Culture as a good and as a medium. New categories of heritage and forms of its protection and enhancement.

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Overview

The research unit on the project "Culture as a good and as a medium. New categories of heritage and forms of its protection and enhancement" aims to reflect on the evolution of the concept of cultural heritage, taking as a reference the analyses developed in the humanistic and social disciplines together with the formal elaboration that has been developed in the legal field. The concept of heritage, in fact, has had a changing understanding over time which has led to an enrichment of the categories that compose it. A similar evolution does not yet seem fully completed in the context of cultural institutions, much less if we look at the documents that, both nationally and internationally, have been

produced for the purpose of regulating the protection and enhancement of cultural heritage.

At the basis of these shifts in meaning there seems to be, in addition to the changing historical understanding of culture, somehow inherent to the concept, the intersection of other concepts, such as that of cultural property linked to the materiality of the objects considered, and therefore to their juridical-economic value and not only to the value in the cultural sense that a community is willing to recognize. From here it is then possible to observe a development in the sense of a normative and social definition of heritage no longer linked only to the materiality of the assets that compose it, and therefore of the need for the recognition, protection and enhancement of an intangible or immaterial cultural heritage.

The research unit intends to deepen the study of this evolution, of its meaning in theoretical and applicative terms, with reference to its legal discipline, the scientific research and the new role that the institutions involved are called upon to play. A different understanding of cultural heritage has in fact led to important changes with respect to the methods of conservation and enhancement. To this we must add the possibilities that open up thanks to digital technologies that have changed so much in the use of material heritage. At the same time, however, new technologies act as creators of new heritage, almost a category in itself between material and intangible heritage, which some have already wanted to define digital heritage. In this way, a sort of dematerialized culture in practices and contents is emerging, where the legal principles in force can on the one hand facilitate, on the other hand, hinder digitization and access to these practices and these contents. The legal scholar here is called to provide his contribution, certainly on the side of private law with regard to licenses, intellectual property rights, Digital Rights Management or fair use, for example. Also on the public law side, the contribution of the legal scholars is necessary and urgent at the legislative and jurisprudential level with respect to the rights and interests at stake (the author, the holder, the user), to the participatory governance measures. But, we think, it is above all at the level of the development of cultural policies that the interaction between legal science and the other humanistic-social disciplines becomes indispensable in the determination, we could say, of a common culture to which to refer not only in the definition of concepts that are historically conditioned, but also in the construction of practices of sharing and participation, where the "culture" must also include the medium of expression. And this also applies to our ability to communicate science, our work in research. Scientific communication is not "communication of science", as it remains a communication within the scientific system. The communication of science outside the scientific system, on the other hand, cannot refer only to the "hard" sciences, but must also extend to the Humanities and therefore to our disciplines, to our sectors. Nor is it just a matter of "popularization" of science but of a culture of communication, of conversation as a process of building knowledge which in turn becomes a value, a shared heritage.

Eventually, wanting to go beyond our research and "third mission" work, it seems to me that the last point can offer a suggestive course of action, if we also consider teaching as a type of communication, a conversation that produces knowledge. Although referring to the material culture of the arts, Unesco's "system of human living treasure" seemed to also talk about this aspect of our work and recognize aspects that were previously not taken into consideration. It was in fact noted that, while in the Western world the recognition of an intangible heritage has hardly gained ground, this immateriality instead constitutes the central nucleus of the notion of identity in some Eastern societies. In Japan, we read, "the legislation that protects cultural heritage also includes individuals. Since 1955, this legislation makes a distinction between intangible cultural assets (theater, music, dance), the artistic professions or handicraft activities and individuals endowed with this knowledge and who have the task of transmitting it". A legislation Unesco wanted to implement with the above mentioned program.[1]

Objectives

1. To encourage dialogue between legal field and other humanistic-social disciplines regarding the understanding of the intangible heritage (IH);

2. The construction of a European interdisciplinary research network for the study of IH;

3. To contribute to the definition of the IH;

4. To increase digital scholarship practices in research and for communication within the and outside the research unit;

5. To make proposals for the conservation-enhancement of the IH;

6. To implement interdisciplinary scientific communication on IH inside and outside the strictly academic sphere, also using digital technologies;

7. The involvement of stakeholders and the establishment of public-private partnerships;

8. The implementation of Third Mission activities;

9. The organization of face-to-face and remote networking events;

10. To check calls for the funding of the research network and specific project activities.

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[1] M. Vecco, *A definition of cultural heritage: From the tangible to the intangible*, in Journal of Cultural Heritage 11 (2010), pp. 321-324;

Innovation and expected results

The innovative moment of the project can be appreciated on two different levels. A first level is connected to the title of the project where culture does not appear "only" as an objectual reference for discussion and research, but also concerns the forms through which it can be put into value. This is our way of interpreting cluster n. 5 of the measure "Extended partnerships" of the PNRR (Humanistic culture and cultural heritage as innovation laboratories) and the strategic plan of our Department where the University is described as a "cultural beacon" and as a "common good". This perspective acquires greater value if we think of new categories of intangible cultural heritage, where the heritage that we could define as "evolution of thought" and which is linked to our work as researchers, the heritage of ideas and writings that define our disciplines, finds a possible location, together with the culture of our time, without forgetting the knowledge that we contribute to create and that can and must also be represented and valued in new forms. In this way, in fact, it becomes clear that our role also includes the ability to create culture in a broader sense with respect to our disciplinary boundaries and the academy, thus declining in a broader sense also the relationship science-society, where the term "science" also fully includes the human and social sciences, and enhancing their importance also in reference to issues relating to the economic and financial sustainability of systems and territories, the profile of risk management and cultural tourism.

The second level of innovation of the project is connected to this latter aspect where it intends to implement the use of new digital technologies which therefore become not only the object of study for their legal and social implications, relating to new forms of heritage, but also media for the dissemination of research results and powerful knowledge management tools. In particular, we think about the possibility of creating: a digital repository that includes documentary sources and an interdisciplinary scientific literature selected on the subject of the research project structured as a bibliographic guide; the construction of a Glossary of terms for IP research; the production of multimedia materials that document the work carried out by the research unit; the implementation of Open Access (OA) and Open Science (OS) policies and new forms and formats of scientific communication on intangible heritage; joining digital resource sharing platforms; contribute to the use of open access digital publishing; building a web page of the project.

Through the actions described:

- An improvement in teaching is expected in the use of information and knowledge of the subject;

- Better mastery and accessibility of terminology relating to the conservation and enhancement of cultural heritage and greater effectiveness in bibliographic searches are expected;
- Knowledge transfer will take place through participation in and organization of conferences and seminars, publication of critical essays, preferably OA, participation in shared platforms, etc.
- An impact is expected in terms of knowledge transfer, both through the use of the repository and the glossary by the students, and in the context of the disciplines and professions of cultural heritage;
- An improvement is expected in the use of the scientific method by students in their Dissertations and Master's Projects;
- The project will have visibility on a specific website, and can be used as a teaching tool in the involved disciplines;
- The internationalization of university teaching and research is promoted, through the collaboration of foreign scholars in the team, as well as the interdisciplinarity in scientific research on cultural heritage;
- It contributes to the promotion of an inclusive, accessible, diversified University, focused on the objectives of the 2030 Agenda for sustainable development, with a type of activity specifically aimed at cultural heritage;
- We participate in innovation in open educational resources and virtual teaching, through in-depth research of sources for the conservation and enhancement of heritage, new formulas for virtual cataloging through dictionaries and digital tools such as the development of microsites or biblio guides in a holistic and transversal perspective of cultural heritage, and not a one-way vision;
- The transfer of the innovations estimated in the project to other applicative contexts and possible organizations interested in the project idea is promoted.

The project takes advantage of the experience of the participating scholars and relies for its implementation on face-to-face meetings, on remote activities carried out thanks to platforms and digital media. At the same time, the focus is also on the possibility of inviting foreign colleagues as visiting to the department, as well as on visits by Italian participants to the foreign collaborating universities.

All the activities are based on previous knowledge and information on the conservation and enhancement of heritage, contributing to generate new knowledge through their realization. On the one hand, it involves implementing a dialogue between different disciplines and between the internal and external resources of our department. On the other hand, it is a question of generating innovative contents and formats, thanks to new technologies and joint work, to a conversation between the actors involved in an open communication logic.

Intermediate stages

The proposed project will have a duration of 5 years during which the implementation of the activities is expected, in short, in this order:

I.   Construction of the international research network on intangible heritage

II.   Creation of the project website

III. Glossary of concepts relating to conservation and enhancement of the intangible heritage

IV.   Realization of the repository.

V.   Closing event of the project