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UNESCO as a Red Cross or as a notary of World Heritage? Structures, scale-related interactions and efficacy of UNESCO's World Heritage regime

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Abstract

The adoption of the World Heritage Convention by the UNESCO General Conference in 1972 marked the creation of an international regime for the protection of cultural and natural objects, sites and landscapes of outstanding universal value. Despite the vast number of academic publications relating to heritage – especially in Geography and related disciplines – there has to date been no independent analysis in the Anglophone literature on the World Heritage system using regime theory categories borrowed from International Relations. The paper attempts to close this gap by examining the World Heritage regime, its mechanisms and effects. In particular it systematizes the various effects of global regime authorities at World Heritage sites and landscapes, and interactions between global and local actors. This approach could also be significant for the discussion of glocalization phenomena.

Keywords: International regimes, World Heritage, UNESCO, glocalisation, Political Geography, Geographies of Heritage

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Contents

1. Introduction

UNESCO's World Heritage List, which currently contains close to one thousand inscriptions, is surely the most well-known international instrument for the protection of cultural and natural heritage in the world. Many sites the World Heritage List, for instance historic old towns, cultural and natural landscapes or ecosystems, have always been subjects of Geography since the beginning of its formation as an academic discipline. The scientific perspectives from which these sites and landscapes have been explored and represented are heterogenous, reflecting the diversity of character of these World Heritage sites and the different scientific paradigms behind two centuries of geographical research. Geographers, as well as academics of related disciplines, have not only been researching *at* World Heritage Sites, but have also increasingly been making the character of World Heritage sites *as such*, the explicit starting point for their research (cf. GRAHAM el al. 2000). Besides applied studies, related for instance to the improvement of conservation practices or impact assessments for planning purposes at World Heritage sites (cf. for instance INSTITUTE OF URBAN AND REGIONAL PLANNING 2005), or the analysis of conservation challenges at World Heritage sites (for instance RODWELL 2008; SCHMITT 2008b), many scientific publications have focused on the processes and consequences of heritagization, the social (re-)production of heritage, or, for instance, tourists' perceptions of World Heritage sites (cf. for instance DI GIOVINE 2009, LABADI/LONG 2010). There are studies by insiders and protagonists of World Heritage institutions offering intrinsic statements concerning the concepts and instruments of the World Heritage Conventions (for instance BANDARIN 2011). Another line of research within the vast literature corpus on World Heritage focuses on conflicts at World Heritage sites (for instance SCHMITT/SCHWEITZER 2007; RINGBECK/RÖSSLER 2011) or takes a look at the implementation or institutionalization of World Heritage in general and is increasingly informed by concepts from both cultural studies and political science, (for instance BENDIX et al. 2012; TAUSCHEK 2012; SCHMITT 2011a). This paper is an attempt to understand certain characteristics of the World Heritage system with the aid of social science categories, using regime theories from political science and the concepts of governance and scales (on the concept of Heritage Governance, see SCHMITT 2011b). The paper is focusing on the World Heritage with a regime perspective, but with a more specific understanding of the term "regime" than in BENDIX et al (2012), concentrating on the World Heritage system as an international regime in the sense of International Relations (*IR*).

Key questions

With the aid of the concept of scale and using regime theories from the discipline of International Relations (*IR*), this paper examines governance in the World Heritage system. The first step will be to make a basic analysis of the World Heritage system with the aid of regime theory categories, something which has not yet been undertaken in the Anglophone literature.[1] Recent studies of international regimes by political scientists also pay little attention to the World Heritage regime, the regime for the safeguarding of intangible cultural heritage, and UNESO in general (see for example WESEL 2012). The fact that this research gap has been closed within the discipline of Geography, rather than International Relations, may be because geographers have a long tradition and a sustained interest in research at and on World Heritage sites. On the other hand, typical quantitative and standardized methods for describing regime effects, as commonly applied by political scientists in other areas of regime research, are likely to fail in the case of the World Heritage regime due to the complexity and diversity of World Heritage sites, which are the "objects" of the regime (cf. SCHMITT 2011a, Chap. 9).

The paper should be useful for scholars of Geography and related disciplines researching on World Heritage, and may enrich debates on the mechanisms and effects of international regimes within International Relations (IR). In contrast to many other international regimes, the World Heritage regime is characterized by the fact that, within an explicit framework shaped by international law, it relates global institutions on the one hand to locally and regionally defined spaces and institutions on the other; its study is thus potentially instructive for the understanding of glocalization processes (cf. ROBERTSON 1998). While the implementation of the World Heritage Convention of 1972 (UNESCO 1972) is the central subject of this paper, the 2003 Convention for the safeguarding of the intangible cultural heritage *(ICH*) will also be mentioned briefly for comparative purposes (cf. UNESCO 2003).

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1 This paper is based on conceptual reflections and empirical results which have been published in German in SCHMITT (2011a; see especially Chaps. 2.5, 9.3 and 9.4). The author is grateful to the editors of the MPI-Working Paper Series for the opportunity to make this material available to an international audience. The argumentation has been revised and improved for this presentation, and recent developments in the World Heritage system have been taken into account.

2. Preliminary sketch of a basic concept for social research in Human Geography

The following analysis of the World Heritage system is based on concepts and approaches of a "middle-range" character, such as "governance" and, especially, regime theories within International Relations (IR). In our analysis, these middle-range concepts are underpinned by a wide-range theory which draws basically on GIDDENS' (1984) theory of structuration; this is broadly compatible with the action-oriented theory of Benno WERLEN (1995) within social geography. Giddens emphasizes the dialectic (or originally dualism) of agency/actions and structures/institutions for the constitution of the social world.[2] In contrast to Giddens' original concept, and its adaption by Werlen, which both rely on classical works like *Soziologische Grundbegriffe* by Max WEBER (2005, orig. 1922), two major modifications are proposed: (1) Firstly, the notion of *subject* should be rehabilitated and replace, or at least used to support the often heard terms "*social actors*" or "*stakeholders*", so that human beings are not reduced to their agency alone (cf. similar DÖRFLER/ ROTHFUSS 2013). This comes close to the ideas of Johan GALTUNG (1996) who considers that the avoidance of suffering (Sankrit: *dukha*) and the striving for bliss (*sukha*) is central to the constitution of (not only human) beings, and should therefore be central to any social research. This must also be clearly distinguished both from system theory in the sense of LUHMANN (1984) and from decisively poststructural approaches, which deny any relevance of subjects for the understanding of the social world. (2) Secondly, a bridge is built to discourse analysis that emphasizes the relevance of concepts, ideas and discourses for the constitution of society. A double dialectic supplementing Giddens' classical dialectic (respectively dualism) of structure (including institutions) and agency, and so a kind of trialectic,[3] can be claimed: institutions are shaped by ideas and concepts, while, on the other hand, ideas and concepts are spread, adapted, or modified by institutions and, especially, organizations (cf. HALL/ TAYLOR 1996, or, from a neo-Gramscian viewpoint, BØÅS/ MCNEILL 2004). Ideas and concepts guide and influence the agency, practices and

2 Cf. GIDDENS 1984. For a dialectic reading of institutions and practices, see also ETZOLD et al. 2012; for the conceptualization of institutions, see among others HALL/TAYLOR 1996.

3 With the reception of the writings of LEFEBVRE (1974) and SOJA (1989), trialectic constructions became quite common in Human Geography and were even expanded to specific subdisciplines as the geography of film (cf. WEIDINGER 2013).

perceptions of social actors (or subjects). Because agency, practices, and also institutions and structures, rely on physical features (and many concepts/ ideas refer to them), it is easy to place the physical-material world within this basic concept. While the subject character of social actors admittedly plays only a minor (but nevertheless not negligeable)[4] role in the following analysis of the World Heritage regime, the dialectic of institutions and ideas is crucial.

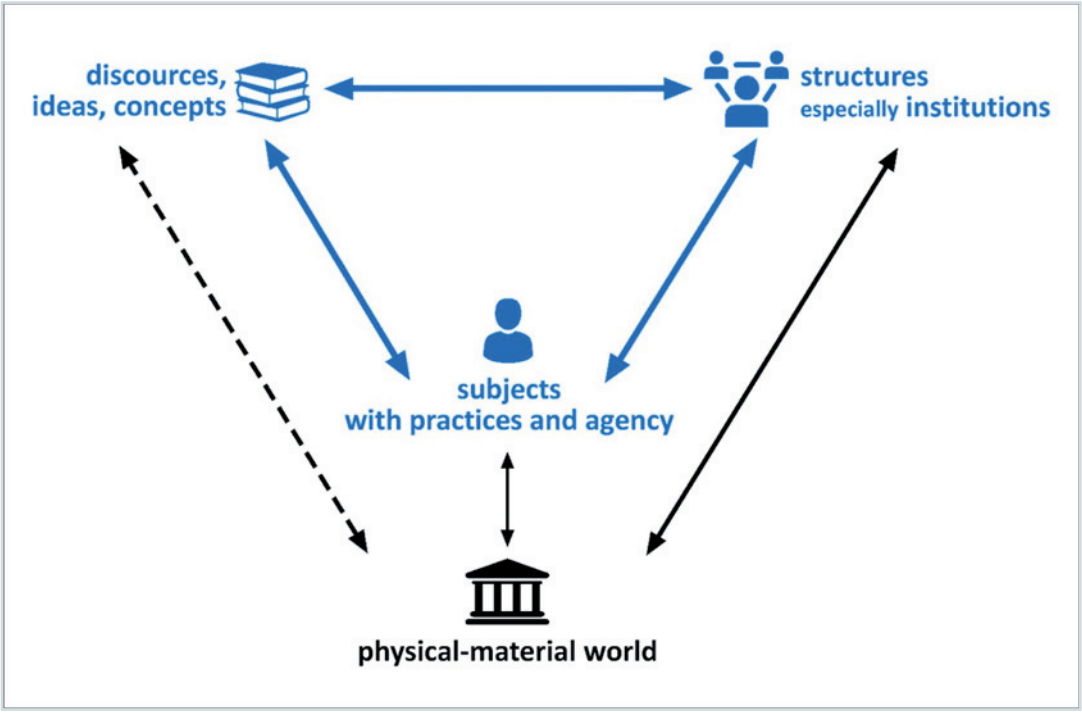

Figure 1: A basic concept for research in Human Geography

The trialectic relation of (1) subjects with agency, (2) institutions and structures and (3) ideas, concepts, discourses as a basic concept for Human Geography

Source: SCHMITT 2011a and 2011b, modified.

3. A thin description of the World Heritage institutions

Before proceeding to our analysis, we will briefly describe the main constitutents of the World Heritage regime (cf. Fig. 2). The World Heritage Convention, or more precisely the *Convention Concerning the Protection of the World Cultural and Natural*

4 Cf. chap. 9.

Heritage, was adopted in 1972 by the UNESCO General Assembly – the first important link between the regime and UNESCO. The aim of the Convention, according to its Preamble, is to implement an effective system of collective protection for cultural and natural heritage, "organized on a permanent basis and in accordance with modern scientific methods" (UNESCO 1972). For a site of cultural or natural heritage to be recognized as worthy of protection under the Convention, it must fulfil the criterion of *outstanding universal value* (UNESCO 1972, Arts. 1, 2, 8 and 11). The protection of a World Heritage site is primarily in the hands of the national government concerned (Art. 4). In apparent contradiction to this statement, the protection of such sites is defined as an international responsibility, "[w]hilst fully respecting the sovereignty of the [individual] States" (Art. 6.1). The *World Heritage Committee* is the institution that plays the most important role in implementing the Convention. The Committee currently consists of 21 States (not natural persons), who are regularly elected by the General Assembly of the States Parties to the Convention (see also Fig. 1). According to the text of the Convention, the Committee's role is decisive for the implemention of the Convention, for instance by making decisions relating to the World Heritage List. Thanks to this construction, the decisions of the most important institution in World Heritage governance gain legitimacy and are seen as being the opinion of the international community of states. The *World Heritage List* is a register of those sites of cultural and natural heritage that in the eyes of the World Heritage Committee fulfil the criterion of outstanding universal value (UNESCO 1972, Art. 11.2). The protection instruments provided by the Convention relate (only) to the sites on this list. In accordance with the text of the Convention, each State undertakes to protect such sites "to the utmost of its own resources" (Art. 4), and yet the national government and the international community of states regard protection of the sites as their joint responsibility, and provide resources for this purpose (see in particular Arts. 6 and 7). Whether or not a site is inscribed on the World Heritage List is decided by the Committee. Sites can only be inscribed with the agreement of the government of the country concerned (Art. 11, 3), and as a rule sites are nominated by the national government. Parallel to the World Heritage List, the Committee also keeps a *List of World Heritage in Danger*. This list is intended to record those World Heritage sites that are threatened "by serious and specific dangers" (UNESCO 1972, Art. 11.4). It is explained in the text of the Convention that the aim of placing a site on this Danger List is so that comprehensive international aid can be organized in accordance with the terms of the Convention.

The text of the Convention explicitly calls for the establishment of a Secretariat to assist the World Heritage Committee in its work, and to be appointed by the Director-General of UNESCO (UNESCO 1972, Art. 14.1) – the second (and permanent) link between UNESCO and the World Heritage regime. With the aid of the advisory bodies (see below), the Secretariat prepares the meetings of the Committee and its documentation, and is responsible for implementing its decisions (Art. 14, 2). In 1992 the Secretariat, as part of the UNESCO administration, was expanded to become the *World Heritage Centre*. In the text of the Convention, specialized institutions are named, whose representatives attend the meetings of the World Heritage Committee in an advisory capacity (UNESCO 1972, Art. 8.3). The preparation of meetings of the World Heritage Committee and implementation of its decisions depend to a great extent on their services (Art. 14.2). The most important of these institutions are the *International Council of Monuments and Sites* (ICOMOS) and the *International Union for Conservation of Nature and Natural Resources* (IUCN). In the Operational Guidelines of 1977, the job of evaluating the nomination dossiers for the World Heritage List is assigned to the advisory bodies (p. 5). They are also substantially involved in monitoring the World Heritage sites.

Articles 19 to 26 of the Convention explain the instrument of international assistance in the World Heritage regime. States can ask the international community for technical, planning, conceptual and financial support in respect of the protection of World Heritage sites if such protection is beyond their own capabilities. The World Heritage Committee decides on requests for international assistance. Since the World Heritage Fund has very limited means, such supportive measures are restricted in practice to developing and threshold countries. In 2003, UNESO's General Assembly adopted a further Convention on the Protection of Intangible Cultural Heritage (*ICH*; cf. UNESCO 2003). The structure of the ICH regime draws, with some important differences, on the model of the established World Heritage Convention. It is quite common that both regimes are confused or mixed with each other in public media.

This concludes our preliminary, "thin" (term borrowed from GEERTZ 1973), rather definitional description of the most important institutions on the global level of World Heritage governance.

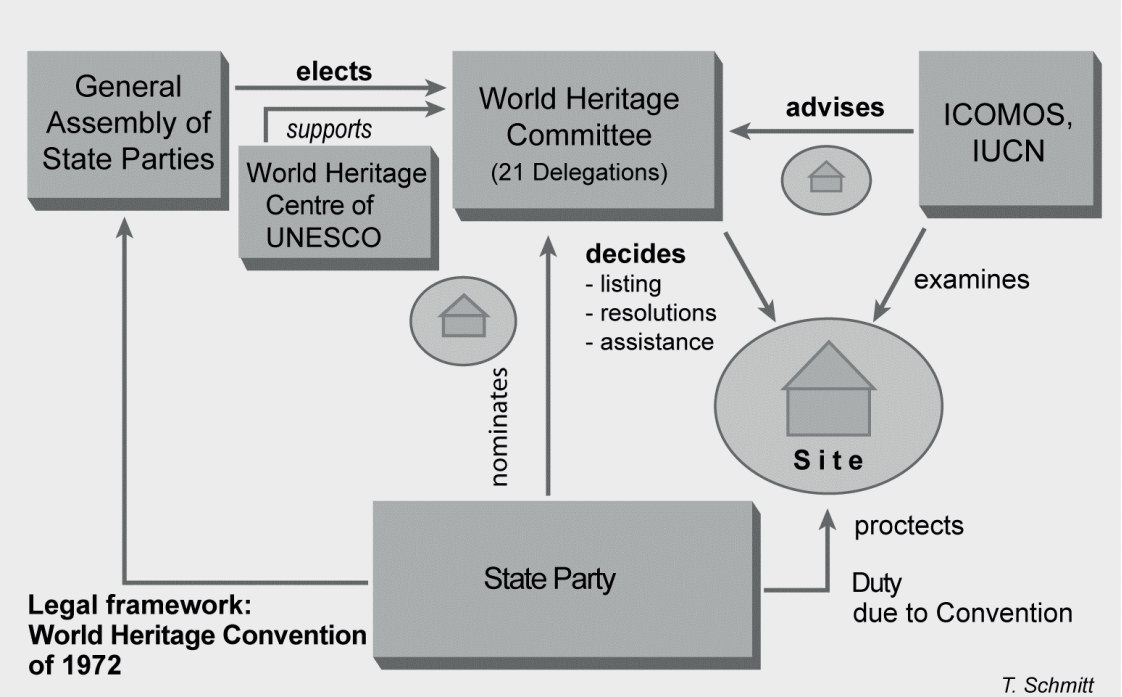

Figure 2: Nomination process and governance structure of the World Heritage regime (SCHMITT 2011a, 424, modified).

4. Remarks on methodology

Empirically, this analysis is based on predominantely qualitative, ethnographical, multi-sited (MARCUS 1995) and multiscalar research on the World Heritage regime carried out between 2004 and 2011 (Fig. 2). The research was dedicated to (1) the global arenas of the World Heritage system, with participatory observation of three sessions (2006, 2007 and 2011) of the World Heritage Committee (WHC), the central decision-making body (see also SCHMITT 2009), and also of the first session of the International Committee for the Intangible Cultural Heritage held in Algier in 2006. The paper also reflects on qualitative, ethnographic research at World Heritage sites in Algeria (especially the M'zab Valley within the Algerian Sahara, cf. SCHMITT 2008a), Morocco (especially the Medina of Marrekesh, cf. Schmitt 2005 and in Germany (especially Cologne Cathedral; cf. SCHMITT/SCHWEITZER 2007). The paper is informed by the analysis of documents produced by UNESCO and the advisory bodies ICOMOS and IUCN, interviews and informal talks with, for instance, site

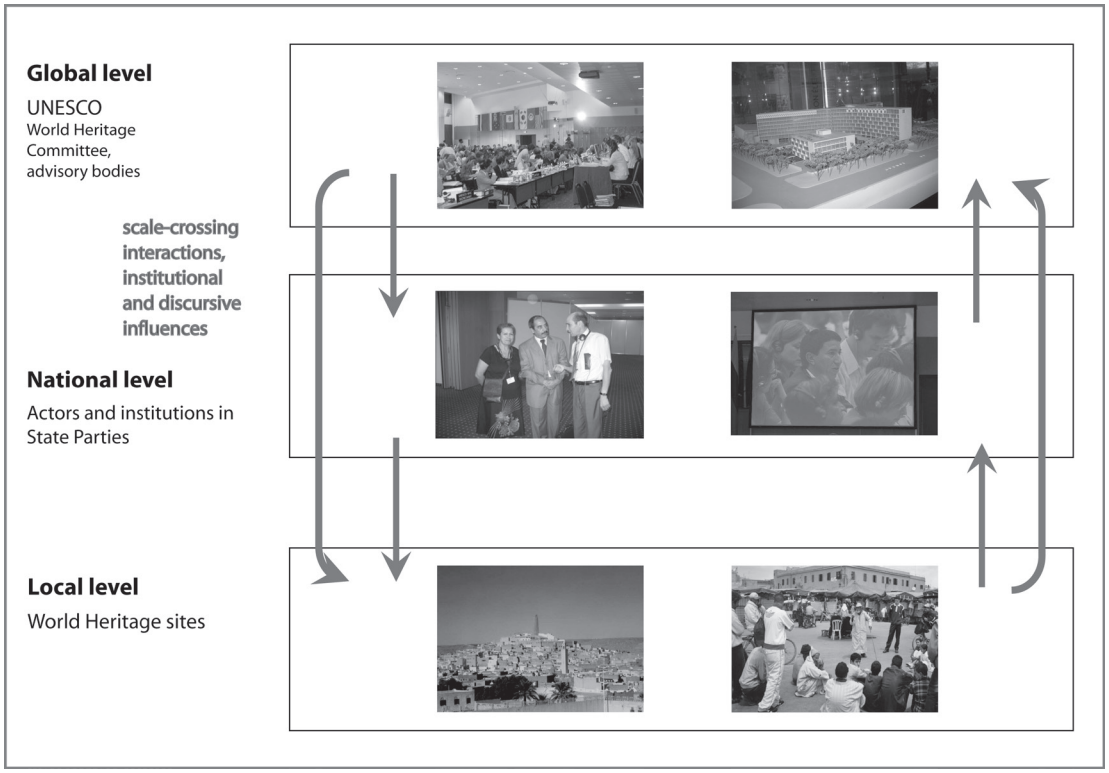

Fig. 3: Research framework for a qualitative, ethnographic, multi-sited and multi-scale research project on the World Heritage regime (translated from SCHMITT 2011a, 423)

managers, responsible officials within national agencies and ministries, and other scholars within the field of Heritage studies.

The paper adopts a multi-level perspective on the World Heritage system, in which „global", "national" and "local" social actors respectively stakeholders and organisations interact. According to a social constructivist approach, such scales are not understood as ontological entities; rather, they are permanently reconstructed by social practises and discourses. Roles and power relations of institutions, organisations and therefore scales within the systems may vary over time. The different scales are normally shaped by different social milieus, languages and also different readings and understandings of the objectives of the Convention. Social actors, organisations, and institutions at different scales interact with each other; pieces of information and ideas may flow both in a top-down- and in a bottom-up direction.

5. What are international regimes?

Let us now proceed to the specific analysis of the World Heritage regime. Both international regimes (such as the World Heritage regime) and international organizations (such as UNESCO) can be subsumed under the notion of international social institutions (cf. HASENCLEVER et al (1997, 10), already KEOHANE (2005, orig. 1984)). International regimes are governance systems (STOKKE 1997) and are part of global governance. International regimes (such as the World Heritage regime) aren't necessarily bound to the existence of international organizations (such as UNESCO); in practice, however, this is generally the case. The notion of international regimes was developed during the 1920s within the discipline of public international law, and has been increasingly picked up, with a delay of several decades, by political scientists (RUGGIE 1975, see also MÜLLER 1993, 17). Theories of international regimes preceded the broader scientific discussion on Global Governance. LIST (2007) points out the difference between a purely juridical notion of regimes, which refers to the stock of international legal norms in different areas, and an approach from a social science point of view, which takes the juridical dimension into account, but is aimed particularly at the practices of social actors who act within these regimes or who are confronted with their effects. This difference, which can only be investigated using qualitative methods, is also relevant to the issue of World Heritage. Jurists tend to discuss decisions of the World Heritage Committee only in terms of their implications according to international law, without taking into account the – sometimes contingent – genesis of such decisions which can be crucial to the legitimacy and feasibility of these decisions in the eyes of local and national social actors.

An often quoted reference definition for international regimes was formulated by Stephen KRASNER (1983, 2). According to him, international regimes are "sets of implicit or explicit principles, norms, rules, and decision-making procedures around which actors' expectations converge in a given area of international relations". International regimes are specific international institutions, focused on a distintive area which, according to newer approaches in regime theory, are socially constructed (cf. LIST 2007, 227). But Krasner's definition has been controversially discussed (HASENCLEVER et al 1997, 9-14). YOUNG (1986, 10) sees Krasner's definition as being conceptually thin, as it scarcely allows the generation of guiding questions for research. And because the decision as to whether or not the expectations of social actors converge in a given institution, should be based upon empirical research and not prejudiced by any definition.

With a slightly different understanding, Harald MÜLLER (1993, 26) defined international regimes as "co-operative [international] institutions, which are characterized by informal, formal, juridical and non-juridical structures – principles, norms, rules and procedures (…). They are distinguished from more general international orders by their restriction to a limited number of policy fields" (translated from the German by Ruth Schubert). As the brackets indicate, Müller's definition requires additionally that regimes "treat conflicts between competing nation states". This may apply to many international regimes. But the World Heritage regime cannot be seen as making any contribution to the management of (ex ante existing) international conflicts. Rather, the opposite seems to be true: on the basis of the World Heritage Convention and the intervention of this global institution in the protection of monuments and natural features of any particular nation, new international conflicts may be generated. The nomination of sites close to borders can breed new interstate conflicts, as recently illustrated by the violent disputes between Thailand and Cambodia over the Preah Vihear Temple (see MISSLING/WATERMANN 2009). Now it would be possible to argue that there are cross-border World Heritage sites (cultural landscapes and natural areas) requiring joint cross-border management, which is potentially conflictive, and that the World Heritage Convention provides the best framework for this. But, in quantitative terms, cross-border sites are clearly in the minority among World Heritage sites: And they are still a comparatively new trend in the continuing development of World Heritage governance. Thus it cannot be claimed that the regulation of conflicts between competing states played a role in the conceptual beginnings of the World Heritage Convention. Thus, in the established definitions of international regimes, there is no conceptual space for a World Heritage regime.

6. Different approaches in Regime Theory and the implementation of the World Heritage Convention

In research on international regimes, a distinction is traditionally made between realistic, interest-based and cognitive/constructivist approaches (cf. HASENCLEVER et al. 1997). It is not possible to discuss these approaches here in depth. Therefore only a few key characteristics of these approaches will be presented. The short discussion is guided by the question of the extent to which these approaches can contribute to a deeper understanding of the World Heritage regime.

Realistic and neorealistic approaches tend to see international regimes as instruments of powerful, hegemonic states. According to neorealists, states are driven by the desire to maximize their own utility function (cf. HASENCLEVER et al. 1997, 84). The neorealists drew the conclusion from their own premises that international institutions serve at best as instruments of hegemonic powers (ZANGL 2006, 121f.). It might be difficult to offer a sound, plausible (neo-)realistic explanation for the genesis of the World Heritage regime. It might be argued that something like the World Heritage regime is only an irrelevant sideshow, beeside the big questions about power relations, security, trade and economics in the international system. During participatory observation at sessions of the World Heritage Committee from 2006 to 2011, it became clear that the Committee and its decisions were not purely dominated by the positions of the US delegations[5] – and it was the US that served, in the eyes of neorealists, as the typical representative of international hegemonic power.

Interest-based approaches regard the development of regimes as arising from the rational strategies of states striving to maximize their own benefit. Theoreticians such as Robert Keohane worked predominantly with game theory models within the Rational Choice approach in order to simulate the conditions which allow cooperation in any particular field between different states (cf. KEOHANE 2005, orig. 1984, 65-84). The agency of a state as a social actor is based, according to these approaches, on strategic calculations that reflect their own interests but also the expected (re-) actions of other states. These approaches try to explain deductively the genesis of international regimes by the preferences of the social actors or states; these preferences were assumed – at least in early interest-based approaches – to be constant (cf. HASENCLEVER et al 1997, 25). Institutions and especially international regimes are able to structure the agency of stakeholders, making the international environment more predictable for all parties. International regimes facilitate cooperation between different states by providing them with mutual information about their cooperation partners within the international system (HASENCLEVER et al. 1997, 34; KEOHANE 2005, orig. 1984). It would hardly be possible to develop a plausible interest-based explanation for the World Heritage regime. The key factor "evident interdependence", which suggests international cooperation, for instance in the fields of security, trade or environmental regimes, is largely absent in the case of World Heritage.

An interest-based approach could argue that national governments hope the World Heritage regime will give them access not only to expert knowledge, but also to

5 However, at the Committee session in Vilnius (2006) the US delegation had a strong, but not hegemonic influence, with India as its main counterpart.

financial resources, for instance for the restoration of historic buildings. On the other hand, the (few) resources at the disposal of the UNESCO World Heritage Fund are provided by the financially strong states, in other words, those states that are normally the driving force behind international agreements. From a rational-choice perspective, the World Heritage regime would be for them, at best, a kind of zero-sum game. Thus, classical interest-based approaches cannot explain the existence of the World Heritage regime.

Under the label of *cognitive* or *knowledged-based approaches* to regime research, HASENCLEVER et al. (1997) bracket together a number of authors and positions, ranging from moderate cognitivists or constructivists to neo-Gramscian approaches in IR. They have in common that they place emphasis on ideas, concepts, convictions and knowledge as explanatory variables for the creation and sustainment of regimes or international institutions – which is, at least principally, coherent with the importance given to ideas and concepts in the wide-range theory sketched in chapter 2. Realists and the varieties of rational choice institutionalism which dominated up until the 1990s, regard the goals and the interests of state governments as exogenous facts; the genesis of these facts require no further theoretical problematization (HASENCLEVER et al. 1997, 136). However, according to cognitivists, international regimes not only reflect the interests of state governments, but can also influence and change them (see Zangl 2006, 139). According to the cognitivists, rationalist approaches have overemphasized the importance of strategic action in the international system, while at the same time underestimating the relevance of role expectations with respect to state governments (see HASENCLEVER et al. 1997, 177). Moreover, national discussion processes during the development of international regimes have not been sufficiently taken into account.

With their emphasis on the importance of new ideas, epistemic communities (which share similar constructions of realities and among which ideas circulate between states) and role expectations in respect of state governments (see RUGGIE 1975, HASENCLEVER et al. 1997, 149), knowledge-based approaches to the creation of regimes seem to be best for describing the genesis of the World Heritage regime. Knowledge-based approaches are compatible with the main lines of the study by TITCHEN (1995), who uses written records of meetings and other documents to reconstruct the genesis of the World Heritage Convention, and who traces the genealogy of the idea of world heritage back to the 19th century. The World Heritage regime appears to have been introduced as an instrument of conservationists (in the field of conservation of monuments and, later, of natural landscapes) within the UNESCO

administration, international diplomacy, universities, and international organizations like ICOMOS, established in 1964. SCHMITT (2008a) has demonstrated that the genesis of the ICH Convention was influenced not only by the interests of parts of the UNESCO administration and research institutes like the Smithonian Institute, or diplomats of certain states like Japan, but also of *one* stakeholder, the internationally renowned Spanish author, Juan Goytisolo, who requested that the oral traditions of Jemaa el Fna square in Marrakesh should be protected by UNESO as an "oral heritage of humanity", because they were being threatened by urban development plans on the square. Juan Goytisolo, who lives in the old town of Marrakesh, can be seen as a scalar hybrid social actor, able to act both on the local and the global levels of a global-local interaction process (Schmitt 2008a). He was also a central node of the epistemic community, setting the protection of intangible heritage at the top of the agenda of an international organization.

The implementation and (partly) the maintenance of the World Heritage regime (and simultaneously of the ICH regime) can be interpreted as the emergence of an idealistic moment within international politics. Neither the protection of cultural sites nor that of (local or regionally scaled) natural sites is evidently necessary from the viewpoint of security, international trade or the systematic mitigation of global environmental risks (like the ozone hole or climatic change). The implementation of the World Heritage regime is thus the reflection of a global *Vergemeinschaftung* (communitization), or of an emerging *Weltinnenpolitik* (world domestic policy) (V. WEIZSÄCKER 1963) of a world society that considers the protection of outstanding cultural and natural testimonies for the common memory of humanity as being absolutely imperative.

Key concepts for the analysis of regimes are, among others, regime design, steering mechanisms, regime compliance of state parties and regime efficacy or regime effects. The following chapters will examine the World Heritage regime in relation to these issues.

7. Fundamental mechanisms of the World Heritage regime

In parts of the international audience, the media and academic discussions, the World Heritage List is reduced to a label, a branding instrument for promoting tourism at World Heritage sites. But the idea of the promotion of tourism was not at the begin-

ning of the World Heritage Convention. In the Convention there is only one mention of tourism: in the context of "tourist development projects". The term is used in an explicitly pejorative sense, in the same breath as volcanic eruptions and armed conflicts, as a factor which might seriously damage World Heritage (UNESCO 1972).

As a rule, the maintenance of international regimes can be explained by cooperation incentives for the national governments concerned, and by their adaptation to role expectations in global governance. However, a reading of the texts of the Convention may not immediately suggest any cooperation incentives in the World Heritage regime. It is only by observing social practice that the essential cooperation incentive becomes clear. It is based on a kind of exchange transaction in which the country and the region or locality concerned are awarded the coveted and prestigious status of having a World Heritage site, which can play a role in the promotion of tourism and help the local economy. In return, the country gives adequate protection to this site. Critics of the current practice of World Heritage governance sometimes claim that the title is awarded too often (see for instance SCHLOEMANN 2006). Supporters answer that by doing so UNESCO helps to ensure adequate protection for more sites all over the world.[6] But the objection that the title is awarded too often, with the attendant risk of devaluing it, is directly related to the exchange transaction on which implementation of the Convention depends. If the title should one day become so common that the incentive of prestige is lost, this would also mean the loss of an essential mechanism for the functioning of the World Heritage regime: its supporters could only hope for the fulfillment of role expectations by local and national actors, and for the normative acceptance by these actors of the World Heritage concept and conservationist principles.

In representations in the media, the World Heritage List of the 1972 Convention and the List of the Intangible Cultural Heritage (ICH) are often confused, which might increase the attention paid to the traditions and practices inscribed as ICH. On the other hand, some of the things inscribed on or nominated for the Intangible Heritage List (such as the *Gastronomic meal of the French,* inscribed in 2010) are questionable and could, in the long run, damage the reputation and functioning of the World Heritage regime of 1972.

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6 For instance, in an informal talk with a representative of ICOMOS, Vilnius 2006, related to the inscription of the old town of Regensburg on the World Heritage List. He argued that not only rare outstanding objects should be inscribed on the World Heritage list, but also other sites of secondary importance, in order to ensure their conservation.

However, it would be shortsighted to reduce the functioning of the World Heritage regime to a kind of a rational exchange between a prestigious title and a soft legitimation to control developments at World Heritage sites. Interviews and informal talks, for instance with responsible officials within the cultural administration in Algeria and Morocco, show that at least some of these national brokers of the World Heritage Convention have, to a high degree, internalized the official principles, values and norms of the World Heritage system and of a globally supervised protection of outstanding cultural and natural features, in the sense of engagement for humanity as a whole. For instance Abdelaziz Touri, for many years responsible for cultural heritage in the Moroccan minstry of culture, said in an interview (2006):

> Inscribing a site on the World Heritage List is an act of commitment on behalf of humanity. The site no longer belongs to the state alone. It belongs to the whole of mankind. And so we have a new duty, a duty to preserve and enhance it, because it is an asset that belongs to everyone. If something belongs to you alone, you are the master of it, you can do what you like with it. But if you share it with others, you have a moral and political obligation to preserve what does not belong to you alone.[7]

This assessment of the World Heritage system as engagement for humanity may be shared by many social actors within the multiscale World Heritage system. But other social actors on the national, regional, and local levels see the World Heritage regime as a tool for tourism promotion or regional development, or for the increase of national or even personal prestige and recognition. Others might act only in accordance with professional role expectations, neither supporting nor questioning the regime values, but acting in accordance with the regime norms. And finally, bureaocracies, who are involved on all levels of the World Heritage system have a general tendency to continue their routines and expand their accountabilities (cf. TAUSCHEK 2011).

The World Heritage List derives its reputation and legitimacy in part from the fact that it is created by representatives of the international community in the World Heritage Committee. On the other hand, a decisive role in the creation and monitor-

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7 Original : « Quand on inscrit un site sur la liste du patrimoine mondial, c'est un engagement vis-à-vis de l'humanité. Ce site n'appartient plus à l'état seul. Il appartient à toute l'humanité. Et donc c'est un devoir en plus que nous avons, c'est un devoir de préservation, de mise en valeur, parce que ce bien-là appartient à tout le monde. Quand quelque chose vous appartient seul, vous en êtes maître, vous en faites ce que vous voulez. Mais quand vous le partagez avec d'autres, vous avez l'obligation morale et politique de préserver ce qui ne vous appartient pas uniquement.»

ing of the World Heritage List is played by professional experts who are organized in the advisory bodies and the UNESCO administration. The public legitimacy of the World Heritage List thus has a double foundation: it is based on a representative organ of the international community and on the expertise of international specialist organizations.

The circumstance that the Convention for the Intangible Cultural Heritage lacks any strong reference to scientific advisory bodies, negatively affects its acceptance, at least within the international expert audience.

The interplay between the Committee and the advisory bodies within the World Heritage regime is crucial not only for its legitimacy, but also for its governance architecture. Ideally, there is a system of checks and balances between these two organs similar to the principle of the separation of powers in nation states. But the balance between the Committee and the advisory bodies is not stable, for in cases of doubt the Committee can ignore the opinion of the advisory bodies in its decisions, without this having any immediate consequences other than atmospheric ones.For a long time, practically from the beginning up to the 2000s, there was an unwritten rule in the Committee that the advisory bodies should not be unduly snubbed and that their opinions should be duly taken into account in all decisions.[8] However, this consensus of many years has been increasingly eroded in recent times; there have been many striking cases in which the Committee did not follow the recommendations of the advisory bodies (meaning that the draft resolutions were watered down in the interest of national delegations), as for instance at the Committee meeting in Paris in 2011, and these cases were described by several interview partners as constituting such a snub. A kind of interest-based self-service mentality (cf. BRUMANN 2010) on the part of many national delegations seems to be increasingly replacing commitment to the conservation of monuments and natural sites. The relatively new influence of the BRIC states in the Committee's discussions is thus ambivalent when it comes to implementing measures for the conservation of cultural and natural heritage.

Among the advisory organizations and the other institutions of World Heritage governance there is a (sometimes productive) tension between cooperation and conflict, or harmony and disharmony of interests, and this also applies to the relationship between the two advisory organizsations (cf. SCHMITT 2009). The votes of ICOMOS and IUCN are usually presented in a monolithic form in the World

8 Talk with Hans Caspary, who was the representative of the Federal Republic of Germany in the World Heritage Committee for many years (2004).

Heritage Committee, which in dramaturgic terms forms a contrast to the controversial debates engaged in by the other members in the process of forming an opinion. Where the advisory organizations have distinct and competing interests and assessments there will have been internal debates and controversies before a common position is reached; but these are not visible externally, in the semi-public arena of the Committee meeting.

A further aspect of the governance structure of both regimes could be regarded as problematic. There is no "appellate body" or "appeal court", before which contested decisions of the World Heritage Committee (or the ICH-Committee) may be renegiotated. On the other hand, it might be argued that the establishment of an "appeal court" would relocate important debates from the Committtee to this body. So the World Heritage regime is characterized by a weak regime design with the (undesirable) possibility of an "exit strategy" for the state parties concerned – the risk of the deletion of a site from the World Heritage List. This happened, for the first time within the World Heritage regime, in the case of the *Arabian Oryx Sanctuary* of Oman in 2007. The governance structure, without a formal appeal body, but with the possibility of renegotiating an issue at the following sessions of the Committee, seems to be an acceptable architecture for the national social actors. In its fourty years of existence, the World Heritage regime has undergone various developments that can be described as increasing professionalization, bureaucratization, scientification, the beginnings of de-Europeanization, NGOization and greater transparency. These also reflect general trends in global governance through international regimes and international organizations.

8. Red Cross or notary: the role of UNESCO in the protection of World Heritage sites

In 1970, during the preparatory stages of the World Heritage Convention, reference was made in a preliminary study by UNESCO on the creation of a "Possible International Instrument for the Protection of Monuments and Sites of Universal Value" to "the growing desire to assign to an international authority the role of a 'Red Cross' for monuments, groups of buildings and sites of universal interest which are in imminent danger".[9]

9 UNESCO (1970, Annex: p. 5), quoted after TITCHEN (1995, 59).

The striking thing about this quotation is the use of the metaphor of the creation of a *Red Cross* for the protection of cultural heritage – at this point there was no question of natural heritage as an object of the new Convention (TITCHEN 1995, 60). Comparable metaphors can be found today to describe the importance and the function of UNESCO. For example, a member of staff of the Moroccan national commission for UNESCO, in an interview with the author, compared this international organization to a *policeman* who ensures from a distance that everything is in order at World Heritage sites: "Si un site est classé, l'UNESCO est devenu le policier, qui voit de loin, si tout va bien."[10]

The metaphors of the Red Cross and the policeman emphasize different aspects: the policeman corners the offender and prevents worse things from happening, while the Red Cross provides emergency aid, treatment, operations and nursing. The metaphors thus refer to different roles which UNESCO could play in relation to World Heritage, or to the different possible regime designs. Bernd von Droste zu Hülshoff, director for many years of the World Heritage Centre, rejects a third conceivable metaphor, that of a military operation: UNESCO has no *rapid deployment troops* to protect World Heritage sites from devastation and destruction, from real or perhaps only assumed adverse effects (DROSTE ZU HÜLSHOFF 1995, 339f).

The institutionalized practice of the World Heritage Convention has become distanced from the Red Cross metaphor. On the recommendation of the advisory organizations, the World Heritage Committee has quite often turned down applications for inscription on the World Heritage List, which would make the sites concerned accessible to World Heritage governance, even though the advisory organization confirmed their outstanding universal value (o.u.v.), according to the substantial criteria formulated in the Operational Guidelines. The reason given for these rejections was the inadequate state protection of the sites. This condition has even been included in the Operational Guidelines of the World Heritage Committee, where it is stated: "To be deemed of outstanding universal value, a property must also [in addition to the substantial criterion, T.S.] meet the conditions of integrity and/or authenticity and must have an adequate protection and management system to ensure its safeguarding" (OPERATIONAL GUIDELINES 2005, Art. 78).

Another problem or characteristic of the World Heritage system should be mentioned: the mandate of the World Heritage Committee is limited to those sites which

10 Interview with a member of staff of the Moroccan National Commission for UNESCO, 2006.

have been inscribed with the consensus of (and which are normally nominated by) the State Party in which the site is located. Degradation and devastation at sites to which an outstanding universal value could easily be ascribed, but which have not been nominated for the List, fall outside the competence and powers of the Committee and of UNESCO in general. This applies, for instance, to the old town of Kashgar, which is situated on the historic silk road, in the Xinjiang Uyghur Autonomous Region in northwestern China. The layout of the old town of Kashgar followed typical principals of Islamic urbanism. In 2009, Chinese authorities, under the pretence of earthquake-proof building, started an urbanist programme, under which the greater part of the old town is currently being destroyed (GESELLSCHAFT FÜR BEDROHTE VÖLKER 2009). Neither the World Heritage Committee nor UNESCO as a whole have, until now, intervened to prevent the destruction of this cultural heritage of humanity. The case of Kashgar, and the general practice of non-intervention with regard to threatened sites which are not inscribed in the World Heritage list, may be seen as a weakness of the World Heritage regime. For an effective World Heritage "Red Cross", the inadequate protection of an important site, whether inscribed on the List or not, ought to be an incentive to become active. If we were to seek a metaphor to describe the function and role of the Committee, perhaps the best would be the less flattering metaphor of a World Heritage *notary*.

People spoken to at different World Heritage sites during my field research, such as Mohammed El Faïz, author of *Marrakech. Patrimoine en péril* (El Faïz 2002), emphasized the supportive, *moral role* UNESCO can play by lending its weight as an international organization to the arguments of local and regional conservationists. But the responsibility for protecting cultural heritage lies in the hands of the local, regional or national conservation authorities; UNESCO cannot replace them. Like all international organizations, UNESCO has two faces, showing *strength and weakness* at the same time.[11]

9. Effects and effectiveness of the World Heritage regime

Since the 1990s, the effectiveness of international regimes has been discussed in the light of empirical research programmes (see YOUNG 1999). But how can the effectiveness of regimes be adequately defined and operationalized? A first distinction

11 Interview with M. El Faïz, Marrakesh 2005.

in research on regimes separates the observable political or legal effects or outputs of a regime (e.g. the enactment of national laws regarding its implementation) from what ideally are measurable and observable physical effects, such as a reduction in harmful emissions in the case of an international environmental agreement. Political regime outputs are certainly not a guarantee of a regime's "substantial" effects (see SPRINZ 2003, 258). However, it is hard in practice to clearly demonstrate the substantial effects of a regime, for instance to prove a causal link between the establishment of an international regime and an observed reduction in emissions; a reduction in emissions could also be due to factors that have no direct connection with the regime. SPRINZ (2003, 261) discusses the possiblity of introducing benchmarks for measuring the effectiveness of regimes. Depending on the object of the regime, these effectiveness benchmarks would relate to parameters such as global emissions of a pollutant. In the effectiveness benchmark discussed by Sprinz, the chronological change of the particular parameter (such as the global emission of a pollutant) is compared with two reference values, firstly a conceivable optimum value (such as zero harmful anthropogenic emissions), and secondly the hypothetical value that would have been expected if the regime had not been established. In the most simple model, it is assumed that an observed change over time of the particular parameter is due entirely to the regime. For many environmental regimes, for instance in the case of the reduction of harmful emissions, such an effectiveness benchmark can certainly be meaningful, despite the methodological difficulties hinted at here. However, for fundamental and practical reasons, the construction of an effectiveness benchmark for the World Heritage regime does not appear to be an adequate means of assessing the effectiveness of the regime. Qualitative constructs such as the authenticity and integrity of World Heritage sites (UNESCO and the advisory bodies work with both terms) would have to be translated into quantitative measures. In addition, developments over time at very different types of World Heritage sites (single monuments, complex old towns, natural features, ecosystems, …) would have to be averaged in order to obtain an overall measure of the effectiveness of the World Heritage regime. Of course it would not be impossible to define benchmarks in carefully delimited areas which could be used as partial measures, for instance of the authenticity of a monument. For example, in historic building research it is customary to estimate and name the proportion of historical fabric in the existing fabric of a building. But beyond this kind of quantitative value, which can fairly easily be estimated or measured, there seems to be, at least within a realistic expenditure of time, no way of making a quantitative evaluation of changes in the visual and aesthetic qualities

of cultural landscapes. With other objects, the determination of such values would seem to be not so much a theoretical problem as a practical problem of how to elicit the data. Now, establishing measures of effectiveness is not the only method used to describe the effectiveness of regimes in the social sciences. One multi-national research project on the effectiveness of environmental regimes, under the leadership of Oran R. Young, used a multi-dimensional concept of regime effectiveness (see YOUNG 1999; YOUNG/LEVY 1999). The authors define effectiveness as making a contribution to solving a set, concrete problem. Using the example of environmental regimes, YOUNG/ LEVY (1999, 12) link the concept of regime effectiveness to the "direct reductions in environmental stresses that are attributable to observation of regime rules and procedures." In addition to this "problem-solving approach", YOUNG/ LEVY (1999, 4-6) try to distinguish other approaches to determining the effectiveness of regimes. In this context they mention a legal approach, an economic approach, a normative approach and a political approach. For our discussion of the World Heritage regime, we will distinguish the following dimensions of the regime's effects (see Tab. 1):

- physical material effects and effects related to physical-material space, effects related to natural features (for instance animal populations within natural landscapes)
- effects for subjects, for instance inhabitants of a World Heritage site
- institutional, particularly political and legal, effects
- further effects related to social subsystems (for instance economic effects)
- discursive effects.

We can speak of an effect of the regime in the narrow, *direct* sense if some local action (or abstention from acting) is the direct result of a decision taken by the World Heritage Committee (as the chief authority in the World Heritage regime) or at least of an intervention by the UNESCO administration. However, the World Heritage Committee does not govern from the top right down to the bottom, and, since it has no way of imposing sanctions, it is dependent on the cooperation of national and local actors which is, ultimately, voluntary. We can speak for instance of physical material effects in the broad, *indirect* sense when local institutions or actors anticipate the possible reactions of the World Heritage Committee and allow this to influence their decisions. Empirically, the detection of institutional effects of the regime is not always easy, as shown by the following example from Algeria: In 1998 the laws relating to the conservation of national heritage in Algeria were reformed. New conservation instruments were thus introduced, such as the concept of a safeguarded

sector (LOI N° 98-04). Interviews with employees of the Algerian ministry of culture showed that this instrument was especially intended to improve protection of the country's World Heritage sites. While there is no explicit mention of this intention in the text of the law and in other official texts relating to the law, it was revealed empirically in the course of discussions with the actors involved. The introduction of these instruments was in no way due to explicit suggestions made by the World Heritage Committee.

In what follows, we will draw some conclusions regarding the effectiveness of the World Heritage regime at the sites studied.

1) Physical material and space-related effects

The primary objectives of the World Heritage Convention (not of the ICH Convention), are to a great extent related to conservation practices (for buildings, objects, landscapes or natural features), and therefore intended regime outputs are regularly linked to physical material and space-related effects. At some World Heritage sites known to the author (such as M'zab Valley/Algeria; Marrakesh/Morocco), the World Heritage regime has had, until now, practically no space-related or physical material effects as a result of *direct* interventions by the World Heritage Committee. However, projects such as the restoration of monuments in accordance with the principles of the Convention, which have been conducted in the M'zab Valley by the regional heritage office since the 2000s, can be categorized as *indirect* physical material regime effects. At other World Heritage sites, the spatial effects of *direct* interventions can be clearly demonstrated where, for instance, UNESCO's intervention succeeded in stopping new constructions affecting the World Heritage site. A striking example is the case of the World Heritage site Cologne Cathedral/ Germany. In 2004, the Cathedral was inscribed on the List of World Heritage in Danger, after plans had been made for the construction of high-rise buildings at a distance of one kilometre from the cathedral. In UNESCO's view, these buildings would have negatively impacted the "visual integrity" of the cathedral in the urban landscape (cf. SCHMITT/SCHWEITZER 2007). With regard to the ruined Roman town of Tipasa/Algeria, the interventions by the World Heritage Committee in the 2000s set in motion, among other things, the relocation of families living on the site and the construction of a new sewer system. Even if the number of sites discussed at each session by the World Heritage Committee is only about ten per cent of all World

Heritage sites, the World Heritage regime is designed in such a way that local and national authorities must always reckon with the possibility of interventions, and should anticipate them by providing for adequate protection of the site of their own accord.

Local conservation authorities at World Heritage sites, members of civil society, and to a certain extent other administrations, utilize the status of the World Heritage site for initiating conservation projects or taking steps to combat problems created by third parties. It cannot be claimed that the World Heritage regime had a clear causal, direct effect on these projects: such projects arise from complex interactions between actors and institutions, and the resulting social arrangements cannot be explained by any mechanistic concept of causality. However it can be assumed that it would not have been possible (at least in many cases) to mobilize financial, material and human resources for such projects to the same degree without the site's World Heritage status. The World Heritage regime can thus be credited with achieving certain desired physical material effects without any direct intervention on the part of the World Heritage Committee.

2) Effects and consequences for subjects

The inscription of a site, a town or a natural landscape as World Heritage and interventions related to this inscription (by UNESCO or national or local authorities) might affect the living conditions, incomes, livelihoods, self perceptions or external reputation of inhabitants of the site or its surroundings, in a positive or negative way. Indigenous groups, for instance, have been increasingly claiming in recent years that their interests weren't adequately considered in decisions by the Committee or interventions by national authorities at World Heritage sites -despite the participatory rhetoric in UNESCO publications (see DISKO/ TUGENDHAT 2013). It can be assumed that the ICH Convention has recognizable social (and even psychological) effects on the bearers of the traditions inscribed on the Representative List (for an example see SCHMITT 2011a, 343).

3) Institutional and legal effects of the regime

The World Heritage regime is characterized by the dilemma that it is often regarded in an ideal sense as providing the highest standards of protection in the world, and yet the countries concerned normally have no national legislation defining the nature and scope of such protection. In view of this lack of general rules, it is not surprising that for many years UNESCO has endeavoured to ensure that all new World Heritage sites are legally protected, as well as possible, on the national level (for instance by being officially declared as a conservation area or national monument). But normally, a site or area nominated for the World Heritage List is expected to be placed in the highest possible legal protection category. Institutional regime effects can follow direct interventions by the World Heritage Committee. One example: As a consequence of the conflict between UNESCO and the City of Cologne about the planning of high-rise buildings opposite the Cathedral, the city council enacted a local high-rise building statute (*Höhensatzung*) in 2007 (cf. STADT KÖLN 2007).

4) Further effects related to social subsystems

Besides these effects of the regime, which in many cases were intended, the World Heritage system has stimulated the creation of local, regional and national institutions and associations, such as the local *Coordination for World Heritage* in the town of Regensburg/ Germany or the international *Association for World Heritage Cities*. The World Heritage regime might also lead to additional regional income at World Heritage sites, due to a rise in the number of annual tourists (cf. HENGER 2006), or at least hinder economic activities which are not in accordance with official conservation philosophies.

5) Discursive effects of the regime

In recent years, cultural heritage has become an important issue in many parts of the world. The spread of the World Heritage concept is significant for UNESCO's own institutional interests to the extent that it is a means of increasing UNESCO's reputation in the global society. The main hope of supporters of the World Heritage Convention must be that the discursive effects of the regime will find expression in social practice, in appropriate institutions and legal standards, and especially that

they will leave *traces in the landscape*, to borrow the wording of W. Hartke, or help to prevent the creation of undesired traces. In contrast to such visible and tangible results, the often heard positive references to the World Heritage concept might amount to nothing more than ineffective and tedious rhetoric, in local, national and international contexts.

6) Contraproductive effects of the World Heritage regime

It is basically conceivable that regimes have contraproductive effects that are inconsistent with the official goals of the regime (YOUNG/ LEVY 1999, 14). Contraproductive, unintended effects of the World Heritage regime might have physical-material and space-related, but also institutional, subject-related, social and discursive aspects. A rise in tourism at World Heritage sites is referred to by specialists as one of the effects of the regime which can be regarded as both positive and negative. Increased tourism can boost the local and regional economy, and to this extent it is an effect of the regime which, although not originally intended by the World Heritage Convention, is frequently regarded by local and regional actors as a desirable side effect (see also HENGER 2006); in some cases it even seems to be the chief reason for wanting to gain World Heritage status. UNESCO occasionally uses the tourism argument strategically in order to promote the World Heritage Convention. In the debate over World Heritage, the concern is often expressed that increased tourism will lead to the degradation of the sites (see also ICOMOS 1993). And each "Heritagization" of objects, traditions and practices potentially goes hand in hand with their banalized and decontextualized reproduction, their Disneyfication.

Another possible undesired effect, is that strict implementation of the required protection measures can block economic development at the site. Indeed, it is in the interest of the World Heritage regime's corporate actors to prevent certain developments at World Heritage sites – namely those which could reduce their value as cultural and natural heritage. At the end of the day, whether the regime's effects are desirable or undesirable is a matter of perspective.

Finally, the recent flaring up of the dispute between Cambodia and Thailand on the occasion of the inscription of the Temple of Preah Vihear on the World Heritage List can be regarded as a serious undesired effect. However, this must be regarded as a special case in the history of the UNESCO World Heritage regime.

	M'zab Valley/Algeria	**Cologne Cathedral/Germany**
Physical-material effects	*Direct*: -- *Indirect*: Restoration of ksar houses and monuments by local restauration authority	Non-realization of planned high-rise buildings opposite the Cathedral
Failure of physical-material effects	Non-limitation of conurbanization in the Valley	
Subject- /group-orientated effects	*For instance:* Potentiality of positive recognition of nationally marginalized M'zabi society. Restoration of dwelling houses by heritage office -> changes living conditions for inhabitants. Limitation to refurbishment measures for house owners	Potentiality of positive identification of inhabitants with the city due to World Heritage status
Institutional effects	*Indirect:* Inscription of the Valley as a safeguarded sector (2005) *Indirect, national level*: Introduction of the category of safeguarded sectors within national heritage legislation (1998)	Enacting of a local high-rise building statute (*Höhensatzung*) by city council, due to pressure of WH Committee, in 2007
Discursive effects	Regional discursive spread of the (World) Heritage idea by regional restoration authority	National discursive spread of the (World) Heritage idea due to debates about conflict on World Heritage site Cologne Cathedral.

Table 1: Different regime effects at selected World Heritage sites

Direct effects are operationalized as those effects which can be directly related to specific interventions by the World Heritage Committee or the UNESCO administration.

10. Modes of global-local World Heritage governance

The World Heritage Committee is permanently concerned with concrete issues relating to urban and landscape planning around the world, as the following cases testify: bridge-building in Dresden, the degradation of hydraulic systems in the oasis gardens of M'zab, new high-rise buildings in London and Cologne, and the resettlement of families in Tipasa in Algeria. But what are the modes of interaction between local and global actors involved in World Heritage governance? Table 2 is an attempt to compare the different kinds of influence exerted by UNESCO at World Heritage sites,

and thus different modes of global-local World Heritage governance. It is possible to distinguish two main dimensions of UNESCO's influence on local actors and institutions, namely a cognitive and discursive dimension, and an institutional/regulative or actor-driven dimension. This distinction is in accordance with our basis assumptions about the role of ideas and concepts for the structuration of society and with the recognition of international organizations as global standard setters, promoting ideas all over the world (BØÅS/MCNEILL 2004; MEYER 2005). Individual World Heritage sites can be entered in the different fields of the matrix, at least for certain time periods. The table shows how UNESCO's influence on a particular World Heritage site has changed over time. The categories of the matrix are explained below:

1) UNESCO's discursive influence

There are the following basic possibilities with regard to the local discursive influence of UNESCO:

Discursive absence: UNESCO and the World Heritage theme as discursive subjects are largely absent at the World Heritage sites and are practically never discussed.

Discursive disapproval or rejection: UNESCO is present as a discursive subject, but the local governance culture or the local mainstream discourse and local decision-makers largely reject the World Heritage idea. UNESCO itself is marked as an irrelevant organization. However, there can be another discourse, maintained for instance by activists interested in the conservation of cultural and natural heritage, which approves of the World Heritage concept and which opposes the mainstream discourse.

Discursive acceptance and approval: The World Heritage concept and UNESCO are approved of in the mainstream discourse, and are referred to quite often. However, differences can be observed between individual World Heritage sites, depending on the extent to which official recognition of the World Heritage concept ("*talk*") finds expression in serious implementation of an appropriate safeguarding policy ("*action*").

It is not possible to show all intermediate stages or special cases in this short, simplified matrix. Let us mention two examples.

There may be people at World Heritage sites (including local politicians or administrators) who are interested in conserving *their own* cultual heritage, but for whom – at least in their own conscious perception and self-reflection – the declaration of the property as a UNESCO World Heritage site is only of minor importance

(for an example see SCHMITT 2011a, 309). We can also construct a contrary case, in which the actors are more interested in the cultural production of World Heritage than in preserving that heritage "for its own sake". In 2007/2008 in the city of Dresden, a T-shirt bearing the word "*Titelverteidiger*" (defender of the title) was distributed by opponents of the new bridge over the Elbe, whose construction finally led to the loss of the World Heritage title for Dresden Elbe Valley. At least ostensibly, it appears that maintaining the World Heritage title was more important to the activists than the dispute over the construction of the bridge. Would these people have opposed the building of the bridge if it had not constituted a threat to Dresden's World Heritage status, regardless of its effects on the cultural landscape? This reflection is not intended to discredit the commitment of the people of Dresden in any way. Rather, this example shows that by awarding the World Heritage title or by subsequent interventions, UNESCO gives important orientation, showing people what is worth fighting for. Discursive acceptance of the World Heritage idea must be important for UNESCO, if only because institutionally it does not have the capacity to participate in the governance of all World Heritage sites simultaneously.

2) Institutional/actor-driven influence

Analogous to its discursive influence, several possibilities can be distinguished in the case of UNESCO's institutional or actor-driven influence on World Heritage sites:

a) Absence of UNESCO as a corporative actor/stakeholder: In this case, UNESCO is largely absent as an actor at the local level. Neither the World Heritage Committee nor the staff of UNESCO are currently concerned with these World Heritage sites. There may be a weak form of institutional contact by means of the relatively new instrument of periodic reporting.

At its annual meetings, the UNESCO World Heritage Committee currently concerns itself with an estimated 150 sites with local conservation problems. It discusses possible interventions at about 30 of these sites; in all other cases where support has been requested, decisions are made without discussion. One might consider this to be remarkable. But conversely, it means that in any one year the Commitee does *not* concern itself with the great majority of World Heritage sites. The institutional absence of UNESCO in the local governance of World Heritage is thus the rule and not the exception. The normality of UNESCO's non-intervention may also be seen as an expression of the subsidiarity principle.

If certain World Heritage sites are not discussed in the global arena of the World Heritage Committee, this could be (1) an expression of the fact that there are no serious problems at these sites from the point of view of conservationists, or that they can be dealt with by means of local and/or national governance mechanisms. It is also conceivable that (2) important problems do not reach the global level of World Heritage governance, or actors from civil society have no access to UNESCO. Finally, it is possible that (3) the UNESCO World Heritage Centre receives reports and information about problems at particular sites – for instance from conservation authorities, NGOs, or tourists – but that in the course of internal processing these problems are assessed as being not (yet) serious enough, or as having low priority in comparison to other sites, or they may move out of UNESCO's view again, perhaps for extraneous reasons.[12]

b) Cooperation-based intervention or "support-driven" global-local governance: Occasionally, UNESCO ceases to be institutionally absent and appears at World Heritage sites as an actor, at least for a limited period of time. This occurs particularly in connection with the instrument of technical assistance, which may involve sending experts to advise on particular problems, or providing financial aid, for instance in order to commission necessary studies. In formal terms, such technical assistance must always be requested by the government of the country concerned. It may also happen that the World Heritage Committee suggests that a government should request technical assistance, after receiving news of problems at the site or in order to resolve an acute conflict.

UNESCO's explicit cooperation with certain government authorities on the national and local levels does not exclude the possibility that these actors might be involved in conflicts with other local and national actors. Thus, UNESCO enters a conflict-loaded political arena on the side of the institutions officially responsible for the conservation of cultural heritage, and backs up their position. Thus, there is no clear dividing line between cooperative intervention and conflictual relationships among actors on the global and local levels.

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12 The latter was the case with the treatment of conservation problems within the old town of Marrakesh: A local appeal to UNESCO for the safeguarding of the city, initiated by M. El Faïz in 2004 and then discussed in UNESCO's World Heritage Centre, sank into oblivion within UNESCO's administration before 2007 (interviews with M. El Faïz in 2005 and UNESCO staff members 2004 and 2007).

c) Conflict-driven global-local governance: The third main mode of global-local governance, besides absence or cooperation, is conflict. In this mode, UNESCO appears as a corporate actor, with its moral authority, its symbolic capital as a United Nations organization, and in a way as an organ of global society, in order to oppose various plans, projects or developments at World Heritage sites. In accordance with the terms of the World Heritage Convention, UNESCO can only use soft sanctions, such as placing a site on the List of World Heritage in Danger or removing a site from the World Heritage List. But just the threat of one of these measures can lead to agreement, or to a long process of consultation and interaction between UNESCO and the national or local authorities. This presupposes that the local and/or national actors respect UNESCO and their own internationally binding obligation to protect the sites, and/or they fear at least losing their standing on the national or international stage, and/or possible negative consequences such as a fall in the number of tourists. The conflict lines between declared conservationists and their opponents cannot be construed as conflicts between different spatial scale levels, in other words as scalar conflicts. For frequently it is local civil-society actors, or even local or national authorities, who appeal to UNESCO for help because they have not succeeded in asserting their position.

As a rule, the conflict mode of governance is gradually replaced by the cooperative mode, until UNESCO can return to its usual mode of institutional absence; it is also conceivable that after a certain time the conflict-cooperation cycle will begin all over again.

Within the terms of the text of the Convention, the greatest conceivable level of escalation is reached when the site is removed from the World Heritage List. This resolves and formally ends the conflict, and also puts an end to the special global-local governance relationship with respect to the site. In *worst-case* scenarios, it is conceivable that a conflict could still continue to escalate beyond this event.

Cognitive and discursive influence of UNESCO / Institutional/ actor-driven influence of UNESCO	Discursive absence of UNESCO and the World Heritage concept	Predominant disapproval of UNESCO and the World Heritage concept / or public dispute about World Heritage	Predominant public approval of UNESCO and the World Heritage concept
Absence of UNESCO as a corporative actor	Marrakesh 1985-1991, 1994-96 Cologne 1997-2003	M'zab 1982-1996 M'zab 1997–2003	Dresden 2004
Institutional cooperation between local authorities and UNESCO (either in respect of certain points or on a comprehensive scale)	Marrakesh 1992-93	M'zab 2004	M'zab 2007 Marrakesh 1997
Manifest conflict between UNESCO and local or national actors	(--)	Dresden 2006-2008 Cologne 2004–2006 Fez 2003–2004	

Table 2: Modes of global-local governance at selected World Heritage sites

The years are indicated in order to give an approximate chronological orientation.

11. Conclusion: UNESCO as a soft hegemon?

In this paper we have discussed certain facets of governance in the UNESCO World Heritage system from the perspective of regime theory. This discussion can complement approaches to World Heritage rooted in Cultural Studies, Cultural Anthropology, or (New) Cultural Geography. The analyses of the case of UNESCO's World Heritage system may potentially also be useful for the general reflection of regimes in International Relations (IR). We have shown that UNESCO is largely dependent on acceptance of the idea of the World Heritage Convention by local and national actors, if the regime's goal of optimum protection for World Heritage sites is to be met. Moreover, the List of World Heritage in Danger is an important instrument

for ensuring compliance by local and national actors with the regime's standards, through its "shame-and-blame" effects (SCHMITT 2009).

The protection of cultural and natural heritage, which is what the World Heritage Convention is all about, can be interpreted from its genesis at least in part as a counter-hegemonial idea that opposes the uncontrolled exploitation of nature, or unchecked modification of traditional cultural landscapes in the name of economic development or modernization. Conversely, a neo-Gramscian critique of the World Heritage concept,[13] or a critique inspired by Critical Theory, could argue that (1) restricting the area of application of the World Heritage Convention to so-called outstanding, iconic, narrowly delimited sites could even encourage the destruction of nature and cultural heritage on a broad scale. If the iconic sites are protected, it is easier to destroy nature or traditional culture in other areas. In addition, it can be argued that (2) the World Heritage List tends to reinforce notions of high culture that are compatible with and even useful to a certain kind of capitalist social organization. The World Heritage Convention represents a conservative and not a progressive concept of culture, and it fails to consider prevailing social conditions. It would thus seem that whether the World Heritage List is interpreted as a hegemonial or a counter-hegemonial project, is a matter of perspective – as far as one accepts such a dichotomized view of social reality, which this author does not. However, irrespective of a possible "hegemonial" reading, empirical studies in this field show that local protagonists of the World Heritage Convention tend to perceive themselves as occupying a position that is opposed to the (local, national) political mainstream and thus also indirectly to hegemonial discourses. Moreover, the actors in World Heritage governance enter into conflicts, at least to a limited extent, in order to protect World Heritage sites and their environments from alteration in accordance with "hegemonial", especially capitalist, ideas with respect to using and designing space. If the term hegemon can be applied to UNESCO at all, loosely following neo-Gramscian usage, then it has to be a kind of soft, and in my view not unattractive, hegemon that possesses practically no means of coercion, and which is therefore dependent in almost every case on the power of the better argument.

In a more remote future, the World Heritage regime will probably not be criticized for its basic intention or its immanent paradoxes. In retrospect, its joining of the natural and cultural realms in an international institutional context may perhaps be

13 For a general neo-Gramscian critique of international organizations, especially economic organizations, see BØÅS/MCNEILL 2004. Any original neo-Gramscian critique of the World Heritage regime is unknown to the author.

seen as groundbreaking. Today's World Heritage regime will most likely be criticized by future authors for not intervening more directly, for contributing too little to the preservation of the sites, for acting as the notary rather than the Red Cross of World Heritage, and finally for the fact that the World Heritage idea failed to have sufficient influence on many decisions made by local and national authorities. But there will also be expressions of appreciation for all that the regime has achieved, despite its deficits, and for what it has constantly and unremittingly defended (cf. SCHMITT 2011a, 402).

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