Preface

This is a book about the Council of Europe's newest convention in the heritage sector. It addresses the questions of why such a convention is needed, why governments that have not yet ratified it should do so, and what the benefits will be to Europeans who live in the 47 member states of the Council of Europe.

The Framework Convention on the Value of Cultural Heritage for Society ("the Faro Convention") deals with important aspects of heritage as they relate to human rights, and also promotes a wider understanding of heritage and its relationship to community, society and nation. Heritage in itself is not simply a public good; indeed, it has often been a basis for conflict. There is much evidence, in the past and also today, of heritage as a divisive force if it becomes a tool for resistance and the expression of difference.

Values have become the subject of much discussion in contemporary society, especially at a time when the world is facing major challenges due to the failure of economic systems, the repercussions of the energy crisis, and the damaging impact of climate change. Values influence decisions about what to protect or preserve, and the way we represent our past and manage our present. The interplay of divergent views about aesthetic value, historical value, community value and economic value is a conundrum of modern society.

The concept of heritage that moves far beyond the traditional notion of old buildings and historic sites may be fashionable for academics and intellectuals, but remains underdeveloped in national, regional and local cultural and heritage strategies. Heritage in today's world has become transdisciplinary; its preoccupation with traditional principles of conservation and archaeology has been replaced by a profound preoccupation with the processes of education, the economy, and the enrichment of cultural life. How can the development and management of a community's heritage assets attract the active participation of civil society, not only in mobilising protest against bad decisions, but in ensuring that heritage contributes to the social and cultural dynamics of the community

Although heritage, both tangible and intangible, is an important part of the narratives of all societies, the practice is complicated by diverse notions of "value". Decisions about what to preserve, what to develop and what to destroy provoke questions concerning value to whom, and at what cost? Of what value in economic terms as a generator of income? Of what value in social terms to build cohesive societies or heal divided ones? Of value to whose cultural identity and which collective purpose?

What should be done about our decaying heritage? What should we do with our overflowing archives and museum storerooms? How many more historic and commemorative sites can be supported? Can we accept the preoccupation for restoring places and spaces when the cultures that inhabit them are dying out; minority languages are being lost, stories and music are no longer being passed down from generation to generation?

In certain communities, heritage consciousness is still dominated by elites and expert concerns. Looked after by professionals and academics, what is the role of the public, except as passive spectators and witnesses to the decisions of others?

Heritage is not simply about the past; it is vitally about the present and future. A heritage that is disjoined from ongoing life has limited value. Heritage involves continual creation and transformation. We can make heritage by adding new ideas to old ideas. Heritage is never merely something to be conserved or protected, but rather to be modified and enhanced. Heritage atrophies in the absence of public involvement and public support. This is why heritage processes must move beyond the preoccupations of the experts in government ministries and the managers of public institutions, and include the different publics who inhabit our cities, towns and villages. Such a process is social and creative, and is underpinned by the values of individuals, institutions and societies.

We must continually recognise that objects and places are not, in themselves, what is important about cultural heritage. They are important because of the meanings and uses that people attach to them, and the values they represent. Such meanings, uses and values must be understood as part of the wider context of the cultural ecologies of our communities.

The Faro Convention provokes such reflections. Within the Directorate of Culture and Cultural and Natural Heritage, we are also attempting to provoke a reconsideration of heritage – as a concept, as a set of processes, and as a dynamic force to help us better deal with our future.

All political conventions can be seen in part simply as agreements of shared intent between the governments that sign and ratify them, but it is the action that follows that gives life and shape and meaning to the words. This book helps to define and clarify the intentions, and to suggest actions and activity that the Faro Convention might stimulate.

I wish to thank the many contributors to this volume who have shared their insights and expertise. The publication has been prepared under the auspices of our inter-governmental Steering Committee for Cultural Heritage and Landscape (CDPATEP), which will retain responsibility for overseeing the implementation of the Faro Convention when it comes into force. Personally, I hope that will be soon. This new convention is very much of its time, and that time is now.

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Benefits and innovations of the Council of Europe Framework Convention on the Value of Cultural Heritage for Society

Daniel Thérond

Did a further convention need to be added in 2005 to an already extensive list of treaties framed for the sake of culture and heritage? Some doubted it, but with hindsight, this instrument's relevance and immediacy now seem obvious.

Since the 1970s, the Council of Europe has continually urged countries to introduce preservation policies that favour quality of life for local populations and the general public's access to culture. Not surprisingly, true to its role at the leading edge of evolving societal concerns, it has raised the question of what the heritage signifies and how it should function in a Europe and a world that have changed greatly since co-operation began.

Possible approaches to a subject area like the heritage are manifold. The Council of Europe is of a political character, and now gives prominence to the advancement of human rights, democracy and rule of law as well as to the building of a more human and more cohesive Europe. As a result, the heritage perspective has moved away from the conservation-oriented science and technology standpoint to contemplate the ways in which the heritage is meaningful and beneficial for societal progress, European unification and its fundamental values. That was the kind of inspiration that guided the group of experts who drew up the convention between 2003 and 2005.

The approach endorsed in the instrument contrasts with the traditional conventions on protection of cultural property, and thus might have caused some amazement and dismay. It therefore seemed expedient to prepare this publication as a means of explaining and highlighting the framework convention's original and innovative message. This undertaking is meant to put the Faro Convention back in its context, propose a series of comments on the whys and wherefores of its content, and finally invite ongoing debate about the very immediate interests of the cultural heritage. The contributors' diverse professional profiles and nationalities logically echo the diversity of the issues addressed.

Succinctly, what are the main offerings of the Faro instrument?

The purport straightway distinguishes itself from the aims of the 1972 UNESCO convention concerned with the exceptional value of major items of humankind's heritage. Like the earlier work of the Council of Europe, the text pursues a comprehensive approach to the built environment embracing urban and rural developments and the intermediate components of the heritage fabric, with all their diversities and vernacular aspects. Nor does it duplicate the 2003 UNESCO convention on safeguarding the intangible heritage, since it is not a matter of safeguarding a supposedly intangible class of heritage but rather of considering the meaning which every heritage whether tangible or intangible has in a given context. Finally, being focused on the actualisation and the specificity of heritage values, not on arrangements for supporting the cultural industries, the objective is also distinct from that of the 2005 UNESCO convention on the protection and promotion of the diversity of cultural expressions.

For the first time, the Faro Convention offers a holistic definition of cultural heritage. It expresses the principle that preservation of this heritage is not an end in itself but has the object of furthering the well-being of individuals and the wider expectations of society. It associates the need of most individuals to find something of themselves in one or more heritages with the right for all to participate in cultural life as construed in the Universal Declaration of Human Rights. Transcending the stage of the protective machinery already covered in the previous Council of Europe conventions on the architectural heritage (Granada, 1985) and the archaeological heritage (Valletta, 1992), the framework convention leaves countries a margin of discretion as to the means to be applied and does not create any new individual rights on the citizens' behalf. Instead, it emphasises the potential which heritages together represent as a resource, invites the appraisal and reconciliation of the sometimes contradictory values which society assigns to heritages, and lays down updated benchmarks for the cultivation and transmission of those values.

The novel reference to "heritage communities" signifies that heritage awareness in the future should stem not only from professional expertise but also from the aspirations of population groups which may not be linked by language, an ethnic tie or even a shared past, but are linked by a purposive commitment to specific heritages. Stated for the first time in a treaty instrument, the notion of the "common heritage of Europe" also conveys the idea that all the layers of heritage which characterise the diverse local features of this continent make up, here and now, a source of prosperity, employment and quality of communal life for the local populations and their visitors. Rather than encourage revival of past conflicts, it expresses a hope of living together. The concept of a common heritage is thus consistent, in a pluralistic democracy, with the sense of cultural "pluri-affiliation" for individuals and groups, reconciled with respect for fundamental shared values that underpin a common political design for Europe.

The principle of "shared responsibility" towards the heritage is also a strong point of the text and implies new states of balance between the respective functions of institutional experts and of emerging heritage communities. A final asset is the itemisation of a set of issues that should be addressed in the

ambit established by the convention regarding territorial cohesion, sustainable use of resources, mobilisation of cultural capital and strengthening of the social bond. As things now stand, the instruments that will prove essential for monitoring the convention are prefigured in the development of the HEREIN Network which was tried out for the purposes of the Granada and Valletta conventions.

Let us hope that the contributions to this book will aid understanding of the convention, make readers discover every facet of it, and lead them to become its promoters. May this publication also fulfil its aims by furthering the process of signature and ratification among an ever wider circle of states. Optimisation of heritage resources by fashioning a different culture of development maps out future paths for Europe. It may also hold out hope of happiness shared with dwellers in more distant communities.

The philosophical, political and pragmatic roots of the convention

Noel Fojut

Introduction

When major positive developments occur, in heritage circles as in life more widely, there is a tendency for everyone involved to claim especial credit for the seminal ideas behind such changes. In the case of the Faro Convention, its antecedents may be traced back to the field of heritage conservation (where both the practitioners and the theoreticians have claims), the field of sustainable development and the field of political philosophy, including that of human rights. Those of us who attended the convention's birth feel a special pride, even though the offspring is the child of many parents.

In truth, of course, all of these ancestors were necessary to the birth of Faro, and their modern and future descendants will be necessary to its successful implementation, refinement and, hopefully in the distant future, replacement.

The purpose of this article is to offer some context for the significant changes in heritage thinking and political focus which led to the decision to draft an instrument which became the Faro Convention. To do this, it will be necessary to look back over several decades of heritage thinking and practice, and over a decade of political interest.

The starting point – Heritage concepts in the 1960s

The concept of heritage is never static, and has a tendency over time to expand its scope, over and above the inevitable fact that the passing years eventually bring new buildings into the category of old buildings. Likewise, practices and philosophies of heritage are constantly evolving, driven by a search for ever-better ways of understanding and preserving the heritage. However, for the present purpose, it is useful to sketch a very simplistic caricature of how cultural heritage was regarded in the mid-1960s, prior to tracing the main changes which culminated in Faro in 2005.

Cultural heritage essentially meant cultural monuments, in the form of historic buildings, archaeological sites and monuments. While it was recognised that

there was a rich assemblage of practice and tradition in matters such as language, dress, music and the rituals of daily life and work, such matters were regarded at best as "folk culture" and left to the preserve of enthusiasts and anthropologists, matters for study rather than serious conservation.

Heritage conservation was seen as the conservation of what today we would call the "built heritage", and even here, it was individual fine buildings or key archaeological monuments and sites which were the focus. Although ideas of landscape conservation were already well developed in the natural environment, especially through the national parks which most European countries possessed by this date, such ideas had only begun to be considered in cultural heritage circles. Historic townscapes surrounding individual buildings were beginning to be considered – why save a building if its setting is lost – but this was the exception rather than the rule.

Heritage was valued in two main senses: for its own sake, because of the merit which was thought to reside within monuments and, to a lesser extent, because of information about their own past which was embedded within them (what today we call "intrinsic value") and as a symbol of past (and implied present) achievement, usually presented at a national level. There was, however, a long-standing recognition that such values are moderated by the frame of reference: in the writer's own country, for example, there was much debate about the extent to which there was a "Scottish" architecture as distinct from "British" or "western European" architecture.

Heritage discourse and action were strongly expert-dominated. Very small self-defining cadres of well-educated individuals, often from relatively privileged personal backgrounds, had existed in most countries for many years. They identified and selected the "best" of the nation's heritage for attention through interpretation, conservation and presentation, working sometimes through private channels, sometimes through legislation and state action. Initially largely self-resourced, many of these "gentleman experts" were by the 1960s working for government departments and agencies – state funded but with little thought of democracy in their operational policies. The ordinary populace were invited, if not positively instructed, to admire these experts' choices, while anyone from outside the charmed circle of expertise was looked on with deep suspicion. Such was the view, for example, of the enthusiasts who were promoting the idea of "industrial archaeology": not only was this proposed "heritage" not "polite architecture", but even worse, some of its proponents had actually worked in industry.

In summary, the definition of heritage was narrow, heritage practice was exclusive and conservation was seen as an end in itself. While "buildings and monuments" were recognised as having potential economic value (through tourism) and some educational interest, those who worked in heritage conservation tended to look down upon those who marketed the heritage to the wider public. This attitude still lingers, and even in 2009 there are more than a few state heritage agencies around Europe who maintain so-called "education departments" essentially to sell tickets to state-owned sites and little more.

Changing perspectives in the late 20th century[1]

While it would be a convenient narrative device to portray the journey from the situation described above to that which led to the launch of the Faro Convention as a co-ordinated evolution of thought and practice, in reality changes over this period were characterised by disjunction and disparateness. Nonetheless, key themes emerged in the 1970s and onwards, each of which saw changes not just in perspectives on heritage but, more crucially, in positioning of aspects of heritage relative to other domains, bringing a fresh political awareness of the wider potential of heritage.

From a heritage manager's perspective, the greatest single change was a shift in focus from buildings and monuments towards the wider historic environment. While this was undoubtedly strongly influenced by thinking in the natural environment, which over the same period saw a shift from species conservation towards habitat conservation, onwards to landscape-scale approaches, it is of particular interest that this perspective gained ground most quickly in historic urban centres, where the ever-increasing pace of modernisation was recognised as something to which conserving individual medieval buildings in a functionalist modernised setting was an inadequate response. The idea of "townscape" emerged, soon to be followed by other "scapes" such as "streetscape". The tone and content of the Granada Convention is noticeably influenced by the issues of conservation in the context of urban renewal.

In rural areas, the landscape approach to the archaeological heritage also gained ground, although here it was driven by rather different considerations. It had always been appreciated that the surviving great monuments of the prehistoric past had not originally stood alone, but had been surrounded and supported by lesser sites, but the full extent of the potential survival of evidence for this was only revealed in the course of its destruction, as increasingly large-scale investigations were undertaken in advance of construction projects for motorways, industrial areas and airports. In the 1970s, especially, great excitement rose over the possibility of reconstructing past landscapes and thus understanding lost societies.

The rapid loss of potential evidence led to the "rescue" movement throughout western Europe, leading in most countries to the adoption of legislation which led to requirements to conduct "mitigation" before major developments. Ultimately expressed in many of the provisions of the Valletta Convention, this response to a popular movement meant that Valletta offered more than just an archaeological equivalent to Granada. Instead, it dealt with the conduct and regulation of the practice of archaeology: in retrospect a major shift from an object-focused approach to one focused on activities.

By the mid-1980s, then, the landscape approach was widely accepted, as was the concept of integrated conservation. Thus the built heritage was well

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1. For a much more detailed exploration of the themes covered below, see Fairclough et al. 2008.

placed to adopt the newly defined concepts of social and environmental responsibility now labelled "sustainability" – a word so widely used that one tends to forget it was only spoken in public for the first time in 1985.

In parallel to these changes, the actions of UNESCO were offering a new way of considering heritage, and the great "set-piece" monuments were offered the prospect of becoming "world heritage". While the integrated approach to the built heritage emphasised the importance of assemblages of heritage elements in close proximity, the UNESCO vision offered something very different: the concept that the great heritage sites (both cultural and natural) were the property not of individual countries but of all humankind – sites could be elevated above national symbols into items of "outstanding universal value" (see http://whc.unesco.org/en/convention/ for details).

The idea of "common heritage" was not to be mistaken for "international heritage". Then as now, nomination for World Heritage status was only made by national governments. Some states chose not to nominate, preferring not to expose their beloved national monuments to the scrutiny of foreign assessors. But the idea that "the people of the world" had rights in heritage was reinforced.

At the same time, many of the larger, older states of Europe were witnessing a resurgence of regionalism; while as the 1980s ended, some states emerged from centralist communist rule and started to fragment politically. There was thus an increasing pressure for a regional, and ultimately local, voice in determining the best paths for heritage management. Thus the central role for heritage played to this date by national governments was under attack, both from above and from below.

One of the consequences of this competition for primacy in heritage leadership was to bring the non-expert much more to the fore. With the relatively small heritage management cadres centred in the distant capitals, increasingly desires for alternative strategies were arising within the provinces, counties and communities. In some cases this was reflected in very parochial concerns, with districts entering into competition about whose heritage was "best", or arguments between national and local museums over the custody of important art works or archaeological discoveries. But by the late 1990s, a coherent dialogue had emerged, which sought to balance the local, the regional, the national and the international public interests in heritage. The question "whose heritage?" had become a call to reflection rather than a call to arms, and the definition of heritage was being rapidly widened to include what "ordinary people" were concerned about – expanding to encompass industrial heritage, sporting heritage, pop culture and so forth.

The "balance of power" in heritage management had begun to shift decisively, with the expert increasingly seen as the servant of the public, rather than its guide and educator. This change can perhaps be illustrated most clearly by the radical alterations in how heritage was seen relative to armed conflict. The Hague Convention of 1954 had argued for the need to preserve cultural masterpieces in time of war, with the heritage somehow preserved in a bubble of sanctity, while carnage raged around it. But 50 years on, heritage was being seen as a potential tool to be used to help defuse conflict, as an

element of the grand design to build a united Europe in which diversity leads to mutual respect rather than mutual hostility. Cultural routes were developed, providing thematic pathways which led visitors around the landscape, often across frontiers and thus into unfamiliar territory. This "cross-border heritage" has now become a respected sub-discipline of heritage studies, and forms a good example of a research field where political and social needs have fostered academic activity – see Dolff-Bonekämper 2004.

By the end of the 20th century, then, cultural heritage had broadened and deepened far beyond "polite architecture" and "ancient sites". But most significant of all, from heritage being valued for its own intrinsic worth, it had been discovered to be useful: in conflict resolution, in economic regeneration, in education for citizenship, in the search for sustainable development. In the early years of the 21st century, the idea of the utility of heritage began to take coherent shape and it caught the imagination of many senior politicians.

Political priorities and heritage principles[2]

Between the mid-1990s and the mid-2000s, these new concepts were explored in the language of international diplomacy at a series of seminal meetings: conferences of ministers in Helsinki in 1996 and Portorož in 2001, and at summits of heads of states in Vienna in 1995 and Warsaw in 2005. There was rapid and widespread agreement within the membership of the Council of Europe that existing heritage conventions were focused too strongly on conservation for its own sake, and a desire emerged for a new instrument which could effect a comprehensive repositioning of heritage. Rather than heritage being served by society, the new concept was that heritage must serve society. This political desire was strong, driven by a combination of philosophical considerations and pragmatic politics. With many social and economic challenges to address, some countries saw the traditional approach to heritage conservation as an excessive drain on national resources. What was clearly needed was a link between the costs of conservation and the value of heritage to everyday public life. The political search was on for what an English Heritage document memorably called "the heritage dividend".

Owing to the debate of the preceding decades, all of the main elements of the package which the politicians chose to pursue had already been well explored. The keywords were values, rights, identity, diversity, mobility and inclusion. The largely unspoken subtext was economic sustainability.

Heritage values have been under debate ever since the concept of heritage evolved. By the turn of the millennium, several types of value had been articulated:

– intrinsic (of value for itself and for the information it contains);

– institutional (of value as a focus and catalyst for communal action which can strengthen bonds and lubricate wider social functions);

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2. For an excellent and exhaustively referenced exposition of the position at the turn of the millennium, see Pickard 2002.

- instrumental (of value as a contributor to some other social objective, for example as a means of conveying general education or developing particular skills);

- economic (of value as an asset which, when used sustainably, can generate financial revenue for the benefit of governments, entrepreneurs and the general populace).

In simplistic terms, the political will was to turn attention away from the first towards the other three.

The gradual erosion of the control of the expert and of central national authorities, and the general trend towards a more participative approach in many areas of social life, had already led in many countries to a realisation that heritage must be made more democratic. Rather than the state deciding what was the national heritage, and what was good for it, there was a real desire to ensure that such actions genuinely reflected the popular will. If the people, it was argued, had responsibilities towards the heritage which governments were exercising on their behalf, then the people also had balancing rights. Of course, it was realised that such rights could never be absolute: they could only be exercised in so far as they did not deny the rights of others. The idea of balanced rights and responsibilities for a shared heritage, at all scales from local to global, was one of the "big ideas".

This idea of shared responsibility, of shared identity, was a very attractive one to the politicians of an expanding Europe, as the eastern countries began to engage with those of the west. Unity in diversity was the watchword (borrowed from the United States motto *pluribus in unum*, many in one). Indeed, as closer political union continues to elude the countries of the European Union, the Council of Europe's vision of a Europe bonded by culture and heritage offers an alternative, more human-scale, approach. Particularly within the European Union, where freedom of movement is a core tenet, but increasingly throughout the world as virtual movement becomes ever more possible via the Internet, society is finding new ways of engaging with knowledge and ideas. Heritage is not exempt, and there are challenging issues of ownership (real and intellectual) and access (physical and virtual) around cultural heritage, especially in its modern, wider perspective. At the same time there is a genuine concern about a division between those who bear the burden of maintaining heritage assets and those who benefit from them.

Finally, heritage was seen as a vital asset in promoting the concept of inclusion, of allowing everyone within a community to participate in every aspect of social and economic life. While the removal of heritage from its privileged place and integrating heritage concerns in sectoral policies and activities offered much, it also posed new challenges, not least the question of how, if society was to engage with heritage in new ways, the increasing numbers of incomers who had no long-term links to an area were to interact with a heritage with which they recognised no connection and for which they felt no natural responsibility. Heritage can build bridges, but it can also emphasise gulfs.

These, in short, were the considerations uppermost in the minds of the heritage policy community when the process of drafting the new instrument began in earnest in late 2003.

New terminology for new intentions[3]

The drafting group of a new international instrument is no comfort zone for the impatient participant. Well-established terms may take on a bewildering unfamiliarity when examined under the microscope of "what exactly do we mean by …" and it is a sobering experience to see an apparently clear concept eluding the combined brainpower of an international team of experts to pin it down into simple terminology.

A classic example in the case of Faro was the concept of *valorisation* – a perfectly acceptable French word which had no exact English translation, but depending on context might cover the recognition of values, the enhancement of condition or value and the assertion of a hitherto unrecognised value. While it would have been perfectly possible to use each of the three English meanings where appropriate in the text of the convention, this would have posed a further problem, in that any person wishing to translate into a third language would be faced with texts which were not parallel and exactly consistent. In the end, the drafting committee did what experts traditionally do when a useful word occurs in one language and not in another, and simply adopted the word into English usage. Fortunately, there is no "Academie Anglaise" to regulate such loans into English.

More seriously, there were three key concepts which caused great, and at times quite heated, debate during the drafting process: terms which were clearly necessary to achieve the objectives, but where the exact phrasing raised fundamental issues and choosing the wrong formulation could have serious implications:

"Cultural heritage", in its widest sense (embracing cultural and historic environments and tangible and intangible aspects), was to be the subject of the convention. This was consistent with the primary objective of the convention, which was to ensure that the values and needs of cultural heritage in its infinite variety were considered in all fields of policy making and deliberation. Particular features of such a definition were sought: the inclusive concept, because what is defined as heritage changes constantly and is subject to augmentation and review; the non-exclusion concept, that individual or groups might legitimately recognise heritage value in resources which were not in their possession or under their control; and the interactive concept, that cultural heritage exists in resources which are often regarded as natural, such as landscapes. A thorough review of existing definitions in this field determined that none was sufficiently all-embracing for this purpose (although the definitions in some UNESCO cultural instruments were excellent with regard to non-exclusion and that in

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3. See the explanatory report to the Faro Convention for more detail on these and many other drafting issues: http://conventions.coe.int/Treaty/EN/Reports/Html/199.htm.

the Florence Convention dealt well with the interaction concept). So a new definition was evolved for Faro:

> 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.

The concept of "heritage community" was a source of particularly energetic debate, recognising the need to strike a workable balance between the very precise legal sense of *communauté* in the French usage and the much looser English-language concept of a "community" as a group of individuals who are naturally associated by some factor such as place of residence, historic events or simply because they choose to associate in a common cause.

For the purpose of Faro, there was a desire to emphasise the voluntary, public nature of membership of such a community as well as the idea that heritage communities exist because their members share common values and objectives, high among which is the perpetuation of the valued heritage. The definition which appears in Faro is:

> A heritage community consists of people who value specific aspects of cultural heritage which they wish, within the framework of public action, to sustain and transmit to future generations.

One particular concern was that self-defined but vocal minority groups, possibly extreme in their views, might use the terms of the convention to demand priority for their very particular valued heritage – hence the inclusion of the need for heritage communities to operate through a framework of public action – opening up the process of allocating attention and resources to the cultural heritage to democratic process with a view to establishing the principle of proportionality.

The third of the key concepts discussed here, and perhaps the most difficult of all, was the "common heritage of Europe". Here it must be noted that the challenge did not lie in agreeing on a precise literal definition. Early on in the drafting process, it was accepted that multiple, partially overlapping definitions were perfectly possible, and that no single form of words could comprehensively capture "what is European cultural heritage?" Equally, the Faro drafting process was taking place at the same time as a protracted debate over the revised Treaty and possible constitution within the countries of the European Union, including the abortive search for a single historical or geographical fact which united all Europeans as distinct from all non-Europeans.

Instead, the drafting committee turned for inspiration to the political intention of the convention project, which was to develop the idea of a Europe in which diversity represents a source of strength and in which heritage is more than simply remembrance but acts as the foundation for a better future. The definition adopted was:

> … the common heritage of Europe, which consists of:

> a. all forms of cultural heritage in Europe which together constitute a shared source of remembrance, understanding, identity, cohesion and creativity, and

b. the ideals, principles and values, derived from the experience gained through progress and past conflicts, which foster the development of a peaceful and stable society, founded on respect for human rights, democracy and the rule of law.

The mutually supporting interaction of these two elements constitutes a unifying theme of the convention, and explicitly develops the earlier Declaration on Intercultural Dialogue and Conflict Prevention (the Opatija Declaration), of respect and fair treatment for "cultural identities and practices and the expression of the corresponding forms of heritage, provided that these comply with the principles upheld by the Council of Europe".

Cultural heritage offers reminders of Europe's often troubled history, during which lessons have been learned towards the current broad consensus on social values. Those values in turn lead to agreement on the existence of shared responsibility for elements of the cultural heritage. The need for a pan-European perspective comes particularly to the fore in respect of cultural heritages which fail to fit neatly within modern political boundaries, and even more so when heritage assets valued by one community are under the control and stewardship of another, which may see different values in these same assets.

In closing, it should be noted that the specific wording of the convention does not simply state a definition: it requires countries to work towards an understanding of the concept of a common heritage of Europe. Like Europe itself, whether the larger Europe of the Council (with 47 members) or the smaller Europe of the Union (with 27), our common heritage is not an entity to be constrained by definition so much as a project in progress.

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