

Forever Young

Celebrating 50 Years of the World Heritage Convention



edited by

Elisa Baroncini, Bert Demarsin, Ana Gemma López Martín,
Raquel Regueiro Dubra, Ruxandra-Iulia Stoica

with the collaboration of Manuel Ganarin and Alessandra Quarta

Volume I

6

Un'anima per il diritto: andare più in alto

Collana diretta da Geraldina Boni



Mucchi Editore

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L'orizzonte meramente tecnicistico su cui ogni tipo di riflessione sembra oggi rischiare di appiattirsi non solo non cancella quegli interrogativi fondamentali che si confermano ineludibili per ciascuna disciplina in cui si ramifica il pensiero giuridico: ma li rivela, anzi, in tutta la loro impellenza. È dunque a tale necessità che facciamo riferimento nel cogliere e sottolineare il bisogno che si avverte di 'un'anima per il diritto', ispirandoci in modo particolare a quegli ammonimenti che Aleksandr Solženicyĭn rivolgeva a studiosi e accademici dell'Università di Harvard nel 1978 e che, a distanza di decenni, mantengono intatta la loro validità. Muovendo dalla domanda «se mi chiedessero: vorrebbe proporre al suo paese, quale modello, l'Occidente così com'è oggi?, dovrei rispondere con franchezza: no, non potrei raccomandare la vostra società come ideale per la trasformazione della nostra. Data la ricchezza di crescita spirituale che in questo secolo il nostro paese ha acquistato nella sofferenza, il sistema occidentale, nel suo attuale stato di esaurimento spirituale, non presenta per noi alcuna attrattiva» – dichiarazione che si riempie di significato alla luce della vicenda personale, tanto dolorosa quanto nota, di colui che l'ha pronunciata –, l'intellettuale russo individuava infatti con profetica lucidità i sintomi e le cause di tale declino. In questo senso, ad interpellarci in modo precipuo in quanto giuristi è soprattutto l'osservazione secondo cui «in conformità ai propri obiettivi la società occidentale ha scelto la forma d'esistenza che le era più comoda e che io definirei giuridica: una 'forma d'esistenza' che tuttavia è stata assunta come fondamento esclusivo e per ciò stesso privata dell'anelito a una dimensione superiore capace di giustificarla. Con l'inevitabile, correlata conseguenza che «l'autolimitazione liberamente accettata è una cosa che non si vede quasi mai: tutti praticano per contro l'autoespansione, condotta fino all'estrema capienza delle leggi, fino a che le cornici giuridiche cominciano a scricchiolare». Sono queste le premesse da cui scaturisce quel complesso di valutazioni che trova la sua sintesi più efficace nella seguente affermazione, dalla quale intendiamo a nostra volta prendere idealmente le mosse: «No, la società non può restare in un abisso senza leggi come da noi, ma è anche derisoria la proposta di collocarsi, come qui da voi, sulla superficie tirata a specchio di un giuridismo senz'anima». Se è tale monito a costituire il principio ispiratore della presente collana di studi, quest'ultima trova nella stessa fonte anche la stella polare da seguire per cercare risposte. Essa, rinvenibile in tutti i passaggi più pregnanti del discorso, si scolpisce icasticamente nell'esortazione – che facciamo nostra – con cui si chiude: «E nessuno, sulla Terra, ha altra via d'uscita che questa: andare più in alto».

* La traduzione italiana citata è tratta da ALEKSANDR SOLŽENICYN, *Discorso alla Harvard University, Cambridge (MA) 8 giugno 1978*, in Id., *Il respiro della coscienza. Saggi e interventi sulla vera libertà 1967-1974. Con il discorso all'Università di Harvard del 1978*, a cura di SERGIO RAPETTI, Jaca Book, Milano, 2015, pp. 219-236.

Un'anima per il diritto: andare più in alto

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Section I

From Cultural Property
to World Heritage

NIKOLIA-SOTIRIA KARTALOU

TRACING INTANGIBLE CULTURAL HERITAGE*

Abstract: This paper presents an overview of the institutionalised discourse on ‘cultural heritage’ with emphasis on the recognition of intangible cultural heritage. The presentation has two parts: (i) The first part presents a timeline on shifts of definitions and of actions suggested towards safeguarding world heritage. With a view to trace the aggregation of what we could nowadays call ‘established heritage’, this part examines precise moments from the mid-twentieth century onwards which expanded the notion of monument to urban areas and towards – what is now known as – intangible cultural heritage; (ii) The second part examines the two typologies of heritage – tangible and intangible – through the prism of their definitions given by UNESCO in 1972 and 2003 respectively and identifies the aspects that differentiate process and outcome in heritage discourse.

*Introduction*¹

This paper examines how the institutionalised notion of cultural heritage has gradually matured since twentieth century onwards: from architectural to urban, from local to global and from tangible to intangible. First, the paper traces the aggregation of the ‘established heritage’ through a review of the institutional charters that shaped its universal meaning, with the intention to examine how the understanding of cultural heritage has gradually changed from the appreciation of ‘monument’ towards the recognition of ‘living traditions’. The narrative follows a chronological sequence of selected institutional charters and declarations, by seeking how heritage has been appreciated in relation to its etymological meaning – that

* Double-blind peer reviewed content.

¹ This paper is a revised version of ‘Chapter I: The problem of spectacle-heritage’ of my PhD thesis. N.S. KARTALOU, *Dissolving [in]tangible cultural heritage: Exploring material performative endurance in a locus of temporal transition*, PhD diss., University of Edinburgh, Edinburgh, 2019.

of transmission. This historical overview is used to prove that stewardship still considers the performative dimension of heritage at a theoretical level. Yet, the focus on form and matter overshadows the flux of cultural manifestations in practice. The intentionality of this order lies in the fact that we have not only gradually inherited the material and immaterial creative outcomes of the past, but we have also inherited an understanding of cultural heritage as a legacy accompanied with the responsibility of preservation – a ‘social-heritage’². The second part of this paper examines the official definitions provided by UNESCO for both tangible and intangible heritage from a critical heritage lens, with a view to identify the aspects that differentiate ‘process’ and ‘outcome’ in heritage discourse. The key issue that this paper aims to highlight is that, although both categories are examined separately (tangible and intangible), their *in-between* state is yet to be discussed and acknowledged.

The problem of ‘spectacle-heritage’

The admiration of cultural heritage is related to living traditions that survived from one generation to another; to expressions of creative practices that continue to live in the present through tangible or intangible attributes; and to accomplishments that became paradigms for the present and the future development of cultural manifestations. Although conservation practices demonstrate an engrossed attention in the preservation of tangible fabric, there has been recently an accelerating interest towards the inclusion of the safeguarding of living traditions. Its roots can be traced back to the French and Industrial Revolutions, which have played a pivotal role

² I use the term ‘social-heritage’ to describe David C. Harvey’s notion of ‘heritageisation’. Harvey used the term to denote that the inherited duty of preserving does not derive from the commercialisation of heritage, but to an intrinsic attitude towards the admiration of the past; a long-lasting responsibility of preserving. D.C. HARVEY, *Heritage Pasts and Heritage Presents: Temporality, Meaning and the Scope of Heritage Studies*, in *International Journal of Heritage Studies*, 7, 2001, 4, p. 320.

in the foundation of a gradually accelerating propagation towards the safeguarding of the tangible remnants of the past. While the former has brought a nationalistic attitude strongly related to the acceleration of history (France), the latter contributed to an intentional decline of modernity (Britain)³. These positions were instrumental in the genesis of the conservation movement by «exploiting monuments as agents of stabilisation»⁴. The crescendo of the movement can be detected during the Second World War with Italy's and Germany's imposing grandeur for cultural supremacy, reaching its peak in the post-war period when the consequences of adversaries' bombardments have provoked the need for nations to construe their homogeneous identities. Architectural heritage thus became monumental and essential for remembering, either through the restoration of damaged tissue, or through the replacement of perished fabric.

Following the traces that nationalism engraved, the post-war era facilitated a commercialised greed of architectural and urban capitalism. The institutionalisation of cultural heritage has augmented the assumed obligation of nations to preserve their past, with an exclusive focus on the material: what is officially known nowadays as tangible cultural heritage. Until the turn of the twenty-first century, the so-called 'Western' discourse had equated cultural heritage with only the visible and tangible past, failing to include other dimensions of cultural manifestations. With the recognition of intangible heritage in 2003, the monolithic conception of heritage has been partially dissolved, although the separation of categories has generated a distinction between a living practice and a final outcome.

The establishment of the tangible as a dominant attribute of cultural heritage, which conquered past centuries, instigated several issues. Among the problems arising was that of 'spectacle-heritage': a commercialised architectural heritage of display⁵. Within this or-

³ M. GLENDINNING, *The Conservation Movement a History of Architectural Preservation: Antiquity to Modernity*, Routledge, Abingdon, 2013, pp. 66-67.

⁴ *Ivi*, p. 67.

⁵ This phenomenon is also known as 'heritagisation'; a term coined by Kevin Walsh to denote the degradation of real places with functional attributes to objects

bit, the favoured tangible has become more sacred, providing a false impression that its constant preservation is sufficient for safeguarding heritage⁶. As a result tangible cultural heritage has been overestimated, since it acquired more years of officially acknowledged presence, whereas intangible cultural heritage is yet to receive similar attention. Crucially, the effects of stewardship are evident in both recognised typologies of heritage, leading to a fixity of understandings and to an inherited belief of a preserving-duty. The escalation of policy making, at both local and global level, has contributed to a conformity of ideologies that framed what Laurajane Smith has named ‘authorized heritage discourse’⁷; a paradigm of notions, actions and (generalised) understandings of what is heritage. But what exactly does heritage mean?

The lacuna in heritage conformity

Heritage derives from the verb inherit, which is defined according to the *Oxford English Dictionary* as «to make heir, put in possession»⁸. The definition of the term does not assign a value to the inherited attribute, as the words ‘legacy’ or ‘patrimony’ do, but it is rather closer to the notion of transmission.

- «1. a. That which has been or may be inherited; any property, and esp. land, which devolves by right of inheritance.
 - b. Land and similar property which devolves by law upon the heir and not on executors or administrators; heritable estate, realty.
 - c. The ‘portion’ allotted to or reserved for any one; e.g. that of the righteous or the wicked in the world to come.
2. The fact of inheriting; inheritance, hereditary succession.

of display. K. WALSH, *The Representation of the past: Museums and Heritage in the Post-modern World*, Routledge, London, 1992, p. 4.

⁶ D. LOWENTHAL, *The past is a Foreign Country*, Cambridge University Press, Cambridge, 1985, p. 384.

⁷ L. SMITH, *Uses of Heritage*, Routledge, London-New York, 2006, p. 29.

⁸ Inherit 1.a., *OED, Online*.

3. a. Anything given or received to be a proper and legally held possession.
- b. The people chosen by God as his peculiar possession; the ancient Israelites; the Church of God.
4. That which comes from the circumstances of birth; an inherited lot or portion; *the condition or state transmitted from ancestors* (emphasis added).
5. Heirs collectively; lineage⁹.

The first remark that we can make from the definition is that the word ‘heritage’ refers to something that is legally transmitted from someone to another. The transmitted attribute is not necessarily material neither valuable. In addition, the word is neutral¹⁰, in the sense that it does not imply an authentic or integral inherited attribute, and it clearly does not insinuate an obligation for the latter’s preservation. When the term culture is conjoined with heritage, it is understood that the transmitted attribute is related to «distinctive ideas, customs, social behaviour, products, or way of life of a particular nation, society, people, or period»¹¹. These are the cultural manifestations of societies, which are creative expressions with either (i) visible and material movable or immovable outcomes – such as buildings, paintings, statues, or other artefacts – or (ii) immaterial sensory attributes – such as language, music and dance or other performing rituals. In this form, heritage moves from individual to collective, addressing not only a person or a small group of people – such as a family – but also a community and by extension society. Therefore, the term cultural heritage encompasses both human practices and their associated products by generating a temporal continuum from one generation to another. In the case of architectural heritage – which lies within the category of immovable tangible outcomes of creative expressions – the buildings are the main representatives of

⁹ Heritage, *OED, Online*.

¹⁰ It does not have a gender sign, in opposition to patrimony (*patri* – father). «Forming words with the sense “of or relating to social organisation defined by male dominance or relationship through the male line”», *patri-*, *OED, Online*.

¹¹ Culture, 6.a., *OED, Online*.

the transmitted attributes. They *may* be transmitted from one generation to another and they *may* also be preserved in time.

In order to scrutinise the meaning beyond the visible and the recognised material character of architectural heritage, the first part of this paper will attempt to read the shift from tangible to intangible heritage beyond the normative and, perhaps, obvious explanation. Borrowing a semiotic method from the field of linguistics, tangible cultural heritage is examined as a sign with its material character understood as the ‘signifier’ (sound-image), whereas its immaterial dimension in relation to the notion of transmission is perceived as the ‘signified’ (concept)¹². By considering tangible heritage as a sign, we can recognise mentally its sensory effect through the visible and material, commonly described as tangible. This tangible cognitive experience of heritage plays the role of the ‘signifier’. On the other hand, the ‘signified’ – that is, the concept, or the ‘association’ in Ferdinand de Saussure’s words – can be related to the concealed understanding of the notion of tangible heritage that is associated with the latter’s meaning as well as its significance and creative practice, or else, the process of transmission of cultural manifestations.

Interlude

Seventeen years ago, David C. Harvey examined ‘social-heritage’¹³ as an intrinsic condition transmitted from ancient times, and

¹² Ferdinand de Saussure (1857-1913), a French linguist and the co-founder of semiotics alongside Charles Sanders Peirce (1839-1914), explained the concept of linguistic signs as an entity which has both a sound-image and also a concept. The sound-image for Saussure, that is described by the name of each word, is the «psychological imprint of the sound, the impression that it makes on our senses». The concept is the «association ... which is generally more abstract» related to the sound-image. F. DE SAUSSURE, *Course in General Linguistics*, edited by C. BALLY, A. SECHEHAYE, translated by W. BASKIN, Philosophical Library, New York, 1959, p. 66.

¹³ David C. Harvey used the term *heritageisation* to describe the temporality of heritage as a social process rather as a result of the contemporary heritage industry. D.C. HARVEY, *Heritage Pasts and Heritage Presents...*, cit., p. 320.

was critical about scholars who selectively analyse and define heritage as an intensified phenomenon manifested during the nineteenth century. This section does not intend to provide any opposition to D.C. Harvey's argument, since the inherited obligation for preservation is indeed present from antiquity and is well documented in several books that enquire into the history of architectural conservation¹⁴.

Nevertheless, the period after the French and Industrial Revolutions furnished the genesis of the conservation movement (especially in Europe) with the former becoming instrumental in a more systematic and material-centric approach towards the preservation and management of cultural heritage. That is to say, although 'social-heritage' can be detected prior to the industrial boom in Europe, as D.C. Harvey argues, the theories developed from nineteenth century onwards became (perhaps unintentionally) the cornerstones of the current solidified definitions and understandings of cultural heritage. The theoretical considerations of practitioners and scholars of the nineteenth and twentieth centuries¹⁵ contributed significantly to the discourse between restoration and conservation within the European continent. Their definitions, theories and practices led to a better appreciation, evaluation and management of the evidence of the tangible past¹⁶. They provided solid foundations to an extended discourse of architectural conservation during the twentieth century, influencing also international instruments

¹⁴ See for example F. CHOAY, *L'Allégorie du Patrimoine*, Seuil, Paris, 2007²; M. GLENDINNING, *The Conservation Movement...*, cit.; J. JOKILETHO, *A History of Architectural Conservation*, Routledge, Oxon, New York, 2018².

¹⁵ Among them are several figures, such as Eugène Emmanuel Viollet-le-Duc (1814-1879), John Ruskin (1819-1900), William Morris (1834-1896), Camillo Boito (1836-1914), Camillo Sitte (1843-1903), Alois Riegl (1857-1905), Patrick Geddes (1854-1932), Gustavo Giovannoni (1873-1947) and Cesare Brandi (1906-1988).

¹⁶ For example, Camillo Boito's insistence on the preservation of original forms was pivotal for the international discourse on conservation, and his intellectual influence is evident in both the Athens Charter (1931) and the Venice Charter (1964).

for the management and preservation of cultural heritage. Their ideas were followed by the writings of contemporary academics¹⁷ whose theoretical critiques and intellectual involvement shaped the institutionalisation of cultural heritage¹⁸. The latter has been defined by UNESCO as «the legacy of physical artefacts and intangible attributes of a group or society that are inherited from past generations, maintained in the present and bestowed for the benefit of future generations»¹⁹.

The following section traces the aggregation of what we could nowadays call established heritage²⁰, by examining precise moments from the twentieth century onwards which expanded the notion of monument to urban areas towards, what is now known as, intangible cultural heritage. Particular emphasis is given to international charters since the beginning of twentieth century²¹. International charters serve as tools for a unified understanding of cultural heritage – such as urban environments and communities – and they provide professional recommendations towards conservation, sustainability and management of heritage – such as techniques, tools, methods, materials, et cetera. The discourse on architectural conservation is by no means limited to them. However, they cannot be

¹⁷ Among them Jukka Jokilehto, Knut Einar Larsen, Raymond Lemaire (1921-1997), David Lowenthal (1923-2018), Paul Philippot (1925-2016), and Herb Stovel (1948-2012).

¹⁸ See for example the discussion on ‘authenticity’ before the release of the Nara Document in 1994: *Conference on Authenticity in Relation to the World Heritage Convention: Preparatory Workshop*, edited by K.E. LARSEN, N. MARSTEIN, Tapir Publishers, Bergen, 1994; *Nara Conference on Authenticity in Relation to the World Heritage Convention*, edited by K.E. LARSEN, J. JOKILEHTO, UNESCO World Heritage Centre, Paris, 1995.

¹⁹ *Tangible Cultural Heritage*, UNESCO, accessed September 14, 2018, www.unesco.org/new/en/cairo/culture/tangible-cultural-heritage/.

²⁰ Rodney Harrison calls it ‘official heritage’. See R. HARRISON, *Heritage: Critical Approaches*, Routledge, Milton Park, Abingdon, New York, 2013, pp. 14-15.

²¹ The term *charter* is used in this paper to encapsulate within its meaning the outcomes of various international instruments, such as charters, declarations, conventions and reports on cultural heritage from resolution meetings of intergovernmental scientific organisations and congresses – such as UNESCO, CE, ICOMOS, ICCROM and UN.

excluded from the discussion since they reflect shifts of definitions and of actions suggested towards the safeguarding of the world's heritage, and they are, if not the main, significant players responsible for contemporary 'social-heritage'. The aim here is to provide a chronological overview of the evolution of heritage-understanding beyond its tangible manifestation.

Heritage consensus

Although the cornerstone of the international conservation movement was undeniably the Venice Charter in 1964 (investigated later in this paper), the roots of the intercontinental stewardship of cultural heritage can be traced back to the interwar period with the foundation of the International Committee on Intellectual Cooperation (ICIC, 1922-1946), the predecessor of UNESCO (founded in 1946)²². Since then, the concept of conservation has been addressed in various international charters, by incorporating individual artefacts, urban and natural sites, traditions and rituals with the main aim being the systematic safeguarding of the world's heritage.

During the interwar period, and in particular in the 1930s, two documents that were produced concurrently unveiled the antithesis in the perception of the historic environment. Firstly, the Athens Charter (*Charte d'Athènes*) published in 1943 by Le Corbusier, was a doctrine based on the meeting of Congrès International d'Architecture Moderne (CIAM) in 1933 en route from Marseille to Athens. The charter followed the modernist ideas on urban planning, and had a special section on the 'Historic Heritage of the Cities'²³. Six main points were raised in relation to historic fabric:

²² The ICIC and the IMO, were both founded by the League of Nations as a step forward to promote peace and international dialogue between scientific, artistic and scholar communities.

²³ LE CORBUSIER, International Congresses for Modern Architecture, *The Athens Charter*, Grossman Publishers, New York, 1973, p. 86.

«Architectural assets must be protected, whether found in isolated buildings or in urban aggregations...
They will be protected if they are the expression of a former culture and if they respond to a universal interest...
and if their preservation does not entail the sacrifice of keeping people in unhealthy conditions...
and if it is possible to remedy their detrimental presence by means of radical measures, such as detouring vital elements of the traffic system or even displacing centers hitherto regarded as immutable...
The destruction of the slums around historic monuments will provide an opportunity to create verdant areas...
The practice of using styles of the past on aesthetic pretexts for new structures erected in historic areas has harmful consequences. Neither the continuation of such practices nor the introduction of such initiatives will be tolerated in any form»²⁴.

The issues raised in the Athens Charter (1933), addressed an architectural and urban continuity to historic cities with respect to progress (architectural production for serving human needs), originality (as opposed to the production of facsimiles) and appreciation of cultural manifestations (recognition and respect for the past). The charter, although radical in relation to a consistent and systematic form-centred preservation of the urban tissue, introduced a reality of coexistence of the past with the future. It addressed heritage as an innate process of creation without focusing exclusively on the visual, but rather on the functional aspects of architecture.

Secondly, two years prior to the CIAM's resolutions, another meeting took place in Athens. It was the First International Congress of Architects and Technicians of Historic Monuments in 1931, organised by the International Museums Office (IMO). The meeting gave birth to the Athens Charter, also known as *Carta del Restauro*, which can be considered as the manifesto of the international conservation movement. The congress's resolutions were described under seven main categories, with the aim to raise na-

²⁴ *Ivi*, pp. 86-88.

tional and international awareness for the protection of works of art, monuments, historic and archaeological sites, through modern techniques and materials for the restoration of built fabric. Although very general in terms of definitions, practices and methods, the charter served as a catalyst for the articulation of a cosmopolitan urge to preserve tangible cultural expressions.

Focusing on the historical and aesthetic character of monuments and works of art, lacking definitions and specifications on the categories of artefacts, the Athens Charter (1931) introduced general principles for the restoration of monuments, concerning exclusively the tangible and visible heritage. An interesting section of the charter was the recommendation apropos the occupation of buildings which can be understood as a first indication towards the intangible character of heritage²⁵. This suggestion asserted a continuity to the functional aspect of tangible heritage, signifying the transmission of form and matter alongside the purpose of creation. Nevertheless, it was proposed that the occupation of the structures should respect the original function. The risk of a profane usage in respect to the artistic character had to be eliminated so as not to disturb the artistic character and the visual appearance of the structure; an issue that limits the variability of material endurance, and, in a way, eradicates the dimension of intangible carried within this recommendation.

Institutionalisation of cultural heritage

During the post-war period, the Venice Charter of 1964, was the result of the second International Congress of Architects and Technicians of Historic Monuments, adopted also as the first document of ICOMOS at its foundation in 1965. The Venice Charter is, according to many scholars, the basis of all succeeding inter-

²⁵ «The conference recommends that the occupation of buildings, which ensures the continuity of their life, should be maintained but that they should be used for a purpose which respects their historic or artistic character». *The Athens Charter for the Restoration of Historic Monuments*, 1931.

national doctrines, since it can be considered as a more comprehensive and detailed *Carta del Restauero*. The document provided a more comprehensive definition of the monument, relating it for the first time to the urban or rural setting in which it is found²⁶. Although the intangible was neither included in the definitions nor in the conservation practice suggestions, it can be found as a non-articulated idea under the notions of ‘authenticity’, ‘human values’, and ‘cultural significance’²⁷; concepts that played a pivotal role in the articulation of intangible cultural heritage in the turn of the twenty-first century.

The Charter of Venice initiated the focus on the transmission of material evidence, and provided an interpretation for the significance of the general context that a monument carries within it – positing that it is not only the latter’s locality or adjacent built environment, but also the ethnological perspective in relation to urban areas that should be evaluated. Alongside the obvious duty of safeguarding the tangible, four notions that were brought forward from the Venice Charter – although not articulated in this way – were the most important aspects that have been addressed from all international instruments prior to the recognition of tangible and intangible cultural heritage: (i) the material evidence of the past; (ii) the notion of place; (iii) the social function of architectural heritage; and (iv) the urban or rural environments where cultural manifestations take place in relation to nature.

²⁶ «The concept of a historic monument embraces not only the single architectural work but also the urban or rural setting in which is found the evidence of a particular civilization, a significant development or a historic event. This applies not only to great works of art but also to more modest works of the past which have acquired *cultural significance* with the passing of time (emphasis added)». The Venice Charter, *International Charter for the Conservation and Restoration of Monuments and Sites*, Venice, 1964.

²⁷ «People are becoming more and more conscious of the unity of *human values* and regard ancient monuments as a common heritage. The common responsibility to safeguard them for future generations is recognized. It is our duty to hand them on in the full richness of their *authenticity* (emphasis added)» (*ibidem*).

The radical shift on the understanding of tangible cultural heritage, in terms of both definitions and measures, emerged from UNESCO's World Heritage Convention in 1972. The convention acted as a response to the world's threatened heritage, thus making a clear distinction between cultural and natural heritage. Henceforth cultural heritage was considered as the material outcome of creative manifestations, whereas natural heritage was understood as the habitat of animals and plants and the natural environment of unparalleled beauty²⁸. Apart from the recommendations that the convention brought forward for the safeguarding of the world's heritage, the chief characteristics worth mentioning, were the disintegration of the notion of monument²⁹ and the introduction of criteria for valuing heritage.

«For the purpose of this Convention, the following shall be considered as 'cultural heritage:'

monuments: architectural works, works of monumental sculpture and painting, elements or structures of an archaeological nature, inscriptions, cave dwellings and combinations of features, which are of outstanding universal value from the point of view of history, art or science;

groups of buildings: groups of separate or connected buildings which, because of their architecture, their homogeneity or their place in the landscape, are of outstanding universal value from the point of view of history, art or science;

sites: works of man or the combined works of nature and man, and areas including archaeological sites which are of outstanding universal value from the historical, aesthetic, ethnological or anthropological point of view»³⁰.

²⁸ This category of heritage which is of undeniable importance for natural habitats, is not included in the discourse of this paper. It is perhaps needless to say that there is no intention to underrate its significance. Rather, cultural heritage is intentionally brought forward by being the subject of examination of this paper.

²⁹ Until 1972, all valued immobile material attributes were encompassed under the term monuments.

³⁰ UNESCO, *Convention concerning the Protection of the World Cultural and Natural Heritage*, Paris, 1972, p. 2.

Although the terminology used for describing tangible heritage has become more explicit with the introduced categories of ‘monuments’, ‘sites’ and ‘groups of buildings’, the focus on form and matter has turned out to be more solid. Surprisingly, even nowadays when cultural heritage is officially acknowledged in both its tangible and intangible dimensions, the definition of cultural heritage remains the same. Cultural manifestations are officially appreciated through the tangible, and valued ‘from the point of view of history, science and art’. Only for the category of sites are the values determined from an ‘aesthetic’, ‘ethnological’ and ‘anthropological’ point of view, a fact that as Françoise Choay has also noted is quite unclear and peculiar³¹. Since then, the transmission of cultural manifestations has become quantifiable; valued through the visual characteristics – form and matter – of an individual artefact or a territory.

The convention «established a sense of shared belonging, a global solidarity»³². Yet, the influence of Western values was not only evident, but has also become officially universal. Soon enough, the World Heritage (WH) designation became a prestigious status symbol for countries, with an increased number of properties inscribed on the UNESCO WH list every year (approximately twenty attributes annually). Pivotal as it was for the unified understanding of the notion of heritage, the Convention of 1972 was also the epitome of the beginning of international stewardship and heritage of display³³. A phenomenon that contributes to a large extent to ‘spectacle-heritage’, since the relationship between the visual and the functional is already at risk.

Figure 1 illustrates the inscribed world heritage properties from all over the globe, as recorded by UNESCO in September 2014³⁴.

³¹ F. CHOAY, *The Invention of the Historic Monument*, Cambridge University Press, Cambridge, 2001, p. 221.

³² *Ivi*, p. 140.

³³ Consider for example, heritage tourism. Nowadays, a very important part of global tourism is directed through heritage, and in particular associated with the inscribed properties included in the UNESCO WH list.

³⁴ This illustration is entitled ‘What would you discover if you linked the dots? You can discover everything except the obvious’. It has been prepared for the



Figure 1: Map illustrating the 1,007 inscribed properties in UNESCO WH list (2014), including cultural, natural and mixed properties around the globe. © N. S. KARTALOU

The recommendations provided by these international instruments were not only restricted to properties that were in danger of natural dilapidation or of demolition due to urban developments that threatened their physical existence. Measures and suggestions have been also issued for the protection of monuments in the event of intentional destruction due to war. The 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict (UNESCO) was the first charter to address this issue, immediately after the end of the Second World War. In a similar logic, the Declaration of Dresden on the “Reconstruction of Monuments Destroyed by War” in 1982 by ICOMOS, stressed the necessity of bringing back the material evidence of the past that violently ceased to exist and thus was not able to be transmitted – at least visually and in a state of actuality. During a period of more

design competition ‘Authenticity: Global VS Local’ in relation to the XVIII General Assembly and ICOMOS Symposium November 2014 in Florence. In this image the dots are counted to 1,007; equivalent to the number of properties inscribed in UNESCO’s WH list as per September 2014 (when this illustration was created). The number of intangible cultural heritage attributes is eschewed from this drawing, since it is presumed that a living practice cannot be captured within geographical boundaries.

than sixty years, several issues concerning the management of tangible heritage have been stressed in various charters; among them are: the protection of archaeological remains and sites (1956, 1989, 1990, 1992, 2010); the safeguarding of the underwater cultural heritage (1996, 2001); the preventing of illicit export of movable cultural properties (1964, 1970); and the preservation of industrial heritage (1987, 1990, 2003, 2011).

This social element of architectural heritage has also appeared more prominently during the development of the established heritage movement. With the extrapolation of conservation approaches from architectural to urban areas, the ethnological perspective was evident in many charters addressing the contemporary role of historic areas³⁵. *The Resolutions of Bruges* in 1975 was among the first charters to stress the need for integrated conservation approaches for safeguarding the character of historic towns while respecting the social context, followed by the *Declaration of Amsterdam* the same year. *The Norms of Quito* of 1967, was another stone in the pyramid of stewardship, considering the ‘social function’ of buildings and sites. The useful contribution of the charter was the recognition of the ‘historic and artistic human imprint’ that makes a building worth to be considered as heritage, echoing, in this sense, Cesare Brandi’s theoretical examinations on the appreciation of the ‘work of art’ according to its historical significance representing testimony to human activity³⁶.

³⁵ See for example the Records of the General Conference, 19th session, Nairobi: UNESCO, Recommendation concerning the Safeguarding and Contemporary Role of Historic Areas, 1976.

³⁶ Cesare Brandi distinguished the products of human activity into two categories: (i) industrial products, which are those that serve as tools or instruments with a particular function – such as a craft item – and (ii) works of art, those artefacts that have a particular form and structure, as well as functional properties – such as architecture. According to Brandi, architecture should be considered as a work of art, since the appearance of a structure becomes the medium from which the image is manifested and transmitted to the future. See C. BRANDI, *Theory of Restoration I*, in *Historical and Philosophical Issues in the Conservation of Cultural Heritage*, edited by N. STANLEY-PRICE *et al.*, Getty Conservation Institute, Los Angeles, 1996, pp. 230-233.

The distinction of the different typologies of architectural heritage from UNESCO in 1972 has brought to light a new wave of management policies addressing urban areas. Intangible heritage, although not officially recognised during the 1980s, was evident in several charters which addressed architectural heritage from the perspective of the inhabitant; detected in phrases such as: «identify our cultural personality»³⁷, «values of traditional urban culture»³⁸, and the participation of community to the everyday living experience³⁹.

With the Istanbul Declaration on Human Settlements, published by UN in 1996, the social aspect of heritage moved higher up in the conservation agenda. The prime concern of the Habitat Agenda was the sustainability of human settlements, the universal solidarity, social equality, and cultural diversity. Although the agenda did not involve any heritage-safeguarding concerns, the declaration influenced consequent conservation charters towards a more user-friendly perspective on the management of architectural heritage and to a better quality of the living conditions in urban areas and historic settings.

One of the most influential contributions provided by ICOMOS in 1979 (revised in 2013) was the *Burra Charter*. The charter issued a more comprehensive understanding of the notion of place by encapsulating material and immaterial elements that contribute to the cultural significance of a territory. Instead of providing direct ways of dealing with the safeguarding of heritage (architectural or urban), the charter's scope was to suggest guidance for the conservation and management of heritage in places of cultural significance. The *Burra Charter* process included the following steps: (i) 'Understand Significance'; (ii) 'Develop Policy'; and (iii) 'Manage in Accordance with Policy'⁴⁰. The important thing that the charter introduced was a method for understanding a place's value according to its unique

³⁷ ICOMOS, *Charter for the Preservation of Quebec's Heritage (Deschambault Declaration)*, 1982.

³⁸ ICOMOS, *Charter for the Conservation of Historic Towns and Urban Areas (Washington Charter)*, 1987.

³⁹ ICOMOS, *Petropolis Charter*, 1987.

⁴⁰ *Ibidem*.

characteristics – i.e. history, use, associations and fabric⁴¹ – rather than a recipe for policies that should be applied to every place.

But while the Burra Charter seemed to encompass the social context of a historic settlement, by acknowledging human creativity in relation to the transformation of the environment (i.e. ‘adaptation’), the definition given for the term ‘place’ contradicted this logic: «*Place* means a geographically defined area. It may include elements, objects, spaces and views. Place *may* have tangible and intangible dimensions (emphasis added)»⁴². But a ‘place’ always has tangible and intangible dimensions if we consider that the intangible is entangled with tradition, which is in a constant negotiation with the making of cultural heritage.

The immaterial character of heritage thus became prominent in several charters, which stressed the need to understand the historic sites and cities as ‘urban ecosystems’⁴³. But more importantly, the international instruments started taking into consideration the «[s] *pirit of place* [which] is defined as the *tangible* (buildings, sites, landscapes, routes, objects) and the *intangible* elements (memories, narratives, written documents, rituals, festivals, traditional knowledge, values, textures, colors, odors, et cetera), that is to say the *physical* and the *spiritual* elements that give *meaning, value, emotion* and *mystery to the place* (emphasis added)»⁴⁴. The *Québec Declaration* of 2008, suggested that the value of tangible heritage should not only be measured according to historic or aesthetic criteria. Rather, a place, where matter is manifested, is assigned with cultural significance because it contains an amalgamation of meanings that give value to its overall existence beyond its fixed form.

⁴¹ Definitions were provided for each notion in Article 1 of the charter. See ICOMOS, *The Burra Charter, The Australia ICOMOS Charter for Places of Cultural Significance*, 2013.

⁴² Paradoxically in the explanatory notes, the intangible is present under the phrase «a site with spiritual or religious connections»: Article 1, Definitions: 1.1, *The Burra Charter*, 2013, 2.

⁴³ ICOMOS, *The Valletta Principles for the Safeguarding and Management of Historic Cities, Towns and Urban Areas*, 2010.

⁴⁴ ICOMOS, *Québec Declaration on the Preservation of the Spirit of Place*, 2008.



Figure 2: Timeline of charters produced by UNESCO, ICOMOS and the council of EUROPE. © N. S. KARTALOU

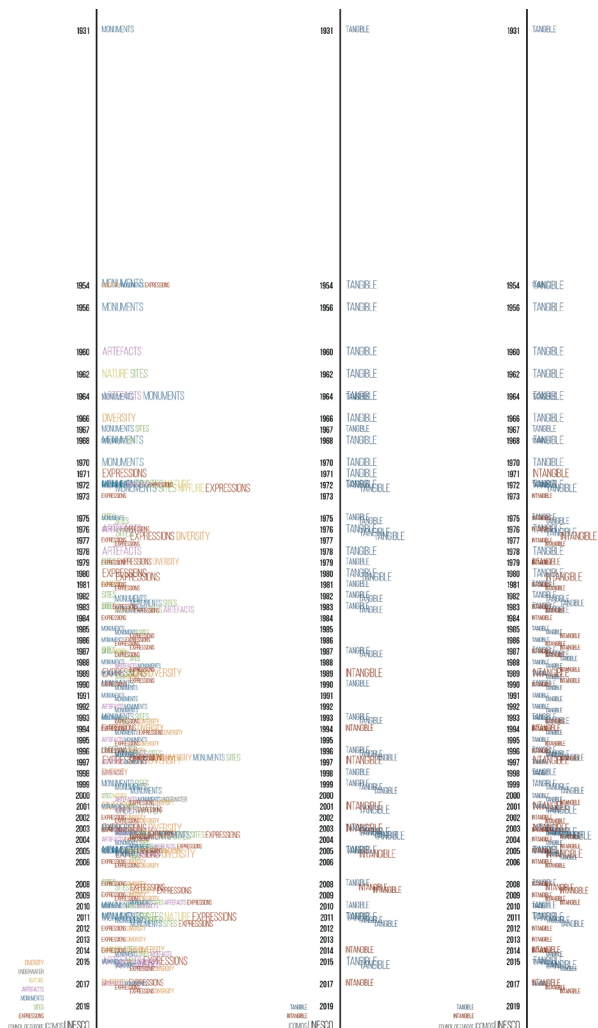


Figure 3: Timeline illustrating from left to right: (i) - categories of heritage considered in each charter; (ii) - outcome of each charter in relation to tangible and intangible heritage; and (iii) - interpretation of the concealed notion of intangible when only tangible heritage was considered in the recommendations. © N. S. KARTALOU

At the turn of the twenty-first century, the intensification of international policy-making has reached a point where every scale of tangible heritage with assigned value may be under consideration for protection. Due to the dominant Western influence on material evidence of the past, cultural diversity was overshadowed by the significance of the solid tangible. As a response to the fixity established by the provision of unified criteria for valuing the world's physical heritage, the *Nara Document on Authenticity* in 1994, instituted the notion of 'authenticity' as a measure for valuing the tangible according to the cultural context of each society. The *Nara Document* provided a revisionist approach to the monolithic notion of tangible heritage by illustrating that cultural significance is not fixed within an eternal presence of physical artefacts as 'Western convention' dictates, but it can also be found in the traditional ways that each culture controls the existence of matter⁴⁵.

The notion of tradition was further explored during the preparations for the official recognition of intangible heritage. The *Folklore Recommendations* issued by UNESCO in 1989 was the first step towards understanding the immaterial character of heritage which is associated with a living tradition related to identity, rituals and oral values, liberated from matter and form. Yet, as the next section of this paper will show, the distinction between the tangible and intangible did not contribute to the dissolution of the material character of heritage. Rather, it served as another recommendation for the safeguarding of cultural transmissions, this time even more dangerous since it aimed to manage an *a priori* characteristic of heritage that indicates process and creativity.

The interesting development within the internationalisation of cultural heritage, as an extended part of the conservation movement, is that it is not limited to physical entities – i.e. monuments. The acknowledgment of heritage through other means of expressions, or

⁴⁵ An example is the famous case of Japan's shrines. Every twenty years, the temples are demolished and facsimiles are rebuilt from scratch, in order to provide shelter for the new spirit that comes to occupy the temple - i.e. re-creation of matter.

through other factors that contribute to the transformation of the historic fabric that expand to territories, significantly shaped the understanding of what can be equally valued. The problem, however, is that the radical escalation of heritage attributes – especially of the tangible – has been multiplied and it will soon become the majority, in contrast to the non-acknowledged fabric, that is, if designation tendencies carry on in the same way. As a result, cultural heritage, seen only through the lens of stewardship, jeopardises the meaning of value since almost everything is valuable within this persistent conservation scheme. Moreover, and most importantly, it exposes the notion of transmission by delineating the intrinsic variability or transformability of cultural manifestations which are expressed through tangible or intangible means. The gradual establishment of the notion of preservation has become a systematic international movement that nourishes ‘social-heritage’ (inherited obligation to preserve) and has contributed significantly to the phenomenon of ‘spectacle-heritage’ (osified heritage of display). Or, as Rem Koolhaas has remarked sarcastically, «the scale of preservation escalates relentlessly to include entire landscapes, and there is now even a campaign to preserve part of the moon as our most important site»,⁴⁶⁻⁴⁷.

Figure 2 illustrates a timeline of charters produced by UNESCO (red colour letters in bigger scale), ICOMOS (green colour in medium scale) and the Council of Europe (blue colour in small scale). This illustration shows the density of actions taken forward for managing cultural heritage. The superimposition of each charter’s title is intentional, in order to show the compactness of stewardship since 1931, considering Athens Charter as the starting point of this intensified conservation movement. It is followed by Figure 3, which decodes in three different timelines the content of the

⁴⁶ R. KOOLHAAS, *Preservation is Overtaking Us*, in *Future Anterior: Journal of Historic Preservation, History, Theory, and Criticism*, 1, 2004, 2, pp. 1-2.

⁴⁷ Surprisingly Koolhaas might be a prophet for his ironic statement, since a start has been made with China’s Moon mission and the sprout of the first seeds planted. *China’s Moon mission sees first seeds sprout*, in *BBC*, January 15, 2019, www.bbc.co.uk/news/world-asia-china-46873526.

charters illustrated in Figure 2. The image illustrates from left to right the same timeline depicting: (i) The characteristics of heritage that were considered in each charter, classified under the categories of ‘diversity’ (orange colour), ‘underwater’ (grey), ‘nature’ (yellow), ‘artefacts’ (purple), ‘monuments’ (blue), ‘sites’ (green), and ‘expressions’ (red); (ii) The charters that considered tangible (blue) or intangible (red) heritage in their recommendations; and (iii) An interpretation of those charters that considered the intangible character of heritage, even if not addressed it in their recommendations.

Intangible and tangible: Process and Outcome

This section examines the two typologies of heritage – tangible and intangible – under the prism of their definitions. The first part compares the two typologies by bringing forward the discrepancies between their definitions in relation to the dipole, ‘process’ and ‘outcome’. The intention of this comparison is to illustrate that tangible heritage is solidified not only through its preservation, but also through the ways that is processed. Compared with intangible heritage, which is appreciated through the process of making, tangible heritage is defined and valued through its fixed condition. What this section seeks to unveil is the *lacuna* of the intangible dimension of tangible heritage. The analysis of the given definitions of both typologies sets the ground to identify the problem of ‘social-heritage’ through the prism of stewardship, with the intergovernmental institutions being the main instruments that inform, control and guide they ways in which cultural heritage is acknowledged, preserved and managed.

The official document that recognises the existence and also the need for safeguarding the recent articulated character of cultural heritage is the one provided by UNESCO under the “Convention for the Safeguarding of the Intangible Cultural Heritage” in Paris in 2003. Until now, it is the only official document defining intangible cultural heritage as follows:

«1. The “intangible cultural heritage” means the practices, representations, expressions, knowledge, skills – as well as the instruments, objects, artefacts and cultural spaces associated therewith – that communities, groups and, in some cases, individuals recognize as part of their cultural heritage. This intangible cultural heritage, transmitted from generation to generation, is constantly recreated by communities and groups in response to their environment, their interaction with nature and their history, and provides them with a sense of identity and continuity, thus promoting respect for cultural diversity and human creativity. For the purposes of this Convention, consideration will be given solely to such intangible cultural heritage as is compatible with existing international human rights instruments, as well as with the requirements of mutual respect among communities, groups and individuals, and of sustainable development.

2. The “intangible cultural heritage”, as defined in paragraph 1 above, is manifested inter alia in the following domains:

- (a) oral traditions and expressions, including language as a vehicle of the intangible cultural heritage;
- (b) performing arts;
- (c) social practices, rituals and festive events;
- (d) knowledge and practices concerning nature and the universe;
- (e) traditional craftsmanship»⁴⁸.

If we pause for a moment and reflect on the definition of cultural heritage by UNESCO in 1972, we might be surprised by the contradictions that can be found within a period of thirty years between the two conventions. Surprisingly, the official definition of cultural heritage provided both by ICOMOS⁴⁹ and UNESCO⁵⁰, remains the same. It fails to include the intangible typology and de-

⁴⁸ UNESCO, *Convention for the safeguarding of the Intangible Cultural Heritage*, Paris, 2003, 2.

⁴⁹ See both ICOMOS definitions *Glossary*, ICOMOS, updated November 10, 2016, www.icomos.org/en/2016-11-10-13-53-13/icomos-and-the-world-heritage-convention-4#cultural_heritage; and J. JOKILEHTO, *Definition of Cultural Heritage: References to Documents in History*, ICOMOS, 1990, revised for CIF, 2005.

⁵⁰ See the most updated version the Operational Guidelines: UNESCO, *Operational Guidelines for the Implementation of the World Heritage Convention*, World Heritage Centre, Paris, 2021, 21, <http://whc.unesco.org/en/guidelines>.

defines heritage exclusively through the lens of material outcomes of cultural manifestations. The first aspect worth noticing from both definitions is the relationship between the 'process of creation' and the 'outcome of creation'. Tangible heritage is considered an attribute with assigned values. Its definition implies a static state of the categories of artefacts, without reference to the process of making. On the other hand, intangible heritage is conceptualised both as product and as traditional practice that generates various outcomes, either material or immaterial. In this sense, it does not provide an enriched conceptual ground more than the 'Recommendation on the Safeguarding of Traditional Culture and Folklore' already issued in 1989:

«Folklore (or traditional and popular culture) is the totality of tradition-based creations of a cultural community, expressed by a group or individuals and recognized as reflecting the expectations of a community in so far as they reflect its cultural and social identity; its standards and values are transmitted orally, by imitation or by other means. Its forms are, among others, language, literature, music, dance, games, mythology, rituals, customs, handicrafts, architecture and other arts»⁵¹.

Although the definitions issued by the WH Convention of 2003 can be traced back to the Folklore Recommendations of 1989, the meaning of intangible cultural heritage in a global context within twenty years has not (significantly) changed⁵². After nineteen years of its recognition, intangible cultural heritage is not yet separated from the outcome and the traditional making of the outcome. However, the latter conjecture does not imply any suggestion for their differentiation, since tradition is *a priori* intangible and is en-

⁵¹ UNESCO, *Recommendation on the safeguarding of traditional culture and folklore*, in *Resolution 7.1 adopted by the General Conference at its twenty-fifth session*, Paris, 1989, 239.

⁵² Emphasis is added here on the meaning and not on the ways of safeguarding it. For the differences between the two conventions/recommendations along see: B. KIRSHENBLATT-GIMBLETT, *Intangible Heritage as Metacultural Production 1*, in *Museum International*, 56, 2004, 1-2, pp. 52-65.

tirely interrelated with creative expressions. Rather, it appears to be paradoxically confusing when it comes to considering intangible cultural heritage with tangible outcomes. Conversely, it is inconceivable to think of tangible cultural heritage without its accompanying process of making. -

This quasi-differentiation throws the actual difference between the tangible and intangible dimension of cultural heritage into confusion. If we are to think of tangible as a category of heritage responding to material outcomes, we would have to consider their accompanied (creative) cultural expressions. That is, not only the process of making as understood from the intangible typology, but the process of altering as well as the process of regenerating material heritage. It is understandable that the endurance of tangible attributes is a result of a continuous transformation of their fabric as a necessary process of the transmission of cultural expressions in time, which, as this paper argues, is not necessarily reflected through a static outcome – for example a monument.

The most concrete example of this lack of consideration of the process of tangible cultural heritage (in urban scale) is the controversial case of the Dresden Elbe Valley in Germany, inscribed on the WH list in 2004 as a cultural site (the third category of the definition of cultural heritage)⁵³. The site was de-listed in 2009 due to the construction of a new bridge (*Waldschlößchenbrücke*), which, according to UNESCO, was posing a threat to its cultural setting⁵⁴. Although the debate on the de-listing stressed the threat of the ecosystem, it was more focused on the visual impact that the bridge brought to the cityscape, accompanied in the end by a failure of communications among the participatory authorities that led the de-listing of the site⁵⁵. As stated by UNESCO, «the term ‘cultural

⁵³ Cultural side in contrast to natural side, with the latter encompassing the rural environment.

⁵⁴ *Dresden is deleted from UNESCO's World Heritage List*, UNESCO, June 25, 2009. <https://whc.unesco.org/en/news/522/>.

⁵⁵ B. GAILLARD, D. RODWELL, *A Failure of Process? Comprehending the Issues Fostering Heritage Conflict in Dresden Elbe Valley and Liverpool - Maritime Mercan-*

landscape' embraces a diversity of manifestations of the interaction between humankind and its natural environment»⁵⁶. Therefore, the de-listing of the site because of the construction of a bridge, an interrelationship of humans and environments combining materials and techniques of the present time, is contrary to the given definition. This is perhaps a notable proof of lack of consideration of the relationship of 'process-and-outcome' for tangible cultural heritage in a world heritage context, influenced by the visual⁵⁷.

Yet, if we are to think of intangible cultural heritage as *a priori* non-tangible outcome – without matter but related to the senses – we would support that it is accompanied by (creative) cultural expressions. This association of process and outcome is already included and understood as intangible cultural heritage and there are numerous examples inscribed in the WH list: among them are folk music, traditional dance, language, narratives such as poems, oral stories, rituals and social practices manifest in immaterial form. All of them are practices survived and transmitted to following generations. However, the intangible cultural heritage also includes traditional expressions that compose tangible outcomes, such as craftsmanship, which on the one hand is recognised for its intangible character by indicating the way of 'making', but on the other hand, is manifested through material outcomes.

What is preserved corresponds to the traditional process of making, but the outcome can unquestionably be considered as tangible cultural heritage – which paradoxically is not appreciated as such. From the 631 elements inscribed to the intangible cultural heritage list, 101 traditional safeguarded practices concern the production of tangible outcomes. Among the latter, twelve of them are re-

tile City World Heritage Sites, in *Historic Environment: Policy and Practice*, 6, 2015, 6, 1, pp. 26-30.

⁵⁶ P.J. FOWLER, *Cultural Landscape*, in *World Heritage Cultural Landscapes 1992-2002*, UNESCO World Heritage Centre, Paris, 2003, p. 22.

⁵⁷ At the present time there are fifty-two properties included on UNESCO's list of WH in danger. List of World Heritage in Danger, <https://whc.unesco.org/en/danger/>.

lated to immovable artefacts – such as arch bridges or timber structures – while the remaining eighty-nine concern movable artefacts of smaller scale and in quantities of production – see for example the case of *Ala-kiyiz and Shyrdak, art of Kyrgyz traditional felt carpets*, inscribed in the WH list in 2012⁵⁸. That is to say, for the intangible typology of heritage, even when the outcome is material, the important aspect for safeguarding the transmission of cultural manifestations is related to the process of making; whereas for the tangible typology the interest lies with a finished form of the outcome, in a form as fixed and solid as possible (see definition of cultural heritage as proof). Nevertheless, tangible cultural heritage is measured under the criteria of authenticity and integrity, where these notions suggest – even sometimes in a contradictory manner – an intangible aspect of the process of valuing and appreciating material outcomes.

This paper does not aim to highlight discrepancies within UNESCO's definitions. However, there is a certain amount of weight on the UNESCO's proclamations for the protection of cultural heritage which, in various ways, affects local decisions for management plans and leads to conformity of ideologies. On top of everything they provide definitions which in turn develop policies and unified understandings (e.g. tangible-intangible typologies). We should not forget that among other things, the WH convention of 1972 and its subsequent declarations determine the ways in which wider cultural heritage is articulated nowadays. ICOMOS and UNESCO contributed to the unification of the cultural heritage discourse at a global level by providing definitions and frameworks in different languages. This is an issue that is still problematic with many important theories of the conservation movement remaining untranslated from their original languages, or limited to only a few. Among the declarations, the 2003 convention was undoubtedly a step towards an appreciation of the process of creation in relation to its outcome. Nonetheless, the meanings and differences (or even similarities) between the tangible and intangible are yet to be examined further.

⁵⁸ See full list here: *Lists*, in *Intangible Cultural Heritage*, UNESCO, <https://ich.unesco.org/en/lists>.

While the aim of the international instruments is to promote the safeguarding of the world's heritage, their resulting effects are closer to an incomprehensible race for a privileged status among countries which propose their valued properties for listing. As it can be seen in Figure 4, the tangible properties inscribed in the WH list reached the number 1,154 within a period of forty-three years, while the intangible list counted six hundred and one attributes within a period of fourteen years! An issue that raises further questions is whether these attributes will remain in the same state forever, in compliance with the established heritage conformity, or they will lose their listed status, by not responding to a fixity of pre-given and pre-determined forms supported by international organisations. For example, a tangible that is always required to respond to a fixed form and matter and an intangible that is performed in an endless repetition of past practices without accumulating characteristics of the present.

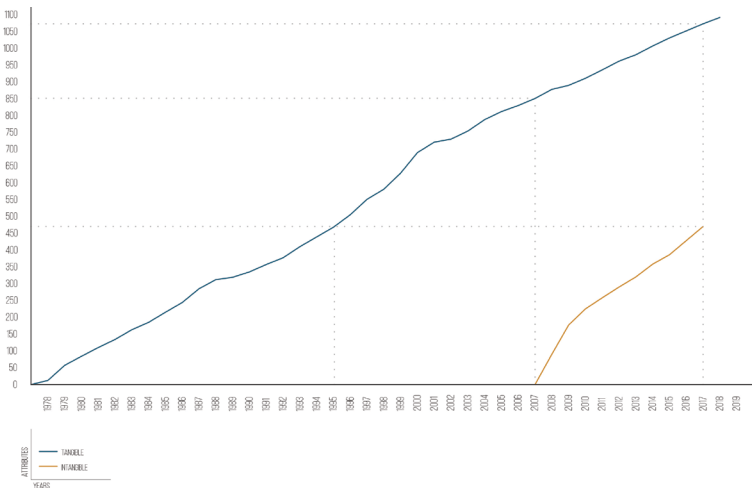


Figure 4: Diagram illustrating the number of inscribed attributes (tangible and intangible) in the Unesco world heritage list, within a period of forty years. © N. S. KARTALOU

Conclusion

This paper has briefly put forward some contradictions regarding the recognised relationship of the process of making with the final outcome – material or immaterial, based on the official definitions of both (in)tangible typologies given by UNESCO in 1972 and 2003 respectively. The reference to the selected charters is an attempt to offer a snapshot of the gradual development of cultural heritage into a (political) conundrum and to illustrate how a heritage of social process ('social-heritage') has turned into a heritage of display or of spectacle ('spectacle-heritage'), providing an ossified understanding of the past in relation to what is transmitted. The problem that this overview aimed to highlight, is that cultural heritage has reached its zenith and thus a new quandary has risen: the cultural manifestations transmitted from the past are menaced by either being tarnished or amplified.

The persistence on definitions and meanings aims to illustrate an *in-between* state of heritage – neither concrete nor abstract – which is partially dismissed from the institutionalised discourse. This *lacuna* in heritage discourse underrates the qualities that contribute to the shaping of cultural heritage as a continuous anticipation of creative expressions. Rather, it foregrounds a fixed and framed image of a past; a closed circle of authorised expressions and forms. This lack of addressing the *in-between* state is reflected into the current definitions and policies of heritage which consider tangible as an outcome and intangible as a process. Two, otherwise, inseparable notions for understanding heritage as a cumulative progression of both past and present creative actions.

Un'anima per il diritto: andare più in alto

Collana diretta da Geraldina Boni

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2. GERALDINA BONI, *La recente attività normativa ecclesiale: finis terrae per lo ius canonicum? Per una valorizzazione del ruolo del Pontificio Consiglio per i testi legislativi e della scienza giuridica nella Chiesa*, 2021.
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This open access publication gathers young and senior scholars of the Una Europa Universities to celebrate the first fifty years of the UNESCO 1972 World Heritage Convention (WHC). Financed as a Seed Funding Grant of the Una Europa Alliance, the WHC@50 project offers an interdisciplinary analysis of the WHC, the jewel of the UNESCO Conventions. By introducing the (r)evolutionary concept of World Heritage and involving the International Community as a whole in the preservation, valorization and transmission to future generations of cultural and natural sites and landscapes of outstanding universal value, the WHC is indeed one of the major treaty instruments of our age. We therefore hope, through the final results of the WHC@50 research cooperation activity, to contribute to the dissemination of the WHC knowledge, attracting the attention of academics, politicians, experts, officials and civil society, and contributing to the debate for strengthening the 1972 UNESCO Convention, suggesting solutions to overcome the problematic aspects of its implementation and activities.

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