

BOOK REVIEW
CULTURAL LAW: INTERNATIONAL, COMPARATIVE, AND INDIGENOUS
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RENTELN

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Legal literature has only relatively recently begun to examine the relationship between culture and law. The handful of books published on this topic have been somewhat conventional, predominantly focusing on the law's protection of cultural heritage. Suggested by its title, *Cultural Law* manages to set itself apart from other books on the topic by embracing an in-depth exploration of the mutual influence culture and law have upon each other through an interdisciplinary approach.

Cultural Law is a collection of materials and commentary on cultural law discussing the concept of cultural law and the reality of comparative, international, and indigenous law and practices. It includes excerpts from books, cases and case notes, international conventions and treaties, journal and newspaper articles and commentaries from a wide range of sources and academics. Through these means, the authors purport to bring the new field of study into the mainstream by providing the first comprehensive text that covers a wide range of cultural law issues. Their aim is to present an integrated, coherent framework of cultural law. Its sheer depth and breadth of coverage of the topic give it the potential to serve as both a university coursebook and a reference work. The authors seek to enhance interdisciplinary understanding of the meanings associated with "culture" and "law," noting the importance of acquainting law students and cultural specialists with each other's discipline, and the associated definitional dilemmas.

Through its commentary and materials, *Cultural Law* examines issues such as the cultural dimension of the legal process itself, how cultural identification may enrich or constrain legal communications and how law deals with cultural diversity and cross-cultural sensitivities. *Cultural Law* does, however, cover more familiar topics such as the international agreements relating to the protection of cultural heritage, tangible and intangible culture, protection of cultural heritage in times of armed

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conflict, the role of museums, and claims for return and restitution of cultural heritage.

Cultural Law is organised into ten chapters, presenting materials in a well-organised and coherent manner by using headings and subheadings such as “The Cultural Dimension of the Legal Process” and “Dispute Resolution amid Cultural Diversity.” However, this coherency is often blurred by a distinct lack of commentary throughout the book. Even though editor’s notes are occasionally included, summarising the material or explaining its relevance, the authors mostly leave the extracts to speak for themselves. While the authors include a number of pertinent and thought-provoking notes and questions after each material or commentary, the relevance and meaning of an excerpt is mostly left to the interpretation of the reader.

Chapter one provides an introduction to cultural law, considering issues such as whether culture is a human right. This is examined in the context of areas such as the environment. A working definition of “cultural law” is presented in terms of a set of six relationships between law and culture. Each of these relationships is considered through the example of music, a “neglected aspect” of cultural law. Chapter two focuses on the interdisciplinary nature of culture and law, devoting its first half to meanings associated with culture, and its second to those of associated meanings of law, from a jurisprudential, international, comparative, indigenous and pluralist perspective. Subsequent chapters focus on core themes and topics of cultural law, such as cultural heritage law, museums, sports, religion, and linguistic expression.

Cultural Law’s wide coverage of the issues and interdisciplinary nature can be attributed to the author’s collective experience in the emerging field of cultural law. James A. R. Nafziger is Thomas B. Stoel, Professor of Law at Willmette University, Robert Kirkwood Paterson is a Professor of Law at the University of British Columbia, and Alison Dundes Renteln is a Professor of Political Science and Anthropology at the University of Southern California. Their varied backgrounds and experience in law and cultural rights shines through in the text.

This book has not been devised as a bite-sized introductory text to cultural heritage law. Instead, it invites lawyers and law students alike to expand upon the narrow but predominant conception that law’s only relationship with culture is to protect it. *Cultural Law* does not provide a definitive definition of cultural law. Rather, the book leaves readers to formulate their own conception of cultural law through its stimulating commentary and materials.