

Editorial: From cultural property to cultural heritage

I am honoured to take on the role of Editor-in-Chief for the International Journal of Cultural Property, which has been a beacon of excellence in publishing articles across the fields of cultural heritage, law, and policy since its first issue in January 1992. The late Professor Palmer, its first editor, stated that the Journal aimed 'to promote scholarship on questions of cultural property. It proceeds on the conviction that the enlightenment of such issues is cardinal to all nations. We trust that its foundation will encourage all who are concerned with cultural property to share their learning and submit their judgments to debate. In few areas can such debate be more urgently required.'¹

Since this first editorial, the Journal's aim has remained to promote scholarship and to debate pressing issues, but its remit has broadened to reflect the widening definition of cultural property to cultural heritage. Its scope now includes not only the movable heritage but also the intangible heritage, it encompasses both tangible and intangible heritage elements, as well as culture and nature, thus acknowledging the infeasible connection between people, their environment, their past, present and future. One of the most encompassing definition of heritage is found in the Council of Europe's Framework Convention on the Value of Cultural Heritage for Society, known as the Faro Convention, which defines cultural heritage as '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.'² Therefore, the Journal's title refers to cultural property, but its scope is cultural heritage (intangible, tangible, movable, immovable, on land, underwater, and in space) and its cultural, social, economic and political interactions with people.

Today is an exciting time to promote scholarship on cultural heritage, to study how it contributes and is a part of the development of cultural rights, sustainable development, and peace. Heritage is at the centre of the development of cultural rights, the link between cultural heritage, cultural diversity and cultural rights has been strengthened in the last 10 years.³ The role of heritage to achieve the Sustainable Development Goals has been underlined by the MONDIACULT Declaration adopted in Mexico in September 2022,⁴ that also reaffirms the link between heritage and identity/memory/cultural diversity while referring to the different United Nations General Assembly resolutions on culture and sustainable development as well as to the reports of the UN secretary-general on culture and development. It emphasizes the role of heritage in fostering cultural diversity and warns against the intentional or collateral destruction of cultural heritage and the acceleration of illicit trafficking of cultural property. Finally, cultural heritage's role in peace-making and conflict resolution is being recognized at the highest spheres of international decision-making, in several resolutions of the UN Security Council. This has led the field of heritage to develop in a complex web of norms. These norms have led to the development of a

¹ (Palmer 1992)

² (Council of Europe 2005)

³ (Shaheed 2010)

⁴ ('MONDIACULT Final Declaration' 2022)

new and distinct branch of law - Cultural Heritage Law - in many jurisdictions and to an emerging branch of international law - International Cultural Heritage Law. These are topics of special interest to the Journal that has grown in parallel with these developments, making invaluable contributions to the field of cultural heritage on both national and international fronts. It has also published and will continue to publish on contemporary challenges and debates surrounding heritage, including decolonisation, climate change, sustainable development, repatriation, restitution, and digitalisation, from a multidisciplinary perspective.

As I step into the role of Editor, my goal is to build upon this growth and continue the outstanding work of my predecessors, Professor Alexander Bauer, Professor Patty Gerstenblith and the late Professor Norman Palmer. I encourage submissions from scholars and professionals representing a diverse range of disciplines such as law, anthropology, public policy, archaeology, art history, preservation, ethics, economics, museum studies, tourism, and heritage studies. The editorial team and I are particularly interested in contributions that tackle pressing heritage issues, advance new approaches to heritage debates, and offer practical policy recommendations.

I eagerly anticipate receiving a wide array of submissions, including original research articles with strong theoretical contributions, case notes analysing important legal developments at various levels, conference reports, and book reviews. It will also have two new sections: short opinions and case studies. The journal is interested in publishing articles that explore in depth the legal, philosophical, and ethical issues that relate to heritage protection, regulation, and management... it welcomes articles that address any issues regarding heritage, tangible or intangible, that draw upon scholarship from diverse fields such as anthropology, archaeology, economics, law, museum studies, or public policy. It also welcomes book reviews as the field has widened; it is important to disseminate critical appraisal of books published in different languages. The Journal will publish case notes to analyse important cases decided at the national, regional or international level by courts, tribunals or other decision-making bodies such as arbitration tribunals. The Journal will publish short opinion pieces of 2,000-3,000 words that will analyse a current issue of importance to the community of scholars, professionals and relevant stakeholders. It will publish case studies of an object, a place, a monument, a site, or a practice that raise legal or ethical issues. The discussion will bring scholars from different disciplines who will analyse the relevant case from their own disciplinary perspective.

I extend a warm invitation to contributors from all corners of the globe, encompassing indigenous, Western, and non-Western perspectives with insights that will undoubtedly enrich the discourse on the intricate, multifaceted, and often conflicting aspects of heritage through different critical frameworks.

I am enthusiastic about the opportunity to collaborate with the ever-expanding community of cultural heritage scholars and look forward to contributing to the continued success of the International Journal of Cultural Property.

Council of Europe. 2005. *Council of Europe Framework Convention on the Value of Cultural Heritage for Society. CETS 199*. Vol. CETS n. 199.
<http://conventions.coe.int/Treaty/EN/Treaties/Word/199.doc>.

'MONDIACULT Final Declaration'. 2022. MONDIACULT-2022/CPD/6. Mexico.
https://www.unesco.org/sites/default/files/medias/fichiers/2022/10/6.MONDIACULT_EN_DRAFT%20FINAL%20DECLARATION_FINAL_1.pdf.

Palmer, Norman. 1992. 'Editorial'. *International Journal of Cultural Property* 1 (1): 5–8.
<https://doi.org/10.1017/S0940739192000031>.

Shaheed, Farida. 2011. 'Report of the Independent Expert in the Field of Cultural Rights, The Right of Access to and Enjoyment of Cultural Heritage'. Vol. A/HRC/17/38. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G11/122/04/pdf/G1112204.pdf?OpenElement>.