

The Faro Convention

Report from the Swedish National Heritage Board

The Faro Convention

Council of Europe Framework Convention on the social value of cultural heritage

The Faro Convention

National Heritage Board in 2014

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Recommendations

This report has examined the conditions and consequences of signing up to the Faro Convention. The National Heritage Board recommends that Sweden ratify the Faro Convention. The National Heritage Board believes that no constitutional changes need be made in connection with ratification.

The reasons why the National Heritage Board recommends ratification of The Faro Convention are as follows:

The majority of the articles in the Faro Convention deal with how cultural heritage can be a resource for social and economic sustainability. These questions have long been central to Swedish public cultural environment management. The Convention, however, would be able to further revitalise this work, in particular with regard to broadening and deepening the conversation with the immediate society. The Convention should thus be regarded as a "point of departure" for developing further questions that the Swedish cultural environment management is already working on, but which need to be developed and adapted for today's social situation.

Ratification of the Faro Convention, which is a framework convention, is not primarily about meeting specific conditions. It is more about acting in the spirit of the convention. The Convention does not require constitutional amendments to enable ratification. Furthermore, parts of the content are consistent with how Swedish public cultural environment management has been working for a number of years. Hence there is nothing in the Convention that on a general level contradicts Sweden's approach to the cultural environment. Ratification, even if Sweden chooses to adopt this at a minimum level, can positively affect the countries where an implementation process can make a big difference. At the same time this provides the opportunity for Sweden to work collaboratively to support other countries in their implementation.

Ratification of the Faro Convention strengthens cooperation between the ratifying states within the whole Council of Europe. The Convention thus becomes a kind of starting point for a broader cooperation and a document that can inspire learning across borders, and an instrument for discussion. The Convention may continue, at a national level, to help maintain discussions and to be a way to facilitate the dissemination of information to organisations and citizens regarding issues concerning the cultural environment.

The Faro Convention points to an organisation and structure which aim at creating ideas for how a set of values can be a part of today's work with the cultural environment. The Faro Convention is designed to inspire a variety of activities rather than provide a document with a number of commitments to be

administered. The fact that it is a framework convention leaves ample room for the ratifying countries themselves to adapt the level of implementation. Sweden could thus ratify for “the sake of a good cause” and then look for the elements that could enrich, but without the need to reinvent the policies and practices already being used.¹

Ratification can also be motivated by the fact that the Convention’s overall international benefit is considered to be greater than a country's potential self-interest in not ratifying. The Faro Convention has until now mainly been ratified by countries whose recent history involve politically- and culturally-charged conflicts. Swedish ratification of the Convention should therefore be justified on the basis of the Convention’s peace-making and conflict-prevention focus. Ratification would therefore be considered as an act of solidarity with those countries where conflicts and armed conflicts between ethnic groups have made the cultural heritage military objectives.²

¹ Erlandsson, M., *Conventions as a tool for public authorities. Decisions and effects of possible ratification by Sweden of the Faro Convention* report RAÄ, 2013, page 90

² Ibid page 82, p. 3

Summary

Part I – The Convention's content and purpose

The Faro Convention is a framework convention that adopts a comprehensive approach to the wide range of issues that, from a European perspective, have a bearing on the cultural environment. The background to the origins of the Convention can be found in numerous social changes. These include social and demographic changes in society, a changed political situation in Europe after the fall of the Berlin Wall, an increased flow of information as a result of social media and digitalisation and the fact that heritage today to a greater extent represents an economic value.

The Convention aims to respond to the new needs and challenges faced by the cultural heritage arena, and therefore aims for strategies that indicate a new direction for cultural environment work. Hence the Faro Convention differs from other cultural heritage conventions by its lack of clear "guidelines" on how to relate to conservation issues in the cultural environment. It should not, in the first instance, be considered a kind of defence instrument, as it does not focus on *how the* various types of remnants of the past should be protected. Instead, the Convention deals with issues concerning *what* we preserve and *why* and *for whom*. In this way, the Convention seeks to reach beyond the physical preservation of cultural heritage, and to focus on how cultural heritage can be managed and integrated into ongoing social processes.

The Convention is based on two important points. One is to put people at the centre through a clear connection to the area of human rights. Each individual should be granted the right to experience and interpret what cultural heritage can mean. The second point emphasises the positive benefits of using heritage as a resource. The framework convention's overall aim is thus to ensure the place of cultural heritage at the centre of a new vision of sustainable development.³ A prerequisite for implementing this vision is the introduction of a broad concept of cultural heritage. This is actually the broadest concept to appear in any convention text to date, and is referred to as "a cross-disciplinary concept of cultural heritage". The necessity of this broad cultural concept has been guided by the idea that heritage and its function must be defined in relation to social change and to human contemporary values. Cultural heritage is considered to have an interactive nature, which means that it can continually be redefined.

The Faro Convention is thus putting its finger on the problems that are to be found in matters concerning cultural heritage, namely how, historically, cultural heritage

³ "Aims and origins of the Convention," the Council of Europe Framework Convention on the Value of Cultural Heritage for Society, *Explanatory Report*, 2005, p. 1. See also Therond, D., "A few words about Faro" Seminar on the Value of Cultural Heritage for Society Jasnaya Polyana September 13 -14, 2010.

has been used to define separate cultural identities, resulting in cementing and clear boundaries between different cultural heritages. Instead, the Convention introduces a new approach which *inter alia* assumes that heritage does not necessarily have to be understood as territorial, or in terms of population demarcation. Rather, it should be shared regardless of ownership claims. The Convention thus emphasises the need to deviate from the traditional sectoral thinking around culture and heritage issues towards a more inclusive and holistic approach in which cultural, social and economic aspects increasingly interact and influence our perception of cultural heritage and the cultural environment. The question of who has access to and the right to interpret different cultural heritages is central from a democratic perspective, according to the Faro Convention.

In addition to the above broader goals, the Convention highlights the fact that cultural heritage is a resource that must be considered and used in multiple social processes. Cultural heritage is thus expected to contribute to a socially- sustainable development at multiple levels of society. Firstly, cultural heritage is highlighted as a significant resource for the individual. The area of social sustainability emphasises in particular human beings and their mutual relationships, but also improved quality of life, equal access and active citizenship. Secondly, the Convention emphasises how cultural heritage can also contribute to a socially-sustainable development at the societal level and how it can influence other policies. This approach encourages a more cross-sectoral approach in terms of cultural heritage. The Convention also stresses the importance of education at all levels, and in interdisciplinary subjects, bringing in knowledge of the cultural heritage. Thirdly, it is recognised that cultural heritage also has a role in the construction of a peaceful and democratic society at a European level and is expected to promote intercultural dialogue. At this level, the convention conveys that there is a consensus that a diversity of cultural heritage, together with the Council of Europe's core values, will create a European social context, known as "the common heritage of Europe". In this context, the Faro Convention works preventatively, like the Council of Europe, due to Europe's long experience of conflicts. Increased knowledge of the multiple facets of cultural heritage are assumed to allow an opportunity for reconciliation.

The Faro Convention also expresses a clear message that cultural heritage is a resource for economic development and thus legitimises an economic approach to cultural heritage. By demonstrating the presence of the economic value of cultural heritage, the Convention aims to ensure other values that relate to the cultural environment. Cultural heritage is thus considered to act as a resource for a long-term, sustainable economic development.

In the Faro Convention's preamble, the right of each individual to be involved in the interpretation of cultural heritage while respecting others' freedoms and rights with reference to Article 27 of the *UN Universal Declaration of Human Rights* is

emphasised. The Faro Convention further develops and extends the UN's provision on the individual's right to take part in cultural life. More precisely, the Faro Convention is about everyone having the opportunity to have access to cultural heritage. However, this right should not be understood as entailing the formulation of legal or cultural requirements for ownership of a specific cultural heritage artefact, but instead the Convention emphasises the right of everyone to be involved and interpret the same. The Convention thus opens the way for an approach focusing on the individual and an inclusive approach, and thus supports a diversity perspective. Consequently, the Convention cannot be used to assert minority rights and the Convention does not give signatory states opportunities to protect designated groups' rights.

By placing people at the centre, and not the object or the practice, it then follows that it is the individual who decides, or at least should influence, what shall be defined as cultural heritage. The Convention stresses the importance of increased cooperation between the cultural environment sector and other areas in society. The Convention thus introduces the concept of "Heritage Communities", and highlights that cultural heritage shall not just be defined by the experts, without the public being involved to a greater extent in the cultural heritage process. A "Heritage Community" thus has a very broad definition in order to include all kinds of groupings. The primary purpose is to create greater interaction between citizens and the traditional cultural heritage sector, as well as other institutional and private players.

The Faro Convention also emphasises, from a democratic perspective, the importance of providing qualitative information about cultural heritage through digital technologies in the emerging information society. The overall purpose of digitalisation is according to the Convention, to ensure a collective memory through the availability and dissemination of a diversity of knowledge. The Faro Convention's emphasis on more active citizen participation in all kinds of cultural processes is intended to ensure a wider and more dynamic range of cultural heritage - a range which reflects the contemporary than the past. This selection is based on citizens' values "here and now", and is assumed to be desirable in achieving social sustainability.

Part II - Consequences of ratification

The National Heritage Board's report has set out the key elements of the Faro Convention in Part I. The report has also deepened knowledge about and analysed the impact of the Convention's visions and challenges in Part II. The most important consequences of ratification for Swedish cultural heritage management are shown below.

With regard to the Convention's overall theme *Cultural heritage as a resource for sustainable social development*, the Swedish National Heritage Board identifies the following positive consequences for Swedish public cultural heritage management:

- The Convention can serve to inspire cultural environment work. It introduces a new collaboration model (Heritage Community) and presents ideas that aim to increase social cohesion in society.
- The Convention deems it important to invite more players to take part in the conversation about what is cultural heritage and work towards a broader perspective and approach in terms of everyone having the right to interpret cultural heritage.
- From a Swedish perspective, the Convention may serve as inspiration to develop Swedish cultural environment management towards increased cross-sectoral cooperation.

The National Heritage Board also identifies a number of challenges based on the above theme:

- From a social and management perspective, the Faro Convention's visions are too ambitious. It contains the hope that the use of cultural heritage will solve a wide range of social problems. There is hereby a risk of relying on the ability of cultural heritage to serve the community in a functional way.
- The traditional cultural environment work must fundamentally change in order to achieve the visions highlighted in the Faro Convention. This could result in a highly-valued, protected cultural heritage being replaced by a more loosely-defined heritage which could be better adapted to prevailing social processes.
- The Convention's strong emphasis on what cultural heritage means for the "here and now" means that the long-term sustainability perspective, and also the historical perspective could be lost. This may in turn lead to simplified stories.
- From a conflict prevention perspective, the Convention focuses, too one-sidedly on the conflicts within or between states in Europe by emphasising "the common heritage of Europe". This risks not fully capturing the problems that currently characterise Europe's political and social situation which is increasingly experiencing the impact of the effects of ongoing globalisation. As a result the Convention tends to be "dated".

With regard to the Convention's theme *Cultural heritage as a resource for economically sustainable development*, the National Heritage Board identifies the following positive consequences for the Swedish public cultural environment management:

- The Convention allows for the continued development of the use of cultural heritage as an instrument for industrial and regional policy, *inter alia*. However, the cultural environment administration needs to develop methods around this in order to bring about greater and more active cross-sectoral cooperation.
- The impact of regarding cultural heritage as an economic resource in line with the Convention, to both use and preserve the cultural heritage, contributes to a balance between traditional cultural environment work and a more creative practice that is closer to contemporary society. This can lead to a need for specific skills enhancement.

The National Heritage Board also identifies a number of challenges based on this theme:

- Regarding cultural heritage as a tool for economic development is a somewhat narrow, instrumental approach that means that the focus moves from the culture's own development opportunities to culture becoming a way for other sectors to develop.
- One obvious danger with increased economic use of cultural heritage is a tendency to lead to the well-known risks of standardisation and a form of cementing of traditional images of culture and heritage. With this development there is also a risk of over-exploitation of cultural heritage as an economic resource.
- Regarding cultural heritage as a resource for economic development can lead to some parts of the cultural heritage receiving attention at the expense of others which cannot develop economically. One consequence is therefore that there is a tension between accessibility and economic exploitation.
- Cultural heritage's scientific values are toned down in the Convention in relation to the so-called experience and use values. This may eventually lead to simplified stories.

With regard to the Convention's theme of *The Convention's perspective on rights and responsibilities*, the National Heritage Board identifies the following positive consequences for the Swedish public cultural heritage management:

- The Faro Convention can help to highlight the principles of people's participation in cultural work in accordance with the cultural policy objectives and the new national targets for cultural environment work.
- The Convention can contribute to an alternative approach to existing legislation, as for example expressed in the Second Council of Europe Framework Convention on the protection of national minorities. The Faro Convention also conveys another

cultural perspective than that expressed in UNESCO's cultural heritage conventions, as it emphasises the individual perspective and thereby aims at diversity.

The National Heritage Board also identifies a number of challenges based on the above theme:

- The Convention does not provide legal tools for groups or individuals to ensure the right to "their cultural heritage" based on the view that people are their culture, origin or cultural heritage. However, the Convention does not prevent anyone working to such an agenda around a specific cultural heritage as long as the right of others to interpret the same cultural heritage is respected. This could nonetheless enable influential and resourceful groups' interpretation to prevail at the expense of others.
- The Convention could be perceived as contradictory as it works with multiple strategies in parallel - the individual, the community and the European level. Furthermore, it avoids complex issues and concepts by neither touching nor clearly defining those terms in the Convention text. This applies, for example, to the concept of "cultural heritage", "the common heritage of Europe" and "Heritage Community". This means that in a number of places the Convention is vague and unclear, which opens the way for alternative interpretations.

With regard to the Convention's theme of "*Heritage Communities*" - a cooperation model for promoting participation, the National Heritage Board identifies the following positive consequences for the Swedish public cultural environment administration:

- The Convention contributes to the public heritage sector having to cooperate with other players and interest groups and, increasingly, to take into account other policies. "Heritage Communities" should in this context act as a form of cooperation model where the expert community and other relevant sectors of the community can come together in communities with reference to cultural heritage.
- The right of interpretation that has traditionally been the preserve of the cultural heritage expert should, according to the Convention, allow other voices to be heard in the spirit of democracy. A clear consequence of the participatory approaches that the Convention advocates should therefore be that the Swedish public cultural environmental administration develops better tools in order to be able to take advantage of the "input" that different social players contribute in different cultural processes.
- The term "Community Heritage" includes a far wider range of groups than that which is commonly referred to when talking about civil society and other relevant actors in society from a Swedish perspective. One consequence therefore of a possible ratification, is that the perception of what constitutes civil society in Sweden must be broadened to include groups or interests, both at a European and a global level.

- A consequence is also that the Swedish public cultural environment administration must develop more methods and approaches to managing cultural heritage in relation to issues that affect social sustainability and participatory approaches.

The National Heritage Board also identifies a number of challenges based on this theme:

- Despite good intentions, it is not uncommon for various types of participatory models leading to groups being excluded from the decision-making process. This could also apply to the cooperation model "Heritage Community". Because the Convention focuses unilaterally on the positive aspects of this cooperation model there is a tendency to underestimate the potential practical problems that may arise upon implementation. Given that cultural heritage from a European perspective has strong political and symbolic value, there is a risk that some "Heritage Communities" could become platforms for political or other interests with reference to cultural heritage.

What then are the more general implications for the public heritage authorities' organisation and management should Sweden choose to ratify the Faro Convention? One reasonable assumption would be that it is largely up to the public cultural authorities themselves to decide the issue. This is because it is usually the responsible authorities themselves who study the consequences and proposals on how the Convention should be handled and incorporated, before implementation. In cases where authorities' proposals are heard by the government, and if the government does not allocate specific funds or formulates specific duties, an organisation is then created that the responsible authorities consider necessary based on the existing financial framework.⁴

Conventions like the Faro Convention exemplify affected parts of the authorities' work. It should also be emphasised again that framework conventions are relatively weak instruments in relation to other instruments such as overall cultural policy objectives or the government directive. The Convention will be no more alive than is practically and organisationally possible in the administration's work. As the Faro Convention contains no instructions on practice but rather has the nature of an ideological, comprehensive concept paper on cultural heritage, it should rather, upon ratification, be regarded as support for government administration than a policy document.

⁴ Erlandsson, 2013, p. 84

1 Introduction

1.1 Description and starting points for the government's commission

The Council of Europe's Framework Convention on the Value of Cultural Heritage for Society, also called the Faro Convention, is the latest in the series of cultural conventions issued on the initiative of the Council of Europe. The Faro Convention opened for signature in 2005 and entered into force in 2011 after the first ten countries within the Council of Europe had ratified it⁵ In 2012 the Swedish National Heritage Board was commissioned by the Ministry of Culture to look into the conditions and consequences of a possible accession to the Convention, and to assess potential constitutional amendments that would be required upon ratification. The findings will be reported to the Ministry by 31 March 2014.

A thorough analysis and interpretation of the Convention has been a prerequisite for examining the relevance and the importance of the Faro Convention to Sweden. The impact assessment focuses on how the Convention challenges traditional ways of looking at and relating to heritage and the cultural environment in Sweden. The analysis also looks at what ratification would mean for the practical impact on the work of the Swedish public cultural environment management. A starting point for the project has been that Convention does not require any constitutional changes.

1.2 Method and implementation

A characteristic of the Faro Convention is that it aims for cultural heritage and cultural environment conservation to play a more active role in the social process. The Convention is based on this point on an individual perspective, but also takes into account the local, regional and national perspectives while also relating to a European and global context. Hence the Convention aims to establish new approaches and strategies based on cultural heritage from a number of different dimensions. This, combined with the fact that it is a framework convention, means that the Faro Convention appears to be a very complex document.

Interpreting and understanding a convention text can be fraught with difficulties. A contributory reason may be that the text of the Convention and its articles, have very high significance, but also because the wording of the text can be ambiguous and sometimes vague. This is also very true of the Faro Convention. Simply to apply a literal interpretation, that is, using a purely linguistic understanding of the text, to try to gain knowledge about the convention's meaning and intention, has

⁵ The Convention was opened for signing in the Portuguese city of Faro, hence the name of the Convention.

not been considered a viable approach. It has instead been necessary to seek detailed information about the actual meaning of the Convention's various articles.

The methodology used in the report has been both so-called *subjective interpretation* and *teleological interpretation*. The subjective interpretation has been based on capturing the intentions that the Convention's authors conveyed. In this context, the *Explanatory Report* (2005) constituted an important source. Here the Convention's authors explain how they intend to Convention text to be understood and translated. Using a teleological interpretation, or interpretation of purpose, the authors of this report have also attempted to clarify the purpose and objectives that the Convention is designed to fulfil. Several of the members of the international group of experts who wrote the Convention have also contributed explanatory texts to the anthology *Heritage and Beyond* (2009).

As the convention is complex in nature, it has been of great importance to identify the Convention's most important core issues and to focus the report on a number of major themes. These themes are dealt with thoroughly and interpreted in the report's first part (Part I). The thematic analyses comprise a selection that, from a Swedish perspective, are considered most relevant to the government's commission. The first theme deals with cultural heritage as a resource for social sustainability. This theme is a form of overall "cover" and is treated as a portal section of the report where each theme in turn has a clear bearing on the other three. These are: heritage as a resource for economic sustainability, cultural heritage linked to rights and responsibilities, and cultural heritage in relation to democracy and the citizen's perspective. The first part is primarily about describing the meaning of the Convention's articles and aims.

The report's second part (Part II) contains an in-depth analysis of the respective themes. These in-depth analyses are aimed at achieving a better understanding of the intentions of the Convention. Here, an attempt is made to highlight the Convention's constructive sides, but also to highlight the potential risks of the Convention's occasionally innovative approaches and perspectives. The in-depth analyses are followed by a description of how the Swedish cultural environment management worked with questions related to each theme. There then follows an impact assessment for each section. The complexity of the Faro Convention makes it impossible to elucidate completely all the aspects that the Convention highlights. The four thematic sections that this report focuses on should be regarded as a selection that captures some of the Convention's most important issues. These in turn can be seen as an expression of the trends that today are of common concern in the field of cultural heritage and cultural environment preservation.

The report has focused on the themes and issues that are relevant to Swedish public

cultural preservation practice and to public authorities and institutions working in this area. The report does not consider the articles contained in the Convention's fourth section which deals with governance and international cooperation (Articles 15-17), as they only concern the States that have ratified the Convention. For the same reason the articles contained in the Convention's fifth section, which deals with technical and legal provisions on ratification (Articles 18-23), are not considered.

1.3 Material and sources

The Faro Convention content is wide with links to several areas of society. This is also reflected in the text of the convention which is multifaceted and extensive. In order to acquire understanding and knowledge of the Convention, it has been appropriate to seek evidence and support from a number of different types of source material. The Convention's text was written by the Council of Europe's cultural heritage department in close collaboration with an international expert group.⁶ In connection with the Convention's creation in 2005, the expert groups also presented a so-called *Explanatory Report*, which is intended to facilitate the interpretation of the articles' significance and content.⁷ This paper tries to present the various articles in a broader context, but nonetheless relates closely to each article and therefore has the character of an explanatory text.

In 2009 the Council of Europe also published the anthology *Heritage and Beyond*.⁸ The book was written by some of the people who were part of the expert group and should be considered an aid to clarifying the intentions behind the Faro Convention. *Heritage and Beyond* also provides several examples of concrete activities, which have the support of the Convention, and of projects already completed in order to clarify the objectives and visions. The content was developed in cooperation with the Council of Europe Steering Committee for Culture, Heritage and Landscape (CDPATEP, now CDCPP), which also has the task of monitoring the implementation process.

As this report covers several broad themes, it has been appropriate to use relevant literature and current research to achieve a deeper understanding and knowledge of the action areas covered by the convention. In order to take advantage of this research it has been appropriate to complement the more personal interpretations of the Convention found in *Heritage and Beyond*. The literature covers areas related to cultural heritage in relation to social and economic sustainability and in relation to rights and responsibilities and its relationship to both civil society and other relevant parts of society in this context. The report has therefore taken note of the

⁶ Cultural Heritage Department of the Council of Europe

⁷ *Explanatory Report*, 2005.

⁸ *Heritage and Beyond*, 2009.

literature and research studied as part of the Faro Convention and how this Convention will contribute to a changed view of cultural heritage.

The report has also undertaken a review of how the central authorities in the cultural environment area in Sweden have been working within each theme in the past decade. In this context, preparatory work, policy documents and legislative texts constituted relevant sources. However, reports from authorities and research projects have formed the basis for the survey. This review has been of great importance for understanding and trying to anticipate the consequences of possible Swedish ratification of the Faro Convention.

A Nordic cooperative study of the Faro Convention, funded by the Nordic Council of Ministers / TEG, was conducted in 2012. The work has contributed to a valuable exchange of knowledge on common cross-border issues with respect to the Faro Convention. The partnership also gave an insight into how each country looks at the Convention, and how it could be incorporated in the countries' official work.

The report has been anchored in the work of the National Heritage Board, by a specially-appointed reference group. Moreover, an external researcher has been employed specifically to investigate conventions as instruments of public cultural environment governance (see Erlandsson 2013).

1.4 Structure and reading instructions

The report begins with the National Heritage Board's recommendation and summary. Thereafter follows the report in two parts, in addition to a preamble. Part I is an attempt at a streamlined presentation of the Convention's content and visions. Part I is divided into four thematic sections which constitute a selection of the Convention's most central issues. Part II comprises the report's impact analyses and follows the same thematic outline as Part I. Each section begins with a detailed analysis that tries to highlight the constructive sides of each theme, but also tries to highlight the possible risks and problems in the Convention's approach. Each section also describes how the Swedish public cultural environment management has worked on each theme in the last ten years. The four thematic sections then each end with their own impact analysis.

For an introduction to the Convention, reading the report's Recommendations and Summary is recommended. For a somewhat more thorough understanding of the meaning of the Convention and the goals, Part I of the report constitutes a description of the most important areas of the Convention. For a deeper understanding of the Convention's content and approach with particular attention to the impact and risk analysis, Part II is also recommended.

You can choose at least two ways to read this report. One way is to read Part I and

Part II in sequence. This provides a general overview about what this convention stands for as a whole. Another way is to read the report thematically. By combining the descriptive chapter of Part I with the corresponding in-depth chapters in Part II, which contain risk and impact assessments, the reader will acquire a more problem-oriented understanding of the Convention. As the report is divided into a descriptive part (Part I) and an in-depth part with analyses (Part II), there is inevitably a tendency to repetition. While this may be perceived as problematic, it is not possible to avoid this completely, due to the structure of the report. As the Convention is extremely complex, it can however, be argued that there is sometimes an educational point to a degree of repetition.

Part I The Convention's aims and visions

2 The Convention's legislative history and status in Europe

2.1 The Council of Europe - a background

The Council of Europe is an intergovernmental organisation founded in 1949 by a dozen countries, including Sweden. In a Europe that had recently experienced the Second World War and its totalitarian regimes, the Council's primary task was to promote democracy, human rights and the rule of law. Its first task was to establish a European Convention on Human Rights, known as the *European Convention or the European Convention for the Protection of Human Rights and Fundamental Freedoms*. Signing up to the European Convention is now an essential requirement for membership of the Council of Europe.

After the Cold War, Soviet control of Eastern Europe dissolved in 1989-90. Several countries from the former Eastern bloc became members of the Council of Europe in the ensuing years, which intensified its efforts to strengthen issues relating to democracy, human rights and the protection of minorities. Today, the Council of Europe has 47 Member States which can be compared with the 27 EU Member States.

Whereas the EU has supra-national authority to create laws and regulations that apply to all Member States, the Council of Europe works to its intergovernmental mandate, primarily by issuing declarations and conventions which Member States may, on a voluntary basis, choose to join. Unlike the EU, the Council of Europe lacks the opportunity to directly influence a state's actions by issuing economic or political sanctions. Its influence is far as possible at an ethical level, and the Council of Europe has sometimes been described as Europe's "moral authority". Sweden's view of the Council of Europe cooperation within culture and media is also based also on the Council of Europe's core mission - to defend human rights, democracy and legal principles. It is about working to bring together the so-called normative instruments, namely agreements of various types.⁹

2.2 The Faro Convention - "A Policy Framework for a New Era"

When the Faro Convention's structure was to be signed, several influencing factors were highlighted. Among these was Europe's changing political map after the fall of the Berlin Wall and not least the conflicts in the Balkans in the 1990s. Furthermore, many elements of the structure could be linked to the principle standpoints within the Council of Europe on changes to the organisation of cultural

⁹ The Government Dir.. 2005/06: 188, p. 18 f.

policy. In addition there were several contemporary external changes in Europe, which showed that there was a need for a new convention.¹⁰

The war in the Balkans broke out as a result of the dissolution of the former Socialist Federal Republic of Yugoslavia into several independent republics. The armed conflicts became the most difficult in Europe since the Second World War.¹¹ The war involved internal conflicts and cultural heritage. The political, religious and ethnic tensions included the systematic destruction of the other side's culture historical monuments and religious buildings. The war killed and displaced people because of their cultural and religious identity and there were major violations of human rights.

The creation of the Faro Convention can then be placed in a political and historical context. On some points the convention is quite innovative, in part through its clear link to the UN Universal Declaration of Human Rights. It stresses the right of each individual to take part in the cultural heritage if they so wish, while respecting others' freedoms and rights.¹² In light of the conflicts in the Balkans, the significance of cultural heritage as a tool for reconciliation is highlighted, underpinned by a vision of a peaceful Europe. A number of conflicts in recent decades, especially in the former Yugoslavia, but also in Cambodia, the Middle East and Africa, have shown that UNESCO has not achieved the desired impact of the 1954 Hague Convention. Several signatory States to the Convention have failed to take the measures required to protect cultural property in times of war.¹³ In this context, the Faro Convention offers an additional, updated approach to cultural heritage in relation to armed conflicts. Cultural heritage can, under the Convention, be used as a preventative tool in conflict resolution and conflict prevention.¹⁴

Many of the basic ideas for cultural heritage work, as enshrined in the Convention, can be traced back to earlier declarations by the Council of Europe. At the fourth Ministerial Conference in Helsinki in 1996, the ministers responsible for the cultural heritage field discussed new principles for a common European cultural heritage policy. The preceding Ministerial Conferences in Granada (1985) and Valetta (1992) had strengthened the inter-governmental European cooperation in cultural heritage issues and moreover resulted in two conventions.¹⁵ However, the Helsinki conference was clearly more politically-oriented and had the overall theme of "Cultural heritage as an economic and social challenge". Here, cultural

¹⁰ Theroud 2010

¹¹ Slovenia in 1991, Croatia 1991-95, Bosnia-Herzegovina 1992-95 and Kosovo in 1996-99.

¹² Council of Europe Framework Convention on the Value of Cultural Heritage for Society, Faro 27.x. 2005 Preamble 4th point. *Explanatory Report*, 2005, Article 1.

¹³ *Cultural heritage - the new military objective in modern warfare*, Report of the seminar Cultural Heritage without Borders / Defence College in 2004, p. 7

¹⁴ Fojut, N., "The philosophical, political and pragmatic roots of the convention," *Heritage and Beyond*, 2009, pp.-17.

¹⁵ Council of Europe Convention (1985) for the protection of Europe's architectural heritage, and the Council of Europe Convention (1992) on the protection of the archaeological heritage.

heritage emerged as an independent factor in conflict-bridging in Europe. The conference declaration was based on the view that the inherent values of cultural heritage should be used more actively to contribute to the Council of Europe's goals of greater democratisation within the Member States. In the light of the Balkan war, concrete action plans for the reconstruction of cultural heritage in Bosnia-Herzegovina and Croatia were on the agenda.

In the Helsinki Declaration of 1996, principles were established that were later incorporated and developed in the Faro Convention. As examples, the following can be highlighted: accessibility to cultural heritage must be strengthened; cultural heritage can be used as an economic resource, access, the significance of cultural heritage for sustainable development, different strategies for heritage tourism, and the State's role in relation to the role of voluntary organisations.¹⁶

In particular, the role of voluntary organisations and their significance represented the theme of the first European conference on non-profit organisations' role in heritage work which was organised by the Council of Europe in Oslo in September 2000. The co-organisers were the Directorate of Cultural Heritage in Norway and the Society for the Protection of Ancient Norwegian Buildings, founded in 1844, which is probably one of the oldest voluntary cultural organisations still in existence. The Oslo Conference resulted in a draft declaration which was later adopted at the fifth European Conference for ministers with responsibility in the heritage field in Portoroz (Slovenia) in April 2001. In the Portoroz declaration on the role of voluntary organisations in cultural heritage, the significance of the voluntary organisations and civil society is emphasised as being of importance in caring for cultural heritage.¹⁷

This is a principle which recurs in the article on so-called "Heritage Communities" in the Faro Convention. In the same year, 2001, work commenced within the Council of Europe on trying to create an additional protocol to the Granada and Valetta conventions. This attempt was deemed to be inadequate, and in 2003 a committee of experts was appointed to begin work on a new convention.

Daniel Therond, heritage manager at the Directorate of Cultural and Natural Heritage at the Council of Europe, has highlighted further influencing factors that can illuminate the Faro Convention's origins. He emphasises that it responds to new needs and challenges, and thus attempts to fill a number of gaps where previous cultural conventions are considered to be insufficient. Therond highlights four factors. Firstly, increased globalisation and the changed political situation in

¹⁶ IVth European Conference of Ministers Responsible for the Cultural Heritage, Helsinki 30-31 May 1996. Report CM (96) 97. Appendix II: Helsinki, *Declaration on the Political Dimension of Cultural Heritage Conservation in Europe*, p. 20 ff. See also Johansson, BOH, *Cultural Heritage and Development policy. A compilation of Swedish acquies and international declarations and conventions relevant to international Development*, 2001, p. 20.

¹⁷ The Faro Convention - a paradigm shift in the thinking of cultural heritage preservation. " Seminars held at Riksantikvaren, Oslo, March 6, 2012. Dag Myklebust "From Oslo to Mechelen - via Portoroz". Paper given at the conference on Civil Society and Heritage 5-6 July, Mechelen, Belgium.

Europe have shifted the former more or less obvious views on the importance of places or the symbolic value that is ascribed to cultural heritage. A second factor is social and demographic changes in society, where increased migration in Europe contributed to the emergence of multicultural societies. A third factor is a substantially altered flow of information with increasing digitalisation that in turn affects knowledge dissemination within the cultural heritage sector. The fourth and final fact is that the cultural heritage began to be allocated an economic dimension based on market factors.¹⁸

2.3 The Faro Convention in relation to other cultural conventions

An important starting point for understanding The Faro Convention is that it works from a partly new agenda. Earlier conventions drawn up within the Council of Europe have served specifically as instruments for the protection for cultural artefacts and cultural environments. The Faro Convention wants to go a step further by attributing different functions to the cultural heritage, to be used in a sustainable way to create better economic and social conditions in the various European communities.¹⁹

In this way it distances itself from many of UNESCO's cultural conventions - even in terms of UNESCO's cultural perspectives which are characterised by maintaining cultural diversity in relation to an increasingly globalised world. The World Heritage Convention (1972) protects specific cultural and natural heritage through its inalienable values that are considered to have significance for all mankind. The Faro Convention strives for a broader overview in terms of cultural heritage, which is not based on this type of division of cultural expressions in designated sectoral areas. The Faro Convention also offers a broader approach to cultural heritage when it draws attention to the cultural heritage's inherent variability. Thus, it differs even from UNESCO's Convention on the Protection of the Intangible Cultural Heritage which aims to safeguard intangible cultural heritage, partly by establishing lists and lists of clearly-defined cultural heritage and expressions. The Faro Convention focuses instead on how different values are attributed to cultural heritage and advocates a pluralistic approach where multiple values can be attributed to the same cultural heritage.²⁰

Like the European Landscape Convention (ELC), the Faro Convention broadens the view of cultural heritage.²¹ A distinctive feature of both of these conventions is that they aim to work interactively in ongoing social change. The Landscape Convention emphasises the importance of surrounding landscapes in the cultural environment in both urban and rural areas. It has, like its "sister convention", a

¹⁸ Therond 2010

¹⁹ Therond, D., "Benefits and innovations of the Council of Europe Framework Convention on the Value of Cultural Heritage for Society," *Heritage and Beyond*, 2009, p. 10

²⁰ Specificity and timeliness of a Council of Europe instrument," *Explanatory Report*, 2005, B, paragraph 7.

²¹ See *European Landscape Convention*, Florence 20.10.2000.

democratic aspect through the emphasis on user influence and equal rights to interpret and administer the landscape. Both the ELC and the Faro Convention raise our eyes beyond the conservation issues surrounding concrete objects and thus move away from traditional management where experts select objects deemed worthy of protection, and where the state acts as financier. Instead, a new integrated conservation policy was launched which includes citizens and the local population in taking responsibility for cultural heritage.

The Faro Convention is also designed to complement the Council of Europe's Granada Convention of 1985 for the protection of Europe's architectural heritage and the Malta or Valetta Convention from 1992 on the protection of the archaeological heritage. The additional parts in this context consist of the Faro Convention's indicators for sustainable development and the launch of an inclusive management / development model by finding new common criteria for monitoring (cf. HEREIN - European Heritage Network).²²

2.4 The Framework Convention as a tool for Swedish public cultural environment management

Conventions are a way to create a form of normative system at an inter-governmental, European or global level, where countries, despite differences in their political and legal systems, can agree on common commitments or binding laws that then impact over national borders. A "greater global order" can thus be said to exist whereby conventions facilitate coordination and cooperation in the sectors they regulate.²³

Sweden has adhered to the principle that international treaties and conventions do not automatically become part of Swedish law. In the Swedish system, the contents of conventions are therefore not directly applicable to Swedish authorities. In order to be valid they must either be converted into Swedish legislation or incorporated by special constitution. The Faro Convention is an example of a *framework convention* where incorporation into the state's legislation is not automatic. Here, the ratifying states themselves have the ability to determine how - through laws, advice, recommendations, policy changes - its principles can best be realised. Each country chooses the path that suits itself best in relation to existing legislation and the political situation. In this case, framework conventions tend to be more like policy documents where key objectives and actions are defined. It is thus "the frame around the continued cooperation", expressed in general objectives, that the contracting parties undertake to follow, rather than precisely formulated rules with fixed penalties for violations.

²² Therond, 2010

²³ Brunsson, N. & Jacobson, B., *A World of Standards*, 2000.

Cooperation is thus a key word when it comes to framework conventions. The Council of Europe expresses the idea of framework conventions using the following metaphor: "A framework convention identifies the direction and the destination of an ambitious European journey, but is not a detailed route map or timetable".²⁴

Framework conventions are relatively rare, but allow, as mentioned, wide discretion for the ratifying states.²⁵ The Faro Convention, which expresses goals and methods that are in line with Swedish priorities and Swedish practice, would thus be able to provide support for further work, as well as pursuing and intensifying national efforts to achieve the objectives for Swedish cultural heritage policy. Conventions, and the material that the institutions behind conventions share freely, may contribute to important discussions and facilitate the dissemination of information to organisations and citizens. They can also act as a kind of "cover" for the work of the cooperating agencies. Conventions are a document that government representatives and experts can lean on. Framework conventions can thus serve as reasonably effective documents in the work of authorities to achieve the goals at which the conventions aim, although they are weaker than the instruments that consist of policy objectives, instructions and government directives.

Meanwhile, there is a risk that conventions, especially those that are more like visions than expressed formal rules, can become so numerous that they will become difficult to distinguish, and no one will feel affected by them. As with the general requirements of the state, conventions that do not result in constitutional amendments or changes to the administration's management organisation, can become obscure instruments sitting alongside "ordinary activities".

However, conventions can also be likened to tools for universal legislation and, from this point of view, the growing number of conventions could rather be seen as a measure of ever closer cooperation between countries. More conventions in more and more areas may instead be a sign of the conventions' strength. Based on the assumption that an increased number of conventions leads to closer cooperation between countries and also increases the intergovernmental and other organisations' importance, as claimed by new research, ministries and agencies should allocate more resources to actively respond to conventions, both by being there when they are created, and by influencing their application.²⁶

²⁴ "The character of the Convention," *Explanatory Report*, 2005, C. third paragraph

²⁵ Only two of the Council of Europe conventions are framework conventions - The Faro Convention and the Convention on the protection of national minorities. Two further examples of framework conventions are the World Health Organization's Framework Convention on Tobacco Control and the UN's Framework Convention on Climate Change (UNFCCC).

²⁶ Erlandsson, 2013 p. 48

3 Cultural heritage as a resource for socially-sustainable development

3.1 The concept of sustainability - a broader definition

The official title of the Faro Convention is the *Framework Convention on the Value of Cultural Heritage for Society*. The title sets the tone - the Convention deals with cultural heritage's value to society. This section sets out how the Convention shows that cultural heritage can have a value to society and the ways in which it is linked to the concept of social sustainability.

The discussion about sustainability had its origins in the increased environmental awareness that arose during the 1960s and 1970s.²⁷ In the 1980s, *The United Nations Commission on Environment and Development* (UNCED), also known as the Brundtland Commission, introduced the concept of sustainability that has since been widely disseminated.²⁸ The commission's report developed the concept of "sustainable development" for the purpose of managing sustainable long-term development, rather than just responding to contemporary needs and conditions. The Commission also highlighted the need to link environmental, economic and social factors to be able build a socially-sustainable society in the long term. This made it clear that the concept of sustainability was no longer concerned solely with the environmental aspects but also included economic and social dimensions. Among the social factors, human needs and citizen participation are highlighted as important aspects.²⁹

In conjunction with the UN environmental conferences in Rio in 1992 and Johannesburg in 2002 a consensus emerged that sustainable development in the long term can only be achieved through a form of interdependency between these three elements, namely environmental (ecological), economic and social sustainability. Since the late 1990s, there has also been a development towards a greater balance between these three dimensions in the international political debate. Economic and social sustainability have gradually been added to the environmental aspect and thus gained increased relevance.³⁰ Today, the concept of sustainability has become an expression of a broad and multi-focused agenda.³¹ The Faro Convention also links the

²⁷ UN conference in Stockholm in 1972 brought environmental issues on the international political agenda. See also Olson, H.-E., *Social sustainability. What is it and how we implement it?*, 2012

²⁸ *Our common future / WCED*, World Commission on Environment and Development, 1987.

²⁹ McKenzie, S., "Social Sustainability: Towards some definitions," *Hawke Research Institute Working Paper Series No. 27*, 2004, p. 2. See also Olson, HE, 2012

³⁰ McKenzie, 2004, p. 3

³¹ See also variations in terminology: 'triple bottom line' and 'sustainable development' here used alternately.

various dimensions of sustainable development, in particular the social and economic dimension. The framework convention's main aim is to ensure the place of cultural heritage at the centre of a new vision of sustainable development.³²

Within the theory of the concept of sustainability, the social dimension is identified as an area that offers a wide interpretation. Because of its qualitative nature, social sustainability is considered to be more difficult to measure than environmental and economic aspects of sustainability. When the international research situation is studied, it therefore appears that there is a lack of a consensus about which criteria and perspectives should really be accommodated within the concept of social sustainability. The cultural geographer Andrea Colantonio, for example, has carried out a study of how the concept of social sustainability has changed over time, from the early 1990s until today. Colantonio sees a shift where the new so-called soft values take a more prominent place alongside earlier identified social values such as public health, employment, welfare, equality and democracy. These soft values include other qualities of life, social cohesion and social capital. Such values probably reflect a change in the social needs of individuals and communities, but at the same time this significant shift contributes to widening the complexity of the concept of social sustainability.³³

In summary it can be said that the importance of social sustainability today is more about people and about their mutual relationships. Other areas highlighted in the concept are for example, social services, recreation, access to culture, measures aimed at improving people's quality of life and equal access to the built environment.³⁴ Finally, active citizenship in the social dimension of sustainable development is also emphasised. This also reflects the importance of social cohesion, the construction of social networks and tolerance towards other groups.³⁵

It is against this background that the Faro Convention's emphasis on cultural heritage as a resource for socially-sustainable development must be understood. Sustainable development is simply the filter through which the Faro Convention should be considered. The Convention is characterised by a new approach to society and cultural heritage in which cultural heritage is a resource that can be used constructively in multiple ongoing social processes.³⁶

³² Explanatory report, 2005, Aims, 1

³³ Colantonio, A., *Traditional and emerging Prospects in social sustainability*, 2008/02 EIBURS Working Paper Series. Oxford Brookes University, Oxford Institute for Sustainable Development (OISD) - International Country Markets Group.

³⁴ Pacione, M., *Urban Geography: a global perspective*, (3rd ed.), 2009, Dempsey, N., et al., *The Social Dimension of Sustainable Development: Defining urban social sustainability*, 2011, 19: pp 289-300.

³⁵ Olson, 2012.

³⁶ Fairclough, G., "The Cultural Context of Sustainability - Heritage and Living" *Heritage and Beyond*, 2009, pp. 125-127 Explanatory report, 2005, Aims, 1

3.2 The Convention's broader concept of heritage

The Faro Convention has a broad approach in which cultural heritage is attributed a societal value at several levels. At the same time, the Convention widens the perception of the concept of heritage to be able to respond to some of the challenges facing Europe today.³⁷ The need to develop a broader definition of what heritage is is clarified in the Convention preamble: "Recognising the need to put people and human values at the centre of an Enlarged and cross-disciplinary concept of cultural heritage."³⁸ The Convention's approach of "a cross-disciplinary concept of cultural heritage" is based on the idea that cultural heritage must be defined in relation to societal changes and that consideration needs to be given to both human values and the function that is attributed to cultural heritage.³⁹

The Faro Convention's article 2a provides a detailed definition of what heritage is considered to be with the aim of meeting the objectives of the Convention: "Cultural heritage is a group of resources inherited from the past which people identify, independently of ownership, as a reflection and expression of their constantly evolving values, beliefs, knowledge and traditions. It includes all aspects of the environment resulting from the interaction between people and places through time."

The definition of the concept of cultural heritage, as reproduced in the article above, is according to the *Explanatory report* the broadest to appear in any convention text so far. Cultural heritage is considered to have an interactive nature, which means that cultural heritage is something that is constantly being redefined by people through human activities. Heritage will thus not be perceived as static or unchangeable.⁴⁰ This definition draws particular attention to the environmental and contextual dimension of cultural heritage. This refers, for example, to the impact of both humans and nature on the landscape. The importance of the surrounding cultural environment is highlighted. The Faro Convention wants to go a step further and offer a broader definition of cultural heritage, in contrast to an earlier practice restricted to historically-defined descriptions or material aspects of the cultural environment.⁴¹ (Ref. ELC, see chapter 2).

Several of the contributions to *Heritage and Beyond* highlight the view that cultural heritage does not only concern the past. It is as much about the present and

³⁷ The right to cultural heritage" (Internet source). *Explanatory Report*, 2005, Article 2. Dolf-Bonekämper, G.,

"Cultural Heritage and Conflict; the view from Europe", *Museum International*, Vol. 62, No. 1-2, 2010, p. 17

³⁸ Council of Europe Framework Convention on the Value of Cultural Heritage for Society, Faro 27.x. 2005 Preamble, 2nd paragraph.

³⁹ *Explanatory Report*, 2005, Preamble second paragraph: "The second paragraph sets out the need to consider the human values and functions of cultural heritage, and indeed the need to define cultural heritage itself, in response to major changes in society.

⁴⁰ *Explanatory Report*, 2005, article 2 Definitions, 1 a: "It pays particular attention to the interactive nature of the cultural heritage, recognising that it is defined and redefined by human actions and that it must not be perceived as either static or immutable."

⁴¹ *Explanatory Report*, 2005, article 2 Definitions, 2: "It thus goes beyond the concept of "historic environment", which tends to be concerned mainly with tangible aspects of the inherited environment."

the way in which we should face the future. Cultural heritage is seen as something dynamic, something that should provoke reflection and which is recreated and changed all the time. The definition of what cultural heritage is should also include more segments of the population. The Convention wants to evoke a social and creative process in the interpretation of what is the meaning and value of cultural heritage. Individuals' perceptions should be included alongside those of official institutions and society (see Chapter 6).⁴²

The Convention is also expected to play a role in a European context, thus bringing in a new social aspect of the concept of cultural heritage. The tangible and intangible cultural heritage have been used since the 1800s for nation building and to create socially homogeneous cultures. This still occurs today, but is seen by the authors of the Convention as a problem because it contributes to defining separate cultural identities and cementing clear boundaries between different cultural heritages. This convention is expected to fill a void because it advocates the need for a new concept for the management of cultural heritage which can work alongside different national entities in Europe.⁴³

Gabi Dolff-Bonekämper underlines in *Heritage and Beyond* that the goal is to achieve a greater degree of social and political cohesion at a European level. The Convention is not intended to overshadow different national laws on cultural heritage management within the Council of Europe. Instead, the Convention attempts to put forward a new approach that offers other social frameworks for determining what cultural heritage is in different cultural heritage processes. Cultural heritage should not necessarily be understood as being defined territorially or in terms of population; rather, it should be shared regardless of ownership claims.⁴⁴ One consequence of this is that both the social and spatial frameworks, i.e. the borders of the concept of heritage can then be redefined. The right to interpret the cultural heritage, according to the Convention, is no longer reserved for experts alone, but should be based on an inclusive perspective to be shared with other parts of society (see Chapter 6).

3.3 Cultural heritage as a resource – the individual level

The broad concept of sustainability, combined with the Faro Convention's extended concept of cultural heritage is a prerequisite for operationalising the use of cultural heritage as a resource for sustainable social development. According to the Convention, cultural heritage is expected to contribute to sustainable social development at three levels of society, namely the individual, social and European level.

⁴² Palmer, P., "Preface," *Heritage and Beyond*, 2009, p. 8. Fairclough, G., "The Cultural Context of Sustainability Heritage and Living" *Heritage and Beyond*, 2009, p. 125-127.

⁴³ Dolff-Bonekämper, G., "The social and spatial frameworks of heritage - What is new in the Faro Convention?" *Heritage and Living* " *Heritage and Beyond*, 2009, p. 70.

⁴⁴ *Ibid*, p. 72

The Faro Convention puts humans at the centre and this is based, *inter alia*, on the idea that knowledge about the use of heritage forms part of the individual's right to take part in cultural life as defined in the *UN Universal Declaration of Human Rights*.⁴⁵ Heritage is expected to be used in different ways as a resource for human development. This focus on the individual and the individual's opportunities, is reflected in several of the Convention's articles. Article 1c states that the cultivation and preservation of cultural heritage, namely its sustainable use, aims to support people's development and quality of life. According to the in-depth explanation in the *Explanatory Report*, it is assumed that this will ultimately mean a more developed and democratic society where the quality of life is expected to increase for all.⁴⁶

Another overall view of the Convention is the participation perspective. According to Article 12 a, more people should be more encouraged to participate in the process of interpreting, identifying and talking about cultural heritage. The Convention invites an open discussion and reflection on the challenges and opportunities that cultural heritage represents. This inclusive perspective also means a shift of focus. One of the objectives of the Convention is increasingly to involve more people in the evaluation and selection process. The change of focus also means, therefore, that decisions about which national priorities need to be made for cultural heritage and its sustainable use in the future should include a wider circle (see Chapter 6).⁴⁷ Connected with this, the aspect of social sustainability also includes Article 12 d which advocates greater access to cultural heritage, in particular with regard to the young and the disadvantaged in society.⁴⁸

Graham Fairclough, one of the authors of the *Heritage and Beyond*, also stresses the importance of creating a socially-sustainable development. Good cultural heritage management thus involves creating places where people experience well-being. A sustainable cultural heritage is, according to Fairclough, something that has social relevance because it can adapt to both social and economic changes. The practice of cultural heritage should therefore be a social and cultural activity that is part of people's lives and in their immediate environments. Cultural heritage reminds us about the past but also contains an awareness that the future will be different, that is to say that we live in a constant process of change.⁴⁹

A further perspective on socially sustainable development is given in Article 8 c of the Convention. The Article's purpose is to strengthen social cohesion and evoke a

⁴⁵ "Value of Cultural Heritage for Society "(Internet source).

⁴⁶ *Explanatory Report*, 2005, article 1 c.

⁴⁷ *Explanatory Report*, 2005, Article 12 a.; Cf. the preamble 5:e

⁴⁸ Council of Europe Framework Convention on the Value of Cultural Heritage for Society, Faro 27.x. 2005 Article 12 d: "Take Steps to improve the access to the heritage, especially among young people and the disadvantaged, in order to raise awareness about its value ... "and *Explanatory Report*, 2005, Article 12 d.

⁴⁹ Fairclough , 2009, pp. 125-127.

sense of common shared responsibility towards the places where people live.⁵⁰ The place is also highlighted as a meeting place for all stakeholders in a society. By extension, the necessity of joint responsibility to obtain an overall picture of an environment's cultural aspects is stressed. In this, the process makes links between individuals through their knowledge, experiences, interests or roles in society.⁵¹ The individual level with regard to social sustainability therefore shows that the Faro Convention highlights so-called soft values. Cultural heritage is thus considered as a resource for human development and to enhance the quality of human life.

3.4 Cultural heritage as a resource - societal level

If we turn to a broader, societal level, the Convention contains a number of several articles pointing out how cultural heritage could be used in different social processes. Article 1 d develops, in general terms, the role that cultural heritage is assumed to have in society in general, and clarifies the Convention's innovative perspective. According to this article, the States Parties are expected to take steps to ensure that cultural heritage can play a role in the creation of a peaceful and democratic society, and help to create a "sustainable development and promotion of cultural diversity".⁵² The article also highlights the value of synergies between skills - something that can occur, according to the Convention, when, for example, the public, institutions and private players are allowed into the arena. Article 1 d embodies the Faro Convention's innovative perspective on cultural heritage and social value and clarifies that it should "serve the community".

The Faro Convention aims to complement the aesthetic and scientific approach that characterises many of the existing conventions on culture. Many of these conventions, such as the Valetta and Granada Conventions, but also UNESCO's World Heritage Convention, regard cultural heritage as something that should be preserved for its own sake, because it is deemed to have an intrinsic value. The Faro Convention attempts to move forward from this position. According to the *Explanatory Report*, the value of the cultural heritage should instead be based on how effectively it can help the lives of all people and the future development of Europe.⁵³ A deeper significance of sustainable development therefore means that a diversity of cultural heritage should be seen as a resource which needs to be considered in multiple ongoing dimensions of social

⁵⁰ Council of Europe Framework Convention on the Value of Cultural Heritage for Society, Faro 27.x. 2005 Article 8 c.

⁵¹ "Explanatory Report 2005 article 8 c

⁵² Council of Europe Framework Convention on the Value of Cultural Heritage for Society, Faro 27.x. 2005 Article 1d: "Take the necessary steps to apply the provisions of this Convention concerning:

- The role of cultural heritage in the construction of a peaceful and democratic society, and in the processes of sustainable development and the promotion of cultural diversity;
- Greater synergy of competencies among all the public, institutional and private actors concerned

⁵³ *Explanatory Report*, 2005, Article 1 d: "The foundation of this Convention is that a functional view of the cultural heritage can and should supplement the aesthetic and scholarly view, provided always that proposed uses accord with the principles of sustainability."

development: cultural, environmental, economic, social and political. Cultural heritage is thus considered to be valuable, according to the *Explanatory Report*, not for its intrinsic value, but because it is assumed to contribute to other policy areas in the long term.⁵⁴

The fact that cultural heritage can be seen as a resource for socially-sustainable development is also dealt with in Article 8 a. The article emphasises that cultural heritage should be used continuously to enrich the economic, political, social and cultural development of society. The cultural heritage perspective should also be factored into land use and planning issues. The article emphasises the importance of an holistic approach in these social processes, but also emphasises the need of the individual process to protect cultural heritage so that damage is minimised.⁵⁵ Articles 8 c and 8 d clarify that buildings and extensions to the environment should be implemented without threatening or damaging cultural values.⁵⁶ This is particularly true in processes that includes heritage as a resource for sustainable development. Based on this, resource thinking may have major consequences for the European heritage practice. For this reason, links between heritage and economic sustainability are considered in a separate section (see Chapter 4).

Cultural heritage as a potential resource for socially sustainable development also extends to sharing of knowledge and education. Article 13 commits an signatory State to include a cultural dimension in education. Cultural heritage studies shall serve as an access point source of knowledge and thus enrich other issues from an interdisciplinary perspective. The aim is to create new knowledge and new perspectives to promote a pluralistic view of culture to counter a categorical approach.⁵⁷ The Convention further develops these ideas to include higher education. Article 13 c encourages, amongst other things, interdisciplinary research on cultural heritage, "heritage communities" and the environmental perspective.

3.5 Cultural heritage as a resource – the European level, "the common heritage of Europe"

The Faro Convention raised the idea of a "common European heritage". This heritage is described as a common resource but also as a common experience of both progress and the development of war and conflict. The reasoning behind the common cultural heritage is developed to some extent in the *Explanatory Report*. It says that the idea of a common European heritage is about seeing cultural heritage

⁵⁴ *Explanatory Report*, 2005, Aims, 1.

⁵⁵ *Explanatory Report*, 2005, article 8 a.

⁵⁶ *Explanatory Report*, 2005, Article 8 d: "The creations of today, together with the environment into which they are inserted, form the cultural heritage of tomorrow.

⁵⁷ *Explanatory Report*, 2005, Article 13: "Perhaps the most important issue of all is the need to developmental links between courses in different fields of study, avoiding a compartmentalised approach".

in a broader social context. Here a distinction is made between cultural heritage as a source or resource for the collective memory as well as an intellectual inheritance that has more to do with historically-entrenched values and social norms.⁵⁸ The Convention's preamble explains that it is the principles of respect for human rights, democracy and law which constitute the "common heritage", i.e. everything upon which European society is understood to be built (cf. Council of Europe's thinking).

Article 3 of the Convention is about creating an understanding of the common European heritage - "*the common heritage of Europe*". According to the *Explanatory Report*, the thinking behind this construct is grounded in an idea that all manifestations of cultural heritage in Europe are considered to constitute a shared source of recollection, understanding, identity, cohesion and creativity. But cultural heritage in Europe also recalls a problematic and difficult past. These experiences, according to the Convention, could contribute to a future development built around a consensus on common social values, based on a desire for a peaceful and stable society. The goal of "*the common heritage of Europe*" is to promote the building of a social context around these social values.⁵⁹

Cultural heritage is thus attributed a role in building a peaceful and democratic society, and is expected in such processes also to be able to promote intercultural dialogue, for example. At a European level, it is about achieving a greater degree of social and political cohesion among the Council of Europe's member states. The Council of Europe, in its statutes, takes responsibility for preventing armed conflicts and crises through an expanded programme of action between member states. The action programme has a background in armed conflicts in which cultural heritage constituted targets where it was regarded as a symbol, such as the religious or cultural expression of a group. The war in the Balkans in the 1990s contributed to the Council extending this action programme.

In order to promote conflict prevention, the Council of Europe has intensified its work on this action programme. In this programme, intercultural dialogue, together with the creation of improved socio-political and economic conditions, are some of the cornerstones. In the action programme's three main areas, article 7 of the Faro Convention comprises a contributory factor in the first of the three areas that focus on the preventive element:⁶⁰

⁵⁸ *Explanatory Report*, 2005, Article 3: "The Convention's aim of addressing the cultural heritage of Europe in its wider social context is expressed by the introduction of the idea of "common heritage of Europe", composed of two inseparable elements: "the *cultural* heritage, which represents a resource and a source of collective memory for people in Europe, and; - The shared *intellectual* heritage of an agreed set of social values, rooted in history, which form the "European ideal" in terms of how society should operate."

⁵⁹ Council of Europe Framework Convention on the Value of Cultural Heritage for Society, Faro 27.x. 2005 Article 3 and the *Explanatory Report*, 2005, Article 3.

⁶⁰ *The Role of Culture and Cultural Heritage in Conflict Prevention, Transformation, Resolution and Post-Conflict Action: The Council of Europe Approach*. Document prepared by the Secretariat of the Directorate of Culture and Natural Heritage Directorate-General of Education, Culture and Heritage, Youth and Sport. 2011-01-18, Appendix 1.

- Cultural heritage as a tool for conflict prevention (preventive)
- Cultural heritage as a factor in conflict resolution or reconciliation
- Cultural heritage as a basis for reconstruction

In Article 7, cultural heritage is also attributed the role of creating a peaceful and democratic society within a framework of sustainable development. The starting point for understanding Article 7 is that there is cultural diversity in Europe. Awareness of this, and the European experience where cultural heritage has been used in claims in conflicts coloured by national, religious and ethnic tensions, have contributed to the Convention also working in a preventative way. Here the Convention provides a model for discussion, communication and reconciliation.⁶¹

The Faro Convention's article 7 highlights the importance of the cultural heritage as a means for people to acquire a greater understanding of each other. In the preamble it is stated that all cultural heritage should be treated fairly and equitably (in the sense that everyone should be given equal attention), thereby fostering dialogue among and between different cultures and religions.⁶² By working proactively to promote tolerance, it is assumed that future conflicts could be avoided. Article 7 differs in this context from the Convention's other forward-looking articles as it is based in historical experience of armed and ethnic conflicts. However, the principle in the Faro Convention on intercultural dialogue should not be unilaterally interpreted as being exclusively based on an essentialist understanding of culture. The Convention's expert group emphasises instead that the understanding of the concept of intercultural dialogue should rather proceed from individuals than from cultures.

This approach clearly distances itself from a view of cultures as discrete units. An assumption of cultural differences risks leading to increased discrimination and a pretext for using violence again. In addition, such a deviation would not sit well with the Convention's focus in general on moving away from grouping people according to the assumption that they would see their own cultural identity as overarching. Therefore, the starting point is that individuals, with their complex identities, rather than "cultures", should be included in such a dialogue.⁶³

The Faro Convention thus demonstrates similarities with the so-called Opatija Declaration, adopted in 2003 by the Council of Europe's ministers responsible

⁶¹ 61 Council of Europe Framework Convention on the Value of Cultural Heritage for Society, Faro 27.x. 2005 Article 7: "The Parties undertake, through the public authorities and other competent bodies, to: a) encourage reflection on the ethics and methods of presentation of the cultural heritage, as well as respect for diversity of interpretations; b) establish processes for conciliation to deal equitably with situations where contradictory values are placed on the same cultural heritage by different communities; c) develop knowledge of cultural heritage as a resource to facilitate peaceful co-existence by promoting trust and mutual understanding with a view to resolution and prevention of conflicts; d) integrate these approaches into all aspects of lifelong education and training

⁶² Council of Europe Framework Convention on the Value of Cultural Heritage for Society, Faro 27.x. 2005 Preamble, 6., and further in *Explanatory Report* 2005, preamble, 6

⁶³ Meyer-Bisch, P., "On the" right to heritage "- The innovative approach of Articles 1 and 2 of the Faro Convention ", *Heritage and beyond* , 2009, p. 62-63.

for culture.⁶⁴ The purpose of the declaration, which deals with intercultural dialogue and conflict prevention, is to show the need for action to bring people closer together through constructive dialogue.⁶⁵ The Opatija Declaration, like the Faro Convention, expresses a perspective that attempts to get away from the dichotomy of minority / majority communities and beyond grouping into specific groups and cultures. The dialogue is described as open, dynamic and flexible with the aim of create new social relationships and exchanges.⁶⁶

In summary, it can be concluded that the Faro Convention's vision of cultural heritage's social value is based on an innovative model of social sustainability, where cultural heritage is attributed an important role. The perspective of the individual prevails and the individual's role ahead of that of the group is an important starting point. Cultural heritage is further seen as a resource for human development and human involvement. Cultural heritage is also given a role in the construction of a peaceful and democratic society, and is expected to promote intercultural dialogue in such processes. The Convention therefore fulfils several functions within the social dimension of sustainability. Another innovative perspective, which is explained in the next chapter, is that cultural heritage can also be used as a resource for economic development, with an emphasis on sustainable development, that is to say "sustainable resource use".⁶⁷

⁶⁴ *Explanatory Report* , 2005, Article 3. Opatija is a coastal town in Croatia.

⁶⁵ *Declaration on the intercultural dialogue and conflict prevention, adopted by the European ministers responsible for Cultural Affairs Opatija, October 22, 2 003*, p. 19

⁶⁶ Opatija Declaration, "Definitions, Principles and Methods", Appendix p. 27

⁶⁷ "Value of Cultural Heritage for Society "(Internet source). Decisions by the Council of Europe: 3rd Summit of the Heads of State and Government, May 2005.

4 Cultural heritage as a resource for economically-sustainable development

4.1 Cultural heritage as economic capital

One of the Faro Convention's main purposes is to clarify cultural heritage's value to society. The preceding chapter (Chapter 3) has thoroughly demonstrated that its social value can be divided into a number of areas. At the individual level, cultural heritage value, for example, is deemed to be reflected in terms of quality of life, the right to participate in cultural life, as well as through increased social cohesion. At the national level, the value of cultural heritage is deemed, among other things, to contribute to areas such as education and community; and at the European level cultural heritage is considered to constitute a form of "cultural glue" between the continent's different countries in times of destabilisation and increased globalisation.

The social value of cultural heritage is not only exemplified in the social aspects described above. The Convention also emphasises cultural heritage's social value based on an economic aspect. This division into the social and economic sides of the value of cultural heritage also reflects the expanded definition of the concept of sustainability which together with the environmental perspective today includes both a social and an economic dimension (see Chapter 3). The social values linked to cultural heritage are considered, however, with some exceptions, to be difficult to measure because they represent so-called "soft skills". The economic aspect of cultural heritage's societal value can be measured and valued in many different ways, as shown by several authors in *Heritage and Beyond*.

The fact that the Convention considers the value of cultural heritage from a social and economic perspective respectively justifies the development of the economic perspective as a separate theme in this report. These two aspects can also, somewhat pointedly, be considered as reflecting the visionary and practical background to the Faro Convention – a background rooted in issues related to how cultural heritage can contribute to a social community of European peoples, and how cultural heritage can be used as economic capital in a market economy.

4.2 Cultural heritage as part of an economically-sustainable development

In Article 8 of the Convention, it is emphasised that "all heritage aspects of the cultural environment [should be used] to enrich the process of economic, political, social and cultural development and land-use planning."⁶⁸ This broad remit clarifies the change that the Convention is striving for, namely that cultural heritage should be used to a greater extent in different social processes. The Convention thus wants to emphasise strongly cultural heritage's institutional,

⁶⁸ Council of Europe Framework Convention on the Value of Cultural Heritage for Society, Faro 27.x. 2005 Article 8a.

instrumental and economic value.⁶⁹ At the same time, in order for this to be useful, according to Convention Article 10 c, it must be based on the requirements for the integrity of the cultural heritage and its intrinsic values.⁷⁰

The sustainability perspective, both its social and economic elements, is further developed in Article 9. The latter article emphasises the importance of all change decisions concerning cultural heritage being based on a fundamental understanding of the values that risk being lost in each case. Furthermore, cultural heritage, from a sustainability perspective, should be maintained, wherever possible through appropriate use of materials, techniques and skills and so on.⁷¹ The Convention thus indicates active use of cultural heritage on many levels while stating that its integrity must be maintained. This suggests that the Convention seeks that different perspectives should be considered and weighed up in ongoing social processes.

According to one of the authors of *Heritage and Beyond*, Noel Fojut, the increased costs of maintaining of a more traditional cultural heritage management, with a focus on conservation, has resulted in an increasing number of questions from politicians. For this reason, there has been a greater desire to be able to measure or create an overview of how expenditure on the conservation of cultural heritage can be seen in relation to the values that heritage gives back to the community. This has, according to Fojut, resulted in strong demands from politicians for the need for a new convention whereby cultural heritage could serve the community by being capitalised.⁷² Fojut clarifies "With many social and economic challenges to address, some countries saw the traditional approach to heritage conservation as an excessive drain on national resources. Clearly what was needed was a link between costs of conservation and the value of heritage to everyday public life."⁷³

According to the Faro Convention, however, heritage's cultural, social, environmental and educational values are more important, or greater, than the economic value. However proponents for the Convention claim that, in the short term, economic arguments almost always attract the most attention in society today. And so it is for this reason that proponents of the convention says that it is important to be able to show that cultural heritage is an economic asset which can generate income.⁷⁴ By demonstrating the economic values inherent in heritage, the Convention also hopes to be able to safeguard cultural values. It is these arguments that underlie the Faro Convention's view of how cultural heritage can contribute as a resource for sustainable economic development.

⁶⁹ The institutional value counts heritage as an instruments for joint action which will strengthen the social bands. The instrumental value includes training and development of special crafts. Economic value includes heritage as an instrument for sustainable economic development for governments, businesses and the public. Fojut, 2009, page 17.

⁷⁰ Council of Europe Framework Convention on the Value of Cultural Heritage for Society, Faro 27.x. 2005 Article 10c

⁷¹ Council of Europe Framework Convention on the Value of Cultural Heritage for Society, Faro 27.x. 2005 Article 9a-e

⁷² Fojut, 2009, p. 17. Fairclough, G., "New heritage frontiers," *Heritage and Beyond*, 2009, p. 32

⁷³ Fojut, 2009, p. 17

⁷⁴ Rypkema, D., "Economics and the built cultural heritage," *Heritage and Beyond*, 2009, p. 123

The broad definition of cultural heritage advocated by the Faro Convention (see Chapter 3) further seeks to introduce heritage into the everyday economy.⁷⁵ Previously, society has regarded culture and cultural environments as property (asset), a kind of capital held at a bank and which is not to be touched but only managed, while the Convention emphasises that cultural heritage should be considered as capital or an asset (resource) from which society and its citizens should derive greater economic benefits.⁷⁶ This somewhat artificial emphasis on the difference between preservation and use has therefore been dissolved. To preserve culture is, according to the Convention, not primarily about protecting something. Instead culture and heritage should be treated as an active element of a sustainable society, to be used here and now. Hence cultural heritage should be more strongly integrated in social processes, which in turn requires increased inter-sectoral thinking and clearer civic participation (see Chapter 6).

4.3 How to measure the monetary value of cultural heritage

According to Donovan Rypkema, one of the authors of *Heritage and Beyond*, Europe's built heritage contains multiple values - cultural, aesthetic, environmental, educational, historical, social and economic.⁷⁷ In order to fully utilise the potential of cultural heritage as a factor in sustainable economic development, society must, however, in accordance with the Convention's article 10a, increase awareness of the use of cultural heritage's economic potential.⁷⁸ The Convention stresses that understanding the broader definition of the concept of cultural heritage is a prerequisite for being able to describe the utilisation of the economic benefits more precisely. What methods are available for measuring the economic value of cultural heritage?

According to Rypkema, one well-proven way to evaluate cultural heritage from an economic perspective has been to look at the tourist economy that derives from traditional cultural practice. However, analyses indicate that only a fraction of the revenue related to a specific heritage comes from entrance tickets, guide books and so on.. Instead, most of the income comes from the additional activities generated by tourists, i.e. from hotels and restaurants, salaries, communication and so on. Cultural heritage is therefore the magnet which in turn generates a greater economic impact on nearby areas.⁷⁹

For this reason, Rypkema emphasises that there are reasons not simply to study the costs / revenues directly related to a specific cultural heritage object, as this tends to underestimate the cultural heritage's actual economic potential. Instead, the tourist economy should be studied from a larger overall perspective. This would,

⁷⁵ Fairclough, 2009, p. 35

⁷⁶ Ibid, p. 37

⁷⁷ Rypkema, 2009, p. 113th

⁷⁸ raise awareness and utilise the economic potential of the cultural heritage", the Council of Europe Framework Convention on the Value of Cultural Heritage for Society, Faro 27.x. 2005 Article 10a.

⁷⁹ Rypkema, 2009, p. 116

according to proponents of the Convention, contribute to the economic value of the cultural heritage emerging in a more legitimate way in relation to what it costs to maintain.⁸⁰

In addition to the tourist economy, cultural heritage, according to the Faro Convention, also has a measurable economic value for areas such as urban environments. More specifically, this refers to the property values that are linked to the built heritage. In recent decades, the understanding of these values has increased significantly, not least with regard to the fact that international capital is drawn to vital and differentiated cities.⁸¹ Here London is one of the prime examples, where the city, through a conscious policy where older cultural heritage buildings intermingle with modern architecture, is trying to maintain its position in the world economy. Examples of this include how the relatively older "listed" residential buildings and cultural centre that make up the Barbican Estate, together with Norman Foster's ultramodern "Gherkin" aim to place London's financial centre, the City of London, on the global architectural map.⁸² The Convention's Articles 5e and 8d further stress that "contemporary creativity" and "contemporary additions" which aim to enhance the architectural quality and the urban environment towards clarifying cultural diversity are desirable as they are considered to improve both economic and social sustainability.⁸³

In this context, the Convention's Article 10b should be mentioned, which clarifies that a development process should take into consideration the cultural heritage's specific character and interest.⁸⁴ This is in order to be able to take advantage of specific heritage values as a resource for an economically- sustainable development. A differentiated historic centre with a medium to large proportion of classified heritage buildings can, according to Rypkema, open the way for differentiated rent levels, some form of adaptive reuse or reuse.⁸⁵ This not only provides positive environmental effects, in that it does not involve tearing down a working building, but is also considered to have a positive effect on the establishment of both small and large companies. A differentiated city centre with classified cultural heritage buildings is also considered to attract residents, who to a greater extent then attract various types of businesses.⁸⁶

⁸⁰ Ibid, p. 113, 116

⁸¹ Ibid, p. 115, 117

⁸² The Barbican Estate is located north of the City of London and is Europe's largest cultural centre, but has the function of an urban village. The complex was built in various stages between the years 1963-1982, designed by G. Powell, P. Chamberlain and C. Bon. Mellander, C., "Towards a broader cultural heritage. Experience from English Heritage", *Bebyggelsehistorisk Tidskrift No. 62/2011*, p. 67. The "Gherkin" was built in 2004 by a Swiss insurance company, and was designed by Foster and Partners.

⁸³ Council of Europe Framework Convention on the Value of Cultural Heritage for Society, Faro 27.x. 2005 Article 5, 8 d. *Action for a Changing Society, the Framework Convention on the Value of Cultural Heritage for Society*, Council of Europe, Directorate of Democratic Governance, DG II Managing Diversity Division.

⁸⁴ "take into account the specific character and interest of cultural heritage when devising economic policies"

Council of Europe Framework Convention on the Value of Cultural Heritage for Society, Faro 27.x. 2005 Article 10b.

⁸⁵ Rypkema, 2009 p. 118

⁸⁶ Ibid, p. 117- 119

Efforts to preserve and nurture the cultural heritage can, according to the authors of the Convention, also be measured in economic terms. Rypkema thinks that this work has positive effects on both the labour market and education. The work with cultural heritage is labour-intensive and hence well-paid and can generate more jobs, and higher wages, than new construction.⁸⁷ In times of recession according to convention author Xavier Graffe, the heritage sector also effectively absorbs redundant workers from the construction industry and related fields. When this group of workers then returns to regular construction work, they are considered to convey a form of educational link between old architecture and the modern way of building, which is a type of value in itself.⁸⁸

Proponents of the Faro Convention thus try to point to alternative ways of evaluating and measuring how cultural heritage can constitute an economic resource. To achieve this, however, a balance must be found between traditional cultural practice and a practice where the heritage sector works more closely with other sectors of society. Proponents of the convention further suggest that a more nuanced view of cultural heritage, i.e. a broader interpretation of the concept of cultural heritage (see Chapter 3), is a prerequisite for being able to measure and evaluate cultural heritage as economic capital.⁸⁹ Of great importance in this context is the Convention's emphasis on the democratic perspective and citizens being involved in cultural processes to a greater extent. Such a clear, inclusive perspective will enable cultural heritage to engage a wider audience. This in turn would contribute to cultural heritage, as an economic resource, including citizens to a greater extent (see Chapter 6).

Although the Convention states that the value of cultural heritage must be respected in change processes, it is clear that the alternative path that the Faro Convention advocates aims for cultural heritage to be used and changed in a contemporary economic reality. Cultural heritage is thus considered, according to the Faro Convention, as economic capital which should be included in the work on sustainable development.

⁸⁷ Ibid, p. 114

⁸⁸ Greffe, X., "Heritage conservation as a driving force for development", *Heritage and Beyond*, 2009, p .54.

⁸⁹ Fairclough, 2009 p. 37. Rypkema, 2009, p. 118.

5 The Convention's perspective on rights and responsibilities

5.1 The Faro Convention's connection with human rights

One of the Faro Conventions fundamental ideas is about protecting the individual's right to take part in the cultural heritage as part of the right to participate in cultural life. In the Faro Convention's preamble, the right of each individual to take part in the cultural heritage should they so wish, while respecting other people's rights and freedoms, is highlighted. Through its reference to the field of human rights, the Faro Convention highlights one of its basic target areas. The field of human rights, however, is extensive because it affects many aspects of a person's life. In this context it is important to emphasise that the Faro Convention relates solely to a limited part of this field, namely the cultural rights mentioned in two articles in international instruments, Article 27 of the *UN Universal Declaration of Human Rights* and Article 15 of the *International Covenant on Economic, Social and Cultural Rights*.⁹⁰

The UN Universal Declaration of Human Rights, adopted in 1948, includes, in addition to civil and political rights, economic, social and cultural rights. It is not legally binding on the states that signed it, but represents a moral commitment. The rights from this declaration have subsequently been introduced and further developed in a number of conventions that have become binding on the signatory States. Relevant to cultural rights is the International Covenant on Economic, Social and Cultural Rights, adopted in 1966 and which entered into force in 1976.

When the Council of Europe was founded in 1949, there was a desire to develop further the UN Universal Declaration of Human Rights at a European level and take steps towards a binding convention - *the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR)*. The European Convention with its additional protocol primarily accommodates civil and political rights.⁹¹ As has been the case at the international level, the social and economic rights need to be managed at the European level. These are covered by a specific European Social Charter of 1961 (revised 1996).

As both the ECHR and the European Social Charter contain no regulations on cultural rights, the Faro Convention thus links to acts on cultural rights that are found at a major international, i.e. non-European, level. Although the connection in the text of the Convention is clear, it indicates that the Convention is primarily an ethical and moral approach. None of the international acts to which the Faro

⁹⁰ Council of Europe Framework Convention on the Value of Cultural Heritage for Society, Faro 27.x. 2005 Preamble, 4th *Explanatory Report*, 2005, Article 1.

⁹¹ *Human Rights: Regional scheme to promote and protect human rights*, Government Offices, 2007. Bring, O., *The human rights route*, 2011, p. 472 f. The Convention includes an advanced monitoring system where States' commitments can be examined by an independent tribunal, the European Court of Human Rights. The handling of complaints in the European Court leads to judgments which become binding for the State concerned.

Convention refers gives individuals the opportunity to invoke any right of complaint. Similarly, it is not possible to claim rights under the Faro Convention. As a framework convention, it cannot impose any binding commitments unless these are incorporated within each nation's national legislation.⁹²

5.2 The Faro Convention's connection with cultural rights

The Faro Convention therefore refers to two instruments which concern cultural rights.⁹³ The articles read as follows (abridged version):

"Everyone has the right to participate freely in cultural life, to enjoy the arts and to take part share in scientific advancement and its benefits. (Article 27 1)"

"The States Parties recognise the right of everyone to participate in cultural life." (Article 15)

On the basis of Article 27 above, the following elements are deemed in international law to be included in the concept of cultural rights: the right to education, the right to participate in cultural life, the right to take part in scientific progress as well as to research and build creative environments, as well as the copyright linked to cultural / scientific production. Alongside this the right to use one's own language has also been put forward as characteristic of cultural rights.⁹⁴

The Faro Convention thus contributes by adding another aspect to the legal concept. The Convention's first article (1a) specifies that the right to cultural heritage shall be seen as part of the right to participate in cultural life as expressed in the UN Universal Declaration of Human Rights. The Convention is based on the idea that it is the use and knowledge of the cultural heritage which form part of the right of citizens to participate in the cultural life of society. More precisely, it is about gaining access to cultural heritage and above all being part of and interpreting what heritage means.⁹⁵

5.3 Individual or collective?

Another important starting point for understanding the Faro Convention's perspective on rights is that the international instruments to which the Convention

⁹² Stamatopoulou, E., *Cultural rights in international law: Article 27 of the Universal Declaration of Human Rights and Beyond*, 2007, p. 46. For restrictions see the Council of Europe Framework Convention on the Value of Cultural Heritage for Society, Faro 27.x. 2005, Articles 4 c and 6 c.

⁹³ *Explanatory Report*, 2005, Article 1. In Part Article 27 of the *UN Universal Declaration of Human Rights*, and Article 15 of the *International Covenant on Economic, Social and Cultural Rights*.

⁹⁴ Stamatopoulou, 2007, p. 2

⁹⁵ *Ibid*, p. 45; cf. the "Value of Cultural Heritage for Society" (Internet source). Dolff-Bonekämper G., "Whose Heritage matters for Whom? Lecture at the Faro Conference in Wrocław 2011-10-11. See also the Council of Europe Conference on the Faro Convention in Venice 1- 3 March 2013: Recognizing *the access and participation to cultural life as a basic human right*, as defined in the Universal Declaration of Human Rights

refers are designed with an emphasis on the rights of the individual.⁹⁶ Every person's right to take part in the cultural heritage, as expressed according the Faro Convention, is designed as an individual right. However, at the same time cultural heritage is regarded as a common concern, a common resource, "a common object" that affects many people.⁹⁷

Patrice Meyer Bisch points out in his contribution to *Heritage and Beyond* on the Convention's first article, the importance of distinguishing between individual and collective rights. In the Faro Convention, the starting point is therefore the individual level. Each person should have the right to be able to relate to all the available cultural heritage.⁹⁸ It follows then that cultural heritage, like culture, is not fixed, but something that is constantly transformed and takes on meaning as it is interpreted at the individual level. In the *Explanatory Report*, this reasoning is clarified further. By linking the Convention to rights at the individual level, the problem of having to interpret and describe a fundamentally changeable concept of heritage is avoided. The text of the Convention therefore has an instrumental approach where culture and cultural heritage are not defined with concrete statements.⁹⁹

Although culture as a concept is not given a more precise definition in the Convention text, it appears, however, according to the interpreters in *Heritage and Beyond*, that the Faro Convention refers to certain elements related to the concept of culture as contained in *UNESCO's Declaration on Cultural Diversity* and the *UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions*.¹⁰⁰ It is primarily culture's wider role as a resource for sustainable development that appeals to the Faro Convention's creators.¹⁰¹ However, the Faro Convention does not fit with all parts of UNESCO's concept of culture, or from a rights perspective either. It then links only to the point that cultures should have a greater role in sustainable development. This is due to the UNESCO concept of culture rather than a perception where culture is regarded as something that is group-specific and where different groups need to be protected in

⁹⁶ *Voluntary Organisations Foundation Collection Article III*. The "right to culture", p. 4 -5. See also Hylland Eriksen, T., "Between universalism and relativism: A Critique of the UNESCO concepts of culture," *Culture and Rights: anthropological perspectives*, ed. Cowan JK et al. 2001 articles vii.

⁹⁷ Dolf-Bonekämper, 2009, p. 69 on the innovative part that highlights the cultural heritage at a rights level not found earlier. See also Meyer Bisch, P., "Analyse des droits culturels" *Droits fondamentaux no. 7 Jan 2008 - Dec. 2009*, p. 1. Many of the authors in the anthology *Heritage and Beyond* develop the thinking in the following way. The entity is always an individual, but the object of cultural rights is something common, see Mifsud Bonnici, U., "The human right to cultural heritage - the Faro Convention's contribution to the recognition and safeguarding of this human right," *Heritage and Beyond*, 2009, p. 54

⁹⁸ Meyer-Bisch, P., 2009, p. 60

⁹⁹ "Origins Specificity and timeliness of a Council of Europe instrument," *Explanatory Report*, 2005, see paragraphs 1 and 2.

¹⁰⁰ The Faro Convention linked to the preamble paragraph 5 of the *UNESCO Declaration on Cultural Diversity*: "... the concept of culture should be considered to include the whole complex of the spiritual, material, intellectual and emotional features characteristic of a society or a social group and includes, in addition to art and literature, lifestyles, ways of living together, value systems, traditions and beliefs". See also the *UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions* pt. 18 of the preamble. The connection with the two sections of the law has been highlighted Meyer Bisch, 2009, p. 59

¹⁰¹ *UNESCO Convention on the Protection of the promotion of diversity of cultural expressions*; cf.. Meyer-Bisch, "Defining cultural rights" (Internet source).

order to be able to exercise their cultural rights, which is not supported by the Faro Convention.¹⁰²

Patrice Meyer Bisch also stresses that UNESCO broad definition of culture cannot be operationalised in the context expressed in the Faro Convention words. The focus in the Faro Convention is on human rights from an individual perspective with its direct reference to the Universal Declaration of Human Rights. Here the European *Fribourg declaration*, which was drawn up by an independent scientific group in 1994, offers a more tailored approach. The Fribourg declaration, which deals exclusively with cultural rights, stresses that every individual shall be guaranteed the freedom to identify with one or more cultural communities. No one should have a cultural identity or group affiliation imposed on them. Culture is seen as an evolving system of symbols that opens the way to belong to multiple so-called "communities" and to be able to engage in multiple types of cultural heritage.¹⁰³

In *Heritage and beyond*, the Fribourg declaration's definition of cultural rights is highlighted as a possible way of interpreting the Faro Conventions emphasis on the role of cultural heritage in exercising cultural rights. The similarities are also apparent in the Faro Convention's introduction of a new social reference group for how the cultural heritage should be created and preserved through so-called "heritage communities" (see Chapter 6). However, there is no exact description of how a "heritage community" is put together. It can operate locally, regionally, nationally or transnationally. It can also work to bring together individuals with different backgrounds and levels of expertise.¹⁰⁴ Here, in the social context the cultural heritage becomes a process based on participation, experience and knowledge. The cultural heritage becomes dynamic because it can be transformed and reinterpreted, depending on the social composition of the community.

If the second paragraph of Article 1 of the Convention is studied more closely, it can be seen that there is an individual and collective responsibility towards cultural heritage (paragraph 1 b). Here it can be noted that the emphasis is on the word *responsibility*. International law expert Elsa Stamatopoulou emphasises in her study of legal instruments in the sphere of culture, that it is both memorable and noteworthy that the concepts of *individual and collective responsibility* towards cultural heritage are included in the Faro Convention, while the word *rights* is avoided completely, along with *collective*.¹⁰⁵ Collective groups are not mentioned, which is why Stamatopoulou emphasises that the legal instruments do not have a bearing on minority rights, or other collective group rights. States are

¹⁰² The limited connection to these acts has been pointed out by Meyer Bisch, P., 2009, p. 59. For UNESCO's cultural concepts, for example, see Hylland Eriksen, T., 2001, article vii.

¹⁰³ Meyer-Bisch, 2009, p. 60. Blake, J., "On Defining the Cultural Heritage", *Cultural Heritage Law*, 2012, p. 36, Fribourggruppen, *Les Droits Culturelles- déclaration de Fribourg*

¹⁰⁴ Dolf-Bonekämper, 2010, p. 18

¹⁰⁵ See discussion of Article 1 (The Faro Convention) in Stamatopoulou, 2007, p. 45

not given any legal opportunities to protect designated groups' cultural rights under the Faro Convention.¹⁰⁶

5.4 *Heritage as a right and a responsibility, and the Convention's legal status*

Article 4 of the Faro Convention develops the rights and responsibilities considered to be associated with cultural heritage in greater depth. The first part (point 4 a) stipulates the right for “everyone, whether alone or with others, to be granted the right to take part in the cultural heritage and contribute to the enrichment of the same”. It also develops Article 27 of the *UN Universal Declaration of Human Rights* as described above.¹⁰⁷

The Article's second part (4 b) focuses on the responsibility whereby 'everyone has, alone or with others, the obligation to respect other people's cultural heritage as much as their own and consequently also Europe's common cultural heritage. The responsibility element is amplified in the final sentence, focusing on the interaction between different forms of cultural heritage leading to something greater, namely the common European cultural heritage. This idea is explained in the following quote taken from the *Explanatory Report*: "The responsibility to have as much respect for the heritage of others as for one's own heritage suggests how, through interaction, different cultural heritages may come together to form a common heritage."¹⁰⁸

The Faro Convention provides guidelines on the rights and responsibilities which are characterised by an ethical approach and where tolerance and diversity will be promoted. As stated initially, it appears that the Faro Convention is a weak legal instrument because no rights can be claimed under it according to Article 6 c. This conclusion is also supported by international research. International law expert Elsa Stamatopoulou has emphasised that the Convention should actually be understood as its centre of gravity being more about protecting heritage than its protectors, that is, individuals or groups. She also emphasised that if it concerns a binding human rights instrument then the Faro Convention contains for example, principles of non-discrimination. In addition, the states' responsibility is clearly provided for. Instead the Faro Convention emphasises the role of cultural heritage in a peaceful and democratic society and its role in sustainable development.

¹⁰⁹ This idea is translated into concrete actions in Article 3 and Article 7 which promote dialogue and open the way for an approach that recognises that there may be multiple stories within a single cultural heritage, but also that, from a European

¹⁰⁶ Ibid, p. 45 f. The Council of Europe has produced a Framework Convention for the Protection of National Minorities which entered into force in 1998 and the European Charter on Regional or Minority Languages. Sweden ratified the framework convention in 1999.

¹⁰⁷ *Explanatory Report*, 2005, Article 4, 'Rights and Responsibilities Relating to Cultural Heritage'

¹⁰⁸ *Explanatory report*, 2005, Article 4b

¹⁰⁹ Stamatopoulou, 2007, p. 46

perspective there are multiple heritages that together constitute Europe (see Chapter 3).¹¹⁰

¹¹⁰ Council of Europe Framework Convention on the Value of Cultural Heritage for Society, Faro 27.x. 2005 Articles 3 and 7.

6 "Heritage communities" - a collaborative model for promoting participation

6.1 Increased collaboration and shared responsibility

The text of the Convention is permeated by different formulations which state that cultural heritage should be regarded as a resource for various social processes. This cannot be done without the Convention attempting to provide some form of "new" or at least broader, definition of what cultural heritage is considered to be. There is therefore reason to repeat the Convention's definition of cultural heritage. Article 2a states that "cultural heritage is a group of resources inherited from the past" and that this is an expression of people's "constantly evolving values, beliefs, knowledge and traditions. It includes all aspects of the environment resulting from the things interaction between people and places through time".¹¹¹

It is this very broad definition of what heritage is, or may be, which allows a new role for cultural heritage. Cultural heritage thus includes, according to the Convention, both the tangible and the intangible. The Convention also stresses that evaluating cultural heritage is constantly under development, which in other words means that what was highly valued yesterday will not necessarily be highly valued today or tomorrow. However, it is on those points that Convention is innovative. It is rather a question of *who* has the power or ability to define *what* counts as cultural heritage and *why* is it innovative, and these questions are therefore of fundamental significance in the Faro Convention. By placing people at the centre, and not the object or the practice, it follows then that it is the individual who decides, or who at least should be able to influence, what should be defined as cultural heritage.

In order to increase citizens' opportunities to participate in cultural processes, the Faro Convention emphasises the importance of increased cooperation between cultural heritage and the rest of society. The Convention stresses the need to move away from traditional, sectoral thinking on culture and heritage issues to a more inclusive and holistic approach, where cultural, social and economic aspects increasingly interact and affect our perception of heritage and culture.¹¹² Cultural heritage should thus be introduced into the social process to a greater degree, which also requires a broader and more active citizen participation regarding cultural heritage issues. In the Convention's preamble, this vision is expressed: - "the need to Involve everyone in society in the ongoing process of defining and managing cultural heritage".¹¹³

¹¹¹ Council of Europe Framework Convention on the Value of Cultural Heritage for Society, Faro 27.x. 2005. Article 2a. For a definition of the concept of cultural heritage, see also Fairclough, 2009, p. 29

¹¹² Therond, 2009, p. 10

¹¹³ Council of Europe Framework Convention on the Value of Cultural Heritage for Society, Faro 27.x. 2005 p 2

In the Convention's introductory article, Article 1 b and 1 d, the emphasis is on both the individual and collective responsibility for cultural heritage and the need to take measures to achieve greater synergy of expertise in terms of the general public and public, institutional and private players.¹¹⁴ The issue of responsibility, as well as the need for increased collaboration, is something that also clarified and developed in Article 11 which deals with "The organisation of public responsibilities for cultural heritage".¹¹⁵ It states that:

"In the management of the cultural heritage, the Parties undertake to: promote an integrated and well-informed approach by public authorities in all sectors and at all levels; develop the legal, financial and professional frameworks which make possible joint action by public authorities, experts, owners, investors, businesses, non-governmental organisations and civil society; develop innovative ways for public authorities to co-operate with other actors; respect and encourage voluntary initiatives which complement the roles of public authorities; encourage non-governmental organisations concerned with heritage conservation to act in the public interest."

Article 11 thus emphasises the need to develop the legal, financial and professional framework for a rapprochement between the cultural sector and other parts of the society. This kind of sectoral cooperation, in terms of conservation and development of cultural heritage, should, according to the Convention increasingly be done through so-called "Heritage Communities".¹¹⁶ The Faro Convention thus launches a new concept, but the Convention text provides no clear definition of what exactly the term stands for. On the contrary, the concept seems to have deliberately been given a very broad definition, as it can cover everything from traditional physical associations and organisations to more or less temporary groups on the network engaged in a single, explicit cultural heritage. The formation of "Heritage Communities" aims primarily to engage a wider audience in order to create more opportunities for increased interaction between citizens and the traditional heritage sector and other institutional and private players.

6.2 "*Heritage Communities*"- what are they?

The question of who has access to, and the right to interpret cultural heritage, is, according to the Faro Convention, central from a democratic perspective. The Convention therefore aims to widen the traditional approach when it comes to considering who a specific cultural heritage represents and why it is worth

¹¹⁴ 114 The Parties to this Convention agree to [...] recognize individual and collective responsibility towards cultural Heritage (1b) [...] take the necessary steps to apply the provisions of this convention concerning [...] greater synergy of competencies among all the public, institutional and private actors concerned (1d), the Council of Europe Framework Convention on the Value of Cultural Heritage for Society, Faro 27.x. 2005 p. 3. See also Meyer-Bisch, 2009, p. 60 f., 61.

¹¹⁵ Council of Europe Framework Convention on the Value of Cultural Heritage for Society, Faro 27.x. 2005 p 5.

¹¹⁶ Council of Europe Framework Convention on the Value of Cultural Heritage for Society, Faro 27.x. 2005 p. 3,6

conserving. The accessibility of cultural heritage and democratic participation are specifically considered in Article 12, "Access to cultural heritage and democratic participation".¹¹⁷ In addition to specific groups with, for example, linguistic, ethnic or religious claims to cultural heritage, which by tradition are often a priority, the Faro Convention intends other voices and groups to have greater influence over what we interpret, perceive and define as cultural heritage.¹¹⁸

A "Heritage Community" can be regarded as a kind of concept that makes it possible to define cultural communities with reference to cultural heritage.¹¹⁹ According to article 2 b a "Heritage Community" comprises a social formation, or community, which is constituted on the basis of the fact that a group of people are considering or identifying a specific cultural heritage from a common consensus, and who value that heritage to such an extent that "within the framework of public action" this would lead to it being passed on to future generations.¹²⁰ The term "public action" should be understood here as "public administration / management" at the central, but also regional and local level.¹²¹

In the light of Article 5, "Heritage Communities" shall act for public benefit which in turn means that no-one individually can claim public support for any cultural heritage anywhere, at any time.¹²² Of great importance is that together the group values a specific cultural heritage and unites around a regulatory framework for the form of conservation, and that the group operates from a platform, but also with other concerned public heritage authorities. Such "heritage communities" can be compared with various types of political communities where common values form the very foundation of the specific group's existence.¹²³ The concept of the "Heritage Community" shares a number of similarities with the way in which "community concept" has been interpreted in the social science field, namely as a kind of social phenomenon of "belonging" and a search for meaning.¹²⁴

However, it does not have to be heritage's unifying feature which allows one to form a "Heritage Community" but only the fact that heritage is ascribed one or more, possibly conflicting values. It is at this point that the concept of "Heritage Community" is different from the collective communities which traditionally tend to be ascribed a specific cultural heritage, namely those for example based on ethnicity, religion, language, etc. A "Heritage Community" is a more complex construction, that neither takes account of groupings or categories such as, for

¹¹⁷ Council of Europe Framework Convention on the Value of Cultural Heritage for Society, Faro 27.x. 2005 p. 6

¹¹⁸ Therond, 2009, p. 10

¹¹⁹ Meyer-Bisch, 2009, p. 64

¹²⁰ Council of Europe Framework Convention on the Value of Cultural Heritage for Society, Faro 27.x. 2005 Article 2b. For a definition of "heritage community", see also Leniaud, J.-M., "Heritage, Public Authorities, Societies," *Heritage and Beyond*, 2009, p. 137.

¹²¹ Leniaud, 2009, p. 137

¹²² Council of Europe Framework Convention on the Value of Cultural Heritage for Society, Faro 27.x. 2005 Article 5.

¹²³ Meyer-Bisch, 2009, p. 64

¹²⁴ Delanty, G., *Community. Key Ideas*, 2003, p. 3 f

example, class, age or profession. A "Heritage Community", according to proponents of the Convention, does not need to take into account definitions of what are considered to be local, regional, national or global, as "Heritage Communities" need not be tied to the place where the heritage is.¹²⁵ On the contrary, a "Heritage Community" is created over and above such territorial boundaries and social group divisions. A "Heritage Community" can be, for example, anything from a more traditional association whose affinity is based on ethnicity, religion, etc., to more diverse associations such as a city or a state. Furthermore, a "Heritage Community" also be transnational, exemplified by those who claim to represent the "European heritage". At the same time belonging to a "community" can also be a virtual link.¹²⁶ Under the Convention, individuals are regarded as "heirs" to the cultural heritage and it is the individual's emotional attachment to that affects his participation in a particular "community".¹²⁷

The aim is that a "Heritage Community" shall be open to many. For that reason, these can accommodate a variety of groups of people, for example, both laymen and professionals in the field, but also people of different nationalities. Chronologically, these communities can be more or less stable, but also temporary. "Heritage Communities" are accorded no clear definition, according to the Convention, as the term should be interpreted as broadly as possible. "Heritage Communities", according to proponents of the Convention, should be considered as a form of social movement - it is the fact that a group of people values, defines and wants to preserve a special heritage that constitutes the connecting link.¹²⁸

These "communities" also mark an awareness that cultural heritage should not only defined by experts without the public also being involved to a greater extent in the heritage process. This openness and participation, however, has a downside. There is nothing to prevent "Heritage Communities" being set up by groups with extreme views and demands, which of course can have a number of consequences. An example of this given by Jean-Michel Leniaud in *Heritage and Beyond*, is different religious groups.¹²⁹ However, the Convention highlights in Article 7 a-b an ethical approach and in cases where conflicting values are in opposition, the cultural heritage process should aim at a settlement (see also Chapter 3).¹³⁰ The Convention also emphasises that "every person has a right to engage with the cultural heritage of their choice, while respecting the rights and freedoms of others".¹³¹

¹²⁵ Dolff-Bonekämper, 2009 , p. 71

¹²⁶ Leniaud, 2009 , p. 138

¹²⁷ Dolff-Bonekämper, 2009 , p. 71

¹²⁸ Ibid.

¹²⁹ Leniaud, 2009 , p. 138

¹³⁰ Council of Europe Framework Convention on the Value of Cultural Heritage for Society, Faro 27.x. 2005 Article 7 a "Encourage reflection" // "as well as respect", 7b "Establish process for conciliation".

¹³¹ Council of Europe Framework Convention on the Value of Cultural Heritage for Society, Faro 27.x. 2005 Preamble, p. 2

More concrete proof of what a "Heritage Community" can be is explained in *Heritage and Beyond* in the form of the 1957 international architecture exhibition in Berlin's Hansaviertel.¹³² The area, which is located in former West Berlin was razed to the ground after the Second World War, and rebuilt with modernist architecture. Interbau became a kind of peace and cooperation project, with several of the Modernist movement's most prominent architects participating. The project was thus a kind of international manifestation of architectural character, where Hansaviertel became a symbol of the new democratic West Germany where the architecture clearly turned its back on Nazism and the Stalin epoch's historic architectural idiom.

Even a lost heritage can provide an impetus for the formation of a "community". Examples of so-called "lost Heritage Communities", which are highlighted in *Heritage and Beyond*, are the reconstruction of the Frauenkirche in Dresden, as well as the reconstruction of the Imperial Palace in Berlin.¹³³ In both cases, different parties took part, including businesses, politics, the church and the public, something one could define as "Heritage Communities" aimed at mobilising forces for the reconstruction of these lost monuments. The fact that a decision was made to restore these monuments, both of which are considered to have very high symbolic significance, are acts of active use of history. In the case of the Frauenkirche, reconstruction was justified on the basis of talk of reconciliation. The clearest sign of this symbolism is the cross on the church spire, forged by the son of one of the bomber crew who reduced Dresden to ruins during World War II.¹³⁴

The reconstruction of the Imperial Palace in Berlin has been more controversial, as it represents the memory of the cultural nation Germany once was. In an attempt to navigate around a controversial historical heritage, the intention is that the cultural-science oriented Humboldt Forum will be housed in the palace. Another way for Germany to distance itself from a controversial historical heritage, especially related to World War II, has been that it was the "Heritage Community" pushing for the castle's reconstruction that talked in terms of "healing the wounds" in the urban space by bringing in artistic values.¹³⁵

The reconstruction of the bridge in Mostar is given as an example of an international "Heritage Community" in *Heritage and Beyond*.¹³⁶ The bridge was destroyed in the war in 1993, but was reconstructed under the auspices of UNESCO and was reopened in 2004. In 2005 the bridge was inscribed on the World Heritage list. According to interpreters of the Faro Convention, the reconstruction of the bridge shows how local involvement with specific cultural

¹³² Dolff-Bonekämper, 2009 , p. 72

¹³³ Ibid , p. 73

¹³⁴ Nilsson, JH, "Once in place. A study of castles in Potsdam and Berlin from demolition to reconstruction " *Scandia* 74: 2 , p. 79

¹³⁵ Nilsson, p. 97 f.

¹³⁶ Dolff-Bonekämper, 2009 , p. 73 f.

heritage can engage a much broader group and thereby arouse international interest and become a manifestation of peace.¹³⁷

A final example of what a "Heritage Community" may be is the civic group 40xVenesia. Venice is an example of the negative impact that mass tourism can have. The income from tourism has, in the case of Venice, moved from being a good economic resource for the community to being a risk factor in terms of quality of life. The fact that the city and its lagoon have been classed as World Heritage since 1987 leads to more and more historic buildings being converted to accommodate tourism. This means that the everyday lives of residents have changed and become restricted. Rents are rising, jobs in sectors other than the tourism sector are becoming fewer and the public social arenas for residents are decreasing each year. This has meant that the population of Venice has fallen drastically in recent decades.

In order to safeguard Venetian residents' opportunities to live in Venice, 40xVenesia civic group was created with reference to the Faro Convention and the concept of "Heritage Community".¹³⁸ The goal of 40xVenesia is to bring about dialogue between citizens, politicians, institutions and private investors on matters related to cultural heritage. Although the Faro Convention provides no legal instruments for "Heritage Communities", the example of 40xVenesia shows how well things can work operationally from such a concept, namely as a kind of platform for increased citizen participation in terms of cultural heritage issues.¹³⁹

6.3 "Heritage Communities" and the concept's connection to rights and responsibilities

In Chapter 5, which deals with cultural heritage's links to rights and responsibilities, reference is made to the Faro Convention's contribution to broadening the concept of cultural rights. The Convention's first article states that the right to cultural heritage should be seen as part of the right to participate in cultural life as expressed in the *UN Declaration on Human Rights*. The Convention is based on the idea that it is the use and knowledge of cultural heritage that are part of the right of citizens to participate in the cultural life of society.

In his description of the Faro Convention's perspective on rights, Patrice Meyer Bisch in *Heritage and Beyond* particularly emphasises the role of social relationships in understanding cultural rights. The subject of the exercise of rights

¹³⁷ Ibid, p. 74

¹³⁸ Gregorin, C. *The example of Venice: Applying and diffusing the principles of the Faro Convention into a Heritage Community* (Internet source). Goddard, S., "Heritage partnerships - Promoting public involvement and understanding, *Heritage and Beyond*, 2009, p. 149 ff

¹³⁹ Gregorin, *The Example of Venice: Applying and diffusing the principles of the Faro Convention into a Heritage Community* (Internet source).

is necessarily an individual, but in order to take advantage of the cultural right, you need to gain access to a context, "a community", a group or an organised collective¹⁴⁰ The idea of community, according to the Faro Convention, appears in much of the basic context for the exercise of cultural rights. A "Heritage Community" is expected to contain all participants' individual rights, but also bears the responsibility for these being respected.

A community, according to interpreters of the Convention, may only gain legitimacy where everyone's individual rights are always respected both within and outside the community. The purpose of so-called "Heritage Communities" should be to define themselves with the aim of protecting and developing a cultural heritage. Cultural heritage is therefore the focus of the work. The fact that people are working together in a group or as part of a community does not mean that this group can be granted cultural rights as a collective (see Chapter 5).¹⁴¹ Engaging and influencing cultural heritage and cultural environments through the "Heritage Communities" is an extension of the right to a personal interpretation of what heritage is, or may be, through both individual and collective actions.

6.4 The expert role and civic dialogue - the democratic perspective and social benefit

Just as landscape, according to the European Landscape Convention (ELC), is regarded as a kind of union between man and nature, cultural heritage, according to the Faro Convention, is a kind of interaction between man and society.¹⁴² By allowing citizens to be more involved in the cultural process, it becomes possible to define cultural heritage from a much broader social perspective than before. This approach is considered to be democratic because it means that the focus moves from the former rather one-sided emphasis and high valuation of monuments and well-established traditions to a greater valuation of the more general, and even the downright mundane. Only through such a shift of focus, where man and his reality are clearly at the centre, will cultural heritage engage a wider public, in the view of the authors of the convention.¹⁴³ The Convention stresses that such a shift of focus also increasingly enables cultural heritage to be a resource for a sustainable society.

It is against this background that the Faro Convention's emphasis on citizens' increased influence on the cultural process should be understood. According to the Convention, cultural heritage experts should continue to work on issues relating to identification and research, but they should not have sole right of interpretation. Instead, the expert voice should take account of the civic voice, in

¹⁴⁰ cf. Meyer-Bisch, "Defining cultural rights" (Internet source)

¹⁴¹ Meyer-Bisch, 2009, p. 60

¹⁴² Fairclough, 2009, p. 30 f., 37

¹⁴³ Ibid, p. 39

an ethical way. Furthermore, the expert should study to a greater extent how cultural heritage allows individuals and groups to identify with their environment, i.e. how cultural heritage can serve as a resource to strengthen identity.¹⁴⁴ Advocates for the Convention see that this shows how people, artefacts and places can interact in a broader context.

According to Graham Fairclough, one of the authors of *Heritage and Beyond*, traditional cultural practice has to change fundamentally in order to achieve the objectives set out in the Faro Convention. Fairclough believes that the current cultural practice, which is often state-funded and where experts make the selection based on various established criteria, only builds walls around heritage. This practice is considered to lead to an ever-growing number of monuments for which protection and conservation requirements are high, which in turn requires more resources. This, according to Fairclough, is neither socially nor economically sustainable in the long run.¹⁴⁵

The Faro Convention's emphasis on more active participation by citizens in terms of cultural processes is aimed at ensuring a wider and more dynamic range of cultural heritage - a selection which reflects the contemporary than the past. A selection based on citizens' values of "here and now" is assumed to link more strongly to identity, places and landscapes, which the Convention wants to achieve to ensure social sustainability.¹⁴⁶ Through the formation of various "Heritage Communities" says Fairclough, these can continually renegotiate the value they ascribe to a specific cultural heritage. According to Fairclough, this renegotiation may result in an older heritage, highly valued and protected by so-called cultural heritage experts, being replaced by a younger and more contemporary heritage, which is better adapted to prevailing social processes. According to another of the authors of *Heritage and Beyond*, Jean-Michel Leniaud, there are many historical examples of how a given cultural heritage, depending on a number of variables, has been greatly revalued by subsequent generations.¹⁴⁷ This underlines the fact that cultural heritage and its value are under constant renegotiation and can never be taken as given or constant.

Fairclough admits that the cultural practice advocated by the Faro Convention would result in the short term in losing part of our current cultural heritage. In a long term perspective, however, there would be more to gain from such a practice, depending on whether heritage clearly can be allowed to be developed and used in various planning and social processes and thus serve as a resource for the individual, both socially and economically. The overall purpose of this change in

¹⁴⁴ Ibid, p. 37

¹⁴⁵ Ibid, p. 38

¹⁴⁶ Fairclough, 2009, p. 39 f. See also Dolf-Bonekämper, 2009, p. 70. Compare also the "European Manifesto on Multiple Cultural Affiliation" (Internet source) that emphasizes its wish to move from an approach based on fixed cultural identities and recognition of minorities to a cultural approach that takes into account that people can be part of many cultural traditions / identities at the same time.

¹⁴⁷ Leniaud, 2009, p. 139

cultural practice is to be able to bring cultural heritage out of its "box" and incorporate it clearly in ongoing community development.¹⁴⁸ Instead of preserving specific cultural heritage, the Convention thus aims at being better able to manoeuvre the cultural heritage in the change processes taking place in our time. The cultural heritage expert's role is, in this context, to mediate in various types of planning processes.¹⁴⁹

6. 5 Knowledge and accessibility

In order to ensure the democratic claims that characterise the Faro Convention, access to knowledge and information about basic cultural heritage are fundamental. Article 13 "Cultural heritage and knowledge" emphasises *inter alia* the importance of education at all levels, and in interdisciplinary subjects, bringing in knowledge of cultural heritage.¹⁵⁰ Article 13 c also emphasises the importance of interdisciplinary research in cultural heritage by studying how this relates to both "Heritage Communities" and the physical environment. Article 13d further underlines the importance of constant current experience in terms of knowledge and practice both on a professional basis but also within existing programmes linked to the cultural heritage sector.¹⁵¹

The aim of disseminating knowledge of cultural heritage is not just about democracy and citizen participation, but is also a way of increasing understanding of how cultural heritage can serve as a resource for the community in order to strengthen social sustainability. Article 13, concerning cultural heritage and knowledge, opens the way to build a critical perspective on what relates to the active use of history, or cultural purposes. This links this article clearly to the second chapter of the Convention, "Contribution of cultural heritage to society and human development", and in particular to this chapter's Article 7, "Cultural heritage and dialogue". Article 7c highlights, for example, the importance of knowledge about heritage and sees it as a resource to facilitate peaceful co-existence in conflicts (see also Chapter 3). Furthermore, Article 7d underlines the importance of lifelong learning in terms of how cultural heritage can contribute to society and human development.¹⁵²

An article that is closely associated with the question of knowledge is Article 14, "Cultural heritage and the information society". This article deals with the accessibility of cultural heritage through digitalisation and social media. The Faro Convention highlights, from the democratic perspective, the importance of

¹⁴⁸ Fairclough, 2009, p. 40

¹⁴⁹ Goddard, 2009, p. 141 ff

¹⁵⁰ Council of Europe Framework Convention on the Value of Cultural Heritage for Society, Faro, 27.X.2005, Article 13a.

¹⁵¹ Council of Europe Framework Convention on the Value of Cultural Heritage for Society, Faro, 27.X.2005, Article 13

¹⁵² Council of Europe Framework Convention on the Value of Cultural Heritage for Society, Faro, 27.X.2005, Article 7.

providing quality information about cultural heritage through digital techniques and aims that this will ensure diversity in terms of both language and cultural expression in the emerging information society.¹⁵³ The Convention links and develops this argument in particular in Article 14 ac and refers also to the *UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions* from 2005.¹⁵⁴

The overall purpose of digitalisation, according the Faro Convention, is to safeguard the collective memory through the availability and dissemination of knowledge.¹⁵⁵ Information about cultural heritage should be given to as many stakeholders as possible. "Heritage Communities" are thus deemed to be an important platform in this area. Through various virtual "Communities" information spreads, not only to the local community, but also to an interested global community. Other important goals in the digitalisation work are supporting "internationally compatible standards for the study, conservation, enhancement and security of cultural heritage, whilst combating illicit trafficking in cultural property".¹⁵⁶ Digitalisation thus also relates to research and conservation issues while at the same time it should facilitate in matters concerning illegal trade in cultural heritage. Proponents of the convention believe that digitalisation can "boost" heritage tourism and the associated areas.¹⁵⁷

The Faro Convention thus opens the way for a wide collaboration in all of the above areas. However, there are still many issues that need to be discussed in terms of administration and enforcement of the various digital systems so that these can only be used for rational and humanistic purposes. Catherine Ledig, one of the authors of *Heritage and Beyond*, points to the need for legal instruments to prevent possible abuse while at the same time digital media need to be guaranteed the widest possible distribution. Ledig also highlights the importance of social media that provides cultural heritage-related information should aim for diversity in terms of language and cultural expression.¹⁵⁸ This may seem obvious but is highlighted in this context because the digital format, as a medium, tends to homogenise various types of expression and formats.

Google, YouTube, Flickr and eBay are new actors, or players, in the field of cultural heritage. This is not only because they provide search engines but they are also easily accessible, thus offering access to cultural heritage. However, advocates of the Faro Convention see this as a problem, partly related to the mass use of these common sites. What role should these digital actors play and what legitimacy should be attributed to them? A risk highlighted by Ledig is commercial

¹⁵³ Council of Europe Framework Convention on the Value of Cultural Heritage for Society, Faro, 27.X.2005, Article 14a.

¹⁵⁴ Ledig, C., "The Faro Convention and the information society", *Heritage and Beyond*, 2009, p. 160

¹⁵⁵ Ibid , p. 159

¹⁵⁶ Council of Europe Framework Convention on the Value of Cultural Heritage for Society, Faro, 27.X.2005, Article 14b.

¹⁵⁷ Ledig 2009 , p. 160

¹⁵⁸ Ibid , p. 162 ff

exploitation, as well as the emergence of a kind of cultural mass consumption which could eventually lead to the impoverishment of the cultural heritage.

The challenges that the information society is facing in terms of heritage has led to policy decisions already being adopted at both national and European levels, with regard to digital website design, digital preservation, online access and adopting various legal instruments.¹⁵⁹ The outcome of this is that different digital libraries and archives have been created, such as Europeana "the European Digital Library" (www.europeana.eu) which provides information about the European cultural heritage. Other examples include online access to various museums such as the Tate Gallery (www.tate.org.uk) and the British Museum (www.britishmuseum.org).

Furthermore, Minerva, Michael and the "European Heritage Network" (Herein) are initiatives which aim to share and communicate, good practice and cooperation at a European level on the deployment and operation of new technologies as well as comprehensive strategies concerning heritage.¹⁶⁰ The "Herein European Heritage Network" is a portal for public cultural institutions and politicians, run by the Council of Europe. The development of the Herein Network is regarded as one of the main instruments for achieving the goals expressed in the Faro Convention, namely to consider cultural heritage as a resource for sustainable development and as the glue that will strengthen ties between people in Europe. Moreover, it builds on a vision of mobilising the cultural capital and spreading responsibility for cultural heritage to all and sundry.¹⁶¹

¹⁵⁹ Ibid , p. 162 ff

¹⁶⁰ Leidig , 2009 , p. 165 f.

¹⁶¹ Therond, 2009, p. 11. The updated database "The new Herein 3" has been designed in line with Article 14 of the Faro Convention. The database provides an overview of the different European cultural heritage policies and acts as an exchange for good heritage practice. The database provides a kind of pan-European "snapshot" that allows comparisons between regions in order to get an overview of trends and developments in the respective countries' cultural practice. Herein it is also intended to serve as a monitoring instrument for the Council of Europe's cultural heritage conventions. *Workshop on "Research Infrastructure for Cultural Heritage and Global Change "*, the Royal Institute for Cultural Heritage (KIK-IRPA) Brussels 2012-03-14, "Value of Cultural Heritage for Society," p. 5

Part II Impact analysis

7. The individual, societal and European level - the Convention's vision of the role of cultural heritage in promoting socially-sustainable development

7.1 Cultural heritage as a resource for social sustainability – in-depth analysis

The Faro Convention's vision of the social value of cultural heritage is based on an innovative model of social sustainability, where cultural heritage occupies a key role. Earlier cultural conventions, and the policies that govern the cultural heritage sector, have mainly focused on society's responsibility to preserve the cultural heritage. However, the Faro Convention changes this perspective. It emphasises instead how cultural heritage can be used and developed to best benefit society. The Convention seeks to broaden and intensify cultural heritage by assigning values to multiple several levels of society. According to the Convention, cultural heritage is regarded both as a resource for human development and for individual participation, and as a social asset through the contribution it can make in other policy areas. It is these aspects that make up the Convention's vision of the role of heritage in promoting socially-sustainable development.

If the Faro Convention is studied from a management perspective, several of the Articles make up a kind of list of the many different ways in which cultural heritage can be used. The administration of cultural heritage is thus not just a peripheral activity for a few selected experts but rather an activity for many, with the aim of developing the assets needed both for today's quality of life and a future sustainable development. The Convention Articles 8 to 13 exemplify various measures that the ratifying state is expected to relate to, linked to many diverse areas, such as environment, sustainability, economics, urban planning, organisation, training and research etc.

The ratifying states undertake / guarantee to adopt measures whereby:

- the cultural heritage enriches processes behind economic, political, social, cultural development and land use (the Faro Convention, Article 8).
- the cultural heritage become an integral part of the pursuit of cultural, biological, geological and landscape-related diversity and to balance these different objectives (the Faro Convention, Article 8).
- all general and technical regulations take into account the requirements of cultural heritage conservation (the Faro Convention, Article 9).
- promote the use of traditional materials, techniques and skills and explore their potential in the present day (the Faro Convention, Article 9).
- take into account the special character and claims of cultural heritage when designing economic policy (the Faro Convention, Article 10).
- promote an integrated and informed approach to cultural issues – in all public institutions in all sectors and at all levels (the Faro Convention Article

11).

- develop legal, financial and professional frameworks to facilitate joint undertakings between authorities, experts, owners, investors, companies, voluntary organisations and civil society (the Faro Convention, Article 11).
- promote the inclusion of the cultural dimension at all levels of education (the Faro Convention, Article 13).

The list is longer than this, and it illustrates the pervasive, almost all-encompassing, role of governance that the Convention ascribes to cultural heritage. This approach is particularly prominent in Article 11a which emphasises that public authorities shall take into account the cultural heritage "in all sectors and at all levels".

The Convention was written by an expert group, people who represent the cultural heritage sector, who themselves see and want to see that heritage is manifested everywhere. Hence the broad definition of the cultural heritage as "everything we do in relation to each other and the place we are in." ¹⁶² Similarly, it raises an expectation that countries that ratify the Convention will adopt cultural policy as part of many other policy areas, which can be difficult to implement. Possibly a slightly more forgiving reading might be if one chooses to see the Convention text more as a source of ideas that exemplify different ways of working with cultural heritage, than as a sector-wide vision. Nevertheless, this vision is problematic as it conveys a somewhat uncritical reliance on the role that cultural heritage is expected play in a number of areas of society and processes.

The value of rights, democracy and participation are clear in the Faro Convention. As with the European Landscape Convention, heritage and cultural landscapes are highlighted and emerge as factors in the work to promote democracy, human rights and the development of the rule of law. However, both these conventions also emphasise that the cultural environment is a resource that should be utilised. Right use is therefore assumed to be where heritage and cultural environments help to develop society in the desired direction. This focus largely characterises the most recent information campaign introduced to make the Faro Convention better known.

In 2013 the Council of Europe's Directorate for Democratic Governance (DGII) launched *Action for a changing society* with the aim of increasing the implementation rate of the Faro Convention. A starting point is that many communities in Europe in recent years have undergone political transformation and have been affected by economic downturns that have led to changes which ultimately are likely to create increased anxiety. The Council of Europe believes

¹⁶² See further Article 2 a , definition of the concept of cultural heritage, the Council of Europe Framework Convention on the Value of Cultural Heritage for Society, Faro, 27.X.2005.

that these changes can be dealt with by testing new social development models, where cultural heritage, through the Faro Convention, is highlighted as the factor that is expected to start a dialogue of understanding, respect and greater social cohesion.¹⁶³ In connection with the campaign *Action for a Changing Society*, the Council of Europe has identified three themes of the Convention as being particularly significant. These topics include managing diversity to achieve cohesive communities, improving the living environment and quality of life for society, and developing democratic participation.

These priorities are close to the Council of Europe's current political agenda with its aim of working for peaceful and democratic community-building and for improved quality of life in Europe. Within the above three themes there are also a number of priority objectives, based on the Convention's various articles, that are highlighted. These include people's participation in cultural heritage work, reconciliation and dialogue, town planning and architecture that take into account diversity as well as joint efforts and shared responsibilities between public players and civil society in cultural policies.¹⁶⁴ These priority areas and identified fields of intervention entail clearer political control, however. Herein lies a risk that discretion in interpreting the Convention may be narrowed.

7.2 "The common heritage of Europe"

Since 1950, the Council of Europe has been promoting the idea of "*a common European heritage*" as an expression of how different cultural expressions in Europe have enriched each other over the centuries.¹⁶⁵ The idea that there is a kind of common European heritage / cultural heritage, is also found in the Faro Convention, with the wording "*the common heritage of Europe*".¹⁶⁶ Even the European Landscape Convention (ELC), which was ratified in 2011, used the concept of landscape in an instrumental way of creating a sense of European belonging.

¹⁶³ *Action for a Changing Society, the Framework Convention on the Value of Cultural Heritage for Society* ", Council of Europe, Directorate of Democratic Governance, DG II. (2013) (Internet source)

¹⁶⁴ Managing diversity to achieve cohesive societies:

- Determine the public's interest in the cultural heritage in order to stimulate the investments made to preserve and highlight the social and economic values of different cultural heritage. (Articles 5a, 5b and 10a)
- Work with reconciliation within a society with conflicting interests to meet and to highlight dialogue as one of the strongest forces in sustainable development. (5 f, 7a, 7b, and 7c) Improve the living environment and quality of life
- Encourage town planning and architecture that is enriched by cultural diversity "of the territories and their traditions "(5 and 8 d)
- Consolidate targets based on economic efficiency, social cohesion and ecological balance in cultural heritage strategies that enable joint efforts between the public sector, investors and civil society. (5 g, 8 a, 8 b, 9 a, 10 b, 10 c, 11a, 11b, and 11c.)

Developing democratic participation

- To implement the "shared responsibility" in which citizens and civil society are involved in public activities to identify the values, priorities and initiate cultural heritage projects. (5c, 5d, 11d, 11e, 12a and 12 c)
- Encourage a sense of responsibility among social stakeholders so that they feel part of a "community" which is enriched by diversity. (8c, 9b and 9d.)

¹⁶⁵ *The Role of Culture and Cultural Heritage in Conflict Prevention, Resolution and Reconciliation: The Council Approach of Europe* . Document prepared by the Secretariat of the Directorate of Culture and Natural Heritage-Directorate General of Education, Culture and Heritage, Youth and Sport. 2010-12-06, p. Second and revised in 2011 01-18, p. 2

¹⁶⁶ Council of Europe Framework Convention on the Value of Cultural Heritage for Society, Faro 27.x. 2005 Article 3.

It appears clear therefore that an important agenda for the Council of Europe's work is to try to develop a shared sense of European belonging through various orientation documents and conventions.¹⁶⁷ This willingness to try to achieve a stronger European "we" can be explained by a general trend towards increased globalisation and a way of defending the values that are considered to be expressions of a European identity.¹⁶⁸ In the search for a European identity, the protection of what is considered to be a common European cultural heritage has received increased attention in recent years. This is in order – as with national identities – to try to create the sense of historical continuity and cultural ties.¹⁶⁹

The work of trying to create a common European identity built on the Western view of culture, however, is not a new idea. Historically, several different examples of a common European value base have been put forward. Some have argued for antiquity and its impact on the European continent as a common value.¹⁷⁰ Others have argued that linguistic or religious ties, as well as regional / geopolitical boundaries, form the basis for a European identity.¹⁷¹ Yet others point out that a tolerance for differences, and a kind of cross-fertilisation of political, linguistic and cultural expressions, is an important aspect in terms of European identity. Both Friedrich Hegel and Max Weber, for example, saw Europe as a unifying force for modernity, rooted in a Protestant and capitalist way of thinking. Even more recent philosophers such as Jürgen Habermas and Jacques Derrida have proposed ideas about how European experiences, such as the two World Wars, have formed an idea of how the European states' destinies are closely intertwined.¹⁷²

Although the Council of Europe follows a somewhat different agenda than the European Union, there is still a need to be reminded that even today the EU emphasises culture as a form of unifying force at a time when the political and economic cooperation are being strongly questioned. A clear challenge for the European Union, in order to strengthen common values, has been to create the conditions for the continued diversified development of European countries.¹⁷³ The slogan of "unity in diversity" is intended to emphasise the fact that the diversity of Europe can act as a kind of identity-creating community. That slogan can be

¹⁶⁷ Wolferstan S. & Fairclough, G., "Common European Heritage: reinventing identity through landscape and Heritage ?", *Heritage Reinvents Europe*, *EAC Occasional Paper* 7, 2013, p. 44

¹⁶⁸ Smith, AD "National Identity and the idea of European unity", *International Affairs*, Royal Institute of International Affairs 1944-2005, p. 64. Tengström, E., *In Search of a European identity. Ancient Rome. The European Union's historic foundation*, 2004, p. 16. Jonsson, C. et al., *European, Quo Vadis? Integration and division in time and space*, 2007, p. 175 ff.

¹⁶⁹ Hettne, B. *From Pax Romana to Pax Americana. Europe and the world order*, 2005, p. 23. In conclusion discussion of the concept of identity linked to the political field, see Goldmann K., *Identity & Policy: national, supra-national, semi-national*, 2008, p. 11-23, 172-190.

¹⁷⁰ Tengström, 2004, p. 20-22, 71-97, 129-131, 193-216

¹⁷¹ Högnäs, S., "an Indo-European Europe? Languages, nationalities and borders," *The borders of Europe. essays on European identity*, 2007, p. 15-22, p. 62 f. Hansson, J., "The historical part of the world. Hegel The Europeans and world history", *The borders of Europe. Essays about European identity*, 2007, p. 87, 94 ff. Smith, 1944-2005, p. 68

¹⁷² Hansson, 2007, p. 137 f., 153 f. Both Leibnitz and Kant discussed a European identity, as did Hegel and Herder. Hansson, 2007, page. 94 ff and 111. Tengström, 2004, p. 16

¹⁷³ Smith, 1944-2005, p. 74

interpreted as an expression of respect for a diverse variety, but can also be interpreted as an approach to all individual cultural heritage in Europe nonetheless forming a mosaic of one single European culture.¹⁷⁴

What separates the Council of Europe's strategy from that of the EU regarding the idea of a special European identity? Some researchers have analysed how the Council of Europe's strategy in the work towards "*a common European heritage*" should be interpreted. The sociologist Monica Sassatelli, for example, has examined how the Council of Europe's "identity strategy" is expressed in the Faro Convention's "sister convention" the European Landscape Convention (ELC). In her study, she shows that the creation of ELC abandoned an initial idea of issuing a list of particularly valuable landscapes. Instead the Convention's authors chose to find a new, more inclusive, approach to landscapes, based instead on the inhabitants' interpretations and impressions.

Another starting point was also that all kinds of landscapes could be considered as valuable, in order not to appear exclusive. Sassatelli therefore believes that the current discourse on European identity, according to ELC, has a non-monumental, and a non-essentialist allocation. According to Sassatelli, this has been done deliberately to circumvent the problem that landscape, as well as cultural heritage, may have arisen in a national context.¹⁷⁵ The idea of a European cultural identity should, based on ELC's approach, rather be read as many different identities – as just simply diversity. The concept of European identity should therefore not be understood as a specific identity, but should in itself be understood as being multi-faceted.¹⁷⁶ The same approach, namely to try to circumvent the culture and identity concepts, also distinguishes the Faro Convention (see Chapter 9). The idea of "*the common heritage of Europe*" is described as a common resource, but also as a common experience of both progress and conflict. The researchers Sarah Wolferstan and Graham Fairclough have studied what the Council of Europe really wants to say in the idea of "common European heritage" in the Faro Convention. They have tried to clarify that the aim of this concept is to be able to implement a model, in the Council of Europe's sphere, which can handle conflicts within Europe - in particular conflicts that are linked to ethnicity and nationalism. The aim is to convey "a common heritage of ideas, whether political or social, which can meet at the crossroads of several affiliations. These concepts should not be extended back in time and influence our interpretations, but rather they should influence our approach to interpretation".¹⁷⁷ This means that the Convention aims to bring about another "thought" about the function of cultural heritage. Instead of falling back on various traditional ways of thinking about cultural heritage, in

¹⁷⁴ Grundberg, J. *Use of History, Globalization and Cultural Heritage Management. Development or conflict?* 2004, p. 47

¹⁷⁵ Sassatelli, M., *Becoming Europeans. Cultural Identity and Cultural Policies*, 2009, p. 164-166. Ibid, p. 198

¹⁷⁶ Ibid, p. 198

¹⁷⁷ ?

relation to European identity, the Faro Convention instead aims to challenge ingrained attitudes.

It is against this background that the Faro Convention's broad approach should be understood. It tries to offer a new complex model to handle the interpretation of cultural heritage in a Council of Europe Context. In order for this convention model to work, however, the following components need to interact to form a kind of basic agreement:

- Cross-border heritage (the broad cultural concept, see Chapter 3)
- The right to be part of and to interpret the cultural heritage (see Chapter 5 and 6)
- Shared responsibility for cultural heritage (see Chapter 4 and 6)
- Managing a difficult history with contradictions (see Chapter 3).

This composite model is an expression of a kind of inner logic that reflects the Convention's very complex and theoretical ambition. A major challenge, however, is how this model should be applied in reality. Wolferstan and Fairclough both emphasise that the Faro Convention's role should be that of a "cultural paradigm" where neither national or other types of "canon" are to be found around the cultural heritage. The evaluation of what should constitute heritage should instead be created in a wide public arena so that a diversity of voices can be heard. In trying to interpret these researchers, the Faro Convention's expression "*the common heritage of Europe*" should also be understood as a kind of diversity of different ideas. It should therefore *not* be understood as an expression of European identity, but should rather be interpreted as a spatial framework within which the cultural heritage is expected to contribute to increased social cohesion. Nevertheless, it remains somewhat unclear, even vague, what this Common European 'heritage' actually consists of and exactly what "ideas" are really being referred to.

Although both Wolferstan and Fairclough emphasise the cultural heritage's constructive and conciliatory properties, there still remain questions about the choice of the concept of "*the common heritage of Europe*". Upon a cursory reading, the concept could signal a manifestation of Europe as an historic continent and thus express a kind of Eurocentrism. This is particularly what in the *Explanatory Report* is described as a shared "intellectual heritage" which is understood to mean that social values are "rooted in history which form the "European idea" in terms of how society should operate".¹⁷⁸ This quote should be interpreted as a "legacy" of historically-rooted values and social norms specific to the European context, which incorrectly can lead to an "us-and-them mentality."

It is only upon a close reading of the Convention, and the related interpretations, that a much broader understanding of how that concept should be interpreted arises. This is problematic. A clearer definition of "*the common heritage of*

¹⁷⁸ *Explanatory Report*, 2005, Article 3 - "The common heritage of Europe".

Europe " would not only been able to shed light on *why* it is considered important to have a common European heritage but would also have contributed to a reduced risk of misinterpretation. Furthermore, it should be noted that the Convention's unilateral emphasis on cultural heritage as a resource for preventive conflict resolution within and between states in the Council of Europe, is perceived as inadequate and dated. This is because the Convention does not fully manage to capture the problems that today characterise the political and social situation. Based on the current political and economic situation, Europe should therefore attempt, both at the Council of Europe and the EU levels, to evoke a feeling of European belonging, inviting a broader and deeper discussion.

7. 3 How to take account of sustainable development from a cultural perspective in Sweden

The Faro Convention claims to introduce a cultural concept which is the broadest to have appeared in any international act so far "It includes all aspects of the environment resulting from the interaction between people and places through time".¹⁷⁹ Nevertheless this chimes well with Swedish cultural policy going back almost 20 years, whereby heritage is not static, but is something that is constantly changing and being redefined.¹⁸⁰

In the latest cultural policy proposition *Time for Culture 2009*, cultural heritage is highlighted as one of the government's cultural priorities. Cultural heritage is defined as something both transmitted from previous generations, and as something that is shaped by today's society. Views on what is heritage therefore change constantly and need to be reinterpreted, developed and used in new ways.¹⁸¹ Cultural heritage can create perspectives on society, enrich people's lives and should be seen as a force in society that can contribute to development and renewal.¹⁸² The proposition also emphasises the importance of authorities within the cultural area being assigned a collaborative role in coordinating efforts to promote sustainable community development and highlights the importance of cultural heritage and the cultural environment in creating good living environments.¹⁸³ The fact that heritage is a resource was given somewhat greater emphasis in 2009 when compared with the previous cultural bill in 1996/97. Now it is clear that the cultural heritage can also be used to promote other policy areas such as employment and growth.

¹⁷⁹ Council of Europe Framework Convention on the Value of Cultural Heritage for Society, Faro 27.x.2005 Article 2. See also *Explanatory Report*, 2005, Article 2: "The definition of "cultural heritage" is the broadest Proposed by any international instrument to date".

¹⁸⁰ See for example the bill on culture in 1996: "... The concept of [cultural] 'heritage' is that it is something that already exists and that we who are alive today have inherited from previous generations. But heritage has no fixed time limits and in our own lifetime we participate in the creation of both our own and future heritage. Prop. 1996/97: 3, p. 127

¹⁸¹ Prop. 2009/10: 3, p. 25 and 30.

¹⁸² Prop. 2009/10: 3, p. 30

¹⁸³ Prop. 2009/10: 3, p. 74-76

Furthermore, the new national targets for cultural work, approved by Parliament in 2013, gained a clearer link to work for sustainable development. Here the role of cultural heritage in community cohesion through diversity and inclusion was highlighted as separate goals. The cultural environment is seen both as a versatile resource and as an important source of knowledge of the community. The goals thus show an increased understanding that the surrounding society, as well as the quality of living environments, should be seen as important starting points for public cultural environment work.¹⁸⁴ In terms of the perception of what cultural heritage is and how it can be used instrumentally, there is a noticeable consistency between cultural policy objectives in Sweden and the content of the Faro Convention. The concept of sustainability in the Convention reflects the broader cultural concepts in order to be able to use heritage as a resource.

The cultural policy goals and objectives of the cultural heritage work are indicative of the work at the Swedish National Heritage Board (RAÄ). As the responsible authority RAÄ has a number of designated tasks that have points of contact with the social dimension of sustainability.¹⁸⁵ In the years 2001-2005, the National Heritage Board initiated several research projects and the authority has also carried out a number of government assignments to gain knowledge about the social impact of a more active heritage use can lead to and develop cultural work so that this can help sustainable development.¹⁸⁶ These include the national development project *Agenda cultural heritage*, which ran from 2001-2004, and contributed in a number of ways to a nationwide discussion of the direction and operation of the cultural environment field.

The project was carried out in collaboration with country administrative boards, county museums and in collaboration with the National Arts Council and the then union of municipalities. The leitmotif of the work was to put people at the centre and focus on the opportunities in cultural heritage work to enrich people's living environments and quality of life. One of the project's starting points was that cultural work should be characterised by diversity and heterogeneity. The common manifesto "People first" also highlighted work for sustainable social development as a significant starting point. In the first decade of the new 2000 millennium, the project launched a host of new projects around the country which were clearly

¹⁸⁴ Prop. 2012/13: 96 *Cultural environment diversity*, p. 35 f. The state's cultural work shall promote:

- A sustainable society with a diversity of cultural sites that are preserved, used and developed,
- People's participation in cultural work and the ability to understand and take responsibility for the historic environment,
- An inclusive society with the cultural environment as a common source of knowledge, training and experience,
- A holistic approach to the management of the landscape, which means that the cultural environment shall be included in social development.

¹⁸⁵ Ordinance (2007: 1184) with instructions for the National Heritage Board § 2. See also National Heritage Board ID 2014-2016, p. 8-9

¹⁸⁶ See the research projects *Cultural heritage as a resource for regional development* and *Cultural heritage for a good living environment* conducted 2002- 2003, *Location, motivation, social process - what makes cultural heritage a resource for sustainable regional development?* Report from seminar in Uppsala 22 to 23 October 2003 Report from National Heritage 2003: 7. See for example *Research project funded by the R & D department at the National Heritage Board. Programme period 2006 - 2010/2011. Heritage gives vitality. Sustainable development of humanistic and historical perspectives*. In-depth analysis of the cultural heritage environment, 2005.

aimed at increasing dialogue and civic cooperation on issues relating to cultural heritage.

The fact that the social and cultural aspects of sustainability needed to be highlighted was also a starting point for the cooperative project *Sustainable urban development* that began in 2009.¹⁸⁷ The purpose of this mission was to increase cooperation in several policy areas responsible for urban planning, housing issues, architecture and cultural heritage, in particular by highlighting the social and cultural aspects and the role of architecture in the urban context.¹⁸⁸

A final, and more recent example of how cultural heritage can promote sustainable development within social planning is the two-year project *Cultural environment: national interests*, which is a project that the National Heritage Board has been running since 2012. The project's overall aim is to improve conditions for the development of the landscape's cultural values in accordance with environmental and cultural policies, as well as the European Landscape Convention. The national interest system is seen in this context as being within cultural heritage preservation to highlight the importance of a site's cultural history as a basis for planning future changes.¹⁸⁹

7. 4 *Impact analysis*

This in-depth analysis has focused on how the Faro Convention highlights heritage as an asset for socially-sustainable development. Promoting the social value of cultural heritage was the main aim of the Convention, and on a more general level the Convention is expected to generate socially sustainable development. The socially- sustainable development is thus the Faro Conventions cohesive "cloak". A starting point in this approach is that cultural heritage is considered to be important in giving people a context and that more people should be invited to talk about what is cultural and what values heritage conveys to us. However, the convention has also developed an approach where heritage is to be used as a resource, not only for the individual's development and improved living environment, but also in many other areas of society. The Convention identifies several policy areas where the cultural heritage is expected to have a greater impact by applying governance in varying degrees. Cultural heritage is also highlighted as a resource for conflict prevention, and as an asset conveying a sense of European belonging.

¹⁸⁷ National Board of Housing, National Heritage Board, Formas and the Swedish Museum of Architecture were asked on September 10, 2009 by the Government to work together to promote sustainable urban development (Ku2009 / 1620 / KV).

¹⁸⁸ *Final report of the government commission for environmental and cultural authorities on cooperation to promote sustainable urban development* (Ku2009 / 1620 / KV), 2011.

¹⁸⁹ *Cultural environments- national interests - in everyone's interest*, the National Heritage Board, 2012.

The Convention's Achilles heel is perhaps the high level of ambition it expresses regarding the pervasive role that cultural heritage is expected to play in all the above areas. The impression is that the Convention wants to include just about *everything*. If this "list" of prospective areas of society were actually to be implemented on all points, based on the same high level of ambition, a number of consequences would become visible. These consequences would probably include a series of constitutional amendments being actualised within a number of policies. This would in turn require a change to the instructions, and a change to the way Swedish cultural environments are managed: a change of target that can be both costly and resource-intensive. Moreover, a consequence could also be that the Swedish public cultural environment administration would need to increase its cross-sectoral cooperation. From a social and management control perspective, it can therefore be argued that the Faro Convention's approach and vision is too ambitious, that it is simply trying to do too much. The Convention's wording contains a hope that the conversation about and the practice of cultural heritage, will resolve a number of social problems: a hope that some will consider to be somewhat naive.

Similarly, in the Council of Europe's most recent campaign, *Action for a Changing Society*, there is also a tendency to emphasise the Faro Convention as a means of addressing challenges in society which lie outside the traditional cultural heritage sector, not least social vulnerability and economic crises. This may mean that the expectations of the Convention may escalate and with this, the belief in the role of heritage as a resource. Even here there is a risk of reliance on the ability of cultural heritage to serve the community functionally. Another risk is that this Council of Europe campaign can be interpreted as a narrowing and clarification of the Convention's purpose and goals. One consequence of such a narrowing would be that countries that ratified the Convention are driven towards a narrower, more controlled direction. This is despite the breadth and freedom that actually distinguish this framework convention in general. The campaign means that the Convention becomes even more politicised, thus becoming a tool to further implement and strengthen the Council of Europe's political aims: namely to promote democracy, the development of law and socially-sustainable development in Europe.

One thing that contributes to the Convention tending to be an expression of a European political will is the Convention's concept of "*the common heritage of Europe*". According to the Convention's proponents, the concept should be interpreted as an attempt to create greater social cohesion and European cooperation. This may lead to a one-sided focus on the prevention of internal and inter-state conflicts in Europe. This emphasis can, in a negative sense, be perceived as inadequate and dated. This is because the Convention is not completely successful in capturing the spectrum of problems which today characterises the political and social situation. The implication is then that the Faro Convention

cannot fully function as a preventative tool for the potential cultural conflicts that may arise in the wake of the effects of globalisation.

On the other hand, in a more positive sense, the Council of Europe's most recent *Action for a changing society* also highlights the importance of daring to try new ways of thinking and methods of interaction with the aim of increasing social cohesion. This campaign expresses a willingness to go beyond previous proven methods of how to run cultural environment management. One example is the local citizens' initiative, that, with the support of the Faro Convention, has developed since 2009 in the Marseille region in France, presented in conjunction with the launch of the "Action Plan" during the Marseilles Forum in September 2013.¹⁹⁰ The citizens' initiative wanted to show how a local commitment to culture could increase social cohesion in the city.

Within Swedish cultural environment management there is a widespread awareness of the importance of taking into account cultural heritage and cultural environments in different social processes. Cultural heritage has increasingly been highlighted as an asset for including social sustainability and economic growth in government work over the past 10 years. There is thus a natural sounding board for many of the ideas formulated in the Faro Convention. Nevertheless, one consequence of ratification may be that issues concerning social sustainability would have an even greater impact on Swedish public cultural environment management. This could imply a need to investigate the function and meaning of heritage based on the Swedish context.

It would be naive to assert that Sweden lacks examples of culturally-coloured contradictions, or to claim that Sweden's cultural heritage is neither politicised nor carries the seeds of future conflicts. The Convention's fundamental message has become an issue for the countries and areas in Europe that recently, or today, have been plagued by religious and cultural contradictions and where cultural heritage is, or may become, the weapon that strengthens the ethnic, cultural and religious conflicts. From the Swedish viewpoint, there is a need to make a more generous and perhaps creative translation of these parts of the Convention. Here it is more about preventing the interpretations and uses of heritage being used to create precisely the distance and exclusion that the Faro Convention wants to avoid.

In a positive sense, the Convention opens the way for more perspectives being highlighted in the discussion of *why* we maintain a specific cultural heritage and for *whom*, as it is based on a wide concept of cultural heritage. The importance of conversation and participation has long been accentuated in Swedish culture and heritage policy, but might not as yet have had the impact that the community wanted. The Faro Convention can, therefore, from a Swedish context, become a

¹⁹⁰ See examples of local initiatives in *Marseilles Forum. On the Social Value of Heritage and the Value of Heritage for Society. Local Initiatives in the Marseilles Experience*, Council of Europe, 2013.

tool for developing cultural environment management in the direction of increasing cross-sectoral work. Read in this way, the Faro Convention becomes a document to inspire different activities rather than a document with a variety of commitments to administer.

8 Human values and economic growth – the Convention’s vision of economically-sustainable development

8.1 Cultural heritage as an economic resource –in-depth analysis

A well-established view is that culture is considered to strengthen values such as education, shared values and democracy. The fact that culture and heritage are often attributed qualitative values has contributed to the area of culture, from a social policy perspective, previously being set aside from other political areas. In recent decades, however, a shift has occurred, both in Sweden and elsewhere in Europe. As culture has become increasingly politicised, cultural policy has come to be regarded as an instrument for growth and progress.¹⁹¹ The role of culture has thus shifted content from a past primarily marked by ideas about the importance of culture’s significance for essentially humanistic values to now also serve as a tool for including industrial and regional policy.¹⁹² This has increased the requirements to be able to measure culture and cultural heritage values in figures. By valuing culture and heritage in economic terms, there are considered to be opportunities to try to determine what culture and cultural heritage can generate economically towards social development.¹⁹³

The Faro Convention’s strong emphasis on cultural heritage and social value and its emphasis on the different dimensions of sustainable development are expressions of the social policy paradigm shift that has taken place in the European cultural sphere in recent decades. The Faro Convention legitimises an economising approach and regards heritage as financial capital, which can be converted into actions aimed at long-term economically-sustainable development. The economic value that cultural heritage is attributed today is highlighted, alongside the effects of globalisation, increased migration flows in Europe and the ongoing digitalisation of society, as direct impulses behind the creation of the Faro Convention.¹⁹⁴

Through its broad approach, the Convention advocates an active use of heritage at multiple.¹⁹⁵ At the same time the Convention states that the integrity of the cultural heritage must be maintained - "ensuring that these policies respect the

¹⁹¹ Jacobsson, B. *The struggle for culture. Entrepreneurship, Translation and power* Södertörn University, 2012. For an in-depth discussion of culture economization see also Throsby, D., *Economics and Culture*, 2001 Throsby, D., "Determining the Value of Cultural Goods: How much (or how little) does contingent valuation tell us?" *Journal of Cultural economics*, no. 27, 2003, p. 275-285. See also Tomson, K., "To create an experience industry", *Nordic Cultural Policy 2011*, no. 01-02 and Beckman, S., "Culture as a resource growth and formation. Interceptions in cultural policy", *Astrid Lindgren’s worlds in Vimmerby. A study of cultural heritage and community*, ed. Jonsson, L., 2010, p. 97

¹⁹² In-depth understanding of the position of the humanities today see Sörlin, S. & Ekstrom, A., *The measure of all. Humanistic knowledge of future society*, 2012, p. 47 ff. See also Nordin, S., *Humanities in Sweden. Emergence, golden age and crisis*, 2008.

¹⁹³ For detailed discussion of the economic values of culture see e.g. Throsby, 2003, p. 275-285. Graham, B., et al., *A Geography of Heritage: Power, Culture and Economy*, (2nd Edition), 2004, p. 129 ff., 257 f. Throsby, D., *The Economics of Cultural Policy*, 2010, p. 107 ff.

¹⁹⁴ Therond, 2010 (Internet source).

¹⁹⁵ See section 3-4. See in particular the Council of Europe Framework Convention on the Value of Cultural Heritage for Society, Faro 27.x 2005, Article 8a.

integrity of the cultural heritage without compromising its inherent values".¹⁹⁶ The fact that cultural heritage shall be both used and preserved, could be interpreted as contradictory but is actually significant for the whole Convention which alternates in a number of issues between a "both / and" attitude. To regard cultural heritage as economic capital, as in this case clearly shows how the Convention is based on a traditional view of cultural heritage, but also how it is looking ahead and trying to use creative ideas to renew the sector through various reforms, which in turn are in line with contemporary society.

Although the Convention is clear that heritage values are respected in social change processes, it signals a clear departure from the ideology that can be said to characterise traditional cultural work. From previously having been protected and preserved in order to safeguard humanistic and scientific values, the Faro Convention advocates that cultural heritage can also be used and changed in a contemporary economic reality.¹⁹⁷

The Faro Convention's clear focus on the social and economic dimensions of durability stems, alongside visionary ideas, from a type of practical background, as explained in Chapter 4. The cost of traditional heritage management, and its high standards for the integrity of the cultural heritage, has been questioned by politicians. The political establishment has therefore demanded a new convention which allows a more active use of cultural heritage – a use that demonstrates that cultural heritage can be a financial asset that actually generates income.¹⁹⁸ The Faro Convention can, based on this perspective, be interpreted as a kind of response to politicians' demands. According to the Convention's proponents, the heritage's economic values should ultimately contribute to a greater understanding of the humanistic and historical perspectives of which cultural heritage is a carrier.¹⁹⁹ In this reasoning there is thus a kind of tacit understanding that the economic value of culture often works most effectively when it comes to convincing decision-makers.²⁰⁰

Several countries in Europe, like Sweden (see below), have long been pushing for different methods and approaches that seek to define cultural heritage's economic potential. Such methods have been especially developed for the tourism and entertainment industry, where examples of how heritage drives the engines are

¹⁹⁶ Council of Europe Framework Convention on the Value of Cultural Heritage for Society, Faro 27.x 2005 Article 10 c.

¹⁹⁷ A reality that could be described as the age of n economics. See Lundquist, L., *Citizens' democracy and the elite*, p. 56. Rombach, B. *The successful economy*, 2005, p. 20 ff. Köping et al. "Economization of culture," *Culture Sweden: problem analysis and statistics, Norrköping SweCult 2008 no. 2000-2203* p. 85-89.

¹⁹⁸ Rypkema, 2009, p. 121

¹⁹⁹ *Ibid.*, p. 123. Rypkema emphasizes the "cultural value, educational value, environmental value, social value, aesthetic value and others. In the long run, each of those values of Europe's built heritage is more important issue than the economic value". Rypkema, 2009, p. 113

²⁰⁰ Rypkem, 2009, p. 123. Throsby, 2003, p. 282

many.²⁰¹ Proponents of the Convention, however, indicate that there are so many more sectors where cultural heritage can contribute to positive economic development, including urban planning, real estate, the labour market and education (see Chapter 4).²⁰² The Convention is designed so as to widen the ideas around heritage's actual economic potential, and actively encourages more inter-sectoral thinking in terms of cultural heritage. The movement toward a more active use, and a broader view of heritage where more everyday objects are considered as cultural heritage, in turn legitimises the economic perspective that the Convention seeks.

Cultural heritage and its economic dimension, however, have an ambivalent relationship. Cultural heritage is not preserved for its economic value but nevertheless cultural heritage preservation depends on the economy. When the number of preserved objects, monuments or places gradually rises, this development has far-reaching economic consequences. These economic consequences may not always be articulated clearly, either in the cultural sector or from political or other sides. Nevertheless, economic arguments, alongside cultural values, often constitute a compelling reason in connection with various trade-offs in changes involving cultural heritage. The need to highlight this issue, in combination with an increasing interest in the extant heritage becoming an economic resource, has led to several researchers pointing out the need to study more clearly the relationship between economy and culture.²⁰³ The Faro Convention, and its clear focus on cultural heritage and social values, is conducive to that kind of argument.

The fact that cultural heritage is part of the economic sector should therefore not be in doubt, but how effective heritage could be in reality, for example, in trade and rural development, should be discussed when research points to the lack of both secure methods for measuring its value as well as well-founded research in the area.²⁰⁴ Specifying an absolute economic value for culture is considered to be difficult because of culture's qualitative nature.²⁰⁵ Speaking in economic terms, however, tends to "win the argument" as economic terminology is considered to be objective and neutral, which is far from always the case.²⁰⁶

²⁰¹ For detailed discussion of heritage tourism for example, see Boniface, P. & Fowler, PJ, *Heritage and Tourism In the "global village"*, 1993.

²⁰² For a discussion of methods to measure the values of heritage buildings classified in accordance with the Faro Convention see for example Palsson Skarin, I., *A Finance Model for the Built Cultural Heritage - Proposals for improvements of Future Heritage Economics*, 2011, p. 89 f. See also Mason, R., "Beware and be interested, Why and how we make economic arguments for heritage conservation" and Krus, A., "Perspectives on values - Model integrated estate-management", both articles in *Economics and Built Heritage - Seminar proceedings. Built heritage – value-adding sector, Nordic Council of Ministers*, 2007.

²⁰³ Throsby, 2001, 2003, 2010. Graham et al. 2004. "Culture economization" *Culture Sweden: problem analysis and statistics*, Norrköping SweCult 2008-, no. 2000-2203. Grundberg, 2002, Palsson Skarin, 2011. Stenström, 2008, Jacobsson, 2012. Mason, 2007

²⁰⁴ Research indicates, for example, that culture and economy act according to different types of rationality, which can create disparities. See the Monthoux, PG et al. In 2007, Graham et al. 2004 p. 257 f. Throsby, 2001, 2003, 2010.

²⁰⁵ Throsby, 2003, p. 280 et seq., Throsby, 2001, p. 281 ff., Throsby, 2010 page. 107 ff. Graham et al., 2004 p. 129 f. 257 f.

²⁰⁶ Rombach, 2005, p. 9, 20 f.

Culture has also, from a historical perspective, positioned itself as a kind of antithesis to economic viability. The so-called "cultural capital", which comprises a kind of symbol or added value of a qualitative nature, has not been considered compatible with a market economy way of thinking.²⁰⁷ The need today, however, to try to reconcile cultural capital with financial capital is found in a willingness to integrate the conservation of cultural heritage with an active economic use, which according to the Faro Convention is defined as economic sustainability²⁰⁸ However, there is an obvious risk when commercial logic gains more and more leeway at the expense of the cultural, that is, when the economic arguments are superior to other arguments in society. There is namely a danger that culture will, in time, lose out if it turns out that it cannot meet the high expectations and financial promises that are promised politically through more active use.²⁰⁹

The economic rhetoric can thus be challenged and should in this context reflect on whether the long-term consequences of economising the cultural heritage, in line with the Faro Convention, can help. One consequence is that the so-called heritage industry packages, or commodifies cultural heritage as a kind of consumer item or product. Cultural heritage should thus provide jobs and income, but it will also serve as an attraction factor in order to help put places, cities, regions or nations "on the map".²¹⁰

One obvious risk with increased economic use of cultural heritage, coupled with general increasing commercialisation in the cultural field, however, is a tendency to lead to multi-faceted discussions stagnating and the critical analysis failing. To regard the role of culture from a development and growth perspective is actually a fairly narrow instrumental approach that means that the focus moves from culture's own development to culture becoming a way for other sectors to develop. This contributes in the long run *inter alia* to the power over how heritage assets should be used being transferred to other parts of society.²¹¹ This development is thus a movement from the public to the private where public cultural institutions therefore have to make way for contractors or the "civil society".²¹²

²⁰⁷ For that reason arises, according to Bourdieu, conflicts arise in the cultural field in the encounter between culture and economy, Bourdieu, P., *Texts of intellectuals: an anthology*, ed. Broadly D., 1992. Bourdieu, P. & Haacke H., *Free exchange*, 1995. In order to achieve "cultural capital", an active distancing from the economic capital takes place. See Stenström, 2008, p. 26 f. Rombach, 2005, p. 36 f. For an alternative view of culture or man's task in a business context, see also Monthoux, PG, *The sublime artistic direction. Aesthetics, Art and Company*, 1996.

²⁰⁸ Throsby, 2001 p. 91 f. Throsby, 2010, p. 107 f. Graham et al., 2004 p. 130 f., 152 ff.

²⁰⁹ Köping, et al., 2008, page. 85

²¹⁰ Graham et al., 2004 p. 157. How culture has become a so-called experience industry and growth factor e.g. KK Foundation, 2002, Karlsson, D. & Lekvall, L., *The involuntary entrepreneur*, in 2002, Florida, R., *The emergence of the creative class*, 2006, Aronsson, P., *Ideas of homeland: challenges for a popular movement with the local community in focus in a globalised world*, ed. Aronsson P. & A. Sanden, 2007 Grundberg, J., *Cultural heritage, tourism and regional development*, 2002.

²¹¹ Klüft, A., *Regional strategies at the local level. Cultural heritage and cultural work in the regional and municipal levels - development and growth work* The Department of Conservation, University of Gothenburg, 2011: 36, p. 15

²¹² In the European report *The Economy of Culture* (European Commission 2006) the cultural sector is also seen as a model for a future labour market in general with a host of small businesses with great flexibility. Köping, 2008, p. 88 f.

The risks of regarding cultural heritage as an economic resource are also that a certain form of standardisation may occur when the "cultural product" might need to be adapted to a specific audience. There is therefore a kind of "negotiation" in the encounter between public and private, when culture should be offered as a product.²¹³ There is thus a risk that an active selection, from a user perspective, leads to certain environments receiving attention while others are neglected. Research indicates here that heritage tourism also tend to cement relatively traditional images of culture and heritage and in that context there is even a risk of over-exploitation of the resources that the heritage offers.²¹⁴ A moral aspect in this context is the question of who should have the right to economically operate a common cultural heritage? In this aspect there is a tension between accessibility and economic utilisation.²¹⁵ The issue of economic sustainability in relation to cultural heritage is ultimately a kind of normative vision that includes questions regarding selection, values and who has the right to the resources - in this case the right to the past as an economic resource. The sustainability aspect is, as noted above, one way of trying to reconcile conservation and development, rather than having to select *one* overall strategy for how cultural heritage can be managed in our time.

From a broad social policy perspective, the Convention could be interpreted as a response to the need to reduce public expenditure on cultural heritage. The Faro Convention can, in this perspective, certainly be seen as an historical document. It was launched at a time when the European countries' spending was increasingly burdened by the costs of a traditional cultural practice while global financial crises were occurring at ever shorter intervals. By abandoning the traditional cultural preservation practice, with preservation as key, costly and labour-intensive cultural environment management can be circumvented.

8. 2 The Swedish public cultural administration's work with cultural heritage as a resource for economic sustainability 2001-2013

The Government bill of 2001 *A policy for growth and vitality of the country* highlighted the importance of cultural policy for regional development and growth.²¹⁶ Cultural policy was here defined as a policy whose investments and initiatives were deemed to have great structural importance for regional

²¹³ Atkinson Wells, P. "Preface," *Keys to the Marketplace: Problems and Issues in Cultural and Heritage Tourism*, 1996, pp. 11. Graham et al., 2004, p. 93 f.

²¹⁴ Petford, P. "Pushed to the Limits - the dynamics of internal neo-colonization in peripheral tourism development: case studies in Egypt and South Wales " and Goudie, S. et al., " Tourism beyond apartheid: black empowerment and identity in the "new" South Africa ", both in *Keys to the Marketplace: Problems and Issues in Cultural Heritage and Tourism* , 1996. Klüft, 2011: 36, p. 17. See also Comaroff, J. & Comaroff, JL, *Ethnicity, INC .: on indigeneity and its interpellations Merger*, 2009.

²¹⁵ Cogswell, R., "Doing right by local folks: Grassroot issues in cultural tourism," *Keys to the Marketplace: Problems and Issues in Cultural and Heritage Tourism* , 1996, p. 57

²¹⁶ *A policy for growth and vitality throughout the country* . Prop. 2001/02: 4

development. The bill stressed that cultural heritage is a resource in that it can increase attractiveness and create opportunities for businesses and enterprise. As a result of this bill, the economic dimension of cultural heritage was highlighted and, and how it interacts with the social and environmental elements of sustainable social development, so that these gradually became embedded in the public cultural authorities' work during the first decade of the new millennium.

The National Heritage Board has, in line with the cultural policy visions and in cooperation with several other agencies and administrative bodies, worked actively with cultural heritage as a resource for sustainable development and regional growth for more than ten years. An initial project, which ran between 2001 and 2003, which aimed to raise awareness of the links between cultural environments, regional development and growth was the National Heritage Board's project *Cultural heritage as a resource for regional development*.²¹⁷ One of the main conclusions of this project as well as a number of other pieces of work, was that cultural heritage could actually constitute an economic resource and that there was a need for increased cross-sectoral cooperation between the local, regional and central levels. The National Heritage Board drew attention in particular to business opportunities for input into the area of cultural heritage.²¹⁸

The National Heritage Board's in-depth market analysis of culture in 2005, *Heritage gives vitality. Sustainable development of humanistic and historical perspectives*, pointed out the importance of increased cross-sectoral collaboration between stakeholders in order to stimulate cultural heritage as a resource for growth and development.²¹⁹ In order to concretise the work, the government decided in 2007 to establish a national action plan for the promotion of regional development called *A national strategy for regional competitiveness, entrepreneurship and employment 2007-2013*.²²⁰ In 2009 there was also an *Action plan for the cultural and creative industries*, known as KKN.²²¹ These national action plans contributed strongly to the issue of cultural heritage as a potential

²¹⁷ *Cultural heritage as a resource for regional development*, RAA 2001-2003. The project was implemented in three phases, see interim reports in 2002: 1, 2002: 4, 2003: 7 One result that was highlighted was that a well-founded scientific argument was seen as essential for cultural heritage representatives having the opportunity to get into areas where the conditions for sustainable regional development were being discussed. Another conclusion was that there was a need to create intersectoral arenas for knowledge exchange. As a follow up to this project, further seminars were held from 2002-2005, see e.g. *Attractiveness - how and for whom? Culture, nature and cultural heritage as progress factors and conflicts of interest: intersectoral seminar days at Sunne 19-o 20 October 2005* RAA's report 2005: 5. Participants were the Cultural Affairs Board, the Environmental Protection Agency, Nutek, the Swedish National Heritage Board, the Swedish Forest Agency, the National Property Board, the Tourist Authority and the County Administrative Board of Värmland and Region Värmland. In planning the seminars' content, representatives from several institutions and universities also took part.

²¹⁸ The company as a group, was considered to be able to bring new perspectives on cultural heritage. This was motivated partly based on the idea that the companies had their own history, that is to say that these were themselves an separate cultural heritage, and on the assumption that they could support cultural activities and enrich the cultural heritage of their experiences. This focus can be seen as a continuation of an earlier collaboration that the National Heritage Board had with *Culture and Industry*, see e.g. Westin, H., *Corporate heritage - profitable in the long run*, 2002.

²¹⁹ *Heritage gives vitality. Sustainable Development from the humanistic and historical perspective. In-depth analysis of the year of the cultural environment 2005*.

²²⁰ *A national strategy for regional competitiveness, entrepreneurship and employment 2007-2013 report N7037*, the Ministry of Industry, 2007

²²¹ *Action plan for cultural and creative industries*, memorandum of the Ministry of Culture and Industry, 2009.

resource for sustainable regional growth being given a more concrete expression by both the National Heritage Board and a number of other central authorities (see below).

The Government bill *Time for culture*, adopted by Parliament in 2009, stressed that "Culture should be a dynamic, challenging and independent force with freedom of expression as a basis".²²² The bill emphasises among other things, that "there is no contradiction between commercial viability and artistic quality or freedom "and also points out that cultural businesses operating on a commercial basis do not generally have any negative impact on the culture. The new cultural policy objectives from 2009 can therefore be regarded as something of a paradigm shift, as they have moved away from an earlier cultural policy, which had actively discouraged the commercialisation of culture.²²³ The bill also proposed major emphasis on the continued development of the cultural and creative industries and regional growth.²²⁴

Based on the government's *National strategy for regional competitiveness, entrepreneurship and employment 2007-2013*, the National Heritage Board wrote a report in 2007 entitled *Cultural heritage as a resource in regional development*.²²⁵ The report highlighted, among other things, the importance of stronger stimulation of the development of both natural and cultural tourism.²²⁶

An assignment that National Heritage Board received in 2009, together with the National Arts Council, the National Archives, the Swedish Film Institute and the Board of the Handicrafts Council, was to devise guidelines for the government's *Action Plan for cultural and creative industries 2010-2012*.²²⁷ The guidelines that the National Heritage Board drew up highlighted that there was a real need for greater exchange of knowledge between the cultural sector and businesses, and how each sector actually works. They developed guidelines that particularly highlighted the importance of knowledge about what the so-called cultural entrepreneurs were.²²⁸

²²² *Time for Culture*, Government Bill 2009/10: 3, p. 28

²²³ See the 1974 cultural proposition (1974: 28) that actively counteracted the commercialization of culture and the 1996 cultural policy bill (1996/97: 3) that constituted a revision of the 1974 cultural policy objectives. See also Wikander, K., "Cultural policy", *What the state wants. Goals and ambitions in Swedish cultural policy*, ed. Tarschy, D. & Lemne, M., 2013, p. 261 ff.

²²⁴ *Time for Culture*, Government Bill 2009/10: 3, pp. 72 f.

²²⁵ *Heritage as a resource in regional development*, annex to Reporting on the National Strategy for regional competitiveness, entrepreneurship and employment 2007-2013. No. 103-2057-2007, p. 6-10

²²⁶ Through a clearer interaction between government and business, and the creation of so-called *innovative environments*, there should be a greater opportunity for entrepreneurs to actually use the cultural environment to a greater extent than previously. This was expected to attract more tourists, which in turn would contribute to revenue growth in the regions. In the work on innovative environments, the report highlighted the importance of a continuous *supply of skills* so that the utilisation of heritage is based on targeted training and a well-founded knowledge base. The report also stressed the importance of increased *accessibility* to cultural heritage and *strategic cross-border work*, that is to say international cooperation on cultural heritage issues. *Cultural heritage as a resource in regional development*, the National Heritage Board, 2007.

²²⁷ Government directive for the financial year 2012 for RAA, 2011-12-15 and government directives for the financial year 2013 for RAA,

²²⁸ *The cultural authorities' work with the cultural and creative industries*, RAA, 2012, and reporting under National Heritage Board directive, No. 301-1835-2012.

Based on the guidance documents that the National Heritage board drew up, the authority has also developed a strategy called *Cultural heritage force* which aims to develop the authority's strategy for regional growth during the period 2011-2013.²²⁹ The document is characterised by the goal of highlighting the economic aspect of cultural heritage alongside cultural heritage's environmental and social values in relation to sustainable development. The strategy also aims to work based on the tactical goals highlighted in 2007, namely, innovation and renewal, skills, accessibility, and strategic cross-border work.²³⁰ The policy further expresses the need for increased cooperation between businesses, research, government, civil society and political institutions.²³¹

8.3 Impact analysis

The Faro Convention's clear focus on cultural heritage and social values, combined with its strong emphasis on sustainable development, contribute to cultural heritage being highlighted in this Convention as a tool for the promotion of economic development. According to the Convention cultural heritage will then be preserved based on its specific significance, but will also be utilised on the basis of its economic potential. The consequences and interpretation of the Convention's aim are therefore that the heritage values are respected in social change processes, but are also used and changed as a factor in a sustainable economic development. This can be interpreted as an alternative approach to that which characterised earlier conventions in the field of cultural heritage and traditional cultural work in general, namely, an orientation towards mainly protecting and preserving cultural heritage.²³²

The Faro Convention's vision on this issue is therefore consistent with the general development that characterises the work of Swedish cultural environment management. The Swedish government cultural authorities and several other authorities, in close harmony with the national cultural policy goals, have been working for more than a decade on cultural heritage as a resource for sustainable regional development. The objectives for achieving this, however, have changed over time. Initially, the focus of the National Heritage Board and other relevant authorities' efforts was on investigating the role that cultural heritage could play in sustainable regional development. There was also a clear ambition to include the

²²⁹ *Heritage Power! National Heritage Board's strategy for regional growth 2011-2013*, report from the National Heritage Board, 2010.

²³⁰ See *Cultural heritage as a resource in regional development*, the National Heritage Board 2007. Within the framework of innovation and renewal further work is planned with, *inter alia* Growth Analysis, Growth Board and Vinnova.

²³¹ Such cooperation shall take place in so-called "innovation systems". The National Heritage Board's is deemed in this context to be able to take its place in strong research and innovation environments, in projects that will increase the "commercialization of research", in "catalysing communities" and "great business opportunities." Through "cultural heritage" new perspectives on diversity and sustainability concept can be added, and through an increased flow of expertise between business, research, nature, culture and heritage, attractive environments can be created. *Heritage Power! National Heritage Board's strategy regional growth 2011-201*, report from the National Heritage Board, 2010, p. 12 ff.

²³² See the Valletta and Granada conventions.

scientific community in this issue and to come together across the sectors - an approach that aimed at strengthening the networks between researchers and practitioners.

In the late 2000s there was a marked shift whereby the connection between heritage and business / entrepreneurship became stronger. In response to the government guidelines, the National Heritage Board focused its work towards a clearer interaction with entrepreneurs and companies in the cultural heritage sector. In this work, there was a clear need to identify the players in the so-called creative industries and then, in turn, drive skills development initiatives targeted at this sector. Through this work, the National Heritage Board has clearly come closer to the business economic sector and thus actively moved outside the authority's more established, or customary, area of responsibility. Such a development is in line with the Faro Convention's goal.

The consequences of a possible ratification of the Convention should, therefore mean, among other things, that Sweden continues, in accordance with the objectives of the Convention, to develop the work on cultural heritage as a resource for sustainable economic development. The National Heritage Board, as the authority responsible for cultural heritage, together with other relevant cultural heritage management institutions, is thus expected both to increase knowledge and understanding of the significance of cultural heritage in human lives, and to promote cultural heritage as a resource for sustainable development.²³³ The Faro Convention's emphasis on cultural heritage as a resource for economic sustainability is, at a general level, in line with the current national cultural policy objectives and the new national targets for cultural work.²³⁴

The consequences of ratification would, however, not only consist of clearer impulses to use cultural heritage to stimulate regional growth policy. Ratification would also mean that the economic potential of the cultural heritage would only be explored in order to bring about a more cross-sectoral approach in terms of the opportunities of heritage to contribute to a positive economic development of sectors such as urban planning, and the real estate market, but also the labour market and education. Well-grounded research in this area is deemed to be essential in order clearly to establish the cultural heritage's actual monetary value for an economically-sustainable development. This could potentially mean that expertise in these sectors would need to be strengthened within the Swedish public cultural authorities.

²³³ "cultural heritage is a fundamental resource for a sustainable society. *Heritage Power! National Heritage Board strategy for regional growth 2011-2013* , report from the National Heritage Board, 2010, p. 9

²³⁴ . *Time of Culture* , Government Bill 2009/10: 3, pp. 28 et seq., Respectively. 72 ff. "New national goals for cultural work, " *Cultural diversity of the environment* , Bill 2012/13: 96, p. 35 ff

The consequences of considering cultural heritage as a resource for an economically sustainable development are more difficult to assess from a longer term perspective. As stated above, research indicates that there are currently no completely reliable methods for measuring the economic value of cultural heritage, and how cultural heritage can de facto contribute to economic development. The research also highlights the risks when the commercial logic gets too much space at the expense of other arguments in society. The culture sector may then suffer if it does not live up to expectations, and the economic promises, that politics promise through a more active use.

Furthermore, the commodification of cultural heritage could in the long term contribute to cultural heritage being reduced to a product in order to develop other sectors of society. This contributes, in turn, to a narrow instrumental approach, which ultimately leads to power over cultural heritage being moved to other sectors of society. By packaging the cultural heritage as a kind of product, marketed on the basis of current needs, there are also the well-known risks of standardisation, an overly-narrow selection of censored "stories", reduced accessibility and a form of cementing of the traditional images of culture and cultural heritage, that is to say a form of exploitation of the cultural heritage which can eventually lead to conflict. With this development there is also a risk of exploitation of cultural heritage as an economic resource. The latter risk has clear links with the moral aspects about who actually has the right to the economic use of cultural heritage - a heritage that by definition is owned collectively by all and sundry.

The consequences of treating cultural heritage as an economic resource, and, in accordance with the Convention, both using and preserving the cultural heritage, contributes to a balance between a traditional cultural practice, and a more creative practice that is closer to contemporary social development. The primary challenge for the Swedish cultural authorities is whether ratification would continue to stimulate the use of the cultural heritage in multiple social processes, yet maintain and sustain the humanistic values that heritage possesses.

It is important to emphasise in this context by way of conclusion that the hitherto strong emphasis by the Swedish authorities on the economic dimensions of the cultural heritage should be given somewhat subordinate role in the event of ratification. This is because the Convention's overall objective is to use cultural heritage as a resource for socially-sustainable development. One consequence of ratification, *inter alia*, should be that work on democracy and civic affairs, and work subsumed under the "cover" of social sustainability, should be given higher priority within the Swedish public cultural environment management.

9 Paradigm shifts in the field of cultural heritage - the Convention from a rights and responsibilities perspective

9.1 The Faro Convention as a cultural paradigm – in-depth analysis

In this in-depth analysis, more clarification is given about how the Faro Convention relates to the field of cultural rights. Several conventions in the cultural field have links with human rights, and the field of cultural rights in particular. However, these conventions can differ significantly in terms of the level of international legal responsibilities, the cultural rights that should be included, and how the concept of culture is handled. It is therefore important that an in-depth analysis and impact assessment highlight the degrees of differences in order to create as clear a picture as possible of the Faro Convention in this connection.

Human rights are an area that has undergone several changes over time. Within legal literature, it is customary to talk about three generations of rights. The first generation, with roots in the Enlightenment, covers basic civil and political rights. The second generation rights are based on the idea that public resources should be allocated in a way that benefits the whole population. This includes social security, the right to work and education, but also the right to participate in cultural life. The United Nations Universal Declaration of Human Rights, for example, belongs in this category. The third generation of human rights includes so-called group rights. An example would be a minority people's right to development and self-determination, but also to exercise their cultural identity and to use their own language.²³⁵ In terms of cultural rights, the third generation in general has led to a shift of emphasis from the rights of individuals to an emphasis on collective rights from a group perspective.²³⁶

In international law, legislation relating to human rights is regarded fundamentally as a matter between the state and its citizens. The starting point is therefore that cultural rights, according to their primary definition, mean that it is individuals who establish the individual's right to cultural life, in the same way, for example, that every person has the copyright to his own works of art. Article 27 of the UN Universal Declaration of Human Rights, with which the Faro Convention connects, thus proceeds from this definition. At the same time, however, in recent decades multiculturalism as a political agenda has stressed that different cultural groups' status and cultural identities must be recognised and protected by specific legislation.²³⁷

²³⁵ Fisher, D., *Human rights. An Introduction*, 2009, p. 14, 299 f.

²³⁶ Blake, 2012, p. 77 -79

²³⁷ Rowlands, M., "The Power of Origin: Questions of Cultural Rights," *The Material Culture Reader*, ed. Buchli, V. 2002, p. 117 f.

The degree of difference in the design of cultural rights can also be linked to political theory, which, put simply, establishes two different approaches. One approach advocates differentiated group/collective rights where the state works actively to ensure access by groups to their culture.²³⁸ The state can, for example, intervene in order to implement programmes or enact laws that give minority cultures the same rights as the majority community. A second approach advocates a clear individual perspective where individuals, not communities, are seen as carriers of rights. Here the point is that it is the individuals themselves who create their identity. The state should not advocate specific cultural expressions, unless all citizens are given the same conditions.²³⁹

These different approaches contribute to the complexity of cultural rights. Cultural rights therefore have similarities with human rights as something universal and inclusive, but can also be used by representatives of so-called *culturalism* to argue that cultures should have a claim to special rights and protection even if these restricts individual rights.

When the area of conventions in the field of cultural heritage is studied more closely, it can be concluded this too can be characterised by the same complexity. An ambiguity in the approach to cultural rights is considered to characterise UNESCO's cultural policy.²⁴⁰ Several researchers underline the problem of expressing support for group rights while at the same time adhering to the UN Universal Declaration of Human Rights.²⁴¹ UNESCO's view of culture, as expressed in several conventions today, is to promote an homogenisation of cultures in an increasingly globalised world.²⁴² Building on the different generations of rights described above, many of UNESCO's cultural conventions lie closer to the notion that different groups need protection in order to exercise their cultural rights, based on the idea that cultures are seen as limited phenomena.

Where does the Faro Convention fit into this context? There is a risk, given the number of conventions with links to cultural heritage, that there is an assumption that the Faro Convention has a similar approach to UNESCO. Admittedly the Faro Convention as a framework convention allows for a broader interpretation, but research and materials which RAA has compiled show that the Convention aims to convey a new perspective.

²³⁸ See, for example Kymlicka, W. *Multicultural Citizenship*, 1998.

²³⁹ Berry, B., *Culture and Equality: an egalitarian critique of multiculturalism*, 2001. See also the following in-depth discussion Barth, WK *The Equality of Nations and the Minority Legal Tradition*, 2008, p.7 f. Dahlstedt, M. et al., *Citizenship, ethnicity, migration*, REMESO, 2011, p. 10

²⁴⁰ Logan, WS, "Closing Pandora's Box: Human Rights conundrums in Cultural Heritage Protection", *Cultural Heritage and Human Rights*, ed. Silverman, H. & D. Fairchild Ruggles, 2007

²⁴¹ Hylland Eriksen, T., 2001, article s vii, Views on culture in the UNESCO report *Our Creative Diversity*. See for example, Article 2 "respect for human rights and fundamental freedoms" in UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions. See also Harrison, R., *Heritage: Critical Approaches*, 2013, p. 161

²⁴² Wolferstan & Fairclough, 2013 p. 44

From a strictly rights-related perspective, the Faro Convention links rather more to the second generation of rights through its direct reference to the UN Universal Declaration of Human Rights, i.e. an international instrument emanating from an individual perspective. The Faro Convention thus has another point of entry to the field of cultural rights. This does not put culture at the centre in the first place, but rather human beings. The basic ideological tone of the Convention's human rights discourse is that the individual's freedom of choice, by definition, must take precedence over 'culture's' rights and groups' right of interpretation. This is expressed in the *Explanatory Report* : "... The Convention deals with heritage as an object of individual rights which give it meaning."²⁴³

The Faro Convention, like the Florence Convention, expresses a new approach to civil participation. The Convention focuses primarily on the values that are attributed to cultural heritage or the landscape by living players and citizens in Europe. It is based on the idea that it is the use and knowledge of cultural heritage that constitute the human right to participate in cultural life as expressed in the UN Declaration.²⁴⁴

On closer examination of what this right covers in the Faro Convention, it is in fact a relatively narrow and limited area of cultural rights. More specifically, it is about each individual having access to cultural heritage and being given the opportunity to be part of and interpret what cultural heritage means. Cultural rights, according to the Faro Convention, should not be understood as providing room to impose legal requirements for a "right to their cultural heritage," or that this would be sanctioned by government intervention. The idea is not to formulate any legal or cultural requirements for ownership of a specific cultural heritage, but instead the Convention emphasises the right of everyone to be part of and to interpret the same.²⁴⁵ The Convention text emphasises therefore that cultural heritage should be seen as composite. Cultural heritage consists not only of objects, but it can also be linked to values and relationships that arise when people interact with their environment.²⁴⁶

The Faro Convention has therefore been described as a paradigm as it leaves room for a national or ethnically-defined cultural canon. A clear purpose, *inter alia*, is to democratise the process of valuation.²⁴⁷ The Faro Convention recognises that there is a synergy of cultural heritage and cultural diversity, but wants to concentrate in particular on how cultural heritage can be used as a resource for creating sustainable social and economic conditions in Europe today.²⁴⁸

²⁴³ Specificity and timeliness of a Council of Europe instrument," *Explanatory Report* , 2005, B 1st point

²⁴⁴ Stamatopoulou, 2007, p. 45; cf. "Value of Cultural Heritage for Society" (Internet source).

²⁴⁵ Dolf-Bonekämper, 2011. See also the Council of Europe conference on The Faro Convention in Venice 1 - 3 March 2013: Recognizing *the access and participation* to cultural life as a *basic human right* , as defined in the Universal Declaration of Human Rights.

²⁴⁶ "Specificity and timeliness of a Council of Europe instrument," *Explanatory Report* , 2005, B point 2

²⁴⁷ Wolferstan & Fairclough, 2013 p. 45, 51

²⁴⁸ Specificity and timeliness of a Council of Europe instrument," *Explanatory Report* , 2005 B. point 7 on distancing from UNESCO

In addition to complementing existing conventions in the Council of Europe concerning the protection of the built or archaeological heritage, the Faro Convention has an even broader agenda. It also takes on the role of creating a sense of community in a European context, referred to as "a common European heritage." This perspective relates to how the Convention develops a sense of responsibility in the relationship between human rights and responsibilities (Article 4). This is about creating understanding among the public about the different cultural heritages in Europe today and that have come into being through meetings between people and cultures over the centuries. One aim of the convention is to pass on the responsibility to respect everyone's heritage. The responsibility to respect other peoples' cultural heritage is seen as part of the work on conflict resolution (see Chapters 3 and 7).

To summarise, it is clear that when it comes to the relationship between rights and responsibilities, the Convention conveys two different approaches where, on the one hand, it describes what rights should be included, and on the other hand highlights what responsibilities and common obligations should involve. The responsibilities element assumes that the Faro Convention, as a Council of Europe Convention, relates to the existence of multiculturalism in Europe as part of a common European experience. The rights element, however, is not about maintaining the limits of multiculturalism, but rather about ensuring that people have the right to contribute new interpretations that can enrich and develop the cultural heritage.

9. 2 The right to take part in cultural heritage - legal and cultural policy objectives for Sweden

In Sweden, cultural rights are protected in the Constitution. The starting point is that the individual's cultural welfare should be a fundamental goal of public activity (RF 1: 2, 2 pt.) In the same legal provision, it also states that the general public commits to promoting the opportunities of national minorities to maintain and develop their culture in Sweden. Opportunities for the Sami people and other ethnic, linguistic and religious minorities to preserve and develop a cultural and social life in Sweden should be promoted (RF 1: 2, 4 pt.) Also, the government's most recent cultural proposition, *Time for Culture*, states that the cultural rights have strong protection. Here, the principle of non-discrimination has been mainly indicative: ... "No citizen should feel excluded from cultural life or be prevented from participating because of social, religious or ethnic background."²⁴⁹

In the new national cultural policy goals, adopted by Parliament in December 2009, there are more detailed guidelines for cultural policy. The aim is to steer state cultural policy, but also guide the policies for municipal and local

²⁴⁹ Prop. 2009/10: 3, p. 30 (1 January 2009, a new anti-discrimination law in force SFS 2008: 567).

governments. The cultural policy objectives are characterised by a citizens' perspective as they stress everyone's opportunity to participate in cultural life through the following introductory statement: "Culture should be a dynamic, challenging and independent force with freedom of expression as the basis. Everyone should have the opportunity to participate in cultural life".²⁵⁰ The bill also requires the government of Sweden to be a tolerant and humane society, characterised by diversity and respect for individual human rights and freedoms.²⁵¹

According to one of the targets, which were set up to achieve the objectives of the cultural policy, the policy shall promote "a living heritage that is preserved, used and developed." A cultural policy priority given particular attention is *Cultural heritage for the future*. It emphasises that the government should work to ensure that citizens' involvement and interest in cultural heritage increases. Cultural heritage should be seen as something that is alive and relevant.²⁵² The bill also emphasises that it is important to have conversations with citizens about what these interpretations are and what they represent. Cultural heritage helps create perspectives on society and its development, and it also helps to enrich people's lives. *Cultural heritage for the future* emphasises that cultural heritage belongs to all and that it should be seen as a force in society that contributes to development and regeneration: ... "It is therefore important to work to ensure that people increasingly have the opportunity to take part in, use and develop cultural heritage".²⁵³

This brief overview of the existing legislation in Sweden and the new cultural policy objectives shows that Sweden is working on cultural rights from both an individual and a collective perspective. When the field of cultural rights is considered more closely, it can be seen that there has been a principle for the legislature to maintain and develop equality in the cultural field. In particular, the national minorities' opportunities to retain and develop their culture have been promoted.²⁵⁴ The Arts Council notes in an analysis that efforts to increase diversity largely concentrate on making culture available to everyone, while support for national minorities is more focused on strengthening the narrowly-demarcated cultural identities. Where the focus has been on minority- or integration policies, Swedish policy has focused more on special measures.²⁵⁵ Minority rights are often based on a political agenda where the exercise of their culture is protected by specific legislation, which in turn may be based on a view of culture that distinguishes people based on ideas of cultural origin.

²⁵⁰ Ibid, p. 26

²⁵¹ Ibid, p. 32; 22

²⁵² Ibid, p. 25

²⁵³ Ibid, p. 30 f.

²⁵⁴ Prop. 2009/10: 3, p. 30 (1 January 2009, a new anti-discrimination law in force SFS 2008: 567).

²⁵⁵ *On Cultural Diversity*, Cultural Council's analysis 2005, p. 33

The result of the Arts Council's analysis can also shed light on how the perspective of cultural rights differs between the Council of Europe's two framework conventions: the Faro Convention and the Framework Convention for the Protection of National Minorities. Sweden decided to ratify the latter Convention in 1999 and acceded simultaneously to the European charter on regional and minority languages. The minority policy objectives and laws can be interpreted as recognition by the state that these languages and cultures have long been part of Swedish society.²⁵⁶

Both the Council of Europe's framework conventions differ, however, on several points, both in terms of the resources required for observance and the degree of incorporation into the legislation, but also in the perception and implementation of cultural rights. The Council of Europe's Framework Convention for the Protection of National Minorities is an example of a declaration of principles, a policy document that is binding under international law.²⁵⁷ The Faro Convention, on the other hand, lacks legal tools that can regulate the form of government intervention. The Convention's political agenda is thus not to define cultural content, but rather to focus rather on its border areas, where cultural heritage is expressed in the meeting with people in Europe today. As described previously, the Faro Convention is not a strong rights document, but instead aims to evoke an ethical and inclusive approach to heritage, and at the same time to convey a sense of responsibility about respecting a variety of cultural heritage in Europe.

The Swedish cultural policy objectives emphasise that government agencies and institutions, based on their responsibilities, will work to promote diversity, cultural pluralism and international interaction.²⁵⁸ The National Heritage Board has a government mandate to be proactive and coordinate cultural heritage work and to ensure that cultural heritage is preserved and used in the best way. The authority is also responsible for developing the discussion on the concept of heritage and how it is linked to issues of democracy and power, belonging and exclusion, and how it can provide a perspective on the present and the future.

Since the early 2000s, the National Heritage Board has been working to enable conditions for civil society to have access to and be able to engage in heritage issues (see Chapter 10). The project *Agenda cultural heritage* questions how associations and individuals can become more involved in cultural environment work. Further examples of projects that have an emphasis on both participation and

²⁵⁶ Loock, J., "Homogeneity as a cultural practice", *Towards greater homogeneity*, ed. Furumark A., 2013 p. 74

²⁵⁷ *Framework Convention for the Protection of National Minorities, Strasbourg 1.II. 1995*. County Administrative Board Stockholm County, *From Recognition to Empowerment - from words to action: a minority-oriented mind-set*, 2010. The Convention contains clear provisions against discrimination. States which acceded to the Convention commit to the country's minority groups being conferred a number of fundamental rights. Among other things, national minorities' cultural rights are ensured through state intervention. In order to live up to the Convention, a new law was enacted in Sweden - the law on national minorities and minority languages. The law highlights specific management areas where residents will be able to apply to the authorities in their own language, but the law shall also enable the five national minorities to preserve and develop their culture in Sweden.

²⁵⁸ Prop. 2009/10: 3, p. 26. For more information, *Report of Cultural Inquiry Part 2 Renewal Program* SOU 2009: 16, p. 42

responsibility aspects involving civil society are *Forest & History; Houses with history; The Industrial Society's Heritage, Local Development and Modern society's cultural heritage and sustainable urban development*.²⁵⁹ One of the most recent projects which aims to promote tolerance, inclusion and diversity, and which has involved several government and museum directors in the cultural field is *Towards greater homogeneity*. Since 2010, Sweden's county boards have been running the development project *Kaleidoscope*, which aims to highlight more stories about cultural heritage and cultural environments, and to get more people involved in the work with cultural heritage. One goal of the project is to start a discussion about how cultural heritage is created, changed and used. Another goal is to carry out inclusive cultural heritage work characterised by diversity, for example by focusing on what is common to people rather than what is distinctive.²⁶⁰

9.3 Impact analysis

The Faro Convention's approach in a rights context, which is based on emphasising an inclusive and democratic perspective, is enshrined in Swedish law and is expressed in the cultural policy objectives. At the same time the public cultural authorities and institutions are working from a similar perspective. The population's opportunities to take part in cultural heritage may be considered to be well-covered. When it comes to the aim of cultural heritage being used from a citizen's perspective, consistent guidelines in the cultural policy priority *Heritage for future* fit well with the content of the Faro Convention. The new national targets for cultural environment work decided by Parliament in 2013 highlight, like the Faro Convention, people's participation in cultural work.²⁶¹ The consequence of ratification of the Convention would therefore mean that Sweden may acquire a tool that can help to develop and emphasise the principles of people's participation in participation in cultural heritage work in accordance with the cultural policy objectives and national targets for cultural environment work.

The Convention could therefore contribute to confirming a broader perspective and approach to the right of everyone to interpret cultural heritage. The Faro Convention uses heritage as part of a process, that is to say, based on a vision of freedom of choice. In this sense, it could also serve as a driving force in favour of a diversity perspective. In the description of how the rights should be understood and implemented in relation to cultural heritage, the emphasis is on participation by everyone, but also on the opportunities for renegotiation and reinterpretation, as well as the variability of heritage. One assumption that has been put forward is that people may have ties to several places and that people can acquire a variety of

²⁵⁹ See the Swedish National Heritage Board's website, See also Culture Council report *Cultural institutions and civil society*, Arts Council's publication 2012: 1, p. 60 f.

²⁶⁰ See information from the county administrative boards (lansstyrelsen.se/kalejdoskop/) See also Kamali, M., "Place, culture and heritage" *Human stories and sites*, ed. Kamali, M., 2013. Looock, 2013, p. 78 f.

²⁶¹ Prop. 2012/13: 96 *Cultural environment diversity*, p. 35

cultural identities, which may be seen as a prerequisite for the cooperation model "Heritage Communities" being able to operate across borders in practice (see Chapter 6). The Faro Convention, with its rights perspective, should therefore contribute to updating cultural environment management so that it can function in the Europe of the future. It offers a constructive form of management that puts diversity ahead of multiculturalism.

There are constructive traits, despite the problematic aspects of the Convention. One contributory factor is that it often has a both/and perspective, i.e. that it works with several strategies in parallel, which contributes to it being perceived as contradictory. The dual strategy is expressed here by the Convention's different approaches and objectives in the difference between rights and responsibilities regarding cultural heritage. Another problem touched on in the literature about the Convention is that it bypasses and shies away from difficult questions and concepts by not considering or clearly defining those terms in the Convention text. One example that can be highlighted is that *cultural heritage* is given a relatively wide definition while the concepts of *culture* and *identity* are not discussed at all. This is despite the fact that cultural identity is seen by many as being intimately connected with issues relating to cultural rights.

Another problematic area is the concept of "*Heritage Communities*" which are ascribed the same role and scope for action as individuals in the approach to cultural heritage (see Article 4). Here it has been pointed out that the creators of the Convention found it problematic to describe how different groups could have an interest in heritage. By creating the new concept of "*Heritage Communities*" they tried to circumvent the complicated issues of ethnicity and minority groups.²⁶² A "*Heritage Community*" describes an ideal type: a community characterised by cultural freedom. It could cut across national, ethnic and linguistic boundaries, but could also be defined very narrowly. As a consequence of this perception, many see this this untested community as one of the most complex elements of the Convention.

This in-depth analysis has also sought to clarify how the legislative actions appear. The Convention is against a static view of culture, which it believes demarcates cultures in time and space. It therefore provides no legal tools for groups or individuals to ensure the right to "cultural heritage", based on an approach that assumes that people are its culture, its origins or its cultural heritage. On the other hand, however, the Convention does not prevent anyone working to such an agenda on a specific cultural heritage, or in a "Heritage Community", as long as the human right of others to interpret the cultural heritage is respected.

A consequence is that The Faro Convention conveys to a certain extent an unconditional approach to the concept of cultural identity. A person's will or desire

²⁶² Wolferstan & Fairclough, 2013 p. 46

to take an interest in a specific cultural heritage can be controlled by a variety of motives. Therefore, the Convention offers no tools for managing and measuring cultural identity in practice, partly because it is difficult to operationalise cultural identity at the individual level, partly because it works in a process-oriented way. The right to have access to cultural heritage and to be part of and interpret what heritage means is the core of the human right, according to the Convention. The right shall be an equal right for all. However, the right to cultural heritage shall not be interpreted as an individual or group being able to state their claim to a particular heritage with the support of the Convention. Herein lies a significant degree of difference in understanding the Convention. The Convention moves away from identity issues because, seen from its forward-looking perspective in a rights context, it does not want to contribute to perpetuating an approach to cultures as strictly definable units, but rather to promote diversity in Europe. Cultural identity can be a sufficient but not necessary condition for helping to interpret and being interested in cultural heritage.

10 Expert groups and civic dialogue – the Convention from a democratic perspective

10.1 "Heritage Communities" – in-depth analysis

A general tendency, both in Sweden and in many other European countries, is that in recent decades there has been a gradual shift in responsibility from state to civil society, which is usually referred to as a move from "government" to "governance", in other words a form of network management with interactive governance.²⁶³ One consequence of this development is that the state today is more of a cooperative player that increasingly negotiates with other players.²⁶⁴ The political processes are thus formed in different networks where the national level coexists with the European and regional but also with the other players. Thus, national policies have gradually shifted, partly upwards through Europeanisation and globalisation, and partly downwards to the regions and local communities. In addition, the countries' policies have also moved outward through privatisation, but also to voluntary organisations.²⁶⁵ As a result of this development, and in order to enhance political participation, the representative democracy has been supplemented with participative or civic democracy with elements of negotiation and deliberation.²⁶⁶

The fact that today, more than ever, there is more interactive governance has obviously also had consequences for the state administration and the so-called expert community. A distinctive feature of democracies is the balancing act that should be found in relation to the issues and the extent that so-called experts with their professional expertise should be consulted on. In a so-called ideal state, expert statements should constitute the basis for balanced decisions, which in turn will benefit citizens.²⁶⁷ Experts working in public cultural heritage management should for example, possess knowledge regarding cultural and management issues. However, due to ongoing development, cultural heritage has become an area that has gradually evolved to become more community-oriented and therefore also depends on other policies. This means that cultural environment experts increasingly have to work together with other actors and stakeholders and take into account other policies.²⁶⁸

²⁶³ Hedlund, G. & Montin, S., "Governance as interactive governance - old or new in research and policy?" *Governance in Swedish*, ed. Hedlund G. & S. Montin, 2009, p. 7-36. Premfors, R. et al., *Democratic and bureaucracy*, (2nd ed.), 2009, pp. 315 ff. Jensen, Wolfhechel O., "Cultural heritage and values - expertise and democracy," *In two minds. Basic questions about the evaluation and selection of cultural heritage*, 2012, page 133.

²⁶⁴ Dahlstedt, M., "Democracy by civil society? Reflections on Democracy" *Political Science Journal*, Vol 103, No. 4, p. 289-310.

²⁶⁵ Hedlund & Montin, 2009, p. 31 et seq.

²⁶⁶ Premfors, R. & Roth, K., "A democracy and a field of research," *Deliberative Democracy*, 2004, p. 7 ff. A *sustainable democracy! Politics of popular government in the 2000s*, SOU 2000: 1, Democracy Commission report, p. 22 f.

²⁶⁷ Mukhtar-Landgren, D., "Democracy and expertise in political decision-making", *Fronesis, Democracy and expert rule*, 2009, No. 29-30, pp. 76-85. See also Jensen, Wolfhechel, 2012, p. 121 f.

²⁶⁸ Jensen, Wolfhechel, 2012, p. 120

The Faro Convention's strong emphasis on the individual level, in so-called "Heritage Communities" (Chapter 6), ensures that the opportunity to participate in cultural processes is in line with the developments described above.

The Convention offers, through the introduction of the concept of "Heritage Community", a form of collaborative model where the expert community and other relevant sectors of society meet in communities with reference to cultural heritage. The public cultural administration work, according to the Faro Convention's vision, is increasingly conducted through collaboration and in dialogue with various community stakeholders. This contributes to the cultural role of the expert being challenged on the basis of the traditional division of labour. The challenge lies in the cultural experts' specialist expertise being considered together with both political goals and civic participation, in the spirit of democracy, and with laws and regulations in this area.²⁶⁹

The requirement for an increased degree of mutual interaction between the expert and society here seems to entail more limited opportunities than before for cultural heritage experts to select and evaluate what can be defined and classified as cultural heritage, at a time when more and more are laying claim to it.²⁷⁰ This development can be seen both as an expression of the strongly-growing local interest in cultural heritage *inter alia*, and an expression of the above participatory approaches.²⁷¹ The requirement for synergy has also contributed to renegotiations about which cultural heritage is considered worth preserving, while also contributing to scientific values being toned down in favour of including experience and use values.²⁷² In accordance with this development, the Faro Convention also emphasises that that the expert no longer should no longer have the right to determine what can be regarded as cultural heritage or not (see section 3-6). Instead, the focus is on the individuals, who are regarded as active agents, and who to a greater extent create "their" cultural heritage through active action.²⁷³

One of the main starting points for the Faro Convention is that this convention therefore places man, not heritage, at the centre. Who has influence over cultural processes, and the right of interpretation, is therefore crucial. Put simply, it could be said that if the *objective* of the Faro Convention is to consider cultural heritage a resource for social and economic sustainability, then "Heritage Communities" constitute a *means* for getting there. This platform for interaction between citizens, the public cultural environment management and other

²⁶⁹ Lundquist, L., *in the service of democracy. State official's role and our public ethos*, SOU 1997: 28, Report the Management Policy Committee, 1997 pp. 13-52 and Lundquist, L., *Democracy watchdogs. Officialr and our public ethos*, 1998, pages. 126 ff.

²⁷⁰ Jensen, Wolfhechel, 2012, p. 121

²⁷¹ Gruber, G., *Average times. Contemporary mobilization processes around the values of the past*, 2010, p. 253-272.

Bohlin, A. et al., *Involving the landscape - Accessibility and influence in the cultural heritage sector*, 2010, p. 7, 20, 110 ff.

²⁷² Jensen, Wolfhechel, 2012, p. 134.

²⁷³ Robertson, IJM, "Preface," *Heritage from below. Heritage, culture and identity*, ed. Robertson, IJM, 2012, p. 6 f.

institutional and private players should guarantee that cultural heritage increasingly become an active part of the ongoing development of society. The idea is that the more people who get the opportunity to engage in cultural heritage, the wider will be not only its roots but also the very definition of what cultural heritage can actually be.

By assuming that people may have cultural ties to multiple locations and acquire many different cultural identities, advocates of the Convention suggest that this collaborative model represents a constructive element as it is aimed at diversity and pluralism (see Chapter 9). Furthermore the Convention's advocates suggest that greater collaboration between the heritage sector and, for example, the business community and civil society would also lead to shared responsibility for the cultural heritage. According to the Convention, this would not only benefit the democratic perspective, but also to have a beneficial effect on the financial responsibilities which would not rest as heavily on the traditional heritage sector (see Chapter 4 and 8).²⁷⁴

The conservation perspective is, as stated in a previous chapter, toned down in the Convention and instead, this perspective is more tangibly integrated with a user perspective. Thus cultural environment work is no longer primarily about preserving monuments but, according to the Convention, should rather aim at finding a way to *manage* cultural heritage in relation to changes over time. The cultural heritage is seen, in this perspective, as a kind of dynamic force where the expert should be playing the role of mediator between different demands - a role that is based on enabling cultural heritage to be seen from a wider and more inclusive perspective. With the network administration's more interactive governance, or, reinterpreted in the Faro Convention's terms - "Heritage Communities" -, the expert and the public form a kind of partnership in order to achieve a more diversified and representative heritage.²⁷⁵ Awareness of the cultural heritage's sometimes strong symbolic and political meaning means that the Faro Convention emphasises the importance of understanding that a specific heritage can represent different things to different people. This understanding is considered, in Articles 7 and 8, to pave the way for a better quality of life and greater understanding of the outside world - something that the Faro Convention regards as an important aspect of social sustainability (see Chapter 3 and 7).²⁷⁶

The very broad definition of "Heritage Community" given in the Convention is

²⁷⁴ Wanner, P., "Can co-operation lastingly stabilize the heritage economy?" *Heritage and Beyond*, 2009, p. 134

Council of Europe Framework Convention on the Value of Cultural Heritage for Society, Faro 27.x. 2005 Article 11 a-d.

²⁷⁵ Goddard, 2009, p. 143

²⁷⁶ Ibid, p. 144 f. Council of Europe Framework Convention on the Value of Cultural Heritage for Society, Faro 27.x. 2005, Article 7a-d "Cultural heritage and dialogue", Article 8, ad "Environment, heritage and quality of life".

deliberate as the concept as such will be adopted by many. In addition to more traditional groups, for example, linguistic, ethnic and religious claims to cultural heritage, the "Heritage Communities" will also be transformed by other voices and players who want to define their community with reference to cultural heritage. These cultural communities can usefully provide a bridge across ethnic, religious, linguistic and cultural boundaries in order to strengthen the social sustainability of a community. As explained in Chapter 9, however, the concept of "Heritage Community", due to its imprecise definition, is problematic. An important starting point is the fact that the Convention advocates that the individual should be given the opportunity democratically to be able to interpret what cultural heritage is and what it means. However, when different interests meet in a "Heritage Community", these individual interests will need to be reconciled with each other. Despite the good intentions of this collaborative model, there is a risk that the individual's voice may nevertheless be overrun by stronger voices and interests.

Another problem with the interaction model of the "Heritage Community" is therefore the fact that it cannot be ruled out that such communities could be formed by groups which are based on, for example, an ethnic or religious basis with extreme views. This problem is something that the Convention representatives have not clearly set out in the explanatory texts. Proponents of the convention do demonstrate an awareness of the cultural heritage's problematic relationship with issues of identity and cultural rights when striving for diversity and pluralism. Furthermore, proponents of the Convention demonstrate awareness that different groups may identify a specific cultural heritage based on very different perspectives (see Chapter 3 and 6). Experience and knowledge of this mean that in the event of conflict between different groups or "Heritage Communities", the Convention advocates the importance of respect, dialogue and reconciliation.²⁷⁷ Moreover, the fact that the group has to cooperate with public cultural heritage management is a way of "ensuring" that balance and respect are maintained in conflicts.

A legitimate question, with particular reference to how cultural heritage in past decades has been ascribed increased political and symbolic value, is, however, whether the Convention's vision for showing respect and for dialogue is in fact sufficient in the event of a real conflict. The fact that the authors of the Convention did not sufficiently consider the possible advantages and disadvantages of "Heritage Communities", in combination with the weakness of the framework convention as a legal instrument, means that from a preventive conflict resolution perspective, the Convention is rather weak (see also Chapter 7).

By focusing too narrowly on the positive aspects of the interaction model of "Heritage Communities" there is a tendency to underestimate the potential practical

²⁷⁷ Council of Europe Framework Convention on the Value of Cultural Heritage for Society, Faro 27.x. 2005 Article 7a-c.

problems that may arise during its implementation. A clear example of this is the international "Heritage Community" which was formed in connection with the reconstruction of the bridge in Mostar. As seen in Chapter 6, proponents of this Convention see the project as a successful example of how a local commitment to a specific cultural heritage object has grown into a much larger international interest - a kind of manifestation for peace.²⁷⁸ In the meantime, however, research indicates how cultural heritage in former war zones cannot become neutral tourist attractions overnight.²⁷⁹ On the contrary, the example of the World Heritage nomination of the bridge in Mostar (and the bridge in Višegrad) shows that for many local people the site means that the wounds of war remain open, and instead it becomes a symbol of the victim role. Cultural heritage in this particular example, where UNESCO has been highly involved in the heritage process of reconstructing of the bridge in Mostar, tends to become a pawn in the game of who should be in charge of memories - the international community or the local population?²⁸⁰

The example of the reconstruction of the bridge in Mostar thus shows the problem of representivity, which often occurs when decision-making becomes more participatory. Indeed, there is no guarantee that everyone's voice will be heard in an interaction model of the "Heritage Community" type, i.e. in public dialogue or in a form of direct democracy.²⁸¹ On the contrary, research indicates that, despite good intentions, it is not uncommon for various types of participant models leading to some groups or individuals being excluded from the decision-making processes. This may be partly due to lack of capacity to include everyone, and also because some groups' previous experiences of having been excluded from important decision-making means that they choose to interpret participation in other ways, or that they choose not to participate at all. Whatever the reason, it is likely that some interests will be completely or partially excluded from the process.²⁸²

Furthermore, the issue of representivity can suffer from the fact that citizens who are accustomed to making their voice heard will have more leeway in the process, or that participation will not be great because many citizens do not feel they have the time or desire to participate.²⁸³ The reconstruction of the palace in Berlin, which is a politically and symbolically-charged move, with reference to Germany as culture-bearing nation, has been exemplified by representatives of the

²⁷⁸ Dolf-Bonekämper, 2009, p. 74

²⁷⁹ Nikolić, D., *Three towns, two bridges and a museum. Memory, Politics and Heritage in Bosnia and Herzegovina*, Diss, 2012, p. 55 ff. 277 ff

²⁸⁰ Nikolić, 2012, p. 277 ff.

²⁸¹ Bohlin et al. 2010, page. 95 and Gilljam, M., "Participatory democracy with obstacles," *Democracy mechanisms*, ed. Gilljam M. & J. Hermansson, 2003, p. 185-211.

²⁸² Bohlin et al., 2010, page. 110 f.

²⁸³ Gilljam, M., "Democratic planning sandwiched between shields. About the downside of civic dialogue and peer influence. *Planning with conditions. New legislation, new values*, eds. G. Blücher and G. Graninger Foundation Vadstena Vadstena Forum for Construction, p. 57 f., 2006

Convention as a "Heritage Community" (see Chapter 6). The project has been partly initiated by financially-strong parties and shows precisely how citizens with knowledge and a tradition of running projects have been given leeway to influence the cultural process at the expense of other groups and citizens. Apart from problems related to representivity, this project shows how a difficult history is being toned down and concealed in favour of a discussion of the lost aesthetic values and the potential marketing value that a reconstruction of the imperial palace could bring to Berlin.²⁸⁴

Many see therefore that the major challenge in these forms of collaborative models is ultimately about the extent to which politicians and other types of decision-makers, can deal with the results of civic dialogue, i.e. the extent to which these results are included as a basis for the final decisions. How politicians, or alternatively, the public heritage management, manage the results of civic dialogue puts the legitimacy of the question at the centre. The question of who should be given the right to prioritise in any disagreements is crucial for restrictions to and opportunities for participation.²⁸⁵

It can thus be shown that the various forms of participation processes always mean that limits are established, for example, between different categories of participants and non-participants, but also between experts and citizens.²⁸⁶ This should also be valid for the Faro Conventions interaction model of "Heritage Community". An awareness of the different problems associated with civic dialogue means that the process can be developed in order to strengthen the legitimacy of collaborative models in different types of administrative work.²⁸⁷ The Council of Europe, for example, has developed a code for voluntary organisations' participation in decision-making.²⁸⁸ The code covers/shows the mechanisms involved in a decision-making process, but also shows ways in which civil society can participate in public policy.

Another way of developing the process is to consider participation as a form of human right where the focus is increasingly on building capacity and knowledge of the individual citizen so that s/he can take part in different participatory processes, thus creating room for manoeuvre.²⁸⁹ This somewhat freer approach to participation, where the boundaries of citizen participation have widened, is

²⁸⁴ Nilsson, JH, "Back in place again. A study of castles in Potsdam and Berlin from demolition to reconstruction " *Scandia* 74: 2 ,

²⁸⁵ Bohlin et al., 2010, page 111

²⁸⁶ Ibid, p. 115.

²⁸⁷ Ibid, p. 116. Mavhunga, C. & Dressler, W., "On the Local Community: The Language of disengagement?"

Conservation and Society 5, 2007, p. 44-59. Pieterse, E., "Political Inventions & Interventions: A Critical Review of the Proposed City Development Strategy Partnership in Cape Town," *Limits to liberation after Apartheid: Citizenship, Governance & Culture*, ed. SL Robins, 2005 page 113 ff.

²⁸⁸ *European Code for civil society organizations' participation in the decision-making process* adopted by the Council of Europe INGO conference (Internet source).

²⁸⁹ Cornwall, A., *Beneficiary, Consumer, Citizen: Perspectives on Participation for Poverty Reduction* , *Sida studies no 2*, 2000 p. 60-67, 72 ff. Sabatier, PA and Jenkins-Smith, HC, *Policy Change and Learning: An Advocacy Coalition Approach*. Boulder, 1993, pp. 211 ff.

significant from the point of view of democratic participation.²⁹⁰ It is only in cases where the general public is tangibly involved in the decision-making process where the interaction, based on the perception of participation as a human right, means that there is actually a move towards active and effective participation. It is from the latter perspective that the Faro Convention's vision of "Heritage Communities" should be interpreted.

The Faro Convention's strong emphasis on citizen participation in cultural processes being regarded as a human right (see Chapters 5 and 9) implies that knowledge and accessibility are key issues. Knowledge of cultural heritage should be spread to all level of education in society, something that, according to the Convention, aims to ensure the collective memory, which in turn is considered to benefit social sustainability. Accessibility will be guaranteed through the increased digitalisation of all types of cultural matter and could usefully also be spread through social media. Different types of virtual "Heritage Communities" are thus considered to be important platforms at both the local and regional level, but also at national and global levels. The Convention's proponents indicate that they are well aware that there are still many issues to resolve, both in terms of how this will be managed and safeguarded, but also how the legal instruments should be developed to prevent abuse and to combat the homogenisation characterising the digital format. As mentioned in Chapter 6, the *European Heritage Network* (Herein) and the European digital library *Europeana* are two examples of digital tools / platforms that are working towards the visions of Faro Convention with regard to accessibility.

Today we have enough experience of the internet to make it possible to deepen and nuance discussions about the increased use of the internet's various functions. The enthusiasm and positive optimism that characterised the 1990s debate on the development of IT opportunities moved at the turn of the millennium towards a more cyber-critical discussion which also exposed digital technology's downside. Although enthusiasm is still high today, the discussion about the internet is far more multifaceted and realistic. For this reason, there is now also an opportunity to address the most basic questions of the impact of digital technology.²⁹¹ The Faro Convention's strong confidence in the internet and digitalisation, in terms of accessibility, means that it is appropriate therefore to highlight briefly in this report some of the opportunities, but also the limitations that are to be found.

Media researcher Lisa Ehlin highlights for example the possibilities of the internet and how a virtual "Heritage Community" has served as an important platform for reconstructing the memory of something lost. The earthquake and tsunami in

²⁹⁰ Mavhunga, D., "On the Local Community: The Language of disengagement?", *Conservation and Society* 5, 2007, page. 44-59. Bohlin et al., 2010, page. 116.

²⁹¹ See also Karlsson T "The Internet is coming of age and a discussion is needed", *Respons* no. 6, December 2012, page 32 f

March 2011 that hit north-eastern Japan contributed to Google setting up a site called "Memories of the Future", which makes it possible to compare how street environments looked like before the disaster with how they look today. The project was also a collective grassroots projects in the sense that users could add their own photos and videos of their cities so that shared memories would not be lost and so that the common cultural identity could be preserved.²⁹² This example shows how the internet and a virtual "Heritage Community", with this type of disaster and sudden changes, can quickly engage a large number of people to generate vital information and knowledge about a specific topic. In order to maintain this kind of commitment, and in order to attract new users to a site or platform, however, constant updates and changes to the site are needed in order for it to retain its relevance. This is a limitation when research shows that expectations of the internet and creativity, i.e. the production of new knowledge, are somewhat exaggerated.

Today there is a widespread notion that the internet, by its very function, should give rise to genuine creativity and involvement when it works interactively and thus productively. Echlin's research, however, indicates an opposite tendency. The new dividing cultures which characterise the internet and social media are characterised largely by recycling and repetition rather than by being genuinely creative and innovative.²⁹³ The great majority of internet users are not active creators but rather passive recipients who forward content that someone else has created. This may not be a problem in itself: the important thing is that *everyone has the opportunity* to be creative. Nevertheless, it provides little perspective on the Convention's faith in the internet-using citizens' involvement in 'their' heritage. It is more likely that there will be a limited but constant, group involved in different virtual "Heritage Communities". This will probably also limit interactivity and the production of "new" knowledge.

Furthermore, it should be emphasised in this context that social media and potential virtual "Heritage Communities" do not need to be managed on the basis of democratic rules of play. This is because social media such as Facebook and Twitter and search engines such as Google are profit-making companies. Moreover parts of the internet and social media are manipulated by other companies whose mission is to sell search optimisation. Search optimisation is a way for those who can pay to obtain high exposure online without this really being commensurate with the relevance of the site/platform relevance, i.e. the number of actual "followers". Another way to create exposure on a site or virtual community is to use various methods of "growth-hacking." This means that the user markets and directs traffic to the site in a way that, put simply, can be compared with how different types of pyramid schemes are distributed.

²⁹² Echlin, L., "Google and the mediation of cultural memory," *Making Cultural History* , 2013, p. 109 f.

²⁹³ Echlin, L., "The superficial user," *The Myth of the Internet* , ed. P. & P. Snickars Strömbeck, 2012, p. 116 ff.

Groups with resources and expertise in the digital domain can create disproportionately high relevance for a specific site / platform and thereby override more democratic principles regarding selection. These methods can of course also be used by interest groups that aim to create high relevance for specific virtual "Heritage Communities" in the field of cultural heritage. The network thus offers great opportunities but also has its limitations.

10.2 The public cultural administration's work on issues concerning civil society and other social players

In Sweden, civil society has long acted as a kind of complement to the state. The relationship has been characterised by a clear separation of powers, where associations have acted freely, but are closely linked to the state.²⁹⁴ The government has seen civil society as a channel for popular participation and legitimisation of government decisions at various levels.²⁹⁵ However, the nature of the popular movement that has historically characterised civil society in Sweden has changed since the 1990s towards greater professionalism. This change has led to the active membership becoming largely passive, where a few practitioners provide services to a greater number of paying members.

The National Heritage Board is tasked to work with and develop cooperation with other authorities and stakeholders, including voluntary organisations and other elements of civil society. According to the National Heritage Board's definition of the term "civil society", this means an arena, separate from the state and local government, the market and the individual household, where people, groups and organisations act together for common interests.²⁹⁶ Traditionally, the public cultural environment administration worked, for example, with local history societies, museums of working life and voluntary organisations in the cultural field.

For more than ten years, however, the sector has had an ambition to "renew cultural heritage preservation's work, focus, democratic basis and thus impact, in order "to be better in tune with the society of today".²⁹⁷ The project *Agenda Cultural Heritage*, which was in place between the years 2001-2004, aimed *inter alia*, to develop methods and procedures where democracy and participation are applied to a greater extent.²⁹⁸

²⁹⁴ Rothstein, B., *The corporate state: interest organizations and government administration in Swedish politics*, 1992, p. 104 ff. Kings, L., *In defence of the place*, 2011, p. 70 ff.

²⁹⁵ Kings, 2011, p. 70

²⁹⁶ *Cultural institutions and civil society*, the Arts Council's publication 2012: 1, p. 78 ff.

²⁹⁷ *Agenda cultural heritage. Final Report*, 2004, p. 9

²⁹⁸ *Ibid*, p. 13 ff.

In the government bill *A policy for civil society* in 2009, civil society's key role in social development was highlighted.²⁹⁹ The aim of the bill was to improve conditions for civil society in general. With regard to the cultural area, civil society's collaboration with cultural institutions was highlighted in the bill *Time for culture*.³⁰⁰ With the aim of intensifying and concretising the work of civil society players in the cultural arena, in 2011 the National Arts Council was commissioned by the Government, in collaboration with the National Heritage Board and the National Theatre, to produce a report which showed good examples of how cultural institutions can do more to involve civil society organisations and other volunteers in their activities. The report, which was presented in 2012, stated *inter alia* that civil society "is coming back into the cultural policy for real" through stronger and more representative organisation.³⁰¹ The report also pointed out that voluntary engagement in Sweden remains at a high level and research mentions about a "third wave of civil society."³⁰² The survey, from 2011, also stressed that the so-called Culture-Collaborative model could ultimately give civil society organisations increased influence and impact at a regional and local level.³⁰³

The National Heritage Board is currently working actively for civil society organisations in the cultural environment area.³⁰⁴ During the period 2010-2012, for example, a special government initiative ran regarding contributions to preservation and information initiatives for the Swedish Local Heritage Federation called *Houses with history*, which was supported by grants from county government to the country's various local heritage societies.³⁰⁵ The National Heritage Board also provided, through the so-called *Research and development (R & D)* programme during the period 2012-2016, research funding for projects that develop skills for interaction and dialogue with civil society players.³⁰⁶

In this context it can be stated that the public cultural authorities today have established contact with the business community as well as with other relevant players in society through the intensive work that has been done in the context of regional growth. Such cross-sectional cooperation is also in line with the Faro

²⁹⁹ *A policy for civil society, government bill* 2009/10: 55

³⁰⁰ *Time for Culture, Government Bill* 2009/10:

³⁰¹ *Cultural institutions and civil society*, Report, Arts Council's publication 2012: 1, p. 8

³⁰² *Ibid*

³⁰³ Cultural co-operation model, which became effective January 1, 2011, means that counties and regions will take over responsibility for the distribution of certain government grants in their own region. The model is regarded as a tool for increased local and regional influence on national cultural policies. *Cultural institutions and civil society*, Report, the Arts Council's publication 2012: 1, p. 18 ff.

³⁰⁴ This work is partly in the form of economic projects contributions to the country's working life museums, and in the form of organization grants to voluntary organizations in the cultural field. See Regulation (2002: 920) on subsidies for working life museums. See also regulation 7:2 *Contribution to heritage preservation*. Project grants are intended for short or time-limited projects, while the organizational support is more long-term financial support.

³⁰⁵ *Final report to the government regarding the project Houses with history*, 2013. See also the *f*Local Heritage - cultural environments for all. *Accounts of government investment in Houses with history in 2010-2011, 2012*.

³⁰⁶ *National Heritage Board's R & D program for the cultural area for 2012 to 2016*, p. 15

Convention's emphasis on expanded cooperation and shared responsibility for the cultural heritage.

Furthermore, the National Heritage Board has developed several tools using digital technology which serve as platforms for the exchange of information whereby an interested public can gain access to various objects and locations linked to cultural heritage and cultural environment. In 2009, for example, the authority was commissioned by the Government to build and run a web-based platform called *Platsr*. This platform aims to offer both individuals and organisations, museums, archives and local heritage societies the opportunity to publish and highlight their own stories and sites.³⁰⁷ Another web service that the National Heritage Board provides is *SOCH* which is a service providing information supplied by national, regional and local museums and organisations regarding objects, buildings, monuments, photos and cultural history collections.³⁰⁸

With a view to making information on cultural heritage accessible to a greater extent, the government has developed a national strategy for work on the digitalisation, digital preservation and digital access of cultural heritage materials and information for the period 2012-2015.³⁰⁹ The aim of the strategy is for cultural activities, collections and archives increasingly to be preserved digitally and thus to be made accessible to the public. The strategy involves all governmental institutions that collect, preserve and make available heritage materials and is intended not only to be a national digital agenda but is also considered to be part of a digital agenda for Europe and, as such, operate in *Europeana*. The coordination work is the responsibility of the National Archives, but the project which is called *Digisam*, is to be run in close cooperation with *inter alia* the National Heritage Board and the Royal Library.³¹⁰

10.3 Impact analysis

As a consequence of the ongoing economic and political changes in society, exemplified by the welfare state's withdrawal and social development that is characterised by increasing individualisation, previous forms of affiliation no longer work as a basis for collective organisation.³¹¹ Instead, individual expressions and new social movements have come to influence the development of civil society. While political power has shifted to different levels, as described in the introduction to this chapter, civil society has also, both in Sweden and in other

³⁰⁷ The fundamental idea of this platform is to gather more unofficial histories of more personal and narrative nature, which also form the building blocks of "the big story". See also National Heritage Board's website.

³⁰⁸ SOCH is the same as SOCH, Swedish Open Cultural Heritage. *SOCH* is further linked to other digital platforms such as *Pretzel*, a mobile app on cultural information, and *Europeana* - the European digital library.

³⁰⁹ *Digit @ It heritage - National Strategy for work on the digitization, digital preservation and digital accessibility of cultural heritage materials and information for the period 2012-2015*, Ku11.015

³¹⁰ *National Archives commission to set up a coordinating secretariat for digitization, digital preservation and digital dissemination of cultural heritage*, Ku2011 / 242 / KA.

³¹¹ *Democracy, 1997 Cultural institutions and civil society*, Report, Arts Council publications 2012: 1, p. 12

parts of the world, moved towards both a global and local level. This development has led to civil society today being more fragmented.³¹² The Faro Convention's concept of the "Heritage Community", which clearly refers to a much broader spectrum of communities, should thus be interpreted as a response to this development.

If the goal of the Faro Convention is to highlight cultural heritage's social value, then the cooperative model of the "Heritage Community" represents a means to achieve social and economic sustainability with reference to cultural heritage. The definition of the new concept of "Heritage Community" has deliberately been kept as wide as possible, both to respond to the new forms of civil society that exists today, and to increase the opportunity for a number of other social players to be involved in the cultural process. The basis for a "Heritage Community" is a group that together with the public cultural environment management, promotes a specific cultural heritage.

One consequence of the broad definition is that a "Heritage Community", in its extreme form, can be formed by everything from traditional (analogue) compounds based on national, ethnic, religious or other affiliation, to being formed, for example, by transnational virtual groupings on the web, which operate outside all forms of boundaries. The concept of "Heritage Community" can therefore accommodate a much broader range of groups than that is normally envisaged when talking from a Swedish perspective about civil society and other relevant players in society. One consequence of possible ratification is that the perception of what constitutes civil society in Sweden must be extended. From the perspective of the Convention, civil society is not only comprised of groups within national borders but can also include groups or interests, both at a European and global level.

The Convention's emphasis on public environmental culture management collaborating to a greater extent with other stakeholders in the "Heritage Communities" has the consequence that the cultural practice that is currently practiced in the sector will have to change towards more interactive management. The right of interpretation, which has traditionally been the domain of the expert, shall, according to the Convention, be reconciled with others' voices in the spirit of democracy. A clear consequence of the participatory approaches advocated by the Convention is likely to be that Swedish public environmental culture must develop better tools to manage the "input" that different social players contribute in different cultural processes.

This may well be about reforming the administration and its working process, but may partly also be about the need to employ people with different backgrounds to

³¹² Kings, 2011, p. 74 ff. *Cultural institutions and civil society*, Report, Arts Council's publication 2012: 1, p. 12. See also *Citizens' input and engagement of civil society*, Ersta Sköndal University College, 2005

those currently employed in public cultural environment management. The changes that could be achieved are partly motivated by the need to develop knowledge about different forms of participation models, and above all how to implement the outcomes of these in Swedish public cultural environment management. In addition to the need to develop the professional side of cultural environmental management, one consequence of ratification, may be that the legal and financial framework must be developed as a result of a clearer rapprochement between the heritage sector and civil society, as well as other relevant sectors of society.

One thing that needs to be clarified in this analysis, however, is that despite good intentions, it is not unusual for different forms of participant models still to lead to groups being excluded from decision-making. The in-depth analysis above shows that both analogue and virtual "Heritage Communities" are not necessarily run based on participatory approaches. Due to the Convention's overly one-sided focus on the positive sides of this collaboration model, there is a tendency to underestimate potential practical problems that may arise during implementation. Given how the cultural heritage from a European perspective has once again been given strong political and symbolic value, there is a high risk that some "Heritage Communities" could become platforms for political or other special interest groups with reference to the cultural heritage.

Although Sweden has so far not had much experience of culture-related conflicts, unlike many other countries in Europe, there is still cause for vigilance on this point. One consequence, and in addition a challenge for the Swedish public cultural environment management, should therefore be to try to "safeguard" possible "heritage communities" so that they would always guarantee a socially-sustainable development. For that reason, contrary to the Faro Convention's vision of dismantling the role of experts, there could be an *increased* need for more prominent roles for the experts. One consequence that has been highlighted in both Chapter 7 and 8 would be that the Swedish public cultural environment management would have to develop more methods and procedures to manage cultural heritage in relation to issues that affect social sustainability.

The Swedish public cultural environment management has a long tradition of dialogue and a democratic basis and therefore has close cooperation with civil society and other relevant social players in the heritage sector. Uncertainty about the actual consequences of increased civic influence, including in matters relating to evaluation and selection, leads nevertheless to a need to examine more clearly what active citizen participation would mean in reality. This particularly applies when the definition of a "Heritage Community" is far wider than the Swedish definition of civil society and because a "Heritage Community" can accommodate far more players than has been common in Swedish administrative practice.

The Faro Convention has also a strong belief that citizens, providing they have more knowledge and greater access to cultural heritage, should be more involved in various cultural processes. The Convention's good intentions at this point, however, can also be questioned. There is in fact no direct evidence that increased accessibility to cultural heritage, for example through increased digitalisation, would automatically lead to wider and more active involvement. The National Heritage Board's web-based platform *Platsr* confirms that trends such as this platform, despite the high media exposure and museums, and after three years of operation, only have a limited number of members, and therefore an even smaller number of active users. It is therefore likely that even the virtual "Heritage Communities" that are formed will consist of a limited but constant group of active citizens.

Digital technology's potential in terms of increased access to cultural heritage, however, is more than promising. Sweden, for example through *Digisam*, is well ahead in achieving the vision that the Faro Convention has for accessibility of cultural heritage. The digital library *Europeana* is one of the most important instruments at a European level for making cultural heritage accessible. Translating this to the Faro Convention and its horizon, however, one might consider how we will use the new digital information offered by *Herein* and *Europeana*? What does it really mean for our existence to experience a historic site or artefact virtually rather than to perceive it through physical presence and contact? How should we relate to our virtual "Heritage Communities" and how should we assess their relevance? The collaborative model "Heritage Community" is an attempt to balance all the interests laying claim to a specific cultural heritage, and it remains to be seen how this model can meet the challenges facing society.

Appendices

Appendix 1: Current status in Europe

The Convention was opened for signature and ratification in Faro on 27 October 2005. 21 Council of Europe member states have signed the Convention and 14 States have ratified it.	Signature	Ratification
Country		
Albania	27.10.2005	
Armenia	27.10.2005	22.08.2012
Belgium	25.06.2012	
Bosnia-Herzegovina	15.10.2008	30.04.2009
Bulgaria	27.10.2005	
Georgia	01.09.2010	04.02.2011
Italy	27.02.2013	
Croatia	27.10.2005	06.06.2007
Latvia	27.10.2005	26.04.2006
Luxembourg	31.06.2006	18.05.2011
Macedonia	24.09.2010	08.07.2011
Moldavia	11.01.2008	01.12.2008
Montenegro	21.09.2007	11.03.2008
Norway	27.10.2008	27.10.2008
Portugal	27.10.2008	28.08.2009
San Marino	19.05.2006	
Serbia	21.09.2007	29.07.2010
Slovakia	23.05.2012	
Slovenia	19.01.2006	17.09.2008
Ukraine	31.10.2007	
Hungary	08.06.2012	27.11.2012

Appendix 2: Summary of the articles of the Convention

The Faro Convention is available on the Council of Europe website in an English and a French version.³¹³ A Swedish translation will only be made upon ratification. Here is a brief presentation of the content of the Convention's 23 articles.

In its *preamble*, the starting points for the Convention are established, including:

- that the focus is on human beings through a multidisciplinary approach to cultural heritage
- that the cultural heritage is a resource for sustainable development and improved quality of life
- that every person has the right to take part in the cultural heritage while respecting the rights and freedoms of others, as an aspect of the right freely to participate in cultural life enshrined in the United Nations Universal Declaration of Human Rights (1948) and guaranteed by the International Covenant on Economic, Social and Cultural Rights (1966)

The Convention's first section, *section I*, deals with objectives, definitions and principles (Articles 1-6).

Articles 1-2 indicate the objectives of the Convention and describe the terms used in the Convention text, including "cultural heritage" and "heritage community".

Article 3 stipulates that each state is expected to promote the idea of "the common European cultural heritage".

Article 4 deals with the rights and responsibilities related to cultural heritage.

Article 5 conveys principles for legislation and policy instruments in the field of cultural heritage.

Article 6 of the Convention regulates legal effects.

The Convention's second section, *section II*, addresses how heritage can contribute towards increasing dialogue in society and to human development (Articles 7-10).

Article 7 specifies areas where cultural heritage can be used to promote mutual understanding and tolerance between different groups in society.

Article 8 deals with how cultural heritage can affect the environment and people's quality of life.

³¹³ <http://conventions.coe.int/Treaty/EN/Treaties/Html/199.htm>

Article 9 establishes principles for how the cultural values should be taken into account and protected in a sustainable development.

Article 10 deals with awareness and consideration regarding the economic potential of the cultural heritage.

The Convention's third section, *section III*, describes how responsibility for cultural heritage can be organised between the state and the public (Articles 11-14).

Article 11 emphasises the voluntary and non-profit organisations' role and the importance of creating new meeting places.

Article 12 conveys the importance of the right of everyone to participate in cultural work and ensuring accessibility.

Article 13 deals with the sharing of knowledge and education.

Article 14 concerns the information society, digitalisation and copyright issues.

The Convention's fourth section, *section IV*, regulates various forms of feedback and knowledge-sharing in international cooperation between States Parties: these articles thus only affect those states that have ratified the Convention (Articles 15-17).

The Convention's final section, *section V*, contains the technical and legal provisions on ratification, any amendments and entry into force (Articles 18-23).

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