

HISTORICAL PERSPECTIVE OF HERITAGE LEGISLATION.
BALANCE BETWEEN LAWS AND VALUES





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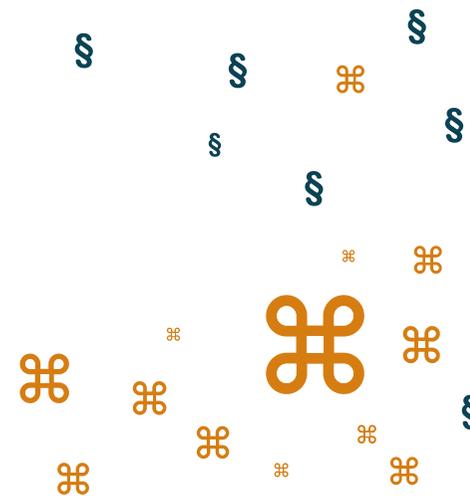
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FOREWORD

Conservation of cultural heritage aims at protecting heritage values of diverse heritage sites. Heritage values were often understood as “historic and aesthetic” values at an early stage of the conservation (for instance, the Athens Charter [1931]; the Venice Charter [1964]; Art.14 (v) of the Operational Guidelines of the World Heritage Convention [1977]; Art.1 of the Florence Charter [1981]). Heritage values however did not remain static. More dimensions of heritage values were developed. For instance, the Washington Charter [1987] requires conservation plans to address all relevant factors, including archaeology, history, architecture, techniques, sociology and economics. The Paris Declaration on Heritage as a Driver of Development [2011] clearly refers to “economic, social and cultural values” of heritage. The myriad of values attributed to heritage and the variety of actors involved today has created a complexity that did not exist in the certainty of the aesthetic and historic significance of the expert who crafted of the Venice Charter (de la Torre [2012]).

As some important instruments such as the Burra Charter [1979, 1981, 1988, 1999], the Washington Charter [1987] and the Budapest Declaration [2002] stress, it is strongly expected to involve local communities in the process of the conservation. Furthermore, our societies have drastically changed over the last two decades, due to Internet, globalization, immigration as well as technological developments. Traditionally, regulatory approach has been the typical methodology for conservation of heritage, i.e. prohibition and regulation combined with some incentive measures. This has been the most effective way for relationships between owner and authority. But

how could the legislator cope with new situations, i.e. the expansion [or changes] of values and more involvement of communities in rapidly changing societies? What would be adequate design of legal tool to cope with emerging situations? The ICLAFI Conference organized in 2016 by ICOMOS Estonia, “Historical Perspective on Heritage Legislation – Balance between Laws and Values”, was a great opportunity to reflect such important questions for heritage conservation.

This volume contains papers submitted at the Conference. I thank all participants of the Conference for their active participation in discussions. Last, but not least I would like to express my sincere gratitude to Ms. Riin Alatalu who made such an impressive conference possible and happen.



Prof Toshiyuki Kono
President of ICOMOS
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