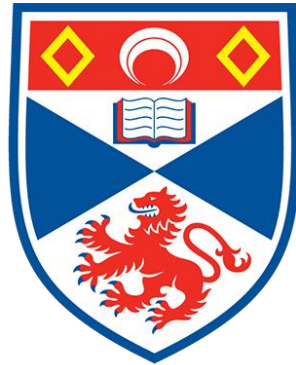


Rethinking Heritage: Studying Resilient Pasts and Presents in Times of Conflict



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Introduction

Describing the incident of Diego Rivera mounting his scaffolds armed with a gun and a retinue of apprentices to guard his murals from harm by conservative factions in Mexican politics, historians have told the story of an individual manifesting the ideals of progress sweeping all levels of Mexican society in the 1930s.¹ And the Rivera incident is not isolated. There is a tendency to fixate on the artists and politicians who have transcended their own time to represent the culmination of past, present, and future for their nations with regards to heritage policy. While there is nothing wrong with telling their stories, it must be ensured that other narratives are not entirely neglected. Tragically, neglect has been the defining feature of the histories of the institutions responsible for planning out and enacting heritage policy across Latin America throughout the twentieth and twenty-first centuries. This essay seeks to right that wrong, and to approach the institutional development of heritage policy as an alternative way to gain understanding about the general psyche of the public, politicians, artists, and conservators who navigated the rough waters of local and international struggles. An alternative to both traditional histories of single acts of conservation and analysis of pure political policy, this comparative approach traces out the histories of the most influential heritage institutions across a selection of case-study nations in Latin America alongside the political/social conflicts and trends in heritage policy which were happening simultaneously. The yield will hopefully be a compelling argument for the increased utilisation of institutional heritage development as a tool for understanding not just trends in heritage policy, but the very convergences and contradictions of public and private visions for Latin America and the world in the face of conflicts and change.

Towards a Useful Definition of “Heritage”

But what is ‘heritage’?

¹ David Craven, *Art and Revolution in Latin America: 1910-1990* (Yale: Yale University Press, 2002), “The Mexican Revolution”, <https://doi-org.ezproxy.st-andrews.ac.uk/10.37862/aaeportal.00020.005>.

The varying answers to this question are far from neutral. One of the most important points to make when discussing the history of heritage and heritage protection in Latin America is that the region has often been influenced heavily by global views on heritage and global trends regarding definitions within the field. In order to do justice to the agency of conservationists and heritage experts from Latin America, it is important to dig under the surface of heritage definitions to see the points where Latin Americans have had especially important impacts.

Legal definitions of heritage are a fascinating place to start. It is within the last century in which ‘heritage’ and a number of related terms have come to the attention of the international community and have been defined and regulated within international law. Beginning in earnest with the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict, it was sought to clarify the meaning of ‘cultural property’ so that it might be easier to define the circumstances in which war crimes are committed.² The use of the term ‘cultural property’ is significant, because it explicitly refers to a position of ownership over culture. In a conflict-focused context, it was determined that ‘cultural property’ was the most effective term to appeal to international understandings of ownership and the violation of property. In short, a term like ‘cultural heritage’ was not specific enough in its ties to national or personal ownership to be useful in regulating the mistreatment of tangible culture.

The term ‘cultural property’ has taken on new significance since the 1954 Convention, with Latin America often connected to the usage of the term. The 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property is an important example.³ There has long been an understanding that an uptick in the theft of tangible heritage from Latin America for export to wealthy collecting nations like the United States, Canada, and Great Britain was a leading catalyst for the expansion of international legislation regarding ‘cultural property’.⁴ Latin

² UNESCO, “1954 Convention for the Protection of Cultural Property in the Event of Armed Conflict,” accessed 12 August 2023, <https://en.unesco.org/protecting-heritage/convention-and-protocols/1954-convention>.

³ UNESCO, “1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export, and Transfer of Ownership of Cultural Property,” accessed 12 August 2023, <https://en.unesco.org/about-us/legal-affairs/convention-means-prohibiting-and-preventing-illicit-import-export-and>.

⁴ Barbara T. Hoffman, “Introduction: Exploring and Establishing Links for a Balanced Art and Cultural Heritage Policy,” in *Art and Cultural Heritage: Law, Policy, and Practice*, ed. Hoffman, (Cambridge: Cambridge University Press, 2006), 3-4.

America contributed to a lasting mark on the legal definitions of ‘heritage’ and ‘cultural property’.

This fits into the larger argument about the terms ‘cultural heritage’ vs ‘cultural property’ and the imbalance of financial and cultural wealth across the world. There are often held to be ‘source nations’ and ‘market nations’; the former (usually understood as large parts of Latin America, Africa, South and Southeast Asia, and parts of Europe like Italy) contain a large number of desirable heritage objects, and the latter (the wealthiest nations in North America, Europe, and parts of the Middle East and East Asia) contain wealthy individuals and institutions with the capital and desire to collect heritage objects from beyond their own borders.⁵ The term ‘cultural heritage’ has often been associated with the claims of those, mostly in market nations, who seek to establish that all heritage is human heritage, and that it is in the interests of all for heritage objects to be kept safe and made accessible to a global audience.⁶ This contrasts with the usage of ‘cultural property’, which implies a heritage tied to a specific people or nation by historical importance, and which has been used to argue that the unchecked collecting of heritage objects by market nations will deplete the rest of the world and deprive the objects of their meaning.⁷ Latin America has been an important player in these international conversations and has often fought to retain the right to determine the fate of its own heritage objects, as opposed to letting market forces have full control. This essay will primarily utilise the term “cultural heritage” for its inclusion of many types of heritage, not just physical property, but it is chosen with an understanding of the inadequacy of just one term to discuss such a complex topic.

These points are raised primarily to emphasise the importance of institutions in determining the very course of discussions on heritage. Whether it be The Hauge, UNESCO, or national governments, institutions have been involved in the creation of heritage as an idea, as well as in its day-to-day protection. As definitions of heritage and cultural property have evolved to encompass concepts like geographical and intangible heritage, institutions have

⁵ *Ibid.*

⁶ *Ibid.*, 11-18.

⁷ *Ibid.*

been the ones to codify the meaning of these expansions.⁸ All this to say, it is worth analysing the development of heritage institutions if we are ever to understand the elusive idea itself.

Trends in Brazil

The most significant cultural heritage body in Brazil has been the organisation founded in 1937 originally known as SPHAN (*O Serviço do Patrimônio Histórico e Artístico Nacional*, or the National Historical and Artistic Heritage Service), which has gone through many transformations in its nearly 90-year history.⁹ The movements which would culminate in the founding of SPHAN began soon after the upset of democracy in 1930 by supporters of Getúlio Vargas and the institution of the subsequent illiberal regime. The stated goals of the founders of the Service were not overtly political but made extensive reference to the position of Brazil in the world, demonstrating the growing interconnectedness of global society at the start of the twentieth century.¹⁰ The founders seemed especially upset by the international perspective that Brazil had “minimal interest in the subjects related to its artistic monuments.”¹¹ It was part of a wave of institutionalisation of heritage protection which was taking place around the world, but particularly in Latin America, in the 1930s in which heritage became a key focus of the state.

Despite any stated aims of the organisation, it was political from the outset. In its original position as part of the Ministry of Education and Public Health it was a form of nationalistic centralisation by the new military regime. When, in 1953, it became a Directorate under the second Vargas government, it was further centralised for control.¹² The position of SPHAN (then DPHAN, and finally, beginning in 1970, IPHAN) changed with each revision to the Brazilian constitution, following a pattern of contracted centralisation and, eventually with

⁸ See Wend Wendland for an interesting discussion of this progression; Wend Wendland, “Intellectual Property and the Protection of Traditional Knowledge and Cultural Expressions,” in *Art and Cultural Heritage: Law, Policy, and Practice*, ed. Hoffman, (Cambridge: Cambridge University Press, 2006), 327-339.

⁹ IPHAN, “Linha do Tempo – Iphan 80 Anos,” accessed 12 August 2023, <https://web.archive.org/web/20170503163712/http://portal.iphan.gov.br/pagina/detalhes/1211>.

¹⁰ Rodrigo M. F. de Andrade, “Programa,” *Revista do Serviço do Patrimônio Histórico e Artístico Nacional* 1 (1937): 3-4.

¹¹ My translation from the original, “*mínimo interesse pelos assuntos relacionados com os seus monumentos artísticos*,”; de Andrade, “Programa,” 3.

¹² IPHAN, “Linha do Tempo”.

the reinstatement of democratic politics, increased regional control.¹³ With the global rise in militarism of the Second World War giving way to the great-power tensions of the later twentieth century, SPHAN/DPHAN/IPHAN changed as its government changed and as the people of Brazil came to demand a greater amount of control over their affairs.

While other institutions in Brazil played a key role in the shaping of national heritage protection, and there are colourful instances of individuals navigating the power of the state and the growing tide of international disapproval over Brazil's military junta, it was the National Historical and Artistic Heritage body which would be responsible for balancing the desires of the regime with international heritage standards.¹⁴ In its continual evolution and survival to the present day, IPHAN has never ceased to be involved in bridging the gap between government and people, and between national and international policy.

Trends in Mexico

Mexico's primary heritage protection body, INAH (*El Instituto Nacional de Antropología e Historia*, or the National Institute of Anthropology and History), founded in 1939, was linked to the aforementioned wave of 1930s institutions.¹⁵ While it went through fewer official changes than Brazil's National Heritage body, Mexico's equivalent has been far from stagnant in policy relating to national and international heritage standards. Scope and relation to education have been key components of INAH which have been particularly linked to social changes and conflict, with the Mexican Revolution of 1910 and its aftermath at the heart of those changes.

Mexico's heritage institutions are unique in the degree to which they were incredibly centralised until the last few decades.¹⁶ The lack of regional determination of heritage policy went hand-in-hand with the educational policies the revolutionary and post-Revolutionary governments of Mexico pursued throughout much of the twentieth century. Alongside land

¹³ *Ibid.*

¹⁴ See Claudia Calirman for fascinating examples of heritage protection during the dictatorship, particularly the role of the esteemed conservator Niomar Moniz Sodré Bittencourt; Claudia Calirman, *Brazilian Art under Dictatorship: Antonio Manuel, Artur Barrio, and Cildo Meireles* (Duke: Duke University Press, 2012), 23-24.

¹⁵ INAH, "Quiénes Somos?" accessed 12 August, 2023, <https://www.inah.gob.mx/quienes-somos>.

¹⁶ Sandra L. López Varela, "Mexico's Heritage and Management," Springer, Published Online 09 July 2018, https://link.springer.com/referenceworkentry/10.1007/978-3-319-51726-1_1951-2#citeas.

ownership, education was a clear area in which Mexico's was an incredibly unequal society, which made it a target of revolutionary reforms.¹⁷ With the tying together of heritage and educational policy after the revolution, efforts to offer a more equal and (eventually) a less Euro-centric education to all resulted in a strongly centralised INAH.

The de-linking of heritage and educational policy in Mexico came with the official establishment of CONACULTA (*El Consejo Nacional para la Cultura y las Artes*, or the National Council for Culture and the Arts) in 1988.¹⁸ With this step, and the 2015 transformation of the Council into the *Secretaría de Cultura*, a greater degree of regional variation in the management of heritage projects was made possible. The remnants of the Revolutionary days exist, though, in the small degree of private heritage management in Mexico in comparison with other Latin American countries – a reminder of the great degree to which conflict and heritage policy are innately tied across the region.¹⁹

Trends in Cuba

The story of Cuba's heritage protection institutions is one of a complicated push to conform to the standards of (Soviet-led) international communism in the mid-to-late twentieth century balanced by the desire to celebrate the unique hybridity of Cuban culture. This balancing act took place not just in the official government buildings of Havana, but in galleries, artists' studios, and international organisations in the aftermath of the 1959 completion of the Cuban Revolution. It is remarkable the degree to which Cuban-Soviet relations and the topic of heritage shed light onto larger Cold War-era themes of internationalism, cultural tension, and the application of academic theories to real nations and peoples quite distinct from one another.

Where Mexico opted for a great degree of centralisation in the aftermath of its Revolution as part of its larger educational program, the founding of the CNPC (*El Consejo Nacional de Patrimonio Cultural de Cuba*, or the Cuban National Council of Cultural Heritage) in 1960 and the *Ministerio de Cultura de Cuba* in 1976 are markers of a different

¹⁷ Craven, *Art and Revolution*, "The Mexican Revolution".

¹⁸ CONACULTA, "Fundación de CONACULTA," accessed 12 August 2023, <https://www.cultura.gob.mx/fundacion/>.

¹⁹ López Varela, "Mexico's Heritage and Management".

trend for Cuba.²⁰ The historian David Craven has argued very compellingly for the foundation of the above institutions as key to a process of decentralising heritage policy by the Cuban government as, at least partially, a way to allow for variance from the Soviet-set norms in the field.²¹ In this way, cultural hybridity could be adequately protected and the nation's independent identity preserved subtly.

This decentralised, quiet approach to heritage policy in Cuba reflects the complicated positions of nations across Latin America, which navigated partnerships with larger global powers which were often unequal. The case of Cuba demonstrates the role heritage protection can play in going beyond protecting stories of the past in order to actively utilise them to preserve contemporary agency on a national level in a world of complex conflicts with wide-reaching ripples. In this way, Cuba's heritage policy is a fascinating bridge between the past and the present which makes it unique in its ability to inform researchers today and inspire further thought.

Patterns of Institutional Development

While discussion of each of the above case studies on Latin American heritage policy could easily fill an entire paper, it is examination of them together to which this essay is committed. Through such analysis, interesting trends emerge, mostly centring on the themes of centralisation/decentralisation, capitulation/defiance, and relationship to education.

The most surprising finding of this research has been the degree to which heritage institutions contracted and expanded their zone of influence at varying points in time in accordance with greater governmental aims. This 'top-down' pattern of influence is present in Brazil's IPHAN, Mexico's INAH, and Cuba's CNPC. The largest shifts in the scope of heritage institutions have often occurred at moments of constitutional change linked to regime changes. This is the case with Brazil's new constitutions in 1937, 1946, 1967, and 1988; in each case, the powers of SPHAN/DPHAN/IPHAN changed, as usually did its title and general structure.²² Similar trends are seen in Mexico and Cuba following their respective revolutions and regime changes over time. This suggests that heritage policy was important enough to governments to be regularly reassessed and reorganised when larger political changes were taking place.

²⁰ Craven, *Art and Revolution*, "The Cuban Revolution".

²¹ *Ibid.*

²² IPHAN, "Linha do Tempo".

Heritage changes accompany regime changes and directional shifts in public policy, meaning that an analysis of changes in heritage institutions is really an analysis in larger national changes as well.

‘Bottom-up’ changes are also patterns in Latin American heritage institutions. This is characterised as either capitulation to the policy demands of national and international governments or defiance of those same governments. The general trend of decentralisation over time speaks to this. While there are cases, as with Cuba, in which heritage institutions are tools in a larger international game played by world powers, the defining trend is one of greater decentralisation accompanying an expansion of support for democracy. This is demonstrated by Brazil’s growing resistance to its authoritarian government, resulting in policies which instate regional control over heritage policies. Similar trends in Mexico draw a connection between popular dissatisfaction with government and changes in heritage policy, upsetting a two-dimensional view of heritage policy as a purely ‘top-down’ affair.

The final trend established through examination of the case studies of Brazil, Mexico, and Cuba is a consistent link between education and heritage. This is significant because it points to a shift in the overarching aims of heritage over time. The initial linkage of education and heritage in all three countries on an institutional level characterises a society in which heritage is seen as an educational resource unto itself, part of the creation of a national identity. This has played to the advantage of Revolutionary forces seeking to write new histories in Mexico and Cuba, and to the various regimes of Brazil who have struggled with the image of the nation as alternately an autocracy and a democracy. The establishment of independent ministries across the case studies, though, show a growing understanding of the complex role of heritage in society; no longer is it just a tool for telling history, but something with a history of itself which must be explored and protected independently of educational initiatives. This raises interesting questions about the changing role of education in Latin American society and the way in which education about the past is tied to protecting tangible and intangible heritage in the present.

Heritage and Conflict: A New Lens

The questions raised by this research have wide-ranging consequences which often extend beyond Latin America. The links between heritage decentralisation and growing democracy are threatened by shifts towards autocratic government in El Salvador and Russia,

and raise questions about the future of heritage in a world of shifting degrees of freedom. Education about the past is becoming more of a debate with each passing day in many countries, prompting questions about the long-term impacts of separating heritage policy and education (at least in a governmental context). The protection of heritage in times of conflict seems especially apt a conversation in a world where art and material culture are threatened daily because of their political associations.

Further research should concentrate on the applicability of the institutional heritage lens to histories which are less centred on high politics and government manoeuvrings. Institutions like museums should be analysed in more detail with regards to their changes in scope and policy over time. It would be fruitful to expand case studies beyond Latin America to judge whether heritage and politics are always so closely entwined.

At its best, the institutional heritage lens can see political history as changes with consequences which ripple down throughout society and impact the world we live in today. It can take confusing acronyms and obscure pieces of legislation and turn them into a compelling story of changes in larger political trends. It is, at least, worthy of further thought and consideration by scholars from many disciplines.

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Bibliography

Digital

CONACULTA. “Fundación de CONACULTA.” Accessed 12 August 2023.

<https://www.cultura.gob.mx/fundacion/>.

Craven, David. *Art and Revolution in Latin America: 1910-1990*. Yale: Yale University Press, 2002. <https://doi-org.ezproxy.st-andrews.ac.uk/10.37862/aaeportal.00020.005>.

INAH. “Quiénes Somos?” Accessed 12 August, 2023. <https://www.inah.gob.mx/quienes-somos>.

IPHAN. “Linha do Tempo – Iphan 80 Anos.” Accessed 12 August 2023.

<https://web.archive.org/web/20170503163712/http://portal.iphan.gov.br/pagina/detalhes/1211>.

López Varela, Sandra L. “Mexico’s Heritage and Management.” Springer. Published Online 09 July 2018. https://link.springer.com/referenceworkentry/10.1007/978-3-319-51726-1_1951-2#citeas.

UNESCO. “1954 Convention for the Protection of Cultural Property in the Event of Armed Conflict.” Accessed 12 August 2023. <https://en.unesco.org/protecting-heritage/convention-and-protocols/1954-convention>.

UNESCO. “1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export, and Transfer of Ownership of Cultural Property.” Accessed 12 August 2023.

<https://en.unesco.org/about-us/legal-affairs/convention-means-prohibiting-and-preventing-illicit-import-export-and>.

Primary Print

de Andrade, Rodrigo M. F. “Programa.” *Revista do Serviço do Patrimônio Histórico e Artístico Nacional* 1 (1937): 3-4.

Secondary Print

Calirman, Claudia. *Brazilian Art under Dictatorship: Antonio Manuel, Artur Barrio, and Cildo Meireles*. Duke: Duke University Press, 2012.

Hoffman, Barbara T. “Introduction: Exploring and Establishing Links for a Balanced Art and Cultural Heritage Policy.” In *Art and Cultural Heritage: Law, Policy, and Practice*, edited by Barbara Hoffman, 1-18. Cambridge: Cambridge University Press, 2006.

———. “Introduction to Parts II and III: Cultural Rights, Cultural Property, and International Trade.” In *Art and Cultural Heritage: Law, Policy, and Practice*, edited by Barbara Hoffman, 89-93. Cambridge: Cambridge University Press, 2006.

Wendland, Wend. “Intellectual Property and the Protection of Traditional Knowledge and Cultural Expressions.” In *Art and Cultural Heritage: Law, Policy, and Practice*, edited by Barbara Hoffman, 327-339. Cambridge: Cambridge University Press, 2006.