



# *Negotiating Culture*

HERITAGE, OWNERSHIP,  
AND INTELLECTUAL  
PROPERTY

EDITED BY

*Laetitia La Follette*

# Negotiating Culture Heritage Ownership And Intellectual Property

**Stefan Groth**



## **Negotiating Culture Heritage Ownership And Intellectual Property:**

**Negotiating Culture** Laetitia Amelia La Follette, 2013 Rival claims of ownership or control over various aspects of culture are a regular feature of our twenty first century world Such debates are shaping disciplines as diverse as anthropology and archaeology art history and museum studies linguistics and genetics This provocative collection of essays a series of case studies in cultural ownership by scholars from a range of fields explores issues of cultural heritage and intellectual property in a variety of contexts from contests over tangible artifacts as well as more abstract forms of culture such as language and oral traditions to current studies of DNA and genes that combine nature and culture and even new nonproprietary models for the sharing of digital technologies Each chapter sets the debate in its historical and disciplinary context and suggests how the approaches to these issues are changing or should change One of the most innovative aspects of the volume is the way each author recognizes the social dimensions of group ownership and demonstrates the need for negotiation and new models The collection as a whole thus challenges the reader to reevaluate traditional ways of thinking about cultural ownership and to examine the broader social contexts within which negotiation over the ownership of culture is taking place In addition to Laetitia La Follette contributors include David Bollier Stephen Clingman Susan DiGiacomo Oriol Pi Sunyer Margaret Speas Banu Subramaniam Joe Watkins and H Martin Wobst

**Negotiating Culture** Laetitia Amelia La Follette, 2013

*A Companion to the Etruscans* Sinclair Bell, Alexandra A. Carpino, 2016-02-23 This new collection presents a rich selection of innovative scholarship on the Etruscans a vibrant independent people whose distinct civilization flourished in central Italy for most of the first millennium BCE and whose artistic social and cultural traditions helped shape the ancient Mediterranean European and Classical worlds Includes contributions from an international cast of both established and emerging scholars Offers fresh perspectives on Etruscan art and culture including analysis of the most up to date research and archaeological discoveries Reassesses and evaluates traditional topics like architecture wall painting ceramics and sculpture as well as new ones such as textile archaeology while also addressing themes that have yet to be thoroughly investigated in the scholarship such as the obesus etruscus the function and use of jewelry at different life stages Greek and Roman topoi about the Etruscans the Etruscans reception of ponderation and more Counters the claim that the Etruscans were culturally inferior to the Greeks and Romans by emphasizing fields where the Etruscans were either technological or artistic pioneers and by reframing similarities in style and iconography as examples of Etruscan agency and reception rather than as a deficit of local creativity

Cultural Objects and Reparative Justice Patty Gerstenblith, 2023 Cultural Objects and Reparative Justice provides a comprehensive legal and historical analysis surrounding the question of where cultural objects removed without consent should be located Following an interdisciplinary approach based in law history art history anthropology and archaeology this book proposes a paradigm for reparations

**Festivals and Heritage in Latin America** Fabiana Lopes da Cunha, Jorge Rabassa, 2021-04-16 This book explores a variety of heritage dialogues from global and

specific approaches combining different views perceptions and senses Following the first volume on Latin American Heritage as published in this book series in 2019 this new volume focuses on music dance and railway heritage considering artistic archaeological natural ethnological and industrial aspects It is divided into four thematic sections 1 parties and cultural heritage 2 railway heritage and museums 3 archaeological heritage and tourism and 4 cultural landscape and tourism and presents chapters on a diverse range of topics from samba and cultural identities in Rio de Janeiro and London to the musealization of railway assets the history of Antarctic archaeology the value of scenic landscapes and urban memory in Spain and the cultural landscape of Brazil This unique book explores a variety of heritage dialogues pursuing global and specific approaches and combining different views perceptions and senses including video fragments *The Routledge Handbook of Heritage and the Law* Lucas Lixinski, Lucie K. Morisset, 2024-02-14 The Routledge Handbook of Heritage and the Law sheds light on the relationship between the two fields and analyses how the law shapes heritage and heritage practice in both expected and unexpected ways Including contributions from 41 authors working across a range of jurisdictions the volume analyses the law as a transnational phenomenon and uses international and comparative legal methodologies to distil lessons for broad application Demonstrating that the law is fundamentally a language of power and contestation the Handbook shows how this impacts our views of heritage It also shows that to understand the ways in which the law impacts key aspects of heritage practice it is important to tap into the possibilities of heritage as points of convergence of identity struggles over resources and the distribution of power Framing heritage as a driver for legal engagement rather than a passive regulatory object the book first reviews the legal fields or mechanisms that can shape action in the heritage field then questions how these enable authority and give power to those who seize heritage and finally envisions how the discussion between heritage and the law can lay new grounds in both those fields Lifting the mists that often render the law opaque in heritage studies the Handbook showcases the law as a medium through which the culture and the power of heritage are expressed and might be shared The Routledge Handbook of Heritage and the Law presents a view of the law that is aimed at those who wish to reflect on how law has changed or could change what heritage is and how it can support social cultural local or other development It will be of interest to scholars students policymakers and practitioners working in the areas of museum studies heritage studies and urban studies as well as in cultural intervention and planning Chapter 8 of this book is freely available as a downloadable Open Access PDF at <http://www.taylorfrancis.com> under a Creative Commons Attribution Non Commercial No Derivatives CC BY NC ND 4.0 license Chapter 18 of this book is freely available as a downloadable Open Access PDF at <http://www.taylorfrancis.com> under a Creative Commons Attribution Non Commercial No Derivatives CC BY NC ND 4.0 license Chapter 34 of this book is freely available as a downloadable Open Access PDF at <http://www.taylorfrancis.com> under a Creative Commons CC BY 4.0 license The Routledge Handbook of Heritage and the Law Lucas Lixinski Lucie [taylorfrancis.com](http://www.taylorfrancis.com) **Soft Power and Heritage** Rodrigo

Christofolletti,2023-11-15 This book encourages a critical dialogue between interdisciplinary fields that border heritage boundaries and seeks to contribute a wide range of scholarly perspectives and case studies both national and international The widespread use of the concept of soft power is sometimes grossly misused as a synonym for anything other than military force While the concept is one of the most popular and influential in progressive foreign policy circles and is noted for being the ability of a country to convince others that its cause is the best without having to resort to economic or military threats the your ability to accurately describe the world we live in needs repair lenses The power of example the power of attraction through culture or in other words the ability of a country to attract others because of its culture and political values in its foreign policy that is soft power is something that emerges in partly because of government and partly in spite of governments To have soft power you need to be connected and the interaction management and dissemination of assets can be seen as exercises in soft power action This book seeks to detail in examples how the concept of soft power encompasses and problematizes the multiplicity of themes on the contemporary international agenda focusing on one of its least discussed elements the universe of international cultural heritage and the relationship between actors and society preservationist actions in the globalized world While cultural heritage embodies different values and can serve different economic social and political objectives in development contexts the past becomes a cultural currency when it becomes essential to the human experience

**Teaching and Learning Resources for Endangered Languages** ,2023-05-15 The development of teaching and learning materials is an essential component of endangered language revitalisation yet there is very little academic research on this crucial topic Our volume seeks to address this imbalance by examining endangered language pedagogical materials from around the world including traditional resources such as grammars dictionaries and textbooks as well as new media such as online courses apps video games etc Chapters provide theoretical and applied perspectives and consider Indigenous and other threatened languages from various regions of the world including the Americas Australia Europe the Indian subcontinent and Southeast Asia This volume is the first in the FEL Yearbook Series

**Think Like a Commoner**  
David Bollier,2014-03-04 A new world based on fairness participation accountability is closer than you think if you learn to think like a commoner

**Memory Battles of the Spanish Civil War** Sebastiaan Faber,2021-04-30 The ability to forget the violent twentieth century past was long seen as a virtue in Spain even a duty But the common wisdom has shifted as increasing numbers of Spaniards want to know what happened who suffered and who is to blame Memory Battles of the Spanish Civil War shows how historiography fiction and photography have shaped our views of the 1936 39 war and its long painful aftermath Faber traces the curious trajectories of iconic Spanish Civil War photographs by Robert Capa Gerda Taro and David Seymour critically reads a dozen recent Spanish novels and essays interrogates basic scholarly assumptions about history memory and literature and interviews nine scholars activists and documentarians who in the past decade and a half have helped redefine Spain s relationship to its past In this book Faber argues that recent political developments in Spain

from the grassroots call for the recovery of historical memory to the indignados movement and the foundation of Podemos provide an opportunity for scholars in the humanities to engage in a more activist public and democratic practice

Artwashing the Past David W.J. Gill,2024-10-01 Artwashing the Past Context Matters contributes to the wider discussion about the appropriate due diligence process that should be conducted prior to the acquisition of cultural objects The chapters were written as museums in Europe and North America were facing a series of claims on recently acquired objects in their collections in the light of the photographic dossiers that had been seized from dealers in Switzerland and Greece They engage with some of the recent debates over cultural property that include the Ka Ka Nefer mummy mask currently in the St Louis Art Museum and the Leutwitz Apollo acquired by the Cleveland Museum of Art Two of the essays reflect on the recent and controversial metal detecting finds in England the so called Crosby Garrett helmet and the Lenborough Hoard

*Journal of Anthropological Research* ,2014      **Racializing Caste** Thiago P. Barbosa,2025-04-21 The book analyses how racial knowledge has circulated in transnational entanglements particularly between Germany and India into the research on human variation in India racializing the understanding of caste and ethnicity It focuses on the legacy of Irawati Karve 1905 1970 a Indian anthropologist trained at the Kaiser Wilhelm Institute for Anthropology Eugenics and Human Heredity in Berlin Germany 1927 1930 and a prominent scientist in post colonial India Besides a historical analysis of Karve s adaptation of racial approaches to the study of Indian castes the book applies material semiotic and ethnographic lenses to examine how her work is taken up today in anthropology and population genetics By showing how transnational and transcolonial entanglements in race science shape knowledge on human diversity in India the book offers novel insights to discussions in anthropology STS and global history including the racialization of difference colonial legacies and post colonial sovereignty in science It contributes to a better understanding of the co constitution of politics and sciences of human diversity and it argues for a closer attention to inequalities as a way to de link from the legacies of scientific racism      **Polarized Pasts**

Elisabeth Niklasson,2023-01-13 When questions of belonging enter the forefront of political debates so too does heritage This volume draws critical voices from archaeology anthropology and the classics into a conversation about political uses of the past in times of radical right populism The authors show how ancient monuments and sites bygone eras and political regimes and even your genetic ancestry can become wrapped up in polarized political debates They also highlight how heritage which is often thought of as a common good can be dangerous in times of political polarization erasing nuances between us and them Together the texts pave the way for a better understanding of the political role of heritage in society      Negotiating Tradition Stefan Groth,2012 Communicative interactions in international negotiations on cultural property not only provide information about the emergence and proliferation of arguments rhetorics and registers but also permit valuable insights into actors positions strategies and alliances They significantly influence local and national practices and views related to cultural property debates What can be gained from a deep analysis of the communicative patterns and strategies that actors

engage in the entailing text and talk of negotiations is a better understanding of the process itself how do different actors argue what kind of strategies and rhetorics do they use to which instruments and institutions do they refer and in what way do actors react to each other An analysis of communicative interactions contributes to the question of how international negotiations work The analytic inclusion of sociolinguistic practices allows insights into positions strategies and perspectives pertaining to cultural property By looking at not only what actors say but also at how and in what contexts they do so it is possible to make more accurate statements about their positions and perceptions in cultural property debates As these communicative interactions influence outcomes considerably an approach from linguistic anthropology is not only beneficial for an understanding of specific negotiations but also for the analysis of broader cultural property issues Provided by publisher

**Transboundary Heritage and Intellectual Property Law** Patricia Covarrubia, 2022-11-30 Since the Intangible Heritage Convention was adopted by UNESCO in 2003 intangible cultural heritage has increasingly been an important subject of debate in international forums As more countries implement the Intangible Heritage Convention national policymakers and communities of practice have been exploring the use of intellectual property protection to achieve intangible cultural heritage safeguarding outcomes This book examines diverse cultural heritage case studies from Indigenous communities and local communities in developing and industrialised countries to offer an interdisciplinary examination of topics at the intersection between heritage and property which present cross border challenges Analysing a range of case studies which provide examples of traditional knowledge traditional cultural expressions and genetic resources by a mixture of practitioners and scholars from different fields the book addresses guidelines and legislation as well as recent developments about shared heritage to identify a progressive trend that improves the understanding of intangible cultural heritage Considering all forms of intellectual property including patents copyright design rights trade marks geographical indications and sui generis rights the book explores problems and challenges for intangible cultural heritage in crossborder situations as well as highlighting positive relationships and collaborations among communities across geographical boundaries Transboundary Heritage and Intellectual Property Law Safeguarding Intangible Cultural Heritage will be an important resource for practitioners scholars and students engaged in studying intangible cultural heritage intellectual property law heritage studies and anthropology

**Indigenous Heritage and Intellectual Property** Silke von Lewinski, 2008-03-28 For indigenous cultures property is an alien concept Yet the market driven industries of the developed world do not hesitate to exploit indigenous raw materials from melodies to plants using intellectual property law to justify their behaviour Existing intellectual property law for the most part allows industries to use indigenous knowledge and resources without asking for consent and without sharing the benefits of such exploitation with the indigenous people themselves It should surprise nobody that indigenous people object Recognizing that the commercial exploitation of indigenous knowledge and resources takes place in the midst of a genuine and significant clash of cultures the eight

contributors to this important book explore ways in which intellectual property law can expand to accommodate the interests of indigenous people to their traditional knowledge genetic resources indigenous names and designations and folklore In so doing they touch upon such fundamental issues and concepts as the following collective rights to the living heritage relevant human rights norms benefit sharing in biological resources farmers rights the practical needs of documentation assistance and advice the role of customary law bioprospecting and biopiracy and public domain As a starting point toward mutual understanding and a common basis for communication between Western style industries and indigenous communities Indigenous Heritage and Intellectual Property is of immeasurable value It offers not only an in depth evaluation of the current legal situation under national regional and international law including analyses of the Convention on Biological Diversity and other international instruments as well as initiatives of the World Intellectual Property Organization WIPO the UN Food and Agriculture Organization FAO and other international bodies but also probes numerous further possibilities While no one concerned with indigenous culture or environmental issues can afford to ignore it this book is also of special significance to practitioners and policymakers in intellectual property law in relation to indigenous heritage This book here in its second edition presents the most recent state of knowledge in the field

*Safeguarding Intangible Heritage* Natsuko Akagawa, Laurajane Smith, 2018-06-27 The UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage came into force in 2006 framing the international and national practices and policies associated with intangible cultural heritage This volume critically and reflexively examines these practices and policies providing an accessible account of the different ways in which intangible cultural heritage has been defined and managed in both national and international contexts As *Safeguarding Intangible Heritage* reveals the concept and practices of safeguarding are complicated and often contested and there is a need for international debate about the meaning nature and value of heritage and what it means to safeguard it *Safeguarding Intangible Heritage* presents a significant cross section of ideas and practices from some of the key academics and practitioners working in the area whose areas of expertise span anthropology law heritage studies linguistics archaeology museum studies folklore architecture Indigenous studies and history The chapters in this volume give an overarching analysis of international policy and practice and critically frame case studies that analyze practices from a range of countries including Australia Canada China Indonesia Japan Korea Kyrgyzstan New Zealand Taiwan the UK and Zimbabwe With a focus on conceptual and theoretical issues this follow up to *Intangible Heritage* by the same editors will be of great interest to students scholars and professionals working in the fields of heritage and museum studies heritage conservation heritage tourism global history international relations art and architectural history and linguists

*Negotiating Cultural Rights* Lucky Belder, Helle Porsdam, 2017-10-27 The various reports on cultural rights by UN Special Rapporteur Faridah Shaheed provide a new universal standard on cultural rights with topics ranging from cultural diversity cultural heritage and the right to artistic freedom to the effects of today's intellectual property regimes The international



team of expert contributors to this book reflect upon the many aspects of cultural rights in the reports and present a discussion of how cultural rights support cultural diversity foster intercultural dialogue and contribute to inclusive social economic and political development

**Leisure and Forced Migration** Nicola De Martini Ugolotti, Jayne Caudwell, 2021-07-15 This book offers a timely and critical exploration of leisure and forced migration from multiple disciplinary perspectives spanning sociology gender studies migration studies and anthropology It engages with perspectives and experiences that unsettle and oppose dehumanising and infantilising binaries surrounding forced migrants in contemporary society The book presents cutting edge research addressing three inter related themes spaces and temporalities displaced bodies and intersecting inequalities voices praxis and self representation Drawing on and expanding critical leisure studies perspectives on class gender sexuality and race ethnicity the book spotlights leisure and how it can interrogate and challenge dominant narratives practices and assumptions on forced migration and lives lived in asylum systems Furthermore it contributes to current debates on the scope relevance and aims of leisure studies within the present unfolding global scenario This is an important resource for students and scholars across leisure sport gender sociology anthropology and migration studies It is also a valuable read for practitioners advocates and community organisers addressing issues of forced migration and sanctuary

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