



LJMU Research Online

Kanellopoulou, E, Panayiotopoulos, A and Pavlidis, SA

Cultural heritage beyond juridification: towards a place-first research agenda

<http://researchonline.ljmu.ac.uk/id/eprint/22418/>

Article

Citation (please note it is advisable to refer to the publisher's version if you intend to cite from this work)

Kanellopoulou, E, Panayiotopoulos, A and Pavlidis, SA (2024) Cultural heritage beyond juridification: towards a place-first research agenda. Journal of Place Management and Development.

LJMU has developed **LJMU Research Online** for users to access the research output of the University more effectively. Copyright © and Moral Rights for the papers on this site are retained by the individual authors and/or other copyright owners. Users may download and/or print one copy of any article(s) in LJMU Research Online to facilitate their private study or for non-commercial research. You may not engage in further distribution of the material or use it for any profit-making activities or any commercial gain.

The version presented here may differ from the published version or from the version of the record. Please see the repository URL above for details on accessing the published version and note that access may require a subscription.

For more information please contact researchonline@ljmu.ac.uk

<http://researchonline.ljmu.ac.uk/>



Cultural heritage beyond juridification: towards a place-first research agenda

Journal:	<i>Journal of Place Management and Development</i>
Manuscript ID	JPMD-05-2023-0045.R2
Manuscript Type:	Academic Paper
Keywords:	cultural heritage, juridification, touristification, UNESCO, Rhodes

SCHOLARONE™
Manuscripts

Title:**Cultural heritage beyond juridification: towards a place-first research agenda*****Purpose:***

This paper proposes a research agenda towards a holistic, grounded, and flexible approach to cultural heritage, that can address social challenges and transformations in the context of place. It critiques the dominant/hegemonic cultural heritage narratives, deriving from juridification, and calls for a grounded approach in the way cultural heritage is framed and experienced.

Design/methodology/approach

The paper is conceptual, focusing on the need to open a line of enquiry into the relationship between legal texts, cultural heritage narratives, and social challenges and transformations. It follows the letter of the international conventions on cultural heritage against the worked example of the Medieval Town of Rhodes in Greece.

Findings

The paper sets the relevant research priorities for the investigation of the effective relationship between cultural heritage and social challenges in the context of place, and further stretches the need to evaluate the role of legal and regulatory texts to that effect.

Originality

The paper identifies new priorities for thinking about the effects of juridification/the law, cultural heritage, and social challenges/transformations in a place-specific context. It seeks to open new avenues of scientific explorations and new

1
2
3 interdisciplinary dialogues between a variety of disciplines that are relevant to the
4 way a place engages and addresses social challenges and transformations.
5
6
7

8 9 **1. Introduction: a new agenda for cultural heritage**

10
11 Cultural heritage is a major force in shaping social identity and has the potential to play
12 a key role in enabling local communities to enhance their transformational capacity
13 (Hassan, 2020). Indeed, social transformation lies at the core of the need to preserve
14 cultural heritage, as witnessed first and foremost in the legal texts pertaining to the
15 preservation of cultural heritage (mainly at international/UNESCO level). The present
16 paper will delve into the letter of these texts and seek to consider a place-specific
17 agenda for dealing with cultural heritage, by providing the example of the Medieval
18 Town of Rhodes (Rhodos island) in Greece.
19
20
21
22
23
24

25
26
27 The main question that the paper aims to consider is if (and how) this relationship
28 between cultural heritage and social challenges can be reciprocal; in other words, if,
29 and to what extent cultural heritage can help societies and individuals address social
30 challenges and transformations at the local level (e.g. environmental
31 degradation/climate change, population ageing, touristification, heritagization,
32 commodification etc.), with a view to greater sustainability in the face of such global
33 social changes and concerns. The present paper will demonstrate that cultural
34 heritage's ability to achieve this remains slim, because of the current protectionist and
35 hegemonic frameworks that fail to account for its holistic and ever-evolving nature.
36
37
38
39
40
41
42
43
44

45
46 As it is shaped, reinterpreted, and influenced by evolving social, political, and
47 economic contexts creating new meanings, new cultural forms and hybrid identities,
48 cultural heritage is constantly changing on multiple levels, including its material
49 aspects, the interpretation of its meaning, or its various uses in society and economy
50 (Byrne, 2008). In that respect, cultural heritage is particularly susceptible to the effects
51 of urbanisation, demographic and climate changes, technological advances, and the
52 impact of social and political movements. This is even more evident in the context of
53 historic urban ensembles or historic urban landscapes, where such social
54 transformations condense. We are therefore in need of a comprehensive framework
55
56
57
58
59
60

1
2
3 that will not only tap into the potential of cultural heritage, unearthing synergies and
4 developing frameworks for future discussions, but will also help reframe what cultural
5 heritage means with respect to people's lived experiences, contributing to quality of
6 life, enhanced sense of cohesion and sense of identity and belonging.
7
8
9

10
11
12 To this aim, we propose a research agenda that aims to help address social challenges
13 and transformations through cultural heritage from the ground up and in a place-
14 specific manner,¹ whilst also recognising the interpretative challenges that the multi-
15 layered legal protection of cultural heritage has brought to the limelight. We thus
16 evaluate the impact of making and applying "more law" to the protection of cultural
17 heritage, exploring how the patchwork of applicable legal texts, provisions, and
18 policies can have detrimental effects to the protected places instead. The overarching
19 aim is to experience, explore, and appreciate the two-way relationship between
20 cultural heritage and social challenges and transformations beyond the effects of
21 juridification (Teubner, 1998; Habermas, 1985); beyond the recycling of
22 hegemonic/dominant cultural heritage narratives that the interpretation and the
23 codification of the law creates. A new grounded framework will focus on how cultural
24 heritage can be conceptualised and practically employable instead.
25
26
27
28
29
30
31
32
33
34
35
36

37 We posit that the tenets of this research framework should comprise socio-legal,
38 sustainable, political, tourism, and living heritage approaches, and focus on:
39
40
41

- 42 - Understanding the **local level** of global social challenges and transformations
43 and their interrelation with respect to residing in, experiencing, visiting, and
44 managing cultural heritage,
45
46
- 47 - Re-envisioning the **multiple layers of cultural heritage beyond the legally**
48 **imposed perspective**,
49
50
- 51 - Making sense of the holistic/inclusive aspects of cultural heritage as a result of
52 intergenerational and intragenerational **cultural dynamics**,
53
54
- 55 - Ensuring that **local communities are consulted and taken into account in**
56 **relevant decision-making processes and managerial plans**;
57
58

59 ¹ See for example UN Educational, Scientific and Cultural Organisation (UNESCO), Recommendation
60 on the Historic Urban Landscape, 10 November 2011, available at: <https://whc.unesco.org/en/hul/>

- 1
2
3 - **Drafting generalisable and practicable conclusions that can be put to**
4 **direct use by policy-makers and understood by the communities** that live,
5 work, and experience cultural heritage in places.
6
7
8
9

10 To bring this to life, the rest of the paper develops as follows: at first, the paper
11 addresses the relationship between cultural heritage protection and social challenges
12 and transformations, laying the foundations of the discussion. The paper then seeks
13 to identify the root cause of the division between cultural heritage narratives and their
14 impact on the ground, by deep diving into the current legal frameworks for the
15 protection of cultural heritage internationally and in Greece. In context, the paper
16 discusses juridification and the creation of dominant cultural heritage narratives. It
17 critiques the engulfment of cultural heritage by such legally derived, rigid and
18 hegemonic narratives that effectively create policy enclosures and semiotic loops. The
19 paper then presents the case of the Medieval Town of Rhodes (Rodos) in Greece, to
20 situate the research agenda against a worked example of a heritage site undergoing
21 significant challenges and transformations. Subsequently, the paper invites a broader
22 dialogue between disciplines and discourses (as above), aiming to position cultural
23 heritage in place and challenge specific contexts. We posit that cultural heritage can
24 then be reframed from the ground up and face social challenges and transitions, as
25 they arise.
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40

41 **2. Appreciating social challenges and transformations through cultural heritage**

42
43

44 Cultural heritage has recognised value in international legal texts and national
45 legislation, having been a UNESCO area of priority since the World Heritage
46 Convention of 1972 and the 1954 Convention for the Protection of Cultural Property in
47 the Event of Armed Conflict before that.² Indeed, both Conventions highlight the need
48 to preserve world cultural heritage from physical and societal threats (war explicitly or
49 broader changing social and economic conditions) and turbulence. A world with
50 diminished cultural heritage is described as impoverished, and signatories to the
51
52
53
54
55
56

57 ² UN Educational, Scientific and Cultural Organisation (UNESCO), *Convention Concerning the*
58 *Protection of the World Cultural and Natural Heritage*, 16 November 1972 and UN Educational,
59 Scientific and Cultural Organisation (UNESCO), *Convention for the Protection of Cultural Property in*
60 *the Event of Armed Conflict*, 14 May 1954

1
2
3 Conventions are called to introduce a series of regulatory, educational, and research
4 priorities to counter the detrimental effects that physical and societal deterioration can
5 have on the preservation and enjoyment of world cultural heritage.
6
7
8
9

10 Additionally, on a European level, the Council of Europe recognised the existence and
11 the importance of a European cultural identity built on common heritage, and
12 expressed the need to inform national policies and facilitate bilateral cultural
13 agreements between members of the Council; a need enshrined in the letter of the
14 European Cultural Convention.³ The European Union also builds on notions of
15 common European cultural heritage on policy level, having awarded its own “European
16 Heritage” label.⁴ Stemming from an era of war and division both in Europe and around
17 the world, these treaties and international efforts emphasise cultural heritage as a
18 means to avoid the humanitarian catastrophes of war and celebrate common heritage
19 as a declaration of what ties humanity together.
20
21
22
23
24
25
26
27
28

29 We can therefore observe that a common cultural heritage policy and priority is sought
30 in the international arena: the aim is to foster (and perhaps impose) common
31 perceptions and narratives of heritage, when faced with the adverse effects of war,
32 division, natural catastrophes, and disaster. Cultural heritage, in this sense, is both
33 local and universal, European and global, a means to address social and financial
34 transformation (e.g., from socialist to market economies) and a way to meet
35 challenges caused by war, economic transition, or natural disaster.
36
37
38
39
40
41
42

43 Without questioning the need to preserve peace and foster ties between peoples,
44 globally, regionally, and locally, a series of observations can nevertheless be made: if
45 the cultural heritage narrative, as recognised through the multiple layers of
46 international and national legal and regulatory documents reflects the lived
47 perceptions of cultural heritage on the ground; if such a legally-derived narrative that
48 creates and imposes hegemonic perceptions of cultural heritage has the ability to
49 impact/affect social challenges and transformations; if a more holistic/inclusive cultural
50
51
52
53
54
55
56

57 ³ Council of Europe, *European Cultural Convention*, 19 December 1954 (Council of Europe Treaty
58 Series no. 018), available at <https://rm.coe.int/168006457e>

59 ⁴ More information on European Heritage Label Sites at <https://culture.ec.europa.eu/cultural-heritage/initiatives-and-success-stories/european-heritage-label>
60

1
2
3 heritage narrative is possible or indeed needed; and last but not least, whether a
4 relevant agenda for cultural heritage (as understood and developed from the ground-
5 up) can be developed and employed to anticipate, meet, and address the
6 transformative, social challenges and transformations that the international documents
7 correctly recognise as “danger zones”.
8
9
10
11
12

13 Providing answers to such questions will not only tap into cultural heritage’s potential,
14 unearthing synergies and developing frameworks for future discussions, but will also
15 help reframe what cultural heritage means with respect to people’s lived experiences,
16 contributing to quality of life, enhanced sense of cohesion and sense of identity and
17 belonging. In the next section we consider the extent to which juridification hinders
18 such efforts and excludes local voices and bottom-up approaches from the
19 appreciation of cultural heritage in the context of Greece.
20
21
22
23
24
25

26 **3. The creation of dominant cultural heritage narratives through juridification:** 27 ***International and Greek contexts*** 28

29
30
31 At this stage, the paper explores how predetermined, legally informed cultural heritage
32 narratives can clash with cultural heritage experiences on the ground in relation to a
33 given place. We borrow the concept of juridification to refer to the creation of “more
34 law” in both quality and quantity. More specifically, we refer to constitutive juridification
35 in international legal terms (Blichner and Molander, 2007), viewed as the
36 establishment of a new legal order; hereby, one subjecting cultural heritage to a
37 normative, institutional environment (Abbott et al., 2000). We critique the impact that
38 juridification has on the codification and commodification of cultural heritage into static
39 representations that perpetuate clashes both in the law and on the ground, resulting
40 in inefficient and superficial policy interpretations, as the example of Rhodes will
41 demonstrate.
42
43
44
45
46
47
48
49
50

51 We provide the example of national legislation for the protection of cultural heritage in
52 Greece, and comment on the legally created divide between several categories of
53 cultural heritage. We spotlight protectionist/doctrinal clashes, such as the divide
54 between tangible and intangible cultural heritage, set out in the respective UNESCO
55 Conventions. We also consider the role of the Recommendation on the Historic Urban
56
57
58
59
60

1
2
3 Landscape 2011 as an attempt to bridge this discretion in the context of urban space.
4 Here, we explore how the compartmentalisation of the cultural heritage narrative in the
5 UNESCO texts does not correspond to the way cultural heritage is experienced and
6 lived on the ground, and we further argue that prolonging the positivist division,
7 prevents *living* cultural heritage (Bui *et al.*, 2020; Poullos, 2014) from meeting current
8 social challenges and transformations, turning a living, breathing place into a static
9 interpretation of what could and should have been, and introducing an invisible and
10 unreachable benchmark.
11
12
13
14
15
16
17
18

19 From a legal and policy perspective, cultural heritage is defined by its
20 compartmentalization as the protected subject matter of various international texts and
21 instruments across bodies and organisations. In this sense, cultural heritage includes
22 valuable objects and materials displayed in museums, landscapes, and the built
23 environment, as well as customs, traditions and living heritage (Borowiecki, Forbes
24 and Fresa, 2016), all protected under various international instruments, resulting in a
25 labyrinth of overlapping protectionary approaches. It follows that cultural heritage is a
26 subject matter that can be defined, afforded legal meaning, be posited between
27 semantic boundaries, and create definition-dependent inclusion/exclusion zones,
28 pursuant to the law's inherent binary (legal/illegal, protected/unprotected).
29
30
31
32
33
34
35
36

37 At this point it is worth considering the concept of *juridification* as the expansion of the
38 law's reach into previously unregulated realms, via the creation of closed self-
39 referential legal systems (loops) that ascribe and perpetuate meaning - the result being
40 "more" legal subject matter in both quality and quantity (Magnussen and Banasiak,
41 2013). In context, international texts both create "more" cultural heritage narratives
42 and exclude non-hegemonic manifestations of cultural heritage from the legal
43 discourse at the same time.
44
45
46
47
48
49

50 The juridification of cultural heritage not only separates cultural heritage into
51 protection-worthy and non-protection-worthy manifestations, but it also feeds and
52 shapes the way cultural heritage is perceived and communicated from governments
53 and administrations, and how it translates into national and regional policies. The
54 example of Greece, for instance, demonstrates how the perception of cultural heritage
55 is tied to the notion of antiquity and the discipline of archaeology, with national
56 legislation explicitly giving priority to the protection of archaeological findings and
57
58
59
60

1
2
3 monuments, as the de facto interpretation of the concept of cultural heritage: Law
4 3028/2002 On the Protection of Antiquities **and Cultural Heritage in General**.
5
6 Government is also organised with a view to prioritising the importance of archaeology
7 as the predominant aspect of cultural heritage in the Greek context (see e.g., General
8 Directorate of Antiquities and Cultural Heritage).⁵
9
10

11
12 Inevitably, this imprints the subordination of cultural heritage to the field of
13 archaeology, leading to the imposition of dominant/hegemonic perceptions of how
14 cultural heritage should be communicated, visited, and experienced. Karlsson and
15 Gustafsson (2020) comment on how authentic cultural heritage experiences are
16 staged in relation to Greek classic antiquity sites (whether UNESCO-protected or not),
17 highlighting that visitors are discouraged from forming their own connections and
18 interpretations in relation to the site: *“it is therefore not a question of using history and*
19 *its material culture, and to be a part of living cultural processes, but rather about*
20 *passively responding to the handling and staging of history and material culture by the*
21 *experts of the heritage management (p.18).”* It follows that any deviation from the
22 hegemonic perception of cultural heritage risks being considered “inauthentic” and
23 therefore lacking the necessary “protection-worthiness” in the eyes of the law.
24
25
26
27
28
29
30
31
32
33

34 The impact of juridification on cultural heritage narratives can also be viewed in the
35 division between tangible and intangible cultural heritage, as recognised in the
36 respective UNESCO Conventions. The legal recognition of distinct categories
37 “pushes” cultural heritage into even more binaries (tangible-intangible) and creates an
38 artificial division that it is again upon the law to bridge through the means of yet more
39 legal instruments, interpretations and recommendations; for instance, the UNESCO
40 Convention regarding Intangible Cultural Heritage (hereafter ICH) explicitly stresses
41 the “deep-seated interdependence between the intangible cultural heritage and the
42 tangible cultural and natural heritage”, while ar. 3 clarifies that safeguarding ICH does
43 not alter the status or diminish the level of protection of Tangible Cultural Heritage
44 (hereafter TCH); yet, older Conventions regarding CH made no provisions for ICH.
45
46
47
48
49
50
51
52
53

54 In the Greek context, the division between the two forms of cultural heritage and the
55 subordination of ICH to its tangible counterpart is explicitly enshrined in national
56
57
58

59 ⁵For more information see General Directorate of Antiquities and Cultural Heritage, at:
60 <https://www.culture.gov.gr/en/ministry/SitePages/viewyphresia.aspx?iID=1304>

1
2
3 legislation. Not only is ICH mentioned a total of 5 times in the most prominent piece of
4 legislation dealing with cultural heritage in Greece (Law No. 3028/2002 as above), but
5 also no provisions are made for its safeguarding and protection other than the
6 “recording” and static documentation of ICH deemed “of particular significance,”⁶
7 without any further explanation. Of course, this comes in stark contrast with the
8 remainder of the legislative text, which offers meticulous details for the preservation of
9 TCH, placing it under the direct supervision and protection of the relevant
10 archaeological national and regional ephorates and other relevant authorities.
11
12
13
14
15
16
17

18 These issues have not gone completely unaddressed on an international level, as the
19 Recommendation on the Historic Urban Landscape (HUL) signed in Paris, 10
20 November 2011 (which was however not signed by Greece) recognises the “the most
21 abundant and diverse manifestations of our common cultural heritage” that take place
22 within historic urban areas, and calls for the development of tools that serve the double
23 aim of serving both the cultural landscape and the city’s lived components “by
24 considering the interrelationships of [...] physical forms, [their] spatial organization and
25 connection, [their] natural features and settings, and [their] social, cultural and
26 economic values”.
27
28
29
30
31
32
33

34 The Recommendation recognises the new challenges brought by urbanisation and
35 globalisation, the need for sustainable financial and social development, and
36 environmental factors, reiterating in earnest the challenges identified in the past, only
37 now in an urban-specific context. The Recommendation builds upon UNESCO’s body
38 of international texts and is a welcome advance in dealing with the perplexities and
39 clashing priorities that manifest in the urban environment. However, it effectively
40 reinforces the binaries resulting from the Conventions, adding more layers to the
41 cultural heritage discourse: this stems from the fact that the Recommendation was
42 initially envisioned as an operational guideline within the World Heritage Convention,
43 with first drafts collated out of a plethora of pre-existing UNESCO Recommendations
44 and other relevant EU frameworks, such as the European Convention on the
45 Protection of the Archaeological Heritage (Revised) and the European Landscape
46 Convention, Florence, 20 October 2000.⁷ Ultimately, the HUL was seen as a
47
48
49
50
51
52
53
54
55
56
57

58 ⁶ Ar. 5, Law No. 3028/2002

59 ⁷ European Convention on the Protection of the Archaeological Heritage (Revised), Valetta, 16
60 January 1992; European Landscape Convention, Florence, 20 October 2000

1
2
3 methodological or design tool to evaluate the existing UNESCO frameworks (Turner,
4 2013). This, combined with its voluntary “soft law” status, indicates that the
5 Recommendation is not meant to depart from the pre-existing frameworks, but help
6 apply them in a specific, urban context. If anything, at face value, the Recommendation
7 both acknowledges and perpetuates the overlap of distinct cultural heritage
8 categories, leading scholars (Turner 2013; Labadi and Logan, 2015; Pintossi et al.,
9 2023) to call for the adoption of multi-stakeholder and grounded approaches to
10 evaluate the challenges faced by urban cultural heritage sites. We particularly
11 emphasise Turner’s plea (2013, p. 85) *“to take into account the singularity of the*
12 *context of each urban region and historic area”*.
13
14
15
16
17
18
19

20
21 We need to reiterate that the effective result of the current legal framework is the
22 creation of a protectionist overlap that can potentially lead to inefficient, piecemeal
23 types of protection, should similar types of resources fall under different categories of
24 heritage and be thus governed by different principles and procedures. At its extreme,
25 the difference between ICH and TCH in particular means that policy-makers and
26 conservation officials might find themselves in the unenviable position of having to
27 decide which aspect of the same resource to safeguard and how. Equally, from a
28 hegemonic narrative perspective, we are still faced with a similar power binary, as
29 certain manifestations of ICH are deemed protection-worthy and prioritised under
30 national and regional policies (as in the case of Greece).
31
32
33
34
35
36
37
38

39 Despite the Recommendation’s plea to a holistic viewing of cultural heritage in an
40 urban context, the overlapping layers of protection, as a direct result of juridification,
41 and the accompanying hegemonic cultural heritage narratives, have an immediate and
42 direct impact on the way cultural heritage sites - and more importantly historical urban
43 landscapes - are experienced, lived, visited, or managed.
44
45
46
47
48

49 In such cases, the material base of TCH converges with a place’s human element and
50 respective communities as bearers of ICH. Consequently, life in these heritage sites
51 may become less attractive for local residents, due to restrictive protective measures
52 and various touristification and/or gentrification tendencies, depending on the specific
53 challenges each place faces; residents may abandon the historic urban ensemble
54 along with their traditions, festivities, or dialects, as seen for example in a number of
55 cases around the world, from Venice (Salerno, 2022) to South Korea (Kim and
56
57
58
59
60

1
2
3 Holifield, 2022). As a result, it appears that the preservation of TCH has the potential
4 to effectively undermine ICH (Choay, 2001) and its bearer communities in the case of
5 conflicting policies and priorities, as the example of Rhodes, Greece will demonstrate.
6 More particularly, this is linked to the *everyday dialectics* (Sequera and Nofre, 2018),
7 as a newly formed economic and social arena, whereby different actors, such as
8 residents, tourism and other entrepreneurs, investors, and others, compete for
9 resources and place meaning/narratives.
10
11
12
13
14
15

16 The constitution and the protection of ICH in this sense, raise a series of questions
17 about the relationship between heritage and place-specific agendas. Various scholars
18 stress the importance of facilitating narratives of mutual understanding between
19 distinct forms of cultural heritage (Melis and Chambers, 2021), whereas critical tourism
20 and heritage studies literature engages with questions about the commodification of
21 heritage (Munt, 1994; Callinicos, 1995; Richards, 1996; Sharpley and Sharpley, 1997;
22 Miles, 2010), democratic deficit in the process of the constitution of ICH (Melis and
23 Chambers, 2021), ownership, rivalry and cohesion/universality, and the politics of the
24 past (Lowenthal, 1994; 1985; 1998; Meethan, 1996, Nuryanti 1996, Delanty, 2017).
25
26
27
28
29
30
31

32 The discourse uncovers issues to do with democracy and power imbalances and
33 stresses the need to understand how these heritage narratives can, at times, be
34 antagonistic. This focus on narratives of mutual understanding gives way to the need
35 for production of transnational cultural heritage narratives, whether in the context of
36 Europe (Delanty, 2017) or in international education (Simandiraki, 2006). The
37 suggestion here is that to avoid antagonisms and move towards building alliances
38 between different social actors/groups, there is a need to produce a diverse, non-
39 dogmatic narrative.
40
41
42
43
44
45
46

47 The concepts of cultural heritage convergence, preservation, and touristification are
48 interwoven in the development of cultural heritage narratives in relation to a given
49 place. A grounded and place-first approach to the formation, appreciation, and
50 evolution of cultural heritage, should in turn, inform or intercept cultural heritage law
51 and policy-making, enabling a broader interdisciplinary dialogue, as the proposed
52 agenda suggests.
53
54
55
56
57

58 The example of Rhodes is used in the following section to illustrate how juridification
59 and the subsequent divide between TCH and ICH is felt on the ground, and highlight
60

1
2
3 implications for those who live in, experience, and manage protected places. With
4 respect to the proposed agenda in particular, the worked example of Rhodes will
5 demonstrate the failure to appreciate the lived conditions of cultural heritage (and by
6 extension the value of ICH), the conflicting effect of policies and legislative efforts in
7 safeguarding cultural heritage and dealing with social challenges and transformations,
8 and will lastly, unearth the cultural dynamics evident in the given place.
9
10
11
12
13
14
15

16 **4. Revisiting Cultural Heritage in the Medieval Town of Rhodes**

17

18 The Medieval Town of Rhodes has a 2,400-year-old history of continuous habitation
19 starting from the Classical period. Today, the most salient architectural element of the
20 urban ensemble is Medieval/Gothic, with some Ottoman additions and some further
21 substantial, but less easily discernible, colonial Italian interventions. In 1988 the
22 Medieval Town was added to the UNESCO World Heritage List.
23
24
25
26
27

28 The Medieval Town of Rhodes is home to approximately 4,000-6,000 permanent
29 residents; it further accommodates great numbers of tourists on an annual basis.
30 Damage from WWII and ensuing social and political upheaval left large parts of the
31 town uninhabited, quickly to become occupied by the poorest strata of Rhodian
32 society. Through the years, the Medieval Town has functioned as a “doorstep” to the
33 modern city of Rhodes, as successive waves of internal and international migration
34 have found accommodation in its buildings, leaving them behind once some sort of
35 social mobility has been achieved (see figure 1).
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60



Figure 1: Houses in the old town now host refugees and the poorest strata of Rhodian society. Photo by the authors.

This peculiar population flow has been enriching the Town's intangible cultural heritage, as preserved by the permanent residents. Living alongside this "transit population", this assemblage of permanent residents has traditionally included

1
2
3 members of the Greek Rhodian Muslim community, the Jewish community (see figure
4 2), as well as the Greek Orthodox Rhodian island-wide majority. All these backgrounds
5 have been adding a variety of elements to the intangible “cultural reservoir”, expressed
6 in the forms of a shared dialectal variety, religious and interreligious festivities.
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60



Figure 2: Kahal Shalom is the oldest synagogue in Greece. The Medieval Town had been the home of a vibrant Jewish community for over 2,300 years, up until World War II. Photo by the authors.

1
2
3 The emergence of mass tourism as the main driving force of the local GDP (INSETE,
4 2022) has had a profound effect not only on the modern city, but on the Medieval Town
5 as well. In fact, a quick walk around the Medieval Town reveals the replacement of
6 traditional residential quarters and workshops by tourism and leisure businesses (see
7 figure 3).
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60



Figure 3: Tourism businesses in the old town. Photo by the authors.

This can exert formidable pressure on the material element of the urban ensemble/historic urban landscape, as well as the local residents who have to deal

1
2
3 with the World Heritage status-derived restrictive protection/conservation regulations
4 concerning their properties (see f.i. Amar and Tyvimaa, 2022) at the same time.⁸
5 Under these circumstances, residents appear to be gradually moving out of the city
6 walls, taking the unique makeup of the Medieval Town's ICH with them. This
7 abandonment has further direct impact on the immovable cultural heritage, since
8 buildings are left in a derelict state, with the financial costs of repair and restoration to
9 the historic standards impossible to bear. This, coupled with the effects of climate
10 change, threatens to put the historic urban landscape *at risk* - including adding the
11 monument to the UNESCO list of endangered world heritage sites that risk losing their
12 listed status (Machat and Ziesemer, 2020; Change, 2019). This points to the need to
13 provide for the sustainable future of cultural heritage by taking both human and
14 material factors into account: *change* is happening and needs to be accounted in any
15 discussion about the Medieval Town in consultation with the communities directly
16 concerned.

17
18 However, even though integrated management policies for the Medieval Town of
19 Rhodes signed 1985 and more recently in 2023 that should - at least in principle -
20 promote the collaboration between local and national authorities and institutions exist,
21 these remain under "lock and key" by the Greek authorities, as reported in the local
22 news.⁹ The new management policy signed in April 2023 in particular, has been met
23 with the objection of locals and individual archaeologists alike, as it by-passes the local
24 communities and those involved in the day-to-day management of the Medieval Town
25 completely, to impose a secretive and centralised, paternalistic decision-making model
26 (Tosun, 2000). There appears to be little to no consultation with the local population,
27 and further, the policy fails to mention the preservation or the safeguarding of the
28 Town's ICH. Indicative of the top-down hegemonic approach is that the signatories to
29 the policies are the central and local state authorities *only*; these comprise the Ministry
30 of Culture; the City of Rhodes; the Region of the South Aegean; and the Cultural
31 Resources Management and Development Organisation.¹⁰

32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60

⁸ Ar. 10, Law No. 3028/2002 sets out the requirements for activities on immovable monuments and their surroundings

⁹ See <https://www.newsbreak.gr/ellada/456444/perierges-methodeyseis-gia-ti-mesaioniki-poli-tis-rodoy-dia-cheiros-mendonii/>

¹⁰ https://www.ertnews.gr/perifereiakoi-stathmoi/notio_aigaio/istoriki-stigmi-gia-ti-mesaioniki-poli-tis-rodou-ypegrafi-programmatiki-symvasi-me-to-ypourgeio-politismou/

1
2
3 Another initiative indicative of the top-down approach that favours commodification of
4 heritage, is the “Action Plan” published by the Institute of the Greek Tourism
5 Confederation (INSETE, 2022). The “Action Plan” makes clear that the selling point of
6 the Medieval Town is the seat of the “Knights”.¹¹ The document hardly mentions the
7 town’s current inhabitants or its intangible cultural heritage (INSETE, 2022), and
8 further confirms the top-down, managerial approach to promoting the impenetrable
9 and rigid dominant narrative (here, cultural/touristic) with respect to the protected
10 place.
11
12

13
14
15
16
17
18 Ultimately, as the protected place falls under the jurisdiction of the relevant authorities,
19 it essentially becomes commodified, objectified, legally codified, and subjected to the
20 hegemonic/narratives that derive from the law. It follows that these are difficult to
21 decipher, comprehend, and apply by those not well-versed in the relevant jargon. The
22 most prominent example of this is perhaps the official municipal guidance on how to
23 implement the zoning and planning regulations within a protected monument, issued
24 by the Technical Chamber of Greece.
25
26
27
28
29

30
31 This official administrative document entitled “Experiencing the uniqueness of the
32 Medieval Town of Rhodes daily”¹² offers little insight into the Town’s ICH, laying out
33 the strict planning requirements and emphasising the need to adhere to planning
34 legislation for the ultimate benefit of “quality tourism” instead (Scrimizea and Parra,
35 2019; Jennings *et al.*, 2006).¹³ According to this narrative, “quality tourism” is attracted
36 when planning laws are adhered to and the cultural heritage site becomes
37 aesthetically pleasing to the *tourist gaze* (Urry and Larsen, 2011). Following this
38 paradigm, the shade of streetlamps, the colour of the dining tables, and the type of
39 doorknobs used within the Medieval Town’s walls are all prioritised as more culturally
40 significant than the Town’s living and intangible heritage narratives, as the latter
41 cannot immediately be *gazed upon* by the visitor.
42
43
44
45
46
47
48
49
50
51
52
53

54 ¹¹ Referring to the Palace of the Grand Master of the Knights of Rhodes, situated in the middle of the
55 Medieval Town

56 ¹² Uploaded by anonymous users here: <http://docplayer.gr/2558901-Vionontas-kathimerina-ti-monadikofita-tis-mesaionikis-polis-tis-rodoy.html>

57 ¹³ As identified by Jennings et al (2006), the term has been used in relation to service, product
58 quality, as well as environmental issues, reputation, sustainability, host and guest interactions,
59 profitability, and finally place and identity.
60

1
2
3 The concrete friction between TCH and ICH in combination with the touristification
4 witnessed in the Medieval Town of Rhodes, is a condensation of the problematic
5 pattern that emerges: the disregard for ICH in any discussion on the topic of cultural
6 heritage, leads to an “over-focus” on TCH as advocated by a colonialist narrative that
7 prioritises “monuments”, “masterpieces” and “value” over those elements that make
8 up a place’s ICH that may merit similar protection (Walsh, 1992; Lowenthal, 2002;
9 Catapoti *et al.*, 2020).

16 Nonetheless, even this very observation is based upon the formal (and arguably moot)
17 division between TCH and ICH. The suggested agenda critiques this fundamental
18 division and questions its expediency and validity. Focusing on historic urban
19 ensembles/ landscapes, ***the ultimate purpose of the proposed research agenda is***
20 ***to underline that cultural heritage should and could be seen as a total*** (see also
21 Hafstein, 2018), as the Recommendation was seen to suggest. This feeds directly
22 from debates following the COVID-19 pandemic that highlighted the many different
23 aspects of social life and policy, including the role of communities and community-wide
24 support networks, as well as the dangers of over-reliance on the *monoculture* of
25 tourism (Rodríguez, 1999; Bastakis *et al.*, 2004; Panayiotopoulos and Pisano, 2019).
26 The need to address cultural heritage holistically was also made clear by the crisis in
27 the tourism sector (Lapoint, 2020, Brouder *et al.*, 2020), the most recent forest fires in
28 the summer of 2023 that threatened the island’s tourist season, and the ongoing
29 migration crisis that has been feeding a continuous discussion on societal capacity for
30 inclusion and integration (Bauloz *et al.*, 2019; Orcutt *et al.*, 2020; Salazar, 2022).

43 Ultimately, Rhodes faces a vicious cycle of commodification and heritagization
44 affecting the wealth of its tangible and intangible cultural heritage, which arguably
45 deprives its citizens from forming a sense of place. The recognition that there are
46 diverse groups with, at times, antagonistic interests and agendas is also significant for
47 the Rhodian community’s identity (Tosun, 2000; Aas *et al.*, 2005; Pappas and Tsartas,
48 2009).

53 Population mobility and waves of migration have formed an amalgam, in which a range
54 of traditions, societal values, religions, but also building architectures flourish and
55 clash. The tourist boom of the late 20th century has brought the commodification of
56 local culture, along with a steep rise in the cost of living in the Medieval Town, as it
57
58
59
60

1
2
3 transitioned from being the main residential and commercial centre of Rhodes (early
4 20th c.) to working class/migrant district (post-war), to UNESCO World Heritage Site,
5 and top tourist destination more recently. Throughout this journey, successive waves
6 of permanent residents, belonging to various religious and ethnic communities, have
7 been driven away by political and social turmoil, resulting in a loss of ICH. Gradually,
8 what tends to remain is a romanticised past (Lichrou *et al.*, 2017); a romanticised
9 image of Medieval heritage, fit for tourist consumption. Today, the problems of
10 touristification are exacerbated by the difficulty and cost of renovation to homes
11 caused by the preservation regulations and bureaucratic obstacles, presented above.
12 As a result, there is no way of telling how much and what kind of ICH remains in the
13 Medieval Town and how much has been lost over the years. Our knowledge of the
14 Town's cultural heritage remains poor and incomplete, as people and communities
15 associated with non-dominant and non-commodified forms of ICH remain excluded,
16 invisible or - to use the wording of Greek law - "not of [any] particular significance".
17
18
19
20
21
22
23
24
25
26
27
28
29

30 It is not difficult to appreciate the need for a new framework for cultural heritage that
31 would instil in the inhabitants, visitors, and other stakeholders of the Medieval Town,
32 a true sense of place. A new agenda will help reframe what cultural heritage means
33 with respect to people's lived experiences, contributing to quality of life, enhanced
34 sense of cohesion, and sense of identity and belonging. So far, we have seen that the
35 local life (and by extension the ICH) of the Medieval Town is completely detached and
36 absent from the official policies and narratives, leaving the Medieval Town to operate
37 in two parallel zones: official (and protection-worthy) and unofficial and therefore
38 deemed to lack significance. Revisiting our agenda, as set out in the introduction, we
39 observe that, appreciating the place-dependent and local level social challenges and
40 transformations such as those experienced in the Medieval Town (namely
41 touristification, heritagization, migration, as well as the effects of climate change/forest
42 fires), calls for a holistic appreciation of what cultural heritage means beyond legal
43 binaries and dominant narratives (to begin with). Understanding the **local level** of
44 global social challenges and transformations and their interrelation with respect to
45 living, experiencing, visiting, and managing cultural heritage, will prioritise place-
46 specific needs and will highlight those elements of either TCH or ICH that make-up the
47 place's cultural fabric, as lived, experienced, and formulated from the ground up. In
48
49
50
51
52
53
54
55
56
57
58
59
60

1
2
3 the case of the Medieval Town this includes the transient populations past and
4 present, the resulting intergenerational and intragenerational **cultural dynamics**, as
5 well as the visitors, and the businesses (whether tourism related or not) that operate
6 within its walls.
7
8
9

10 By extension, any prescribing legal texts and policies can be revisited as enabling
11 rather than hindering the place's cultural expressions, bypassing the need for
12 monotonous, box-ticking policy exercises, as brought forth by the legal "fatigue"
13 caused by juridification. This could, for instance, be achieved by reading the legal and
14 policy texts as enabling rather than prohibitive: asking what the legal framework
15 prompts us to do with respect to cultural heritage instead of following the letter of the
16 law as a literal restriction. In the Greek context this would mean acknowledging that
17 the Archaeological ephorate is just one governmental branch that deals with the
18 Medieval Town's cultural fabric: social, financial, environmental, and other policies
19 (and relevant narratives) cannot and should not be excluded from the discussions or
20 be subordinate to the one dominant narrative regarding cultural heritage. The Medieval
21 Town, as the living organism that it is, experiences and expresses social challenges
22 and transformations in a manner that necessitates acknowledgment and sensitivity:
23 focusing on one static, interpretative aspect of these disservices the same subject
24 matter the Conventions aim to protect.
25
26
27
28
29
30
31
32
33
34
35

36 Simply put, we reiterate the need for inclusive, place-sensitive, and localised
37 processes and consultations (Ntounis, 2018), that promote practicality, adopt a simple
38 language that can be easily generalised, and account for the multiple uses of the
39 relevant place, as well as the multiple connected groups and priorities. Such
40 processes will account for and consult the local communities, who might officially fall
41 under the legal line of "significance" and "worthiness", mirroring efforts encountered in
42 adjacent fields to cultural management such as broader place management or place
43 branding (Reynolds et al., 2022).
44
45
46
47
48
49
50

51 In any event, there is an inherent need to recognise the limitations on the way cultural
52 heritage is experienced, lived, visited, and protected due to the restrictive nature of
53 juridification, and to revisit how we understand and relate to its subject matter beyond
54 hegemonic narratives. Returning to Turner (2013), acknowledging the status quo (and
55 its impact) and taking the informed decision to broaden the discussion to include local
56 groups and communities, is the first step to truly appreciate "the singularity of the
57
58
59
60

1
2
3 context of each urban region and historic area”.

6. Conclusion

4
5
6
7
8
9
10 The proposed research agenda sought to point out the disciplines and discourses that
11 are relevant in the creation, evaluation, and the enjoyment of cultural heritage, wishing
12 to attract the interest and the contribution of academics, policy-makers, and
13 practitioners across scientific fields, and beyond the interpretation of legal binaries.
14 We sought to shed light on the multiple layers of legal relevance that juridification
15 affords cultural heritage, which often result in the objectification of places where
16 cultural heritage is lived, created, and celebrated in the everyday life. The example of
17 the Medieval town of Rhodes was illustrative of how multiple and diverse cultural
18 heritage narratives can get overlooked or even fade in the background of a protected
19 or prioritised place. We have shown how ICH can easily be deemed irrelevant, not-
20 protection-worthy, or even unwanted, when the legislative framework allows so.

21
22
23
24
25
26
27
28
29
30 Cultural heritage should be protected and celebrated in its totality, if it is to reach its
31 internationally advocated potential to anticipate, meet, and address social challenges
32 and transformations. Reinforcing static hegemonic narratives prioritises text over life
33 and form over meaning, leading to objectification and hegemonization of cultural
34 heritage practices. A place-first approach is thus necessary, as is the appreciation of
35 the multifaceted socio-legal, sustainable, political, tourism, and living heritage factors
36 that make-up cultural heritage in its totality.

Reference list

37
38
39
40
41
42
43
44
45
46
47
48 Aas, C., Ladkin, A., & Fletcher, J. (2005). Stakeholder collaboration and heritage
49 management. *Annals of tourism research*, 32(1), 28-48.

50
51
52
53
54
55
56
57
58
59
60
Abbott, K. W., Keohane, R. O., Moravcsik, A., Slaughter, A. M., & Snidal, D. (2000).
The concept of legalization. *International organization*, 54(3), 401-419.

Amar, J. H. N., & Tyvimaa, T. (2022). World heritage designation and residential
property values: the case of Old Rauma, Finland. *Journal of Cultural Heritage
Management and Sustainable Development*, (ahead-of-print).

1
2
3 Bastakis, C., Buhalis, D., & Butler, R. (2004). The perception of small and medium
4 sized tourism accommodation providers on the impacts of the tour operators' power in
5 Eastern Mediterranean. *Tourism management*, 25(2), 151-170.
6
7

8
9 Bauloz, C., Vathi, Z., & Acosta, D. (2019). Migration, inclusion and social cohesion:
10 Challenges, recent developments and opportunities. *World Migration Report 2020*,
11 186-206.
12
13

14
15 Bertocchi, D. and Visentin, F. (2019) "The Overwhelmed City": Physical and Social
16 Over-Capacities of Global Tourism in Venice. *Sustainability*, 11, 6937.
17
18

19
20 Blanco, I., Salazar, Y. & Bianchi, I. (2020), Urban governance and political change
21 under a radical left government: The case of Barcelona, *Journal of Urban Affairs*,
22 42(1), pp. 18-38.
23
24

25
26 Blichner, L. C., & Molander, A. (2008). Mapping juridification. *European Law Journal*,
27 14(1), 36-54.
28
29

30
31 Borowiecki, K.J., Forbes, N., & Fresa, A. (2016) Introduction. In Borowiecki, K. J.,
32 Forbes, N., & Fresa, A. (Eds). *Cultural heritage in a changing world* (p. 322). Springer
33 Nature, pp. Xix-xxix.
34
35

36
37 Brouder, P., Teoh, S., Salazar, N. B., Mostafanezhad, M., Pung, J. M., Lapointe, D.,
38 Higgins Desbiolles, F., Haywood, M., Hall, C. M. & Clausen, H. B. (2020). Reflections
39 and discussions: tourism matters in the new normal post COVID-19. *Tourism*
40 *Geographies*, 22(3), 735-746.
41
42

43
44 Bui, H. T., Jones, T. E., Weaver, D. B., & Le, A. (2020). The adaptive resilience of
45 living cultural heritage in a tourism destination. *Journal of Sustainable Tourism*, 28(7),
46 1022-1040.
47
48

49
50 Byrne, D. (2008). *Heritage as social action. The heritage reader*. London: Routledge,
51 149-173.
52
53

54
55 Callinicos, A. (1995). *Theories and narratives : reflections on the philosophy of history*.
56 Polity Press
57

58
59 Carter, T., Harvey, D. C., Jones, R. and Robertson, I. J. M. (eds) (2020), *Creating*
60 *Heritage: Unrecognised Pasts and Rejected Futures*, Routledge, New York.

1
2
3 Catapoti, D., Skounaki, I., & Gkoumopoulou, G. (2020). Heritage, Openness and the
4 Commons in Urban Environments: Some Thoughts on the Archaeological Parks of

5
6
7 Panayiotopoulos, A. (2017). *The Collapse of Colossus: A Genealogy of Tourism*
8 *Development in Faliraki, Rhodes* (Doctoral dissertation, University of Limerick).

9
10
11 Philopappos Hill and Plato's Academy in Athens. *Cultural Heritage in the Realm of the*
12 *Commons: Conversations on the*, 67-94.

13
14
15 Change, C. (2019). The Future of Our Pasts: Engaging Cultural Heritage in Climate
16 Action Outline of Climate Change and Cultural Heritage. International Council on
17 Monuments and Sites-ICOMOS.

18
19
20
21 Choay, F. (2001), *The Invention of the Historic Monument*, trans. Lauren M. O'Connell,
22 Cambridge University Press, New York.

23
24
25 Cultural Heritage Counts For Europe (2015), *Full Report*, the International Cultural
26 Centre, Krakow.

27
28
29
30 Curran, W. (2007), "From the Frying Pan to the Oven": Gentrification and the
31 Experience of Industrial Displacement in Williamsburg, Brooklyn. *Urban Studies*.
32 44(8): pp. 1427-1440.

33
34
35
36 Delanty, G. (2017) Entangled Memories: How to Study Europe's Cultural Heritage,
37 *The European Legacy*, 22:2, 129-145.

38
39
40 Foley, K. (2014), "No More Masterpieces: Tangible Impacts and Intangible Cultural
41 Heritage in Bordered Worlds", *Asian Theatre Journal*, Vol. 31, No. 2, Special issue on
42 global encounters in Southeast Asia performing arts (Fall 2014), 369-398.

43
44
45
46 Fotopoulou, S. V. (2017), "Intangible cultural heritage, local knowledge and
47 sustainable management of cultural assets and environmental resources" in Mergos,
48 G. & Patsavos, N. (eds), *Cultural Heritage and Sustainable Development Economic*
49 *Benefits, Social Opportunities and Policy Challenges*, Technical University of Crete,
50 Chania.

51
52
53
54
55 Gourzis, K., Herod, A., and Gialis, S. (2020), "Linking Gentrification and Labour Market
56 Precarity in the Contemporary City: A Framework for Analysis." *Antipode* 51, no. 5:
57 1436-1455.
58
59
60

1
2
3 Habermas, J. (1985). *The Theory of Communicative Action, Volume 2: Lifeworld and*
4 *System: A Critique of Functionalist Reason*. Translated by Thomas A. McCarthy.
5 Boston: Beacon Press.
6
7

8
9 Hafstein, V. (2018), *Making Intangible Heritage: El Condor Pasa and other Stories*
10 *from Unesco*, Indiana University Press.
11
12

13 Hassard, F. (2008) "Intangible heritage in the United Kingdom - The dark side of
14 enlightenment?". In Smith, L and Akagawa, N. (eds) *Intangible Heritage*, Routledge,
15 New York.
16
17

18
19 Hassan, F. (2020). Cultural heritage, empowerment and the social transformation of
20 local communities. In Higgins, V. & Douglas, D. (eds.) *Communities and Cultural*
21 *Heritage Global Issues, Local Values*, Routledge, pp. 23-35.
22
23

24
25 INSETE (2022) *Greek Tourism 2030 Action Plans: Destination Rhodes*. Athens:
26 INSETE, pp. 1-64.
27
28

29
30 Jennings, G. (2006). Perspectives on quality tourism experiences: an introduction. In
31 Jennings, G. & Polovitz Nikerson, N. (Eds.), *Quality tourism experiences*. Oxford:
32 Elsevier Butterworth–Heinemann, 1-21.
33
34

35
36 Kavartzis, M. and Kalandides, A. (2015), Rethinking the place brand: the interactive
37 formation of place brands and the role of participatory place branding, *Environment*
38 *and Planning A* 47(6): 1368–1382.
39
40

41
42 Kim, M. & Holifield, R. (2022) Touristification, commercial gentrification, and
43 experiences of displacement in a disadvantaged neighborhood in Busan, South
44 Korea, *Journal of Urban Affairs*, DOI: [10.1080/07352166.2022.2060115](https://doi.org/10.1080/07352166.2022.2060115)
45
46

47
48 Labadi, S. (2012), UNESCO, *Cultural Heritage, and Outstanding Universal*
49 *Value: Value-based Analyses of the World Heritage and Intangible Cultural Heritage*
50 *Conventions* AltaMira Press, USA.
51
52

53
54 Labadi, S., & Logan, W. (Eds.). (2015). *Urban heritage, development and*
55 *sustainability: International frameworks, national and local governance*. Routledge.
56
57
58
59
60

1
2
3 Lapointe, D. (2020) Reconnecting tourism after COVID-19: the paradox of alterity in
4 tourism areas, *Tourism Geographies*, 22:3, 633-638, DOI:
5 10.1080/14616688.2020.1762115
6
7

8
9 Lesh, J. (2020), Place and heritage conservation. In T. Edensor, A. Kalandides, U.
10 Kothari (eds.) *The Routledge Handbook of Place*, Abingdon:Routledge, 431-441.
11
12

13 Lichrou, M., O'Malley, L., & Patterson, M. (2017). Making Santorini: reflecting on the
14 past, imagining the future. *Journal of Place Management and Development*, 10(2),
15 106-120.
16
17

18
19 Lowenthal, D. (1985). *The past is a foreign country*. Cambridge University Press.
20
21

22 Lowenthal, D. (1994). Identity, heritage, and history. *Commemorations*. In Gillis, John
23 R., (Ed) *Commemorations: The Politics of National Identity*. Princeton University
24 Press, 1994.
25
26

27
28 Lowenthal, D. (1998). *The heritage crusade and the spoils of history*. Cambridge
29 University Press.
30
31

32 Lowenthal, D. (2002). The past as a theme park. In T. Young, & R. Riley (Eds.), *Theme*
33 *park landscapes: Antecedents and variants* (pp. 11–23). Washington, DC: Dumbarton
34 Oaks Press, 11-23.
35
36

37
38 Machat, C., & Ziesemer, J. (2020). *Heritage at Risk. World Report 2016-2019 on*
39 *Monuments and Sites in Danger*. hendrik Bäßler verlag.
40
41

42 Magnussen, A. M., & Banasiak, A. (2013). Juridification: Disrupting the relationship
43 between law and politics?. *European Law Journal*, 19(3), 325-339.
44
45

46 Meethan, K. (1996) Consuming (in) the civilized city. *Annals of Tourism Research*
47 23(2), 322-340.
48
49

50
51 Melis, C., & Chambers, D. (2021). The construction of intangible cultural heritage: A
52 Foucauldian critique. *Annals of Tourism Research*, 89, 103206.
53
54

55 Miles, S. (2010). *Spaces for consumption*. London: SAGE
56
57

58 Munt, I. (1994). The "Other" Postmodern Tourism: Culture Travel and the New Middle
59 Classes. *Theory, Culture & Society*, 11: 101-123.
60

1
2
3 Ntounis, N. F. (2018). *Place management through different lenses* (Doctoral
4 dissertation, Manchester Metropolitan University).

5
6
7 Ntounis, N. and Kanellopoulou, J. (2017) Normalising jurisdictional heterotopias
8 through place branding: The cases of Christiania and Metelkova, *Environment and*
9 *Planning A* 49(10), pp. 2223-2240.

10
11
12
13 Ntounis, N. and Parker, C. (2017), Engaged scholarship on the High Street: the case
14 of HSUK2020, *Journal of Place Management and Development* 10(4), pp. 349-363.

15
16
17 Nuryanti, W. (1996). Heritage and postmodern tourism. *Annals of Tourism Research*,
18 23(2), 249-260

19
20
21
22 Orcutt, M., Patel, P., Burns, R., Hiam, L., Aldridge, R., Devakumar, D., ... & Abubakar,
23 I. (2020). Global call to action for inclusion of migrants and refugees in the COVID-19
24 response. *The Lancet*, 395(10235), 1482-1483.

25
26
27
28 Panayiotopoulos, A., & Pisano, C. (2019). Overtourism dystopias and socialist utopias:
29 Towards an urban armature for Dubrovnik. *Tourism Planning & Development*, 16(4),
30 393-410.

31
32
33
34 Pappas, N., & Tsartas, P. (2009). Tourism development and impacts: Lessons from
35 the island of Rhodes, Greece. *Acta Turistica*, 21(2), 184-209.

36
37
38 Peacock, A., Rizzo, I (2008) *The Heritage Game: Economics, Policy, and Practice*,
39 Oxford University Press, New York.

40
41
42
43 Pintossi, N., Kaya, D. I., van Wesemael, P., & Roders, A. P. (2023). Challenges of
44 cultural heritage adaptive reuse: A stakeholders-based comparative study in three
45 European cities. *Habitat International*, 136, 102807.

46
47
48
49 Poullos, I. (2014). Discussing strategy in heritage conservation: Living heritage
50 approach as an example of strategic innovation. *Journal of Cultural Heritage*
51 *Management and Sustainable Development*, 4(1), 16-34.

52
53
54
55 Rahaman, H. (2018), Digital heritage interpretation: a conceptual framework, *Digital*
56 *Creativity*, 29:2-3, 208-234, DOI: 10.1080/14626268.2018.1511602.

1
2
3 Reynolds, L., Koenig-Lewis, N., Doering, H. and Peattie, K. (2022). Competing for
4 legitimacy in the place branding process: (re)negotiating the stakes. *Tourism*
5 *Management* 91, article number: 104532, DOI: [10.1016/j.tourman.2022.104532](https://doi.org/10.1016/j.tourman.2022.104532).
6
7
8

9
10 Richards, G. (1996). Production and consumption of European cultural tourism.
11 *Annals of Tourism Research*, 23(2), 261-283.
12

13
14 Rodríguez, B. (1999). Tourism and change of the economic model. *Papers de*
15 *Turisme*, (25), 129-140.
16

17
18 Salazar, N. B. (2022) Labour migration and tourism mobilities: Time to bring
19 sustainability into the debate, *Tourism Geographies*, 24:1, 141-151, DOI:
20 [10.1080/14616688.2020.1801827](https://doi.org/10.1080/14616688.2020.1801827)
21
22

23
24 Salerno, G.-M. (2022) Touristification and displacement. The long-standing production
25 of Venice as a tourist attraction, *City*, 26:2-3, 519-541,
26

27
28 DOI: [10.1080/13604813.2022.2055359](https://doi.org/10.1080/13604813.2022.2055359)
29

30
31 Sequera, J. & Nofre, J. (2018) Shaken, not stirred: New debates on touristification and
32 the limits of gentrification, *City*, 22:5-6, 843-855, DOI:
33 [10.1080/13604813.2018.1548819](https://doi.org/10.1080/13604813.2018.1548819)
34
35

36
37 Sequera J, and Nofre J. (2019), Touristification, transnational gentrification and urban
38 change in Lisbon: The neighbourhood of Alfama. *Urban Studies*.
39 doi:[10.1177/0042098019883734](https://doi.org/10.1177/0042098019883734).
40
41

42
43 Skrimizea, E., & Parra, C. (2019). Social-ecological dynamics and water stress in
44 tourist islands: the case of Rhodes, Greece. *Journal of Sustainable Tourism*, 27(9),
45 1438-1456.
46
47

48
49 Sharpley, R. and Sharpley, J. (1997). Sustainability and the Consumption of Tourism.
50 In M.J. Stabler (Ed.), *Tourism and Sustainability: Principles and Practice* (231-243),
51 Wallingford: CAB International.
52
53

54
55 Simandiraki, A. (2006). International education and cultural heritage: Alliance or
56 antagonism?. *Journal of research in international education*, 5(1), 35-56.
57
58

59
60 Smith, M. (2003), *Issues in Cultural Tourism Studies*. Routledge, New York.

1
2
3 Teubner, G. (1998), "Juridification: Concepts, Aspects, Limits, Solutions", Baldwin, R.,
4 Scott, C., and Hood, C. (Eds.), *A Reader on Regulation*, Oxford University Press,
5 Oxford, pp. 389–429.
6
7

8
9 Tosun, C. (2000). Limits to community participation in the tourism development
10 process in developing countries. *Tourism management*, 21(6), 613-633.
11
12

13 Turner, M. (2013). UNESCO recommendation on the historic urban landscape.
14 *Understanding heritage: Perspectives in heritage studies*, 77-87.
15
16

17 UNESCO (2003) *Guidelines for the preservation of digital heritage*
18
19

20 UNESCO (2019), *Operational Guidelines for the Implementation of the World Heritage*
21 *Convention*.
22
23

24 UNESCO (2018), *Basic Texts of the 2003 Convention for the Safeguarding of the*
25 *Intangible Cultural Heritage, 2018 Edition*.
26
27

28 Urry, J., & Larsen, J. (2011). *The tourist gaze 3.0*. Sage.
29
30

31 Van de Ven, A.H. (2007), *Engaged Scholarship: A Guide for Organizational and Social*
32 *Research: A Guide for Organizational and Social Research*, Oxford University Press,
33 Oxford.
34
35

36 Walsh, K. (1992). *The representation of the past: Museums and heritage in the*
37 *postmodern world*. London, United Kingdom: Routledge
38
39

40 Zukin, S. (2008), Consuming Authenticity, *Cultural Studies* 22(5), pp. 724-748, DOI:
41 10.1080/09502380802245985
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60



Houses in the Old Town now host refugees and the poorest strata of Rhodian society. Photo by the authors.

402x502mm (38 x 38 DPI)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60



Tourism businesses in the Old Town. Photo by the authors.

402x535mm (38 x 38 DPI)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60



Kahal Shalom is the oldest synagogue in Greece. The Old Town had been the home of a vibrant Jewish community for over 2,300 years, up until World War II. Photo by the authors.

402x536mm (38 x 38 DPI)

Article Title Page

[Article title: Cultural heritage beyond juridification: towards a comprehensive place-first research agenda]

[Author Details: Mandatory]

Author 1 Name: Jenny Kanellopoulou
Department: Manchester Law School
University: Manchester Metropolitan University
Town/City: Manchester
State (US only):
Country: UK

Author 2 Name: Aggelos Panayiotopoulos
Department: International Tourism Management
University: Liverpool John Moores University
Town/City: Liverpool
State (US only):
Country: UK

Author 3 Name: Savvas Alexandros Pavlidis
Department: The Rhodes Centre for History and Social Research
University: The Rhodes Centre for History and Social Research
Town/City: Rhodes
State (US only):
Country: Greece

Author 4 Name:
Department:
University:
Town/City:
State (US only):
Country:

Corresponding author: Mandatory: Jenny Kanellopoulou
[Corresponding Author's Email:] j.kanellopoulou@mmu.ac.uk

Please check this box if you do not wish your email address to be published

NOTE: affiliations should appear as the following: Department (if applicable); Institution; City; State (US only); Country. No further information or detail should be included

Acknowledgments (if applicable):

The authors would like to thank Nikos Ntounis, Ioannis Papageorgiou, Zoe Touvra, Manolis Boniatis, and the citizens of Rhodes for making this project possible

Biographical Details (if applicable):

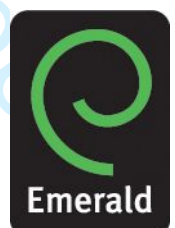
[Author 1 bio]

[Author 2 bio]

[Author 3 bio]

[Author 4 bio]

Structured Abstract [Mandatory] – Please structure in sections as shown in the author guidelines



Type header information here

Keywords [Mandatory]: Rhodes, UNESCO, touristification, juridification, cultural heritage

JEL Classification:

Article Classification [Mandatory]: conceptual paper

For internal production use only

Running Heads:

Type footer information here