Defining Heritage: Operational Definitions of Patrimony
Preliminary Report from Exploratory Research for the
American Anthropological Association Task Force on Cultural Heritage
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Summary

Although scholars have pointed out that the discourses and practices of the so-called “heritage industry” (Hewison) are distinctively situated within a specific socio-historical context, the operational definitions of “heritage” by those within the broader “field of heritage production” (Di Giovine 2009) are largely implicit. In the dataset we considered (Euro-American heritage and tourism organizations, NGOs, governmental agencies, and legislation), “heritage” is left largely undefined, although there is a strong emphasis on the dynamics of time, geography, and scale. The exception to this lies in legal instruments, which seek, somewhat out of necessity, to define the relevant typologies and forms of heritage as specifically as possible. Yet perhaps as a consequence, the explicit definitions by these legal instruments largely reinforce fixed spatio-temporal and scalar notions (and a more fixed and concrete definition of “culture”) that are left implicit in the mission statements of national and international heritage organizations. In all of these, heritage is predominantly considered a “resource,” and therefore conceived of as artifactual. As a resource, it is able to be exploited for a number of purposes, depending on the entity defining it: for nationalism, to provide leisure and recreation, for international development (particularly surrounding tourism), and for scientific research. Yet it is also conceived of as under threat from natural forces or human exploitation; it is telling that NGOs in particular call heritage a “non-renewable” resource.

Conversely, scholars and advocacy organizations have challenged these fixed notions, particularly in defining the realm of the “communities” that heritage organizations draw on, and sometimes attempt to serve. Social scientists—notably anthropologists, archaeologists, and geographers—emphasize the fluidity of both the heritage notion, as well as what “culture” itself means; they deploy these definitions in often a critical fashion (see, for example, the Critical Heritage Studies network) and advocate for the rights of descendent and indigenous communities. However, as Meskell and others have pointed out, indigenous communities do not always align themselves with, or support, these scholarly “experts”. On the one hand, they exercise their own agency to choose which organizations and legal instruments are perceived to be most beneficial to their needs; on the other hand, they may treat these experts—however well-meaning they are—with skepticism because of anthropologists’ and archaeologists’ historical complicity in the colonial (and sometimes post-colonial) governance schemes.

There is, therefore, a tension between scholar-advocates, descendent communities, and heritage practitioners that is not clear-cut, and in many ways their operational definitions seem fundamentally incompatible. However, new governmental-scholarly collaborative initiatives (particularly in Europe) have begun to interrogate, and attempt to bridge, these gaps to produce a more holistic and humanistic conception of heritage that is sensitive to the multivocality of the term. Yet while these initiatives are largely collaborations between governments (especially French and British) and academic anthropologists, they are undertaken for different reasons (see Di Giovine and Cowie 2014). While scholars seem to be motivated by a more critical approach to the impacts of the heritage industry itself, the governments with whom they collaborate seem to be interested in the research because of quintessentially fine-de-siècle fears of decadence, just as they did during the birth of the modern heritage movement at the end of the 19th century; rather than Romanticism and nostalgia that marked these 19th and early 20th century apprehensions, however, contemporary fears are fueled by the imperative to remain relevant amid the ascent of new countries and new markets, such as India and China, in a neoliberal global context.
Findings by Stakeholder Category

I. **US Government Agencies with Heritage Aspects**
   
a. Heritage is clearly linked to the “pastness” or historicity of the objects/sites/traditions
   
i. “The ancient and historic monuments, objects and archaeological sites of the world enrich and inform today’s societies, and help connect us to our cultural origins” – US Dept. of State Cultural Heritage Center
   
   
iii. “Long-abandoned archaeological sites and historic landscapes give us important insights into the ways in which human activities and environment have linked together through time. … Evidence of past human influences on the land can give BLM and the public critically important background as we plan how we should be using the same land today and in the future.” – National Parks Service

b. Heritage is exclusive and unique
   
i. “National Conservation Lands are uniquely diverse… these nationally significant landscapes … are recognized for their outstanding cultural, ecological, and scientific values” – Bureau of Land Management
   
c. Heritage is a resource to be (sustainably) exploited for the common good
      1. “The BLM’s multiple-use mission…mandates that we manage public land resources for a variety of uses, such as energy development, livestock grazing, recreating, and timber harvesting, while protecting a wide array of natural, cultural, and historical resources” – Bureau of Land Management, www.blm.gov
      2. “Discovering, studying and understanding the evidence of past human influences on the land can give BLM and the public critically important background as we plan how we should be using the same land today and in the future.” – BLM

d. …and therefore are valued for serving the nation-state
   
i. “These are places that spark the imagination… [and have] drawn people to the West for generations. [They are] remarkable landscapes of the American spirit”

II. **Heritage-related legal instruments (North America and Europe)**
   
a. The focus is on pastness and the historical qualities of “antiquities”, especially in early legal documents
   
i. “antiquities” are “historical, prehistoric” – Antiquities At 1906
   
b. Heritage is unique and irreplaceable
      i. Archaeological resources are accessible and irreplaceable part of the Nation’s heritage – Archaeological Resource Protection Act, amended 1979
      ii. Cultural heritage is defined as “distinctive characteristics, rarity, contribution to the knowledge of the origins, development, and history of people” – Convention on Cultural Property Implementation Act, 1983
   
c. Heritage is a resource of scientific value
      i. “Archaeological resources” – U.S. Archaeological Resource Protection Act
      ii. Federal government can authorize experts to use them scientifically—Antiquities Act of 1909
d. Heritage is a commercial resource
   i. “...must not destroy the heritage resources that tourists come to see” – European Charter for Sustainable Tourism
   ii. These resources are increasingly endangered because of their commercial attractiveness” – U.S. Archaeological Resource Protection Act, 1979

e. ...and therefore can be accessed, identified and assessed
   i. “An assessment of the area's natural, historic and cultural heritage [can be undertaken], considering issues of capacity, need and potential opportunity.” – European Charter for Sustainable Tourism

III. International Conventions and Charters
a. Early conventions, particularly those dealing with material culture, define heritage with explicit historicity
   i. TIME/ Pastness:
      1. 1972 World Heritage Convention lists 5 typologies of material culture that are “representative” of past cultural events, particularly those that reveal the intersection of cultures.
      2. “Underwater cultural heritage means all traces of human existence .... that are partially or totally under water, periodically or continuously, for at least 100 years such as sites, structures, artifacts and human remains...and objects of prehistoric character. Pipelines and cables placed on the seabed shall not be considered underwater cultural heritage. Installations other than pipelines and cables, placed on the seabed and still in use, shall not be considered underwater cultural heritage” – UNESCO Convention on the Protection of Underwater Cultural Heritage, 2001
   
   ii. Heritage as a thing or artifact
      1. “Movable or immovable property of great importance to the cultural heritage of every people...” – Hague Convention 1954
      3. “Vessels, aircraft, other vehicles or any part thereof, their cargo or other contents, together with their archaeological and natural context; objects of prehistoric heritage.... Traces of human existence” – Convention for the Protection of Underwater Cultural Heritage

b. Later conventions and declarations expanded notion of heritage into intangible and living realms (see the contributions, especially Hafstein’s, in Smith and Akagawa 2009).
   i. TIME
      1. Folklore: “integral part of cultural heritage and living culture” – UNESCO Recommendation on the Safeguarding of Traditional Culture and Folklore, 1989
         a. Note: this also does seem to imply that "heritage" is in the past, but living culture is in the present

c. Heritage as a Resource
   i. Provides cultural and economic capital
      1. "The States-Parties to this Convention recognize that the illicit import, export, and transfer of ownership of cultural property is one
of the main causes of the impoverishment of the cultural heritage of the countries of origin” – UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export, and Transfer of Ownership of Cultural Property 1970

2. Intangible heritage can be a “driver of economic development” (p. 68) – UNESCO Universal Declaration on Cultural Diversity
   i. “Damage to cultural property belonging to any people whatsoever means damage to the cultural heritage of all mankind, since each people makes its contribution to the culture of the world.” – UNESCO Convention for the Protection of Cultural Property in the Event of Armed Conflict, Hague, 1954
e. Collective moral imperative for the preservation of cultural heritage...
   i. The protection of cultural heritage can be effective only if organized both nationally and internationally among States working in close co-operation. – UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property 1970
   ii. Monuments are “increasingly threatened,” leading to their destruction which “constitutes” a universal impoverishment of culture. Coupled with these external threats are internal, structural ones: their protection “remains incomplete” because of nation-states’ inadequate resources. – World Heritage Convention 1972
   iii. Cultural diversity forms a common heritage of humanity and should be cherished and preserved for the benefit of all” – Convention on Protection and Promotion of Diversity of Cultural Expressions 2005
   iv. it must be the “common will of the international community” to protect intangible cultural heritage – UNESCO Intangible Heritage Convention
f. ... can lead to peace and harmony (see Di Giovine 2009, forthcoming).
   i. For this specialized UN agency, it is not enough to build classrooms in devastated countries or to publish scientific breakthroughs. Education, science, culture and communication are the means to a far more ambitious goal: to build peace in the minds of men – UNESCO: Who we are information packet 2003.
   ii. “cultural diversity, flourishing within a framework of democracy, tolerance, social justice and mutual respect between peoples and cultures, is indispensable for peace and security at the local, national, and international levels” – UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions, 2005

IV. NGOs
a. Many of the NGOs we examined were preservation-oriented; they focus on “saving” historical objects from the destructiveness of time, looting, or war
   1. “The US Committee of the Blue Shield was formed in 2006 in response to recent heritage catastrophes around the world.” – US Committee of the Blue Shield
   2. “World Monuments Fund is the leading independent organization dedicated to saving the world’s most treasured places. Since 1965, in more than 90 countries, our experts have been racing against time, applying proven techniques to preserve important architectural and cultural heritage sites around the globe” -- WMF
ii. Heritage as pastness
   1. Heritage is “the intact evidence of our undiscovered past” – SAFE / Saving Antiquities for Everyone

iii. Heritage as artifactual
   1. “GHF’s mission is to protect, preserve and sustain the most significant and endangered heritage sites in the developing world. Our goals: preserve structures and physical evidence of cultural heritage” – Global Heritage Fund

iv. Heritage as a non-renewable resource
   1. “At Archaeology Southwest, we view cultural landscapes, archaeological sites, artifact collections, and archives as nonrenewable resources.” – Center for Desert Archaeology
   2. “We promote respect for the laws and treaties that enable nations to protect their cultural property and preserve humanity’s most precious non-renewable resource: the intact evidence of our undiscovered past” - SAFE

v. “Unity in diversity”: Heritage is of global value
   1. “our undiscovered past” – SAFE
   2. “...saving the world’s most treasured places” – WMF
   3. “The SPI seeks to save and preserve the world’s cultural heritage...” – Sustainable Preservation Initiative

b. However, others are advocacy groups for descendent communities, which espouse different ideas of heritage
   i. Heritage as community-based (and exclusive)
      1. “The IPCB is a service-based organization that provides community education and outreach to tribal governemnts, institutions, organizations, and individuals.... It is organized to assist indigenous peoples in the protection of their genetic resources, indigenous knowledge, cultural and human rights from the negative effects of biotechnology.” – Indigenous Peoples Council on Biotechnology

V. Academic Institutions
a. Academic institutions have a much more fluid idea of what heritage is
   i. Temporality: although many institutions equate heritage with the past....
      1. “Who owns “The Past” and who is entitled to speak for past generations?” – UMASS Amherst
      2. “Our focus is on archaeology as a primary component of cultural heritage...how these are defined and used, who has control and access, and especially how fair and appropriate use and access can be achieved to the benefit of all stakeholders in the past.” – IPINCH
      3. “Penn Cultural Heritage Center recognizes that cultural heritage is a key issue that shapes the pathways of archaeological research, the ethics of studying the past...the globalization of the antiquities trade, and the future of museums.” – Penn Cultural Heritage Center

ii. ...they often note that “heritage” can be located in past, present or future
   1. “Heritage includes, but is much more than preserving, excavating, displaying or restoring a collection of old things. ... Heritage is a
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iii. It is not artifactual, but can be a mix of tangible and intangible living objects or practices
1. [Heritage] is both tangible and intangible, in the sense that ideas and memories.... Are as important as historical buildings and archaeological sites.” – UMASS Amherst Center for Heritage and Society

iv. Definitions of heritage should be debated and not taken at face-value
1. The IPinCH research project is an international collaboration of archaeologists, indigenous organizations, lawyers, anthropologists, ethicists, policy makers and others, working to explore and facilitate fair and equitable exchanges of knowledge relating to heritage. We are concerned with the theoretical, ethical, and practical implications of commodification, appropriating, and other flows of knowledge about the past, and how these may affect communities, researchers, and other stakeholders” – iPINCH, Simon Fraser University, Canada
2. “Heritage is, or should be, the subject of active public reflection, debate and discussion” – UMASS Amherst

Conclusions and next steps
I. This represents a preliminary study that, we hope, will be expanded in the following ways:
   i. Qualitative research: Interviews with stakeholders
      1. Interviews with organization leaders to elicit their in-the-moment definitions of heritage; this gets at their lived, operational definitions
      2. Interviews with anthropologists from all four fields.
         a. Although this project seems to be more about how organizations formally define these terms and put them into practice, I think it is also important to address what anthropologists in the four fields are working on that falls under the heading of heritage, whether they are explicit about it or not (e.g., bioethics from biological anthropology, intellectual property rights from cultural anthropology, heritage speakerhood from linguistics, etc.).
   ii. Language and culture: Expand to include non-Western and non-English-language sources

II. Nevertheless, we can see a number of general trends in operational definitions of heritage
   a. With the exception of International Conventions, operational definitions largely tend to be implicit, even when the organization’s focus is on cultural heritage preservation
      i. Definitions of heritage are talked around in their mission statements
   b. Heritage as a resource
      i. nearly all groups, including—to a certain extent—academic groups, define heritage as a unique resource that can, or is, exploited to the impoverishment of cultures.
   c. Temporality
      i. From an operational perspective, heritage is something that is of the “past.”
ii. However, stakeholders may recognize that heritage can be “living”, or authentically of ongoing use in the present.

d. Heritage as an artifact
   i. If it is conceived of as a resource that has its origins in the past, it is often conceived of as artifactual.
      1. It can be identified, categorized, and studied with relative precision
      2. It is under threat of loss or destruction
      3. This includes many of the major “intangible” heritage definitions

e. Communities and inclusion
   i. In nearly all cases, heritage is discursively used to include or bring together communities.
      1. It serves as an “inspiration” to the nation’s people
      2. It fosters a sense of “unity in diversity” and global responsibility towards protection
      3. It is the inheritance of indigenous groups

   ii. However, we should understand that it is also exclusionary.
      1. Local and national groups expressly delimit for whom heritage is not (i.e., foreigner, non-community members).
      2. In several cases, an organization is created to protect against certain people or groups
         a. Non-indigenous peoples / those outside the community
         b. Looters

   iii. Heritage is often defined from the top-down, and historically has excluded descendent communities or others at the grassroots level
      1. American Antiquities Act specifies antiquities are of value for the scientific community
      2. Most conventions, including the World Heritage Convention and many subsequent documents (including the Budapest Declaration) leave out terms like “community”
      3. This changes in the run-up to the ratification of the Intangible Heritage Convention, and the creation of newer academic research groups that advocate for descendent communities.
         a. NAGPRA is also a decisive factor

VI. Further Considerations for Discussion

a. Scale:
   i. Today, we see that local heritage is more in the hands of the people and can be disputed locally or regionally; world heritage complicated by nation-states – what does it mean when some people feel that something “belongs” to the whole world (or to “science”) – Buddhas in Afghanistan? Elgin marbles? Spirit Cave Man (Harry 1999). (Scale in art - Aragon and leach)

e. Time and knowledge of time
i. Many indigenous populations know that they have been in their homeland since beginning of time, which is at odds with what archaeologists, geneticists and historical linguists know from data on the spread of human populations. Some of the discrepancy can be attributed to different conceptions of time (cyclical versus linear) and to the epistemological interplay between science and religion.

g. Subdisciplinary divides: anthropologists from different subdisciplines who work together on cultural heritage and cross over are identifying critical areas that need further research.

i. Labeling a project or topic as specifically "archaeological" or "historic" or "cultural" is limiting and has unintended implications... (e.g., contemporary heritage, especially of contested places; archaeological practice and naming: Randy McGuire, Alfredo Gonzalez-Ruibal; Jason de Leon’s work on modern material culture of undocumented migrants on US/Mexico border).

ii. Dawdy's Clockpunk Anthropology and the Ruins of Modernity: “On the ground, Benjamin’s insights can be put to use by paying greater attention to the spatiotemporal dynamics of capitalism’s creative destruction, to the social life of ruins, and to projects that challenge the linear divide between modernity and antiquity. Releasing anthropology from progressive time necessarily entails a reintegration of the subfields and a direct engagement with recent ruins” (Dawdy 2010:761).

h. Value and use – How do we understand the value of heritage? Can it have conflicting values? Can it have any fixed or identifiable value at all?

i. Stakeholders – archaeologists/indigenous/governments/landowners/citizens/tourists around tangible cultural heritage such as artifacts, sites, and landscapes and around human remains. Who does the heritage belong to and who gets to decide what happens to it? Do some stakeholders have more right to guide/forbid than others?

i. Indigenous populations used to have many fewer rights; now preservation laws prevent research on many native remains and sites. How do we know when we've achieved the right balance?

ii. Language: Native, non-native, and heritage speakerhood; belonging, community. Emergent vitalities. (Henze and Davis 1999) (de Cesari 2010 heritange language and defiance of government). (Falconi 2013 storytelling and cultural continuity)

iii. Examples of multiple stakeholders: Heritage tourism; collaborative archaeology; collaborative language revitalization; selective memory and working with the public (Antoinette Jackson 2010); “politics of selection” Cameron 2000

j. Ethics of ownership: Are some rights over cultural heritage inalienable? (e.g., although indigenous populations no longer “own” most of their traditional
homelands and things their ancestors made, should they still have control over them?). Who owns:

i. Human DNA (Harry 2009 Indigenous people and genes disputes; informed consent)

ii. Materials recovered through archaeological and forensic projects, medical anthropology. NAGPRA (marks and Harry; Tom king’s books, Schillaci and Bustard 2010)

iii. Lots of archaeological collections are languishing in museums in substandard conditions, costing lots of money

iv. Bioprospecting, traditional knowledge; intellectual property (Groth); open access (Sarah Witcher Kansa and Eric Kansa; Open Context [www.opencontext.org]; Intellectual Property Issues in Cultural Heritage [iPINCH] http://www.sfu.ca/ipinch/)

v. Arts and production of knowledge (Aragon and Leach)

vi. Language and oral histories: Ownership, positioning, mother tongue, appropriation, erasure, trauma; authenticity. (Cavanaugh and Shankar 2014 authenticity)

vii. Alternative to ownership: Hodder 2010 on justice, well-being, and human rights

k. Intangibility (reference UNESCO definition from above) -

i. Foodways, ritual, music


iii. Language and oral traditions, verbal art, intertextuality

iv. How people understand their heritage through DNA, use/misuse to discuss human biodiversity, ancestry.com is really about in which populations your allele variants are most common, Sabrina Agarwal

v. Traditional Ecological/Environmental Knowledge; cultural anthropologist Paul Nadasdy (http://anthropology.cornell.edu/people/detail.cfm?netid=pn79)

vi. The power that artifacts have (an intangible property that is part of a tangible object – inalienability becomes source of dispute in capitalist economy).

vii. How to curate the intangible (Ballard); living heritage – tribal museums; “living humanistic heritage” (Se 2003:95); China’s ecological museums (from French Riviere and De Varline) – combines sustainable development with movement to allow indigenous ethnic villages to control their cultural heritage (Se 2003:96)

l. Revitalization/conservation/preservation: How can cultural heritage, conceived of as something in the past, serve to revitalize or reinvigorate contemporary societies (see Di Giovine 2010)
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