Einlage

Zeitschrift für
Semiotik
Band 41 • Heft 3-4 (2019)
Seite 131-151
Stauffenburg Verlag Tübingen

Cultural Heritage in Legal Settings: A Semiotic Analysis

Le Cheng, Zhejiang University
Yuxiu Sun, Zhejiang University
Fangxin Chen, Zhejiang University

Summary. The past three decades have witnessed a remarkable extension of interest in heritage studies from the perspective of international law, which can be understood as a number of interrelated legal instruments on various levels for safeguarding, protecting and maintaining cultural heritage and determining questions of property and rights related to it. This study analyzes the construction of cultural heritage in legal settings from the perspective of semiotics, or cultural semiotics more precisely, focusing on the diversity and dynamics of its meanings and texts. This study shows that heritage law can be understood as a complex sign, which is subject to multiple and alternative interpretations depending on context factors and changing over time and space. It shows the underlying evolutionary logic of culture and society that manifests itself in the construction of heritage and the development of heritage laws, and thus also helps to understand the comparability and compatibility within and beyond multilevel legal instruments and cultures.

Zusammenfassung. In den letzten drei Jahrzehnten hat das Interesse an Studien zum Kulturerbe aus Sicht des Völkerrechts erheblich zugenommen. Dies kann als mehrstufiges Rechtsinstrument zur Wahrung, zum Schutz und zur Erhaltung des kulturellen Erbes sowie zur Klärung damit zusammenhängender Eigentumsfragen und der Rechte angesehen werden. Diese Studie analysiert die Konstruktion des kulturellen Erbes in rechtlichen Umgebungen aus der Perspektive der Semiotik oder genauer der kulturellen Semiotik und konzentriert sich dabei auf die Vielfalt und Dynamik seiner Bedeutungen und Texte. Diese Studie zeigt, dass die rechtliche Behandlung des Kulturerbes als komplexes Zeichen aufgefasst werden kann, das zeitlich und räumlich unterschiedlich ausgeprägt ist und kulturellen Veränderungen unterliegt. Dabei wird die zugrunde liegende evolutionäre Logik von Kultur und Gesellschaft verdeutlicht und ein Beitrag dazu geleistet, die Vergleichbarkeit und Kompatibilität innerhalb und außerhalb von Rechtsinstrumenten und Kulturen auf verschiedenen Ebenen zu verstehen.

1. Introduction

In recent years, there has been an increasing focus on cultural heritage from the perspective of international law (Prott and O'Keefe 1984; Blake 2000; Francioni 2011), as well as on international legal frameworks (Lixinski 2013; Chechi 2014; Blake 2015) as the multilevel legal instruments for safeguarding (Ghedini et al. 2003; Vecco 2010), protection (Logan 2007; Smith and Akagawa 2008) and maintenance (Pickard 2001; McKercher and du Cros 2002) of cultural heritage. This concerns cultural heritage artefacts and creations understood from an anthropological perspective (Herzfeld 2000; Harrison 2012), as well as questions regarding cultural heritage as property (Frigo 2004; Brown 2005) and rights related to it (Dupuy et al. 2009). Such diverse expressions and concepts in the usage of scholars among different disciplines emphasize not only the diversity and tolerance within socio-legal contexts (Wagner and Bhatia 2009; Wagner and Cheng 2011), the significant lawmaking and law enforcement for cultural protection (O'Keefe 1997; Forrest 2012), but also the plurality and interaction of legal orders (Francioni and Gordley 2013) from legal pluralism and positivism.

Meanwhile, new international conventions or multilateral treaties have been adopted that define additional types of cultural heritage[1], such as underwater cultural heritage and intangible cultural heritage. These instruments, to some extent, were introduced in order to update and complete "older regimes and criteria" (Forrest 2002) on cultural property protection. In a sense, cultural heritage could be deemed to be the practice investigating the past in the present (Serequeberhan 2000; Holtorf and Högberg 2020), especially after "heritage studies" developed in the 1980s. For example, the political tendencies, including post-colonialism, realize new insights for increasing appreciation about the past, the present and the future (Goh 2014). More recently, several studies undertook to examine heritage studies in a more critical manner; self-identifying as critical heritage studies, they have argued for a more critical stance towards heritage and its role in contemporary societies (Winter and Waterton 2013). In this connection, "heritage studies" explains not only practices within the cultural and social contexts, but also its underlying relationships intertwined among different groups, or discourse communities (Su 2018).

Therefore, this study views heritage law as a specific genre, and analyzes the construction of cultural heritage from the perspective of semiotics, or cultural semiotics more precisely, focusing on the diversity and dynamics of its meaning and texts. This study aims to introduce the systematic relationship of texts and cultures and illustrate heritage as a term, a legal construct, and a discourse practice, is an attempt to articulate the temporality and spatiality of heritage as well as the diversity of international legal frameworks, thereby helping to understand the comparability and compatibility within and beyond multilevel legal instruments and cultures.

2. Heritage in Law

Over the past century, different conceptualization and models of "sign", "semiotics" or "semiology" have been developed and refined in various semiotic traditions (Peirce 1931 [1994]; de Saussure 1959 [2011]; Eco 1976; Derrida 1982; Whitehead 1985; Chandler 1994; Hall 1997; Foucault 2002; Martin and Ringham 2006; Cobley 2009). Some of these concepts have been usefully combined in sociosemiotics. In some models, the sign is described as a duality, such as in Saussure's definition of a sign as the combination of signifier and signified for the semiotic process (de Saussure 1959 [2011]). A different sign model has been developed by Charles Sanders Peirce, whose triadic model of semiosis (Peirce 1931 [1994]: 1.541; Eco 1976: 59) includes representamen, object, and interpretant. This can be related to the semiotic triangle that was developed by Ogden and Richards (1923), which consists of sign vehicle, sense, and referent (Fig. 1).

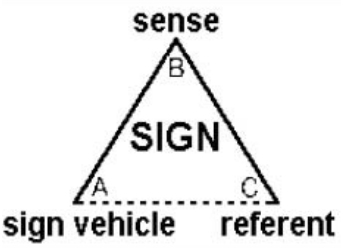

Fig. 1: The semiotic triangle (Ogden and Richards 1923; cf. also Cheng and Sin 2008).

Semiotics can be usefully applied to concepts in various subdomains of heritage studies, especially in heritage discourse study and heritage legal study. Given that there are still terminological uncertainties and disputes in regard to definitions and terminology, the specific terms employed in heritage studies are still being developed and their meanings are shifting and evolving over time (Lixinski 2013; Chechi 2014; Blake 2015). In legal settings, heritage is obviously understood and employed as a legal term. For certain legal schools (e.g. legal positivism), legal terms, on their own, are generally considered to have self-referential, self-closed meaning (Hart 1983; Teubner 1986). The process of interpretation is essentially an internal operation devoid of social and cultural inputs, and the transparency in legal interpretation is self-evident. From a socio-semiotic perspective, which emphasizes how meaning is actually created in law, this study is devoted to illustrating that the meaning of heritage in law cannot be understood as a mechanical operation but rather constitutes an enterprise of social dialogue.

The 1970s and 1980s witness the regulations and reconstructions of identity claims as "collective identity" from religion (Holtorf 2011), and also from urbanization and social change. Cultures began to be valued and eva-

luated in the context of increasing demands for the political recognition of cultural and identity claims (Smith 2015; cf. also Waterton 2009, Smith and Waterton 2020). More specifically, culture, measured in a more critical and semiotic fashion, represents a system of common and implicit beliefs that, somehow have a "social circulation" and therefore a "manifestation" (Lorusso 2015: 12). Besides, the externality of culture in a system presents social values and identities with "sharable forms" (13). In other words, culture manifests in a diverse but unified way, including texts and semiotic artefacts which distribute the meanings that are essential for the respective culture.

A certain type of text is compatible with a certain culture. The understanding of culture and text, here, is not with the mythological and anthropological approach focusing on artistic creations or literary texts (Jakobson and Lévi-Strauss 1962); it concentrates on the immanent qualities of texts, "both the internal and external associations of texts are specific to a particular text" (Lotman 2019: 246). As Eco once pointed out, we focus on the systemic and contextual relationship of cultural units within and beyond signs:

> In fact we can "touch" interpretants (i.e. we can empirically test a cultural unit), for culture continuously translates signs into other signs, and definitions into other definitions, words into icons, icons into ostensive signs, and ostensive signs into new definition, new definitions into propositional functions, propositional functions into exemplifying sentences and so on; in this way it proposes to its members an uninterrupted chain of cultural units composing other cultural units, and thus translating and explaining them (Eco 1976: 71).

Culture is a universe created by a plurality of interacting and mutually supportive sign systems which may be studied from the point of view of the definition and structuring of "different types of cultural texts" (Sebeok 1977: 122). A cultural approach in semiotics implies a focus on the correlation logic connecting texts and codes within a system (Lorusso 2015: 9) in that codes and laws regulate society and culture unconsciously. It is thus feasible to analyze laws as codes or sign systems from the perspective of semiotics, and especially of cultural semiotics which also enables an understanding of the social and cultural context of laws and of the legal systems. More specifically, culture can be understood as the development and the protection of knowledge and traditions, while the nature of heritage legislation[2] is also primarily protection rather than punishment (Chechi 2014). Meanwhile, law, as a specific cultural text, carries and identifies its specific nature of cultures. Legal culture is a part of culture generally: "those parts of general culture – customs, opinion, ways of doing and thinking – that bend social forces toward or away from the law and in particular ways" (Friedman 1975: 15). In this sense, legal texts can show legal cultures with common values in sign systems. As such, a legal text can be perceived as a result of sociocultural conditions.

More specifically, according to Lotman's approach, texts are active: they create their own unique context, with its systems of connections lying outside the text (Lotman 2002; Kull and Lotman 2012). Cultures create texts, and texts shape practice and thus in turn influence cultural developments. The same relationship is present between legal cultures and legal texts, showing social values in specific contexts and specific sign systems. Taking a dynamic notion of texts as a basis, legal systems can be understood as a dynamic system where written texts (laws) interact with the practical application of legal principles in the courtroom. The enactment of laws lies in the dynamics of meaning construction. Cultures are complex systems of compatibility and incompatibility, sets of series that continuously collect and recombine some elements while excluding and removing others (Lorusso 2015: 9).

Taking into account the theoretical assumptions outlined above, the present study views heritage as both a legal term and a cultural concept, and illustrate its meaning construction in different legal instruments on the basis of corpus-assisted case studies, aiming to concentrate its sign interpretation and its interactions with multi-level legal instruments and cultures. Additionally, the semiotics of culture is also a study of the possible developmental trends of a system, that is, futures prepared and made probable by its internal logic (Lorusso 2015: 11). The evolutionary logic of cultural heritage is the systematization of ongoing processes. This study, based on the current meaning construction of cultural heritage, endeavors to judge the relative probability of further ongoing processes.

3. "Heritage" as a term

Heritage, or heritage property, can be understood as a sign system (code), which provides owners of property with certain rights, remedies, duties and obligations. Based on the justifications for the support of property assumed in several forms, especially from heritage studies, property is generally considered beneficial, that the standard indicators of "ownership" in deciding if a certain interest is to be considered property: as the core benefits of property center around "the ability of owners" to capture and create value from the "rights" attributed to a particular type of property. Property is presented as a sign; an idea with meaning that arises from the ability to place certain interests into symbolic "boxes" or "categories" of property types.

In order to analyze the detailed evidence of heritage terms, the present study applies corpus linguistics for studying the use of heritage by taking frequency, keyword extraction and collocations as the detailed methods.[3] Corpus linguistics is a bottom-up approach for the full evidence of language usage with the aim of finding probabilities, trends, patterns, co-occurrences of elements, features or groupings of features (Teubert and Krishnamurthy 2007). The Heritage Law Corpus used in this study contains legal documents about heritage studies worldwide, including formal legal docu-

ments from UNESCO, and other important international charter or declarations. The corpus (approximately 117,799 words) consists of 41 legal documents from 1969 to 2018, some of which were retrieved on the UNESCO and European Council websites as official documents.

The keyword extraction can show multi-word expressions which occur more frequently in the focus corpus than in a reference corpus, which can help to understand what the topic of the corpus is or how it differs from the reference corpus[4]. Table 1 shows the top 25 multi-words terms in Heritage Law Corpus with English Web 2015 (enTenTen15) as the reference corpus.

Tab. 1: Top 25 multi-words terms in Heritage Law Corpus

Rank	Term	Score	Freq	Ref freq	Rel freq	Rel ref freq
1	cultural property	2002.85	336	3765	2490.549	0.244
2	underwater cultural heritage	963.71	133	379	985.842	0.025
3	archaeological heritage	527.05	80	1970	592.988	0.128
4	cultural heritage	431.26	382	85817	2831.517	5.568
5	cultural significance	348.3	68	6941	504.04	0.45
6	natural heritage	310.55	70	10393	518.864	0.674
7	architectural heritage	299.8	52	4456	385.442	0.289
8	present convention	254.85	36	796	266.845	0.052
9	movable cultural property	252.77	34	19	252.02	0.001
10	protection of cultural property	242.94	33	176	244.608	0.011
11	cultural object	231.48	32	448	237.195	0.029
12	enhanced protection	225.56	32	866	237.195	0.056
13	digital heritage	208.56	30	1103	222.37	0.072
14	heritage value	192.74	28	1270	207.546	0.082
15	cultural heritage value	177.48	24	132	177.896	0.009
16	distinctive emblem	148.5	20	83	148.247	0.005
17	special protection	145.44	25	4346	185.309	0.282
18	such property	139.11	24	4423	177.896	0.287
19	present recommendation	133.75	18	79	133.422	0.005
20	common heritage	125.73	20	2890	148.247	0.188
21	integrated conservation	123.67	17	417	126.01	0.027
22	intentional destruction	116	16	478	118.598	0.031
23	coordinating state	111.41	15	112	111.185	0.007
24	such declaration	108.5	15	524	111.185	0.034
25	preceding paragraph	104.36	16	2255	118.598	0.146

Table 1 shows that the topics represented in the heritage law corpus can be roughly classified into four different categories, namely (1) “heritage”, including “cultural heritage”, “underwater cultural heritage”, “archaeological heritage”, “natural heritage”, “architectural heritage”, “digital heritage” and “common heritage”; (2) “property”, including “cultural property”, “movable cultural property” and “protection of cultural property”; (3) “significance” or “value”, including “cultural significance”, “heritage value” and “cultural heritage value”; and (4) “protection” or “conservation”, including “enhanced pro-

tection", "special protection" and "integrated conservation". With the frequency and relative frequency as parameters, it shows that terms with "heritage" reach the top, with all kinds of heritage.

Tab. 2: Top 48 two-word collocations with "heritage"

Rank	Co-selection	Freq	Rank	Co-selection	Freq	Rank	Co-selection	Freq
1	cultural	490	**17**	significance	11	**33**	concerned	7
2	underwater	134	**18**	convention	10	**34**	importance	7
3	natural	97	**19**	European	10	**35**	international	7
4	archaeological	91	**20**	including	10	**36**	located	7
5	architectural	58	**21**	sites	10	**37**	mankind	7
6	value	37	**22**	diversity	9	**38**	policies	7
7	digital	32	**23**	access	8	**39**	relating	7
8	protection	25	**24**	built	8	**40**	respect	7
9	common	24	**25**	concerning	8	**41**	take	7
10	conservation	24	**26**	considered	8	**42**	vernacular	7
11	places	24	**27**	indigenous	8	**43**	constitute	6
12	management	18	**28**	part	8	**44**	cultures	6
13	destruction	16	**29**	UNESCO	8	**45**	ensure	6
14	world	15	**30**	University	8	**46**	humanity	6
15	protect	14	**31**	Americas	7	**47**	particular	6
16	europe	13	**32**	Article	7	**48**	preserve	6

Meanwhile, if we check the top two-word collocations with "heritage", it is easy to get all kinds of heritage, or the hyponyms of heritage, including "cultural", "underwater", "natural", "archaeological" and "architectural". In other words, within the sign system of heritage law, "heritage" as a hypernym can also be delimited by its hyponyms, such as "cultural heritage", "natural heritage" and "architectural heritage". Those hyponyms have their respective definitions, which in turn constitutes the totality of the meaning of "heritage".

If we go back to the definition of cultural heritage, we may find that cultural heritage concentrates on the common value, or "special value", for example from the perspectives of archaeology, history, art or science:

> […] the following shall be considered as "cultural heritage":
> (1) monuments: architectural works, works of monumental sculpture and painting, including cave dwellings and inscriptions, and elements, groups of elements or structures of special value from the point of view of archaeology, history, art or science;
> (2) groups of buildings: groups of separate or connected buildings which, because of their architecture, their homogeneity or their place in the landscape, are of special value from the point of view of history, art or science;
> (3) sites: topographical areas, the combined works of man and of nature, which are of special value by reason of their beauty or their interest from the archaeological, historical, ethnological or anthropological points of view (Art 1, *Recommendation concerning the Protection, at National Level, of the Cultural and Natural Heritage,* 1972).

The common value is identified in the scope of cultural heritage. The legal term as a signifier can be subject to different interpretations; that is, a legal term may indicate distinct legal concepts (Cheng and Sin 2009: 186). Even if those legal concepts share some core elements, they may still have minute differences in their denotations. Such minute differences can be interpreted as a result of subcultural differences within the same discourse community (Cheng and Sin 2007). A legal term exists in its corresponding sign system and culture, just as Cheng, Cheng and Sin (2014: 167) once said:

> A legal term is just a sign within its sign system; a legal term as an individual sign does not have any inherent meaning, and its meaning can only exist in the relationship with other signs or sign systems. […] a legal term only denotes in a particular temporal and spatial context.

One possible definition for "heritage" as a sign, understood as part of heritage law as a more general sign system, may be the following:

> Heritage is a broad concept and includes the natural as well as the cultural environment. It encompasses landscapes, historic places, sites and built environments, as well as biodiversity, collections, past and continuing cultural practices, knowledge and living experiences (*International Cultural Tourism Charter: Managing Tourism at Places of Heritage Significance*, 1999).

However, the definitions of heritage may vary over time. For example, there are at least two definitions of "cultural heritage".[5] The definition given in the *Recommendation concerning the Protection, at National Level, of the Cultural and Natural Heritage* from 1972 identifies three types of properties[6], including monuments, groups of buildings and sites, focusing on the tangible side of cultural heritage. The definition given in *Council of Europe Framework Convention on the Value of Cultural Heritage for Society* from 2005, on the other hand, expands the scope of cultural heritage to all resources that express values, beliefs and traditions, covering both the tangible and intangible sides:

> […] a cultural heritage is a group of resources inherited from the past which people identify, independently of ownership, as a reflection and expression of their constantly evolving values, beliefs, knowledge and traditions (Art 2, *Council of Europe Framework Convention on the Value of Cultural Heritage for Society*, 2005).

Meanwhile, the *Mexico City Declaration on Cultural Properties* (World Conference on Cultural Policies, 1982) noted in its fourth preamble paragraph that

> in its widest sense, culture may now be said to be the whole complex of distinctive spiritual, material, intellectual and emotional features that characterize a society or social group. It includes not only the arts and letters, but also modes of life, the fundamental rights of the human being, value systems, traditions and beliefs.

From this perspective, the definition of "cultural heritage" changes significantly during the interval from 1972 to 1982 and again until 2005, showing its diversity and change that follows an evolutionary logic. Tangible heritage forms all gain meaning through intangible practice, use and interpretation, "the tangible can only be interpreted through the intangible" (Beazley and Deacon 2007: 93). There may be a way in which intangible aspects of heritage "go beyond" the monumental and material elements traditionally protected by international (and most national) heritage law (Smith 2006: 61).

Additionally, both "cultural heritage" and "architectural heritage" includes three types of properties, i.e., monuments, groups of buildings and sites. Cultural heritage, in the initial stage, is equal to tangible cultural heritage, that is, architectural heritage:

> […] the expression "architectural heritage" shall be considered to comprise the following permanent properties:
> (1) monuments: all buildings and structures of conspicuous historical, archaeological, artistic, scientific, social or technical interest, including their fixtures and fittings;
> (2) groups of buildings: homogeneous groups of urban or rural buildings conspicuous for their historical, archaeological, artistic, scientific, social or technical interest which are sufficiently coherent to form topographically definable units;
> (3) sites: the combined works of man and nature, being areas which are partially built upon and sufficiently distinctive and homogeneous to be topographically definable and are of conspicuous historical, archaeological, artistic, scientific, social or technical interest (Art 1, *Convention for the Protection of the Architectural Heritage of Europe*, *Granada Convention*, 1985).

We may find the diachronic transfers of underlying cultural consideration, from property to heritage,[6] from tangible to intangible.[7] Take "property" and "heritage" as examples. Measuring these two words in our corpus, we find that the frequency of "property", including all kinds of expressions with "property", shows an imbalanced range and a decreasing trend, especially after the *Convention of 1954 for the Protection of Cultural Property in the Event of Armed Conflict The Hague*, 26 March 1999, shown in Fig. 2 (position 65%). While in Fig. 3, the expressions with "heritage" occur in a relatively balanced way, but with a higher overall frequency.

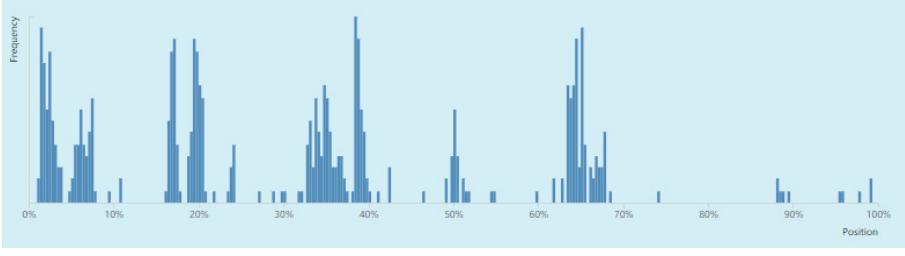

Fig. 2: Frequency trend of "property" in Heritage Law Corpus (granularity = 300).

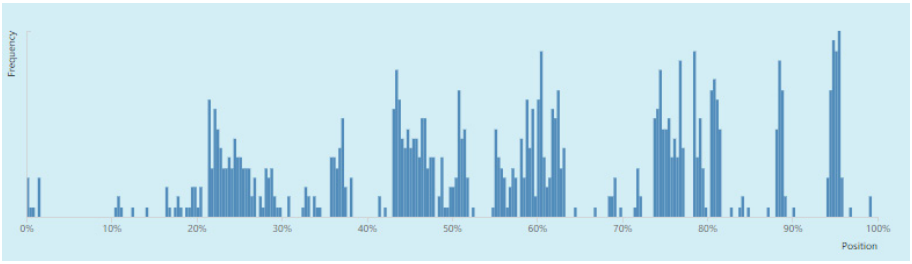

Fig. 3: Frequency trend of "heritage" in Heritage Law Corpus (granularity = 300).

As a hyponym of "heritage", "cultural heritage" itself can function as a hypernym within an expanded network and can be further delimited and synergized by its own hyponyms "underwater cultural heritage"[8], "intangible cultural heritage" and "natural heritage"[9], which in turn have their own definitions. For example, "intangible cultural heritage" means "the practices, representations, expressions, knowledge, skills – as well as the instruments, objects, artefacts and cultural spaces associated with them – that communities, groups and, in some cases, individuals recognize as part of their cultural heritage" (Art 2, *Convention for the Safeguarding of the Intangible Cultural Heritage*, 2003). This demonstrates the importance and perceived value of the intangible side of cultural heritage.

Beazley and Deacon seek to clarify the intimate connection between tangible and intangible heritage in the following way:

> Intangible heritage is probably best described as a kind of significance or value, indicating non-material aspects of heritage that are significant, rather than a separate kind of 'non-material' heritage. Examples include performing arts, rituals, stories, knowledge systems, know-how and oral traditions, as well as social and spiritual associations, symbolic meanings and memories associated with objects and places. Tangible heritage forms all gain meaning through intangible practice, use and interpretation: 'the tangible can only be interpreted through the intangible'. Intangible values can, however, exist without a material locus of that value (Beazley and Deacon 2007: 93).

Traditionally, the word "cultural objects" or "cultural property" gives more weight to private ownership or exclusive owner's rights, including the "exclusive sovereign interests of the territorial State" (Chechi 2014: 14) from the aspect of international laws, bringing about both a limitation of the scope of protection to tangible items, and their particular cultural and economic functions as the "commodification" of cultural objects (Prott and O'Keefe 1992: 310). Such a connection between property, tangible items and owner's rights links several terms, including heritage/property, tangible/intangible heritage, and heritage/language/cultural/human rights, which will be discussed within the international legal frameworks from the semiotic and sociosemiotic perspectives.

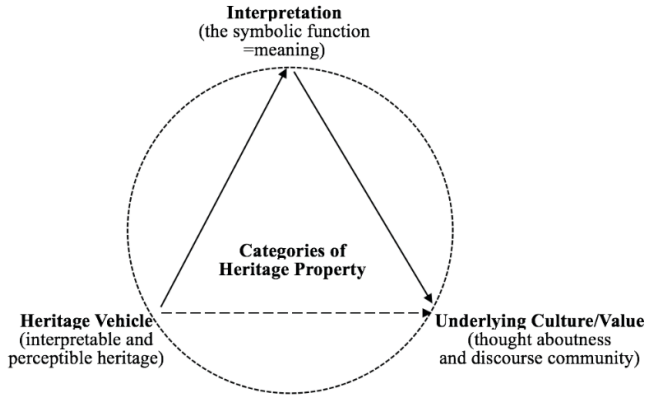

Fig. 4: A semiotic model of the principal categories of heritage.

From the perspective of Peirce's semiotics, there exists a process of "determination" that underlies signification, connecting representation, reference and meaning:

> I define a sign as anything which is so determined by something else, called its Object, and so determines an effect upon a person, which effect I call its interpretant, that the latter is thereby mediately determined by the former (Peirce 1931 [1994]: 2.478).

From the discussion in this section of "heritage" as a legal term, it has become clear that "heritage" may be subject to multiple interpretations and reinterpretations. Such a process theoretically is an unlimited semiotic projection in the continuum of meaning making connected with heritage and its discussion in legal contexts. Subcultural differences within the same "discourse community" often give rise to differences in writing styles of the same genre within that community (Cheng and Sin 2007). The interpretation of a given legal term may be subject to multiple interpretations and reinterpretations, and such the ongoing practice of heritage law is under the process of construction, deconstruction and reconstruction.

4. Heritage as right

As mentioned above, heritage or heritage property is a complex sign, with the connection of certain rights and remedies. Property in its various forms and categories is an interpretation of the characteristics of ownership (Mendham and Curtis 2010). Significantly, these characteristics of ownership are themselves representations of the underlying qualities of property and its legal definition. This means that the observed characteristics of ownership carry within them references to certain basic qualities ascribed to property. Specifically, property organizes time and records the history of social

relations over time (Muldrew 2016). Property not only is embedded within a specific place and space, carrying information about them, but it also encodes a metric of time and history.

We can illustrate this with a short list of examples: consider that property creates estate interests situated in time (fee simples seemingly lasting in perpetuity, life estates, and leasehold estates); property also divides estates into units of time making such things as the time share condominium possible, and splitting "future interests" from those of the "present" (Sheriff 1994: 303). Since the term "property" implies control in the form of an ability to alienate, exploit, dispose and exclude others from using or benefiting from an object, heritage can also be understood as a discourse, because it is concerned with social relations and with power.

The international recognition of "intangible heritage" as something that should be preserved is one the most significant recent developments in the context of international cultural heritage, alongside the closely related area of cultural rights as human rights:

> Everyone, alone or in community with others, has the right: (a) To choose and to have one's cultural identity respected, in the variety of its different means of expression […] (b) To know and to have one's own cultural respected as well as those cultures that, in their diversity, make up the common heritage of humanity. This implies in particular the right to knowledge about human rights and fundamental freedoms, as these are values essential to this heritage (Art 3, *Firbourg Declaration on Cultural Rights*, 2007).

A right is more often than not defined as a freedom that is conferred by law. When it comes to international contexts, it involves the conflict of law due to varieties in jurisdictions. Even within the domestic law, there is a tendency: these with higher hierarchical status prevail over those with lower hierarchical status; and some regulations are not even binding within the context of adjudication. The diversity in legislations and regulations therefore complicates the issues of heritage right. Taking the case of China as an example, we can see there is a hierarchy in legislations and regulations which provide a system to regulate heritage issues, including legislations, administrative regulations, departmental rules and local policies and regulations.[10]

In law, there is a further distinction between *right in rem* (right in a thing), such as property rights, and *right in personam* (right in a person), such as claims against specific persons. In the evolution of heritage law, heritage was first taken as property and tangible, and later extended so as to include those as property and intangible, and those as cultural and intangible.

It is true that in law we human beings do have "*right in rem*" (property right), but such a right is not the right of property *per se* rather than the right to/in a thing enjoyed by human being. In other words, heritage right in the legal settings in essence is the human right, though who is the "human" herein is an open issue. Such an understanding may be reflected in the *UN*

Charter and the *International Covenant on Civil and Political Rights*. Human rights are central among the purposes of the United Nations, as proclaimed in its own Charter, which states they are "human rights and for fundamental freedoms for all without distinction" (Art 1, *UN Charter*, 1945). Since "everyone may enjoy his civil and political rights, as well as his economic, social and cultural rights" (Preamble, *International Covenant on Civil and Political Rights*, 1966), it is argued that political, cultural, social, economic, and civil rights are construed as a system, in their entirety.

If we understand cultural heritage within the framework of the *UN Charter*, we may relate the issues of cultural heritage to cultural rights. Human rights, however, do not impose one single cultural standard, and respect every single one. However, cultural rights are not unlimited (Hoffman 2006). A right is always a type of discretion or freedom to exercise or not on the one hand, and is relative to obligation on the other hand.

5. Cultural Heritage in Legal Settings

5.1 Heritage as discourse

"Heritage is a discourse", as advocated by Fairclough (1992: 64), "[…] a practice not just of representing the world, but of signifying the world, constituting and constructing the world in meaning". In the same vein, Smith (2004) also proposes applying discourse analysis to heritage studies. In terms of the interface of heritage and law, law defines heritage, and practices related to heritage in turns shape the laws connected with it. Such a process is not a one-way operation, but more of interaction, either two ways or even a circuit. As noted by Cheng and Sin (2007), we may construct a discourse for our purpose but such a construction may in turn shape us. Cheng and Sin (2007) go further to emphasize the importance of interpreting a discourse from and within the perspective of (sub)discourse community, i.e., even within heritage discourse, heteroglossia (different voices) may exist (Bakhtin and Sollner 1983), though some kind of "Authoritative Heritage Discourse" (e.g. Smith 2006) dominates at a certain stage. Such Authoritative Heritage Discourse may be replaced by another discourse, which is not dominant at a certain stage but later becomes part of the Authoritative Heritage Discourse during the perpetual recycling of heritage discourse.

As discussed in the Fourth International Conference of Association of Critical Heritage Studies and shown in the volume *Diversity and Tolerance*: *Heritage Across Borders* edited by Cheng, Cai and Yang (2020), a multi-stakeholder and polycentric approach, combined with an interdisciplinary perspective, can be useful to explore the much complicated issue in heritage studies, which is typically represented in heritage law, whether domestic or international, the highest norm regulating heritage.

5.2 Heritage as a sign

Meaning-making in legal settings is neither purely a jurisprudential operation nor a choice among different canons of legal interpretation. It is rather the dialogue demonstrated in various forms, such as power negotiation and interest weighing. Legal interpretation is a social practice and meaning-making in legal settings is an enterprise of social dialogue and power negotiation; in other words, legal interpretation is in a sense an inter-semiotic operation between law and its interfaces with society and politics (Cheng 2012: 427).

The enforcement of the laws about cultural property could be identified as "a continuous interaction and hybridization" of multilevel legal instruments, which are driven by courts or tribunals. These different "driving agents" aim to enforce "standards" on the protection and maintenance of cultural heritage, property, or even identity and rights (Francioni and Gordley 2013: 9). This can be related to Peirce's assertion that signs are anything we know or claim to know we know because it is a sign and interpretable (1931 [1994]). Peirce's argument is that signs interpret signs. It is only through the methods of semiotics, "the method of methods" (Kevelson 1987: 13), that we are able to account for the process whereby our system of signs interprets another system of signs and thus grows, and gives birth to new signs.

A cultural semiotic perspective therefore requires a specific focus on the systemic and contextual relationships through which meaning is bestowed (Lorusso 2015: 6). A text does not remain static, surrounded by the wealth of its contents, instead it circulates and interferes with the surrounding world (Lorusso 2015: 17). Meaning is not inside a sign as it is signified (an inseparable part of a sign), but is associated with a sign (representamen) in an act of communication (Piatigorsky and Lotman 1968; Lotman 2019: 245). This study aims to profile the meaning construction in heritage law as a continuum instead of something prefixed and unchangeable, by discovering the systemic and contextual relationship though which meaning is bestowed, presented and constructed in the domain of heritage laws.

As mentioned above, heritage law has its typical features of temporality and spatiality as a sign, which is subject to multiple and alternative interpretations, showing its underlying evolutionary logic of culture and society. Heritage, as a cultural concept, carries its unique spaces bestowed by its sign system, as Lotman points out:

> The placement of spatial and temporal models into the same series is arguable in and of itself and belongs to the 20th century (the age of the Theory of Relativity). For Bakhtin as a product of modernist culture, time is like a fourth dimension of the chronotype, as it is for Einstein, who is also a modernist. We, however, […] based our approach on mathematical (topological) terms of space: in this sense, space is an abundance of objects (points), with a relationship of continuity lying between. In that sense, one can talk about semantic space, ethical space, temporal space and

> even the space of physical space. From this viewpoint, space is the universal language of modelling. Note that in everyday language we express temporal categories using spatial language (forthcoming, following, time flies, time has stopped, etc.) whereas spatial concepts are impossible to express in temporal terms (Lotman 1997: 720).

Thus, from the perspectives of legal pluralism, legal positivism and institutional theory of the law, the underlying social structure makes up of the individual and collective beliefs, practices, and shared inclinations of members of the society, and the material organization that is the reflection of such practices and inclinations. Heritage law is therefore the product of the social organization of any given society within, outside, and above the state, due to the succession of different periods of history; it is also due to different interpretations and renditions of the spirit of the same epoch (Francioni 2011). In the infinite variety of its expressions, heritage reflects the variety of collective inclinations and social organizations of the communities that have produced and maintained it.

Such an exploration views heritage itself and its relevant terms as signs, and its international legal hierarchy and framework as sign systems, considering the infinity of cultural meaning and understanding. By examining the core terms in heritage discourse, this study has argued that cultural heritage can be understood and interpreted within its corresponding international legal framework from an interdisciplinary perspective connecting sociosemiotics, heritage study, law, and linguistics. The proposed semiotic models are applied to explore the complexity and diversity of heritage studies from an international outlook, thus hopefully providing useful insights into heritage studies and interpretations of heritage law, both from a theoretical and practical perspective.

6. Conclusions

In parallel with the insufficient awareness of a longer temporal perspective, heritage studies have an underdeveloped sense of heritage history, or what might be termed the "heritage of heritage" (Ashworth 2013). Lowenthal drew attention to this when he noted that history itself is a heritage, and in this respect, conceptions of modernity and even the longing for the future that Lowenthal speaks of are "contemporary products shaped by the past" (Lowenthal 1998: 1). As Lowenthal argues, "heritage, far from being fatally predetermined or Godgiven, is in large measure our own marvelously malleable creation" (226). Heritage is not an innate or primordial phenomenon; people have to be taught it. As Lowenthal stresses, understanding heritage is crucial; "we learn to control it lest it controls us" (Lowenthal 1998: 3).

The meaning relations in the texts are relatively independent beyond the symbolic representation of the interval across time and space, as the semiotic nature of a genre, i.e. the characteristics of "temporality" and "spatiality" (Cheng 2010: 111). Conversely, such a symbolic representation of the

participant expansion produces what can be called textuality or textualization (Lemke 2005), and "real meaning" (Bakhtin 2008: 42) through meaning-making as a process of social dialogue and power negotiation (Machin and van Leeuwen 2016), especially in legal settings (Cheng and Cheng 2012).

Cultural heritage, understood within a linear model of time, belongs to a certain age and cultural context. Current studies of time, and the cultural semiotic models built on the basis of those studies, attest not only to different interpretations of the past but also to different pasts. This becomes especially obvious in situations of conflict between cultures (Lorusso 2015: 259). Variability and pluralism characterize not only the future but also the past, which is always a reconstruction, a semiotic model that is constructed based on certain rules which the builders themselves may use unconsciously. By their logic, the old times are always invented and constructed, not simply identified via documents (Lotman 2019). The past has to be constructed and reconstructed in order for it to be realized in the future.

Notes

* This work was supported by the National Social Science Foundation under the grant [20ZDA062].

1 These international instruments may be deemed as "soft-laws" (Francioni and Gordley 2013), including the *2001 Underwater Cultural Heritage Convention*, the *2003 Convention on the Safeguarding of Intangible Cultural Heritage*, the *2003 Declaration on the Intentional Destruction of Cultural Heritage*, and the *2007 Declaration on the Rights of Indigenous Peoples*.

2 It is possible to distinguish the following 10 functions of protective legislations on heritage (Chechi 2014: 65f.):
(1) controlling the alienation of cultural assets through provisions regulating the right of State pre-emption;
(2) regulating the location within the State of cultural objects belonging to the national heritage through their identification and registration with one or more inventories;
(3) zoning cities to protect historic areas in order to prohibit the alteration or destruction of monuments and sites, as well as destruction or damage to areas in close proximity to monuments and sites;
(4) imposing periodic inspection and limits on the use of privately-owned cultural assets;
(5) requiring the adoption of conservation measures;
(6) regulating access by the public or scholars;
(7) supervising excavation activities;
(8) regulating the ownership and award issues in the case of chance finds;
(9) establishing administrative and criminal sanctions; and
(10) implementing international obligations.

3 This corpus study applies Sketch Engine as corpus tool (Kilgarriff et al. 2014).

4 https://app.sketchengine.eu/#keywords.

5 This study focuses on the definitions in heritage legislations rather than in dictionaries. For example, in *Black's Law Dictionary*, "cultural property" refers to movable and immovable property that has cultural significance, whether in the nature of antiquities and monuments of a classical age or important modern items of fine arts, decorative arts, and architecture. Some writers prefer the term cultural heritage, which more broadly includes intangible cultural things such as folklore, crafts, and skills.

6 *Recommendation concerning the Protection, at National Level, of the Cultural and Natural Heritage*, 1972.

7 *Convention for the Safeguarding of the Intangible Cultural Heritage*, 2003.

8 "Underwater cultural heritage means all traces of human existence having a cultural, historical or archaeological character which have been partially or totally under water, periodically or continuously, for at least 100 years such as: (i) sites, structures, buildings, artefacts and human remains, together with their archaeological and natural context; (ii) vessels, aircraft, other vehicles or any part thereof, their cargo or other contents, together with their archaeological and natural context; and (iii) objects of prehistoric character" (Art 1, *Convention on the Protection of the Underwater Cultural Heritage UNESCO*, 2001).

9 "[T]he following shall be considered as 'natural heritage':
(1) natural features consisting of physical and biological formations or groups of such formations, which are of special value from the aesthetic or scientific point of view;
(2) geological and physiographical formations and precisely delineated areas which constitute the habitat of species of animals and plants, valuable or threatened, of special value from the point of view of science or conservation;
(3) natural sites or precisely delineated natural areas of special value – from the point of view of science, conservation or natural beauty, or in their relation to the combined works of man and of nature" (Art 1, *Recommendation concerning the Protection, at National Level, of the Cultural and Natural Heritage*, 1972).

10 For example, (1) legislations: *Constitution* (1982, amended in 2004); *Cultural Relics Protection Law* (1982, amended in 2015); *Intangible Cultural Heritage Law* (2011); (2) administrative regulations: *Regulation for the Implementation of the Cultural Relics Protection Law* (2017); *Regulation of the People's Republic of China on the Protection of Underwater Cultural Relics* (1989, revised in 2011); (3) departmental rules: *Measures for the Administration of Culture Relics Preservation Projects* (1963), *Regulations on the Protection of Historical and Cultural Cities in Zhejiang Province* (1990); and (4) local policies and regulations: *Regulations for the Protection and Utilization of Historical Buildings in Hangzhou* (2007), etc.

References

Ashworth, Gregory (2013). From history to heritage–from heritage to identity. In: Gregory Ashworth and Peter Larkham (eds.). *Building a New Heritage: Tourism, Culture and Identity in the New Europe.* New York: Routledge, 13–30.

Bakhtin, Mikhail (2008). *The Dialogic Imagination: Four Essays.* Austin: University of Texas Press.

Bakhtin, Mikhail and Patricia Sollner (1983). Rabelais and Gogol: The Art of Discourse and the Popular Culture of Laughter. *Mississippi Review* 11, 3, 34–50.

Beazley, Olwen and Harriet Deacon (2007). The Safeguarding of Intangible Heritage values under the World Heritage Convention: Auschwitz, Hiroshima and Robben Island. *Safeguarding Intangible Cultural Heritage-Challenges and Approaches-Institute of Art and Law: Builth Wells*, 93–107. http://www.academia.edu/download/30216439/DeaconandBeazley_final_with_last_edits.doc

Blake, Janet (2000). On defining the cultural heritage. *International & Comparative Law Quarterly* 49, 1, 61–85.

Blake, Janet (2015). *International Cultural Heritage Law.* Oxford: Oxford University Press.

Brown, Michael (2005). Heritage trouble: Recent work on the protection of intangible cultural property. *International Journal of Cultural Property* 12, 1, 40–61.

Chandler, Daniel (1994). *Semiotics for Beginners.* Accessed 10 July 2015. Available at: http://visual-memory.co.uk/daniel/Documents/S4B/.

Chechi, Alessandro (2014). *The Settlement of International Cultural Heritage Disputes.* Oxford: Oxford University Press.

Cheng, Le (2010). A semiotic interpretation of genre: Court judgments as an example. *Semiotica* 182, 89–113.

Cheng, Le (2012). Attribution and judicial control in Chinese court judgments: A corpus-based study. *International Journal of Speech, Language and the Law* 19, 1, 27–49.

Cheng, Le, Jianming Cai and Jianping Yang (eds.) (2020). *Diversity and Tolerance: Heritage Across Borders.* Zhejiang: Zhejiang University Press.

Cheng, Le and Winnie Cheng (2012). Legal interpretation: Meaning as social construction. *Semiotica* 192, 427–448.

Cheng, Le, Winnie Cheng and King Kui Sin (2014). Revisiting legal terms: A semiotic perspective. *Semiotica* 202, 167–182.

Cheng, Le and King Kui Sin (2007). Contrastive analysis of Chinese and American courtroom judgments. In: Krzysztof Kredens and Stanislaw Gozdz-Roszkowski (eds.). *Language and the Law: International Outlooks.* Frankfurt am Main: Peter Lang, 325–356.

Cheng, Le and King Kui Sin (2008). Terminological equivalence in legal translation: A semiotic approach. *Semiotica* 172, 33–45.

Cheng, Le and King Kui Sin (2009). Legal terms across communities: Divergence behind convergence in law. In: Anne Wagner and Vijak K. Bhatia (eds.). *Diversity and Tolerance in Socio-Legal Context: Explorations in the Semiotics of Law*. London: Ashgate, 181–190.

Cobley, Paul (ed.) (2009). *The Routledge Companion to Semiotics.* New York: Routledge.

Derrida, Jacques (1982). *Margins of Philosophy.* Chicago: University of Chicago Press.

Dupuy, Pierre-Marie, Francesco Francioni and Ernst-Ulrich Petersmann (eds.) (2009). *Human Rights in International Investment Law and Arbitration.* Oxford University Press.

Eco, Umberto (1976). *A Theory of Semiotics.* Bloomington: Indiana University Press.

Fairclough, Norman (1992). Discourse and text: Linguistic and intertextual analysis within discourse analysis. *Discourse & Society* 3, 2, 193–217.

Forrest, Craig (2002). A new international regime for the protection of underwater cultural heritage. *The International and Comparative Law Quarterly* 51, 3, 511–554.

Forrest, Craig (2012). *International Law and the Protection of Cultural Heritage.* New York: Routledge.

Foucault, Michel (2002). *The Order of Things: An Archeology of Human Sciences*. London: Routledge.

Francioni, Francesco (2011). The human dimension of international cultural heritage law: An introduction. *European Journal of International Law* 22, 1, 9–16.

Francioni, Francesco and James Gordley (eds.) (2013). *Enforcing International Cultural Heritage Law*. London: Oxford University Press.

Friedman, Lawrence (1975). *The Legal System: A Social Science Perspective.* New York: Russell Sage Foundation.

Frigo, Manlio (2004). Cultural property v. cultural heritage: A "battle of concepts" in international law?. *International Review of the Red Cross* 86, 854, 367–378.

Ghedini, Nadia, Cristina Sabbioni and Marta Pantani (2003). Thermal analysis in cultural heritage safeguard: An application. *Thermochimica Acta* 406, 1, 105–113.

Goh, Daniel (2014). Between history and heritage: Post-colonialism, globalisation, and the remaking of Malacca, Penang, and Singapore. *TRaNS: Trans-Regional and-National Studies of Southeast Asia* 2, 1, 79–101.

Hall, Stuart (ed.) (1997). *Representation: Cultural Representations and Signifying Practices.* London: Sage.

Harrison, Rodney (2012). *Heritage: Critical Approaches.* New York: Routledge.

Hart, Herbert Lionel Adolphus (1983). *Essays in Jurisprudence and Philosophy.* Oxford: Oxford University Press.

Herzfeld, Michael (2000). *Anthropology: Theoretical Practice in Culture and Society*. New Jersey: Wiley-Blackwell.

Hoffman, Barbara (2006). Introduction to Parts II and 111: Cultural Rights, Cultural Property. In: Barbara T. Hoffman (ed.). *Art and Cultural Heritage: Law, Policy and Practice.* London: Cambridge University Press, 89–93.

Holtorf, Cornelius (2011). The Changing Contribution of Cultural Heritage to Society. *Museum International* 63, 1, 8–16.

Holtorf, Cornelius and Anders Högberg (eds.) (2020). *Cultural Heritage and the Future.* Oxon/New York: Routledge.

Jakobson, Roman and Claude Lévi-Strauss (1962). "Les chats" de Charles Baudelaire. *L'homme* 2, 1, 5–21.

Kevelson, Roberta (1987). *Charles S. Peirce's Method of Methods.* Amsterdam/Philadelphia: John Benjamins Publishing Company.

Kilgarriff, Adam, et al. (2014). The Sketch Engine: Ten years on. *Lexicography* 1, 1, 7–36.

Kull, Kalevi and Mihhail Lotman (2012). Semiotica Tartuensis: Jakob von Uexküll and Juri Lotman. *Chinese Semiotic Studies* 6, 1, 312–323.

Lemke, Jay (2005). *Textual Politics: Discourse and Social Dynamics.* New York: Taylor & Francis.

Lixinski, Lucas (2013). *Intangible Cultural Heritage in International Law.* Oxford: Oxford University Press.

Logan, William (2007). Closing Pandora's box: human rights conundrums in cultural heritage protection. In: Helaine Silverman and Fairchild Ruggles (eds). *Cultural Heritage and Human Rights.* New York: Springer, 33–52.

Lorusso, Anna Maria (2015). *Cultural Semiotics: For a Cultural Perspective in Semiotics.* New York: Palgrave Macmillan.

Lotman, Juri (1997). Culture as a subject and an object in itself. *Trames* 1, 1, 7–16.

Lotman, Juri (2019). Afterword: (Re)constructing the Drafts of Past. In: Marek Tamm (ed.). *Juri Lotman-Culture, Memory and History.* Cham: Palgrave Macmillan, 245–265.

Lotman, Mihhail (2002). Umwelt and semiosphere. Σημειωτκή – *Sign Systems Studies* 30, 1, 33–40.

Lowenthal, David (1998). *The Heritage Crusade and the Spoils of History*. Cambridge: Cambridge University Press.

Machin, David and Theo van Leeuwen (2016). Multimodality, politics and ideology. Journal of Language and Politics 15, 3, 243–258.

Martin, Bronwen and Felizitas Ringham (2006). *Key Terms in Semiotics.* London and New York: Continuum.

McKercher, Bob and Hilary du Cros (2002). *Cultural Tourism: The Partnership Between Tourism and Cultural Heritage Management.* New York: Routledge.

Mendham, Emily and Allan Curtis (2010). Taking over the reins: Trends and impacts of changes in rural property ownership. *Society and Natural Resources* 23, 7, 653–668.

Muldrew, Craig (2016). *The Economy of Obligation: The Culture of Credit and Social Relations in Early Modern England*. New York: Springer.

Ogden, Charles Kay and Ivor Armstrong Richards (1923). *The Meaning of Meaning.* New York: Harcourt Brace and World.

O'Keefe, Patrick (1997). *Law and the Cultural Heritage.* London: Butterworths.

Peirce, Charles Sanders (1931 [1994]). *The Collected Papers of Charles Sanders Peirce*. 8 vols. Edited by Charles Hartshorne and Paul Weiss. Cambridge, MA: Harvard University Press.

Piatigorsky, Aleksander and Yuri Lotman (1968). Text and Function. *Semiotica* 1, 2, 205–217.

Pickard, Richard (ed.) (2001). *Policy and Law in Heritage Conservation.* New York: Taylor & Francis.

Prott, Lyndel and Patrick J. O'Keefe (1984). *Law and the Cultural Heritage:* Vol. I – *Discovery and Excavation*. Habington: Professional Books.

Prott, Lyndel and Patrick J. O'Keefe (1992). 'Cultural heritage' or 'cultural property'? *International Journal of Cultural Property* 1, 2, 307–320.

de Saussure, Ferdinand (1959 [2011]). *Course in General Linguistics.* Translated by Wade Baskin and edited by Perry Meisel and Haun Saussy. New York: Columbia University Press.

Sebeok, Jean Umiker (1977). Semiotics of Culture: Great Britain and North America Author(s). *Annual Review of Anthropology* 6, 121–135.

Serequeberhan, Tsenay (2000). *Our Heritage: The Past in the Present of African-American and African Existence.* Maryland: Rowman & Littlefield.

Sheriff, John (1994). *Charles Peirce's Guess at the Riddle: Grounds for Human Significance*. Bloomington: Indiana University Press.

Smith, Laurajane (2004). *Archaeological Theory and the Politics of Cultural Heritage.* New York: Routledge.

Smith, Laurajane (2006). *Uses of Heritage.* New York: Routledge.

Smith, Laurajane (2015). Intangible Heritage: A challenge to the authorised heritage discourse? *Revista d'etnologia de Catalunya* 40, 133–142.
Smith, Laurajane and Natsuko Akagawa (eds.) (2008). *Intangible Heritage.* New York: Routledge.
Smith, Laurajane and Emma Waterton (eds.) (2020). *Taking Archaeology out of Heritage.* London: Cambridge Scholars Publishing.
Su, Junjie (2018). Conceptualising the subjective authenticity of intangible cultural heritage. *International Journal of Heritage Studies* 24, 9, 919–937.
Teubert, Wolfgang and Ramesh Krishnamurthy (2007). *Corpus Linguistics.* (Critical Concepts in Linguistics). London: Routledge.
Teubner, Gunther (1986). After legal instrumentalism. In: Gunther Teubner (ed.). *Dilemmas of Law in the Welfare State*. New York and Berlin: De Gruyter, 299–326.
Vecco, Marilena (2010). A definition of cultural heritage: From the tangible to the intangible. *Journal of Cultural Heritage* 11, 3, 321–324.
Wagner, Anne and Vijay K. Bhatia (eds.) (2009). *Diversity and Tolerance in Socio-Legal Contexts: Explorations in the Semiotics of Law.* Surrey, Burlington: Ashgate.
Wagner, Anne and Le Cheng (2011). Language, power and control in courtroom discourse. In: Anne Wagner and Le Cheng (eds.). *Exploring Courtroom Discourse: The Language of Power and Control*. London: Ashgate, 1–10.
Waterton, Emma (2009). Sights of sites: Picturing heritage, power and exclusion. *Journal of Heritage Tourism* 4, 1, 37–56.
Whitehead, Alfred North (1985). *Symbolism: Its Meaning and Effect.* New York: Fordham University Press.
Winter, Tim and Emma Waterton (2013). Critical Heritage Studies. *International Journal of Heritage Studies* 19, 6, 529–531.

Prof. Le Cheng, Ph.D.
Yuxiu Sun, M.A., Ph.D. candidate
Dr. Fangxin Chen, Ph.D, S.J.D
Department of Linguistics and Translation
School of International Studies
Zhejiang University
866 Yuhangtang Rd, Xihu District,
Hangzhou, Zhejiang Province
310058, People's Republic of China
Email: chengle163@hotmail.com, tjsunyuxiu@hotmail.com, chenfangxin09@126.com