

ABSTRACTS SELECTED

HERITAGE, ETHICS AND RIGHTS

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Instrumentalities and Realities in Heritage Ethics.

Heritage sites are frequently, possibly even universally, contested. Conflicts arise as to who owns the site; who has the right to interpret or narrate the site; who should manage the site and how management should be conducted. Contestation erupts when diverse actors such as governments, supra-governmental entities, scholars, political agents, entrepreneurs, local peoples, tour companies, and other stakeholders make their claims to the cherished or disdained tangible entities and intangible behaviors called "heritage." The actions of these parties are shaped by international, national and local ethical norms and legal standards, both codified and customary.

The claims of particular constituencies to heritage are increasingly being posed as cultural rights, indeed as human rights. A framework of international accords and a range of national legislation seek to protect cultural rights and conserve and perpetuate heritage resources by empowering groups to have access to and perform their heritage. Concepts of cultural rights constitute an ethical fulcrum and a practical mechanism for dealing with these resources. But even enshrined cultural rights are often contested at the state and local levels. These disputes arise in terrains of unequal economic development, mass tourism, internal ethnic and political strife, differing constructions of memory, contrasting value systems, differential power among stakeholders, and UNESCO's contradiction-ridden heritage system.

Participants in heritage disputes, and their outside supporters, may justify their positions on legal, historical, economic and cultural grounds. The resolution of these disagreements ranges from force and fiat to negotiation and compromise. The recent emergence of an explicitly rights-based approach to cultural heritage seeks to establish an effective ethical platform for heritage management in which social and economic justice are key criteria. In this presentation a selection of case studies from around the world demonstrates the need for a rights-based approach as well as challenges to its implementation.

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Helaine Silverman is Professor of Anthropology at the University of Illinois and Director of the Collaborative for Cultural Heritage Management and Policy (CHAMP). She is interested in the cultural politics of heritage production and management, tourism and economic development, and local and national imaginaries of identity. Her research is mostly conducted in Peru. In addition to authored works, she is the editor/co-editor of *Archaeological Site Museums in Latin America* (2006), *Cultural Heritage and Human Rights* (2007), *Intangible Heritage Embodied* (2009), *Contested Cultural Heritage* (2011), *Cultural Heritage Politics in China* (2013) and *Encounters with Popular Pasts* (forthcoming). She edits two book series: "Heritage, Tourism, and Community" (Left Coast Press) and "Multidisciplinary Perspectives in Archaeological Heritage Management" (Springer Press), and serves on the editorial boards of *American Anthropologist*, *International Journal of Heritage Studies*, *Heritage & Society*, *World Art*, and *Thema*. Professor Silverman is an expert member of ICOMOS' committees on Archaeological Heritage Management (ICAHM) and Cultural Tourism (ICTC).