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Heritage management and sustainable development in perspective: theory, law, and practice

Books reviewed:

Heritage Planning: Principles and Process by Harold Kalman, Routledge, 2014, 344 pp., £36.99, ISBN 978-1-13-801792-4; **Conserving Cultural Landscapes: Challenges and New Directions** by Ken Taylor, Archer St. Clair, Nora J. Mitchell (eds.), Routledge, 2015, 394 pp., £90.00, ISBN 978-0-41-574405-8; **Cultural Heritage in International Investment Law and Arbitration**, by Valentina Vadi, Cambridge University Press, 2014, 344 pp., £70.00, ISBN 978-1-10-703848-6

Heritage management as a cultural practice has long been primarily about conserving the fabric of the past for future generations (Pendlebury, 2009). As such it was more concentrated on the tangible and aesthetic dimensions of heritage. Newer approaches aim to be more holistic and development minded. In this context, it is very important to define ways to deal with development and change. Heritage management is no longer about allowing (or disallowing) transformation in itself, but about establishing and guiding the nature of the transformation (Dalglish, 2012; Veldpaus and Pereira Roders, 2014). That way, the future quality of the urban landscape and the relationships forming it is addressed. It positions heritage as an active change agent in the process of urban management (Bandarin and Van Oers, 2015).

Urban development and heritage management have often been positioned as opposing powers in urban management. Heritage is seen as one of the 'usual suspects' of local grass-roots opposition to urban development, while development pressures are perceived as endangering heritage. The three books discussed here, all address this issue from their own perspective: theory, law, and practice. The book by Taylor, St. Clair, and Mitchell (Taylor et al., 2015) clearly has an academic background, Kalman's (Kalman, 2014) book builds on years of experience in practice, and Vadi's book (Vadi, 2014) discusses the international legal and policy context.

In heritage theory the trend is to recommend a holistic, integrated and multidisciplinary management of resources to overcome the dichotomy of conservation and development. The new approach is called the landscape approach. In this context, landscape is defined as an inclusive and comprehensive platform that cannot be understood or managed except through an approach that embraces all its components. This conceptualisation of landscape is widely explored and discussed in the book *Conserving Cultural Landscapes: Challenges and New Directions*.

Does the land belong to us? Or do we belong to the land? *Conserving Cultural Landscapes* opens with this question. This edited volume in the Routledge Studies in Heritage series evolved from a selection of papers presented at the 2012 *Conference Cultural Landscapes: Preservation Challenges for the 21st Century* at Rutgers University. The book shows that, whether we call it cultural landscape approach, protected landscape approach, or historic

urban landscape approach, the landscape approach poses a great challenge to today's practices in heritage management. The challenge is to focus not solely on the heritage resources, but on all human, natural, and cultural resources and to include a much wider group of stakeholders than just experts to decide upon the definition and subsequently the management of heritage. The landscape approach takes the landscape, as concept and approach, as a potential framework to stimulate an interdisciplinary and integrated way of working and thinking across various levels: aesthetical, social *and* ecological, development *and* conservation, value *and* vulnerability, tangible *and* intangible, movable *and* immovable, large *and* small scale, international *and* local, long *and* short term, expert and non-expert. By integrating all of these, it provides a platform to reveal conflicts between them, as they represent the different people, processes and practices that are directly or indirectly involved in heritage management.

As shown by multiple authors of the book *Conserving Cultural Landscapes: Challenges and New Directions*, the landscape is expected to provide a dimension to balance, mitigate and respect the complexity and wealth of diverse values in a rapidly changing world. By pushing such an interdisciplinary and integrated way of working and thinking, the landscape approach pushes the parties involved to identify the similarities and differences, the gaps and common denominators to have a constructive dialogue. One of the main issues, discussed in almost all papers, is the question of 'who is involved, and in which role?'. Especially Barrett, Brown, and Cameron's chapters present some interesting challenges on the challenges of stewardship, local communities, participation and co-creation for the future. The presented case studies show that there is no definite answer to the questions raised on this topic, but there is a wealth of knowledge and experience to share. The book reveals that there is an urgent need for methods to compare, match and merge the variety of experiences, knowledge and data available between the involved levels, disciplines and fields. As such it asks for a sequel, in which definitions, processes, and indicators and experiences are further explored, compared, and analysed.

Vadi's book *Cultural Heritage in International Investment Law and Arbitration* is one of the few books to take this perspective of development and protection of (built) cultural heritage resources from an international and legal perspective. The title of the book, while correct in technical sense, may sound a bit uneventful for cultural heritage experts. However, nothing could be further from the truth. This book very clearly and thoroughly discusses the legal aspects of foreign investment in a context of (urban) development, in relation to international cultural (heritage) law. A valuable analysis is undertaken to further the understanding of the state of the art, showing how international cultural law potentially clashes with international investment law. Vadi reveals that, as the latter is generally more sophisticated, investment treaty tribunals more and more adjudicate cases that include elements of cultural and heritage value. Interestingly, in such cases arbitrators, in addition to pure economic value, increasingly take cultural value into account. The question remains if investment tribunals are the best places to settle disputes on cultural heritage – probably not. Alike the previously discussed book, Vadi concludes with a call for both international investment law and international cultural law to reflect the interest and values of a much wider range of stakeholders.

Kalman's book, *Heritage Planning: Principles and Process*, is intended for practitioners and students. As a well-respected practitioner himself, Kalman used his extensive experience, combined with a good knowledge of current developments in heritage theory and policy, to write a comprehensive overview of knowledge needed to operate in the field of heritage management. It is not only a very good book for practitioners working in this context to keep their knowledge up-to-date, but also for students and policy workers, to get a good overview of the field. Kalman explains the main theories, ideas, concepts, as well as their methods, tools, and processes, of heritage management, with a focus on the English-speaking world. The book brings together knowledge of various disciplines, plugged in as needed in the various process steps of heritage management. The need for integration of development and conservation issues, and the need for stakeholder participation, are simply taken as a given. As a down-to-earth overview of the field, it does not always do justice to the richness of existing research. It is however, a recommendable start, an invite to continue exploring the topic of cultural heritage management, whether in research, policy, or practice.

The three books reviewed here together, while very different in nature and aim, give a complementary, interesting, and relevant contribution to the topic this journal revolves around: cultural heritage management and sustainable development. It shows that integration of urban and heritage management must go further than case studies. There is a need for comparing case studies and policies, to understand the methods used and further develop tools. Not because one size fits all, but because while every challenge is different, they also have similarities – and the people involved can almost always learn from other cases and approaches. Vadi's book also shows that, in order for a comprehensive landscape approach to really take effect, also legal aspects should be further explored. Not only to strengthen them, but also to understand their impact, especially in the increasingly complex context of multilevel governance cultural heritage is presently subject to.

- Bandarin, F. and Van Oers, R. (2015), *Reconnecting the City: The Historic Urban Landscape Approach and the Future of Urban Heritage*, John Wiley & Sons.
- Dalglis, C. (2012), "Archaeology and landscape ethics", *World Archaeology*, Vol. 44 No. 3, pp. 327–341.
- Kalman, H. (2014), *Heritage Planning: Principles and Process*, Routledge.
- Pendlebury, J.R. (2009), *Conservation in the Age of Consensus*, Routledge.
- Taylor, K., Mitchell, N.J. and Clair, A.S. (2015), *Conserving Cultural Landscapes: Challenges and New Directions*, Routledge.
- Vadi, V. (2014), *Cultural Heritage in International Investment Law and Arbitration*, Cambridge University Press.
- Veldpaus, L. and Pereira Roders, A. (2014), "Learning from a Legacy: Venice to Valletta", *Change over time*, Vol. 4 No. 2, available at: http://muse.jhu.edu/journals/change_over_time/.