INTERNATIONAL JOURNAL OF

VOLUME 29 2022 NUMBER 1





ISSN 0940-7391

Published online by Cambridge University Press

International Journal of Cultural Propertyl provides a vital, international, and multidisciplinary forum for the broad spectrum of views surrounding cultural property, cultural heritage, and related issues. Its mission is to develop new ways of dealing with cultural property debates, to be a venue for the proposal or enumeration of pragmatic policy suggestions, and to be accessible to a wide audience of professionals, academics, and lay readers.

Instructions for Contributors and Book Review Information can be found at cambridge. org/jcp

Subscription information. *International Journal of Cultural Property* is published four times a year (February, May, August, and November) by Cambridge University Press, One Liberty Plaza, 20th floor, New York, NY 10006, USA.

The subscription price of Volume 29 (2022) including delivery by air where appropriate (but excluding VAT) is \$644 (£387) for institutions print and online; \$518 (£313 and €350) for institutions online only. Individual subscriptions are available at \$103 (£56) for print and online; \$44 (£32) for online only.

Orders, which must be accompanied by payment, may be sent to a bookseller, subscription agent or direct to the publisher: Cambridge University Press, Journals Fulfillment Department, 1 Liberty Plaza, New York, NY, 10006, USA; or Cambridge University Press, UPH, Shaftesbury Road, Cambridge CB2 8RU, England. For single issues, please contact subscriptions_ newyork@cambridge.org.

Advertising. For information on display ad sizes, rates, and deadlines for copy, please contact USAdSales@cambridge.org.

ISSN: 0940-7391 EISSN: 1465-7317

© International Cultural Property Society, 2022. All rights reserved.

No part of this publication may be reproduced, in any form or by any means, electronic, photocopying, or otherwise, without permission in writing from Cambridge University Press. Policies, request forms and contacts are available at: http://www.cambridge.org/ about-us/rights-permissions/permissions/permissions-requests/

Permission to copy (for users in the U.S.A.) is available from Copyright Clearance Center http://www.copyright.com, email: info@copyright.com.

POSTMASTER: Send address changes in the USA, Canada, and Mexico to: *International Journal of Cultural Property*, Cambridge University Press, Journals Fulfillment Department, One Liberty Plaza, 20th Floor, New York, NY 10006. Send address changes elsewhere to *International Journal of Cultural Property*, Cambridge University Press, Journals Fulfillment Department, UPH, Shaftesbury Road, Cambridge CB2 8BS, England.

Cover: A variety of *Nsangwa* (small baskets) woven by Tonga women in Zambia. The ways in which gender, traditional cultural expressions, collaborative innovation, and intellectual property intersect in these weaving traditions is the subject of the article by Musiza in this issue. Photograph courtesy of Charlene Musiza.

INTERNATIONAL JOURNAL OF Cultural Property

VOLUME 29 (2022) NUMBER I

Editor

Alexander A. Bauer, Queens College, CUNY, USA

Case Notes Editors

Janet E. Blake, University of Shahid Beheshti, Iran Derek Fincham, Houston College of Law, USA

Book Review Editor

Anila Naeem, NED University of Engineering and Technology, Pakistan

Associate Editors

Haidy Geismar, University College London, UK

Sonia Katyal, University of California, Berkeley, School of Law, USA

- Lucas Lixinski, University of New South Wales-Sydney, Australia
- Elizabeth Marlowe, Colgate University, USA

Trinidad Rico, Rutgers University, USA

Editorial Board

- Bahar Aykan, Marmara University, Turkey
- Márcia Bezerra de Almeida, Universidade Federal do Pará, Brasil
- Mira Burri, University of Lucerne, Switzerland
- Shadreck Chirikure, University of Cape Town, South Africa
- Emma Cunliffe, University of Newcastle, UK
- Chip Colwell, Denver Museum of Nature and Science, USA
- María Luz Endere, Conicet and Universidad del Centro de la Provincia de Buenos Aires, Argentina
- Richard Handler, Universiity of Virginia, USA
- Claire Lyons, J. Paul Getty Museum, USA

Elina Moustaira, School of Law, National and Kapodistrian University of Athens, Greece

- Dawson Munjeri, Great Zimbabwe University, Zimbabwe
- James A. R. Nafziger, Willamette University College of Law, USA
- Akin Ogundiran, University of North Carolina-Charlotte, USA
- Tabitha Oost, University of Amsterdam, Netherlands
- Robert K. Paterson, Peter A. Allard School of Law, University of British Columbia, Canada
- Sita Reddy, Independent Scholar, India
- Jorge Sánchez Cordero, Mexican Center of Uniform Law, Mexico

- Neil Asher Silberman, University of Massachusetts, Amherst, USA
- Amy Strecker, University College Dublin, Ireland
- Madhavi Sunder, Georgetown University School of Law, USA
- David Throsby, Macquarie University, Australia
- Valentina Vadi, Lancaster University, UK
- Kristopher Wilson, University of Technology, Sydney, Australia
- Alison Wylie, University of British Columbia, Canada
- Donna Yates, Maastricht University, Netherlands

Board Members Emeritus

Clemency Coggins, Boston University, USA
Patrick J. O'Keefe, University of Queensland, Australia
Lyndel V. Prott, University of Queensland, Australia
Daniel Shapiro, International Cultural Property Society, USA
Kurt Siehr, University of Zurich, Switzerland
Stanhen Urice, University of Miami School of Law

Stephen Urice, University of Miami School of Law, USA

INTERNATIONAL Cultural Property SOCIETY

INTERNATIONAL CULTURAL PROPERTY SOCIETY OFFICERS AND BOARD OF DIRECTORS 2022

President

Ana Filipa Vrdoljak Faculty of Law, University of Technology Sydney, Australia

Vice Presidents

Marc-André Renold Art-Law Centre, University of Geneve, Switzerland

Gaye Sculthorpe Curator and Head, Oceania Department, British Museum, UK

Treasurer

Stephen W. Clark J. Paul Getty Trust, USA

Secretary

Rebecca Noonan Murray Special Council, Office of General Counsel, The Metropolitan Museum of Art, New York, USA

> Derek Gillman Drexel University, USA

Stanley N. Katz Center for Arts and Cultural Policy Studies, Princeton University USA

> Keun-Gwan Lee Professor, Law School, Seoul National University

Lawrence Rosen Department of Anthropology, Princeton University, USA

Kurt Siehr Law School, Universität Zurich, Switzerland and Max Planck Institute, Germany Stephen K. Urice

University of Miami School of Law, USA

President Emeritus Daniel Shapiro

CONTENTS VOLUME 29 (2022) NUMBER 1

ARTICLES	
Navigating intellectual property in the landscape of digital cultural heritage sites Hannah M. Marek	1
Musical instruments as tangible cultural heritage and as/for intangible cultural heritage Keith Howard	23
Weaving gender in open collaborative innovation, traditional cultural expressions, and intellectual property: The case of the Tonga baskets of Zambia Charlene Musiza	45
Local philanthropy and the transformation of culture in Oaxaca, Mexico Leah Margareta Gazzo Reisman	63
The Nigerian "End SARS" counter protest and the monumental destruction of cultural heritage Afolasade A. Adewumi and John Oluwole A. Akintayo	81
BOOK REVIEW	
Review of Erin L. Thompson, Smashing Statues: The Rise and Fall of America's Public Monuments Sanford Levinson	99