

## ***The Right to Heritage at the Centre of the Right to Participate in Cultural and Democratic Life***

### *The principle of learning societies*

A study carried out by the New University, Faculty of Slovenian and International Studies, states: "We presume that cultural heritage could reveal its full development potential if heritage communities were given the opportunity to exercise their right to participate in the identification, study, interpretation, protection, conservation and presentation of heritage".

In fact, the right to heritage is just one of many cultural rights, so why does it have a catalytic effect? Along with other rights, it actually has a particular logical function that needs to be clarified.

Beyond the declarations of principle on the importance of culture within a country and at the level of international cooperation, the very concrete exercising of cultural rights, and among them the right to participate in cultural heritage, constitutes a strategic priority in democratic logic.

- 1.** These rights are not just values that need to be considered; **they function to bring together a diversity of knowledge, capacities and, ultimately, peace.** They have a leverage effect on the development of learning and, therefore peaceful societies. *Cultural and democratic rights are of the same nature.* Within human rights, cultural rights are the rights to participate in the extensive exchange of knowledge that constitutes cultural life in the broadest and most fundamental sense: it covers all areas of knowledge, from arts and techniques, science and world views, to lifestyles – everything that, according to UNESCO, is "a bearer of identity, value and meaning". To *participate* in cultural life means to have *access* to, *use* and *contribute* to knowledge resources. This constitutes the heart and principle of democratic culture: everyone has the right to be recognised as capable, individually or collectively, of developing their knowledge and contributing to the collective intelligence in an original way and following their personality and knowledge.
- 2.** *The right to participate in heritage* is an essential element of cultural rights, which is why it is also broadly and integrative. It guarantees explicitly the coherence, freedoms and inclusiveness that constitute the foundations and legitimacy of the sustainability of democratic development. In their various intertwined forms (e. g. arts, science, construction, territories, traditions and world views), heritage, in particular, as defined in the Faro Convention<sup>1</sup>, is the accumulation of knowledge, *cultural capital, including economic, ecological, and social capital*, which is at the heart of the development of people and societies. *Therefore, the right to heritage has a very substantial leverage effect* on sustainability because it logically depends on the inclusion of everyone and their knowledge in the diversity of their situations, fields and professions. Finally, like all forms of capital, heritage is an "inter-

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<sup>1</sup> Council of Europe Framework Convention on the Value of Cultural Heritage for Society (Faro, 27 October 2005): Article 2a states that "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".

temporal bridge”, which ensures the continuity of achievements, values, and, above all, memory.

3. From the point of view of concrete political philosophy, various kinds of heritage are defined as "commons" or "common goods" that make it possible to:
  - a. reconcile the primacy of individual rights with that of protection and enhancement of common goods in a reciprocal manner (for example, the linguistic capital of each language allows each speaker to feel, share and develop their individuality, benefiting from the creativity of other speakers, past and present, in all dimensions of life). The right to heritage, being a part of the right to participate in cultural life, is like an interface between civil and social rights;
  - b. place these common goods under the responsibilities of all, particularly heritage communities, in the spirit of the Faro Convention. These open cultural communities are seen as schools of participation, reciprocity and hospitality.
4. The current combination of crises and turmoil poses several systemic challenges to European and global cooperation. The development of human rights and the protection of common goods are closely linked. Exercising the rights of all to participate in scientific heritage is a prerequisite to bridge the gaps between citizens, leaders, and experts. The most important scientific knowledge must circulate; there is no other choice. This applies to climate change, the health crisis, the crisis of populism and conspiracy, and finally to the migration flow management crisis.
5. We can only respond by further developing our learning societies – which is the most concise definition of a living democracy – at all levels, inter- and transnationally. Therefore, it seems appropriate to reflect together with the EU's accession to the ECHR, on:
  - a. opening a debate on the principles and values of the Faro Convention, particularly the common heritage of Europe, and focusing not only on the built, landscape and living heritage but also on the heritage of knowledge, including scientific heritage, which constitutes our democracies. *The Convention is open to accession by the EU. If this adoption causes technical problems, it would be appropriate for the EU to adopt a political position on applying the right to heritage in its internal and external policies. It is a question of concrete democracy and peace.*
  - b. encouraging, in this spirit, national and transnational partnerships between cities and regional or local authorities, and public and private actors, to enable the participation of all inhabitants, irrespective of their nationality, in concrete and geographically situated common goods to be widely developed at the level of the territories, while still making it possible to develop universal values through a mutual exchange of experiences.<sup>2</sup>

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<sup>2</sup>See for example the *Geneva Declaration – Human Rights and Cultural Heritage: committed cities working together*, <http://www.ville-geneve.ch/themes/geneve-internationale/declaration-geneve/>.