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Heritage Interpretation and Human Rights:

Documenting Diversity, Expressing Identity, or Establishing Universal Principles?

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On the face of it, no quest could be nobler: to enrich and highlight the outstanding universal values of World Heritage sites with the outstanding universal value of human rights. The ratification of the World Heritage Convention in 1972 gave historical, archaeological, and ecological form to the United Nations' shared belief in the idea of the community of nations. My part in this workshop is to speak about the role of public heritage interpretation in furthering or at least communicating the theme of human rights within World Heritage. Yet before I begin, I think I need to clarify my understanding of both elements in the combination, for there is sometimes confusion—or perhaps misunderstanding about the nature of both heritage interpretation and of human rights as they apply to heritage. For the combination of heritage interpretation and human rights is not just a simple recipe. To adapt the clever quip from the archaeological philosopher Alison Wylie, it's not just a case where you take the current forms of World Heritage interpretation; pour in half a kilo of "human rights"; and stir. I will suggest that an entirely new confection of global memory needs to be created—one that transforms our conceptions of both heritage and human rights.

First let's start with the human rights part of the equation. Our colleague William Logan has written and spoken so eloquently on this subject that I will just be largely repeating what he has said. He and the other scholars who have traced the history of the human rights connection

to heritage in the United Nations system have noted how from the original unitary conception of the Universal Declaration of Human Rights, the civil and political pillars were early on separated from the economic, social, and cultural pillars, and what was left at the end of the day was the tenuous and residual connection between the cultural patrimony of humanity and the morality of the post-war era of “the right freely to participate in the cultural life of the community” (Article 27) which begs as many ethical and philosophical questions as it resolves.

The “cultural life” of the community was initially interpreted unquestioningly as of the “arts and literature” category, a rarified concentration of aesthetic creativity and self-evident value that needed to be carefully protected and “presented” to the public as a kind of cultural vitamin. That process of protection and presentation presumably needed trained scholars, teachers, interpreters, and purveyors who could communicate this high culture to the community at large. Indeed that was the sense of the World Heritage Convention, where the terminology used for communication is consistently “presentation,” suggesting an ordered arrangement of cultural information—be it historical, architectural, archaeological, or natural—transmitted from a source of dependable cultural authority to the public at large. “Outstanding Universal Value” was a concept that needed—and indeed still needs—expert opinion even to be identified, if never quite completely understood.

As we have heard, a major change in the conception of “the right freely to participate in the cultural life of the community” came with a constellation of political and social movements from the 1970s onward that entwined the process of decolonization with movements for civil, racial, ethnic, and indigenous rights. In this sense, heritage interpretation shifted from aesthetic evaluation to political assertion. Identification with—and possession of—distinctive customs,

sacred places, and traditions underpinned claims to political autonomy. Thus detached scholarly presenters from the developed world who had been the exclusive keepers of cultural wisdom were to give way (or at least share the spotlight with) interpreters and practitioners in the new conception of Intangible Cultural Heritage as codified and bureaucratized in the 2003 Convention. Indeed the insistence on the right to cultural self-interpretation and self-reproduction ultimately led to the 2005 UNESCO Convention in which Cultural Diversity is identified as the single, shared cultural inheritance of humanity. Yet as Bill Logan and others have pointed out, that concept of Cultural Diversity represents an insoluble paradox.

This is not the place for a full-blown discussion of the ethical implications of cultural diversity as an interpretive concept, except to point out its logical impossibility. The principle of cultural (and presumably moral) diversity in the 1948 Universal Declaration of Human Rights let a number of founding United Nations member-states (from the Soviet Bloc, apartheid South Africa, and Saudi Arabia) to abstain. The hyper-relativism of culture has spectacularly increased in an age of identity politics, and if all cultures (or more accurately, member-states, in the United Nations context) are completely autonomous products of their own historical and cultural trajectories, then no single universal moral principle, even cultural diversity, can actually exist. Of course efforts have been made to square the circle. But within the fragmented consensualism of the United Nations, the only human right officially, legally connected with heritage is the right for member states to create or maintain their own cultural identities, through whatever the regimes and heritage bureaucracies of those member states deem their “authentic” inherited culture or cultures to be.

Three Interpretive Alternatives

So what does this all mean for the theory and practice of heritage interpretation, and in particular to the interpretation of World Heritage, both tangible and intangible? As I see it, and as I have implied in the title of my presentation, there are in the present context of heritage human rights as cultural rights and cultural rights as diversity rights, three distinct avenues for action, each representing a stage in those concepts' development.

The first is interpretation (or "Presentation" as it consistently appears in the World Heritage Convention) as the meticulously documented, empirically verified description of specific forms of cultural diversity. This takes form in systematic archaeological excavation, in meticulous studies of vernacular architecture, or in inventory and recording of particular examples of "representative" intangible heritage. It draws its epistemology from the Enlightenment positivism of factual accuracy and objectivity; its forms of diffusion are the journals and monographs of western scholarship and its popularized forms. It is by nature accretionary, building on the gradual accumulation of accurate portraits, assuming that the more data that is collected and transmitted to the general public, the more accurate our understanding of the world's cultural diversity (and individual expressions of it) will be.

The second avenue of interpretation is performative—whether or not the "performance" is carefully scripted or consciously directed toward a specific audience. It is the enactment of contemporary identity in culturally specific costume. It is an act of cultural redefinition, drawing on traditional visual motifs and sources to assert contemporary legitimacy. Thus the very act of interpretation becomes an act of translation, from the past to the present and

from within the group to the outside. Indeed, the term “interpretation” here becomes essential, because except in the cases of the most overtly commodified events and ritual performances, “presentation” is too calculating a term. And this applies not only to the intangible heritage of performance, but also to traditional craftsmanship, and, I would suggest, to the tangible heritage of national monuments and World Heritage sites as well. This kind of interpretation is what Paul Connerton in his classic How Societies Remember has called “habit memory” or the collective memory that is activated by process rather than thing.

One might even go so far to suggest that the very process of nominating sites for the ICH Representative List and the World Heritage list is a public recital of collective memory of this sort, played in a nation-state key. In terms of human rights this allows the active participation prescribed in Article 27 of the Universal Declaration, but there is also an implicit restriction of those human rights to officially essentialized conceptions of culture and authenticity. This kind of interpretation restricts the expression of identity to those who are legally recognized as documentable (should I say biological?) members of a certain supposedly continuous territorial polity. Thus the adoption and interpretation of cultural heritage by outsiders or latter-day adherents is seen at best as a kind of “historical reenactment” or at worst a dubious pose.

Lastly, the human rights as abstract, universal ideal offers us a third interpretive alternative: if, as according to Article 13 of the Declaration, “Everyone has the right to freedom of movement and residence within the borders of each State” and “the right to leave any country, including his own, and to return to his country,” does such a freedom extend to the right of autonomous identification of individuals with any of the diverse cultural traditions of humanity?

That is, of course, primarily a rhetorical question, since we have become so used to seeing cultures as homogeneous and the identity drawn from cultural heritage as somehow unambiguous. I will shortly deal with the difficulty of interpreting the heritage rights of human collectivities such as cultures, nations, and communities in conflict. But for the moment I want to dwell on the individual. With the original focus of the civil and political rights articulated in the Declaration primarily on the individual as an autonomous person, “entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,” is the right to “participate in the cultural life of the community” not flexible enough also to accommodate dynamic, cultural identities and associations shaped according to the individuals’ own preference or socio-economic context rather than the identities that are officially, ethnically, or religiously ascribed to them?

Heritage Interpretation as Process not Product

What I want to suggest is that when it comes to the issue of heritage interpretation and human rights, we must take into account all three of the interpretive approaches I have mentioned, not choose between them. [Fig. 1] For without the full complement of data, community, and individual freedom, the practice of heritage can all too easily be diverted to ends that actively work against the principles of human rights. I have already mentioned the inexorable move within the United Nations from associating heritage only with a “right to participate in the cultural life of the community” and then making the only universal principle that of cultural diver-

sity. But what of the other rights in which heritage is implicated? What about the misuse of heritage as a tool of exclusion, domination, or exploitation. I argue that for heritage in general

Figure 1.

and heritage in particular NOT to take up the challenge and become a full-fledged instrument of fulfilling the vision of human dignity in all its aspects, not just the aesthetic or the tribal, it will be complicit in a violation of human rights.

The original aim of the ICOMOS Charter for the Interpretation and Presentation of Cultural Heritage Sites was to create a recognition among heritage professionals that interpretation was not merely the “presentation” of scientific or scholarly data to a passive and largely uneducated public; that talking about the material and intangible remains of the past was a contemporary activity with enormous social implications—and it needed to be regarded as a

realm of serious theoretical challenge in itself. Of course at the start there were those in the heritage community that rejected the idea of such a charter, implicitly insisting that heritage presentation, communication, popularization, vulgarization—or whatever else one might call it—was the responsibility of the primary experts and those who dutifully performed the scholarly script. But over six years of review and revision, the need for some guiding principles that avoided recommendation of specific content were acknowledged and the Charter was ratified at the 16th General Assembly of ICOMOS in October of 2008.

Many of you may not know the contents of this Charter or even of its existence, perhaps because heritage interpretation—like the cultural rights we have been discussing—are residual concepts, coming toward the end of the list of the things that have to be heeded or attended to in the cultural heritage policy world. But as I now look back on the main principles of the charter I can discern an overall rationale that instinctively, if not always completely systematically seeks a balance between the rights and responsibilities of scholars, communities, and individuals. The main categories are straightforward with access to heritage sites—both physical and intellectual—balancing individual interest and community connections with the privileged access and control of the heritage establishment. Likewise the need for a wide range of information sources balances fact, faith, and memory. I will pass over the other principles quickly: context, authenticity, sustainability, inclusiveness, and training. You get the idea. It is in the realm of heritage interpretation—talking, thinking about, and reflecting upon cultural heritage—that the possibility of a closer connection to human rights comes to the fore. That is because interpretation is an activity more akin to public discourse and its ethical parameters of

mutual respect and tolerance than to the legal demands of ownership that moveable and immoveable property require.

Indeed it is precisely the mistaken issue of state ownership (in World Heritage terms the sovereign jurisdiction of states-parties over World Heritage properties) in which the principles of the Interpretation Charter founder on the hard realities of a divisive and conflicted world. In a real way, without regard to anything resembling human rights or even cultural rights, Orwell's dictum, "he who controls the present controls the past" has come true." For in the World Heritage Convention, the content of interpretation is taken for granted, or rather assumed to be a presentation of verifiable expert-produced facts. And those facts are imposed by a two-stage, essentializing process: by the dominant narrative of the state-party and the factual/aesthetic bias of the heritage professionals. The issue of significance and the real value of cultural heritage as the basis for identity is asserted rather than understood. But as Gustavo Araoz has repeatedly stressed, we need to begin to see heritage sites, objects, and traditions not (only) as discrete tangible, social landmarks, but as vessels of value in our rapidly changing contemporary society.

From the Right to Culture to a Heritage of Human Rights

So how do we get there? The idealistic sentiments seem so vague and so far away. If we scan slowly down the Universal Declaration of Human Rights and tick off how many of the basic rights of humanity are not observed or are flagrantly flaunted, we might as well write off the entire United Nations human rights effort. But there is a reason to keep the faith with the prin-

ciples, even if they are more utopian goals than realities. I'm suggesting that even in heritage interpretation we not be content merely with the narrow restriction of "rights" with the "right to culture" and open the remains and traditions of the past to debate and reflection about the whole range of human rights. As Mark Mazower has recently pointed out in his enlightening history of the birth of the United Nations, No Enchanted Palace, the Universal Declaration's focus on the individual was a calculated strategy due to the utter inability of the international community to enforce sub-state minority rights during the fascist and Nazi periods and to the refusal of the Soviet Union to budge on this point.

In the wake of World War II's devastation and horror, the full range of rights were to be exercised through individuals, with the "right to participate" in culture an only a relatively minor—as Bill Logan has shown us—and rather residual one. And if the rights of atomized individuals and fragmented communities were relevant and worthy of protection in the world context of 1948, how much more so they are today. Just look around us here in Oslo; just look at any major city in the world. We live in a time of movement, diaspora, cultural displacement, and the creation of new cultural forms that—I would suggest—profoundly alter the traditional heritage concepts of coherent national narratives.

The heritage behavior of indigenous, diasporic, minority, or other extra- and sub-state communities have been forced into very tight and unnatural categories—either as resisting the mainstream heritage narrative through protest or by becoming a kind of quasi state themselves, homogenizing and controlling their own ghettoized form of what Laurajane Smith calls the "Authorized Heritage Discourse. And that simply transfers the question of heritage human rights to dissenting members of those groups. Put simply, the old criteria in which World Herit-

age is seen as inevitably the possession of a homogeneous culture community to be shared with all humanity is out of step with our globalized reality of cultural dispossession and change.

Old monuments take on new meanings; new monuments become heritage. In our day, cultural identities are fluid and old ideas of national or universal identity to be drawn from a particular World Heritage site to recent discoveries are the object of constant negotiation and political debate. The principle enshrined in the central definition of the Intangible Cultural Heritage Convention that ICH, “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...” is the kind of dynamic conception of cultural heritage rights and social significance that is applicable to the human dignity of evolving and culturally diverse individuals and communities in the 21st century. The social value of creating a sense of engagement—in Jane Grenville’s use of the term “ontological security”—should become a benchmark against which the human rights value of World Heritage Sites should be assessed.

As we know, the Operational Guidelines of the World Heritage Convention are quite rigid, quite difficult to alter, and they consider heritage “presentation” a fairly straightforward and unproblematic communication of the ten official selection criteria. But as the International Coalition of Sites of Conscience has demonstrated through its wider range goals and extensive educational programs, the past is not a series of achievements, artworks, events, and personalities, to be commemorated, memorized, and admired. The World Heritage List has of course inscribed places like Auschwitz, Gorée Island, Robben Island, and Hiroshima as places of respectful memory. But there are also many of the 911 current sites where the issues of rights,

crimes, and injustice are forgotten and we must establish at least some way to set a standard for the significance of interpretation that is not less dominating or intrusive than the standards of management and physical conservation that the Convention requires.

What Shall Be Done?

So here in brief are my own interpretive recommendations, offered as a scheme of evaluation, neither bureaucratic nor ideological requirements. They are meant as the beginning of a toolkit to assess and hopefully in enhance and appreciation of the intimate link between material heritage and the dignity of all peoples and individuals who have contributed to its evolving meaning as an element in contemporary life. As I said before, the trajectory of policy and practice have led us down three distinct avenues that represent three different types of collective memory. Each can be used to enhance an overall appreciation for basic human rights:

a.) Interpretation as the Historical Documentation of Human Rights and Shared Humanity. Here I intend the term “interpretation” to mean the empirically accurate, objective documentation of specific tangible and intangible cultural heritage objects and memories. A key, as stressed in the ICOMOS Charter, is the combination of information sources—not as a dilution of the “scientific” or scholarly information but as an enhancement of the range of its significance. Whether it is an ancient site beyond the living memory of any contemporary community or a monument for which the oral and written testimony is rich, the human rights interest is in fact the documentation of the range of issues civil, political, economic, social, and cultural. Instead of being strictly tied to an aesthetic, technological, ecological, and chronological narrative, how

well does the sites' interpretation at least integrate community reflections on the theme of human rights?

b.) Interpretation as the Exercise of the Right to Dignity. As mentioned, the enactment and intergenerational transmission of intangible cultural heritage is a clear exercise of “performative” collective memory. But what of tangible heritage of the type that includes historical or world heritage sites. All too often, the performance is superficial, either as an aspect of local commercial involvement or as a part of the touristic stage scenery. But if World heritage sites are to be sources of local pride or social cohesion, to what extent does inscription enhance rather than degrade community life? To what extent are interpretive programs aimed and managed by members of the local or associated communities and to what extent are those programs designed to enhance mutual appreciation and dignity rather than as strictly a historical curiosity or tourist attraction?

c.) Interpretation as the Right to Shape New Culture. It is high time that the interpreters of the World Heritage Convention recognize that significance evolves with time. That is not to say that all former interpretations are forgotten; it is rather that the preservation and expansion of cultural creativity and innovation is the surest sign of the human will to adapt and survive. To what extent does the interpretation of World Heritage Sites leave room for continuous reinterpretation, not only based on the accumulation of new knowledge, but on the right of individuals to challenge orthodox, homogenizing, or dogmatic interpretations. Does the interpreter's race, gender, language, religion, opinions, national or social origin, property, birth or other status (all mentioned in the Declaration) involuntarily condemn him or her to a certain imposed cultural identity to serve the expectations of visitors from the outside?

You can decide yourself which sites are more open to such rights-based interpretation and which are decidedly not. But as I have stressed it is the balance; it is the combination. [Fig. 2] My final concrete suggestion is this: we must move from the interpretation of Outstanding Universal Value to Outstanding Universal Values—human rights values, not heritage values—assessing the significance of World Heritage sites of the present and the future not only by how they embody the ten criteria of the Operational Guidelines, but also how they communicate and amplify the individual and collective ideals of the Universal Declaration of Human Rights. [Fig. 3] I therefore close by suggesting that the most practical way to a “sustainability check” on human rights in world heritage is to begin to recognize and formalize the need for an interpretive-- and operational—balance of this type.

Fig. 2

Fig. 3