before the construction, the potential head of the home (a man) looked for an ideal place, often on a fresh piece of ancestral land. The land was cleared and the community performed

Interpretation

The diagram illustrates the layout of a cattle kraal (Kul Dhok). It features a central 'Gate' (Kul Dhok) leading into a large enclosure. Inside the enclosure, there are five 'wife' (Kul Dhok) units, each consisting of a 'son house (simba)' and a 'son'. The '1st wife' is at the top center, connected to the '2nd wife' on the left and the '3rd wife' on the right. The '2nd wife' is connected to the '4th wife' on the left. The '3rd wife' is connected to the '5th wife' on the right. The '4th wife' is connected to the '3rd son' on the left. The '5th wife' is connected to the '4th son' on the right. The '3rd son' is connected to the '1st son house (simba)'. The '4th son' is connected to the '2nd son house (simba)'. The '1st son house (simba)' is connected to the 'Gate'. The '2nd son house (simba)' is connected to the 'Gate'. The 'Gate' is connected to the '1st wife'.

(b) Polygamy and wealth. The community was traditionally polygamous. According to the Luo elder Walori Ogotha,

interviewed by the author in 2008, polygamy was directly influenced by the wealth and the power of the man. Wealth and power was recognized by the number of livestock (cows, goats and sheep) the man owned. With more livestock, the man was better placed to support more spouses and children. Ogotha explains that the Luo traditionalist encouraged polygamy as a way of instilling morality among women who were by ratio more numerous than men. Most men died during the frequent tribal conflicts and as a result polygamy was a check on continuity of the family unit.¹

(c) Architecture. As illustrated in Figure 3, the houses were semi-permanent. The Luo used simple construction materials that were easily available, and therefore the houses were easily repaired or reconstructed whenever they were destroyed. Oteyo and Morton (2008) affirm that traditionally the Luo houses were built by special craftsmen who transferred the knowledge to their sons orally and by example. The materials used included grass, sisal ropes, small stems, mud and cow-dung for finishing decorations.



Fig. 3: Wall and roof of a grass-thatched Luo traditional house (Ojoo, 2009).

The roof was thatched by systematically aligning the grass while the wall was built by tying several stems to four corner-pillars and using mud to reinforce and secure the structure (Figure 3). After drying, the house was decorated using cow dung (see Figure 5). The house was structured to have favourable temperatures both day and night. The houses were built within an oval

homestead (see Figure 2) leaving enough land for crop production and animal grazing.



Fig. 4: Completed house before finishing touches are made on the walls, which are continuously smeared with red mud and cow dung for protection from pests and aesthetic purposes. Originally the doors were made from woven reeds and tough animal hides, but currently iron sheets are used for security purposes (Ojoo, 2009).



Fig. 5: After touches – cow dung and red mud decorations on the walls. Roof thatching is an art and a good roof would be flawless and able to withstand rainy and windy conditions for over six years (Ojoo, 2009).

Ceremonies and recreation

Explanation

Oteyo and Morton (2008) highlighted Luo traditional cultural practices that revolved around ceremonies, the most important of which were marriages and funerals. Other ceremonies included childbirth, initiation, inauguration of leaders, winning wars, good harvest season, etc. An ethnographer, Carline (1929) noted that elaborate funeral ceremonies involved young men driving cattle to the deceased person's home before the burial and then afterwards symbolically driving death away (*tero buru*). Funerals are still a communal affair involving family, extended family, relatives, friends and members of the immediate community. Carline documented in his photography how the Luo had strong attachments to the transcendental world. Witch

¹The late Walori Ogotha was one of the few remaining Luo elders who had a deep knowledge of oral tradition, practices and skills. Ogotha originally thatched roofs of traditional Luo houses. He transferred the skills to his sons and grandchildren who still practise the craft in Kapiyo village.

doctors and seers played a key role in acting as media between the living and the dead, especially during important ceremonies. Currently, due to hard economic times, funerals are smaller, involving only close relatives.

Traditionally ceremonies involving the communities were conducted in natural historic landmarks. Examples include Kit Mikayi (see Figure 11) which was considered a spiritual retreat. Historically Kit Mikayi "is where the mother of Luo tribe sheltered herself after a long journey down the Nile" (Ogot, 1967). Another spiritual retreat is Simbi Nyaima (Figure 10), a lake believed to have drowned an evil community. The beliefs instilled a sense of respect among the community. Currently, Simbi is unexploited by the society for fears of spirit reprisals. But its waters are used for cleansing rituals. During the traditional ceremonies, known artists who were mainly musicians were invited to perform to the audience. The musical instruments included the lyre (*nyatiti*), a string instrument (*orutu*), a long drum (*ohangla*), and bells (*ongen'go*) (Oteyo and Morton, 2008). The musicians composed songs with various themes including songs of praise; rebuking songs – targeting antisocial members; love songs; educational songs for the young; informative songs to pass on oral traditions and celebration songs after a victorious raid by warriors, a good harvest, marriages, etc. (Oteyo and Morton, 2008).

Interpretation

The community was traditionally spiritual. Beliefs in spirits acted as checks to the moral values of its members. As a result, ceremonies were practical opportunities to appease the deities using rituals, at the same time sharing and transferring the informal education to members of the community. Participation in the ceremonies established stronger bonds among members and hence strengthened the communal identity. Education was informal and oral and in some instances practical, especially in craftwork or performing arts.

Defence and economy

Explanation

In the early nineteenth century, the Luo were territorial and had standing armies that were mainly composed of young warriors (Ogot, 1967). The warriors were trained by the elders and protected their territories from intruders. They also occupied the territory of weaker neighbours and snatched away property and occasionally young women. Among the traditional Luo, every eligible male became a warrior at adolescence until he reached the middle age group (35 to 40 years). The warriors used a shield for protection and a long spear for attacking the enemy. The shields were made from strong animal hides while the spears were designed by local blacksmiths. Under the present Kenyan Government, the roles of the armies have ceased as all communities fall under state jurisdiction.

As traditional fishermen, the Luo settled mainly along the shores of Lake Victoria and surrounding rivers, such as the Yala, Nzoia, Nyando, Sondu, Ndati and other smaller streams. Both men and women participated in the fishing activities as noted by Ogot (1967). Men used rafts to access more fishing grounds, whereas women engaged in shore fishing and used basket-like fish traps (Figure 6).



Fig. 6: Four Luo women going fishing with basket traps (*osech/osera kiteng'a*). *Osera* refers to the fishing trap carried by the women. *Kiteng'a* refers to the technique of trapping the fish with the basket in the water. *Kiteng'a* was a fishing method for women near the shores of the lake. Traditionally *kiteng'a* fishing was mainly done by married women. They are wearing glass neck beads (*tikng'ut*), wrist bracelets (*minyonge*), and glass waist beads (*lik nungo*) (Hobley, 1903).

Other economic activities included small-scale subsistence farming of millet, maize, sorghum, peanuts, potatoes and yams. The men cleared the land, harrowed and cultivated. Women on the other hand weeded and harvested the crops. Distribution of roles was according to gender and age. The Luo were also semi-nomadic pastoralists. Their livestock were mainly cows, goats and sheep. A man's wealth was determined by the number of livestock he had, the amount of food he produced and the number of family members. The livestock was useful for trade purposes, ceremonies, food or for payment of a dowry. Evans-Pritchard (1949) noted that some specialized community members would trap wild game and birds either for barter trade or subsistence (see Figure 7).

Interpretation

Traditionally, before colonization, there was no central government in Kenya to offer security to the citizens. Therefore the Luo, like many other ethnic groups, had small community armies composed of adult males. The armies protected its vulnerable members and property including community land, animals and crops. Therefore the armies ensured general security and food security, which was important for the survival of group members.



Fig. 7: A quail trap. Quails were considered delicacies. This method was used by specialists in the community who exchanged quails for other commodities (photo: Evans-Pritchard, 1936).

Summary

The Luo Community was very hierarchical with the spiritual world at the top, followed by immediate ancestors, village elders, men, women and children respectively. Most artefacts had both functional and spiritual attachments (Mullis, 1963), and as Mbiti

(1969) puts it, "they were notoriously religious". The community played a major role in socializing individuals. Cultural landscapes were also important in determining the communal lifestyle and economy. The Luo interaction with their cultural landscapes has therefore influenced the development of community values.

Implications of globalization on indigenous Luo cultural landscapes

Scenes such as those captured in Figures 6 and 7 no longer exist, mainly as a result of globalization, and internal or external cultural influences. Notably, there has been a decline of interest among young people to participate in traditional values. The *World Fact Book* (2010a) indicates that 22 per cent of the total population lived in urban areas in 2009. The statistics also project an annual rate of urbanization at 4 per cent with most of the youth migrating to urban areas to acquire formal education, employment and experience modern challenges as opposed to living in difficult conditions in their original cultural landscapes. From these statistics, indigenous cultural landscapes are bound to experience a decline of the younger generation resulting in discontinuity in cultural heritage transfer. Oral information from traditional heritage bearers (the elders) is therefore lost.

The Kenyan age structure also reveals pressure from the majority of the younger generation who are in need of important socio-economic services. Of a population of 39,002,772, 42.3 per cent are in the 0–14 age group and 55.1 per cent in the 15–65 age group (*World Fact Book*, 2010a). The figures also indicate that only 2.6 per cent of the population are over 65 years of age. It can be deduced that an investment in the younger generation socially, politically and economically is a necessity for any future planning. Consequently, government priorities are focused on the immediate economic agenda, disregarding safeguarding of cultural landscapes. Figures 8 and 9 show examples of cultural landscape destruction.



Fig. 8: Water hyacinth choking Lake Victoria and destroying the ecosystem. Dumping wastes into the lake nourishes the hyacinth weed. Human activity has altered the cultural landscapes of the Luo fishing community. Fishing boats find it difficult to manoeuvre through the hyacinth (Ojoo, 2009).



Fig. 9: A dried-up stream bed. Drought brought about as a result of destruction of water catchments means starvation and death for families and animals that cannot access water (Ojoo, 2009).

Robinson and Picard (2006) explain that a remarkable increase in population has introduced new demands for goods and services, altering traditional perspectives and enhancing people's survival instincts. Traditional cultural landscapes had relatively less population compared with the present. In 1960, for example, Kenya had a population of about 8 million. Currently the figure is over 39 million (*World Fact Book*, 2010a). This implies that more resources are needed to meet requirements. As a result, settlements have enlarged considerably. Along the shores of Lake Victoria coastal towns and townships have emerged including Kisumu, Homabay, Usenge, Asembo bay and Mbita. These towns have caused environmental degradation including water and air pollution. The lake is currently choked by water hyacinth (Figure 8).

High Beam Research (2005) notes that over the past few decades Lake Victoria has had human-related ecological problems from mechanized over-fishing, leading to the extinction of some fish species, pollution from sewage and industrial wastes and chemicals used in modern farming. As a result, the

local fishing communities are obliged to buy from large entrepreneurs, altering the traditional Luo fishing practices. With the adverse effects of poverty, HIV/AIDS and other diseases, illiteracy, poor infrastructure and ethnic conflicts, the country is still struggling to implement the International Monetary Fund sponsored Poverty Reduction Strategy Paper and the Millennium Development Goals. More pressing and immediate issues need to be addressed that directly affect and influence the lives of Kenyans (United Nations, 2005). For example, the Kenya Economy-Overview (*World Fact Book*, 2010b) highlights the fact that the government had corruption scandals in 2005 and 2006, forcing the World Bank and IMF to delay loans. The country also suffered from 2007 post-election tribal clashes² and experienced famine in the agricultural sector coupled with the global financial crisis of 2009. The GDP growth rate went down from 7 per cent in 2008 to 2.2 per cent in 2009 (*World Fact Book*, 2010b). Most communities that were affected included the marginalized tribes whose production levels decreased and dependency rose. The above factors trigger survival modes among communities and safeguarding their heritage becomes a secondary concern.

The country's inadequate alternative sectoral revenues also forces the Kenyan economy to rely on agriculture and tourism as major sources of revenue, forming almost 75 per cent of annual revenue (*World Fact Book*, 2010b). Despite the influx of visitors, little has been done to increase heritage awareness and management capacities of the locals. The demands of tourism have also altered traditional perceptions and obliged tour operators to concentrate more on the natural heritage (see Figures 10 and 11 next page) paying less attention to cultural tourism that would include the communities and their cultural landscapes. Globalization has had the effect of decreasing the number of culturally informed people,

² *The Nation* (23 February 2008). The daily news coverage depicted dominant tribes in Kenya trying to take control of the government after a disputed election in December 2007. The country became ungovernable and witnessed unprecedented ethnic cleansing.



Fig. 10: Sections of a crater lake (Simbi Nyaima) in the Luo region, a natural heritage tourist attraction. Luo interpretation of the lake includes mythical stories surrounding it. The community therefore identifies with the lake and thus contributes to its protection from destruction (Ojoo, 2009).

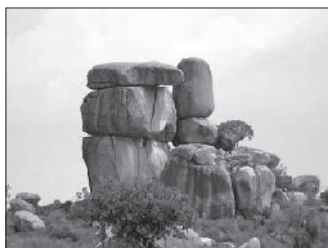


Fig. 11: Kit Mikayi ("the stone of the first wife"), a natural heritage site that is becoming increasingly popular. The historic and traditional significance to the community is not well documented and interpreted. Most interpretations have been orally transferred. Little literature has been documented about such legendary landscapes (photo: Web. <http://commons.wikimedia.org/wiki/File:KitMikayi.JPG>).

as commercial activities take preference over safeguarding the indigenous heritage. People's perspectives are currently driven by market forces and the desire for a better quality livelihood.

Suggested remedies

The following remedies are appropriate only if the civic community and government leaders are willing and able to participate in matters relating to management and safeguarding of indigenous cultural landscapes. The author recommends Training Heritage Guides and Interpreters (THGI) as a way of benefiting indigenous groups while ensuring continuity in cultural landscapes and heritage interpretations. THGI involves identification, motivation, training, building capacities and evaluation of local tour guides and interpreters. THGI is adapted from Training the Trainers, a similar pilot programme that was implemented in Asia by UNESCO Bangkok Office in 2008 (UNESCO's Cultural Heritage Specialist Guide Programme, 2008). The Asian programme noted that the thematic modules vary with

each region. Therefore TGHI considers applicable steps and modules that would revitalize safeguarding cultural landscapes and the tourism sector to benefit both locals and visitors in Kenya. By involving indigenous communities, the unemployment rate that stands at 40 per cent (*World Fact Book*, 2010d) would be gradually reduced. A number of unemployed urban dwellers would also be motivated to move back to their cultural landscapes and engage in sustainable projects. The programme targets the following stakeholders: UNESCO, Ministry of Culture and Heritage, Ministry of Tourism, regional heritage personnel, expert trainers and trainees. The objectives, activities and conditions of the THGI programme are summarized in Table 1.

Table 1 illustrates a log frame of the THGI programme proposal. Activities indicate that trainers and trainees are identified by the Government of Kenya, the financing mandated organizations and targeted communities. The trainers develop target specific modules for each region, incorporating lectures on the historical and expressive values of the cultural landscapes, and interactive activities with existing heritage bearers. Training is expected to produce informed interpreters with adequate capacities to explain and involve visitors to understand the underlying values of each targeted region or community and therefore enhance the educational experience of visitors. The trainers are encouraged to have in-depth reference materials and operational modules. The task would also instill technical capacities to help in safeguarding the sites. Capacity-building is done by experts and mandated organizations including UNESCO who have teams that routinely implement heritage tasks when contacted by Member States. THGI requires updated workshops for guides to establish confidence, networks and plans of action. The trainees are informed of the role media, brochures, websites and books can play in relaying information and marketing. Trainers and heritage experts are expected to monitor the activities of the trainees once the programme commences. Assessments, evaluation, feedback and recap workshops are recommended. The last part of the

programme involves issuing certificates to ensure due credit and instill commitment among the graduates. Certified guides would also increase trust among the visitors. With adequate support from local heritage offices, the interpreters can begin their role and share information not only nationally but internationally, encouraging visibility and awareness of their cultural landscapes and heritage and hence contributing to the world's

diversity. Such trained guides would also be able to act as trainers for a new generation of guides. The THGI programme is recommended for Kenya as a country that greatly relies on revenues from tourism. Sustainability will be ensured by adequate training, monitoring and evaluation, motivation of the guides and involvement of government for logistic support.

	Intervention logic	Objectively verifiable indicators of achievement/benchmarks	Sources and means of verification	Assumptions and risks
Development objective(s)	Train heritage guides and interpreters for continuity in heritage transfer.	<ul style="list-style-type: none"> Partnerships between UNESCO/heritage mandated organizations, government heritage personnel and community representative Training modules developed. Future course contents developed. Timeframe and schedules developed. 	<ul style="list-style-type: none"> Trainers reports. Government reports. UNESCO evaluation at the end of the project. After training workshop assessments. 	<p><i>Assumption:</i></p> <ul style="list-style-type: none"> Kenya is politically stable for the smooth running of the programme. <p><i>Risk:</i></p> <ul style="list-style-type: none"> Political instability in the represented regions could interfere with the intake and reduce the number of participants.
Immediate objectives or project goals	Equip trainees with capacities to sustainably promote and safeguard their respective landscapes while working as heritage guides and interpreters.	<ul style="list-style-type: none"> Course participants/trainees identified. After training assessments done and future strategies identified. Evaluation and monitoring reports on training programmes. 	<ul style="list-style-type: none"> Progress reports from coordinators and monitoring team. Monitoring of work by UNESCO staff and/reports by implementing agencies. Information on heritage websites, books and brochures. Issue of government certificates. 	<p><i>Assumptions:</i></p> <ul style="list-style-type: none"> Youth willing to participate. Peace will prevail in selected areas covered by the project. There will be cooperation by all partners. Willingness by funding partners to extend the programme.
Expected results	<ul style="list-style-type: none"> Accredited heritage guides in different parts of the country. Promotion and safeguarding of cultural landscapes countrywide. Increased employment among young people. Continuity in heritage transfer. 	<ul style="list-style-type: none"> Training sessions held. Records for future reference available at heritage departments. 	<ul style="list-style-type: none"> Monitoring of the project by UNESCO staff and reports by implementing agencies. Programme reports by government and funding partners (UNESCO). 	<p>The results will be attainable with excellent collaboration between the project partners.</p> <ul style="list-style-type: none"> Availability of experts for the proposed activities. A stable atmosphere in the region.
Activities	<p>Write project proposal for the training to mandated organizations and UNESCO for financial and technical support.</p> <ol style="list-style-type: none"> 1. Identification of trainers and trainees. 2. Training. 3. Monitoring and evaluation. 4. Certifying. 	<p><i>Means:</i></p> <ul style="list-style-type: none"> Expertise in the relevant fields addressed by the project. Equipment to facilitate smooth running of the project. Availability of heritage professionals. Input required to implement these activities is financing contract for training and capacity-building programmes. 	<p><i>Costs:</i></p> <p>Depend on the budget available from the government at funding organizations.</p>	<p><i>Preconditions:</i></p> <ul style="list-style-type: none"> The government is willing to undertake the programme involving its communities. The programme will be welcomed by communities.

Table 1: Training Heritage Guides and Interpreters (THGI) illustrating project objectives, activities and expected results (Ojoo, 2009).

Viability of the THGI programme

Africa still has serious and immediate socio-political and economic policy and management issues to tackle. Most societies have relegated cultural concerns to secondary importance, instead looking for faster means of economic benefit. Cultural landscape planning, management and interpretation is therefore a new professional field in Africa. As noted, the viability of most development programmes depends on community participation and government support. Therefore, for the TGHl programme to be effective, government leaders especially in the cultural sectors have to be involved because they are directly responsible for cultural policies that influence different regions within the country. TGHl would be more viable if it were run alongside other national economic and social programmes that aim to deliver public goods to the people. Therefore civic participation is a basic requirement for the programme to succeed.

Conclusion

Safeguarding and protecting heritage, including cultural landscapes, ensures cultural identity, recognition of diversity and continued interpretations thereby encouraging engagement in inter-cultural dialogue and partnership with the communities who hold the heritage. With regard to the Luo and other marginalized indigenous groups, an elaborate awareness approach is needed to encourage positive identity among the people. As a recommendation, the government could systematically introduce both theoretical and practical subjects in the curriculum that would socialize young people in Kenyan heritage matters. This first step would ensure a greater awareness and identity among an enormous percentage of the population because, as indicated earlier, youth accounts for a large percentage of the population. Second, Kenya can exploit its high literacy level that stands at 85.1 per cent as at September 2009 (*World Fact Book*, 2010c) to disseminate information about the existing indigenous cultural landscapes. Outreach can be through mass media and publications of special print and electronic materials of inventoried heritage for awareness and continuity, and the creation of

a dedicated website. Third, more investment should be made especially on civic participation for management, protection, preservation and conservation of both tangible and intangible cultural heritage and cultural landscapes. Well-trained heritage stakeholders would be able to offer the world a better interpretation of cultural landscapes and values. Finally, the suggested programmes are applicable to transparent and accountable governments which provide public goods and services for their citizens.

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Outstanding Universal Value, World Heritage Cities and Sustainability: Mapping Assessment Processes

Outstanding universal value

The concept of outstanding universal value (OUV) “is at the heart of the World Heritage Convention” (Cameron, 2005) – the Convention Concerning the Protection of the World Cultural and Natural Heritage (UNESCO, 1972). Since 1972, the term has been used when referring to the cultural and natural significance of properties listed as World Heritage.

Issued without a fixed or static definition, for practical purposes related to the implementation of the World Heritage Convention, the interpretation of the term OUV had been mainly based on its accompanying criteria as originally recommended by the World Heritage Convention.

In 1977, draft *Operational Guidelines* were adopted at the 1st session of the World Heritage Committee, together with ICOMOS draft criteria (UNESCO, 1977). In 1980, the guidelines were formally adopted including the definition of the six criteria for cultural heritage and the four criteria for natural heritage, together with the additional test of authenticity (UNESCO, 1980).

Over time, these criteria underwent several revisions until the current version (2008), although the greatest progress is to be found in the guidelines adopted in 2005. The World Heritage Committee decided to adopt a recommendation of the Global Strategy meeting in 1998 to join the cultural and natural heritage criteria into one single group of criteria. Moreover, the term OUV was defined as “cultural and/or natural significance which is so exceptional as to transcend national boundaries and to be of common importance for present and future generations of all humanity” (UNESCO, 2005a).

In between, the definition of OUV and the selection criteria had been actively discussed by the heritage community. At an expert meeting organized by UNESCO in 1976 (even before the World Heritage Committee was established), participants agreed that World Heritage properties “should represent or symbolize a set of ideas or values which are universally recognized as important, or as having influenced the evolution of mankind as a whole at one time or another” (UNESCO, 1976).

Parent's report, dating from 1979, which had examined the World Heritage criteria, recognized the necessary inclusion of subjective elements in the evaluation of cultural heritage and the contribution of comparative analysis to understand the differences between global and regional references (Parent, 1979).

At the *Assessment of the conclusions and recommendations of the special meeting of experts (on the Concept of Outstanding Universal Value)*, the World Heritage Committee agreed with the experts that the OUV defines the thinking at the time of inscription. Also, they drew attention to the poor understanding of the term OUV in general and the need for major communication efforts, as well as the involvement of all stakeholders (UNESCO, 2005b).

More recently, ICOMOS (2008) has complemented the definition of OUV, with an individual definition of its two main terms. Outstanding “means that in comparison with the generally documented cultural heritage, they belong to the very best or are ‘representative’ of the best”. Universal “means that these outstanding values can be acknowledged as such in general and worldwide”.

Management versus assessment

Just as value-based management, the OUV-based management regards part of the process defined and implemented to manage a World Heritage property “with the primary purpose of protecting the significance of the place as defined by government

authorities or other owners, experts, and other citizens or groups with a legitimate interest in the place" (Mason, 2002). That includes all activities directly related to defining, monitoring and deciding on the OUV of World Heritage properties, including estimating the impact and deciding how to mitigate the risks of imminent and potential threats.

Even though the term "assessment" of OUV is commonly used and referred to by UNESCO on several occasions, e.g. "criteria for the assessment of outstanding universal value" (UNESCO, 2008), the official documents provide no further explanation of what this actually entails.

As a pre-eminent part of the management process, the OUV assessment regards all activities directly related to defining and monitoring the OUV of World Heritage properties, including estimating the impact of (potential) threats. Thus, in simpler terms, it excludes all stages of decision-making along the OUV-based management process.

There is a slight but fundamental difference between practice and process. Practice regards all activities, including the tasks already defined and formally implemented as part of a process (methods and tools), as well as the activities that remain undefined and informally executed.

On the other hand, process is "a logical sequence of tasks performed to achieve a particular objective. A process defines *what* is to be done, without specifying *how* each task is to be performed. ... A method consists of techniques for performing a task [and] a tool is an instrument that, when applied to a particular method, can enhance the efficiency of a task" (Martin, 2000).

Therefore, by mapping the OUV-based management process this paper identifies all the activities that have been logically defined and implemented, together with their methods and tools.

Responsible parties

There are four different responsible parties involved in the OUV-based management process. These are the States Parties, UNESCO World Heritage Centre, the Advisory Bodies and the World Heritage Committee.

The States Parties are the countries who have, since 1972, ratified the World Heritage Convention, being 186 to date (out of 192 UN Member States), which means there is an almost universal adherence to this Convention. They share the responsibility to identify and protect all heritage situated on their national territories, to nominate those properties considered to possess OUV to the World Heritage List, and to contribute to the international protection of all World Heritage properties (UNESCO, 2009a).

The World Heritage Centre, which is Secretariat to the World Heritage Convention and its Committee, is the focal point for all World Heritage-related matters at UNESCO. The Secretariat ensures the daily management of the Convention and assists the parties involved in the execution of their tasks and duties. It is also responsible for the dissemination and awareness arising on all World Heritage-related issues (UNESCO, 2009b). As such, it is important for its staff to understand the concept and be capable of assessing the OUV. The Advisory Bodies are respectively the International Council on Monuments and Sites (ICOMOS), the International Union for Conservation of Nature (IUCN), and the International Centre for the Study of the Preservation and Restoration of Cultural Property (ICCROM). They function as advisors to the World Heritage Committee as regards its decisions specific to cultural heritage (ICOMOS), natural heritage (IUCN) and training (ICCROM) (UNESCO, 2009c).

The World Heritage Committee is composed of twenty-one States Parties, elected by the General Assembly of States Parties to the World Heritage Convention during UNESCO's General Conference in Paris every two years. Their term of office lasts a maximum of six years (often voluntarily reduced to four years), and

this is the official and only body deciding the core issues of the implementation of the Convention, i.e. the inscription of new properties on the World Heritage List and on the List of World Heritage in Danger, the subsequent reporting on monitoring the state of conservation of World Heritage properties and the use of the World Heritage Fund (UNESCO, 2009d).

Problem field

Even though often implemented worldwide, ever since the first World Heritage inscriptions in 1978 (UNESCO, 2009e) (which, relevant for the category of historic cities, included Aachen Cathedral in Germany and the City of Quito in Ecuador), there has been a gap relating to references on OUV-based management processes and even more on OUV assessment practices. The nomination process was the only stage of the OUV-based management process found mapped (Leask and Fyall, 2006), and the evolution of its stages – identification, nomination and inscription – further surveyed (Rao, 2010).

There are, however, several references framing the difficulties, consequent to this gap, as expressed by the States Parties, Secretariat, Advisory Bodies and World Heritage Committee. The evolution of the term “cultural heritage”, from monuments and sites now practically covering the entire historic built environment, including its intangible dimensions, is bringing “a certain difficulty in the assessment of cultural values”. According to Jokilehto, this also contributes to the “confusion about what should be intended by outstanding universal value in the context of the World Heritage Convention” (Jokilehto, 2006).

Not clear on what OUV exactly means, the States Parties face difficulties in managing the protection of the OUV of their inscribed properties. In a recent study, ICOMOS (2008) identified management deficiencies and aggressive development as the two major threats to World Heritage properties. In fact, “95 % of properties in Africa were affected by management problems, as were 88 % of properties in Asia/Pacific; 77 % of

properties in Latin America; 77 % of properties in Arab States and 41 % of properties in Europe” (UNESCO, 2009f).

Advisory Bodies are expected “to be objective, rigorous and scientific in their evaluations, [as well as their conduct to deliver a] consistent standard of professionalism” (IUCN, 2009a). However, ICOMOS is often criticized for “not implementing the same clarity in the evaluation of World Heritage nominations” as IUCN, although ICOMOS' current efforts to establish a framework for the identification of heritage sites is a step forward; “it is necessary to continue the exploration” (Jokilehto, 2006).

Also the World Heritage Committee is concerned about the consistency of its decision-making process. During its 33rd session (2009, Seville, Spain), the need for better processes, methods and tools was mentioned on several occasions. Particularly relevant to this research, the Committee requested “the Director of the World Heritage Centre in cooperation with the Advisory Bodies to further identify methods and processes towards the establishment of guidelines on the assessment of the impact of contemporary architectural insertions on the Outstanding Universal Value of World Heritage properties for discussion by the 34th session of the World Heritage Committee in 2010” (UNESCO, 2009g).

Methodology

This research has utilized the following methods of data collection. First, two UNESCO documents were analysed on proposed methods, after which during the 33rd session of the Committee the decision-making process was carefully observed to check on consistency or deviations vis-à-vis these methods.

The two documents were respectively, the *Operational Guidelines for the Implementation of the World Heritage Convention* last revised in 2008, and the *Rules of Procedure: Intergovernmental Committee for the Protection of the World Cultural and Natural Heritage*, published by UNESCO in 2003.

Moreover, while mapping the OUV-based management process, particularly as concerns the working methods of the Advisory Bodies, more data have been collected from their websites, as well as from personal contacts. Therefore, unlike the references from the two main UNESCO documents, the references of these extra data are clearly identified.

For a better understanding of the methods followed, process mapping consists of constructing a model that shows the relationship between the activities, people, data and objects involved in the production of a specific output (Biazzo, 2002).

Besides an evident increase in visibility and consequent improvement of communication and understanding (Damelio, 1996), process mapping also reveals the strengths, weaknesses, opportunities and threats (SWOT analysis) of the process being mapped, which in turn can help to improve and redesign it (Biazzo, 2002).

Results

The OUV-based management process occurs in three main stages: *nomination*, *protection* and *intensive protection* (Figure 1). Nomination regards the process for a property to have its heritage value recognized as being outstanding and universal. Protection regards the process of safeguarding all World Heritage properties and preventing their OUV from being placed in danger and/or irreversibly destroyed. Intensive protection concerns the process of safeguarding under high alert those properties where the OUV is in danger of becoming irreversibly destroyed.

These three stages do share the same aim, although they have very different regularities. While the nomination stage occurs only once, the protection stage occurs continuously and the intensive protection stage occurs only occasionally. In fact, unlike the other two stages, the intensive protection stage might never occur.

Table 1 (next page) summarizes the key official documents that are mentioned during the clarification of the OUV-based management process, when they are requested, the responsible parties and the relevant stage of the OUV-based management process.

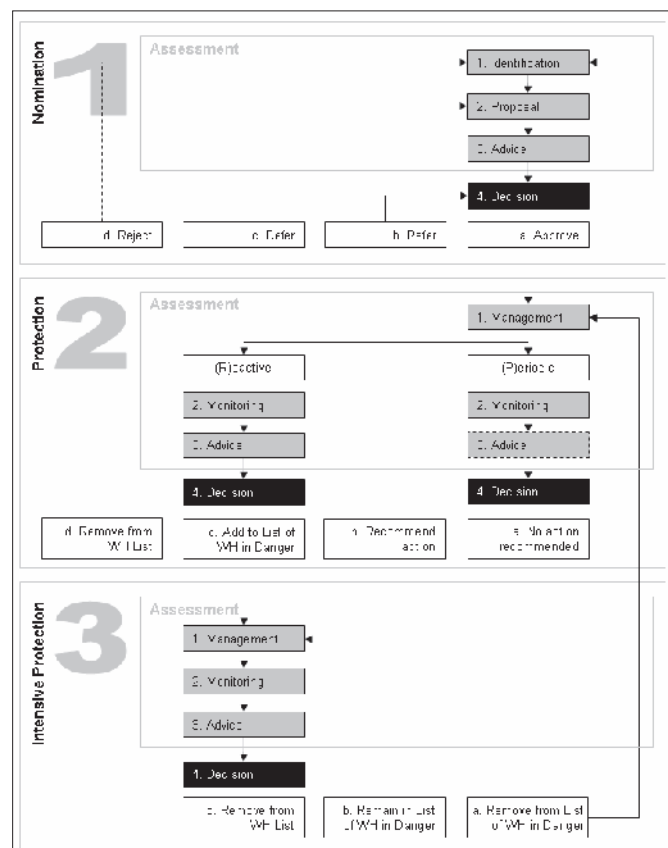


Fig. 1: The OUV-based management process

Nomination

Even though a property needs to be included in a national inventory list before it is initiated within the nomination process, such national inventory lists have not been included in the OUV-based management process. Its national character and therefore the

	Official document	Time	Responsible parties	OUV-based management process
1.1	Tentative List submission form	Updated every ten years	States Parties	Identification
1.2	Nomination file	One year later than the Tentative List	States Parties	Proposal
1.3	Evaluation report	After submission of the Nomination file	Advisory Bodies	Advice
1.4	Decisions adopted at WH Committee session	Annual session of WH Committee	WH Committee and Secretariat	Decision
2.1	Management plans, regulations	Included in nomination file	States Parties	Management
2.2P	Periodic Report (PR)	Cyclical, every six years	States Parties	Periodic monitoring
2.3P	Joint Mission Report (JMR)	When requested by stakeholders	Secretariat and Advisory Bodies	Ad hoc advice
2.2R	State of Conservation (SoC) report	Whenever requested by WH Committee	States Parties and Secretariat with Advisory Bodies	Reactive monitoring
2.3R	Reactive Monitoring Report (RMR)	Whenever requested by WH Committee	Secretariat and Advisory Bodies	Reactive advice
2.4	Decisions adopted at WH Committee session	Annual session of the WH Committee	WH Committee and Secretariat	Decision
3.1	Management plans, regulations (enhanced versions)	After session of WH Committee	States Parties	Management
3.2	State of Conservation (SoC) report	Whenever requested by WH Committee	States Parties and Secretariat with Advisory Bodies	Verification
3.3	Reactive Monitoring Report (RMR)	Whenever requested by WH Committee	Secretariat and Advisory Bodies	Advice
3.4	Decisions adopted at WH Committee session	Annual session of WH Committee	WH Committee and Secretariat	Decision

Table 1: Key official documents, within the OUV-based management process

likelihood of eventual differences between the respective criteria and indicators employed are the motives for this exclusion.

After having its value officially recognized at national level, a property can be included by the State Party on its Tentative List. By then, in our research the first stage of the nomination process – *identification* – has occurred, as for this inclusion on its Tentative List the State Party needs to identify the OUV of the property, together with possible criteria for nomination, statements of authenticity and integrity, as well as a comparison with other similar properties to indicate its international significance.

To increase clarity and transparency, and to foment knowledge exchange, the Convention strongly encourages States Parties to describe the identification process and the respective roles of the participating stakeholders, such as site managers, local and regional governments, local communities, NGOs and other interested parties and partners.

However, an encouragement is not a requirement, leaving the decision to States Parties to implement wholly or partially. Without clear guidelines, the definition of an identification process, its methods and tools, is left open-ended with each State Party

following its own path; some more clear and defined than others, which can result in marked differences and inconsistencies hampering decision-making further down the road.

The second stage of the nomination process – *proposal* – can only occur one year after the property has been included on the Tentative List. The State Party prepares a more detailed OUV assessment as part of the submission of the official Statement of OUV, within the Nomination file, to the Secretariat.

Next, the Advisory Bodies perform the third stage of the nomination process – *advice* – when preparing, developing and submitting to the Secretariat the evaluation of the nominated property, including its OUV, within an Evaluation report.

ICOMOS is responsible for the assessment of Nomination files related to cultural heritage including cultural landscape properties, while IUCN takes care of the nominated natural heritage properties; and jointly, they evaluate the Nomination files of mixed heritage properties.

Each Advisory Body has its own procedure for the evaluation of nominated properties as described in the *Operational Guidelines*. ICOMOS distinguishes *three phases*: Choice of Experts; Site Missions; World Heritage Panel. IUCN defines a process of *five steps*: Data Assembly; External Review; Field Inspection; Other Sources of Information; IUCN World Heritage Panel Review.

Out of the four possible outcomes of this advice process, the draft decision to inscribe or not to inscribe is self-explanatory; to defer or to refer a nominated property perhaps needs further clarification. In both instances more information is requested to support the nomination of the property.

Basically, the main difference between deferral and referral is that referral acknowledges the OUV of the nominated property

and “carries with it the presumption of eventual inscription”; while deferral requires further study to determine the OUV of the nominated property and delays the decision to a subsequent meeting (ICOMOS, 2007).

Deferral, which questions the OUV of the nominated property, may for example result in the commissioning of a comparative study, which needs to include the nominated property (examples of comparative studies already undertaken include vineyard cultural landscapes, rock art of the Sahara, cultural landscapes of the Pacific, to name but a few). Even if this brings “no commitment to eventual inscription on the World Heritage List”, these studies are fundamental because they provide background information for both ICOMOS and States Parties, and support the World Heritage Committee's decision-making process (ICOMOS, 2007).

In other cases deferral may stem from the need for a satisfactory management plan to be drawn up and implemented or for significant changes to be made in the area proposed for inscription. In any case, deferral means that a mission is necessary to evaluate the additional information requested. Referral, on the other hand, carries with it the presumption of eventual inscription. This procedure is used when the Advisory Bodies recommend relatively minor redefinition of boundaries or request further information on management plans.

However, the Evaluation Reports prepared by the Advisory Bodies and their draft decisions are not the final decisions. Their aim is to provide a technical basis for the World Heritage Committee to undertake the fourth and last stage of the nomination process – *decision* – which occurs during the annual sessions of the Committee, when deciding to reject, defer, refer or approve the property and its respective Statement of OUV for inscription on the List. This last stage of the OUV-based management process is the only stage of the nomination process that does not form part of the OUV assessment process.

Thus, even if it is common practice for the World Heritage Committee to follow the technical advice of the Advisory Bodies, there may be situations where it decides not to. During the 33rd session of the Committee (Seville, Spain, July 2009) the advice for the nominated historic city of Cidade Velha, Cape Verde (Africa) was for referral, meaning acknowledging its OUV but requesting more information on other aspects, but it was finally approved for inscription by the Committee. Also, several nominations for which the advice had been deferral (not acknowledging their OUV) were finally referred, e.g. The Mercury and Silver Binomial on the Intercontinental Camino Real, jointly proposed by Mexico, Slovenia and Spain..

During this 33rd session, the arguments presented by the World Heritage Committee to deviate from an Advisory Body's advice were varied, such as inconsistencies between the Advisory Body's reports and the documents and/or information provided by the State Party, the efforts of the State Party to comply with the recommendations from previous sessions, the contribution of such a nomination to the Global Strategy for a Representative, Balanced and Credible World Heritage List launched in 1994 (UNESCO, 1994). Also, the decision to either agree or disagree with the drafted decision does not follow any regular methods and/or tools, nor criteria and weighting.

Instead, the decision-making process undertaken by the World Heritage Committee was quite regular. The Committee was only unable to reach consensus and requested a secret ballot (UNESCO, 2003) for the decision to defer the nomination of The Architectural and Urban Work of Le Corbusier, jointly proposed by Argentina, Belgium, France, Germany, Japan and Switzerland.

Protection

From the moment that the Statement of OUV has been officially approved by the World Heritage Committee and the property is inscribed on the List, the actual protection under the 1972

Convention has been formalized. The States Parties are responsible for its first stage of protection – *management* – when they develop, implement and monitor the impact of strategies to protect the OUV of their World Heritage properties. Documents such as *Management Plans and Regulations* play a fundamental role here in guiding the involved participants and wider community in such a management process.

If information is received on imminent or potential threats to an inscribed property, the World Heritage Committee will request a Reactive Monitoring Report, which follows a set format. When the case is well-sustained, this report might lead the property into the intensive protection process, or even to complete removal from the World Heritage List.

The Periodic Report is the second category of monitoring reports. Its periodicity has a six-year cycle and it also follows a set format. The States Parties are requested to report to the World Heritage Committee on their application of the Convention, including the state of conservation of the properties located on their territories.

Both reactive and periodic monitoring reports occur during the second stage of the protection process – *monitoring* – which is developed by States Parties and sent to the Secretariat. These reports present the state of conservation of the respective property, as well as the Statement of OUV with related imminent or potential impacts.

Whenever requested by the World Heritage Committee, the Secretariat can organize joint missions together with the Advisory Bodies. They undertake the third stage of the protection process – *advice* – and like the reports from the previous stage they aim to present the state of conservation of the respective property, as well as its Statement of OUV with related imminent or potential threats. Depending on the urgency for monitoring, these reports are either Reactive Monitoring reports (urgent) or Joint Mission

reports (less urgent). The process undertaken by the Advisory Bodies to develop these reports was not found to be officially described, not in the *Operational Guidelines*, nor on their websites, although at IUCN there is an open invitation for experts to voluntarily submit “any news, documents, research or comments on the status of these World Heritage sites, their values (habitat/wildlife, etc) and management” (IUCN, 2009b).

What was found described is the content of the report. Respectively, the World Heritage Committee requests that reports of missions to review the state of conservation of the World Heritage properties include:

- an indication of threats or significant improvement in the conservation of the property since the last report to the World Heritage Committee;
- any follow-up to previous decisions of the World Heritage Committee on the state of conservation of the property;
- information on any threat or damage to or loss of outstanding universal value, integrity and/or authenticity for which the property was inscribed on the World Heritage List (UNESCO, 2009).

The last stage of the protection process – *decision* – is undertaken by the World Heritage Committee and follows a very similar process to the decision stage of nominations. The main difference is the nature of the decisions which can vary from (1) no action recommended, to (2) recommended corrective action, or (3) to be inscribed on the List of World Heritage in Danger, or ultimately (4) removal from the World Heritage List altogether. Again, this last stage of the OUV-based management process is the only stage of the protection process that does not involve or concern OUV assessment.

Intensive protection

The intensive protection process is initiated after the inclusion of World Heritage properties on the Danger List. Thus, unless they

are included, there might be properties that never go through the intensive protection process. When there is strong evidence that the OUV is deteriorating and entering a stage where it has become endangered and is thus facing possible deletion from the World Heritage List, these endangered properties require particular attention and procedures.

The stages within the intensive protection process are very similar to the stages of the “reactive” protection process, including *management, monitoring, advice and decision*. Again, this last stage of the OUV-based management process is the only stage of the intensive protection process which does not form part of OUV assessment.

The main difference, besides the decision variables ranging from (1) removal from the World Heritage List, (2) remain listed, or (3) removal from the Danger List, is the higher level of risk that the OUV will be destroyed, and consequently that the site will lose its significance for which it will have to be removed from the World Heritage List. Together with all other decisions, these decisions are annually published in the document “Decisions adopted at the XX Session of the World Heritage Committee”.

Conclusion

Our survey results have proved that the OUV-based management process is a wide framework that includes OUV assessment and that involves not only the States Parties, but also the Advisory Bodies, the Secretariat and the World Heritage Committee. The *Operational Guidelines* universally define and guide the process for managing the OUV.

Except for the States Parties, the management practices were found to be universally defined and implemented at the different stages by the different parties. However, no universal methods or tools utilized at the different stages by the different parties, as well as criteria and weighting, were identified for any of the four parties.

Therefore, on the basis of this survey alone, it has not been possible to determine the impact of such practices on the sustainable development of World Heritage properties. It has been possible on the other hand to determine which practices are already being implemented as part of a formal process and which practices remain obscure or unclear, acknowledged by the different parties only.

When comparing these four OUV-based management practices, one can state that the Secretariat and World Heritage Committee are far more process-oriented than the Advisory Bodies and States Parties. However, they all lack clarity on how their management process is being implemented, which is diminishing the reliability of their practices. This lack of clarity concerns both the general and detailed levels, which respectively affects the methods and/or tools utilized, as well as their criteria and weighting. Furthermore, a rationale can be presented per OUV manager.

The World Heritage Committee does have its stages generally described for the whole OUV-based management process – nomination, protection and intensive protection. What is not found described are the methods and/or tools, as well as their criteria and weighting used to sustain its decisions. If such were the case, the process could be better managed, also time-wise, with the prevention of uncomfortable or unclear situations, such as when the Committee disagrees with the Advisory Bodies, as it could follow a more transparent, pre-established process, with respective criteria and weighting.

Secondly, a considerable part of the processes of both ICOMOS and IUCN is described for the nomination stage, but hardly at all for the protection or intensive protection stages. Much complementary information was retrieved and deducted from their websites and/or statutory documents. Also, there were inconsistencies, for example the stages recommended by IUCN for field inspections and the stages undertaken by ICOMOS when choosing experts.

Similarly to the results relating to the World Heritage Committee, no pre-established methods or tools, with criteria or weighting, were found that both “desk” and “site” experts could use to define or to confirm/disagree with the OUV definition proposed by States Parties. If such were the case, the quality and consistency of inscriptions could be better managed, with prevention of uncomfortable situations, such when the Advisory Bodies are accused of having produced subjective or non-technical reports. Moreover, a single method would allow the Advisory Bodies to undertake further studies and correlate their results on cultural, natural and mixed properties, totally in line with the World Heritage Committee's decision to abolish separate criteria for natural and cultural properties and to harmonize them into one set of ten criteria for all properties.

Thirdly, the Secretariat is deeply involved in devising and orchestrating the World Heritage processes, which were found to be well-defined in the *Operational Guidelines* for the whole OUV-based management process – nomination, protection and intensive protection. However, its role as an OUV assessor that is shared with the Advisory Bodies at both protection and intensive protection stages, such as when undertaking Reactive Monitoring missions, was not found to be clearly defined. Neither was it possible to identify any methods or tools, with respective criteria and weighting, followed by the Secretariat for any of the cases where joint missions would be undertaken.

Lastly, the OUV managers who have their processes least described in the *Operational Guidelines* are the States Parties; clearly this has to do with issues of sovereignty and responsibility, leaving it open to them to utilize processes, with criteria and weighting if existent. Even if strongly recommended, clarification of the stages undertaken within their OUV-based management process is not mandatory. Further research is required to confirm whether the States Parties follow common stages and tasks, criteria and weighting.

Progress has been achieved with this survey in understanding the perception and interpretation of the OUV-based management process, as well as communication among the parties involved. When prioritizing the need for further research, it may be concluded that even if OUV management would benefit from more clarity on the chosen methods and tools, as well as any criteria and weighting, utilized by all OUV managers, the States Parties are the stakeholders most requiring attention to their OUV-based management processes. They are responsible for identifying and defining properties that later will need to be safeguarded, monitored and prevented from danger. Thus, the clearer their processes, the better protected the OUV.

Further research will focus on the practices undertaken by States Parties in the OUV-based management process – identification, proposal and management (protection and intensive protection) and map what is currently defined and implemented as a process, together with their methods and tools, as well as criteria and weighting, if existent.

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Case Studies

A Case Study of Cultural Landscape as a Potential for Sustainable Development of Local Scale: Garme Village Redevelopment

Introduction

Small lively villages in the central desert of the Islamic Republic of Iran are today challenged with the serious difficulty of attracting socio-economic forces towards sustaining their livelihood. This paper introduces a successful example of the revival of a cultural landscape in this region through the participatory planning process and the use of cultural and natural potential contributions to sustainable development, addressing the possibility of conserving and enhancing these rural areas. It is a field study as well as desk research on the basis of field observations and comprehensive reviews of recent research and key documents relating to the redevelopment of cultural landscapes. The outcome shows that residents' participation is the key factor in reviving the natural and cultural potential of such villages and sustaining the local economy by attracting tourists. It is important to bear in mind that the Iranian economy is totally based on the oil industry; whereas the tourism industry is highly fragile and not comparable to some neighbouring countries such as Turkey, which are very successful in attracting tourists. Bringing national and international tourists to a small village such as Garme (Garmeh), far from famous tourist destinations such as Tehran, Esfahan and Yazd, is a major challenge. The key to success is addressing the extraordinary natural and cultural aspects of this region through the participation of the indigenous people.

Landscape and culture are strongly interconnected. They interact with each other and shape our beliefs and values around the setting that supports us. Cronin (as cited in Alanen and Melnick, 2000, p. 21) articulates the views of several scholars in stating that: "the natural world is far more dynamic, far more changeable, and far more entangled with human history than popular

beliefs about the 'balance of nature' have typically acknowledged ... the evidence reveals that nature is a 'profoundly human construct'".

Cultural landscapes, as the outcome of the intensive interaction between culture and landscape, are rich potentials for reviving and sustaining old and new life in a region; to use their potentials and to implement sustainable development, locals and indigenous people are the main resources; they are enriched with valuable knowledge about their habitat gained through the ages.

This paper explores how indigenous development has altered Garme village to make it an attractive place. The analysis is in three sections: the first explores the characteristics of cultural landscapes and their potential as a tool for sustainable development. The second section contributes to defining the causes of cultural landscape deterioration; and the third investigates the redevelopment process carried out in Garme village with a view to sustainable development. As the nature of the information sought is subjective, the data were collected by observation and field study and documents were also analysed to investigate the geography and culture of old Garme.

Cultural landscape categories and characteristics

As Fowler states concerning the creation of cultural landscapes, "Cultural Landscapes as now understood and practiced for World Heritage purposes were established in China in the first millennium CE. According to that term, Cultural Landscapes deliberately express a relationship between nature and humans" (World Heritage Papers 7, 2002).

Carl O. Sauer (1925) also clarified that "the cultural landscape is fashioned from a natural landscape by a culture group". He believes that cultural landscape is the result of the interaction between culture as the "agent" and the natural area as the "medium" (Sauer, 1925, pp. 19–53). Though the landscape

changes under the influence of a given culture, which itself is evolving through time, and gradually achieves its ultimate development status.

In addition, the revised *Operational Guidelines* of 1992 first defined cultural landscapes as cultural properties representing the “combined works of nature and of man” designated in Article 1 of the Convention, which can be categorized in three main groups:

- *Defined landscape*: the most easily identifiable category and a landscape which is designed and created intentionally by man. Examples are garden and parkland landscapes, often associated with monumental or religious buildings.
- *Organically evolved landscape*: this category is formed in response to the initial socio-economic or religious forces and evolved to its present form in response to its natural environment.
- *Associative cultural landscape*: the inclusion of such landscapes is justifiable by virtue of the powerful cultural or religious associations of the natural element rather than material cultural evidences, which may be insignificant or even absent (UNESCO, 1992).

Each category has different potentials making the area a special district requiring special implications to revive and remain vibrant. Learning about the diverse potentials of a region helps us to choose the best means to launch the redevelopment process.

Particularly stringent criticism has been made obliquely describing the UNESCO approach as elitist. Artificial distinctions based on specific features are regarded as indications of an exceptional landscape (Fowler, 1992, p. 17). Fowler's definition sees cultural landscape as the very opposite of elitist. He believes that by recognizing “cultural landscape we can find a place that may look ordinary but with our appreciation can become extraordinary” (Fowler, 2003, p. 7). Such a different view can

help us to find the redevelopment solutions regarding the real potentials existing in a natural area shaped by human imprints through the passage of time.

To see the potential of cultural landscapes, it is crucial to identify the characteristics (Lennon and Mathews, 1996, p. 18) that differentiate them from heritage items or landscapes. The International Union for Conservation of Nature (IUCN) identifies sixteen characteristics of a cultural landscape (Phillips, 2002, p. 13). Note that all such characteristics may vary in different kinds of cultural landscape such as a defined, an organically evolved or an associative landscape, and rely on diverse factors to revive it. Considering these characteristics, Garne village is considered as a cultural landscape because it:

- is concerned with both people and their environment;
- is concerned with a range of natural and cultural values;
- focuses on areas where people/nature relationships have produced a landscape with high aesthetic, ecological, biodiversity and/or cultural values, and which retains integrity;
- recognizes the value of, and the need to support, the stewardship role of the private landowner (including that of Land Trusts or similar bodies);
- places a special emphasis on effective land-use planning;
- depends therefore on the presence of transparent and democratic structures which support people's active involvement in the shaping of their own environment;
- brings social, economic and cultural benefits to local communities;
- brings environmental, cultural, educational and other benefits to a wider public;
- can be used to help resolve conflicts over resource management;
- can offer models of sustainability for wider application elsewhere in rural areas.

Below we discuss what kind of cultural landscape Garne village is, what are its characteristics, and how we can make use of its

real potential to make it a vibrant and attractive region not just for tourists, but also for the inhabitants of the region.

Cultural landscape potential for sustainable development:

Sustainable development relies not only on the implementation of interconnected redevelopment approaches, but on the use of potential. Many cultural landscapes are outstandingly important for the practices of sustainable use of natural resources. At the same time they can provide opportunities for socio-economic development not just within their local boundaries, but also in the whole region as their broad context. They can be linked with other cultural and natural resource areas in a regional context for conservation and sustainable development. Thus, cultural landscapes can contribute to local and regional development far beyond their boundaries. The survival of cultural landscapes requires not only support for traditional sustainable practices, but also the adoption of new sustainable technologies, and as stated in the global Agenda 21, "Maintaining and managing development resources, and strengthening the role of social groups" (UNCED, 1993) which in recent cases have proved to be the most important factor in sustainable development.

What causes the disruption of rural areas?

Cultural, political and socio-economic forces in developing countries such as Iran have different impacts on the habitat compared with those of developed countries. Interconnected relations between such forces in Iran are very complex; usually overlying each other in a way that would disrupt the livelihood of rural areas in the long term. Some of the most important reasons for disruption of rural districts are as follows.

- Dependence of economic and social development at both regional and local levels on the oil industry;
- Lack of an economic strategic plan with emphasis on development of rural areas;
- Weakness of the tourist industry in comparison with neighbouring countries such as Turkey;

- Difficulty of rural areas to produce and sell their agricultural products in competition with very cheap imports;
- Superiority of industrial development in urban areas in comparison with rural development;
- Domination of cities and city life, in contrasting to the lack of simple facilities in villages, in particular those located in the central deserts of Iran.

The increasing migration of village dwellers and the fragility of rural life, its culture and identity, are the main consequences of such problems. All these factors lay the groundwork for regional socio-economy disruption. There is an urgent need to manage such conditions in order to revive rural life and regional economic and social vibrancy. Below we describe the methods of redevelopment of a rural area by implementing bottom-up planning, and the use of cultural landscape potential: the natural habitat and the indigenous people.

Garme village case study

This paper concentrates on the cultural landscape potential in Garme village as a case study on the methods to redevelop villages in the central desert of Iran. The case study is based on the following outline: the location and history of Garme village, the themes for choosing it as a cultural landscape, the relationship between the case study and sustainability concepts.

Garme is located in Iran's heartland in Esfahan province (Khur and Biabanak district). There is a chain of villages in this district; including Iraj, Ordib, Garme, Ab-Garm, Mesr and Farahzad (Figures 1 and 2). Among them, this paper concentrates on Garme village as a first step in the development process with the use of cultural landscape potential.

The historical background of the district has been documented in many resources since the tenth century. For example in the tenth century Ibn Hawqal (Shoar, 1966, p. 144) and Abu-Eshaq Estakhri (Tostari, 1994, pp. 229–31) discussed villages located

in the central desert, one of which was called Jarmagh or Garmeh. In addition, Al-Maqdisi (Monzavi, 2006) and Nāsir Khusraw in the eleventh century describe a relatively large settlement called Jarmagh or Garmeh. So there exist many early narratives about Garme and this geographical district.

All these villages are linked to each other in a chain located in the central desert of Iran and close to a salt lake. In addition, various themes have arisen in choosing this district as a cultural landscape. These themes fall into three categories: natural, cultural, and natural/cultural.

These three categories and their status in relation to the villages of Khur and Biabanak district are illustrated in Tables 1 and 2. Consequently, according to The Cultural Landscape Foundation's (<http://tclf.org/>) definition of cultural landscape as “a geographic area including both cultural and natural resources and the wildlife or domestic animals there in, associated with a historic event, activity, or person or exhibiting other cultural or aesthetic value”, this local area known as Khur and Biabanak which consists of several villages can be described as an “organically evolved” cultural landscape. Not only does it possess extraordinary natural resources but also includes cultural

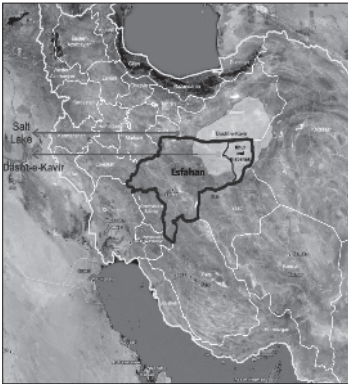


Fig. 1: Esfahan province, Islamic Republic of Iran

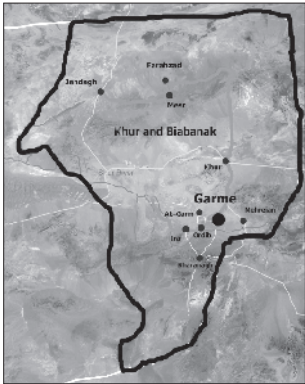


Fig. 2: The chain of villages in Khur and Biabanak district, in the east of Esfahan province

and natural resources associated with groups of people during its history, in particular one local family group who have been trying over the past twelve years to revive these villages using its cultural potential as a motivation.

Unfortunately, inappropriate development of this area as a result of the inefficiency of rural development in Iran has placed this irreplaceable landscape alarmingly at risk and far from sustainable (Figures 3–6). For example, the large palm gardens of

Village	Natural	Cultural	Natural/Cultural	Status
Iraj +Garme	Fountains			
Iraj +Garme			Traditional management of distribution of water	Relatively damaged
Garme		Renovating some houses as an inn		Restored
Garme			Providing organic foods	Revived
Garme			Palm gardens	Damaged
Garme		Presenting local clothing for tourists		
Garme		Renovating summer roofless mosque		
Iraj		Adobe castle		Damaged
Iraj		Old relatively habitable fabric		Damaged
Iraj			Large fruit gardens and farms	

Table 1: Thematic categories for villages of Garme and Iraj

Village	Natural	Cultural	Natural/Cultural	Status
Ordib			Traditional management of distribution of water	Relatively damaged
Ordib			Traditional agriculture	
Ordib	Fountains			
Ab-Garm	Thermal spring			
Mesr		Renovating one house as an inn	Camel breeding and expanding camel riding instead of using them as a food source	Revived
Farahzad		Renovating one house as an inn		Restored

Table 2: Thematic categories for villages of Ordib, Abegarm, Mesr and Farahzad



*Fig. 3: Iraj gardens and farms
(photo: authors)*



*Fig. 4: Garme palm gardens
(photo: authors)*



*Fig. 5: Garme palm gardens in 2007
(photo: authors)*



*Fig. 6: Garme palm gardens in poor
condition in 2009 (photo: authors)*

Garme have been in poor condition because local people have migrated to cities and there is no one to protect palm trees from extra water, which can be harmful to them. In the old days there had been enough local labour to manage the flow of water in Garme by digging holes around the trees and filling them with palm skin to absorb the extra water. Later, high unemployment and low wages forced those workers to leave their villages. Thus, the workers who form the cultural potential of the society need to be supported by a sustainable economy for preserving and reviving this cultural landscape. In addition, because of unemployment and shortage of earnings, camels were slaughtered for food. Moreover, the architectural heritage area including adobe structures, houses and a castle are falling into disrepair because of local people's migration.

In this region, the cooperative management and participation of families originally from Garme village is very important. Their activities over thirteen years have resulted in economic growth

focused on attracting tourism. As a result of such valuable activities, statistics from 2007 show that:

- the annual visitor rate was 50,000;
- the average daily expenditure of each visitor was US\$10;
- the main income of seventy villagers comes directly from tourism.

Moreover, what has occurred in this region is manifested in local investment, cultural achievements and accomplishments, such as:

- enhanced sense of attachment on the part of village residents;
- gradual return of local migrants to their own village;
- attracting and training efficient and skilled local workers;
- reviving the local economy by proving new job opportunities, such as taxi driving, producing and selling craftwork, camel riding, biking and trailing;
- renovation and restoring the Agh Mohammad house as a small inn with capacity for forty people registering with Lonely Planet (local investment);
- learning vernacular skills by locals and tourists;
- participation of villagers in providing accommodation for tourists.

Overall, in this area the tourism industry provides villagers with a sustainable income allowing them to stay in their villages. As they discover that their extraordinary desert culture and nature are attractive to both national and international tourists, they try to revive their culture; for example by renovating their houses in the vernacular style, camel riding instead of camel slaughtering, reviving types of craft and local costumes (Figures 7 and 8). The gradual return of migrants to their own villages is also one of their most significant achievements. As a result, the cultural and economic dimensions of the area which were on the way to destruction have gradually improved thanks to the contributions of tourists towards a sustainable local society.

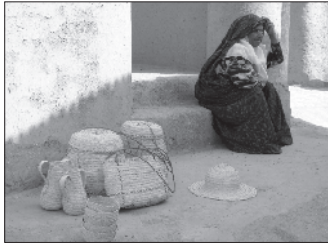


Fig. 7: Reviving Garme crafts
(photo: authors)



Fig. 8: Renovation of Garme's small inn
(photo: authors)

On the other hand, rapid socio-economic changes all around the world and the fundamental problems of rural development, especially in developing countries such as Iran, have brought about serious difficulties in sustaining traditional forms of land use. In this area, the villagers' participation in tourism is to find new ways of earning money. Although in the short term they have renovated houses as inns and provided some attractions such as car services, organic food, camel riding and live desert music, in the long term they have plans to revive their palm garden and make use of all agricultural production in their inns for entertaining tourists. In addition they have a long-term programme to develop a powerful rural chain to absorb different kinds of local investment and make use of social and cultural factors rather than just economic ones to redevelop their cultural landscape.

Finally, the use of cultural landscape potential is a good motivation to improve local sustainable income from tourism, especially in remote desert villages. Sustainable income could save the cultural landscape from destruction.

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Challenge of Climate Change for Historical Heritage: Monitoring and Reporting in the Russian Federation

Global climate change is universally acknowledged as one of the biggest challenges facing the world today, and much is being done to assess the potential fallout. Valuable data have been obtained for many world regions concerning the possible effects of climate change on their biota, people's health, state of the infrastructure and the various branches of their economy.

It is possible that a systemic approach to this problem on the part of the global community and a number of states will generate the illusion of complete control over the events now occurring on our planet. Unfortunately, this is not the case. For example, cultural heritage is excluded from the areas most likely to be affected by climate change, a situation which professionals working in this sphere find unacceptable. To avoid heritage losses which may have a disastrous impact on society, this situation should be fundamentally changed for the better within the shortest possible time.

Building the heritage sphere into a global policy of minimizing climate change risks should begin with professional monitoring of the impact these changes are having on the condition of historic and cultural monuments. In Russia, this goal can be achieved using a system that has been evolved to monitor immovable cultural heritage. We believe that this approach can be recommended for use at global level. This paper provides an insight into the salient points of this approach and arguments for its feasibility.

Russian experience of environmental monitoring of cultural heritage

The past few decades have seen cultural heritage properties become one of the main victims of "environmental aggression" as a result of extensive economic development and lifestyles that

are typical of modern life. Many monuments of historical and cultural value have been lost or doomed to perdition. The scope and scale of this phenomenon are such that "cultural heritage loss" was named among the major issues in the European Environment Agency's first state of the environment report *Europe's Environment: The Dobris Assessment* (EEA, 1995).

The great relevance of this issue for Russia is reflected in the inclusion of a new special section, *Impact of Environmental Factors on Cultural Heritage Preservation*, in the annual government reports on the state of the environment (MNR, 2009). Since 1994, the Russian Research Institute for Cultural and Natural Heritage has been engaged in carrying out an open-ended project on the environmental monitoring of the country's immovable cultural heritage at regional level. The project is supported by the Ministry of Culture and the State Environmental Committee, *Goskomecologia* (from May 2000, Ministry of Natural Resources and Ecology). The aim of the project is to gather, process and use environmental data for government reports.

The above year saw the elaboration, coordination and approval of statistical data forms regarding the condition of cultural heritage in the Federation which, following some additions and amendments, are still in use. Based on these forms, the Russian Ministry of Culture, its local bodies and specialized research establishments carry out a regular inventory of the condition of monuments. With this end in view, the Russian Research Institute for Cultural and Natural Heritage has worked out a completely new methodical approach. Its main features may be reduced to the following principles that take into account:

- certain regularities in the way natural and man-made factors affect monuments;
- specific ways in which cultural heritage properties react to environmental risk factors;

- objective and subjective difficulties that stem from creating a streamlined system of environmental monitoring of heritage properties.

Most Russian regions gave an enthusiastic response to the Ministry of Culture's proposal to launch a project on the environmental monitoring of cultural heritage, as they saw the possibility of finally increasing management efficiency in this sphere. Even the initial publications in official government reports of data on the impact of environmental, natural and anthropogenic factors on historic and cultural monuments have unexpectedly shown the true scale of the phenomenon and its national relevance.

The data published in government reports have allowed a better insight into environmental risk factors for cultural heritage in order to make a general assessment of the situation, reveal its dynamic tendencies and elaborate the appropriate policy at federal level. However, these data do not show the internal distinctions in heritage conservation issues in the regions due to the variations in natural conditions and their anthropogenic load. For this reason, from 1999 onwards the Heritage Institute began to spread its best practices of environmental monitoring of cultural heritage properties throughout the Federation.

Given the current Russian political and economic situation, heritage conservation policies may achieve their desired goals only by moving their "centre of gravity" directly to the regions which are hardest hit by full or partial heritage loss and, therefore, require heritage preservation. It was proposed that the regions should develop environmental monitoring of cultural heritage properties on a regular basis as a multipurpose regional policy tool and to subsequently reflect this data in annual environmental reports submitted by the Federation constituents.

The initiative of the Heritage Institute was backed by the Ministry of Culture and *Goskomecologia*. In 1999, the heads of both federal departments – the Culture Minister V. Yegorov and the

Chairman of *Goskomecologia* V. Danilov-Danilyan – jointly called upon the regional heads to expand regular monitoring of cultural heritage properties. Today this call has been heeded and implemented in the regions: nearly forty Federation constituents have introduced a section on the condition of historic and cultural monuments in their regional environmental reports.

The success of the environmental monitoring of cultural heritage project proves that practical implementation of this type of monitoring is one of the best ways to create a cultural heritage management sphere. Highly efficient and yet simple methods have been worked out and put into practice within a very short period, both nationally and regionally. The project has drawn the attention of professionals, politicians and the general public to cultural heritage preservation throughout Russia.

A major offshoot of this project has been the formulation of a compensatory principle of financing cultural heritage conservation which, given appropriate political and administrative resources, may provide another independent and stable channel for financing the cultural sphere.

Environmental risk factors for cultural heritage and its geography

2001 saw considerable progress in the elaboration of methods for systematic monitoring of heritage. The Heritage Institute has prepared, published and disseminated *Methodical Recommendations on Environment Monitoring of Cultural Heritage Properties* in the regions.

Using these methods, the monitoring system identifies and traces the following main forms of negative environmental impact on cultural heritage:

Natural factors

- endogenic processes (earthquakes, epeirogenic movements of the Earth's crust);

- exogenic processes (seashore abrasion, landslides, ground motion, weathering, gullying, river meandering, flooding, climate change, etc.);

Anthropogenic factors

- disturbance of the geological environment (flooding and waterlogging, quarrying, construction of roads and other facilities, etc.);
- pollution of community air;
- contamination of surface and ground water;
- physical disturbance of the soil cover (ploughing, farming, water and wind erosion, improvement of soils, etc.);
- chemical contamination of soils;
- vegetation degradation (deforestation, ploughing of virgin lands, pasture digression and recreational pressure, civil construction, etc.);
- noise, vibration and other disturbances of natural physical parameters of the environment.

The last few years have seen the rapid emergence of new factors of environmental risk to Russia's historic and cultural monuments and natural sanctuaries, specific to the current transition period of the country's development, including:

- environmentally unregulated privatization of cultural heritage properties;
- squandering of land under the pretext of privatization or in any other covert form;
- weaker state environmental control, decreased efficiency of the nature protection infrastructure of social production;
- mass rural and cottage construction in breach of objective environmental restrictions and in violation of the aesthetic merits of the visual environment.

It is obviously very difficult to draw a complete picture of the effects ecological risk factors may have in relation to cultural heritage in Russia as a whole. Nonetheless, the data published in

government reports reflect the actual state of affairs in the region under consideration. In particular, there were at least 1,200 historic heritage properties irrevocably lost between 1996 and 2008. The same data show that today hundreds of other heritage properties are in danger of being lost. Among them are the renowned historic centres of Russian cities such as the Kremlins in Novgorod, Nizhniy Novgorod and Astrakhan. There is also the white stone architecture in the White Monuments of Vladimir and Suzdal, the Kirillo-Belozersky monastery in the Vologda region and many others that have been inscribed on the UNESCO World Heritage List.

According to official data received from the Federation constituents, about 19,000 historic and cultural monuments have recently been affected by the negative impact of environmental factors including more than 6,000 under the effect of natural factors and the other 13,000, excluding archaeological monuments, due to anthropogenic factors.

The annual ratio of historic and cultural monuments lost in Russia is rather insignificant and remains at more or less the same level – about 0.15 per cent. The fact that merits special attention, however, is that this figure shows the real absolute decrease in the country's cultural potential – a major part of its national wealth. At the same time, it should be noted that concurrent with the absolute decrease there is a relative decrease in cultural potential due to the impact of environmental risk factors on a large share of cultural heritage properties – 20 per cent of the country's total number of monuments.

Thus many thousands of cultural heritage properties have been lost or are under threat of destruction. Most of these losses are practically irreplaceable and subsequently especially painful for a society that frequently reacts to such losses with slower sustainable development.

The current situation as regards historic and cultural monuments is characterized by a full-scale display of the negative effects of environmental factors. The environmental situation in Russia as a whole and in most of its regions has recently been no more aggressive than before. But the cumulative impact of environmental effects on the monuments is beginning to show more and more as quantitative changes become qualitative. The acuteness of this situation for the whole of the country has been in many respects caused by a sharp fall in the amount of maintenance work carried out on the monuments (repairs, restoration, etc.) in the last decade, together with a growing tendency to abandon them and a fall in the general efficiency of state and public control in this area.

Analysis of the data obtained in the last few years concerning the impact of environmental factors on cultural heritage leads to the following conclusions:

- The process of historic and cultural monument losses under the effect of environmental risk factors is occurring almost everywhere;
- A considerable part of the cultural heritage in the regions and the country as a whole is affected by natural and anthropogenic environmental risk factors;
- The number of risk factors to heritage properties is constantly on the rise; alongside the traditional natural and anthropogenic risk factors (waterlogged areas, air pollution, vibration, etc.) there are new impacts such as visual (pollution) disturbance of historic landscapes, environmentally unregulated privatization, etc.

Evaluation of climate change effect on heritage

Russia's geographical location places it among the world's northernmost, "coldest" countries. For this reason alone, climate change in the form of global warming may have a positive effect on the development of the country as a whole. The first tentative estimates of progress in various branches of the national economy have already been made.

However, this encouraging prognosis can be applied to few spheres of life in modern Russia. Experts forecast the severe impact that fast-growing climate change might have on the country's flora and fauna and natural heritage. The ongoing habitat transformations may lead to the failure of these species to adapt to new conditions and eventually result in their degradation and even extinction. The fate of the iconic species of northern fauna – the polar bear – is symbolic of the consequences of the unprecedentedly sharp warming over the last few centuries, which is already placing so much stress on the Russian Arctic regions. No less dramatic may be the fate of some migrating bird species and sea mammals.

There is a still greater risk to historical heritage because of the unprecedented rapid changes in the physical parameters of the environment that are occurring today. This concern has been repeatedly raised by experts in several countries.

We support our colleagues' stance in the belief that we need to identify the cause and effect relationship between the state of historic and cultural monuments and the natural dynamic. It is equally important to identify the true scale and scope of environmental risks to heritage properties. We believe that these issues can be addressed by developing a system of environmental monitoring of heritage.

In effect, it is possible to build some additional elements into the monitoring mechanism evolved in Russia, including a subsystem that takes into account the consequences of climate change factors for historic and cultural monuments. In this connection, the recent monitoring tasks suggest that experts should trace the effect of climate change factors using all available means. Unfortunately, most of these proposals remain unheeded by respondents in the Russian regions. The reason is obvious: the observers participating in the monitoring process are not, as a rule, familiar with the appropriate methods to identify such effects.

The lack of statistics does not however signify the absence of the undoubted impact of climate change on heritage properties. Here are just a few graphic examples that have emerged from environmental monitoring in Russia.

In recent years much concern has been caused by the problem of flooding in places where historic and cultural monuments are located along the Caspian Sea coasts. Among them is the complex of citadel, ancient city and fortress buildings in Russia's most ancient city of Derbent, a UNESCO World Heritage site. The problem stems from the stable rising of the water level in this landlocked sea, reflecting the streamflow caused by climate fluctuations in the Caspian Sea basin as a part of global changes.

One of the most acute environmental problems that historic cities in the Volga region (Samara, Saratov, Nizhniy Novgorod, Volgograd and many others) face is the rising level of groundwater. The waterlogging of their land leads to excessive water saturation of the foundations of historic buildings and, subsequently, to their degradation or collapse as well as the movable heritage properties inside. The rising groundwater level in this and some other regions has much to do with the growing humidity also caused by climate change.

The increase in rainfall in Central Russia (e.g. over 20 mm per year in the last twenty-five years in Moscow) results not only in the waterlogging of the land but also threatens landslides which in turn may accelerate the destruction of the river and lake shores on which historic properties are built. The latter problem is typical of the Russian Arctic regions where rare and thus particularly valuable monuments are located almost exclusively in coastal areas.

Russia's northern regions show record monthly and annual mean temperature growth rates. In recent years this growth has greatly increased the fire risk in the forests, tundra vegetation and,

subsequently and quite naturally, to historic buildings, including monuments of wooden architecture, as found in Karelia, the Arkhangelsk and Murmansk regions and in other areas of the Russian north and Siberia.

Many similar examples could be listed but the general conclusion is clear. Global climate change is, in most cases, not a risk factor *per se* to the historical heritage. Nevertheless, in today's reality it may intensify and increase natural (exogenic processes) and anthropogenic risk factors to the point where they assume a scale and scope which are dangerous and even catastrophic for historic and cultural monuments.

This conclusion is applicable to the heritage of many countries, not only Russia's. In this connection, the question of adjusting the global system of environmental monitoring of cultural heritage properties by identifying and assessing climate change effects becomes highly relevant.

Development of heritage monitoring system in Russia and the world as a whole

The environmental monitoring system for historic monuments which has evolved in Russia in the past fifteen years allows us to provide a sufficiently reliable information basis for drawing up government policies. The resulting system has however some substantial shortcomings, including the following:

- Incomplete coverage of the territory. Twenty-five to thirty-five Federation constituents fail to submit yearly data on their cultural heritage condition;
- Occasionally poor quality and unreliability of official data on both the number and condition of monuments;
- Instability of the monitoring system itself which largely exists thanks to the enthusiasm of individual workers (experts and heads); lack of a reliable support mechanism and a weak legislative base.

Under the present conditions the main strategic guidelines for streamlining the cultural heritage monitoring system should be as follows.

- To work out departmental rules and specifications regulating the organization and implementation of cultural heritage monitoring;
- To further develop the methodical base for monitoring respective areas;
- To enhance the responsibility of federal, regional and local cultural heritage management for quality monitoring, for regular, timely and complete reporting the results to appropriate agencies;
- To improve the collection and analysis of cultural heritage monitoring data at all territorial levels and to provide access to data for all interested parties;
- To upgrade professional skills of staff and retrain experts in monitoring organization and implementation, including natural, immovable cultural heritage;
- To implement the compensatory principle for financing cultural heritage conservation (to offset any damage to historic and cultural monuments due to anthropogenic impacts, using environmental pollution charges levied in accordance with state legislation).

Special attention should be paid to the study of the phenomenon of climate change effects on cultural heritage properties and practical recommendations should be made to improve management in this sphere at every territorial level, from global to local.

The inclusion of the section *Impact of Environmental Factors on Cultural Heritage Preservation* in the structure of the annual government reports offers an important additional opportunity to attract national attention to the country's historic and cultural heritage preservation. This opportunity can and must be used in an effective way to substantially improve cultural heritage manage-

ment in Russia. We believe that a similar process is also possible at global level and suggest that it should be looked into by the expert historical heritage management community.

Conclusion

Over a rather short period Russia has managed to create both federally and regionally what is in effect an innovative system for environmental monitoring of its cultural heritage properties and to provide a procedural framework that has stood the test of time. Based on this monitoring, decision-making on environmental and cultural policies can minimize the inherent risks, the rate and acuteness of which are bound to increase in future due to the global climate change problem.

The streamlining of the cultural heritage monitoring system is of great interest to Russia and should be followed by the formation of a new subsystem to identify and take into account climate change effects, with their specific scientific, organizational and financial aspects. Russia has preconditions for a successful solution. At the same time, we believe that the success of modernization of national cultural heritage monitoring along the above guidelines may depend in many respects on the efficient international integration of heritage experts.

Integrating the activities of heritage workers from various countries and international heritage organizations will allow us to put in perspective the still underestimated global climate change factor for historical heritage conservation by setting up a monitoring system that meets the needs of the times. Clearly, monitoring by itself does not minimize the environmental risks but it is equally clear that without it there can be no long-term, strong and effective environmental policy on historic and cultural monuments in Russia and the rest of the world.

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Impacts of Early Land Use and Mining on River Landscapes

How do river landscapes develop and what roles do (pre)historic human activities play?

River landscapes develop within hundreds to millions of years by exogenic (e.g. climate) and endogenic (e.g. tectonics) processes (Hantke, 1993). Following the last glacial maximum (c. 18.000 BP) with the global climate amelioration and the reforestation of Central Europe, the present river systems evolved. River floodplains are naturally characterized by dynamic processes such as changes in water discharge, sediment load or flood events. Hence, under the natural conditions of the Earth's history, different types of floodplain have developed (Figure 1).

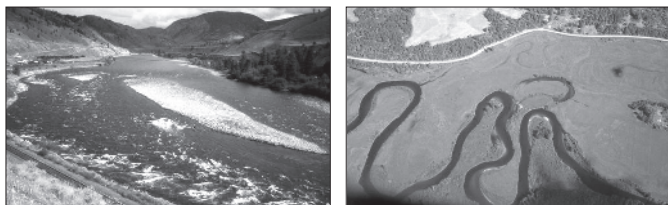


Fig. 1: Different types of floodplain, British Columbia, Canada. Left: braided-river system. Right: meandering river system. (Photos: authors' archive)

Historically, floodplains have always attracted human habitation. This is because rivers are ideal for fishing, alluvial soils are easy to cultivate, and riparian settlements guarantee access to drinking water. The water can also be harnessed for power. In addition, rivers can be used for transport, becoming main routes of prehistoric and historic migration, and lifelines of early trading. Therefore, it is obvious that properties, development and the character of fluvial landscapes are crucial for any cultural evolution. As a direct consequence, however, fluvial landscapes have themselves become altered in the course of settlement, cultivation, land use and many other anthropogenic processes.

A number of studies have demonstrated that humans were not driving forces in the evolution of fluvial environments before the onset of the Holocene Epoch in 9700 BC (Starkel et al., 1991; Brown, 1997; Bell and Walker, 2005; Lewin et al., 2005; Thorndycraft and Benito, 2006). The first anthropogenic impacts on floodplains are seen from the Neolithic Period onwards, starting in Central Europe about 7.500 years ago. At this time introduction of agriculture, the so-called "Neolithic Revolution", was connected with woodland clearance for use as arable fields, which triggered soil erosion and subsequent alluvial deposition on the floodplains (Starkel, 2005; Macklin et al., 2006).

Apart from the "Neolithic Revolution", the development of metal-working is one of the most important cultural changes in early human history. For good reason, the traditional three-age system for periodization of human prehistory is named according to their predominant tool-making technologies (Stone Age, Bronze Age, Iron Age). Mining has a long history, a wide spatial expansion of activities and in some manner affects almost all landscape components (substrata, landforms, soils, water and vegetation). Therefore during the Late Holocene mining has to be considered as a persistent and important factor influencing the environment and specifically river landscape development.

What is the basis of mining and what were the spatial dimensions of early mines?

Mining activities start with the excavation of the raw materials which are found in the very upper layers of the lithosphere. Both ores (e.g. iron, copper, and silver) and non-metallic deposits (e.g. flint stones, loam and gravel) were used as raw materials. Depending on their origin, bedding, and depth below surface, the raw materials could be exploited either by surface or by deep mining.

Deposits formed by sedimentological or pedogenic processes such as placers, glacial debris, weathering crusts or bog iron ores (see Figure 2), occur near the surface in the pedosphere

(the outermost layer of the Earth, composed of soil). They are often soft and easy to exploit. Prehistoric mining of these deposits are known for example from North Germany (Steuer and Zimmermann, 2000). In contrast, the exploitation of ore veins in crystalline bedrock is much more difficult and has to be carried out mainly by underground mining (Figure 2). Mining of such deposits during prehistoric times was generally restricted to surface or shallow deep mining and required both strong equipment and the knowledge of specific mining techniques such as fire-setting. Evidence for pre-Roman mining of ore veins and especially iron, copper and zinc have been found in Wales (Mighall et al., 2002) and the Alps (Eibner, 1989). During historic times and especially from the beginning of the thirteenth century until the end of the Middle Ages, opencast pits and deep mining were established in several European countries and formed the basis for the prosperity of entire regions (Craddock, 1995).

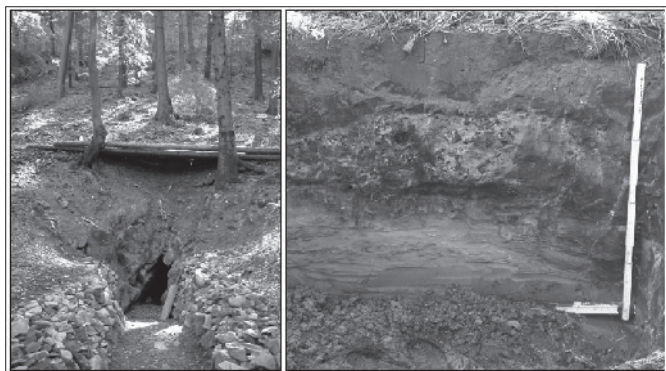


Fig. 2: Different types of ores. Left: mined vein in crystalline bedrock and entrance to a historic silver mine, Black Forest, Germany. Right: soil pit with bog iron ore (red aggregates), North German Lowland, Schleswig-Holstein, Germany. (Photos: authors' archive)

With regard to the spatial dimension of the mines, the primary affected area has grown since prehistoric times. With preindustrial technologies, the vertical and horizontal extension of the shafts and galleries of the underground mines was restricted to some hundreds of metres (Craddock and Lang, 2003). Detailed

information about the dimension of prehistoric mining is rare. For example, the shafts of the Bronze Age copper mines at Great Orme's Head in North Wales reached a depth of about 40 m (Craddock, 1995). In addition, from the silver mine at Laurion in southern Attica (Greece), exploited by Greeks and Romans at least since 1500 BC, it is known that the shafts were up to 120 m deep (Healy, 1978; Shepherd, 1993).

The depth of the mining shafts was above all limited by the problem of groundwater and the insufficient drainage capacities. Evidence of a remarkably early attempt to drain the pits at the Copa Hill mines (Wales) suggests the utilization of a 3,800 year-old alder trunk (Timberlake, 2003). Since the High Middle Ages and Early Modern times, technological development enabled the deeper drainage of mines (Agricola, 1980). Archival data from the Freiberg mining region (Ore Mountains, East Germany) highlight that due to the use of hand winches in the mid-twelfth century, the maximum depth of shafts was still only 45 m and exceptionally up to 100 m. Following the introduction of horse-capstans during the fifteenth century, the shaft depths are seen to increase up to 250 m and with the invention of the waterwheel (Wasserkhehrrad) in the mid-sixteenth century, the shaft depths even reached 550 m (Wagenbreth and Wächter, 1986).

Due to the limited shaft depths of prehistoric and historic mines, the shortcomings in mining technology were compensated by the spatial expansion of the mining area. Mines typically consisted of tens to hundreds of shallow shafts covering areas of up to several square kilometres. Examples of extensive mines are known from several areas of Europe and from all cultural periods from the beginning of the Metal Ages onwards and especially from the Middle Ages. Strong evidence for the large extension of early mines has been provided by the excavations of the Neolithic flint mine near Arnhofen in Bavaria (Figure 3). At this site, hundreds of shafts were excavated and 10,000 to 20,000 more shafts are estimated to cover an area of about 10 ha (Rind, 2000).



Fig. 3: Filled shafts from the Neolithic flint mine near Arnhofen, Lower Bavaria, Germany. (Photo: authors' archive)

How does mining affect river landscapes?

From research on prehistoric and historic mining it becomes obvious that even the primary land consumption caused by mining activities must have been enormous. However, besides mining itself, a variety of preceding and downstream activities were involved which in turn exhibit different consequences for the adjacent landscape.

First, the exploitation of raw materials affects the pedosphere directly. Mining destroys or replaces the natural soil, alters soil properties but also produces completely new soils on mine spoils. In addition, mining-related activities such as vegetation and woodland clearances, to provide mine timber and to produce charcoal, are additionally responsible for changes in soil distribution and soil characteristics.

Following the extraction, ores had to be transported to rivers, where the ironworks were situated to allow for ore processing with water power. In addition, for the processing of ores (roasting, sorting, crushing), there was a great demand for energy which was covered by charcoal production. The charcoal kilns were located in adjacent woodlands on the valley slopes close to ironworks. For the production of charcoal, large forest areas were cleared causing extensive devastation of the landscape and the initiation of soil erosion (Figure 4). As a consequence of this soil erosion on valley slopes, eroded material was (re)deposited in the river bed and by floods on the floodplains

(Figure 5). This occurred especially in regions with a long-lasting and continuous prehistoric settlement history, where flood loams built up the major part of the Holocene alluvial stratigraphy (Brown, 1997).



Fig. 4: Linear forms of soil erosion induced by land use on slopes, Vils River valley, Upper Palatinate, Germany. Left: parallel stripes of shallow hollow ways. Right: 5 m deep, V-shaped gully. (Photos: authors' archive)

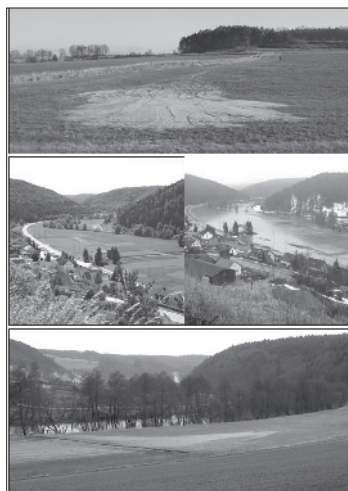


Fig. 5: Process chain of soil erosion and floodplain sedimentation. Above: soil erosion on arable land and subsequent sedimentation on grassland. Centre: Vils River without (left) and during (right) a flood; the floodwater contains high amounts of eroded soil particles browning the river water. Below: a sheet of flood loam was deposited after a flood event and remains on the floodplain. (Photos: authors' archive)

Mining must be considered as a significant accelerator of Late Holocene floodplain sedimentation (Lewin and Macklin, 1987; Tylecote, 1987; Timberlake, 2003). Therefore, in almost all the important prehistoric and historic mining regions of Europe, investigations of floodplain sediments have been carried out proving the impact of mining on alluvial deposition (Matschullat et al., 1997; Foellmer, 1999; Hudson-Edwards et al., 1999; Pirrie et al., 2002; Raab, 2005).

A large number of studies refer to the consequences of prehistoric and historic mining caused by the emission of metals during the processing and smelting of ores leading to contamination of air, water and soils. Well documented are preindustrial heavy metal enrichments of the atmosphere, which can be reconstructed by the analyses of geoarchives such as glacier ice, lake sediments or peat bogs (Renberg et al., 1994; Headley, 1996; West et al., 1997).

According to Renberg et al. (2001) heavy metal analyses of lake sediments and peat deposits in Sweden and other regions in Europe, as well as from the ice cores of Greenland, suggest synchronous changes in past pollution histories with three time intervals of large-scale atmospheric lead enrichments occurring during the last two millennia: The first interval concerns Roman times, when due to increasing use of lead, a first atmospheric lead-pollution fallout occurred over Europe, dated to the period between 100 BC and AD 200. A second lead peak in the geoarchives is dated to AD 1000 to AD 1200, which corresponds to the intensification of medieval mining activities. A third peak in lead pollution that occurred in the 1970s is connected with the rapidly increasing emissions caused by alkyl-lead additives in gasoline which were mainly used from the Second World War until the 1970s.

With regard to heavy metal pollution, mainly affected were the rivers on which processing and smelting of ores took place. With the increasing use of water power in the Late Middle Ages, alluvial landscapes were affected dramatically because metal-rich residues from the ironworks contaminated the alluvial soils. However, floodplains act not only as heavy metal sinks, they also can be used as archives for distinctive mining episodes and pollution histories (Lewin and Macklin, 1987). In vertically accreted floodplain deposits, lead peaks can be used as stratigraphic markers and therefore provide information of pre- or post-mining sedimentation (Matschullat et al., 1997; Raab et al., 2008).

Impacts of pre-modern mining on river landscapes – Vils River Case Studies

During the fifteenth century, East Bavaria was one of the leading mining regions of Europe (Fettweis, 2004, p. 141) and produced about 9,000 tons of iron per year (Lutz, 1941). Mines near the historic towns of Amberg and Sulzbach delivered ore to more than 200 ironworks which were distributed all over East Bavaria. The Vils River developed into the lifeline of this historic iron industry and in the river valley itself twenty-four ironworks were situated along the short 87 km river course (Götschmann, 1985). Mining of ores and the production of iron in this area had direct and indirect consequences for the environment of a more or less enduring character.

From 2001 to 2005 research was carried out within the scope of the DFG-funded Junior Research Training Group 462, "Paleoecosystem Research and History" (*DFG-Graduiertenkolleg 462 "Paläoökosystemforschung und Geschichte"*) to investigate the causal connection of mining and landscape change (Raab and Hürkamp, 2008). To detect mining-caused or mining-induced changes to river landscapes, interdisciplinary methods and techniques were applied, for example the chemical and mineralogical analysis of soils and sediments by field and laboratory methods, the identification and classification of landforms by terrestrial surveying, or the analysis of historical maps by Geographical Information System (GIS). The main environmental impacts which were revealed by these Vils River Case Studies (Raab, 2005; Richard, 2005; Beckmann, 2006; Hürkamp, 2006) provide an idealized view of the legacies of early human land-use found in Central European river landscapes (Figure 6). As a synthesis some of the main results are summarized below.

Due to the mining background and in order to supply hydropower for the ironworks, the river morphology was modified by constructing weirs and side channels. To reconstruct the historical river course, Richard (2005) used a combined approach

comprising archival cartography, geomorphological, stratigraphical and sedimentological studies and GIS analysis. By comparison of historical maps from the sixteenth to nineteenth centuries with modern maps and aerial photographs, for the larger parts of the Vils River valley, no artificial course corrections or meander cut-offs were found until the seventeenth century. The stratigraphic investigation of seven river cross-sections, including absolute age determination (radio-carbon dating, luminescence dating) of organic and mineral material as well as the dendrochronological age determination of a oak trunk incorporated in the floodplain sediments, showed that with the onset of the mining activities in the eleventh century the river course was stabilized. Later, the intensification of the mining industry during the fifteenth century corresponded with a changing character of river sedimentation from a sand facies to a loam facies, indicating a tremendous input of eroded soil material.

The ironworks of the region had a great demand for energy and ores. To supply the smelters, charcoal and ores had to be transported from the charcoal pile sites and the mines located on the plateaux and slopes to the ironworks along the river valley floor (Figure 6). The transport of the materials on unpaved paths on the valley slopes initiated linear soil erosion and therewith hollow-ways were formed (see also Figure 4). Once the topsoils were eroded, the shallow paths incised deeper into the subsoils and the underlying substrata by the concentration of surface runoff along these lines. These erosion processes resulted in gullies up to 5 m in depth (Raab and Völkel, 2005). At the footslope, the eroded material accumulated as colluvial sediments and formed alluvial fans. Further transported material reached the Vils River and was redeposited on the floodplain during flood events. Sedimentological analyses of river and colluvial sediments which were carried out along valley cross-sections and across colluvial fans proved that soil sediments eroded from the gullies overlaid alluvial sediments of the Vils River (Raab et al., 2005). In addition, the formation

of colluvial fans on the floodplain had consequences for the river, redirecting the river course and narrowing the former floodplain. These results coincide with Richard's (2005) finding of increased floodplain sedimentation during the zenith of ironwork activity at the Vils River and therefore show the causal connection of mining-related slope processes with the evolution of river floodplains.

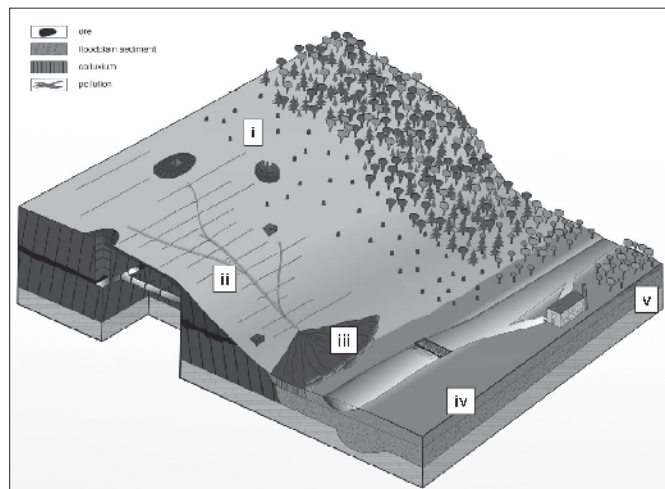


Fig. 6: A synthesis of mining-induced landscape changes according to results from the Vils River Case Studies, East Bavaria, Germany: (i) clearing for charcoal production, (ii) initiation of soil erosion on the slopes, (iii) deposition of eroded soil material on the footslope forming a colluvial fan, (iv) deposition of flood loams on the floodplain, (v) contamination of alluvial soils by emissions from the ironworks.

On the upper reaches of the Vils River, lead mining from the fifteenth to mid-twentieth centuries left behind heavy metal contaminations in the alluvial soils of more than 20,000 mg/kg. This is around twenty times higher than legal thresholds (Hürkamp, 2006). The lead distribution on the floodplain has a strong correlation with the location along the river of former processing sites hence the causal connection between historical mining activity and present lead contamination (Hürkamp et al., 2009). Historical mining landscapes are not only characterized by the visible relicts of former human activities, such as

landforms of soil erosion (e.g. gullies) and soil accumulation (e.g. alluvial fans, flood loams) but may also contain “hidden legacies” in the form of metal contamination (Figure 6).

Conclusion

The existing river landscapes in Central Europe are the result of long-term development comprising both natural processes and anthropogenic impacts. Significantly, during the Holocene Epoch, under the influence of increasing human activities and pressures, the landscape changed from a natural towards a cultural landscape. Herewith, a main driving factor causing various changes on the river landscapes was pre-modern mining. During the Middle Ages, large areas were completely devastated by mining and related activities. Relicts of prehistoric and historic mining are numerous and are still components of the modern landscape. For sustainable land use, as well as for the management of cultural landscapes, there is a need to acquire more knowledge of the floodplain histories seen in mining regions.

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