

Cultural Diversity Heritage And Human Rights Intersections In Theory And Practice Key Issues In Cultural Heritage

Wide-ranging essays on intangible cultural heritage, with a focus on its negotiation, its value, and how to protect it.

This lively text offers a unique, holistic approach to human diversity for undergraduate courses in fields including anthropology, medicine, human ecology, and general education. Leading medical anthropologist Elisa Sobo rises to the challenge of truly integrating biology and culture. Her inviting writing style and fascinating examples make important new ideas from complexity theory and epigenetics accessible to undergraduates from all disciplines, regardless of academic background. Students learn to conceptualize human biology and culture concurrently—as an adaptive biocultural capacity that has helped to produce the rich range of human diversity seen today. With clearly structured topics, an extensive glossary and suggestions for further reading, this text makes a complex, interdisciplinary topic a joy to teach. The intangible cultural heritage (ICH) of the world's communities is an inheritance that has been passed down through many generations. Its survival, however, is increasingly threatened by the realities of post-modern society, such as rapid urbanization, large-scale migration, severe environmental change, and globalization. In 2003, the UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage recognized the importance of ICH, both as a

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mainspring of cultural diversity and a source of sustainable development. Early efforts to implement the Convention are bringing to light issues that are crucial to the survival of ICH. Many of these involve its interaction with intellectual property law. To clarify the relationship between these two fields, this present volume gathers the views of scholars and practitioners with diverse expertise and national backgrounds. They examine four main issues: the construction and operation of ICH inventories; the conceptualization of the "community" as a holder of ICH; how to obtain the community's prior informed consent; and the pros and cons of various regulatory regimes. With the book's variety of contributions, the common thread is the belief that regulatory regimes must be designed so that ICH will not only be safeguarded in archives and museums, but also in its living form.

This book provides groundbreaking analyses of the interlinking of world heritage with the increasingly complex processes of (post)nationalism, the preservation and representation of cultural diversity, tourism, and sustainable development and the conservation of authenticity. It has become more and more accepted that nature conservation is not possible without taking into account human activities. Thus an integrated approach to both the natural and cultural heritage is being encouraged and developed. Gathering a number of distinguished authors with diverse backgrounds (from a religious leader to academics to conservation scientists), the book aims to investigate the relationship between human beings and nature, between nature and culture. Looking at nature as 'heritage' of the human race is a recognition both of the tremendous impacts (both positive and negative) that human activities have had on the natural environment, as well as the acceptance of human responsibility for managing our planet in a sustainable and sensitive manner. The texts included examine this interface between human

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beings and nature in specific places (from the Everglades in Florida and Mont Saint Micelle in Atlantic France, to the UK, Europe and the Mediterranean), as well as on a theoretical basis, and in the context of the international biodiversity conventions.

This volume offers a critical inquiry into the ever-evolving notion of cultural heritage and the way it has been made accessible, governed, and protected by the institutional, operational, and legal structures of the European Union.

This volume explores the recent evolution of cultural heritage law which has resulted in the emergence of a new international conscience, rooted in the awareness that cultural heritage represents a holistic notion strongly connected with the identity of peoples.

This theoretically innovative anthology investigates the problematic linkages between conserving cultural heritage, maintaining cultural diversity, defining and establishing cultural citizenship, and enforcing human rights. It is the first publication to address the notions of cultural diversity, cultural heritage and human rights in one volume. Heritage provides the basis of humanity's rich cultural diversity. While there is a considerable literature dealing separately with cultural diversity, cultural heritage and human rights, this book is distinctive and has contemporary relevance in focusing on the intersection between the three concepts. Cultural Diversity, Heritage and Human Rights establishes a fresh approach that will interest students and practitioners alike and on which future work in the heritage field might proceed.

This collection provides an in-depth and up-to-date examination of the concept of Intangible Cultural Heritage and the issues surrounding its value to society. Critically engaging with the UNESCO 2003 Convention for the Safeguarding of the Intangible

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Cultural Heritage, the book also discusses local-level conceptualizations of living cultural traditions, practices and expressions, and reflects on the efforts that seek to safeguard them. Exploring a global range of case studies, the book considers the diverse perspectives currently involved with intangible cultural heritage and presents a rich picture of the geographic, socioeconomic and political contexts impacting research in this area. With contributions from established and emerging scholars, public servants, professionals, students and community members, this volume is also deeply enhanced by an interdisciplinary approach which draws on the theories and practices of heritage and museum studies, anthropology, folklore studies, ethnomusicology, and the study of cultural policy and related law. The Routledge Companion to Intangible Cultural Heritage undoubtedly broadens the international heritage discourse and is an invaluable learning tool for instructors, students and practitioners in the field.

This book provides a comprehensive overview of the development of international cultural heritage law and policy since 1945. It sets out the international (including regional) law currently governing the protection and safeguarding of cultural heritage in peace time, as well as international cultural policy-making. In addition to analysing the relevant legal frameworks, it focuses on the broader policy and other contexts within which and in response to which this law has developed. Following this approach, attention is paid to: introducing international cultural heritage law and its place in international law generally; illicit excavation and the illegal trade in archaeological finds;

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protection of underwater cultural heritage; the relationship between cultural heritage and the environment; intangible aspects of heritage and their safeguarding; cultural heritage as traditional knowledge and creativity; regional approaches to protection; and human rights issues related to cultural heritage. In addition, newly-emerging topics and challenges are addressed, including the relationship between cultural heritage and sustainable development and the gender dynamics of cultural heritage. Providing both a perfect introduction to cultural heritage law and deeper reflection on its challenges, this book should be invaluable for students, scholars, and practitioners in the field. This Handbook provides a cutting edge study of the fast developing field of international law on the protection of cultural heritage by taking stock of the recent developments and of the core concepts and current challenges. The legal protection of cultural heritage has come under renewed focus from the international community and states since the 1990s. This is evidenced by the adoption of a range of international instruments. Countries are also enacting cultural heritage legislation or overhauling existing laws within their own national territory. Contributions address the protection of immovable and movable, tangible and intangible cultural heritage in peacetime and in the event of armed conflict as well as the interaction between specific regimes of cultural heritage protection with other fields of international law, including international criminal law, human rights and humanitarian law, environmental law, international trade, investments, and intellectual property. The last part of the Handbook covers diverse

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regional systems of heritage protection.

In Cultures, Citizenship and Human Rights the combined analytical efforts of the fields of human rights law, conflict studies, anthropology, history, media studies, gender studies, and critical race and postcolonial studies raise a comprehensive understanding of the discursive and visual mediation of migration and manifestations of belonging and citizenship. More insight into the convergence – but also the tensions – between the cultural and the legal foundations of citizenship, has proven to be vital to the understanding of societies past and present, especially to assess processes of inclusion and exclusion. Citizenship is more than a collection of rights and privileges held by the individual members of a state but involves cultural and historical interpretations, legal contestation and regulation, as well as an active engagement with national, regional, and local state and other institutions about the boundaries of those (implicitly gendered and raced) rights and privileges. Highlighting and assessing the transformations of what citizenship entails today is crucially important to the future of Europe, which both as an idea and as a practical project faces challenges that range from the crisis of legitimacy to the problems posed by mass migration. Many of the issues addressed in this book, however, also play out in other parts of the world, as several of the chapters reflect. This book is available for free in PDF format as Open Access from the individual product page at www.routledge.com. They have been made available under a Creative Commons Attribution-Non Commercial-No Derivatives 4.0

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license.

This book focuses on the balance between protecting human rights and protecting world heritage sites. It concerns itself with the idea that the management of heritage properties worldwide may fail to adequately respect traditional entitlements and rights of individuals and communities living within or being affected by changes in the use of these spaces. It also explores the concept that the international heritage field has limited knowledge and awareness of this challenge. The volume argues that the dilemmas in question result from different conceptualisations of the key terms of 'rights', 'heritage' and 'community' among different groups and across political and cultural boundaries. In so far as 'culture' is what enables us to read the meanings involved, the ultimate questions are those that ask whose power is contested when one meaning is 'fixed' and the heritage of one group of humans is given the right to have its symbolic representation enjoyed and protected. The included case studies give vivid examples of this. This book was originally published as a special issue of the International Journal of Heritage Studies.

This book covers intangible cultural heritage (ICH) governance through an Asia-Pacific context, making reference to the historical development of the international instruments guiding ICH policy. With a review of the 2003 Convention for the Safeguarding of the Intangible Cultural Heritage's development, this work provides an understanding into why the Convention is the way it is, how it is developing, and how to apply it in different

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situations. Furthermore, dedicating sections to explain good governance and the manner through which the 2003 Convention hopes to influence good governance in the ICH field, the book will help readers to understand the major issues and barriers to good governance in this field. In addition, the case studies integrated in this volume provide tools and context with which to analyze ICH and ICH governance. Overall, the central questions answered in this work are 'What is governance in terms of ICH safeguarding?' and 'How do interactions between global and local governance develop?' The included experimental strategies for enhancing ICH safeguarding governance offer a glimpse into what may be possible. As the 2003 Convention is still relatively young, there is a need for in-depth research that covers the core governance issues that have arisen over the past decade. This book, being unique in its direct focus on ICH governance, will help fill this information gap and give readers a concise reference point for such issues.

A Companion to Heritage Studies is a comprehensive, state-of-the-art survey of the interdisciplinary study of cultural heritage. Outlines the key themes of research, including cultural preservation, environmental protection, world heritage and tourism, ethics, and human rights Accessibly organized into a substantial framework-setting essay by the editors followed by three sections on expanding, using and abusing, and recasting heritage Provides a cutting-edge guide to emerging trends in the field that is that is global in scope, cross-cultural in focus and critical in approach Features

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contributions from an international array of scholars, including some with extensive experience in heritage practice through UNESCO World Heritage Centre, ICOMOS, and national heritage systems

Why are humans so different from each other and what makes the human species so different from all other living organisms? This introductory book provides a concise and accessible account of human diversity, of its causes and the ways in which anthropologists go about trying to make sense of it. Carles Salazar offers students a thoroughly integrated view by bringing together biological and sociocultural anthropology and including perspectives from evolutionary biology and psychology.

Is there a universal right to the free expression and preservation of cultural heritage, and if so, where is that right articulated and how can it be protected? No corner of today's world has escaped the effects of globalization – for better or worse. This volume addresses a deeply political aspect of heritage preservation and management as it relates to human rights.

This report analyses all aspects of cultural diversity, which has emerged as a key concern of the international community in recent decades, and maps out new approaches to monitoring and shaping the changes that are taking place. It highlights, in particular, the interrelated challenges of cultural diversity and intercultural dialogue and the way in which strong homogenizing forces are matched by persistent diversifying trends. The report proposes a series of ten policy-oriented recommendations, to the attention of States, intergovernmental and non-governmental organizations, international and regional bodies, national institutions and the private sector on how to invest in cultural diversity. Emphasizing the importance of

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cultural diversity in different areas (languages, education, communication and new media development, and creativity and the marketplace) based on data and examples collected from around the world, the report is also intended for the general public. It proposes a coherent vision of cultural diversity and clarifies how, far from being a threat, it can become beneficial to the action of the international community.

The intersections between culture and human rights have engaged some of the most heated and controversial debates across international law and theory. To what extent should the law permit cultural defences to general rules? What role does human rights law have in the protection of minority cultures? This volume examines such pivotal questions.

Going beyond the more usual focus on Jerusalem as a sacred place, this book presents legal perspectives on the most important sacred places of the Mediterranean. The first part of the book discusses the notion of sacred places in anthropological, sociological and legal studies and provides an overview of existing legal approaches to the protection of sacred places in order to develop and define a new legal framework. The second part introduces the meaning of sacred places in Jewish, Christian and Islamic thought and focuses on the significance and role that sacred places have in the three major monotheistic religions and how best to preserve their religious nature whilst designing a new international statute. The final part of the book is a detailed analysis of the legal status of key sacred places and holy cities in the Mediterranean area and identifies a set of legal principles to support a general framework within which specific legal measures can be implemented. The book concludes with a useful appendix for the protection of sacred places in the Mediterranean region. Including contributions from leading law and religion scholars, this interesting book will be valuable to those in the fields of

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international law, as well as religion and heritage studies.

The WROCLAW COMMENTARIES address legal questions as well as political consequences related to freedom of, and access to, the arts and (old/new) media; questions of religious and language rights; the protection of minorities and other vulnerable groups; safeguarding cultural diversity and heritage; and further pertinent issues. Specialists from all over Europe and the world summarise and comment on core messages of legal instruments, the essence of case-law as well as prevailing and important dissenting opinions in the literature, with the aim of providing a user-friendly tool for the daily needs of decision or law-makers at different juridical, administrative and political levels as well as others working in the field of culture and human rights.

Museums face the task of representing the similarities and differences that exist between groups, such as national identities and indigenous and minority voices, material and intangible heritage, and current status and past history. In order to achieve this aim, a complex and not always easily compatible set of interests have to be taken into account, from those of the museum itself, to those of its main audiences, sources of support, and the groups that are, or wish to be, represented. The approach taken by Scandinavian museums in response to this challenge highlights a very active concern for forms of cultural diversity and how they are interrelated. By bringing together debates and discussions of diversity, this volume offers insight into the Nordic region and its diverse peoples, from the Sami and the Inuit to newer immigrants. It presents a set of historical reviews on the formation of national museums and emerging and contested perceptions of national identity. Furthering the general debate on representations of diversity and museums, it also offers museum curators possible ways

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forward. Katherine Goodnow is Professor at the Department of Information Science and Media Studies at the University of Bergen, Norway. She has published widely on museums and cultural diversity. Her most recent books in the field include *Challenge and transformation: Museums in Cape Town and Sydney* and *Museums, the media and refugees: Stories of crisis, control and compassion*. Goodnow combines research with filmmaking and has produced television series and documentaries for Norwegian national broadcasters. Haci Akman is Associate Professor at the Department of Archaeology, History, Culture and Religious Science, University of Bergen. His research interests include migration, diaspora processes, ethnicity, cultural heritage and museums and diversity. Recent publications in these fields focus on Kurdish and Jewish diaspora societies in the United Kingdom and Norway. Akman is currently working on the development of the Norwegian Kurdish Virtual Museum.

The World Heritage community is currently adopting policies to mainstream human rights as part of a wider sustainability agenda. This interdisciplinary book combines a state of the art review of World Heritage policy and practice at the global level with ethnographic case studies from the Asia-Pacific region by leading scholars in the field. By joining legal reviews, anthropology and practitioner experience through in-depth case studies, it shows the diversity of human rights issues in both natural and cultural heritage sites. From site-designation to their conservation and management, the book explores the various rights issues and analyses the diverse social, cultural and legal challenges and responses at both regional and global level. Detailed case studies are included from Australia, Cambodia, China, Malaysia, Myanmar, Nepal, the Philippines and Vietnam. The book will appeal to both natural and cultural heritage professionals and human rights and heritage scholars, and will serve as a useful compendium

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for courses use allowing students to compare, contrast and contextualize different contexts. Are human rights universal? The immediate response is "yes, of course." However, that simple affirmation assumes agreement about definitions of the "human" as well as what a human is entitled to under law, bringing us quickly to concepts such as freedom, property, and the inalienability of both. The assumption that we all mean the same things by these terms carries much political import, especially given that different communities (national, ethnic, religious, gendered) enact some of the most basic categories of human experience (self, home, freedom, sovereignty) differently. But whereas legal definitions often seek to eliminate ambiguity in order to define and protect the rights of humanity, ambiguity is in fact inherently human, especially in performances of heritage where the rights to sense, to imagine, and to claim cultural identities that resist circumscription are at play. Cultural Heritage in Transit examines the intangibilities of human rights in the realm of heritage production, focusing not only on the ephemeral culture of those who perform it but also on the ambiguities present in the idea of cultural property in general—who claims it? who may use it? who should not but does? In this volume, folklorists, ethnologists, and anthropologists analyze the practice and performance of culture in particular contexts—including Roma wedding music, Trinidadian wining, Moroccan verbal art, and Neopagan rituals—in order to draw apart the social, political, and aesthetic materialities of heritage production, including inequities and hierarchies that did not exist before. The authors collectively craft theoretical frameworks to make sense of the ways the rights of nations interact with the rights of individuals and communities when the public value of artistic creations is constituted through international law. Contributors: Valdimar Tr. Hafstein, Deborah Kapchan, Barbro Klein, Sabina Magliocco, Dorothy Noyes, Philip W.

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Scher, Carol Silverman.

Excerpt from the year 2017 in the subject Business economics - Miscellaneous, grade: -, ESCP Europe Business School - Campus Paris, course: Luxury, language: English, abstract: Over the past years, it has become obvious to several craftsmen (and non-craftsmen) that some specific crafts and know-hows have been disappearing, especially in various industries such as fashion, glove-making, shoe-making... . These know-hows belong to the cultural heritage of nations, it is a part of their history, in the same way than a prestigious building or an object is. This is why, in response to the growing need for recognition of these know-hows, the General Conference of the United Nations Educational, Scientific and Cultural Organization (hereinafter referred to as UNESCO) decided to qualify properly these knowhows in order for them to be clearly defined and recognized as the part of a cultural heritage. This qualification allows these know-hows to have a place among all cultural heritages that need to be preserved and cherished. The Convention For The Safeguarding Of The Intangible Cultural Heritage (2003) is the result of the Conference which took place in Paris from 29 September to 17 October 2003 and defines “intangible cultural heritage” as “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

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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. [Consideration is] 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. Cultural heritage law and its response to human rights principles and practice has gained renewed prominence on the international agenda. The recent conflicts in Syria and Mali, China's use of shipwreck sites and underwater cultural heritage to make territorial claims, and the cultural identities of nations post-conflict highlight this field as an emerging global focus. In addition, it has become a forum for the configuration and contestation of cultural heritage, rights and the broader politics of international law. The manifestation of tensions between heritage and human rights are explored in this volume, in particular in relation to heritage and rights in collaboration and in conflict, and heritage as a tool for rights advocacy. This volume also explores these issues from a distinctively legal standpoint, considering the extent to which the legal tools of international human rights law facilitate or hinder heritage protection. Covering a range of issues across Africa, Asia, Europe, Latin America and Australia, this volume will be of interest to people working in human rights, heritage studies, cultural heritage management and identity politics around the world. 'This book fills an important gap in

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the literature on heritage and rights and, in particular, human rights law. With articles from leading experts addressing the legal human rights dimensions of cultural heritage protection, it makes a significant contribution to debates over issues such as 'Why should we safeguard heritage and for whom?' and 'What is the relationship between heritage safeguarding and protecting human rights?'. These are deep questions of profound significance to individuals, communities and even nations around the world and are of increasing urgency today. It critically analyses the relationship between heritage and human rights that can be potentially pernicious as well as mutually reinforcing, placing this analysis within the wider context and with a broad geographical scope with examinations of the heritage/rights relationship in Southeast Asia (Cambodia), China and sub-Saharan Africa.' Dr Janet Blake, Associate Professor in Law, Shahid Beheshti University, Tehran 'Traversing the destruction of mausoleums in Timbuktu to war crimes trial by the International Criminal Court, Heritage, Culture and Rights explores the crucial links between human rights and the protection of cultural heritage. The essays are accessible to all viewing the destruction of cultural heritage as a breach of human dignity and identity. Unputdownable.' Professor Gillian Triggs, President of the Australian Human Rights Commission 'This collection of essays by leading scholars, though primarily Australian in origin, is universal in orientation. Ranging from a broad survey of the applicable laws of armed conflict to a detailed consideration of urban design in Southeast Asia, the essays offer significant insights

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into the relationship between the protection and use of cultural heritage, on one hand, and fundamental human rights, on the other. Ultimately, the mutual reinforcement of the two disciplines of law prevails over carefully-acknowledged tensions between them. Readers at all levels of expertise will find the book of great interest.' Professor James Nafziger, Thomas B Stoel Professor of Law and Director of International Programs at the Willamette University College of Law

Bringing together key insights from expert legal and heritage academics and practitioners, this book explores the existence and safeguarding of contemporary forms of intangible cultural heritage (ICH). Providing a detailed analysis of the international legal frameworks relevant to ICH, the contributing authors then go on to challenge the pervasive view that heritage is about 'old' tangible objects by highlighting the existence, role and importance of contemporary forms of ICH to modern society. Published in association with UNESCO, this volume examines the political governance of cultural diversity. Interdisciplinary to comparative social sciences, it assesses public-policy responses to ethnic, linguistic and religious diversity, and addresses the conditions, forms, and consequences of democratic and human-rights-based governance of multi-ethnic, multi-lingual and multi-faith societies.

There is a vast body of international and national law that regulates cultural heritage. However, the current regulation remains quite blind to the so called "transnational heritage". This is heritage where there is no community recognized in law that it can be

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directly attributed to and that can be responsible for its safekeeping and preservation. It can also be items of heritage where the claim of ownership is disputed between two or more peoples or communities. Transnational heritage challenges the idea of monolithic, mono-cultural, ethno-national states. There are a number of examples of such cultural heritage, for instance the Buddhist Bamiyan statues in Afghanistan, Palmyra in Syria, the Jewish heritage of Iraq, or various items that are currently housed in large, often Western, museums, as a result of colonial practices. This book explores the regulation of transnational heritage. By discussing many cases of transnational heritage and the problems that arise due to the lack of regulation the book analyses the manifestations of memories and constructions of communities through heritage. It focuses particularly on the concept of community. How are communities constructed in cultural heritage law and what falls outside of the definitions of community? The book underlines that the issues surrounding transnational heritage involve more than a communal right to culture. It is argued that transnational heritage also directly affects wider matters of law such as citizenship, human rights, sovereignty, as well as the movement of people and cultural goods.

The texts presented in this book trace the rise of culture as a major concern for development, international diplomacy, sustainability and national politics over the past two decades. As a major participant in anthropological field research, advocate for cultural freedom and decision-maker in international programs on culture, the author

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gives a firsthand account of the trade-offs, the contradictions and the management of consensus in these fields. She argues that the constitutive, functional and instrumental aspects of cultural narratives call for a more in-depth understanding of knowledge, leading to cultural and social sustainability in the framework of a "new worlding". Many of the texts gathered here were presented at the United Nations General Assembly and other high-level international meetings. Most of the texts are unpublished; some were first published in Spanish and are now available in English for the first time.

Situated at the intersection of scholarship and practice, *Heritage Keywords* positions cultural heritage as a transformative tool for social change. This volume unlocks the persuasive power of cultural heritage—as it shapes experiences of change and crafts present and future possibilities from historic conditions—by offering new ways forward for cultivating positive change and social justice in contemporary social debates and struggles. It draws inspiration from deliberative democratic practice, with its focus on rhetoric and redescription, to complement participatory turns in recent heritage work. Through attention to the rhetorical edge of cultural heritage, contributors to this volume offer innovative reworkings of critical heritage categories. Each of the fifteen chapters examines a key term from the field of heritage practice—authenticity, civil society, cultural diversity, cultural property, democratization, difficult heritage, discourse, equity, intangible heritage, memory, natural heritage, place, risk, rights, and sustainability—to showcase the creative potential of cultural heritage as it becomes mobilized within a

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wide array of social, political, economic, and moral contexts. This highly readable collection will be of interest to students, scholars, and professionals in heritage studies, cultural resource management, public archaeology, historic preservation, and related cultural policy fields. Contributors include Jeffrey Adams, Sigrid Van der Auwera, Melissa F. Baird, Alexander Bauer, Malcolm A. Cooper, Anna Karlström, Paul J. Lane, Alicia Ebbitt McGill, Gabriel Moshenska, Regis Pecos, Robert Preucel, Trinidad Rico, Cecelia Rodéhn, Joshua Samuels, Kathryn Lafrenz Samuels, and Klaus Zehbe.

This volume examines the implications and consequences of the idea of 'intangible heritage' to current international academic and policy debates about the meaning and nature of cultural heritage and the management processes developed to protect it. It provides an accessible account of the different ways in which intangible cultural heritage has been defined and managed in both national and international contexts, and aims to facilitate international debate about the meaning, nature and value of not only intangible cultural heritage, but heritage more generally. Intangible Heritage fills a significant gap in the heritage literature available and represents a significant cross section of ideas and practices associated with intangible cultural heritage. The authors brought together for this volume represent some of the key academics and practitioners working in the area, and discuss research and practices from a range of countries, including: Zimbabwe, Morocco, South Africa, Japan, Australia, United Kingdom, the Netherlands, USA, Brazil and Indonesia, and bring together a range of areas of

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expertise which include anthropology, law, heritage studies, archaeology, museum studies, folklore, architecture, Indigenous studies and history.

Intangible cultural heritage is the traditional practices, expressions, knowledge, and skills that form part of a community's culture. It is protected by a 2003 UNESCO Convention, and by several regional and national instruments. This book analyses its legal protection, including from within human rights, intellectual property, and contract law.

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This volume takes a fresh look at climate change as a threat to peace and its impacts on cultural heritage and cultural diversity. It proceeds under the assumption that the impacts of climate change on cultural heritage and cultural diversity may challenge sustainable global peace. As innovative feature, the interdisciplinary nexus between cultural heritage and peace is explicitly taken account of. Accordingly, corresponding threats on climate change and conflict on the one hand, and protection of cultural property and climate change on the other, are pulled together into one conceptual triangle. While the importance of the protection of cultural heritage in armed conflicts tends to become more and more recognized, the crucial role of cultural policy as a reconciliatory, proactive element of building and securing of sustainable peace has so far been largely underestimated. This volume brings together opinions of renowned

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experts in the fields of international law as well as natural sciences, engineering, humanities and social sciences. The focus lays on the legal and institutional challenges faced by national and international stakeholders, by the United Nations Educational, Scientific and Cultural Organization (UNESCO) in particular. Moreover, it alludes to broader issues of mitigation, adaptation and resilience.

The various reports on cultural rights by UN Special Rapporteur Faridah Shaheed provide a new universal standard on cultural rights with topics ranging from cultural diversity, cultural heritage, and the right to artistic freedom to the effects of today's intellectual property regimes. The international team of expert contributors to this book reflect upon the many aspects of cultural rights in the reports and present a discussion of how cultural rights support cultural diversity, foster intercultural dialogue, and contribute to inclusive social, economic and political development.

The idea of multi-culturalism has had a significant impact across many areas of law. This book explores how it has shaped the recent development of international human rights law. Custodians of human rights, especially international monitoring bodies, try to advance the effectiveness of human rights standards by interpreting these standards according to a method strongly inspired by the idea of cultural 'relativism'. By using elements of cultural identity and cultural diversity as parameters for the interpretation, adjudication, and enforcement of such standards, human rights are evolving from the traditional 'universal' idea, to a 'multi-cultural' one, whereby rights are interpreted in a

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dynamic manner, which respond to the particular needs of the communities and individuals directly concerned. This book shows how this is epitomized by the rise of collective rights - which is intertwined with the evolution of the rights of minorities and indigenous peoples - in contrast with the traditional vision of human rights as inherently individual. It demonstrates how the process of 'culturalization' of human rights law can be shown through different methods: the most common being the recourse to the doctrine of the 'margin of appreciation' left to states in defining the content of human rights standards, extensively used by human rights bodies, such as the European Court of Human Rights. Secondly, different meanings can be attributed to the same human rights standards by adapting them to the cultural needs of the persons and - especially - communities specifically concerned. This method is particularly used by the Inter-American Court of Human Rights and the African Commission of Human and Peoples' Rights. The book concludes that the evolution of human rights law towards multi-cultural 'relativism' is not only maximizes the effectiveness of human rights standards, but is also necessary to improve the quality of communal life, and to promote the stability of inter-cultural relationships. However, to an extent, notions of 'universalism' remain necessary to defend the very idea of human dignity.

In *Making Intangible Heritage*, Valdimar Tr. Hafstein—folklorist and official delegate to UNESCO—tells the story of UNESCO's Intangible Heritage Convention. In the ethnographic tradition, Hafstein peers underneath the official account, revealing the

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context important for understanding UNESCO as an organization, the concept of intangible heritage, and the global impact of both. Looking beyond official narratives of compromise and solidarity, this book invites readers to witness the diplomatic jostling behind the curtains, the making and breaking of alliances, and the confrontation and resistance, all of which marked the path towards agreement and shaped the convention and the concept. Various stories circulate within UNESCO about the origins of intangible heritage. Bringing the sensibilities of a folklorist to these narratives, Hafstein explores how they help imagine coherence, conjure up contrast, and provide charters for action in the United Nations and on the ground. Examining the international organization of UNESCO through an ethnographic lens, Hafstein demonstrates how concepts that are central to the discipline of folklore gain force and traction outside of the academic field and go to work in the world, ultimately shaping people's understanding of their own practices and the practices themselves. From the cultural space of the Jemaa el-Fna marketplace in Marrakech to the Ise Shrine in Japan, *Making Intangible Heritage* considers both the positive and the troubling outcomes of safeguarding intangible heritage, the lists it brings into being, the festivals it animates, the communities it summons into existence, and the way it orchestrates difference in modern societies.

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