



# Heritage and the Building of Europe

edited by  
Sneška Quaedvlieg-Mihailović  
and Rupert Graf Strachwitz

KULTURSTIFTUNG  
HAUS EUROPA



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**Heritage and the Building of Europe**

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## Editors' Foreword

In 1999, Europa Nostra<sup>1</sup> published the first edition of a book called 'The Power of Example'. It explained the chances of preserving Europe's cultural heritage, and by showing singular achievements in restoration, usage, and maintenance demonstrated what can be done. This publication has been extraordinarily successful: the second edition was published in 2000 and the third entirely revised edition was published on the occasion of the 40th anniversary of the federation; in total many thousand copies have been sold all over Europe and beyond.

As ten new members accede to the European Union, and as world politics have made it clearer than ever that Europe needs to define its common identity while not creating barriers to other cultures, it was felt that heritage today can provide even more than an argument for beauty, and certainly more than an attraction to travellers. It should be realised as a necessary precondition of integration and a vital instrument of societal development. So, while endorsing the supreme importance of the inherent aestheticism of heritage, this book will attempt to introduce a reasoning driven by political and societal considerations, as well as by the concept of civil society.

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<sup>1</sup> EUROPA NOSTRA, a non-governmental and not-for-profit organisation, is the pan-European federation for heritage. For over 40 years, it has worked to promote Europe's cultural heritage, both built and natural. Today, its membership includes over 200 major European conservation, heritage, and cultural organisations as well as over 100 public authorities and business corporations and over 1,000 individual members. It is recognised by the Council of Europe and the European Union as the representative spokesperson of the European civil society movement committed to cultural heritage. It acts through awards, campaigns, and interventions, as well as through compilation and dissemination of expertise and lobbying with European, national, and local public bodies. The secretariate is located in The Hague, Netherlands. For further information, see [www.europanostra.org](http://www.europanostra.org).

On several occasions, these considerations have been presented to and discussed with members and expert guests at general assemblies and council meetings of Europa Nostra. A recently created European Policy Task Force has made it one of its priorities. But it seems clear that the debate over the singular significance of cultural heritage must be carried beyond advocacy organisations, heritage administrators, and academic circles. Urgently, a wider audience among policy and decision makers and among the public at large, must be invited to participate and hopefully to adopt some of the arguments.

This is all the more important today, since the draft of the treaty on the Constitution of the European Union, which refers to cultural heritage both in its preamble, in its article 3 on the objectives of the Union and in its article 181 on specific EU action with regard to culture, has yet to undergo a series of debates and a lengthy decision making process both at a European level and at national levels. The outcome of this seems more uncertain than ever.

It is therefore the purpose of this publication to provide arguments and to support and indeed provoke a public discussion. The publication is a collaborative effort of Europa Nostra and Kulturstiftung Haus Europa<sup>2</sup>. A range of experts both from within and

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<sup>2</sup> KULTURSTIFTUNG HAUS EUROPA is a private not-for profit operating foundation created in 1990 by the (last) East German government. Its purpose is to promote the involvement of civil society in cultural affairs throughout Europe and to help the German voice to be heard in non-governmental European cultural contexts. Fields of activity include specialised conferences, publications, and networking programmes with European civil society umbrella organisations, and dissemination of European information of a cultural nature in Germany. Recognising the importance of heritage in this context, Kulturstiftung Haus Europa became a member of Europa Nostra in 1991. Its offices are located in Berlin, Germany. For further information see <http://www.maecenata-management.de/home4.htm>

outside the two organisations have contributed articles that reflect the width as well as the depth of the debate. The editors wish to express their sincere thanks to all contributors.

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The Hague /Berlin, 1st May, 2004

Sneska Quaedlyeg-Mihailovic  
Rupert Graf Strachwitz

Olivier de Trazegnies  
**Heritage and the Quest of Beauty**

The defenders of the heritage may well use utilitarian arguments to stir up politicians who want to find bronze in the positive side of their argument, but they barely concern themselves with the ultimate reason for the fight in which they are engaged. In the heat of his heroic mission to save this castle, that church or the other disused factory, the Heritage knight doesn't worry about philosophy. He needs to convince others in a hurry. "His" building could become a school, a cultural centre for autistic people, a bone museum or a social housing scheme, all provided that a small part of its integrity continued to exist and that his interlocutor could see votes in it. Whenever "put to a new use" is mentioned, one can see faces lighting up as if the basic justification of the noble crusade consists essentially of putting a post office behind the columns of the Parthenon or renting out the park of Versailles. If such ambivalence produces results, it is because, happily, the subconscious has its say and because it practices a secret devotion: devotion to beauty.

This cult has this in common with the "oriental religions" of ancient Rome or with some of the more misguided sects of our rational world: it is clouded in mystery, it loves the chaddur, it wears the veil, it hides itself. Who would dare admit that he fights solely for beauty? At the beginning of the last century, Boni de Castellane discussed with a city big wig the possibility of organising an extravagant party in the Bois de Boulogne. Having exhausted his rich administrative dialectic, the official timidly asked Anna Gould's whimsical husband why he wanted to spend such a huge amount of money. "For pleasure, my dear fellow, for pleasure!"

Wouldn't we all want to be able to reply with such panache? We would be nearer to the truth, and thus to beauty.

Ever since he became conscious of this phenomenon, man has wondered about the nature of the beautiful. The ancient trilogy placed truth, beauty and goodness on an altar at which the Supreme Being would be present in filigree. This "dogmatic" and minimally hierarchical notion has irritated modern philosophers, who dislike too many imprecise references. To Emmanuel Kant we owe a much more fundamental analysis of the aesthetic sentiment which gives privilege to the subjective relationship with its object, without renouncing for all that the transcendental notion of the beautiful, which is bound quite simply to the universality of human nature. This interaction between the object and the man who is looking at it is the very essence of the aesthetic phenomenon and gives rise to Husserl's theory whereby the former is truly accomplished only in the perception which it seeks. Without going into too detailed an analysis, one could summarise this tendency using Voltaire's whimsy that from a toad's point of view it is the female toad which is beautiful.

The prince of writers has put his finger on an essential idea: that the perception of beauty is comparable with love, a fundamental sense which has "reasons which reason does not recognise". Human love can nevertheless be explained by biological necessities. Have not American scientists demonstrated that the final choice in this matter is always that of the female and that its criterion is that of the vigour of the male, which alone is capable of guaranteeing the survival of their progeny? Vigour and security which, over the centuries and civilisations, can be manifested by physical force, good health or intellectual capacity! In contrast, beauty goes into the very depths of our being. "Beauty communicates with the invisible", wrote Marie-Madeleine Davy. This kind of aphorism imposes itself as evidence because every human being has been able to experience great aesthetic emotions which have taken him beyond the real world. Great works of art appeal to these feelings

which are deeply hidden in our extraordinary complex psyche. But how to explain the exaltation which comes from looking at a landscape? The vast expanses of water, the abysses, the mountains, the trees, the vertiginous infinity of the sky all existed long before the irruption of the soul which now contemplates them. Do we need to possess in some secret space the lines of an ideal order which nature is suggesting to us? This mystery of the beautiful which is born of an artefact but also from the lines of a landscape - should it come from the "lost innocence of the Golden Age"? In this sense beauty would be "the love of a body disincarnated for the incarnation of a memory". Some thinkers have seen in this nostalgia the existential sentiment of death, which surrounds us. Thanatos would be the watchman who would tell us, with more or less eloquence, of his next irruption and whose language would be expressed by the thrilling dizziness of beauty. Whether death or the memory of another life, beauty truly places us in front of a chasm and charms us, just as it fascinates children leaning over above a deep waterfall.

In the battle for the Heritage, beauty is thus difficult to invoke, even if nothing is justified in its absence. Beauty is too bound up with the subjectivity of each individual being, so that to refer to beauty means declaring to the public at large: "I want to save this building or that landscape because I love it". The art of these adoring people would consist of clothing beauty in rags so that it doesn't run about in society totally naked.

Has there existed, consequently, a kind of objective beauty, parallel with the emotion which it provokes, and in the good tradition of Kant? We know that contemporary art has voluntarily turned away from the notion of the beautiful and that it prefers the exploration of the hideous, the shocking, even of the spontaneity leading to a "happening". To begin with, it is convenient to note that the ugly is not the opposite of the beautiful (just as hatred isn't the opposite of love). These veritable antitheses can be found in the ordinary, the dowdy, the insignificant (and indeed a certain kind

of ugliness can justify Talleyrand's remark: "All that is excessive is insignificant"). The notion of effort, ascetism and personal commitment of the artist leads to another form of art which tries to provoke a basic reaction in the spectator comparable with that of plenitude. This double approach of the aesthetic orgasm, both by its harmonious components and by its strident and sombre side, shows well that there exists at the heart of human nature a meeting point where all these tendencies can end up, a place from where in-difference (and the difference between subjectivities) is abolished, an electric zone in which are recorded all our alarm sirens. From it we return to the dogmatism at the beginning of this article: just like imperceptible truth and imperceptible goodness, somewhere there exists imperceptible beauty.

In the 1950s the explorers of the Orinoco discovered a hitherto unknown people – the Marikitare. They had with them a gramophone and some records. Thinking that these "savages" would shout with joy on hearing devilish rhythms, in fact they expressed just a minor interest on hearing these few musical follies. But when they played a piece of Mozart, the explorers were dumbfounded to see the Indians burst into tears. Nothing, but absolutely nothing, could in this case occupy any part of their collective subconscious except for one immaterial notion, impossible to define: beauty. Thanatos was speaking to them in an unknown language – and yet these "primitive" beings understood it instantaneously. Throughout history there have been thousands of experiences of this kind. While travelling in China during the Yuan period, Marco Polo seemed to have been possessed by the force of an art of which previously he had had no knowledge. And this has happened to most travellers. Something beyond their memory or education imposed itself on them. There exist, as Kant wrote, "subjective conditions in all human beings which allow them to judge (which) are the same [...], otherwise they would not be able to communicate to each other their observations or knowledge". One can thus reason that the judgement of taste reclaims universality,

even if the process of reclamation is sometimes breached by inevitably subjective differences.

These worthy considerations could be applied to art in Europe. Over the centuries, in this world which politics has dizzily parcelled up but which has conscientiously managed to keep belonging to an oekumene thanks to the Church and to nostalgia for the Roman Empire, an extraordinary artistic flourishing caused diversity to blossom. From the Baltic countries to Portugal, from Scotland to the depths of Anatolia, the Christian religion inspired sanctuaries and fortresses whose parentage was evident in spite of local attitudes towards beauty. The little churches of the Armenian kingdom, via the intermediary of Byzantium, have influenced our Romanesque art, which is so called to remind us of the Roman basilica. As for the art of fortification, which reached its apogee during the Crusades, it stamped our mind-set so strongly that there still exists the "syndrome of the boiling oil", the feature that all schoolboys expect from a fortified castle and which couldn't have existed except near olive groves or, in the case of Greek fire, near sources of naphtha and phosphorus. The best Welsh castles derive from the architecture of Savoy, Italy and "Syria". Furthermore, Gothic art, stupidly attributed to the Goths and their supposed brutality, became the spearhead of Western Christianity. This can be seen beyond the Byzantine Empire – which resisted this "Latin" innovation – in the Crusader castles. It stretched north as far as the Faeroe Islands, irradiated England, France, Bohemia and Germany with the splendour of its pointed arches, and acquired in the Iberian peninsula a sort of tropical overlay. In the early XVIth century the Portuguese exported it to the heart of the kingdom of the Congo (present-day Angola).

The Renaissance lit another flame which rekindled Hellenistic and Roman culture all over Europe. No sooner were the Polish magnates installed on the banks of the Loire, than they were gathering its acanthuses and its noble attitude. Even Emperor Charles V, who was so devoted to the Gothic art still in full flow in his Flem-

ish territories, built a palace in Granada in the Italian style. Those who think that the Reformation cut Europe in two have not only indubitably forgotten the Orthodox world and its Byzantine traditions, but above all discounted the immense power of the Baroque, which was born of Roman mannerism and triumphalism from the will of the Jesuits. To begin with, the Protestant countries shied away from its pagan enthusiasm and drew their inspiration from Dutch art, which came from the "Low countries" at the height of their power; but very quickly the vitality, the movement, the impetuosity, so wonderfully immortalised by Rubens, ended up as the Rococo which became a universal style, as popular in the Prussia of the Hohenzollerns as in the Russia of the Tsarinas. We see the same scroll-work all over the Spanish and Portuguese colonial empires, and delicately, more gracefully, on the lintels of the Sublime Porte from the reign of Ahmed III (1703-1730). It was in France, a little shocked by the liberties which she had not permitted, where there returned a classicism more faded than the first, while flirting with English fashions. Well installed on their island and dominating the seas world-wide, the British were the first to want to give architecture a national significance. The Industrial Revolution had given them immense resources. They finally became aware of their economic and cultural importance. From it emerged the neo-Gothic (or Gothic revival), already established by Horace Walpole in his "castle" at Strawberry Hill (1751).

This British impetus was to dominate the XIXth century, the century of imperialism and nationalisms. There appeared successively, according to national fantasies: neo-classicism, neo-Hellenism, neo-Gothic, neo-Renaissance, neo-Byzantine, even neo-Babylonian, all of which plunged their roots into foreign traditions but whose goal was to exalt national pride. A strange paradox! Nations confronted each other in the name of the same fantasies only to find themselves united through the universal charm of water-gardens and palaces. Under an orgy of variety, behind a folly of individualism, Europe was secretly constructing

itself in the edification of a common "civilisation", this civilisation which the élites naïvely contrasted with the "savagery" of peoples who had barely been discovered, and with the "barbarism" of other ancient cultures which they refused to understand in the name of reason and "progress". Wilhelm II put the keystone of this charming delirium in place by declaring that Europe was threatened by the "yellow peril", just at the exact moment when China was completely falling apart.

Beauty nevertheless was never more invoked than at the time of its diversification. Never were established truths, certainties or peremptory affirmations more anchored than at the moment when contact with other civilisations should have biased this vision of the world. Dogma became a *raison d'être* for those who condemned it internally. In his famous "Prayer on the Acropolis", Ernest Renan went into ecstasy over the rapid expansion of the inspiration which opposed Greek rationalism, but in his judgement on peoples, he saw the world like any European ethnocentrist. In parallel, in rediscovering unique beauty under apparent diversity, a philosopher-aesthete such as John Ruskin, by the very fact of his recognition of its variety of expression, allowed himself to go forward to meet other cultures.

The XXth century began with Art Nouveau, which was an epigone of the nationalisms embodied in the "neo-movements", but here turned towards a total freedom of expression. The Viennese Secession, the Jugendstil and then the Bauhaus gave architecture a world vocation which has remained such ever since. At best one recognises schools: French, Finnish, Italian, Spanish, Swiss – whose originality comes above all from the personality of individual masters such as Le Corbusier, Aalto, Scarpa, Bofill and Botta. National diversity is dead, replaced by the creative force of a few visionaries who make use of techniques and forms spread over the world, be they in the United States, Japan or Brazil.

This small discourse on the origins of our European heritage should make us understand the extent to which heritage has re-

sulted from human creativity, expressing both ideologies – more or less official – and the continuous search for beauty. Formerly defined by objective notions such as the "golden mean", the approach of this state of grace has gently detached itself from rules in order to prefer an absolute spontaneity which has not always had happy consequences. The Ancients thought that Art should be born from constraints, and they weren't entirely wrong. Their doctrine remained a basic rule as regards musical interpretation and should in many cases have been reintroduced for the attention of the sorcerer's apprentices. Had not even Salvador Dalí celebrated the doctrines and methods of General Franco by saying that by locking up the artists, one would force them to be creative?

The Heritage possesses inherent values which make it interesting in the eyes of sociologists and historians, and even economists, because of its consequences for tourism. In these areas, the heritage is well protected by generally suitable clothing. But this is not enough. We must have the courage to give it the ultimate weapon, that which can offer no resistance – beauty – and to give this steel blade sufficient visibility to become dissuasive without too much discourse. From which we can conclude: it is not worth safeguarding the heritage if it is not loved. Who will spread this gentle contagion without loving it himself, without being excited by the passion of beauty and of the battle to save endangered architecture? And how can one love a monument if one doesn't get to know it? "Le coup d'oeil" (the glance), and its bastard son "le coup de foudre" ("love at first sight"), are excellent for subjectivity, but they don't inoculate one as a vaccine would.

The Knights of the Heritage, regrouped in many ways under the aegis of organised associations, have a Templar-like vocation: always mounted, quivering under their armour and constantly looking out over the horizon or in nearby bushes for invisible enemies. The difference is that we do not ask them to convert these enemies by fire and by sword, but by love.

*Translated from the original French text by Nicholas Howard*

**Olivier de Trazegnies (Le Marquis de Trazegnies)**

Born 1943. After working as a corporate lawyer in various firms, he has devoted himself to heritage matters and numerous activities related to history. He has concerned himself over thirty years with the family castle Corroy-le-Château considered the most outstanding 13th century fortress in Belgium. Administrator of Belgium's Association of Historical Houses, governor of the Union of European Historic Houses Associations, and Vice-President of the International Castles Institute (IBI). Ever since the IBI merger with Europa Nostra in 1991, he has assumed the position of President of the Europa Nostra Publications Committee.

Gijs de Vries  
**Citizenship and Memory**

The Convention on the future of Europe has finished its work. After fifteen months of intense negotiations it has established the basis for a Constitutional Treaty of the European Union – a Union which is soon to embrace almost 500 million citizens in 25 member states, from Estonia to Cyprus. Following the model provided by national constitutions, the European constitution traces the values, objectives and competences of the Union, and the rights and duties of its citizens. Today I would like to discuss some aspects of the constitutional dimension of the Union. I intend to explore the notion of European citizenship, and its relationship with our complex identity as Europeans. The views expressed will be my own.

To begin with, what do we mean by European citizenship, and why would we be concerned about it?

There is a relatively straightforward answer to why European citizenship should be of concern to us. Democracy and the rule of law are central to our identity as Europeans. Having been trampled, perverted, and smothered in blood in most of our countries at some point in the previous century, democracy is at the heart of the vision inspiring the process of European integration. The European Union is a union of democracies, committed to preserve and support democracy at home and abroad. As there can be no democracy without citizens, citizenship is essential to the European project – both at the level of the member states and at the level of the Union itself. Without European citizens the Union would not be true to its nature, nor to its mission.

So what do we mean when we speak about European citizenship? Citizenship of the European Union was introduced in 1992. The Treaty of Maastricht declared that every person holding the nationality of a member state shall be a citizen of the Union. Citizenship of the Union, it was explicitly added, shall complement

and not replace national citizenship. The draft Constitutional Treaty, which contains similar provisions, spells out the rights bestowed by EU-citizenship:

- the right to move and reside freely within the territory of the member states;
- the right to vote and to stand as candidates in elections to the European Parliament and in municipal elections in their member state of residence, under the same conditions as nationals of that state;
- the right to enjoy, in the territory of a third country in which the member state of which they are nationals is not represented, the protection of the diplomatic and consular authorities of any member state on the same conditions as the nationals of that state;
- the right to petition the European Parliament, to apply to the European Ombudsman, and to write to the institutions and advisory bodies of the Union in any of the Constitution's languages and to obtain a reply in the same language.

In addition to the rights mentioned, the citizens of the Union enjoy certain fundamental human rights. The Maastricht Treaty already stated that the Union must respect fundamental rights, as guaranteed by the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR), and as they result from the constitutional traditions common to the member states, as general principles of Community law. The Amsterdam Treaty (1997) added provisions allowing the EU to impose sanctions in the event of a serious and persistent breach of human rights occurring in a member state. The European Convention proposes two major initiatives to further enhance the human rights dimension of the Union. The EU is to accede to the ECHR, and the Charter of Fundamental Rights – including, e.g., the right to good administration – is to be incorporated in the Constitutional Treaty, which would make the Charter legally binding.

The Union is not only committed to respecting human rights, but also to promoting them. The Union's objectives, as listed in the draft Constitutional Treaty, include the combat against social exclusion and discrimination, the promotion of social justice and protection, equality between men and women, solidarity among generations and protection of children's rights. The protection of human rights also ranks high among the Union's foreign policy objectives.

All in all, the citizens of the European Union enjoy a wide range of economic, social, and political rights. One of the main effects of the constitutional treaty would be to further strengthen the human rights connected with EU citizenship.

There is no question that this is important to help generate a sense of community among the citizens of Europe. There is also no question that it is not enough. It is not enough for people legally to be citizens in order for them to feel they are. Not only are many people unaware of many of the rights they enjoy or are about to enjoy as citizens of the Union, the rights themselves, while recognised as important, have more of an intellectual than of an emotional appeal. Citizenship is an affair of the heart as well as of the mind, and the Union's constitutional provisions provide too thin a gruel to sustain a common sense of belonging – a sense of European identity.

Of course, we should not underestimate what has already been achieved. Opinion surveys show that, while few people describe themselves as primarily European, around half feel a dual sense of loyalty, both to their country and to the European Union. Ardent federalists may deplore that, fifty years after the launch of the European Coal and Steel Community, still only about fifty per cent feel to some extent European. To others, however, these figures would appear rather more encouraging, particularly in the light of centuries of intra-European bloodshed and the divisions aggravated by the nineteenth century process of nation-building.

National identities do not spring from the well of history like Aphrodite sprang from the foam of the sea. Nations, in Benedict Anderson's apt characterisation, are imagined communities. Their identities have been created, sometimes forged, by deliberate acts and policies, by institutions and by laws. The national identities of Europe have been shaped intentionally, involving, as Ernest Renan observed, strategies of remembrance as well as forgetting. Identities are not immutable. They evolve with time, waxing and waning with the flow of history.

Of course, identities can not be fashioned *ex nihilo*. They must have a corresponding basis in the experiences and living conditions of citizens. Among the many factors influencing identities is the balance between vulnerabilities and protection. Social institutions capable of protecting people from life's vicissitudes tend to exercise a powerful claim on loyalties. To most people, their national state – not their region or the European Union – is still the prime guarantor of physical and social security. Little wonder, therefore, that most people rank national loyalties above regional or supranational ones. People will only come to feel more European in so far as they come to see and feel the European Union as more relevant to their main concerns.

To be sure, the Union already today has an important role to play in providing those public goods which the national states are no longer capable of providing on their own, such as sustainable economic growth, monetary stability, and protection against international crime. Many national political leaders, however, tend to de-emphasise if not disregard the growing political relevance of the European Union. They should be encouraged to own up to the facts. In many EU countries, approximately half of domestic legislation serves to implement decisions taken by national governments in Brussels. It is time politicians explained this to their electorates. For it is only when national politicians and other opinion leaders freely acknowledge and endorse the dual nature of an EU member state – autonomous in some areas, codeterminous in

others – that more people will understand and accept these realities. The identity of the state has changed. The identity of citizens must be allowed to change accordingly.

Even though identities, as discussed, are not given but created, this does not imply that they can be imposed at will. For a sense of community to emerge three factors must exist side by side: shared memories, shared values, and shared ambitions. People must feel they have important notions in common. Only with a degree of commonality in the thoughts and emotions of Europeans about their past, their present, and their future will a common, European dimension to our identity take shape. Let us explore, therefore, how a sense of common European identity might be fostered. What would it take to make more people feel European, in addition to feeling Catalan and Spanish, Bavarian and German, or Welsh and British? And what contribution might European cultural organisations and institutions make to this process of strengthening the foundations of European citizenship?

The task of providing ambitions for Europeans to share lies mainly with national political leaders. It is the role of the heads of state or government, meeting in the European Council, to provide strategic guidance and inspiration to the citizens of the European Union.

It is the responsibility of these leaders to set common goals that inspire, to explain them to their citizens, and to make sure these objectives are achieved. Only when each of these responsibilities is effectively discharged may citizens be expected to endorse and support the Union. For people to support political institutions, those institutions must be capable of inspiring, and of delivering on promises. Then people may feel proud of belonging to them.

What core values do Europeans have in common? What constitutes the essence of the European project? The Charter of Fundamental Rights of the Union states that the Union is founded on the indivisible, universal values of human dignity, freedom, equality

and solidarity, and on the principles of democracy and the rule of law. To this list, the preamble of the draft Constitutional Treaty adds one more, fundamental value: respect for reason. That these values, though European in origin, have come to command global allegiance, may, at first sight, be taken to somewhat limit their capacity to act as pillars of European identity. On the other hand, as these values still are honoured often only in the breach, including on our own continent, it is precisely by their commitment to protect and promote these values that Europeans will be able to distinguish themselves in today's world.

This brings us to the third constituent dimension of identity: shared memories. What memories do Europeans have in common?

The original draft of the preamble to the EU's proposed Constitutional Treaty contained some remarkable phrases. It is worth quoting the first two paragraphs in full:

“conscious that Europe is a continent that has brought forth civilisation; that its inhabitants, arriving in successive waves since the first ages of mankind, have gradually developed the values underlying humanism: equality of persons, freedom, respect for reason;

drawing inspiration from the cultural, religious and humanist inheritance of Europe, which, nourished first by the civilisations of Greece and Rome, characterised by spiritual impulse always present in its heritage and later by the philosophical currents of the Enlightenment, has embedded within the life of society its perception of the central role of the human person and his inviolable and inalienable rights, and of respect for law,

Apart from the somewhat flowery phraseology, what makes this rendition of European history particularly noteworthy is its unabashed one-sidedness. Not a word about the untold misery, the cruel injustices, the persecution of minorities and the savage

butchery perpetrated by Europeans on other Europeans, century upon century, usually in the name of some religious, philosophical, cultural or political principle. What about the Thirty-Year War, the 'Great' War of 1914-1918, the Second World War? Of course Greece, Rome and the Enlightenment are central components of European heritage, but what about the pogroms? What about Bergen-Belsen, Majdanek, Treblinka? How can anyone extol the contribution of the Enlightenment to European civilisation without recognising that it were children of the Enlightenment that built and operated the ovens in Auschwitz? And without acknowledging that our own generation has been powerless to prevent the genocide at Srebrenica?

There is much in European history that Europeans can be justly proud of, and that we may exalt and celebrate. There is also much that must fill us with abiding shame. It is only by striking the right balance that we can be true to our identity as Europeans.

A selective perspective, however, may not be the only impediment to developing an equitable relationship with our common history. Amnesia is perhaps an even more serious problem. In most if not all countries of the European Union, more and more people lack even the most basic knowledge of history – their own, and that of their neighbours. Memory, as Frances Yates has taught us, is an art, and as an art, it requires effort to master it. Those that do not learn about history cannot be expected to master the art of memory.

In our exploration of the parameters of a sense of European identity, it is clear that this finding presents us with a major problem. People ignorant of their own history are ignorant about an important dimension of their identity. How can we expect people to develop a sense of shared identity with other Europeans if they are at best only dimly aware of how their own nation and their own state were formed? How can we expect people to engage with others if they are unsure of themselves? Is not a sense of

national identity which is rooted in sufficient historical knowledge a necessary element of our understanding as Europeans?

If, as I would suggest, the answer to our question is affirmative, then it stands to reason that to widen and deepen historical understanding must be a priority both at national level and at the level of the European Union. Europeans must be aided and encouraged to learn about others as well as themselves.

Fortunately, there is no lack of historical material in Europe. Notwithstanding the destruction wrought by the hand of time, our built environment as well as our natural environment still contain countless traces and relics of the past. To conserve and preserve these lieux de mémoire must count among the most important tasks of government. They are building blocks of identity. Our lives would be much impoverished without them.

Non-governmental organisations such as Europa Nostra have a leading role to fulfil in protecting and enhancing Europe's heritage. Europa Nostra's work in promoting best practices ('The Power of Example') and in highlighting, through its much coveted awards, remarkable achievements in heritage preservation, stands out as a model of its kind. If European public and particularly private donors were to display even a modest version of the commitment demonstrated by American philanthropists to similar endeavours, even more could be achieved.

But it is not sufficient only to preserve and to protect. It is important to explain as well. Historic buildings, gardens and landscapes must be interpreted in order to be understood. Fifteenth century buildings or seventeenth century gardens may provide an immediate aesthetic pleasure, but to fathom their meaning, we must learn how to 'read' them, and to decode what we see. Just as historical facts require interpretation and explanation, so do historical sites. They have to be put in the proper context. The art of memory needs teachers, and here the 220 member organisations of Europa

Nostra have an important role to play. Heritage preservation must go hand in hand with heritage education.

The European Union, meanwhile, should be encouraged to lend greater support to such efforts and to widen the scope of its cultural policy.

The European Union, of course, has limited powers in relation to culture. Only in 1992 was culture officially given a place in European integration, through Article 151 of the Maastricht Treaty, which states that "The Community shall contribute to the flowering of the cultures of the Member States, while respecting their national and regional diversity and at the same time bringing the common cultural heritage to the fore". Cultural policy at EU level is limited to supportive actions, adopted by the Council on the basis of unanimity, excluding any harmonisation of laws. The European Convention, in my view rightly, has agreed that cultural policy should remain in the category of supporting and complementary action, but the Praesidium did recommend to replace the unanimity requirement by qualified majority voting. The Convention, however, took a further, significant step. It proposed to include cultural policy among the leading objectives of the Union. Article I-3 (3), fourth indent of the Constitutional Treaty now reads: 'The Union shall respect its rich cultural and linguistic diversity, and shall ensure that Europe's cultural heritage is safeguarded and enhanced.'

Together with the European Cultural Foundation, the European Forum for the Arts and Heritage, and other organisations, Europa Nostra has been instrumental in securing this prominent place for cultural policy in the new treaty. I should like to congratulate its President, Otto von der Gablentz, and its Secretary-General, Sneška Quaedvlieg-Mihailović, on this remarkable achievement.

It is, naturally, only a first step. Much will depend on the way EU member states and the European Commission respond to the Constitutional Treaty's emphasis on cultural policy. One area that,

hopefully, stands to gain is education and language education in particular. Language is one of the most important components of identity. Language skills are the key to understanding others. Unfortunately, notwithstanding many pious resolutions by the EU's ministers of education, knowledge of foreign languages in a number of member states seems to be going down rather than up. Most students do eventually master some version of basic English. But the number of French children learning German is decreasing, and so is the number of German children learning French. The number of Dutch children learning either German or French is expected to fall.

It is imperative that this trend be turned. Soon there will be twenty official languages in the European Union. Without the capacity to engage in meaningful dialogue, citizenship in any community is an illusion. Without the capacity to speak at least two foreign languages, citizenship of the European Union will prove an illusion.

The European Union should therefore make the mastery of language skills one of its central priorities. The Union has already been remarkably successful in getting students to spend a period abroad: more than one million of them have done so since 1987. The Union, and the European Commission in particular, should redouble its efforts, and refocus its educational strategy to give more priority to language learning. The rising number of secondary schools offering bilingual education is an indication that many parents would welcome such a move.

It is time for me to conclude. A shared commitment to the values of democracy and the rule of law lies at the heart of the process of European integration. Democracies cannot function without the active participation of their citizens. The principal challenge facing the European Union in the next phase of its evolution is therefore to foster the development of European citizenship, as a complement to local, regional and national citizenship. For people to act as European citizens, however, they must feel they are such. They must, above all, feel and understand to what extent their

identity as Italians, Fins or Slovenes is woven into the wider fabric of European experience, characterised by similarity and difference, unity as well as diversity. Through their work on heritage preservation, Europa Nostra and its member organisations are well placed to provide a precious contribution to this end.

The article is a revised version of Mr. de Vries' address, given at the Europa Nostra Forum "European Culture: A Shared Responsibility", held on Europa Nostra's 40th Anniversary Congress at the Council of Europe, Strasbourg, 20th June, 2003.

**Gijs M. de Vries**

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Costa Carras

## **The Significance of the Cultural Heritage for Europe Today**

There is a short answer to any question on the appreciation of the significance of Europe's Cultural Heritage today. That heritage is vitally important, yet although it has always been central to the concerns of the Council of Europe, it was for long treated as peripheral to the ongoing process of widening and deepening the European Union. This was also apparent during the proceedings of the European Convention. Fortunately the outcry from broad segments of European civil society against the original intention of many European leaders to sideline cultural issues produced satisfactory results in respect of the draft text of the Convention, but there remains a great deal to do.

Not only Europeans but non-Europeans are well aware, even if inchoately and incoherently aware, that Europe, to the degree it is an entity, is more a cultural than a political, or even today, an economic entity; second, that its cultural influence has been as widespread as it has been profound, representing, together with some few others, the seminal cultural forces that have shaped our world; third, that culture is one of the very few, perhaps the only, field where the United States, significant though its culture is, does not play in its own right, but as one of the main heirs and continuators of the European cultural tradition. The US shares the same Hebrew, Hellenic and Roman roots, the same initial syntheses of these three, the same blossomings, renewals and renaissances and the same revolutions up to and including the Enlightenment.

Yet, despite this vital role of the cultural heritage in the European tradition mention of the phrase "cultural heritage" often leads to embarrassment, and when some attempt is made to give the concept content, this usually evaporates into platitudes about its infinite variety. Actually that particular platitude happens, like to so

many others, to be mistaken. Travel around India, or even read about the Indian cultural heritage, and you will find an equivalent range and variety with that of Europe, yet this variety does not cover phenomena that feature centrally in the European cultural heritage while other features central to the Indian cultural heritage do not appear in Europe. In other words, the fundamental assumptions on which the Indian and European cultures have developed have been different even if they have at times interacted creatively, as for instance in the eight centuries between Alexander and the emergence of Islam, or again since the seventeenth century. A process of cross-fertilisation between civilisations must be carefully distinguished from a shared organic development.

There are however some good reasons why people habitually become incoherent when discussing the cultural heritage. Among them is the fear of cultural determinism, the fear, to put it in a more modish form, that those using this type of language without hesitation are crypto-Huntingtonians who believe that cultural differences cannot be overcome, and that culture is set to become the world's primary fault-line in the future.

This is a view for which I have little respect for a number of reasons. The one most relevant here is admittedly rather different than the ones usually given. It seems to me evident that one of the greatest recent achievements of European culture is that while it was usually exclusivist, arrogant and dominating it has over the last century or so gradually become inclusivist and accommodating. The Enlightenment certainly still demonstrated the arrogance of youth, but increasingly the achievements of nineteenth and twentieth century scholarship centred on the great European universities have undermined any confident assumptions of innate superiority. One example among many is the single-handed re-

ordering by the great Scots historian, Sir Steven Runciman, of the historical landscape of the Crusades.<sup>1</sup>

One of the recently acquired strengths of European culture is that it has developed attitudes and structures which permit a variety of beliefs, of life-styles and of identities to be accommodated without imminent fear of breakdown. This significant achievement of modern European culture, although not a secure achievement in an atomised consumer society, as we shall see, presents a model which a large number of societies that do not share the European cultural heritage might well wish and be able to adopt, India indeed serving as a good, but not indisputable, example. It serves as an excellent, if rare, disproof of the thesis of cultural determinism, granting the hope, if never the certainty, that cultural clashes which seem insuperable may be overcome if there is mutual respect, understanding and engagement.

If the fear of cultural determinism is one good reason many have been hesitant to speak of the European cultural heritage, an even better one has been the disputable relationship between heritage and history. Broadly speaking “heritage” is a word with positive connotations, which however at once brings to our mind official occasions and hypocritical panegyric, while “history” is a neutral word with connotations of laborious research, scholarly disputes, learned publications we have rarely read but have sometimes heard about at second hand and a good deal of often embarrassing “deconstruction” of received historical accounts that featured in our school text books.

The point is accurate, but here too I believe there is an effective response. “Heritage” is indeed that part of the historical record that we consciously appropriate as representing the segment of

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<sup>1</sup> Steven Runciman: “A History of the Crusades” 3 vols (CUP 1952). As would be expected scholarship has moved on in the fifty years after this epoch-making work, but never after its publication could an observer who wished to be considered educated or at least informed, use the word “crusade” in a sense that is commendatory.

our past we wish to honour and to retain. What we accept as “heritage” however has always varied and always will vary as the decades pass. The relationship between “heritage” and “history” is a shifting, not a static, relationship. Historical research is one of the crucial determinants of what will be acknowledged as “heritage” in the future: the other are the gradual changes in cultural values in any society, which inevitably take place over time.

The importance of historical research in relation to “heritage” is particularly critical in puncturing the balloons habitually sent up by most societies filled with a gaseous mixture of hot air and pride. Not a little damage was for instance inflicted on Europe by a number of articles that appeared at the beginning of the wars of secession that ultimately ended the Yugoslav state – among them one by the then Secretary-General of NATO, no less – which proclaimed that certain Eastern European countries would find it exceedingly difficult to become democracies because they were on the wrong side of the religious schism that divided Europe in 1054. These articles took for granted a wrong date for the Schism, an unexamined – and mistaken – assumption as to the existence of continuous hostility between all peoples on different sides of that line ever since, and an unhistorical presumption that the nature of that division must have had something to do with the rule of law or modern democracy. Such views look obtuse today, less than fifteen years later, when countries then told their history made it nearly impossible for them to be democracies have been operating as such for a number of years without greater strain than one would expect in any state that had long endured totalitarian rule imposed by a foreign power.<sup>2</sup>

This quite recent example of the abuse of history in the cause of creating a spurious “Western European heritage” which could then be distinguished from “the lesser breeds without the law” to

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<sup>2</sup> “The Legacy of Communism and the Future of Europe”, an introductory address to the European Forum in August 1993 by Willy Claes, Belgian Foreign Minister (and later Secretary General of NATO).

the East, teaches us the dangers of allowing discussion of heritage to become detached from historical scholarship. Yet it is always to some degree so detached, because we all grow up at least to some degree conscious of having a heritage, yet very few of us are historians, and none capable of carrying on a meaningful dialogue in every historical field relevant to the process of enunciating what we feel to be the European cultural heritage today.

This second objection therefore contains a great deal of force. It teaches us three things. First, that the definition of heritage is an ongoing process – heritage, like feelings of identity, is not stable, but, however powerful, is mutable over time. Second, that we must never allow an appreciation of our heritage to obscure the many less appealing elements of the historical record as established by scholarly research: proclaiming “heritage” should not become a way to “prettify” history. Either we must acknowledge the unfavourable aspects of the European past as part of our heritage, or, more probably, if we wish to retain “heritage” as by definition referring to what we accept as a positive aspect of our inheritance, then we must continually relate heritage to history and subject facile enunciations of “heritage” to empirical scrutiny, and, where necessary, withering critique. We all however live and operate with some concept of heritage, just as we all live and operate with some concept of identity. To avoid the attempt to partially define it does not prevent us operating on certain assumptions as to what that heritage may be, and unexamined assumptions may well have dangerous consequences. By contrast, to constantly examine and test those assumptions will refine them, reformulate them, and give them greater persuasiveness.

Having discovered two good reasons for the European cultural heritage having been left to the periphery of concern, I shall examine a number of other arguments that have been more influential but are in my view far less cogent. One has been the geographical fallacy, namely the attempt to define Europe in the simplest possible terms, that of lines on the map. This, in its simplest

form at least, is transparent nonsense, because, to mix metaphors, Europe's geographical goal posts have shifted over the centuries. The concept of Europe is of Hellenic origin and first plays a significant role in the opening chapters of Herodotos' "Histories" leading up to his account of the Persian invasions of 490 and 480-479 BCE. These were not in fact resisted by all the Hellenic city-states. The Persians were defeated at Marathon in 490 by just two, and at Salamis and Plataea in 480 and 479 by an alliance of about thirty, all in Europe, since those in Asia had long before been conquered, had rebelled in 499 but had again been subjugated by 494. Thus a contrast between an Europe where constitutional order, whether democratic or oligarchic, prevailed, and an Asia under imperial despotism, was for Herodotos a viable one. All the more so as he could represent the hostility between Europe and Asia as going back to the Trojan Wars, a time when the Homeric epic makes clear all the Achaeans came from the European side of the Aegean.

Even in Herodotos' time however geography and political organisation did not coincide. Quite a number of Hellenic states in Europe had been prepared to collaborate with the invader and several remained traditional kingdoms. By contrast, as soon as the waves of Persian advance had been repelled, the Hellenic city-states of the Asian coast reemerged as fundamentally no different in political culture from those on the Aegean's western shore. It was political culture, not geography, that made the difference. Macedonia was a traditional, Greek-speaking kingdom and it was the later Macedonian Cassander who in 322 put an end to the then almost two centuries old Athenian democratic experiment, just after Alexander had expanded the world of Hellenic culture almost to the Indus. Any contrast between Europe and Asia on Herodotean grounds had no real meaning for the remainder of antiquity. What for the Romans was the province of Asia was to become fully hellenized.

We need not I think concern ourselves with the geographical limits of Europe as understood by the ninth century Carolingians, who brought the concept of being European back into use in conflict with Islam. What is relevant is that whereas in antiquity the northeastern boundary of Europe ran from the Bosphoros through the Black Sea and up the river Don, the expansion of Russia in the seventeenth century led to an eastward movement of this boundary, from the Don to the Ural River. This move has been ascribed to a Swede named Strahlenburg, in Tsarist service, around 1730.<sup>3</sup>

The implication was to place the Caucasus and Anatolia within the geographical boundaries of Europe, with the result the province the Romans called “Asia” is now part of a candidate country for membership of the European Union, while an accession agreement has already been signed with Cyprus, even further to the southeast. You need only look at the flags flying outside the Council of Europe building hosting this Europa Nostra Forum, to see that the three states in the Caucasus, Armenia, Azerbaijan and Georgia, are all included.

In short, geography can provide us with conventional boundaries, even if these vary over time, but it tells us remarkably little about the European cultural heritage or its outer limits. Geography is more relevant where it connects with economics, more particularly the flow of trade, and hence with criteria for membership of the European Union, whose original basis was a customs union, which developed into a single market and which has now expanded its fields of competence to become also, for most of its members, a currency union. Australia and New Zealand, and for that matter the whole of the American continent, inherited the European cultural heritage and, despite substantive development, continue to respect that heritage today, but in terms of modern market economics based on flows of trade they are most unlikely candidates for EU membership.

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<sup>3</sup> Norman Davies “Europe” (OUP 1996), p.8.

Neither the Council of Europe nor Europa Nostra have of course ever considered the European Union coterminous with the European cultural heritage. All EU members must be accepted as sharing that cultural heritage, including the common principles of operation of European political and legal institutions, but also, and crucially, they must be able to participate on equal and competitive terms in the single European market. It does not at all follow from this that a country which undeniably shares the European cultural heritage, even if within Europe's conventional geographic boundaries, will desire membership of the EU – witness Norway and Switzerland – or that a country which shares the same cultural heritage but lies outside Europe's conventional boundaries will be accepted simply because it desires it.

This leads me to the most important and dangerous reason for Europe's cultural heritage having been left on the periphery of European concerns to date. The widening and deepening of European unity has in the last two generations been taken to be synonymous, for the obvious reason of its importance alike for Europe and the world, with the creation of a single European economic and then political personality by way of what was once commonly called the European Economic Community, then the European Community and now the European Union.

Now, most of those who have helped create the institutions of this Union have had in mind one of two objectives, both defined in relation to the world's greatest power, then as even more obviously now, the USA. Either their purpose has been to build up an independent though allied centre of economic and political strength, or it has been to unite Europe on the basis of the lowest common denominator, ensuring peace and prosperity, avoiding any impression of creating a separate power centre and hoping for a tangential participation in the exercise of American influence. For neither purpose has the European cultural heritage seemed relevant. Hence by first eliding "Europe" into the "EU" and then viewing the building up of Europe, whichever of the two purposes

outlined above has been one's objective, as an economic or political enterprise, the European cultural heritage has been relegated to the periphery. Since it has not been considered an essential part of the ongoing central enterprise, it can be and often has been treated as a matter of purely local concern, belonging to the exclusive competence of the nation-state members of the European Union or even perhaps, when these members are federations or unions, to their constituent states or nations. Unless we can demonstrate, as I think we can, that the phrase "European cultural heritage" also includes important and potentially relevant aspects of political culture, we shall, I fear, continue to be ignored.

It is important we should not ignore because this particular blindness is beginning to endanger the long term success of the enterprise. One way it might potentially do so is by encouraging the admission to the EU of countries which do not feel a sense of attachment to the European cultural heritage, a cultural heritage that, as we shall see, has serious consequences for the nature of the political process. If the degree of their detachment from the European core were to extend to a substantially different view of the operation of civil institutions and of law, if the process of the legitimation of political decision-making were very different from that in most European countries – and this is certainly a cultural as well as a narrowly political issue – then the difficulties of sustaining even the present institutional arrangements, let alone future cohesion between member states, would be likely to prove insurmountable. Some citizens in a few EU member states might be satisfied with such a development: most would be appalled. This particular danger certainly cannot be demonstrated to have occurred in any particular instance to date. It cannot however be excluded as a future danger.

There is also a less obvious way that the devaluation of the European cultural heritage is arguably already weakening Europe. This is by depriving it of its greatest strength, namely its proven ability to innovate creatively on the basis of an old and deeply rooted

tradition, something which is required whichever role one believes Europe should play vis à vis the US, unless indeed one is a “true believer” in American messianic infallibility, which indeed, to their credit, many Americans themselves are not.

This can only be understood in a historical perspective. In the eighteenth century the US and European countries, equally affected as most were sooner or later by the Enlightenment, responded to it in a different manner; one, as Archilochus would have put, in the manner of the fox and the other of the hedgehog.<sup>4</sup> The single-minded US interpretation of the Enlightenment has until now proven by far the more successful in the long term. A most unpleasant aspect was the ruthlessness displayed towards those already inhabiting the land of America, a trait certainly paralleled by and indeed derived from some earlier European practice. Due weight needs to be given to this, a point which triumphalist accounts of US history too often push to the sidelines or even pass over.

Even without the racist ruthlessness the Europeans of the New World inherited from the Europeans of the Old, there were clearly formidable comparative advantages in attempting to implement Enlightenment principles in a relatively underpopulated land and in a society where white settlers tended towards equality. Political collaboration against threatening outsiders, economic competition among equals, an emphasis on individual expression and the satisfaction of individual needs, all rooted in aspects of earlier European, especially English, cultural tradition, could here more easily become dominant features.

The overwhelming success of this model in the two following centuries, in enunciating basic principles of the Enlightenment, in the struggle for independence, in initiating the move to universal male adult suffrage and completing the process through a searing civil war that simultaneously preserved the Union and extin-

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<sup>4</sup> *Anthologia Lyrica Graeca*, ed E.Diehl, vol.I No.103

guished the scourge of slavery, in creating unparalleled technological opportunities to meet a wide variety of human needs, in harmonising a broad range of social interests, in achieving previously unimaginable prosperity for the majority of citizens, and in creating an open society with a free flow of information, has been the wonder of the world.

Two traits of the US model of the Enlightenment are somewhat less frequently analysed however. Its Enlightenment had a strong flavour not of the anti-clericalism so especially marked in those Roman Catholic countries where the Church formed a prominent part of the power nexus, but of Protestantism. Furthermore Americans inherited from millenarian Calvinism and purposefully cultivated a sense of representing a chosen nation showing the way to the world. Thus the US has been able not just habitually but self-persuasively to combine the pursuit of an usually enlightened self-interest with the language of evangelical and universal messianic fulfilment. Many, indeed most, peoples have at times indulged in nationalist hyperbole, crude aggression or racist repression but seldom with the conviction that this is for the positive benefit of the remainder of humanity such as was on one occasion displayed by the great American novelist, Herman Melville.<sup>5</sup>

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<sup>5</sup> “Escaped from the house of bondage, Israel of old did not follow after the ways of the Egyptians. To her was given an express dispensation; to her were given new things under the sun. And we Americans are the peculiar, chosen people – the Israel of our time; we bear the ark of the liberties of the world. Seventy years ago we escaped from thrall; and, besides our first birth-right – embracing one continent of earth – God has given to us, for a future inheritance, the broad domains of the political pagans, that shall yet come and lie down under the shade of our ark, without bloody hands being lifted. God has predestined, mankind expects, great things from our race; and great things we feel in our souls. The rest of the nations must soon be in our rear. We are the pioneers of the world; the advanceguard, sent on through the wilderness of untried things, to break a new path in the New World that is ours. In our youth is our strength; in our inexperience, our

The United States played a pioneering role in achieving universal male adult suffrage, state by state, in the later years of the 18th century and the first three decades of the 19th. It was joined and even surpassed by two other countries equally integrated in the European cultural tradition, but outside any arguable geographical boundaries of Europe, namely Australia and New Zealand, in introducing universal adult suffrage for women. Wyoming gave women the vote in 1889, New Zealand in 1893 (but at first without the right to be candidates), Australia in 1901. The evidence is clear: the European cultural heritage has often been most creative, intellectually, politically and socially, outside Europe's geographical bounds. The first European country to join them was Finland, in 1906. Finland however was then within the Tsarist Empire. It is one of the many ironies of history that the acquiescence of Nicholas II was critical to the first arrival of universal adult suffrage in Europe!

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wisdom. At a period when other nations have but lisped, our deep voice is heard afar. Long enough have we been skeptics with regard to ourselves, and doubted whether, indeed, the political Messiah had come. But he has come in us, if we would but give utterance to his promptings. And let us always remember that with ourselves, almost for the first time in the history of earth, national selfishness is unbounded philanthropy; for we cannot do a good to America, but we give alms to the world." Quoted by Ernest Lee Tuveson: "Redeemer Nation: The Idea of America's Millennial Role" (University of Chicago, 1968) pp.156-7, from Herman Melville's "White Jacket", the book that preceded "Moby Dick".

It is important to emphasise that there is no ethnic group I know of that has not produced passages of self-centred or self-satisfied hyperbole. The point is not that Americans too have at times indulged in this: it is that the nature of the hyperbole in each separate instance tells us a great deal about the driving forces behind that group's historical development. In this respect the quotation from Herman Melville is particularly illuminating.

That the same messianic interpretation of America's role already existed at the time of the struggle for independence can be seen in Ruth Bloch's "Visionary Republic: Millenary Themes in American Thought 1756-1780" (CUP 1975).

If the US was in the forefront of European cultural development long before it became the most powerful country in the world, it should not surprise us it was able to provide the world with leadership no less impressive than its power in the long battle of attrition with Stalinist and post-Stalinist totalitarianism. The very success of the alliance it led however, which raised the status of the US to that of unchallenged world leader and decisively established the American model of the Enlightenment as the exemplar against which other societies would henceforth be compared, led Americans to begin playing with such incautious phrases as “the end of history”. The defeat of atheist totalitarianism in fact also showed up the contradiction at the core of American ideology. Is messianic world leadership to be exercised chiefly for the advantage of the messianic leader, or equally for the benefit of the people of the world as a whole? If the latter, would it not lead to a very astringent reconsideration of policies framed in traditional ethnocentric terms whether in Europe or America? If the former, more and more people will ask what differentiates the “new order” from that during previous hegemonies, and why should other peoples accept that hegemony in any but the shortest term? Furthermore, does not “messianic leadership” in such an instance become its mirror opposite? Either interpretation would fit with the urge manifested by the American messianic tradition to change the world. In other respects, however, the consequences are utterly different.

The unwillingness, displayed regrettably for some years now, of the major part of the US national, political and economic leadership to engage immediately and effectively with the world wide environmental and ecological crisis; their direct refusal to promote an impartial system of international law equally applicable to all states rather than to mete out the very selective justice of the victor (hence, more accurately, “victor’s injustice”); their habitual “passing-by on the other side” in respect of providing adequate aid to the world’s poorest – in contrast to the generosity displayed, in accordance with a farsighted understanding of their true

national interests, in the years after World War II – while granting generous military support to a narrow and often unprepossessing circle of chosen allies; and finally the frequent, effective cancellation of even such benefit as stingy US aid does provide through the subsidisation of otherwise uncompetitive production and export of various commodities – cotton in relation to aid to African countries, is but one example – are four separate scenes in a drama that becomes increasingly disturbing with every year that passes. It should be emphasised that the issue is not one chiefly of emotional feelings of dissatisfaction on specific issues by Europeans or others, still less feelings of envy or resentment that one country has more power than another, including now the possibility of bending even the UNO to its will. We are facing a clear contradiction between central planks of the US ideology of world leadership – an international system of technologically-based development and mutual economic intercourse together with an unrestricted flow of information – on the one side and the downright unwillingness rather than inability of the US leadership to engage with the consequences of its own proclaimed ideology whenever and wherever this would impact on its own immediate power or interests.

The consequence is that in the eyes of more and more people around the world the sermon of messianic democracy appears increasingly at odds with the reality of a very anti-messianic pursuit of political and military power and the parallel exercise of economic and social excess, featuring a striking readiness to exercise the first without restraint and an equally striking refusal to rein in the second. And this, far more deeply though less dramatically than any specific use of political and military power that naturally dominates the headlines, explains the extraordinary reversal in popular attitudes to the US right around the world in the last few years.

If this analysis strikes home, then does it not suggest European political culture in its hitherto most successful form, that which

emerged in the US after the Enlightenment, is in danger of failing to meet the challenges and needs of our fast-moving times? And, if so, does not this challenge require a re-examination that would call on all the other resources of that varied tradition, rather than as the present day European leadership currently prefers to do, trying to pretend against all evidence that the European cultural heritage is irrelevant to the issues at stake?

Time permits me only to hint at the depth and width of the European cultural tradition where political issues are concerned, but some examination of its background is essential. None of the more recent post-Enlightenment achievements I have already mentioned would have been possible without much earlier developments in Israel, the Hellenic city-states and the Roman Empire and had we sufficient time we should also consider earlier cultures that made either significant, or indeed vital, contributions to the emergence of these three traditions themselves.

In ancient Israel we meet a state whose basic existential commitment was to the maintenance of a law and way of life seen as conforming to God's commandments and achieving justice between all who were considered to form part of His chosen people. This background helped set the terms of discussion but also the exclusivist sense of "chosen superiority" within which the nineteenth century nation-state was able to carry out its socially equalising and elevating mission among people of the same ethnicity. Rather more clearly, in the sixteenth century, it gave Protestants the inner strength and prophetic intensity not just to adopt the theory of the permissible overthrow of a traditionally established, unjust ruler but to enforce it. Where medieval jurists had elaborated theoretical arguments based on Helleno-Roman thought, organised mass movements of Protestants, marching to metric psalms, provided a new force prepared and well able to turn juristic theory into political reality.

Thus the 1581 abjuration of Philip II by the States-General of the Low Countries does not quote from the Hebrew Scriptures the

passage in Deuteronomy which prescribed that the king shall read the law every day of his life “that his heart not be lifted up above his brethren [...] to the end he may prolong his days in his kingdom”. This however served as the background to and motivation for the adoption from earlier Reformers, jurists and humanists of the theory of the right to resistance, when they proclaim: “God did not create the people slave to their prince, to obey his commands, whether right or wrong, but rather the prince for the sake of his subjects [...] to govern them according to equity ... And when he does not behave thus but on the contrary oppresses them [...] then he is no longer a prince, but a tyrant [...] And [...] when this is done deliberately, they may not only disallow his authority, but legally proceed to the choice of another prince for their defence.” They then add that “this is what the law of nature dictates for the defence of liberty”. Intellectually this view depends less on Hebrew than on Helleno-Roman thought, as mediated by medieval jurists and Reformation theologians. The psychological and political impetus for widespread resistance and indeed revolution however derived from the Protestant Reformation’s reappropriation of the Hebrew tradition.<sup>6</sup>

The Hellenic city-states provided Europe with its political vocabulary because they also provided it with its first political laboratories. These set the precedent that human beings can belong to the same cultural tradition and yet have differing, even opposed, political allegiances. They also set the pattern for strong regional loyalties in many areas and periods of European history, including the working of federal and confederal polities. Most forms of constitution, from tyrannical to oligarchic, to democratic to totalitar-

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<sup>6</sup> For the juristic and humanist background see Quentin Skinner: “The Foundation of Modern Political Thought” 2 vols. (CUP 1978). For the Reformation see Diarmaid MacCulloch: “Reformation: Europe’s House Divided” (Alan Lane 2003) and Graham Maddox: “Religion and the Rise of Democracy” (Routledge 1996). The quotation from Deuteronomy is from ch.17, v.18.

ian, were first worked out, debated and practised in these city-states. The standard of civic participation they set has seldom been matched, and never surpassed, in modern times. It was the combination of civic participation with the ideal of heroic individual achievement that on several occasions made such small city states major actors in history. Less happily, this high level of political achievement, engendered, from the Persian Wars onward, a contempt for politically and culturally inferior outsiders that has proven a dangerous temptation to arrogant superiority among many of their successors in the European tradition which they helped found.<sup>7</sup>

The Roman Empire was as bloody and unpleasant a conquering power as most such have been throughout history. What distinguished it from many others however, was the meticulous system of administration, bound to an ever developing system of law, which was at all stages seen as the creation not of divine authority but of the state. It has been of critical importance to the development of European political culture that when the Roman Empire adopted Christianity it was not required – in contradistinction to the acceptance of certain fundamental moral principles – to surrender this basic feature, since Jesus himself had specifically rejected the role of judge among men.<sup>8</sup> In this respect Islamic culture, which took a great deal more from the traditions of Hellenic thought and Hebrew law than from the Roman Empire, one of its two early opponents, followed the contrary route more obviously suggested by the Judaic tradition, with consequences evident in Islamic thought and politically in parts of the Islamic world to this day. It is important to point out that even as an absolutism the Roman Empire depended crucially on its administrative and legal

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<sup>7</sup> See Mogens Herman Hansen: “The Athenian Democracy in the Age of Demosthenes” (Basil Blackwell 1991) and Edith Hall: “Inventing the Barbarian” (Oxford 1989).

<sup>8</sup> See Mogens Herman Hansen: “The Athenian Democracy in the Age of Demosthenes” (Basil Blackwell 1991) and Edith Hall: “Inventing the Barbarian” (Oxford 1989).

system. Had it not done so the Justinianic Code would not have been composed in the sixth century, to become the basis for innovative commentary by Italian jurists from the eleventh.

One might indeed interpret the ongoing experiment of the European Union in a historical perspective as an attempt to provide Europe with a common administrative and legal core, on the Roman example, without the repressive exercise of Roman imperialism. The system is instead meant to be informed by the basic imperatives of ethical principle and social solidarity deriving from Judaism and by the effective expression of the views of citizens, through a variety of constitutional arrangements, including a strong element of regionalism, on the ancient Hellenic model.

The building up of European institutions in the last two generations has certainly been in part a response to the political, economic and moral devastation caused in Europe by the two World Wars. It has not however been just a matter of political improvisation. It would have proven impossible without a long-standing political culture closely connected with other cultural attitudes stretching far back in time. I conclude then that if it is unavoidable to acknowledge the centrality of the European cultural heritage even where political institutions are concerned, it should surely not be permissible to ignore its central role in general.

Before turning to the final reason why it seems to me that the cultural heritage has been thrust to the periphery of European interest, it is important to say something about Europe Nostra's specific concern with the architectural heritage. Influential Europeans today would never dream of denying its importance, and they are happy to appear at awards of Europa Nostra medals and diplomas. Even here however their attitude is often at root dismissive: what we are concerned with is in their view icing on the cake of politics and economics, which contain the main substance of the meal. Having already taken the "war" into the politicians' camp by pointing to the significance of the cultural heritage in politics, I

would now like to emphasise the social centrality of the architectural heritage.

Architecture and town planning as public arts are deeply connected with both a civic and a civil spirit. This spirit was first cultivated in the ancient city-states. It was the Roman Empire however that, having drawn important elements from its Hellenic predecessors, has bequeathed us the core of our architectural tradition, for later generations to draw on, to renew or even to revolt against. The purpose of town planning itself; of the legal basilicas that reappeared after the religious revolution of the fourth century as the most usual form for a Christian church; of the colonnaded and porticoed temples which, long after that religious revolution, reappeared as a basic feature of secular palaces and villas; of the triumphal arches which punctuated the urban landscape and came to be incorporated on the exterior and interior of buildings alike; of the great baths which were social meeting places but also protected public hygiene; of the theatres and odeons, or concert halls, which since the days of the Hellenic city-states had been places of cultural entertainment; and of the stadia and palaestras which, again since the days of the Hellenic city-states were centres of athletic training and competition, was to serve the basic needs of citizens and help the individual citizen find a harmonious place in society.<sup>9</sup>

This is surely not an achievement to be consigned to the periphery of concern in an age where the cult of individualism, the withering away of many institutions that underpin social civility, and the development of a whole range of solitary entertainments, as for instance television, have moved in parallel with a growing sense of social disunity and unease.

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<sup>9</sup> See W.L. Macdonald: "The Architecture of the Roman Empire" 2 vols (New Haven-London 1986) and D. Watkin: "A History of Western Architecture" (London 1986), or, more briefly, in ed. Richard Jenkyns: "The Legacy of Rome" (Oxford 1992).

One would be hard-pressed to argue Ancient Rome was admirable in every way. Clearly the gladiatorial games and wild animal hunts that disfigured Roman amphitheatres bear little comparison with the rowdy football matches which serve perhaps as our own age's social equivalent. Furthermore the Roman Empire, like the Hellenic city-states, lacked a doctrine of universal provision to provide institutions of social support, such as hospitals and old people's homes, available to all. It was indeed the first widespread provision of such institutions by the Christian Church in the fourth century that served as one important factor in the conversion of the ancient world's urban poor.

It is even more clearly true with respect to the architectural heritage than to the political that the process of redeploying its constituent elements was a most creative one.

This expression of creativity through reordering, readaptation, renewal and renaissance has continued throughout European history, in both East and West. Starting from the revolution in architectural forms which followed the painful elaboration of the synthesis that created European culture one need only mention what are known as "Byzantine", "Romanesque", "Renaissance" and "Baroque" architecture, or that of many historicist buildings in the eighteenth and nineteenth centuries, alike in the Old World and the New. There were also more radically innovative movements that laid aside sections of this ever living tradition. Examples are the Gothic style that emerged in the Ile de France in the twelfth century or the ideologically assertive modernist movement.

A perceived need in our own day, one that Europa Nostra has served consistently since our foundation forty years ago, is the conservation of all that is finest both within the main line of the tradition and in those which challenged it, but also the encouragement of the best available practice in town and country planning. Our activity represents a reaffirmation of ancient ideals, where architecture served to make city-life sociable, a greater need than ever in our own disjointed world.

When we argue however that what Europa Nostra is doing is of central importance for the quality of life of ordinary Europeans we are often faced with the accusation of elitism. This objection is transparently disingenuous: to describe pursuit of quality of life as elitist argues a profound contempt for ordinary people.

This objection also illustrates something far more troubling: the fact it can be advanced at all illustrates the degree to which many Europeans have become deracinated as a result of the constant emphasis on the purely economic aspects of welfare, important as these unquestionably are. The continuing revolution in productivity stemming from the Technological – usually called the Industrial – Revolution which in turn flowed from the marriage of emergent scientific method with the processes of economic life does not in itself of course necessitate any such tearing up of European roots. On the contrary these revolutions, like political revolutions in European history, were at least partly the consequence of the emphasis on innovation and individual achievement, whether theoretical or practical, in the Hellenic tradition, one of the three that were to make up the initial European cultural synthesis. Deracination does not follow therefore from the Technological Revolution, but it is true that Revolution, together with the development of science and of economics, made it more common to speak of human beings in impersonal terms. The dissemination of the products of the Technological Revolution based on an ever increasing understanding of the human psyche, its passions and motivations, has taken this much further. Increasingly the messages we receive are addressed to us neither in our primary role of persons, nor in our role as citizens, nor in that of subjects, nor yet even as producers, but as consumers who claim sovereignty in the market place but yet resemble paupers in the diminution of our varied relationships and the fullness of our humanity.

Perhaps even many of those active in Europa Nostra and its many member organisations have not always realised just how central to

the reaffirmation of Europe's cultural heritage against the deracination that threatens it are the values of architectural excellence, of natural beauty and of the quality of civility in urban planning for which Europa Nostra has fought these forty years.

Before turning to the final objection to the European cultural heritage being brought into the centre of public concerns it is I think important to point out that the process of reordering, renewal and renaissance I have outlined alike in the fields of political thought and of architecture has been such a frequent phenomenon in the development of the European cultural heritage partly because its very origins themselves lie in two attempts at an initial synthesis immediately after the Christian faith became dominant. These partial syntheses, of the fourth and fifth centuries, both made use of Hebrew, Hellenic and Roman traditions, if in differing combinations, and both – another irony of history – were brought to fruition outside the then geographical boundaries of Europe.

One was the creation of the Cappadocians, Basil of Caesarea, Gregory of Nazianzus and Gregory of Nyssa in fourth century Anatolia, and the other of Augustine of Hippo in fifth century North Africa. The first are well-known as the enablers of the active presence of classical Greek literature and learning within subsequent Christian education – in the East up to the Italian Renaissance, and everywhere thereafter – and as important figures in the development of welfare institutions open to all human beings irrespective of city, origin or status. What is less well known is that both of these stances, as also their support of monasticism and a moderate asceticism, flowed from a far more fundamental rapprochement of Hebrew and Hellenic thought, by which the category of nature, always determinant in Hellenic thought, was made secondary not to that of individual human beings but to that of persons in relationship. Since they saw the three persons of God to be in an eternally free relationship of love and human beings as created in God's image, it followed that human beings should behave towards God and in relationship to one another so

as to acquire freedom from the bonds of natural necessity and become persons on the divine pattern. Thus was the Hellenic concern with cosmology and ontology married to the Hebrew ethical imperative in relation to the will of God, and some of the finest elements in European civilisation were offspring of this union.<sup>10</sup>

What the Cappadocians did not do was to integrate the Hebrew sense of history as development into the Hellenic and Roman understanding of the state as in some sense the reflection of divine will. Under the hammer blows which destroyed the Roman Empire in the West, Augustine of Hippo slowly moved to another position. Just as men steeped in Ancient Greek thought had most effectively reversed some of its aspects to marry it to Hebrew thinking, so a man steeped in Latin tradition and history emphasised that even the glory of the greatest empires would pass away, to the benefit of a new Jerusalem. Change was necessary and willed by God: one could and should be otherworldly within the world. Here we find the beginnings of another great stream of European cultural history, even if Augustine is also partly responsible for a far more psychological and individualistic view of the human condition than was envisioned by the Cappadocians.<sup>11</sup>

Far too little has been said to give an accurate account of either achievement: more than enough to indicate that these partial but most fruitful syntheses, precisely because they were both partial and both syntheses, allowed a great deal of room for renewal and readjustment. There are many examples of this in European history, one of which occurred in eleventh and twelfth century Spain, within the geographical boundaries of Western Europe, indeed,

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<sup>10</sup> See John Zizioulas: "The Contribution of Cappadocia to Christian Thought" in "Sinassos in Cappadocia" (Agra Publications 1985) and for earlier developments, his chapter: "Hellenism and Christianity – the Meeting of Two Worlds" in vol.VI of the "History of the Greek Nation" (Ekdotiki Athinon 1976). Of interest is the article "Byzantine Hospitals" by Timothy S. Miller (Dumbarton Oaks Papers 1984).

<sup>11</sup> See Peter Brown: "Augustine of Hippo: a Biography" (Faber 1967).

but drawing on lost elements in the Hellenic philosophical tradition lost in Western Europe that had however been preserved and transmitted in the Syriac and Arab world under Islam and now returned to Western Europe through the services of Jews who could relate to both civilisations.

Even revolutions, the other and rarer way in which the European cultural heritage has developed, have, until the last century, been combined with a reestimation and reordering of the tradition, as indeed occurred in the instances of the Reformation and the Enlightenment, rather than its wholesale jettisoning. European revolutions have changed a very great deal, but none abolished the continuity of the European cultural heritage. The phenomenon of deracination does not derive from any revolution but from a specific long term social development that only showed the full strength of its influence in the second half of the 20th century. It is appropriately an American thinker, Walter Bruegemann, who has best described the root of our present day problem of deracination with his inspired phrase: "The consumer society is organised against history." Is it the function of our present-day European leadership simply to accept the consequences?<sup>12</sup>

If the answer to this rhetorical question is not to be merely a verbal negative, it must entail a very different approach to education, to the media and to the process of accepting migrants. It is not external marks but internal understanding that will give new life to the European cultural heritage. This process however cannot succeed unless there is real support for it in broad stretches of European society. Fortunately the grass roots growth of the European conservation and environmental movements suggest that, in most countries at least, there is. All the greater a pity therefore, that so many of the EU's current leaders share an inexplicable allergy to the need for inspiration in connecting political action

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<sup>12</sup> Walter Bruegemann: "The Prophetic Imagination" (Augsburg Fortress Publishers, 1978)

with cultural ideals. In this respect many ancient generals and medieval rulers alike asserted a stronger title to statesmanship!

Despite the impressive growth of conservation movements over much of Europe, the ultimate outcome remains an all too open issue. Many European countries suffer from an information deficit, because newspapers and other media outlets are concentrated in too few hands; or an European deficit, because newspapers and other media outlets are concentrated in the hands of the enemies of any form of European collaboration, let alone cultural identity; or an ethical deficit, because in one way or another they themselves subscribe to or even promote the idea of the human being as primarily a consumer, a consumer of the media outlet itself and of the goods advertised in it to make it viable.

Cynicism and secularism, in the strict original Latin meaning of the word, namely concern with the present age, were always among the recurring weaknesses of the European cultural heritage. There were times in history during which one might well have intoned: "There is nothing new under the sun". Today, by contrast, there is nothing old under the sun unless it can be revived and given new meaning in our own age, an age which is already called upon, and will with increasing frequency be called upon to surpass itself, and ourselves, in meeting the challenges created both by our successes and our failures, none more obviously than what is colloquially described as the environmental crisis.

Civic society, as represented in part by conservation and environmental organisations, must increasingly serve as a support to the sense of citizenship. Active involvement by citizens was a distinctive mark of the United States in the early nineteenth century, as Alexis de Tocqueville noted well in "Democracy in America". In recent decades this particular tradition has been in steady decline, as the dominant message promoted by the very structure of the media relegates participation to a subordinate role in maintaining the social and economic fabric, compared with

consumption. Compare turnouts of around or even below 50% in most recent US elections, even where issues of world, national and local importance were at stake with the impressive figures of 96% turnout in Malta and 92% among Greek Cypriots in elections held in early 2003.

It is not that the problem of a “democratic deficit” is unknown in Europe. Some countries are arguably on the primrose path to perdition where civic involvement is concerned, and many more have not yet connected with European institutions. The truth is that while all Mediterranean and some other countries have gained both quantitatively and qualitatively through their operation a few northern countries have benefited less or at least less obviously. Only if European institutions and the European cultural heritage come to be seen as relevant to present challenges will a growth of European civic involvement begin to close that gap. Until this occurs many will continue to value the national and the local and to query whether there is even any content that can be given to the phrase “European cultural heritage”. Thus when I argue that whether through reorderings, renewals and renaissances on the one hand, or what may be termed revolutions on the other, development within the European tradition has spread more rather than less rapidly from country to country, and to areas far removed from that of an idea’s origin, I am consciously contradicting a currently popular European view, namely that culture is fundamentally local.

The grain of truth in this view is that each region and locality certainly displays its own specific combination of cultural characteristics, and these are almost infinite. It is also true that every country, region and locality should constantly strive to improve its quality of life. These points however are a world away from saying that culture is local. The opposite is the main truth concerning the European cultural heritage, starting from its Hebrew, Hellenic and Roman roots, and continuing with all its multifarious manifestations over the centuries. The same is also true of the many

challenges, particularly that of the need for a revived civic consciousness, in our own day.

One way of illustrating the point in respect of an area and a period of the past where it would be least expected, and also of closing this paper, is to look at culture in the particular locality where it is being written, namely on the island of Patmos.

In my room there hangs a print of Patmos in 1776 from the book of a French traveller of the period of the Enlightenment, Count Choiseul-Gouffier. It illustrates his chance meeting with an unhappy monk who, to the Count's surprise, asked in Italian whether Rousseau and Voltaire were still alive. He considered them benefactors of the rights of the human race and expressed strong feelings of sympathy for their thought.<sup>13</sup>

Strangely in almost the very same years – completion of the manuscript was in 1777 and publication in Venice in 1782, with the financial support of a Greek ruler in Moldowallachia, today's Rumania – there appeared the greatest collection of texts of Eastern Christian ascetic and mystical teaching, the "Philokalia", largely compiled by Makarios Notaras of Corinth, who is known to have spent a year on Patmos in 1775-76 and would thus almost certainly have met the very different monk with whom Count Choiseul-Gouffier talked. The "Philokalia" was translated into Russian as early as 1793 and helped to strengthen an already established spiritual tradition which, initially through Doestoevsky's

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<sup>13</sup> The first volume of Count Choiseul-Gouffier's work "Voyage Pittoresque de la Grèce" (Paris 1782) was based on a visit made in 1776, when he was 24 years old. In 1784 the Count returned to the region as French Ambassador to the Sublime Porte. Perhaps a less genuine admirer of Voltaire and Rousseau than the monk he met on Patmos he was condemned in 1792 for corresponding with the brothers of Louis XVI and fled from the court of Catherine the Great in Russia, to return to France in 1803 under Napoleon. The second volume of his work was published in 1809. From "Foreign Voyagers in Greece 1700-1800" vol.2 by Kyriakos Simopoulos (Athens 1973) in Greek

work, began to exert a quiet but steady influence on European culture. We may then be confident adherents of two important but very divergent streams of European thought could have been met even on a small island of fewer than 2000 people at the remote edge of an island Archipelago in the 1770s.<sup>14</sup>

“Very well”, you might respond, “so a few people in Patmos were aware of what was going on in Paris, and more people in Moscow and St Petersburg may have been indirectly influenced by teachers who worked in Patmos and Athos, but this surely only demonstrates some flow of influence. What about the features that remained stable? For instance is not the architecture on Patmos local?” Well, no actually, even if I were to concede the flow of cultural influence is unimportant, which I do not. The architectural style of the Dodecanese from medieval times until the eighteenth century was a creation of Rhodian craftsmen during the long rule of the Knights of St John from 1309 until 1523, a style which united Byzantine with Gothic, and sometimes Renaissance, elements. This too then is the result of the coming together of separate streams in the European cultural heritage.<sup>15</sup>

“Is not the art you will see in Patmos churches local?” No, actually the art is not in any sense local either. Its very existence is due to a fierce three-sided dispute which put on one side of a triangle iconoclastic Emperors in Constantinople, on the second an effective if informal alliance of Roman Popes with Greek-speaking monks, especially in the deserts of Palestine, and on a third the Frankish court under Charlemagne, whose Synod of Frankfurt in 794 determined that religious art was acceptable as depiction but misconceived as the object of veneration. It was the first woman Empress in Constantinople who later dared to rule in

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<sup>14</sup> The “Philokalia” is now available in English translation in 4 vols (London, Faber vol. I, 1977; vol.IV 1995).

<sup>15</sup> For general information on the architecture of the Dodecanese, see “Eliniki Paradosiaki Architektoniki” vol. 3 (Athens Melissa 1984, in Greek).

her own name that, in alliance with both Rome and the Eastern Patriarchates, already then under Islamic rule, arranged at the Council in Nicaea in 787 for the enunciation of the doctrine of the veneration of icons. And it was this doctrine, notwithstanding the later Synod of Frankfurt, that ultimately prevailed in Roman Catholic and Orthodox Christianity alike.<sup>16</sup>

“Are not the icons themselves, however, if not Patmian, at least entirely within the Byzantine tradition?” They are certainly within a consciously venerational and anti-perspectivist tradition, elements which are closely connected. The large majority of icons however are the work of Cretan artists of the fifteenth to seventeenth centuries under Venetian rule. Their workshops habitually took multiple orders for large numbers of icons, whether in the Greek or Latin style depending on the preference of the patron, and of course when their work was less commercially oriented, they did not scruple either to introduce specific Italian themes or forms into traditional icons, or to innovate with a new iconography emerging out of the Eastern tradition itself. Works of Titian and Tintoretto were available in Crete for all to see, and Domenico Theotokopoulos, after painting icons, set off for the wider world, to become known in Spain as *el Greco*.<sup>17</sup>

Nor is there anything local, of course, in the religion. When I was asked to read Psalms in the Cave of the Apocalypse, they were in the Septuagint translation from the Hebrew, magnificent Greek of the third or second century BCE, a witness of the long and slow process of Hebraization of the ancient Greek-speaking world. In

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<sup>16</sup> See Judith Herrin: “The Formation of Christendom” (Blackwell 1987)

<sup>17</sup> See Maria Vasilaki: “The Portrait of the Artist in Byzantium” in the volume of the same title (Univ. of Crete 1997) (in Greek); Kanto Fatourou-Hesychakis: “Philosophical and Sculptural Interests of Domenicos Theotokopoulos in Crete” in “El Greco of Crete – International Symposium, Sept. 1990” ed. N. Hadjinicolaou (Iraklion 1995); Nikos Panayiotakis: “H Kritiki Periodos tis Zois tou Domenikou Theotokopoulou” in “Aferoma ston Niko Svorono” vol.2, Rethymno 1986 (in Greek).

the same Cave there exists just one icon of a scene from the Book of Revelation, which was written in Patmos, and so you might count as a local feature, were it not for the inconvenient fact that the Book in question is never read in any Church in Patmos, or indeed in any Eastern Church, because of its uncertain apostolic authenticity. There was thus no traditional iconography for the painter, who worked at the end of the sixteenth century, to draw on for the divine figure of the Son of Man John saw at the beginning of his vision. To what source might he then turn? Why, to a woodcut of Durer's, if probably at second hand. The reason was that the influence of the Book of Revelation, written on Patmos in a Jew's ungrammatical Greek, has been constant in the culture of Western Europe and North America, being repeatedly illustrated, inspiring works by geniuses as different as Sir Isaac Newton and D.H. Lawrence, and serving as the quarry for many of the powerful images Julia Ward Howe worked into the "Battle Hymn of the Republic", the anthem par excellence of the Union Army in the American Civil War.<sup>18</sup>

So much, I think for the false concept that culture is local. There is only one tradition I have found in Patmos that one might consider local in origin. This is the very civilised, and possibly pre-Greek inheritance system in respect of property it shares with some other Aegean islands, which, in contrast with the almost all the rest of Europe, is matrilinear in so far as the family home is concerned. If however some anthropologist knows better, I am quite happy to stand corrected on this also. To sum up, the power of the very varied local manifestations of European culture is that the cultural heritage on which they all depend is emphatically not local.

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<sup>18</sup> See Manolis Hadzidakis: "Eikones tis Patmou" (National Bank of Greece 1977 in Greek) p. 109 on the icon in question. Isaac Newton's "Observations Upon the Prophecies of Daniel and the Apocalypse of St John" was published twelve times from 1733 until 1922. D.H. Lawrence: "Apocalypse" was first published in 1931.

I shall end with a final image from Patmos. The Good Saturday service of the Lamentation, which represents the adoption of the ancient Hellenic tradition of the ritual lament over any dead person to the figure of Christ, ends with a powerful reading from the seventeenth chapter of Ezekiel. Ezekiel's own intention was to describe the condition of the exiled people of Judah in Babylon as broken bones in a valley, bones to be brought together by the power of God, but even then lifeless until He blew His Spirit into them. In the preparation for Christian Easter the reference is to all humankind awaiting ultimate Resurrection, of which Christ's is the foretaste. But there is perhaps also a message for our political leaders in Europe today. So long as they confine the building of Europe to issues of politics and economics the bones may indeed continue to come together but they will remain as lifeless as those in Ezekiel's valley. It is, I suggest, only when the power of the cultural tradition and heritage is allowed to blow through them that Europe will come truly to life.

This article is a revised version of a keynote speech delivered at the Europa Nostra Forum "European Culture: A Shared Responsibility", held on Europa Nostra's 40th Anniversary at the Council of Europe, Strasbourg, 20th June, 2003.

**Costa Carras**

Born 1938, studied philosophy and ancient history at Oxford, and economics at Harvard. Together with his wife Lydia, he founded Elliniki Etairia (the Hellenic Society for the Protection of the Environment and the Cultural Heritage) in 1972. He served as its President between 1972 and 1975 and has been so again since 2001. He organised the conference in Patmos in 1988 which led to a notable revival in the interest of the Orthodox Church on environmental issues. Has been Vice-President of Europa Nostra since 1976.

Jacek Purchla  
**Heritage and Transformation.  
The Experience of Poland**

After 1989, European culture, seen as a developing factor, determined two kinds of processes. On the one hand, given the common cultural legacy, it provided continuity. On the other, we witnessed a profound cultural change, especially in the East. This was also the result of the emergence of consumerism as a new post-materialistic value, which was manifested in cultural industries such as entertainment, media, etc.

Before 1989 we were dealing with different models of culture and cultural policies than today. Two important distinctions need to be made:

- The process of the political and economic integration of the European Union differs from the phenomenon of the cultural diversity of Europe. The approach to culture needs to be different than that used in the integration process.
- The political, economic and social transformation of Central and Eastern European nations differ from the transformation of culture in this area. Culture does not follow the dynamics of the other aspects of the transition process. Cultural values have survived the collapse of communism.
- For the heritage of Central Europe a new era began after 1989. The issue of the owners of this heritage became one of the most topical questions in this respect. This is an ambiguous question, especially after the lesson of communism, since Central Europe is a part of the continent where political borders, especially in the twentieth century, have changed more often than cultural frontiers. After 1989 the essence of this

experience cannot be separated from the broader context of our specific experience in the long historical perspective<sup>1</sup>.

Central Europe can be described in many ways. As a historian I would like to draw attention to two characteristic associations. The first – a hundred years ago in Vienna so popular and so useful in describing the Kafkaesque reality of the Habsburg monarchy – is ambivalence. The other, often disregarded, is the serious complex of the residents of Central Europe, a peculiar trauma generating a need for support from history, to seek strength and identity in the past. This was just the reason why throughout the nineteenth century both the romantic need to nurture the past and a considerably deepened attitude towards what today we call heritage developed in this part of Europe. This attitude resulted from such essential elements of the specific situations of the nations of Central Europe in the nineteenth century as the lack of independence, the late advent of the industrial revolution, that is the so-called long lasting feudalism, backwardness and stagnation. In effect, for a long time we lacked the conflict between modernisation and accelerated development and heritage that was characteristic for the societies of the industrial era. This meant also an escape into the past and heightened historicism, which in the second half of the nineteenth century led to a characteristic sacralisation of the monument. And since the monument was then perceived as a sacrum, it also became an antithesis of practical value.

The political need for support from history is clearly seen in the development of many cities of Central Europe. At the beginning of the twentieth century the resulting attempt to turn them into museums, as in the case of Nuremberg or Cracow, ended – inevitably – with a great conflict which is visible in all, especially the biggest, cities of the region, such as Prague.

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<sup>1</sup> see also: J. Purchla, *Management of Historical Cities and Market Forces. The Central European Experience*, [in:] *From the World of Borders to the World of Horizons* (ed. J. Purchla), ICC, Cracow, 2001.

It is paradoxical that World War II petrified this attitude. In Central Europe, where monument resources were catastrophically destroyed, a new political and economic system was introduced in which heritage functioned in an ideological rather than a practical sphere. The reconstruction of Warsaw has become a symbol of the successful dictate of politics. The Old Town in Warsaw is also a significant example of the fact that the communists totally ignored the issue of property. Today problems of ownership are one of the most important issues in cultural heritage in Central Europe, and often the key to effective heritage preservation. This is intertwined inseparably with the fact that after World War II in Central Europe heritage was again separated from economics. This concerned both devastated cities like Warsaw and those that remained untouched, such as Cracow. It also concerned the heritage of the landowning culture which was the victim of the so-called agricultural reform. We should state clearly that Poland is a country in which ownership relations are one of the most complicated problems. For the fifty years of communism, the monuments of Central Europe have been lacking in both what the British call maintenance, and what we can read in Article 4 of the Venice Charter: monument preservation assumes first of all the obligation of proper and continuous maintenance.

What is the essence of the change after 1989? The 1989 change consists in changed rules of the game, including the rules of heritage management. Today, monument is not only a sacrum but also a “product” that more and more often is the subject of a market game, which is especially seen in the centres of many cities. There has been a rapid departure from the static model of preservation. Equally rapidly it transpired that everything connected with heritage preservation – especially in big historic cities – is a true minefield, a field of conflict in which new actors have made their entrance, first of all private proprietors and local governments.

The rapid privatisation, commercialisation and commodification of space are an important aspect of the changes we are experiencing today. The close relationship between cultural landscape and social and economic system can be seen particularly well in the period of transformation, i.e. in that transitional state when in an entirely new reality preservation is still managed using old instruments. The first symptom of that situation was the appearance of aggressive advertisements in the historic tissue of our cities, against which conservators have often been defenceless. This is not only a sign of the change in ownership relations, a return of the mechanisms of rent of land, but also evidence of the failure of the principles and instruments of protection used so far. In a way, those old methods were more effective within that system based on economic stagnation and total control. Today the main problem is that they do not withstand the confrontation with the dynamics of city life. There is the other extreme also: heritage bereft of a function, just two examples of which are the Jewish heritage after Holocaust and the Catholic churches in Volhynia (now Ukraine), abandoned after 1945 (ethnic cleansing) – the result of a total dislocation from market forces and deprivation of function to such an extent that it could be dubbed the “heritage of the disinherited”.

Of course, conservators may complain of this mounting conflict between function and form, especially in big cities, and of the dictates of commercialisation, motorisation, suburbanisation, standardisation, and first of all the conflict between the individual and public interest in the area of heritage. It is often a new and surprising experience. The most important thing is, however, that irrespective of those objective processes a simultaneous change is taking place in our thinking about heritage.

Here it is worth recalling the CSCE symposium organised in 1991 in Cracow<sup>2</sup>. This was the first great meeting of East and West devoted to culture and heritage. Since that symposium the notion of “our common heritage” has come into vogue, replacing the previous understanding of heritage with its roots in the nineteenth century, when heritage was first of all understood in categories of nation.

Today heritage means much more than it meant only a dozen years or so ago. We often forget that the experience of Central Europe in this respect, i.e. our experience, is a kind of value in itself. We forget, too, that we can transmit this value outside. It is not only the matter of our experience connected with the fall of communism and the transformations, which is alien to the West. It is also the particular presence of history in our time, the cult of defeated heroes, and a different understanding of progress than in the West. It is too the different understanding of geography, geopolitics, cultural diversity and the great process of revival experienced by the societies of Central and Eastern Europe after 1989 and, in the end, the question of political and cultural borders.

In this context it is paradoxical that culture is the only major public sector in Poland that has not been subjected to transformation. The asymmetry between the transformation of the state, including its decentralisation, and the anachronistic model according to which culture is managed in Poland, including heritage preservation, is growing deeper and deeper. We can ask why during the last few years state policies towards culture and heritage have seemed so ineffective. One of the causes is precisely the deep-seated romantic myth of culture, where it is treated as an ivory tower, a sacrum detached from the rapidly changing reality. Most ministers of culture since 1989 have been defending culture in Poland from the market instead of creating a market for culture.

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<sup>2</sup> CSCE Symposium on the Cultural Heritage Cracow 28 May - 7 June 1991. Final Document and Proposals Submitted by the Delegations of the Participating States (ed. J. Purchla), ICC, Cracow, 1991

The fact that culture is still seen as a non-productive sector enhances in a way the conflict between what we define as heritage and what we define as development. Complex preservation of cultural heritage should be seen in the perspective of creating that something that the Germans call Kulturgesellschaft. We must not forget that the cultural sector also has an economic aspect.

Proper heritage preservation has to mean first of all the wise management of changing function and changing potential. It also requires an integrated approach to the question of heritage landscape as an unusually complex system of communicating vessels. Therefore not only the form – about which we are already accustomed to thinking in heritage preservation – but also the function of monuments – objects and systems – today determine the effectiveness of preservation. Besides, heritage is not only the sum of the preserved historic objects within an area. On the one hand it is a symbolic level, connected with the interpretation of heritage as a sacrum, but on the other it is also a market product. In this sense the effective management of heritage resources can signify correct answers to the questions of its availability and its consumers.

In effect, modern heritage preservation must consist in the management of heritage potential and in a continuous search for compromise between the preservation doctrine and the inevitable change. This requires more and more knowledge in economy, management theory, marketing, and also in law and public administration on the part of the conservation services. At the same time the new philosophy of preservation – without any burden of cultural nationalism – should strongly accentuate the questions of identity, individual tradition and the vernacular character of individual cultures.

Today the contemporary standard of state policy in the area of monument preservation in Europe can be summarised by a few principles. The first one is a clear sign of equality between the notions of “cultural assets” and “cultural heritage”. This approach is aimed at creating – on the scale of the state – an objective sys-

tem of monument classification based on the so-called Dvořák criteria. This should preclude the menace of selective monument preservation according to ideological or political criteria and guarantee equal rights for all monuments, including those belonging to national and religious minorities.

Another key question for effective monument preservation in a democratic state of law is the principle of restricted ownership for the sake of the public interest. This restriction of ownership must not, however, violate its essence. Subordinating the private interest to the public one, the state must create simultaneously a system of aid able to compensate the additional duties that are imposed on monument owners. Various practices are used for this purpose in European countries. It often means reaching for tax mechanisms (reductions and deductions for monument owners) and creating a legible system for subsidising preservation work on historic monuments out of public funds.

The specialist and apolitical character of the conservation services should also be a precondition of effective state policy in the area of monument preservation. Monument preservation cannot be separated from its broader context – it should include not only state patronage of culture, but also the principles of town planning policy, social education regarding heritage preservation, and systemic issues.

The Constitution of the Republic of Poland provides a natural foundation for creating a state monument preservation strategy in Poland. In articles 5 and 6, referring to the preservation of cultural assets, we read that “The Republic of Poland [...] guards the national heritage”, and also that “It creates conditions for universal and equal access to cultural resources. Culture is the source of the identity of the Polish nation, its survival and its development”. Other constitutional principles should also be taken into account in constructing the statutory model of cultural asset preservation. It is essential to ascertain whether the institutional forms of cultural asset preservation expressed in the act, including restriction

of ownership in terms of the scope and form of use of cultural assets, comply with constitutional standards that formulate human and civil rights and obligations.

The new Monument Preservation Act passed by the Polish Parliament on 23 July 2003 provides only a partial foundation for a new model of monument preservation in Poland. We should note, however, the introduction of new material and legal concepts that will broaden the scope of cultural heritage preservation to some extent. According to the Act, cultural heritage is not only a national legacy, but rather an element of the common output of the European community. The concept of “cultural parks” is among the new notions connected with specific institutional mechanisms of protection. The broadening of heritage preservation to include intangible cultural assets, which has long been requested by conservation circles, should also be stressed.

The new Act approaches contemporary conservation doctrine in a modern way, but it fails to settle a fundamental issue, the change to the legal and financial aspects of monument preservation in Poland.

The lack of a tax relief system that would provide a real incentive for the restoration of cultural assets is of particular importance. In recent years the system of financing monument preservation in Poland within the national budget has practically collapsed. There is still a striking asymmetry between the system of protection of natural resources, based on the Environment Protection Foundation, and the lack of such mechanism in the area of monument preservation. The 1999 draft included the proposal to establish a Monument Preservation Foundation to increase the effectiveness and the range of authority of the General Conservator of Monuments. The introduction of tax relief in the area of tourist services could make this an instrument of a new philosophy of heritage preservation in Poland, based on active management of heritage potential. This question, however, still remains one of the crucial aims of state policy that wait to be realised.

The organisational problems of cultural asset preservation in Poland still remain an open matter. This is a fundamental structural question concerning the subjective determination and setting of the "conservation administration" within the framework of the public administration system. It is of essential significance, since equipping a provincial conservator of monuments with certain categories of entitlements and powers, including first of all his organisational independence, is the guarantee of the effectiveness of his activity. We can even say that the effectiveness of conservation is a resultant of independence and competitiveness. In an optimal arrangement cultural asset preservation should not lie in a governor's hands, since such a systemic solution makes the provincial conservator of monuments (the subordinate of the governor) fully dependent on his superior. The model and postulated arrangement of the position of the provincial conservator of monuments should therefore use the principle of separate authority (specialisation), instead of the principle of linking conservator and governor, which has been adopted in legal regulations, including the above mentioned new act. The rule of the facultative handing over of cultural asset preservation to local government and in particular to the commune is, however, fully rational and simultaneously consistent with the constitutional principles of decentralisation.

For the real and effective preservation of cultural assets it is indispensable to introduce a powerful model that would secure the active and direct participation of the provincial conservator of monuments in cultural asset preservation in local town planning on the level of the commune. In this context, the scale of the effectiveness of conservation depends on the active participation of the provincial conservator of monuments in the individual stages during the procedure of working out and passing of the local plans. It also depends on the extent of his entitlements and powers as far as formulation of the contents of these plans are concerned. Therefore it is essential to introduce a system of effective conservation instruments into the area of town planning.

Spatial planning in Poland today exposes all the weaknesses of the so-called “soft state”. The weak system of checks on public space and the consent of the state to degradation of space clearly show that problems of monument preservation go far beyond the competence of the minister of culture. On the other hand, however, the conservation services are today the last bastion of law and order in the area of monument preservation. In comparison to other countries, their number is relatively low (about 700 employees). Besides, it is a special administration with the highest rate of staff with a university education in Poland; it should be a well-paid and depoliticised independent administration. The return to such a situation should be one of the strategic aims of state policy in monument preservation in Poland.

In my deepest conviction, the most important strategic aims of the state in the area of monument preservation should include first of all:

- Preparation of an effective legal and financial system of monument preservation;
- Working out of a complex system of education for heritage;
- The search for instruments that could strengthen the effects of the activity of the conservation services, and later the preparation of a national programme of cultural heritage preservation. This programme should become one of the pillars of the cultural policy of the state.

The new strategy of monument preservation should be based first of all on a mechanism that would link monument preservation both with the development of the tourist market and with the process of decentralisation of the state and the strengthening of local government. Still unregulated ownership relations (including the issue of the reprivatisation of numerous monuments) remain an important barrier in this area; other barriers result from “the dictates of ministerial Poland”.

The strategy of monument preservation cannot be detached from the basic issue of institutional crisis in culture. In particular, the crisis affects many museums that collect movable objects of historical significance. The asymmetry between the achievements of transformation and the more and more anachronistic model of cultural sponsorship is growing. It reveals a glaring contradiction with contemporary trends and views on culture as one of the most important factors in development. The lack of a modern cultural policy in Poland is a simple result of the ignorance of the political classes in this area (“everybody knows about culture!”). It is paradoxical that in comparison with educational or health reforms the reform of cultural policy is a relatively easier political and economic task. It just needs to be undertaken! The lack of a conception for using the enormous potential of the cultural sector as an agent for development in the broadest meaning of the term is more and more damaging not only to culture, but also to Poland. This concerns especially the area of cultural heritage.

Tourism, which to a large extent is rooted in the cultural context of heritage, is today – especially for our historic cities – both an opportunity and a threat. It can become not only an important mechanism for the development of many centres, but also an effective instrument of protection. This, however, requires an integrated approach to questions of cultural heritage, town functions and market. Local governments of historical cities and regions in Poland understand tourism as one of the important factors of economic growth. They often do not see, however, the related risks and negative effects. In such a system, tourism is a dynamic element. The speed and selectivity of tourist consumption is a serious hazard for heritage. If heritage is a stock of values, then tourist consumption of heritage could mean a significant diminishing of that stock. The authenticity, i.e. the original value of heritage, is also subjected to confrontation with the globalisation and macdonaldisation of cultural space. Processes of uniformisation do not only threaten heritage; they can also reinforce its value and

importance, even in the market dimension. In the face of globalisation, locality becomes a value in itself.

Therefore, the skilful combination of heritage with the sphere of the economy is a guarantee of the effective preservation of the cultural heritage of historic cities and regions in the free market system. For the proper functioning of historic areas it is necessary to create a new financial and legal framework. This entails the necessity of finding a compromise between the canons of preservation and the demands of life and economics. Today, without an effective strategy for managing heritage potential we cannot speak of effective monument preservation. In this respect we should remember that heritage is a non-recyclable resource.

Today the complex nature of issues of cultural heritage in Central Europe forces the necessity of a rapid progression from conservation and purposeful preservation to systemic heritage planning, to a change in the hitherto passive philosophy of preservation. It also forces significant broadening of the scope of heritage preservation, in both the chronological and spatial senses, i.e. both tangible and intangible heritage. In this sense it is a continuous process, founded on constant reinterpretation. Therefore this is not the end, but rather the beginning of a new era, where these problems will cease to be only the ballast often pushing peoples and nations into conflicts, and where the potential for development will appear. On condition, however, that it will be our common heritage.

**Jacek Purchla**

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Rupert Graf Strachwitz  
**Civil Society, Heritage, Identity,  
and Unified Europe**

This article is by an NGO-person and an advocate of civil society as one of the crucial contributors to society at large. It is to open a debate, and contains more questions than answers. Some arguments are put forward expressly to provoke a discussion. Does it not give the impression of an attempt to link up some popular catch-words? Is there in fact any connection at all between the four terms – six words - mentioned: Civil Society – Heritage – Identity – Unified Europe? In playing around with these words, I would like in fact to show that there is.

While in the context of this book, heritage and unified Europe have already been shown closely intertwined, identity may require more explanation, especially if used, as it is here, without the traditional prefixes, e.g. ‚national‘, ‚local‘, or ‚regional‘. Indeed, one might feel inclined to ask: Identity with what or to what or with whom? Let me come back to that later. As for Civil Society, even ten years ago, I suppose few people would have suggested discussing what heritage, let alone unified Europe might have to do with this strange new item on the political agenda. One point alone seems very clear: to speak about heritage in this context implies speaking about politics, or more precisely, about political ideas, not about the aesthetic quality of monuments.

Let me therefore turn to civil society first. In June 2000, more than a dozen political leaders including Presidents Clinton from the United States, Cardoso from Brazil and Mbeki from South Africa, Prime Ministers Jospin from France and Amato from Italy and others met in Berlin at the invitation of German Federal Chancellor Gerhard Schroeder to discuss and adopt a resolution on three topics: globalisation, a new role for government, and civil society. The meeting followed a similiar one in Florence six months earlier and was supposed to be succeeded by more –

which never materialised. Not long afterwards, the notion of civil society was taken off the agenda of world politics; events like 9/11 seemingly forbade taking a new and broader view of societal development. And even then, while experts, scholars in particular, had been invited to participate, the final communication of the conference hardly mentioned this section of the agenda.

In the light of recent developments in the evolution of a modern political order this seems inadequate. A generation ago – as for the past 250 years – , all over western continental Europe, actors in society were divided into public and private – on the understanding that private implied self-interested while public stood for public interest. In Central and Eastern Europe, obviously, Marxism/Leninism had led to an even narrower view in that everything of societal consequence was assigned to the public sector. Even in Britain awareness for a specific theory of privately organised public purpose organisations, although boasting a precedent going back to the times of Queen Elizabeth I, had in the past 50 years got thwarted by the domineering role of the welfare state.

The paradox of this situation lay in that organisations of this description – private, yet devoted to public purposes – existed, not only in the United Kingdom, but all over Europe, and in great number, but there did not exist much of a theoretical reasoning for their existence. They were seen either as agents of the state – this goes in particular for charitable service providers like hospitals – or as leisure activities of individual citizens with little or no overall impact. Neither official statistics nor political science were prone to assign a special position to private organisms of public purpose and analyse the implications of their contribution. Consequently, preferential tax status was regularly achieved by political bargaining, not by adherence to an overall concept.

Around 1970 this began to change. It is certainly fair to say that in the U.S.A., where indeed a large part of the arts, educational, and other institutions for the public good are not in any way connected with government, the awareness of a third sector of society grew

before this happened in Europe. Research and self-esteem of the organisations involved supported a theory of an existing, and indeed thriving, Third Sector that certainly interacted with the other two – the public and the private sectors – but that had an identity of its own. In Europe however, more than in the U.S., this development was carried by a growing disenchantment with the state, while in the U.S, more than in Europe, there developed a growing uneasiness with the rule of the market and a growing feeling for community work. Yet, communitarianism is just one set of ideas among many others.

All over Western Europe, albeit with slight variations, the 70s and 80s witnessed a similar development. Charitable, not-for-profit organisations saw an immense growth, far exceeding that of the private sector. This growth was due predominantly to contracting with the state. Besides, however, a new range of organisations developed that were not service providers. They were styled advocacy groups, their main object being to create awareness for issues that were not seen to be adequately addressed by government. By no means all advocacy groups were new creations. And not all were just advocacy groups. Many were or had been or were destined to become service providers or intermediaries or self help groups as well.

I use these terms to describe the four basic types of organisations involved, as these were used when the European Commission, in 1997, finally published what should have been a White Paper but had to be scaled down to a Communication from the Commission on the role of associations and foundations in Europe. In writing this communication, the Commission recognised that unified Europe had to develop a position on this issue and indeed interact with this sector of society, while the Council, which would have had to pass the draft in order for it to be styled a White Paper, recognised the threat to traditional national government thinking and blocked it. While the Commission welcomed NGOs – non governmental organisations, as they have come to be called at an

international level – for their expertise, their dedication to their causes, their commitment to transnational thinking, and for offering council fundamentally different from what national governments were offering, and thus rendering the commission more independent from the national governments, these in turn were viewing these same activities with growing suspicion, not only for the fiscal implications, but also for the possible loss of power implied.

This new outlook had most definitely and most importantly been prompted by the developments in Central and Eastern Europe in 1989 and after. Here, civil rights groups, many of which had developed in the wake of the post 1975 CSCE process, had been instrumental in creating a new political order. Seemingly powerless activists had shown their power in a time of crisis. Political mechanisms of old were presented as obviously failing. Societal involvement based on voluntary participation and self defined values gained a prestige not hitherto experienced. Civil rights became the core issue of what eventually was to called civil society.

It is not surprising that the trend that had evolved in Anglo-Saxon societies and the Central and Eastern Europe trend combined set in motion a process of reevaluation. More knowledge about and insight into all this was called for. The Johns Hopkins Comparative Nonprofit Sector Project, for the first time ever, aimed at producing a reliable quantitative analysis of all types of organisations that could be identified as in some way cohesive, autonomous in its governance, refraining from any distribution of profits, separate from government, committed in a wide sense to the public good and based, again in a wide sense, on voluntary involvement. The project was international and comparative, today encompassing over a plethora of areas world wide, and encompassing all subsectors, cultural heritage and social welfare, organised philanthropy and grass roots initiatives, global players and local community volunteers. Noble and age-old organisations found them-

selves analysed by the same procedures as young civil rights groups, the friends of an opera house like an operating international development organisation, a sports group like a heritage body.

The latter had a particularly interesting story to tell. In East Germany for instance as in other communist societies, cultural heritage had been a sore point. Ideological rigour had consciously destroyed, declined to restore or let fall into decay a substantial part of the built heritage. In 1989, in East Germany in particular, the civil rights movement had drawn reasoning most specifically from this fact. To preserve the old villages and towns was one of the focus points of the movement. A sentiment strongly felt and indeed frequently quoted was that the built and natural habitat should not look the same from Berlin to Vladivostok, that citizens should take pride in what their forebears had created and indeed that these creations and their preservation were a vital point of identification – of making people feel at home – , an identification that was judged to be more important than that with class or nation, or political system. To arouse emotions for one's heritage was realised to mean to identify with and so to care for one's community, Identity was seen as closely related to solidarity. Heritage, built and other, was taken as a symbol of a non soviet identity – and very much as a political instrument. It was in this vein that the chairman of the Estonian heritage society told a surprised audience at a National Trust conference in York, England, in 1991 that the prime aim of his organisation was to arrange a state burial in Tallinn for the last pre World War II president of Estonia who had died in Siberia. In more general terms: it was obvious that these sentiments were vital in the venture to build a new post-communist society.

Not least due to the efforts of the Hungarian-American businessman and philanthropist George Soros, a disciple of Karl Popper and his concept of an open society, this idea of a civil society soon became an important element in the transition period in Cen-

tral and Eastern Europe. In Hungary, to name one example, a department for the development of civil society is active within the Prime Minister's office. In Slovakia, to name another, the Third Sector became closely involved in the evolution of parliamentary democracy. The campaign to induce citizens to exercise their right to vote and thus effect a change of government, was led entirely by civil society groups.

Hopefully, it has become clear how closely civil society and identity, and identity and heritage are intertwined, when societies have no option but to create a new framework and to rely on societal change as a fair means for putting this framework in operation. Cultural heritage in this context is a means of looking ahead, not of reliving a bygone age.

Let me now look briefly at Western Europe, where for obvious reasons the need for change was not seen to be so great – on the contrary, the sense of victory led many to suppose that pre 1989 conditions in Western Europe had been proven superior in every possible way. Those who did suppose this to be so, however, easily overlooked what was changing around them. Citizens were growing increasingly uneasy about the power of bureaucracies. The younger generation in particular was no longer prepared to take on all the traditional ideas of serving one's country, of obeying the authorities just because they were that. As empirical studies like the one mentioned above clearly showed, people are becoming more interested in smaller and more informal groups, where individual citizens really matter. They no longer pledge allegiance to a given set of values as taught at government schools or indeed to a societal framework once and for all. They take the liberty of learning by doing, shifting their loyalties, developing their very own and often complex loyalty frame, and above all, to mistrust the nation state, its protagonists, and its traditional ambition to rule and regulate on every aspect of life. This movement had begun in the 60s, developed momentum in the 70s and 80s and has gained in cohesion and strength since 1989.

Contrary to widespread belief, the readiness for voluntary action has not diminished. Empirical data show clearly that e.g. in Germany, around 22 million citizens (roughly one quarter of the total population) spend time doing voluntary work, and this percentage has remained virtually unchanged for decades. Interestingly, 80% of all volunteer work is accomplished within third sector organisations, while priorities of choice and the popularity of organisations have changed. Large traditional ones find it increasingly difficult to attract volunteers while new ones find it easy. Service providers are increasingly thought of in market categories – thus supporting the European Commission’s views on this subject – while advocacy groups, organisations with an international outlook are considered worthwhile fields of activity. The feeling of a need for social change is strong.

With the change of values came a higher public profile and an increased awareness of civil society, its potential, and its backbone, the third sector. While in 1995, the results of the Johns Hopkins Project, Phase I, met with some interest in academic circles, Phase II results in 1999 became the subject of public debate. That the sector contributes an average of around 5% to GNP, provides a considerable amount of jobs, also that it depends very largely on government funding and only fairly little on voluntary contributions, has awakened people to the importance and shortcomings of the sector. The term Third Sector, virtually unknown among political scientists and sociologists, let alone among political decision makers even two or three years ago, has become public knowledge (despite the fact that it is not a very attractive way of describing the sector, the UK term ‘voluntary sector’ being a rather nicer one). More research was suddenly called for, and politics began to take a real interest in this new dimension of public life. The research community has begun to re-examine its position. Was it sufficient to collect empirical data and define the sector’s contribution to GNP, to record the number of jobs provided, the income base and other, needless to say, vital details? The growing feeling was: it was not!

This became particularly evident as the state, under budget pressure began to probe the usefulness of the sector. The standard preconceived idea, regrettably to this day advanced by the media, was that it lay in its capacity to attract voluntary funding and/or a voluntary work force to government controlled programmes and institutions. What could not be raised through taxation might hopefully be raised through fundraising was the formula. Some politicians persist in repeating it. It has just one flaw: it is totally wrong.

Any analysis of the evolution of modern society will produce proof of the theory that the voluntary sector's contribution is not a quantitative but a qualitative one. Community work, voluntary action, third sector activities and indeed donations are an essential asset to society not by the material relief they may provide to the government coffers but by the creativity in creating awareness for and finding solutions to societal problems – the risk of losing identity being one of the crucial ones – and by the opportunities for integration and participation they provide, by the chances they offer to citizens to lead a fulfilled life. The stability of a society depends on its ability to induce women and men to contribute to it by their free will. It is therefore essential that a 21st century society should include the development of a sector generally acknowledged to be able to organise this contribution. This is what civil society is all about.

In Germany – and this is my last point – recent history has been slightly different both from that of its Eastern and of its Western neighbours. Amalgamating a particularly rigid communist society and a particularly traditional western society has proved to be a difficult task. The big hopes that the East German civil rights movement would immediately be influential in bringing down some walls in people's heads were not to materialise. For some years it was thought that all the points raised in 1989 – heritage being one of the important ones – were best dealt with by government action. By around 1998 however it was realised that this

could not possibly work. The failure of government has made people look into other ways of keeping society together. Why were so many people losing touch with their communities? What, in the light of hooliganism, and violence, especially in East Germany, could be done to integrate people, make them feel part of it? Obviously, the market place was no sensible alternative. But what was happening at a local and regional level, what was going on in societies and clubs, associations and foundations? Why were NGOs so successful internationally?

Robert Putnam of Harvard University, after years of conducting empirical studies in Italian cities, has argued most forcefully, that a healthy society, good government and indeed prosperous businesses depend decisively on the existence of informal associative life. He coined the phrase 'Social Capital' to describe a vital ingredient of modern society. Civil society is the sector of society that generates this social capital. Government and business need it and use it.

Therefore, today, more and more, civil society is a concept that is believed to have a future. To take one example from my own country: Parliament has set up a special commission to look into the implications of civic action, and the commission is doing so under three headings: working life, the welfare state, and civil society. And as for heritage: in a recent, widely publicised event staged by one of the vice presidents of parliament, Antje Vollmer, a paper was presented suggesting that the state should have no part in heritage matters as its involvement was detrimental to the definition of priorities and the implementation of conservation strategies. Civil society alone, it was argued, was in a position to judge what should be done. The paper was presented by a renowned and serious expert, and Mrs. Vollmer is well known as an advocate of traditional civic values. It is therefore not the media attention that followed the presentation which is so interesting but the fact that such a view should have been put forward at all – even a few years ago this would have been unthinkable.

It is beyond doubt that the concept of civil society is catching on everywhere. And as we have seen, civil society depends largely on identity which in turn entails a conscious inclusion of heritage. So, three of the terms of the theme accorded to this assembly seem to be neatly strung up. Where does Europe come in?

Let me touch on this very briefly in conclusion. What lessons can we learn if we believe what I have said may have some truth in it? I would suppose that non governmental and non commercial heritage organisations can derive new confidence and strength and even guidance from the fact that heritage is recognised as a part of our identity worth fighting for. We need not primarily take recourse to its value for the tourist business, and not even to its value as ‚ornatus‘ its beauty value, although this is naturally close to our hearts, if it can sensibly be argued that heritage is a vital focus point of citizens‘ identity. It is surely also fair to state that an advocacy organisation may take on the concept of civil society as a framework within which it may operate. To do so in a European context is more than just fulfilling the charter as a pan-European federation. No other aspect of European integration imaginable is so European already. Anthony Eden might not have agreed to this. He is known to have said, the English would never become Europeans, it just wasn‘t in their blood. This was around 1952. Historically, he was wrong, of course. His blood was probably in some way Norman, Danish, Saxon, Roman, Celtic, and so forth. And indeed, was he aware that Prague University was organised in a way later to be copied by Oxford and Cambridge who adhere to this model to this day. Built heritage in particular, is an example of common principles, not just in the art of masonry but most specifically in the meaning and adornment of a building.

Mr. Chevènement, the French politician, just recently suggested that the „dismantling of states can only lead to the triumph of globalisation“, which in turn would render Europe „a suburb of the American empire“. He is no more right than Anthony Eden

was in his day. American President Bill Clinton, in receiving the prestigious Charlemagne award at Aix-la-Chapelle in May 2000, was surely closer to the truth when he underlined that Europe was predominantly an idea. Looking at him saying this, with the Charlemagne's cathedral in the background, you could readily grasp what he meant. Hardly could a better symbol of the European idea have been chosen than this 1,200 year old monument, modelled on even earlier churches in Ravenna and in what is now Istanbul.

Looking at our cultural heritage with a bird's eyes view, it is impossible not to realise how closely knit European heritage is. So, as a civil society organisation that need not adhere to national boundaries, Europa Nostra's unique selling proposition is to advocate identity through heritage by voluntary action. With all due respect, at the end of the day it will not be the administrative mechanisms of the European Union that will bring about a new European order, it will be voluntary action, the backbone not just of civil society, but of any society worth living in.

This article is a slightly revised version of a presentation made at Europa Nostra General Assembly in Prague on 9th June, 2000.

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Alessandro Chechi

## **Cultural Matters in the Case Law of the European Court of Justice**

In the 1960s, just a few years after the signature of the Rome Treaty, the Belgian statesman Baron Nothomb expressed the wish for the creation of a European Cultural Community. This idea was further affirmed in the 1977 Commission Communication on cultural action, where it was pointed out that "l'objectif est qu'il y ai un jour, dans un pays tiers, une institution culturelle qui, à elle seule, représenterait tout les Etats Membres de la Communauté [...]". Needless to say, these statements endorse the ideal rapprochement of the several cultural, ethnical, religious and linguistic diverse nations existing within Europe. However, it should be borne in mind that such statements belong to an era where the idea of the European common heritage was not widely recognised. Indeed, other interests were prevailing, such as those for the attainment of an unhindered economic growth within the European economic area.

The institution of the European Economic Community (EEC), with the signature of the Treaty of Rome in 1957, brought about priorities purporting, inter alia, the establishment of a common market based on the four freedoms of movement (goods, persons, services and capitals) and on the prohibition of customs duties on imports and exports. In this phase the perception was that only economic values seemed worthy of recognition. Instead, interests of less immediate economic importance, such as those related to environment and culture, did not receive full recognition, since they were viewed as hurdles towards economic growth. Nowadays the Community has lost its early economically-centred action. The new Community perspective is revealed by the entry into force of the Treaty on European Union (TEU, signed in Maastricht in 1992). It represents a landmark step towards the development of a different process of integration between the

Member States that goes beyond the objective to promote the development of economic activities. The TEU drew up the ambitious programme to set up a monetary union, the European citizenship and a common foreign and security policy. In addition, with a view to foster the European integration, it entitled the Community to undertake new policies not directly related to the establishment of the common market, for instance in the fields of social cohesion, consumers protection, environment and culture. With regard to the latter, the TEU introduced Article 151, a provision explicitly dedicated to “culture” and aiming at “bringing the common cultural heritage to the fore”, which granted the legal basis to undertake a Community cultural policy. This is extremely important given that the lack of an explicit competence in this area led the Community to carry out merely a fragmentary and episodic action. With regard to the concept of cultural heritage laid down in Article 151, it is worth underlining that the Community has opted for a dynamic interpretation. Such a choice emerges from the Community’s general purposes to encourage the creation of a "European cultural area", with a view to conjugate the protection of both the built and the natural environment, to contribute to the development of artistic and literary creation and to promote the knowledge of European history and a constructive intercultural dialogue. In other words, not only has the European Union put the priorities related to cultural heritage beside economic goals, it has also recognised their value as devices to bring together the European citizens and to strengthen the European integration process. In fact, Article 151 is aimed at making the people of Europe aware of their shared history, common heritage and common destiny.

As far as the European integration objective is concerned, it is worth noting that national laws embodying traditions and customs or designed to ensure the conservation of the cultural heritage are often challenged by the Community as they are seen as obstacles to market integration and economic development. As a result, several rulings of the European Court of Justice (ECJ) are con-

cerned with the definition of the degree of cultural interest that need to be shown to derogate to the rules on the four freedoms of movement laid down in the Treaty. However, it is worth noting that the ECJ has never been impressed by the cultural interests purported as justifications of national provisions. On the contrary, the Court has considered those defences with suspicion, because they could be used as a hidden form of protectionism. Nevertheless, cultural arguments are not only eligible to be examined, but also suitable to be challenged, above all considering that the further European integration goes, the bigger the chances are that Community law affects policy areas which serve entirely different purposes than economic ones. An analysis of the case law of the ECJ with regard to cultural matters should begin from the case *Commission v. Italy*. As it will be further illustrated, in this case the Court sanctioned that the protection of cultural heritage was not an area of Community competence and that the EEC had no or very little influence on national cultural policies. This approach clearly corresponded to the early Community commitment towards the unconstrained application of the four fundamental freedoms. And, in fact, in this case the Court stressed that every moveable works of art fall within the definition of “goods”, that is to say “products having a monetary value which, as such, may be the object of commercial transaction”. Afterwards, the Court overcame such a perspective and began accepting the importance of cultural values. The Opinion of the Advocate General Van Gerven in the case *Fedicine* underlines this new perspective. In summarising the ECJ’s case law as regards cultural matters he emphasised that national or regional measures enacted “to ensure the preservation and appreciation of historical and artistic treasures or the dissemination of knowledge of the arts and culture, which are directed towards preserving the freedom of pluralistic expression [...] or towards the protection of a national language” may justify restrictions to the movement of persons, goods and services within the Community. Moreover, the *Onnasch* case illustrates the Court’s willingness “to take modern artistic devel-

opments into account” in the appraisal of the cultural values at stake, and acknowledged that a wall relief made of cardboard and expanded polystyrene sprayed with black paint and oil and attached to a wooden panel by means of wire and synthetic resin is to be regarded as work of art and classified as an original sculpture for Custom tariff purposes.

#### *Free movement of goods*

At first, it is worth analysing the relevance of cultural matters in the ECJ’s case law regarding the free movement of goods context. Article 28 EC Treaty (ex Article 30 EEC Treaty) prohibits “all measures having equivalent effect to quantitative restrictions” (MEQR) in trade between the Member States. The Court of Justice clarified such a concept in *Dassonville*. In this case the ECJ extended the interpretation previously applied ruling that the notion of MEQR covers every “measures which is capable of hindering, directly or indirectly, actually or potentially, intra-Community trade”. Accordingly, this judgement led to the expansion of the scope of application of Article 30 EEC Treaty and, consequently, to the rise of the number of cases that were brought before the Court. Interestingly, several of them were brought by economic operators against national measures purporting the protection of cultural values on the grounds that they were obstructing the full attainment of the freedom of movement of goods. On this point it should be recalled that national measures caught by the prohibition laid down in Article 28 EC Treaty may be justified by the exceptions contained in Article 30 EC Treaty (ex Article 36 EEC Treaty). The latter envisages the taking of measures by Member States in derogation of the Treaty rules concerning the free movement of goods on grounds of, inter alia, “protection of national treasures possessing artistic, historic or archaeological value”. The ECJ considered the issue of the applicability of the cultural derogation of Article 30 EC Treaty only in the aforementioned case *Commission v. Italy*. Here the ECJ examined the compatibility with the Treaty of Rome of the provisions concern-

ing exports of antiquities laid down under the Italian law 1089/1939. The Commission contested that that measure violated the fiscal provisions of the Treaty. Contrariwise, the Italian government considered the issue under the free movement of goods perspective and contended that the rules governing such a freedom did not cover items possessing artistic or historic value because, in the light of the derogation of Article 36 EEC Treaty, their intrinsic importance distinguished artefacts from common merchandise. Moreover, Italy argued that the tax was justified by Article 36 EEC Treaty, since the purpose of the law was to control the export of antiquities belonging to the national heritage. This defence was rejected by the Court, which considered that the Italian law did not intend to protect the national heritage as claimed, but, rather, to make the exportation of antiquities more expensive. Therefore, the possibility to rely on the exception was excluded and, regrettably, the Court did not dwell on the definition of “national treasures”. However, it is worth noting that it is generally accepted that such definition should concern only items of outstanding artistic value having a significant correlation with the nation.

The ECJ tackled the lack of clarity regarding the scope of application of the cultural derogation of Article 36 EEC Treaty with the introduction of the so-called “rule of reason” by way of the *Cassis de Dijon* judgement. The significance of this Court’s ruling resides in the statement that even though the differences characterising the laws of the Member States regulating areas not subject to Community harmonisation may bring about obstacles to the free movement of goods, they must be accepted insofar as those trade rules are recognised as being proportionate and necessary in order to satisfy general interests falling within the category of “mandatory requirements”. As the case law illustrates, such a category constitutes an open definition that may be fulfilled by any non-economic interests, among which the Court included the protection of cultural heritage. As a matter of fact, the introduction of the category of “mandatory requirements” has to be viewed as a

judicial reaction to the immobility of the EU institutions towards the gap which separates, on the one hand, the Community envisaged by the fundamental Treaty and, on the other, the European society as shaped by the evolution of ways of life and by the raising of the importance of various non-economic aspects originally not considered.

The rule of reason was invoked for the first time for the protection of cultural interests in *Leclerc*. This case was concerned with a French law setting up a price measure designed to protect creative, artistic and scientific works from the pressure that large distributors might have exercised on publishers. The French government argued that the rule at issue was aimed at protecting the book as an element of cultural policy. Nonetheless, the ECJ struck down the French defences, ruling that a measure fixing specific retail prices from which retailers could not depart was of discriminatory nature and, thus, could not fall into the realm of the rule of reason. In *Cinéthèque* the ECJ reached a contrary conclusion. The Court recognised that the French rule prohibiting, within a certain time limit, the distribution of videotapes of films shown in national cinemas, constitutes, *prima facie*, a restriction to the free movement of goods. Nevertheless, it concluded for the legitimacy of the law at stake because the creation of films and cinemas are means of cultural expression amounting to a mandatory requirement which falls within the rule of reason. The approach in *Cinéthèque* was conceptually identical to that adopted in the so-called Sunday trading cases. These cases were concerned with the English legislation prohibiting retail shops from selling on Sundays. The ECJ considered that the rule was contrary to the Treaty because it brought about a restriction of sales and, thus, of the movement of goods. Nonetheless, the ECJ ruled that the law could be justified by the rule of reason because the measure reflected certain political choices adjusted with national or regional socio-cultural characteristics deriving from the traditional background of the Christian faith.

### *Free movement of persons*

The provisions concerning the freedom of movement of employed persons are contained in Article 39 EC Treaty (ex Article 48 EEC Treaty), which requires the abolition of any discrimination based on nationality among Community workers. The issue of discrimination due to cultural diversity arose in the *Groener* case. It was concerned with a national law requiring that applicants for a permanent teacher post had to pass a test in the Irish language. The requirement was one of the measures adopted by the Irish Government to foster the policy aimed at encouraging the use of the national language as a fundamental aspect of the cultural identity. Mrs. Groener, a Dutch national, argued that the law was contrary to the Treaty provisions because, inter alia, the knowledge of Irish language was not necessary to carry out her teaching tasks. The Court rejected the arguments of the applicant and confirmed the validity of the Irish law ruling that the preservation of national languages is a general interest that can justify restrictions to the fundamental freedoms provided for by the Treaty.

The ruling in *Carlos Garcia Avello v Belgium* is interesting because it shows the potentiality of the provisions on the Union citizenship. The case regarded a Spanish worker residing with his Belgian wife in Belgium and arose as a consequence of the refusal of the Belgian authorities to register their children under the surname of both parents. The ECJ noted that every Member State has its own rules on the transmission of surnames. Then it stated that the refusal amounted to a unjustifiable discrimination on grounds of nationality because there is no overriding public interest that one pattern of surname transmission should prevail for the citizens of a Member State within its territory. Moreover, the ECJ noted that the Belgian law rendered the movement of workers and of European citizens less attractive because it denied the importance of certain basic cultural needs, such as for the respect of national identities. The approach taken by the ECJ explicitly recognised that the Union citizenship must encompass a cultural di-

mention and, consequently, that the values related to national traditions and customs deserve protection against discrimination. Therefore, Member States' nationals can no longer be regarded as purely economic agents but, rather, they must be viewed as human beings entitled to specific rights, such as, arguably, those of cultural character. However, although the Union citizenship rules bear a great potentiality for the assessment of the rights of Member States' nationals in relation to Community law and for the protection of rights not explicitly recognised by the Treaty but intimately linked to the status of citizen, it is open to question whether the Court might confer rights such as those to "cultural heritage" and to "cultural expression".

*Freedom of establishment and to provide services*

The Treaty provisions devoted to the freedom of establishment and to provide services are important for the cultural field since they both pertain to the self-employed professionals moving to perform artistic activities, managing bodies involved in cultural actions and carrying out the restoration and revitalisation of buildings or sites of artistic or historical interest. On this point, it is interesting to consider the decision *Steinhauser v. City of Biarritz*. In this case the German claimant was an artist by profession whose application to the local authority for the allocation of certain premises for his activity in a French town was rejected on the basis of his nationality. Eventually the case was brought before the ECJ, which ruled in favour of the applicant concluding that the refusal amounted to a discriminatory restriction.

In the context of the freedom of establishment and to provide services the ECJ has developed a justification test which is similar to the rule of reason doctrine elaborated for the free movement of goods. National measures liable to hinder or make less attractive the exercise of these fundamental freedoms may be justified when the measures are applied in a non-discriminatory manner, if they are required to reach non-economic overriding public interests, if

they are proportionate and not going beyond what is necessary. These criteria emerge from the so-called Tourist-guide cases. Foreign guides travelling with groups of foreign tourists were obliged to possess a licence which required the acquisition of a qualification obtained by success in an examination in the Member State of destination. The Court recognised that the prerequisite imposed on tourist guides could constitute a restriction to the freedom to provide services on the ground that guides are discriminated against for being established in a Member State other than the one in which the service is provided. The ECJ was satisfied by the claim that the general interest for the conservation of the national historic and artistic heritage and the proper dissemination of the values of a particular country amounted to a general interest. However, it found that the provisions concerned were disproportionate and not necessary since the requirement would only favour tourist guides established in the country of destination while depriving tourists “of a guide familiar with their language, their interests and their expectations, while the free competition could more likely improve the quality of tour guides”. The *Fedicine* case was concerned with film production. The ECJ was asked to ascertain the compatibility with Community law of national rules subjecting the grant of licences for dubbing films imported from third countries, with a view to their distribution in Spain, to the filming and distribution of Spanish films. The Spanish government contended that the measure pursued a cultural aim, namely that of protecting the national film industry against the pervasiveness of American imports. Instead, the Court found that the law was contrary to the Treaty as it had the predominant economic function to promote the distribution of national films irrespective of their quality. The area of media has given rise to many cases regarding cultural values. The *Gouda* case, for instance, was concerned with a national measure ensuring a balance of programmes according to their provenance and restricting the content and frequency of advertisements. The Dutch government defended the measure arguing that it was non-discriminatory and aimed at pre-

venting that advertisers could have excessive influence over the preparation of television programmes so as to jeopardise the cultural policy established for the audio-visual sector. Initially the Court considered whether the rule could have been justified on grounds of consumer protection and cultural policy. Subsequently the ECJ decided to strike down the measure on the grounds that imposing different prescriptions on national and foreign broadcasting bodies it was deemed as not necessary to attain the objective pursued.

### *Conclusions*

The introduction of a Community cultural policy aimed at strengthening the consideration for the cultural values shared by the Member States' nationals, while protecting cultural diversities, is neither adventurous nor new. As a matter of fact, a cultural dimension was already enshrined in the Treaty of Rome. The EEC Treaty, in fact, originated from the convergence of few European States not only on the objective to attain an unhindered economic growth in the aftermath of the second World War, but also on the need to ensure the pacification of the continent through the respect of certain fundamental ideals. Notably, these principles, such as democracy, liberty and solidarity, are the result of common history and culture. Therefore, it is not surprising that the approach adopted by the Community as regards cultural matters have been particularly cautious at the outset, considering the absence of an explicit competence and that the achievement of cultural objectives required a degree of integration and political proximity among the Member States which did not exist at the time of the establishment of the EEC. A Community cultural policy was introduced with the TEU only in 1992, that is, when the twelve Member States found themselves united by the expectation of a wide-ranging integration and by the conviction that the EU represented the best means to unify peacefully and democratically the whole continent.

As a result, the Community competence regarding the common cultural heritage should be considered not only necessary but also satisfactory. National competences have been maintained while the duty to assess whether the inherent limits of both Community and national actions have been respected rests in the scrutiny of the ECJ. Moreover, the Court of Justice appears committed to bring about equilibrium between integration and differentiation, on the basis of both the values common to every Community national and to the conviction that cultural diversities must not be suffocated to attain supranational objectives, but must be respected and appreciated to achieve the harmonious coexistence of the cultural identities which enrich the European continent. In this regard, it can be submitted that although the introduction of Article 151 represented a significant achievement, only the Court has contributed to the development of the cultural dimension embodied in the Treaty. The judgements discussed point up that the Court anticipated the political and institutional changes having an impact on cultural heritage with a view to enhance the cultural dimension of the EU, which ought to become the *trait d'union* among the people of Europe and the boost for the citizen's support for and participation in the European integration. Undoubtedly, the developments achieved by the ECJ are related to the introduction of the doctrine of the "rule of reason" in the context of the free movement of goods and to the development of a similar justification test based on the generic notions of "general interest" or "objective justification" carved out in the fields of workers, services and establishment. As the case law illustrates, with those achievements the Court acknowledged that the interest for the development of the Internal Market has to be satisfied also taking into account the interests related to the common cultural heritage. Speaking in concrete terms, however, the ECJ's fundamental achievement resides in the application of the provisions laid down in the Treaty for the enhancement of the interests related to the common heritage originally not covered by Community law. For instance, although the principle of non discrimina-

tion had been introduced to further the economic freedoms enshrined in the Treaty, it has been repeatedly referred to by the Court in the appraisal of national provisions involving cultural interests. Arguably, the proactive approach of the ECJ will be affected by changes of major significance for the future of the European Union, particularly by the decisions to be taken by the Intergovernmental Conference as regards the role that cultural policy will have in the context of the future European Constitution.

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Sneška Quaedvlieg-Mihailović  
**Enlargement = Enrichment. A Plea for Europe-wide  
Mobilisation in favour of  
Cultural Heritage**

*The cultural dimension of the European integration should return to the limelight*

At the moment of the historic enlargement of the European Union with ten new Member States – the majority of which, less than twenty years ago, still belonged to the “other side of the Iron curtain” – it is essential to recall that the process of European integration has a fundamentally important cultural dimension. This dimension forms the basis of all other – i.e. economic, political or security – dimensions of the Union. The whole EU edifice is based on a strong web of cultural links woven between its Member States, its peoples and citizens during centuries of shared history. The “unity in diversity” of these cultural links is the true cement of this edifice.

The founding fathers of the Union attached great importance to the cultural dimension of the European integration. At the historic Congress, which took place in May 1948 at the Knights’ Hall in The Hague, Europe’s cultural “pillar” was treated as equally significant to its political and economic pillars. Subsequently, culture was confined to the Council of Europe, while the European Community initially gave preference to the economic method of integration. It was not for forty years that the Community, with the Maastricht Treaty, formally included culture as one of its fields of competence. During these forty years, the Council of Europe took a firm lead in recognising the importance of European cultural cooperation and supporting it. As early as 1954, the European Cultural Convention<sup>1</sup> was adopted and it is in 2004 that we celebrate the 50th anniversary of this Convention. The fact

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<sup>1</sup> See <http://conventions.coe.int/Treaty/EN/Treaties/Html/018.htm>

that this important anniversary coincides with the new enlargement of the European Union has a symbolic value: it reaffirms the importance which European cultural cooperation had, has and should continue to have in the framework of the European integration.

Recently, the work of the European Convention on the Future of Europe provided a renewed historic opportunity for highlighting the role played by culture and cultural heritage in the shaping of tomorrow's "Europe of the citizens". "For people to act as European citizens, they must feel they are such", said Gijs de Vries, representative of the Dutch government to the European Convention.<sup>2</sup> "They must feel and understand to what extent their identity as Italians, Finns or Slovenes is woven into the wider fabric of European experience, characterised by similarity and difference, unity as well as diversity".

For this reason, Europa Nostra, together with other European cultural organisations, contributed actively to the debate on the "Future of Europe" which took place in the framework of the European Convention. As a result, the draft EU Constitution recognises that the respect of the Union's rich cultural and linguistic diversity and the safeguarding and enhancement of Europe's cultural heritage constitute one of the leading objectives of the Union. The preamble of the draft Constitution also stresses the important value of Europe's cultural, religious and humanistic heritage as an inspiration and cohesive factor in the process of the building of Europe and of the development of European citizenship. It is now essential that the Intergovernmental Conference endorses the proposed texts and that the EU Institutions allow their full implementation.

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<sup>2</sup> See article of Gijs de Vries, p. 32

### *Multiple significance of cultural heritage for Europe today*

Within the cultural dimension of the European integration process, Europe's common cultural heritage occupies a special place due to its significance for the building of Europe and due to its considerable benefits to the economy, society and the environment.<sup>3</sup>

Our cultural heritage has, first and foremost, an important political significance for Europe today. Heritage is a visible expression of our common European culture and history, a tangible testimony of our roots without which our present would be impoverished and our future would become sterile. As such, it is an essential element of our local, regional, national and, henceforth, European identity. The knowledge and the understanding of the "unity in diversity" of our shared cultural heritage contribute fundamentally to the development of a sense of European citizenship and a sense of belonging to a *communauté de destin*, as indispensable cohesive factors in the on-going process of European integration. This has a particular relevance today – as recently indicated by Mrs Viviane Reding, European Commissioner in charge of Education and Culture – "questions linked to education and citizenship will be among the major challenges of the next decade."<sup>4</sup>

Europe's cultural heritage can also contribute to providing adequate responses to many of the economic and social challenges which are currently high on the political agenda: participatory democracy, sustainable development, social cohesion and inclusion, environmental protection, job creation, knowledge economy

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<sup>3</sup> For an excellent analysis made in the UK of the wide range of benefits heritage provides for society, see „Heritage Counts 2003“, Report prepared by the Historic Environment Review Steering Group, [www.heritagecounts.org.uk](http://www.heritagecounts.org.uk)

<sup>4</sup> See note IP/04/315 of 09/03/2004 „The future of education and citizenship policies: The Commission adopts guidelines for future programmes after 2006“, <http://europa.eu.int/rapid/start/cgi/guesten.ksh>

and education. Heritage should, therefore, be treated as an invaluable resource, the potential of which needs to be fully unlocked.

Furthermore, cultural heritage – both built and natural – contributes fundamentally to the beauty of our living environment and thus to the quality of life of Europe's citizens.

*EU Enlargement: Opportunities and threats to cultural heritage in new member countries*

On 1 May 2004, ten new Member States will join the EU. In terms of culture, and in particular in terms of cultural heritage, this historic enlargement of the EU will also constitute a significant enrichment – both in terms of quantity and quality – of its cultural heritage treasures and of the contemporary cultural life in the countries of the Union.<sup>5</sup> A total of 46 World Heritage sites are located in the ten new Member States of the Union. It is interesting to note that the historic centres of the capital cities of as many as seven new Member States have a world heritage status, namely Budapest, Prague, Riga, Tallinn, Valetta, Vilnius and Warsaw. In addition to the sites recognised by UNESCO as having a universal value for Mankind, the new countries are also rich in less well-known heritage treasures, ranging from pre-historic sites to Art-Nouveau and Modernist movement buildings, and possess a great variety and beauty of unspoilt cultural landscapes. (<http://whc.unesco.org>)

However, for the new Member States, joining the EU represents not only a great opportunity but also a threat for the preservation and enhancement of their cultural heritage.

Let us first examine the opportunities. First and foremost, we can expect that due to the gradual growth of economy and standard of living, more resources will become available for the preservation

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<sup>5</sup> See also „Central Europe – A New Dimension Heritage“ 1991-2001, International Cultural Centre, Cracow 2003

of heritage, as part of the sustainable development strategies in the new countries.

Through a variety of initiatives, interest in cultural heritage treasures of the new Member States will increase across Europe. Thanks to the increased mobility of people in the new Member States and across Europe, the number of visits to cultural heritage sites will increase. This increase in demand will have to be met. Developments in cultural tourism will necessarily give a boost to the conservation of cultural heritage, both built and natural. Much has already been achieved in the last ten years, in particular in the capital cities (e.g. Budapest, Prague or Riga), but much still needs to be done in smaller towns and villages with their numerous hidden treasures. Paradoxically, the centres of many old towns and villages in the countries of Central and Eastern Europe have been preserved due to a lack of resources for an intense economic activity. The heritage has often been neglected and is in a poor state of conservation, but much of it is still authentic and can be preserved with care and, wherever needed, adapted – in a sensible way – to the new needs and new uses.<sup>6</sup>

Thanks to the improved standards of environmental protection imposed by EU regulations, in future less damage will be done to monuments and landscapes by pollution, which is today particularly serious in industrialised areas and urban centres. Special protection will also be ensured for nature areas placed on the Natura 2000 List.

Important financial opportunities will be provided by the EU structural funds. As we can see from the examples in other Member States, many heritage projects have been funded by the structural funds, since they have been recognised as an important tool

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<sup>6</sup>Since the 1990 an increased number of exemplary heritage projects from the new countries of the Union have been recognised by Europa Nostra Awards and, more recently, by the EU Prize for Cultural Heritage/Europa Nostra Awards. This confirms the high quality of conservation skills which exist in these countries. For the full list see [www.europanostra.org](http://www.europanostra.org)

for the furtherance of sustainable regional urban or rural development objectives.<sup>7</sup>

Last but not least, the privatisation process is allowing the return to former owners of many historic houses or their sale to new owners. Most of the time, this process is beneficial for the preservation of historic buildings. However, the authorities in the new Member States need to stay vigilant against possible abuses.

What about the threats to cultural heritage? These should in no way be underestimated. We can certainly foresee negative side-effects of uncontrolled urban, industrial and building developments with the risk of irrevocable damage being caused to heritage, both built and natural. The common agricultural policy (CAP) will also have its negative side effects on the preservation of the countryside and cultural landscapes, unless this concern is taken more seriously into consideration in the framework of the reform of the CAP. Illicit trafficking of works of art will be further “facilitated” by the abolition of frontier controls. Stronger police and judicial cooperation between all EU Member States is therefore a must. Finally, reduced state funds for culture in general, and for cultural heritage in particular, will lead to substantial cuts in public budgets for heritage conservation or for the management and presentation of museums/sites to the public. Therefore, new sources of funding, mostly private, will need to be encouraged by adequate incentive measures to be adopted by public authorities.

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<sup>7</sup> e.g. possibilities offered by the Leader+ programme, one of the four initiatives financed by EU structural funds, which is designed to help rural actors consider the long term potential of their local region. One of the priority themes of the Leader + programme is “making the best use of natural and cultural resources, including enhancing the value of sites”.[http://europa.eu.int/comm/agriculture/rur/leaderplus/index\\_en.htm](http://europa.eu.int/comm/agriculture/rur/leaderplus/index_en.htm). Other possibilities are offered by the URBAN Programme ([http://europa.eu.int/comm/regional\\_policy/urban2/urban/upp/src/frame1.htm](http://europa.eu.int/comm/regional_policy/urban2/urban/upp/src/frame1.htm))

All these threats exist also in “old” Member States. However, the situation is particularly fragile in the “new” countries as they are “countries in transition”. In addition to the considerable damage which Europe’s cultural heritage suffered during World War II, the intense post-war industrial, urban, transport infrastructure and (mass) tourism developments of the 50’s and 60’s caused irreparable damage to cultural heritage, the countryside and the coastline of Western European countries. The economic pressure in the new Member States of the Union will indeed be particularly high and requires firm regulations for the protection of non-renewable resources such as built and natural heritage. Central and Eastern Europe should try to learn from the mistakes Western Europe made in the post-war era and seek to avoid them rather than repeat them. The EU Institutions and the Member States therefore have a particular responsibility to help the “new countries” to fully exploit the above mentioned opportunities, while at the same time reducing as much as possible the negative effects of the many threats.

*A shared responsibility requires concerted action at all levels*

In order to enhance the multiple benefits of cultural heritage, and in order to protect it against numerous threats, a mobilisation of all stakeholders and an efficient coordination of policy and action between various levels – local, regional, national and European – are urgently needed. The principle of European solidarity and the shared responsibility for the protection of cultural heritage as a “common good” indeed require an “optimum cultural policy mixture for Europe”<sup>8</sup> based on the synergy and complementarity of various levels of policy and action. It also requires an increased awareness of the existence of a common cultural space, which goes beyond the 25 EU Member States.

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<sup>8</sup> CF. „Europe as a cultural union?“, article by Kerstin Müller, Minister of State at the Federal Foreign Office of Germany, Politik und Kultur, N2 02/04, 9.8 of the English supplement

The EU Treaty stipulates in its article 151.2 that action by the Community shall be aimed at encouraging cooperation between Member States and, if necessary, supporting and supplementing their action in a number of areas, including the conservation and safeguarding of cultural heritage of European significance. Fearing the risk of non-compliance with the principle of subsidiarity, the EU Institutions until now have undertaken rather modest action in the field of culture and have failed to provide adequate financial resources for the implementation of this action. Moreover, the horizontal clause (article 151.4) related to culture has not been put sufficiently into practice. In the coming years, the EU Institutions should therefore sustain both political and budgetary support for culture and cultural heritage. This support will have to be demonstrated in the specific context of the future EU programmes for cultural cooperation, but also – and even more importantly – in the context of EU action taken under other provisions of the EU Treaty (e.g. environmental policy, education policy, structural fund policy, tourism policy, energy policy, common agricultural policy, fiscal policy, foreign policy and in particular the EU's relations with its neighbours) and in the context of the adoption of the future EU Constitution.

It is important to note that article 151 speaks about the “protection of cultural heritage of European significance”, a wording which can give rise to various interpretations. Which heritage should be regarded as being “of European significance?” Only prestigious monuments and sites, or also “minor” heritage, which is nonetheless essential for the identity, quality of life and sense of pride of Europe's citizens? “Historic buildings and streets, rural landscapes and urban spaces provide the context in which we live, work and play. They are a record of the lives of the generations that have come before us, and they are the foundations that we will bequeath to the generations to come”.<sup>9</sup> In view of the previously mentioned multiple significance which cultural heritage has

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<sup>9</sup> Cf. “Heritage Counts 2003 Summary Report“, *idem* page 15

for Europe today, we believe that our entire cultural heritage should be regarded as being “of European importance”.

Finally, in compliance with article 151.3, the EU needs to take full advantage of the extensive “acquis” of the Council of Europe. The considerable added value of this “acquis” lies in the fact that all new Member States have already been members of the Council of Europe for over ten years, during which they have been actively participating in various European projects promoting high quality conservation of cultural heritage and in awareness raising campaigns about the “unity in diversity” of our common heritage. An additional advantage lies in the fact that the Council of Europe’s “acquis” applies to the whole of Europe. Particular attention should be given to a series of European conventions, which set the standards for the preservation of architectural and archaeological heritage and for the protection of landscapes.<sup>10</sup> A new Convention is currently under preparation with the aim to define the role of cultural heritage as an integral part of sustainable development strategies. The European Union should participate actively in the preparation of this new Convention and should seek to contribute to the implementation of this instrument and the other international/European instruments through policy and legal measures adopted in accordance with various articles of the Treaty. It should also seek to establish a full synergy between the EU’s and the Council of Europe’s action related to culture and cultural heritage. In this way, the EU would reduce the risk of creating new dividing lines in the wider “European cultural space” which as already said, cannot be confined to the borders of the enlarged Union.

At national level, Member States need to demonstrate a firm political will to change their attitude towards cultural heritage. A

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<sup>10</sup> The Granada Convention (Convention for the Protection of the Architectural Heritage of Europe, 1986), the Malta Convention (European Convention on the Protection of the Archaeological Heritage, 1992), the Florence Convention (European Landscape Convention, 2000)

further shift is needed from a conservation orientated cultural heritage policy towards an integrated approach to cultural heritage as a tool for sustainable development and as a tool for enhancing social cohesion and responsible citizenship. In addition to ensuring the full implementation of the various European conventions, Member States also need to adopt incentives for private investments in heritage since – let us not forget – a large majority of Europe’s heritage is privately owned. Many of these measures need to be promoted also at European level (e.g. fiscal measures such as a reduced VAT rate on restoration and maintenance works on historic buildings).

Regional and local authorities already play an increasingly important role as part of the process of decentralisation, which is underway in many European countries. In order to be able to exercise the new powers with more efficiency, they need to develop sustainable development strategies which take due account of the benefits which heritage has for society and they need to improve the skills available for taking competent decisions.

Developing a strong public-private partnership for the safeguard and enhancement of heritage should also be one of the priorities for the future. The corporate sector should be encouraged to play its full part in this task as part of their corporate responsibility for the quality of life and environment of Europe’s citizens.

#### *Special role of the civil society*

Finally, civil society has a special role to play. In 2001, this role has been confirmed by the Vth European Conference of Ministers in charge of Cultural Heritage.<sup>11</sup> Civil society organisations should indeed be seen as important partners for the definition and

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<sup>11</sup> „Declaration on the role of voluntary organisations in the field of cultural heritage“ adopted by the Vth European Conference of Ministers responsible for Cultural Heritage, 6-7 April, Potoroz, Slovenia ([http://www.coe.int/T/E/Cultural\\_Co-operation/Heritage/Resources/econfer5.asp](http://www.coe.int/T/E/Cultural_Co-operation/Heritage/Resources/econfer5.asp)).

implementation of public policies directly or indirectly related to heritage. They have a special responsibility for raising awareness – among the decision-makers and among the public at large – of the significance of cultural heritage and for stimulating grass-root initiatives. Civil society also has a task to monitor policy and economic developments and, whenever appropriate, raise its voice against developments which are detrimental to cultural heritage, both built and natural.

Last but not least, the civil society heritage movement contributes to the strengthening of a participatory democracy. This is particularly important in new Member States, the majority of which are still countries in transition. Europa Nostra with its extensive network of heritage NGOs from all over Europe, recognises its particular responsibility to contribute, wherever required, to the capacity building of heritage NGOs in the wider region of Central and Eastern Europe through dissemination of the “power of example” and best practises, twinning projects, exchanges of ideas and experiences and training on specific issues of relevance to heritage NGOs.

### *Conclusions*

This article argues that the cultural dimension of the European integration has wrongly been neglected by the European Union in the first decades of its existence, while recognising that important work has been done by the Council of Europe. With the historic enlargement of 1 May 2004, which will also constitute a considerable mutual cultural enrichment for all EU Member States, there is a renewed need to highlight the fundamental relevance of the EU’s cultural dimension. It is particularly important for decision-makers and for the public at large to become aware of the multiple significance – political, economic, social and indeed cultural – which our cultural heritage has for Europe today. We also need to be aware of the opportunities and threats which the enlargement will bring to the cultural heritage of the new Member

States, which is an integral part of Europe's common cultural heritage.

In spite of its powerful potential, our cultural heritage remains fragile. Its safeguard and enhancement are therefore a shared responsibility of all stakeholders. This responsibility requires a concerted action at all levels, including a much more coherent and ambitious EU policy and action related to cultural heritage, and a full involvement of Europe's civil society heritage movement. Europa Nostra and its members are indeed going to encourage and play a constructive role in the important Europe-wide debate on the significance of Europe's cultural heritage as a tool for Europe's sustainable development and for "building bridges", not only between Europe's citizens but also between Europe's past, present and future.<sup>12</sup>

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**Sneška Quaedvlieg-Mihailović**

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<sup>12</sup> CF. Denis de Kergolay, „Force et fragilité du patrimoine historique européen”, editorial of the *Revue de la Demeure Historique*” (March 2004)

Jelka Pirkovič

## **New Council of Europe's Framework Convention on Cultural Heritage or How to Give Value to the Common European Heritage?**

The article is trying to answer some questions regarding the aims and scope of the new framework heritage convention the Council of Europe is currently preparing and which is expected to open for signatures in 2005.

*Why a new framework convention is needed?*

Since the Hague convention, the international treaties seemed to have covered all aspects of heritage (built, archaeological, landscape and recently even intangible), set standards for conservation in technical terms and dealt with major risks that heritage is threatened with (armed conflicts, illicit trade, export, excavations, treasure-hunting, demolition, etc).

In the last decennium, heritage philosophy has gradually changed. The reasons for it can be classified in two general trends. The first can be described as the major uncertainty about our future where people feel that human values need to be redefined and new social and economic balance need to be achieved in a globalised world. The second trend can be broadly described as the environmental movement. In recent years, we can observe a gradual change from the initial understanding of the environment from a predominantly natural phenomenon to the more inclusive one, encompassing cultural landscape, human settlements and finally cultural heritage. Modern care for the environment already incorporates concerns for its cultural dimension and integrity. We can also trace similarities between the concept of bio-diversity and the concept of the cultural diversity since they are both interrelated, especially in the new landscape paradigm.

In such a framework, the time seems ripe for setting new heritage standards adjusted for the twenty-first century. These standards should reflect the main change in the perspective: heritage as a physical phenomenon is no longer in the focus of our prime attention: on the contrary, the main emphasis has to be put on citizens that value heritage and are also the end beneficiaries of all activities directed towards it. That also explains the possible title of the new Council of Europe's instrument that would be, I am convinced, the most suitable for the new convention, namely "the Framework Convention for giving value to heritage in Europe".

*What are the main novelties of this international instrument?*

The first novelty of the new framework heritage convention lies in the fact that it intends to enlarge fundamental human rights, namely the right to one's own culture and language and the freedom to participate in public life, to a new right, the right to cultural heritage. The right could be exercised individually or collectively, i.e. by individuals or by groups of people sharing common cultural background and aspirations, the so-called "cultural communities".

The fundamental principle the new framework convention builds upon is expressed as follows:

- "Everyone, alone or as a member of a community, has the right, without discrimination, to enjoy, have access to and contribute towards the enrichment of the heritage, in the context of their fundamental rights;
- Everyone, alone or as a member of a community, equally has an obligation to respect the heritage of others and to consider the common interest in all heritage".

The second novelty is the introduction of the term cultural community into the international law. The new convention is going to define cultural communities as groups composed of "individuals who identify with common elements of heritage, and share com-

mon cultural practices or interests which they are engaged in passing on to future generations”.

Members of a cultural community do not necessarily live on a given territory defined by physical boundaries. A group of people have formed their community through various cultural activities revolving about the common cultural heritage. Sometimes, they have organised a kind of community infrastructure in a form of a network or an agency. It is in the public interest that cultural communities develop stable infrastructures which would in turn empower them for a continuous transmission of cultural values and for resisting the pressure imposed upon them in the face of globalisation.

Cultural communities are not limited to nationalities, national minorities and ethnic groups but comprise also religious denominations, inhabitants of different regions, immigrants, trans-boundary affiliations, professional societies, voluntary sector, and international communities on European level, regardless of whether they are formally organised or not.

The third important novelty is the enlargement of the concept of cultural heritage which covers all heritage aspects – movable, immovable, tangible and intangible. Moreover, the future framework convention intends to introduce a new concept, the so-called cultural environment which brings together the environmental concerns, the non-discriminatory definition of landscape as stipulated by the European Landscape Convention, and the role that cultural environment plays as a focus of identification for cultural communities. My definition of the cultural environment would be:

“The cultural environment is a dynamic aggregate of the environment, past and present social and cultural factors that have shaped it and the way cultural communities perceive it.”

The fourth novelty is the introduction of the concept of “common European heritage” into the international law. Again, the definition is all-inclusive, non-elitist and not based on a-priori imposed

qualitative criteria, such as, for example by the UNESCO Convention concerning the Protection of the World Cultural and Natural Heritage, and potentially by the notion of “cultural heritage of European significance” that appeared in the Treaty establishing the European Community of Maastricht and that would probably be transposed to the new European Constitution. Common European heritage are all “heritages” on the territory of Europe (and even in non-European countries) that are cherished by different cultural communities in Europe. A common European heritage can be discovered in indefinite number of materialisations and expressions which all together constitute the wealth of cultural diversity of Europe. The main aim of international cooperation (intergovernmental and non-governmental) on the European level is exactly in “...putting in place strategies for giving value to the common European heritage and in fostering multilateral and trans-frontier activities in order to implement these strategies”.

*What gives a convention its credibility and contributes to its success?*

The number of ratifications it has achieved can easily measure the success of a convention. A convention can be a point of reference for professional community, a political standard for wise government or a standard for the civil society to assess results of national, regional and local policies.

Some conventions, especially the 1972 UNESCO World Heritage Convention, are a source of national and local pride, a ticket to the club of heritage success stories that attract tourists, and, for countries in the third world, also a possibility to raise funds from international sources.

The new Council of Europe's framework convention has to overcome the risks of becoming a mere compendium of declaratory principles. It needs to be operational or, in better words pro-active in encouraging Member States to ratify and transpose it into their

legal systems. So, the element of pride and sound competition between countries should be incorporated into the measures for the implementation of the convention, alongside with the means for its successful monitoring (role of an observatory and follow-up).

When ratified, the convention can become a useful tool for different stakeholders that participate or should participate in the heritage management. I am convinced that voluntary organisations and civil sector at large will benefit from the convention since it will pave the way for a deeper and more fruitful partnership between public authorities, civil society and business world. It is extremely important that the basic spirit of the Portorož Declaration on the Role of Voluntary Organisations in the Field of Cultural Heritage be incorporated into the new framework convention. To achieve this, I have proposed to add the following wording to the section that defines obligations of the Parties to the Convention concerning the shared responsibility for heritage and public participation:

“Parties undertake to encourage voluntary organisations to supplement the work of heritage authorities in taking on responsibilities pursuant to the role of civil society, and local authorities, private sector and civil society to use sound and innovative heritage management mechanisms.”

*How can the monitoring of the implementation of the convention and the follow-up be organised in the best way?*

In this respect, lessons from the implementation of national legislation should be learned. Wise heritage policies seek to establish a balance between rights and obligations that are imposed on players involved in integrated conservation and between public interest and other “individual” concerns. In case of an international treaty, the balance between the interest of the international community (in our case Europe or better to say European values that Council of Europe stands for) and national and other “particular”

concerns should be struck. Therefore, it is of utmost importance to integrate a positive and pro-active attitude into the convention's mechanisms that would arouse a sympathetic response in favour of the convention from the side of civil society and public authorities in European countries, and possibly also within the institutions of the European Union. The mechanisms foreseen by the convention should be light, self-sustaining and operational without considerable additional bureaucratic apparatus on national as well as international level.

The main idea is to spread the responsibility for the sustainable use of heritage to all sectors in a society. This could be achieved only if direct and indirect benefits of doing so are demonstrated. It is easy to demonstrate negative evidence of wilful destruction of heritage in times of conflicts and of social alienation, apathy, intolerance and vandalism in culturally non-stimulating environment. An environment proves to have cultural qualities when it is rich in inherent meaning and associations. In short, a cultural environment equals a meaningful environment. The term "meaningful environment" correlates to the fact that people have an inherent need to attach values and meaning to places they live in.

The economic benefits of important national heritage resources are self-evident in terms of the benefits this heritage gives to tourism sector. What needs to be done is to strengthen the role of "less important", minor heritage for local and regional economies. That is also an opportunity for sustainable development of economies in larger Europe where EU countries, as well as non-EU countries, have to recentre their development policies. The implementation of this new development paradigm does not need a large administrative apparatus but rather the introduction of a new philosophy, and consequently, a more flexible, project oriented management structures on different levels of organisation of the society.

On the international and European level, the Council of Europe could play a more decisive role. As to the number of heritage pro-

grammes and their funding opportunities, the Council of Europe has been facing a constant decrease over the last decade. Therefore, it is not realistic to expect that additional funds for the implementation of the new framework convention would be provided from the regular Council of Europe's budget. A special fund with obligatory contributions from Member States is a classical mechanism for fostering international cooperation that is provided for by the UNESCO 1972 Convention and the latest Convention for the Safeguarding of Intangible Heritage. I am convinced that the UNESCO model of a special fund is not feasible in the European context. More realistic is a setting up of a special account funded by Member States on the basis of a partial agreement (such is the case of "Eurimages"). The main disadvantage of this model is that it is limited to countries that can afford to pay the contribution to the special account.

I am convinced that the new framework convention should introduce a novel funding instrument that would enable the "tangible" follow-up of the convention in the form of different programmes that already proved to be successful on the European level and that would stimulate the implementation of principles set out by the convention. These programmes are: European Heritage Days, European Heritage Net, Technical Cooperation Programme, Cultural Routes and European Heritage Awards with a possible extension to European Landscape Awards as provided for by the European Landscape Convention.

The funding instrument that I am proposing is the European Heritage Lottery Fund that would be established on the basis of the framework convention. The convention would open the doors for State Parties to organise a European Lottery on their national territories at least once a year, for example on the occasion of the European Heritage Days in such a way that entrance tickets to different events would have the function of lottery tickets. Because of the large number of people that visit the European Heritage Days each year (the number of visitors in recent years con-

stantly covers 2 million), the financial effects and lottery wins would be quite high even if the tickets were sold at 1 Euro. A part of the income could be spent for the national heritage programmes, and another part for the programmes agreed upon by Member States in the framework of international cooperation. With sound funding schemes, Member States and other stakeholders would easily compete on the European level in developing attractive heritage projects and in paying due attention to the participation of civil society in the decision-making process.

The European Heritage Lottery Fund would also make other obligations deriving from the convention more easily achievable. Public administration in Member States would more naturally meet the requirement to prepare periodic and structured reports. The Council of Europe, in turn, would have no major financial restrictions in implementing its observatory function, in preparing synthesis of heritage policies and guidance on good practice that it would further test in programmes and project on the ground and, finally in distilling the feedback for the next round of standard-setting. This would complete the cycle of a “European observatory – laboratory – legislative”, three fundamental functions needed to give value to the common European heritage.

**Jelka Pirkovič**

Born in 1948, researcher of urban history, urban morphology, architecture of the 19th and 20th century, and theory and history of conservation. She held different positions in the Slovenian heritage conservation authorities and at the Ljubljana University. She is the co-author of *Art Nouveau Architecture in Slovenia*, 1997, and one of the leading authors of *Medieval Towns*, 1999. From 1993 Head of the Slovenian delegation to the Cultural Heritage Committee of the Council of Europe (now Steering Committee) and currently the Vice-Chair of the Committee. She was President of *Slovenia Nostra* from 1996 to 2003 and has been *Europa Nostra* Council member since 2000 where her main activities are oriented towards the coordination of non-governmental organisations in Central and Southeastern Europe and the work with young professionals

Adam Wilkinson

## **Heritage Regeneration Schemes as an Instrument of Social Change**

This article is written from the point of view of a heritage campaigner working at the sharp end of regeneration.

Regeneration in the UK can be seen to fall into two rough categories – those where heritage is placed at the heart of the scheme and is led by individuals in an organic manner; and those where government or big business take a lead role in the comprehensive regeneration of an area, frequently with little regard for heritage or local communities.

Consequently, one of the key challenges for those in the heritage world is to get heritage on the agenda of policy makers across the board, to help them realise that historic buildings can play more than a passive role in the regeneration of an area. All too frequently, however, the efforts of conservationists are aimed at those making policy directly for the sector, and even then in an uncoordinated manor.

As a result, the role that heritage can play in regeneration is often ignored, and far from recognising even the passive role historic buildings can play in regeneration, the historic fabric of an area is seen as an obstacle to regeneration, and the heritage lobby as obstructionist idealists without any sensible contribution to make. Although the stereotype of the heritage lobby could not be further from the truth, the power of companies and corporations and the aspirations of government, central and local, are powerful enough to ride roughshod over the concerns of both those who care for historic buildings and areas, and those who live in them.

It is vital that the historic buildings of a regeneration area are seen as a resource through the civilising influence of visual continuity they provide, while also supplying a visual link with the past that gives both an important and fascinating insight into history, as

well as an expression of the relative permanence of civilised society.

A vital tool in the conservationist armoury is therefore going to be a series of case studies that show the role conservation has to play as a force for good in regeneration and social change. The problem is that there are so many examples of the opposite – of historic buildings and areas being destroyed, communities broken up and long term social problems being stored up through these short term, well meant policy driven schemes, that it is hard to find the shining examples. The frustration for the policy makers, politicians and developers alike is that such examples are the result of long term efforts (longer than the life of a typical European government) with consequently little immediate political benefit.

Regeneration is, one hopes, the opposite of the drastic attempts at social engineering of the past, as Wilfred Burns acknowledged in his book 'New Towns For Old' over forty years ago: 'One result of slum clearance is that a considerable movement of people takes place over long distances with devastating effect on the social grouping built up over the years. But one might argue, this is a good thing when we are dealing with people who have no initiative or civic pride. The task, surely, is to break up such groupings even though people seem to be satisfied with their miserable environment and seem to enjoy an extrovert social life in their own locality.' The challenge for regeneration is to be precisely the opposite of this high minded lunacy, which is why among the most frightening words a conservationist can hear from those in power is the phrase 'we are going to regenerate an area'.

Investment in a single new landmark building and naive hope of a Bilbao effect is rapidly becoming an excuse for architect's fantasies and local political megalomania to take over the regeneration process. There are any number of such schemes in the UK where there is vociferous local opposition from those who care about the environment and community they live in, and believe, quite rightly, that the vast sums of public money that will be spent on

such projects would be better spent on less ambitious, more long term projects which will benefit their environment. Indeed, the experience of the last ten years of grand schemes funded by the National Lottery's various funds has shown that only a handful of these often wonderful but ultimately futile schemes will ever succeed.

Much of the housing that is subject to large scale regeneration schemes was mass built to provide accommodation for the industrial labourers of the nineteenth century, and the serried ranks of these terraced houses impart a strong sense of character and place. However, the long term economic problems of these areas, relating to the collapse of the jobs market following economic reforms of the 1980s has led to low housing values. Well meant but entirely misplaced schemes by local and national government are now emerging for a reduction in the numbers of these buildings and their replacement with modern housing as a means of regenerating the areas and the housing markets. In certain cases, this has threatened the very communities that dwell in these areas, most recently in Pendle, Lancashire. Much of the population (but not exclusively) of the area in Pendle which the local authority wished to redevelop (which is also a conservation area) are post war Asian immigrants, who were attracted by the low property values of the area. The terraced housing proved adaptable to the traditional way families in their society work – by knocking neighbouring houses together the different generations of a family were able to live together. A strong community had consequently grown up around these family units and the area. In spite of the investment made in these buildings by their owners, the local authority wished to demolish them and rebuild a lesser number. To this end it started the process of compulsory purchase, with the owners being offered a derisory sum, which would not cover the costs of buying one of the new buildings. The resistance was strong, both within the community and amongst the heritage lobby. The local authority stopped servicing the area properly, allowing blight to set in – fly tipping and the such like, as an over

attempt to encourage people to leave the area. They held fast and after a mammoth public inquiry, it turned out that the costs of demolishing and rebuilding were far greater than the cost of improving the existing stock, and the compulsory purchase and clearance of the area was not confirmed by central government. It is unbelievable that this case dates from 2003, not 1973. With this pathfinder policy in place further collisions are likely.

The irony of all this is that the building stock is eminently capable of adaptation and reuse, at a lesser cost to government and the tax payer, than replacement. The trail is being blazed by enlightened developers Urban Splash in Manchester, where plans are afoot to renovate a swathe of this sort of housing to meet modern expectations with some careful yet necessary interventions.

Sometimes all that it takes to spur a street back to life is the repair of one building. 6 Palace Street in Caernarfon, Wales, is a prime example of this. Rescued from demolition at the last minute by SAVE Britain's Heritage, this little building turned out to be probably the second oldest in the town – after the Castle World Heritage Site. The local authority had been determined to pull down what it perceived to be an eyesore, in the hope of improving the street. However, the careful restoration of the building and its reuse as an antiques shop has done far more to improve the street than the proposed car park that would have taken its place. The public use of the building served to draw more people down the street and others on the street to repair their own properties.

Spitalfields in London's east end is a remarkable complete survival of an early Georgian townscape, a classic example of preservation through poverty, until threatened by the gradual encroachment of the City of London's office blocks in the 1970s and 1980s. A concerted effort by a small organisation set up with the aim of preserving the area, the Spitalfields Trust, halted the bulldozers on several occasions and took on the restoration of near derelict properties. As these were restored, the market picked up the rest which has resulted in the rest of the buildings in the

enclave being restored and gaps sensitively infilled. The phenomenally strong housing market of the last decade in the UK is a double edged sword, as while it makes the sort of investment described above eminently worthwhile for communities, it also encourages grandiose schemes for area wide redevelopment at higher densities, driven by the potentially massive profits, under the banner of regeneration. Fighting for an historic area as was done in Spitalfields provides a focus for communities, rich or poor, as well as a sense of empowerment. Although gentrification of an area in this way of frequently criticised by class warriors as fundamentally altering the character of an area, there are two things to bear in mind – firstly it works in terms of preservation, secondly, it is a complex process, far beyond the simplistic view of an area being invaded by the white middle classes. While this enclave has in effect regenerated itself following the initial efforts of the Spitalfields Trust, the neighbouring street, Brick Lane, has dragged itself up by its heels through effectively trading on the British weakness for Indian Cuisine: the Bangladeshis who used to inhabit Spitalfields in the post war period, and indeed many of whom still do, have turned Brick Lane into the capital's curry centre, thereby giving the area even more economic vibrancy (as well as a delicious smell). Again, local initiative and enterprise has been key, with local and national government helping later in the process.

Historic Environment Regeneration Schemes (HERS) run by English Heritage have shown how careful pump priming by a government agency, as opposed to a massive one off investment, can help renew historic areas and enforce the sense of community these impart to their occupants. Matching grants are offered for minor works to historic buildings, such as reinstating historic fenestration details or shop fronts. Although the end results of early schemes, such as Forest Gate in London, have been criticised for producing a 'heritage product' and stifling individualism, it is clear that they attract investment, foster pride and so for the long run create a more attractive area in which to live. Follow up sur-

veys have shown occupants and users of the buildings to be very content with the end results. Unfortunately, this sort of careful long term, incentive driven approach does not give the politicians the chance to crow over massive capital investment by government. However, others successes will follow. The lesson of these schemes is that grant aid has to be carefully aimed to be effective – whether in the form of building improvement grants to owners to bring their houses up to modern standards, or in the form of heritage grants for the reinstatement of lost features. Key to the success of these schemes in both heritage and social terms is the retention of the historic character of these areas and the ongoing maintenance of the buildings: education is needed.

The long term game is the maintenance of the historic fabric which is directly linked to the maintenance of the community. This link can be drawn through the examples of the opposite process – slum landlords neglecting buildings in their care, their decay and eventual dereliction blighting an entire area and leading to people leaving the area. This downward spiral is far easier to start than the virtuous upward spirals discussed above, but it demonstrates all too clearly the links between society and the condition of its built environment. Proper maintenance requires both education and planning, as well as encouragement, and there is certainly a role here for those in charge of regeneration to consider involving other bodies within the built environment sector which have the expertise. Indeed there is a need for a fundamental shift in policy in the UK towards supporting the long term maintenance of its historic building stock rather than rewarding those who allow their buildings to fall into disrepair.

Information is a key: a thoroughgoing assessment of the buildings of an area, of the community within them and the community's use of the buildings and the spaces between them, from the streets to the parks, are all helpful in guiding the process. While there is no shortage of historic buildings expertise there are also increasing numbers of private practices springing up with specific exper-

tise in consulting communities and enabling communities to understand the places in which they live, giving one less excuse for proper consultation. Indeed much stress is laid on community involvement in current reforms to planning system.

If large scale government/agency led regeneration is to take place, inter-agency coordination is essential in order to start to understand the needs of an area in social, cultural and physical terms. Consultation with communities is essential – as is a proper understanding of the results of the information gathering exercise. Regeneration needs to be a broad church of those involved in the built environment, from the developers to the heritage lobby through to those who actually live in the buildings. Where regeneration is based on the initiative of local entrepreneurs with long term interests, long term positive results are likely, with communities, historic buildings and amenities remaining intact, and hopefully being enhanced.

**Adam Wilkinson**

Born in 1975, MA, MSc, Secretary of SAVE Britain's Heritage and SAVE Europe's Heritage. Director of Maintain our Heritage. Member of the Architectural Advisory Committee of the World Monuments Fund UK, scholarship coordinator for ICOMOS UK. Author of *Enough Has Been Bulldozed! Save Farnborough, The Cradle of British Aviation* and co author of *Don't Butcher Smithfield: The Threat to Britain's Finest Group Of Market Buildings* and contributor to *Unforgiveable Assault on a World Heritage Site: Goodbye to the Landscape of the Veneto Villas*.

Christopher Catling  
**The Role of Volunteers in the  
Field of Heritage**

In 2002 he set up Heritage Link, a new national charity that aims to put heritage into the mainstream of political thinking and planning in the UK. During the summer of 2003, he conducted the first ever survey of the needs and potential of volunteers working within the UK heritage sector, which forms the basis for this article (for a copy of the full report see the Heritage Link website at [www.britarch.ac.uk/heritagelink/news.asp](http://www.britarch.ac.uk/heritagelink/news.asp)).

We are, in the UK, a nation of volunteers. Much of the heritage is sustained by voluntary effort. But there are signs that – along with afternoon tea, good manners and the famed stiff upper lip – volunteering could become part of yesterday's UK culture. We cannot let such a precious and valuable resource be lost without a fight. Heritage bodies need to stop taking volunteers for granted and instead devote time and resources to volunteer development. If the heritage is to continue to benefit from the skilled work that volunteers undertake, we need to be much more proactive in recruiting and training volunteers, and develop ways to make volunteering fun and rewarding.

Volunteering is alive and well in the UK, and that is official. Figures from the Office of National Statistics, and the National Survey of Volunteering (Institute for Volunteering, 1998) show that some 22 million adults are involved in formal volunteering each year (37 per cent of the UK population of 59 million). The economic value of formal volunteering is in the region of £40 billion per year (18 per cent of UK Gross GDP of £218 billion). For every £1 that organisations spend on supporting volunteering activity they can expect a return of up to 14 times that amount in the value of the work done by volunteers. No wonder that the Government sees volunteering as such an important component of the UK economy.

Much of the voluntary work reflected in those statistics is to do with social or educational work. Popular forms of volunteering include coaching the local football team, fundraising for such national and international charities as the Red Cross or Cancer Research, cleaning or flower arranging for the local church, or organising a fundraising concert for earthquake victims featuring young local rock bands.

Until recently we did not have a very accurate idea of the part played by heritage volunteers within the larger national picture. This changed last year when English Heritage, the state body responsible for the historic environment in England, commissioned a survey of volunteering as part of their annual audit of trends and statistics called Heritage Counts (for further details see the Heritage Counts website at [www.heritagecounts.org.uk](http://www.heritagecounts.org.uk).)

The aim of the research was not just to quantify the scale of volunteer involvement with the heritage, but also to understand volunteers better. The heritage sector knows surprisingly little about the contribution that volunteers make, and for future policy making it is essential to know more about volunteer motivation and what rewards they expect in return for their time and involvement. It is also crucial to know what the trends are: is volunteering alive and well, in gentle decline or about to implode?

In the search for answers, we surveyed 115 national voluntary bodies and umbrella groups working for the historic environment (specifically, buildings, archaeology, places of worship, parks and gardens, battlefields, museums and industrial, marine and transport heritage – we did not include natural heritage, which also commands a huge level of voluntary support in the UK through wildlife societies).

We estimated that their combined membership is 4,149,000 (7 per cent of the UK population), though that figure is probably over-inflated because there are many people who belong to more than one heritage organisation. But there is no doubt that the figure is

in excess of 3 million, because that is the membership of the National Trust, which is the UK's biggest heritage charity (it is interesting to observe, in passing, that the membership of the National Trust is actually greater than that of all the political parties in the UK and the Church of England combined!).

The value of the financial support that members give to heritage charities through membership fees is £100 million (1.1 percent of the £9 billion a year donated to all UK charities – this figure is perhaps an underestimate of voluntary financial support for the heritage, as it does not include donations or legacies, which probably amount to another £100 million a year).

But just as important as financial support is the number of active volunteers who devote free time to working for heritage bodies. We estimated that number to be 155,583 people (0.26 per cent of the UK population; for comparison, the Meals on Wheels service has 110,000 volunteers). Valuing their inputs at one day a year per person each at £100 a day on average, that contribution is worth £15.55 million (around 0.1 per cent of the total value of voluntary work in the UK). In reality, many volunteers work for far more than one day a year: many volunteers work one day a week, or even two or three days a week, and some work full time, though without pay. So the true value of voluntary support for the heritage is probably in the region of £750 million.

In order to understand fully the magnitude of that figure, one has to relate it to the inputs of people employed professionally by these 115 national voluntary bodies: for every paid employee working in the heritage there are at least 80 volunteers. The actual ratio varies from organisation to organisation. The National Association of Decorative and Fine Arts Societies (NADFAS), for example, has a membership of 80,000 and around 8,000 active volunteers who do a range of work, including the conservation and care of furnishings, textiles and books in historic libraries, recording church monuments and working with young people to encourage an interest in arts and heritage. NADFAS is effectively

run by regional committees made up of volunteers. The head office staff of around twenty provides a range of central services, including the annual conference, the society magazine, training, lectures and visits to historic houses. Here the ratio of staff to active volunteers is one to 400. In other words, 99.75 per cent of all the work undertaken by NADFAS is done by volunteers.

By contrast, the National Trust has a much higher ratio of staff to volunteers. The National Trust is the sector's biggest organisation, with around 1,625 paid staff. But it also has 40,000 active volunteers whose time, freely given to the Trust, is equivalent to 1,330 additional full-time posts. That means that volunteers contribute 45 per cent of the Trust's total working time, and they are not just doing menial tasks, such as lawn mowing, envelope stuffing or photocopying: volunteers at the Trust undertake 150 different sorts of volunteer activity, from acting as guides and room stewards and providing access services for disabled visitors to primary fieldwork and historical research. Some are engaged in compiling inventories of all the books in Trust libraries, all the paintings and works of art in the Trust's collections and all the plants in Trust gardens. Others are helping with internet sites, sitting on regional management committees, or advising on fire, security, and health and safety measures.

NADFAS and the National Trust show just how much volunteers contribute to the heritage and just how much the heritage is dependent on volunteers – so much so that any change in volunteer motivation could have serious consequences for the funding and work of the sector. So what are the trends?

The most comprehensive data we have is the National Survey of Volunteering, carried out by Dr J Davis Smith for the Institute for Volunteering, which compared voluntary activity between 1991 and 1997. This showed that the number of people involved in volunteering declined by 1.4 million (3 per cent) during that period, and that volunteering by young people aged 18 to 24 and 25 to 34 is low and falling fast (from 55 per cent in 1991 to 43 per

cent in 1997, with a significant drop in the number of hours committed).

Volunteering among the active newly retired (aged 65 to 74) has increased. With time on their hands, retired people spend more time in voluntary activity than any other age group (45 per cent now spend an average of five hours a week volunteering). The Institute's report concludes that 'the expanding third age is a rich new seam to mine for recruits'.

More recently, the UK Government has confirmed the picture of decline in overall volunteering. Figures from the Office for National Statistics (ONS) published in January 2004 revealed that the value of voluntary work had slumped by more than a quarter between 1995 and 2000, from £17.7 billion in 1995 to £13.2 billion in 2000 – a fall of nearly 26%. At the same time the ONS said that the number of hours volunteered fell dramatically over the same period from more than 2.3 billion hours in 1995 to less than 1.6 billion in 2000 (for the full report see the ONS website at [www.statistics.gov.uk/pdffdir/et0104.pdf](http://www.statistics.gov.uk/pdffdir/et0104.pdf)).

This apparent slump can partly be explained as the result of collecting data in a different way between 1995 and 2000. The Institute for Volunteering Research believes from its own research that the total number of volunteers may have fallen, but that those who are left are doing more.

Even if the Institute is right, the decline in absolute volunteer numbers is still disconcerting, and serves as a wake-up call to any organisation that depends on volunteers. Several explanations have been put forward for this decline. The ONS suggests that the fall is caused by an increase in employment. With more people in work, fewer people have the free time to do voluntary work, and fewer people are using voluntary activity to give themselves work experience and find a way back into paid work.

Our survey suggested that this was only one of several causes of potential decline. We found that the newly retired, for example,

were happy in the past to undertake voluntary work as a means of keeping physically and mentally active, of enjoying an active social life and of learning more about history and archaeology, subjects that they might not have had time to pursue before retirement. Now, however, people are working longer than before and retiring later. The less affluent retired are tending to look for part time employment – everything from consultancy to working at the local supermarket checkout – to supplement the declining value of their pension. The affluent retired often have private projects – the restoration of a dream property in Spain, or the tending of a garden – that they place higher up their scale of priorities than voluntary work.

Younger people, by contrast, no longer hold the concept of volunteering as a ‘duty’ that their parents and grandparents had drummed into them by church and school. The altruism that we associate with religious ethics is no longer such a potent force in society. Instead, their priority is to have fun and enjoy an active social life.

None of this militates against volunteering. When asked about their attitudes to volunteering, young and old said they were no less willing to be volunteers – but they want something in return, whether that be social status, the chance to make a real difference to the organisation they work for and influence its work, the opportunity to learn new skills, or simply to have fun in genial company while doing useful work.

Where this all leads, of course is to the recognition that volunteers could be at a premium in a few years’ time – and this could have a negative impact on the ability of heritage charities to recruit vital support. The challenge is to turn volunteering into a rewarding, fun and life-enhancing activity related to personal life goals. Organisations that grasp this challenge will reap the rewards; those who don’t are potentially doomed to seeing their volunteer base wither and die.

Nobody in the heritage wants that to happen, and yet the sector is very inconsistent in its treatment of volunteers. It is still far too common to hear volunteers dismissed as a nuisance. 'They might be good for pot washing or tea making but not much else', is a commonly expressed view. Many heritage organisations make no attempt to recruit volunteers; those that offer themselves are tolerated, rather than welcomed, and expected to fit in and 'make themselves useful', but often with no formal induction or training. To regard volunteers as a nuisance is not only a false notion, it is also a wasted opportunity, for the sector is faced by a mountain of urgent tasks and capacity building has to be one of our major strategic objectives.

Good organisations actively recruit volunteers. They interview them with the aim of finding out what skills they have and how they can best fit the organisations needs – instead of regarding volunteers as people who merely make coffee or operate the photocopier, they are only too happy to welcome people who have skills in accountancy, information technology, teaching or horticulture. Volunteers are trained, appraised, helped to stretch themselves and learn from their work, encouraged to sit on management committees, and to give feedback to management on the organisation they work for.

Best practice in volunteering involves both volunteer and 'employer' gaining something that they value in return for their investment in each other. Recognising that many people volunteer in order to learn, good organisations encourage life long learning by organising lectures and visits and encourage volunteers to learn from each other. For example, a group of sixty staff and volunteers who serve as guides at Fountains Abbey have formed their own learning group, initially with the aim of simply learning as much as possible about the abbey and its history, so as to be able to answer visitors questions. Experts and guest speakers regularly give talks to the group, and some members have become so interested and knowledgeable that they have embarked on their

own primary research, or have begun Open University degrees or extra mural training programmes.

Research among visitors to Fountains Abbey shows that visitors benefit from the quality of interaction between visitor and volunteer that results – and that knowledgeable and enthusiastic guides are a very significant factor in the level of visitor satisfaction. Many who have visited Fountains have said that the quality of the guides makes them think well of the organisation and increases the likelihood of their making a return visit to the same site or another in property in the same organisation's guardianship.

Similarly the Society of Antiquaries runs a comprehensive programme of training, lectures and visits for the army of local volunteers who serve as ticket sellers, room stewards, shop assistants, gardeners and catering assistants at Kelmscott Manor. Coach trips have recently been arranged for volunteers to visit exhibitions about William Morris and his circle in London, Liverpool and Birmingham. Exchange visits have been made to other William Morris houses and museums, such as Red House and the Walthamstow Museum. Talks are organised on Morris themes during the winter months in Kelmscott village hall. One of the many benefits to the Society of involving volunteers in this learning activity is that the Manor is never short of willing volunteers: word has spread that volunteering at Kelmscott is an enjoyable and life-enhancing experience.

Such examples of good practice in volunteering are all about tapping into the popular interest that exists in the UK for history and archaeology, as witnessed by the many TV programmes that are broadcast every week on these themes. Programmes such as Time Team and Time Flyers deliver audiences in excess of 3 million, to the delight of TV moguls and their advertising clients. Last year's BBC1 programme entitled Restoration, which invited readers to vote for the historic building they most wanted to see restored from a list of some 36 candidates from the Buildings at Risk register raised £3 million for historic buildings conservation, and

proved to be the BC's most popular programme of the summer. Such programmes stimulate an appetite for participation in the heritage that the profession has not yet learned how to deploy.

So how should we respond? Many of those who took part in our survey felt there was merit in the idea of a national volunteer development body for the UK heritage sector. Such a body would be entrusted with the tasks of setting standards for volunteer recruitment, training, management and deployment, based on the many examples of good practice that exist all over the sector. It would develop generic training programmes to enable volunteers to develop the skills that the sector needs in undertaking and promoting conservation – it has been estimated that structured programmes of training and development for those volunteers interested in increasing their skills could have a very major impact on the heritage sector. It would consider the feasibility of a central clearing house for organisations that need volunteers and people who want to volunteer (including students and interns) in the historic environment, and it would link heritage volunteering to the development of volunteering in other sectors.

The result of this work would be to respond to the interest that exists in the heritage in the UK and empower people to get involved in a structured and useful way, but one that is also fun – so that volunteering becomes a leisure and lifetime-learning choice rather than a duty or a chore. There is potentially a large grass-roots pro-heritage movement out there that we can facilitate, given the will. Step one is to recognise that volunteers do matter, and then to follow that thought through by offering volunteers a package of incentives that meet their needs and expectations, in return for making demands on them and their time, money and commitment.

**Christopher Catling**

Journalist, public servant and heritage consultant specialising in communication, education and outreach. He has just completed a major study for the

Heritage Lottery Fund on the funding needs of the heritage sector in the UK over the next ten years. He is also the author of best-selling Eyewitness Travel Guides to Venice and Florence, and he is currently engaged in research into ways to make guidebooks and signage more effect

tive at historic sites. He has also recently contributed to the Attingham Trust report called Open Doors, on heritage and education, and is a member of the UK Government's Joint Advisory Committee on Built Environment Education.

Ugo Bacchella and Maddalena Rusconi  
**Cultural Cooperation in Europe:  
What Role for Foundations?**

*Background*

The cultural cooperation framework in Europe is rapidly changing. The increasing will of the arts communities to cooperate and to move into a “European cultural space” is not adequately supported by public authorities and private funders neither in financial terms nor through effective policies and programmes. Furthermore the process of European Union enlargement is bringing new perspectives, actors and priorities on the scene.

If the European dimension is increasingly becoming a natural arena for arts communities and their networks, the public and private national and supranational supporting institutions need to develop new policies tailored to meet these ongoing developments.

An understanding of the new framework of international cultural cooperation and of its implications in terms of policies, tools and actors, an evaluation of the experiences and practices developed in recent years and of the key strategies set down for the near future are some of the preconditions in order to define appropriate and innovative strategies, methodologies and action plans.

The study aimed therefore at providing foundations with a quantitative and qualitative analysis of support for cultural cooperation in Europe, by identifying the opportunities and outlining an environment for future action, at providing an illustrative identification of current and possible future partnerships, at encouraging the best use of the available resources and strategies already in place.

This approach seems particularly appropriate since the pressure on foundations is likely to continue increasing, as a consequence of the cutbacks in public resources earmarked for culture as well as of the impressive and rapid change in the patterns and struc-

tures that have formed the traditional framework of reference for international cultural cooperation.

Among the most relevant factors of this change it is worth pointing to the shift of priorities of most governments and their national institutions, the persistently negligible support for transnational cultural cooperation by the EU, the move back to the so-called “cultural diplomacy” approach, the emerging trend in supporting large flagship projects and the increasing competition coming from large public institutions looking for alternative revenues.

There is a real danger that the cultural sector as well as policy makers will more and more mislead themselves through wrongly regarding the role of foundations as merely a source of replacement funding against a background of declining public budgets at national and international level.

Such mistaken attitudes underestimate the importance of the role that politically, structurally and operationally independent foundations can play, being less subject to the complicated vagaries of political agendas and timescales. It seems therefore important for foundations to resist a mere substitute/adaptive role and on the contrary work towards some form of “stability pact” with public institutions at all levels. Such agreements should be oriented towards long term processes, should avoid a focus on short term outcomes and should balance institutions’ as well as foundations’ goals, guidelines and working practices.

### *Methodology*

The field of cultural cooperation is extremely complex, rich in its nuances and neglected by researchers. The research took up an empirical approach to avoid the risks of adopting a too broad concept and definition of culture and cultural cooperation as well as of selecting a priori an artificial reference framework.

The working process was carried out through a balanced mixture of interviews, round table discussions, questionnaires and desk research. The sample includes cases from about 70 different players active in the European arena and beyond: mainly foundations, but also some cultural networks, supranational institutions, and cultural operators.

The foundations surveyed have been selected among the ones already supporting either international cultural cooperation generally, or arts and cultural organisations and programmes with international scope at national level.

In addition programmes carried out by a sample of foundations supporting international cooperation in fields different from culture (e.g. core focus on civil society, education/training, international development, scientific research) were also taken into account, with the aim of identifying examples of good practice and of highlighting those programmes that nevertheless impact on culture.

#### *The foundations' programmes*

The foundations' programmes offered in the European context cover a wide range of actions, with artistic and cultural criteria weighting differently from one situation to another.

In terms of funded activities, foundations reveal an impressive energy and range of action. Exhibitions, publication and dissemination activities, alongside training initiatives are the most popular, while distribution practices and residencies seem to attract a much lower level of interest. The research lists examples from a variety of sectors: mobility schemes, support for education and training processes, international think tanks, networks and networking, prize and awards.

With regard to the main subsidised sectors within arts and culture, while all areas seem to be covered in one way or another, significant differences exist between performing arts and visual arts

(followed at close distance by cultural heritage) and, e.g. community arts and new media.

In all cases local links with grassroot organisations (cultural operators, arts administrators, artists, citizens – in particular young people, policy makers, urban developers, scientists/ researchers/ academics) are sought and valued: the majority opinion is that these organisations are the ones most likely to be committed for the long-term.

The initiatives that stand out are those that encourage an approach deriving from “democracy through culture” in its different aspects (e.g. society vs. culture, interculturalism, social equality, education for democracy, cultural policy).

Programmes supporting international cultural cooperation and cross cultural dialogue are understood by foundations as means not only of facilitating exchange, mobility or artistic co-productions, but also for considering cultural diversity and multiculturalism with regard to the impact of recent and historical migration to a region or community.

In concrete terms, specific initiatives are reserved to the issues of integrated projects and multiculturalism/interculturalism: There is a whole of range of programmes which tackle social and community issues using the arts and the media with varied emphases by linking artistic expression to social empowerment, social inclusion and urban regeneration.

Since cultural cooperation can be related to issues such as social exclusion, tolerance and understanding, participation and respect for democratic values, such programmes are considered to have a strong influence on social stability, by contributing to the shaping of developmental processes. In general terms, many of these programmes reveal similarities in their efforts to improve the strengths, skills and capabilities of local communities/actors.

The programmes focusing on cultural heritage, as already mentioned, represent the third main subsidised field by foundations within arts and culture. Nevertheless while playing a relevant role at local, regional and national levels, initiatives in the field of cultural heritage are rarely used by foundations to foster international cultural cooperation principles. Programmes addressing cultural heritage needs remain more a domain for an integrated local development approach than a field of intervention to support transnational cooperation.

International mobility programmes cover a wide range of activities: e.g. research, production, teaching posts, formal and informal training, networking. To avoid the risk of funding exchange just for the sake of it, applicants (individuals and/or institutions) are increasingly asked to be very clear about motivation, goals, skills, methodology, location, workplan, timing and partnerships. Generally the objective of any such choice is to prompt local people (students, academics, cultural operators, artists, policy makers) to raise their vision beyond their own horizons, to acquire better professional skills, and often to contribute indirectly to the country or region of origin. Finally, foundations seem particularly to value the opportunity to build up ad hoc networks of alumni with ex bursary holders. This practice allows them to follow and “broker” careers, and to create a monitored platform of exchange and international networking.

International “think-tanks”, forums, colloquia, and conferences offer yet another significant area of activity. These very important platforms enable foundations to take a central role in the debate on international cooperation issues.

Networking practices are well represented within the overall operational framework. Although no precise data is available on how many networks are funded by foundations on a regular basis, it is clear that foundations positively value the role and actions of cultural networks in enhancing international cultural cooperation. Nevertheless there are a number of foundations whose conviction

is not entirely without reservation. Such doubt is broadly linked to the risks and limitations that are endemic in the networks as a whole and which are widely analysed in sector-based literature. Some of the criticisms specified are: excessively rigid and formal procedures/bureaucracy, conflict of interest among members, lack of common agendas, competition with other networks, and difficulty in providing any really representative or accountable capacity.

A further area of activity that seems to match the aims and requirements of foundations well is the support for the organisation of prizes and awards and of festivals. Again this appears to be an important means of promoting the values and image of foundations.

Common to the majority of foundations' official documentation and to the related work programmes is the search for excellence, and the effort to nurture innovation in all activities undertaken. High quality is declared and looked for through the implementation and/or support both of model projects and experimental approaches. According to official statements, foundations are willing to act as catalyst/incubator of processes (intellectual and practical), which would possibly not otherwise come into being. The will to promote innovation is not linked to the size of the foundations. It appears that any foundation with the appropriate mentality and methodologies feels able to act effectively as an "agent of change".

Strategies range from short (one year only) to medium-term (four year maximum) duration. This allows for a constant updating and redefinition of programmes depending on urgent needs, strategies, short-term fluctuations and budgetary issues. This means also that the programmes implemented have to relate both to internal and external agendas and contingencies.

### *International strategies and obstacles*

Most foundations do not have dedicated departments, administrative structure or budgets for international activities in general terms, let alone with regard to international cultural cooperation specifically. In many cases activities include an international focus that is carried out in a transversal way. In a few cases international issues are clearly the responsibility of the management or of the public relations department.

The task of internationalisation is often achieved through informal, non structural, almost “incidental” networking activities. Where defined programmes for international cooperation exist (when these are not a transversal task in broader initiatives), these are often implemented through bilateral agreements (involving foundations, governmental institutions and local organisations from a specific country or region). This approach can be linked to defined inherited historical factors such as an established colonial tradition, or a “cultural diplomacy” approach which acts as a driving force behind design strategies and implementation policies.

If cooperation practice is far from unusual for foundations, there is clearly a variety of obstacles that slow down the process of setting up new or stronger cooperation programmes. To a degree the same constraints are quoted as significant barriers to the construction of international partnerships.

The main obstacles foundations cite over the implementation of international programmes are predominantly financial. Ranking in second position are structural constraints, closely followed by historical/cultural and legal issues. In relation to the main difficulties/barriers to working with other players at international level, again the primary obstacle is the availability of resources.

Other issues identified as potential risks are: the political instability of specific regions; inadequate or misunderstood private/public partnerships; a lack of qualified cultural managers able to carry

out initiatives; understaffed and overworked internal resources (referred in particular to foundations' staff).

*Opportunities and challenges: Shaping a collaborative environment*

The majority of foundations state clearly that developing and/or strengthening a collaborative approach amongst foundations could be an appropriate means for enhancing support for international cultural cooperation, for reducing the risk of fragmentation and to act as catalysing force.

Examples of successful cooperation have a common feature, that is an approach based on knowledge, know-how and knowledge networks, and on the sharing of this intangible accumulation.

This understanding of cooperation does not include planning and programming within fixed schemes. If foundations are able to identify potential benefits arising from a knowledge-based cooperative approach, the risks deriving from the introduction of over-restrictive processes and paper-driven methods of cooperation are always looming in the background. Overigid planning is perceived by many as unnecessary, hampering cooperation and potentially interfering with the *raison d'être* and independence of individual foundations as well as limiting their visibility.

Thus the open attitude towards specific forms of collaboration emerges along with a certain degree of reluctance, giving rise to something that could be described as "collaboration under certain conditions".

The critical issues are the fragmentation of knowledge and experience, the impossibility of transferring know-how, and the risk of losing the accumulation of comparative experience. The risk of fragmentation is not in the implementation of similar programmes in different European regions; such duplication might even be welcomed, as it does not inevitably lead to overlapping and does not call for a joint planning.

If cooperation among foundations is knowledge-based and not necessarily rooted in particular joint-initiatives, then setting up an ad hoc environment seems to be an appropriate, effective and realistic way to encourage the development of shared experience and know-how. The needs emerging from this study (as well as from other research and studies carried out during the last two years concerning the same theme of international cultural cooperation) seem to be better met by an open environment rather than by any formally constituted association.

In other words, what really seems to be important is to develop an issue-based milieu orientated towards collaborative processes rather than establishing a “club” addressed to a small circle of foundations eager to strengthen their working relationships, where the objectives and conditions for membership have been already strictly agreed in advance.

A milieu can nevertheless identify and host functions and services usually carried out by networks or associations but it differs from those kinds of organisational structures.

This environment has to be primarily tailored to the needs of foundations of all kinds (grant making as well as operative) but needs to be accessible and attractive also to the foundations which are not already committed to the arts and culture or to internationally orientated activities.

Moreover it has to be a meeting point open to the variety of interested players in the field of international cultural cooperation (supranational institutions, networks, associations, umbrella organisations, arts organisations, artists, NGOs etc).

The form of such an environment could be that of a laboratory, where foundations and other players can enjoy different degrees of involvement and responsibility but which primarily concentrates on the internal needs of foundations. Within this context players who apply very different parameters but that are linked by

closely-knit relations might interact productively comparing approaches and methodologies.

This environment should be also a place to discuss and identify trends, priorities, and challenges to be further debated and researched as well as the ideal platform to promote, develop and test pilot projects based on partnership and collaboration for those subjects who are willing to go beyond the mere sharing of experiences.

In a nutshell, a place mainly devoted to nurturing and supporting ground breaking processes and building conditions rather than focusing on planning policies or implementing programmes.

This approach might benefit boundary-breaking and cross-art form of experimental work, which is where a lot of the real energy and creativity is, but does not easily fits into the inflexible categorisation of traditional public policies as well as being disadvantaged by the mounting instrumentalisation of the “new” arts funding patterns that tend to fund the arts merely or primarily according to their social and economic impact.

This approach is consistent with the current orientation of foundations and can differentiate their separate nature from that of the public authorities. However, this process of differentiation remains highly dependent on the history and funding patterns of the individual foundations and, moreover, the orientation of foundations tends to neglect cooperation with stakeholders other than foundations.

All this does not call for a new organisation but can be managed by a lean structure hosted within already existing organisations, nurtured by a process of strategic rethinking.

Three possible key tasks within this environment suggest themselves:

- collection/storage of knowledge and of “antenna” experiences;

- dissemination and transfer channel;
- test bed for convergence models with institutions and for the promotion of an understanding of international cooperation as a multi-local system, where the connection between territories follows a local-to-local development scheme.

More in detail, foundations have developed internal knowledge and skills, and have built transversal “task forces” made by of experts and local players, a strong mixture of training, on-the job experience, and cross-over skills.

Such staff can be regarded as important “exploratory antennae”, able to provide a better understanding of the needs of specific communities of interest. They therefore represent an important asset for the international community. This vital function should be enhanced, firstly to gain valuable information concerning operational contexts, needs and trends in society/territories, and secondly to act as driving force in building a strong collaborative environment.

Clearly these actions require coordination, information, systematic attitudes, and a well-planned learning process addressed to professional staff development. Any such training opportunity should be based on a learning partnership that again takes into account – through active participation – the triangular relationship between foundation staff, foundations’ *raison d’être* and beneficiaries’ needs.

The concepts of dissemination and transferability of experiences/practices/models/methodologies are closely related to the function of incubator/innovator: in this perspective innovation can lose its absolute meaning in favour of a relative and often geographically-orientated sense.

Embracing these and other challenges as a basis for open debate and a possible field of action will undoubtedly help strengthen the

profile of foundations far beyond the mere international cultural cooperation arena.

**Ugo Bacchella**

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**Maddalena Rusconi**

Born 1972. Head of the International Development and Resources Unit of Fondazione Fitzcarraldo (Turin, Italy), supports the foundation's international development, mainly through networking activities and the implementation of special projects with international relevance. She has coordinated the research project Cultural Cooperation in Europe: What role for foundations?

Denis de Kergorlay

**Europa Nostra:**

**For the best and against the worst**

Raymond Aron, one of the great French thinkers of the second half of the XXth century, whose views ran counter to the intellectual fashion of the time as he was an anti-Marxist from his earliest days, has given his work a title which is evocative and which precisely defined his own personality: *The Committed Spectator* (*Le spectateur engagé*).

We at Europa Nostra are all committed spectators. Spectators because our eyes are open wide over the world which we love discovering and which we do our best to understand. And committed because we are determined to take part in the fight against intolerable situations and to support all who go into battle to ameliorate them. This is why our motto is "The Power of Example", which could well have the subtitle "Fight for the best and against the worst".

Our privileged area of committed interest is the cultural heritage in all its aspects (except, until further notice, the intangible heritage) and throughout Europe. In other words the battlefield is vast. Our commitment can be summarised in two words: encourage and fight!

"Encourage" means encouraging all those involved with the heritage in the efforts they deploy to safeguard, preserve, save and protect it – but also those who restore and enhance it. Those who love the heritage are legion, but they need to know that they are not on their own, that they do not fight their corner in isolation. That is our vocation as a federation. But we don't federate only institutions. We need to federate talent and energy, and support, encourage and stimulate them. This is what we do with our award schemes and prizes which are above all else for their laureates official recognition for what they've done and an encouragement

to persevere. This is precisely what we do when we travel around Europe to meet those who are actively involved in heritage conservation, whether they be architects, conservators, active association members, cultural officials or officials of other relevant ministries, elected municipal or regional councillors or just motivated individuals, whether they own a historic building or not. Finally it is what we do in supporting and promoting school programmes whose aim is to make the younger generation aware of their heritage, what it represents, but also about its fragility and the need to protect it.

In brief, the totality of our "encouragement" action is aimed at generating new vocations and broadening and strengthening the community of friends and defenders of the heritage. To take up the principal idea in Olivier de Trazegnies's article elsewhere in this publication, he is perfectly right to remind us that the ultimate motivation of our fight is the acquaintance and defence of Beauty; we are in some sense the "good apostles of the Beautiful". Our mission is to remind everybody that the cultural heritage is first and foremost an enrichment of life, the economic arguments being rather reinforcements of this and allowing those who are more immediately motivated by profitable balance sheets than by the æsthetic of the beautiful to come on board (but on digging a little deeper, behind the economist plain and simple is often an æsthete who is slumbering, or indeed awakening).

Now for the "Fight". We should not be naïve; the world is not inhabited only by actual or potential lovers of the heritage. The heritage has its opponents and enemies and it is up to us either to convert them or to stop them doing any damage. Broadly the heritage faces two kinds of threat: those of peacetime and those of wartime.

Peacetime threats are the more pernicious because they are more insidious. In principle we all declare ourselves to be friends of the heritage, but it is often – excluding those who are committed and sincere – a convenient posture to give one a clear conscience and

keep one's hands clean. Let us look around: the destruction of the heritage since Europe has been living in peace has been considerable – disfigured towns and landscapes, monuments destroyed or kept in a degraded environment which spoils them, and “minor” rural heritage which is rapidly disappearing everywhere. Authorities and regulations exist which are supposed to protect them; but it is often just the will that is lacking. The care of the beautiful is the earthen pot against the iron pot which represents economic interests and the rhetoric of job creation, when quite often compromise solutions could be found.

To counteract these peacetime threats we need – with apologies for using an expression which smacks of proto-Marxism – a real "citizens' mobilisation". Continuing with the parody of neo-Marxist phraseology, "there are no fatalities" in the destruction of the heritage. I am deliberately using their jargon because in a way Marxists are, if not the inventors, at least the theoreticians of the concept of the mobilisation of the masses. Today they no longer mobilise anything but phantoms and small bands of troops for simple differential claims, but the vision of civil society which stands "as one man" against what it considers to be the incarnation of evil, has something Promethean about it which is barely possible to find in the daily routine of our contemporary European societies, rather aging and resigned.

Yet it is precisely this which we have to engender: a citizens' mobilisation, a mobilisation of the masses against the spectre of the destruction of our historic heritage. A general consciousness that the intolerable should not be tolerated, that passivity and resignation are but cowardice and complicity, in short that our historic heritage is something sacred, that it is our common good, and that it should not be sacrificed for any short-term interests.

It is the duty of our heritage associations, and especially that of Europa Nostra, who represents them all at the European level, to take the long-term view and to know how to pass on these values of conservation, of respect for the beautiful, of the respect for the

work of our ancestors, of the responsibility to pass on to younger generations not only these reminders of our past, these famous landmarks of history, but also what are the masterpieces of our civilisation, which express the creative genius of man in a given historic context: indeed there is no musical composition without a composer who himself is in part the reflection of his time and of the society in which he lived. The same is true, of course, for architects, writers, painters, artistic craftsman, etc. Works of art are a reading of history through the genius of mankind, individuals as well as peoples. We ourselves have been forged by this legacy. From it we derive our knowledge, as much as our forces or energies and our inspiration. On the contrary the celebrated and gloomy revolutionary slogan "let us make a clean slate of the past", the prelude and justification for all ideology-based destruction, must be placed on the pinnacle of History's sick jokes, in the chapter of criminal utopias.

What to do, then, to be effective? We must go beyond what we are – but still keeping our identity! – i.e. we must not be content just to be a group of knowledgeable and committed individuals with a taste for culture, enlightened souls as it were, but we must also go down into the arena, where the battles take place, at the risk of receiving blows and having to return them! We must not hesitate to confront the destroyers of the Heritage. We must refute their fallacious arguments – but also find some common ground when we find ourselves facing reasonable people. We must confront them in front of public opinion, and for that we must not hesitate to explain our cause to the media. Equally we must make our point of view heard by those who exercise power, because although we are not ourselves in a position to wield power, we can conduct a dialogue with those that do. For we have freedom of speech and action. For we represent the conscience of those who defend the beautiful. If we have the legitimacy and are supported by public opinion, then we're strong. If we're wrong, then we torpedo ourselves. So pay attention to the causes we're defending, and to the way we defend them!

Finally we should not hesitate to resort to justice when all other courses have been tried and failed. In France at the present time judges are the best bulwark for our associations against the destroyers of the heritage.

For all these actions, we should in effect federate all available talent and energy. To go back to Marxist jargon and revolutionary theory: "the guerrilla is among the people as the fish is in the water". For beginners, this means that the fighter within his people is in his element, and that it is this element which protects and nurtures him. We should acquire the humility, the determination and the efficacy of the "perfect guerrilla".

To revert to a more modern way of speaking which is more appropriate to the democratic society in which we live, we should aim to represent the indignation and hope of those who are not prepared to wait powerlessly in the face of the destruction of the heritage. We should be a voice for those without one. This means we should increase and intensify the means of action to arrive at positive and tangible results. We should thus surround ourselves not only with "wise men" but with a range of opinion-makers such as journalists committed to our cause, lawyers briefed to take the offensive if need be, and rich benefactors who support what we are doing.

In peacetime the heritage is the victim of those who neglect it; but in wartime it becomes the prey and often even the hostage of the unleashing of hatred and violence. Having during the XXth century suffered two abominable world wars, Europeans are alas well-placed to know at first hand the colossal price in terms of the destruction of the heritage in war-time. However – it is not a consolation but a fact – considerable damage to the heritage in both world wars fell into the category of "collateral damage". That is, the heritage was indeed a victim of the violence of battle, but it was not an end in itself, as was for example much of the destruction of the French heritage by the revolutionaries of the late XVIIIth and XIXth centuries which was both voluntary and con-

siderable, because it was seen as representing a shameful past associated with religion, the aristocracy or the "bourgeois order".

Communism, paradoxically, which had wished to change mankind and society radically, did not systematically destroy the symbols of the old order. It frequently neglected them, but the rediscovered beauty of St Petersburg, for example, would never have been possible if the communists' doctrine had been to eradicate all traces of History. The destruction in Romania towards the end of the Ceaucescu era was an exception. Beyond the boundaries of Europe, for example, a communist revolution just as radical, violent and misguided as the sinister Khmer Rouge experience in Cambodia did not affect the temples of Angkor, whose effigy was depicted on the flag of democratic Kampuchea, just as it features on the arms of the royal government of Cambodia both before and after the revolution.

"The XXIst century will be religious or will not be", prophesied André Malraux several tens of years before this new century arrived. Events unfurling before our eyes are confirming this prophecy for better or worse.

The return of religion across the world manifests itself in many forms. One could rejoice that after such an omnipresence of atheistic materialism in the XXth century a deep spiritual revitalisation should come to our societies. But "the Devil is never very far from the Good God", so, alongside the message of tolerance and brotherhood which is the common base of all the great world religions, nestles the face of intolerant fanaticism calling for so-called "holy wars". And so we see the cultural heritage once again threatened by present and future conflicts, either as a result of collateral damage (Iraq today is a particularly sad example), or deliberately.

A revealing document is that rediscovered and cited in a book by Roland Jacquard, a specialist in terrorism: "The Secret Archives of Al-Qa'eda". Its text enumerates Western targets in priority or-

der, some of which are listed as follows: "Symbolic targets whose destruction would have a great impact, but which would not cause heavy loss of human life. Examples are the Statue of Liberty in New York, the Eiffel Tower in Paris, Big Ben in London, and generally any historic sites and museums to which the public attach great value." Other targets mentioned are: "towers and skyscrapers where there is a great concentration of people, also nuclear power stations, football stadia &c."

The above mentioned quotation clearly defines the modern ideological method of waging war which we call terrorism. It is directed both towards civilian populations and their cultural emblems, with the aim of destabilising and demoralising the "enemy" population.

The events which took place on 17 and 18 March this year in Kosovo are a tragic illustration of this strategy: pogroms took place all over the area with both the civilian population and cultural and religious emblems as targets. As a result 30 Serbian Orthodox churches were systematically looted and set on fire.

Besides the indignation aroused by this criminal act, which could merit being qualified as cultural genocide, we are appalled that today, in the XXIst century, in the presence of international troops whose job it is to maintain the peace, it is possible to wipe from the map these splendours, witnesses of the religious and cultural past of Serbian Orthodoxy, which had survived throughout the 500 years of Ottoman domination!

Since wars create lawless areas, they generate a large scale traffic in works of art which feed on them; thus many valuable archaeological and historic artefacts are today being systematically looted in Afghanistan and Iraq, as they were in the recent past in Cyprus, where international organisations such as UNESCO, appear to be bewildered and powerless.

We should however mention the existence of international agreements which aim to protect cultural assets in the event of armed

conflicts, such as The Hague Convention of 1954 with protocols amended in 1999, and various texts and resolutions adopted by the UN Security Council and UNESCO. But one has to admit that these texts and the laudable intentions which inspired them are often disregarded in the heat of battle.

This is precisely why, just as in peace time, the Heritage NGOs have a role to play in the fight against this destruction. Because they act as sentinels, who keep watch and try to prevent it. Because they act as witnesses, who describe and report what they've seen both to the media and to the public authorities. Because they act, as they always do, as "conscience arouasers", so that public opinion and decision-makers become indignant and take up the cause.

Thus the responsibility of Heritage NGOs in general and of Europa Nostra in particular, in peace-time as in war time, is: to be the "guardian angels" of the historic Heritage, who fly to the rescue whenever it is threatened. Europa Nostra members must be at one and the same time theorists of action and strategies and men on the ground: they must come to the aid of the threatened Heritage just as the Red Cross or Médecins sans Frontières come to the aid of ill-treated civil populations. And the great lever of this action is public opinion, which must be convinced and made aware of the need to support our action. This demands effort, organisation and tenacity. But for one work of art saved, for one monument conserved and restored, what a formidable feeling of "mission accomplished"!

*Translated from the original French text by Nicholas Howard*

**Comte Denis de Kergorlay**

Born 1947, holds a bachelor degree in Law and graduated at the Institut d'Etudes Politiques de Paris. Worked for two years as a teacher in Public Law at the Institut International d'Administration Publique, Paris, before being appointed cultural attaché at the French Embassy in Bangkok (1976-78). Since 1978, he is leading the management of the family property (Do-

maine and Château de Canisy, Normandie). Since 2001 Vice-President of La Demeure Historique. From 1977 to 1987 organiser and later administrator and national treasurer for Médecins sans Frontières. From 1984 to 1995 mayor of Canisy and since 2002 administrator of Aspeca – Enfants d'Asie. Member of the Council of Europa Nostra since 2002.

Otto von der Gablentz

**Heritage and the Building of Europe:  
A Special Role for Europa Nostra**

As Europe prepares itself for its new role in the 21st century, it has to make full use of all its resources. Enlarging the EU, building a constructive relationship with other European countries and neighbouring regions, coping with rapid technological and societal change, renewing its constitutional structure, asserting its place in the modern world – these are hard tests for the stability and coherence of the European Union. The EU will succeed only if these complex processes are accompanied by a growing conviction of all its citizens of belonging to a common civilisation. As one of the early advocates of a “Europe of culture”, Hendrik Brugmans, put it: “Europe isn’t just an economic area that needs administering. It is first and foremost a long-established civilisation which will be revived by the shock of the Union.”

The EU of the 21st century has to broaden its base and become the political expression of the European civilisation if it wants to live up to its new responsibilities.

Heritage conservation and heritage education are among the so far largely untapped resources for building a “Citizens Europe”. They are an indispensable building block of a sustainable European edifice citizens can be proud of and in which they feel at home. The evidence? Millions of Europeans, in their cities, in their regions and in their nations, are committed "workers in the vineyard" to preserve historical buildings and cultural landscape. Their mostly voluntary work testifies to the vitality of the civil society on our continent which forms the social fabric of modern democracy. As the great prophet of our age of democracy, Alexis de Tocqueville, put it 150 years ago: “Over the long term, political society cannot help becoming the expression and image of civil society.”

For more than 40 years it has been Europa Nostra's mission to enhance the European cooperation of civil society organisations in the heritage field and, in close contact with European and world-wide institutions, to contribute towards a growing awareness of a common European heritage. We feel that, at this crucial stage of European integration, the EU as the most dynamic political force in shaping the Europe of the future shoulders a special responsibility for seeing to it that the common heritage of our old continent – finally whole and free – will be preserved for coming generations. Only an EU with a strong commitment to preserving Europe's cultural heritage will be able to ensure the cohesion of our continent. Only such a EU will be able to assert its position in the world wide dialogue of cultures and to mitigate the levelling influences of economic globalisation.

At this historical juncture of its integration process, Europe has got a chance to overcome one of its most serious handicaps: the lack of committed and loyal citizens. With due respect to the principle of subsidiarity, the EU has to make use of the political potential of heritage work. After all, Europe's historical buildings and cultural landscapes are the visible and tangible witness of a common civilisation all Europeans share. And citizens care. The rediscovery of a common European heritage after more than a century of narrow-minded nationalism should be turned into one of the binding forces providing legitimacy to the integration process. By taking their place in the European integration process at the end of the Cold War – and sometimes even before – the Central and Eastern European states have testified to the vitality of our common culture. Nationalism and Cold War were not successful in destroying the bonds created by many centuries of shared culture and historical experience. Unity and diversity have never been contradictions in Europe's cultural evolution. They are the two sides of the same coin, an original European civilisation characterised by its amazing diversity.

In order to seize this historical opportunity, Europa Nostra endeavours to link the grassroots work of civil society with political action in Brussels and Strasbourg. Together with other European cultural organisations, Europa Nostra has thus pleaded, at the hearings of the European Convention in 2002, for "more room for culture and education in a stronger and wider Union". We emphasised the role of heritage work as a building block of a sustainable European structure which citizens can identify with because it revives their collective memory and points the way to a common future.

We are therefore pleased that the Draft Constitution stipulates as one of the Union's objectives: "The Union shall respect its rich cultural and linguistic diversity, and shall ensure that Europe's cultural heritage is safeguarded and enhanced".

Europa Nostra will do its utmost to see to it that the Union lives up to its increased responsibilities within this future constitutional mandate. Through our extended network of heritage organisations and individual members we shall endeavour to act

- as a "watchdog", monitoring EU and national policies as to their compatibility with the constitutional objective of heritage protection,
- as a lobbyist, identifying and taking up with the competent authorities specific issues of concern to the European heritage family,
- as an educator, promoting and enhancing the awareness among citizens of Europe's unique cultural heritage and sharpening the sense of shared responsibility of all levels of public authorities and the general public for its protection.

In pursuing these aims Europa Nostra shall continue to plead for widening the traditionally very modest role of the Union in the field of culture and especially heritage protection. To avoid misunderstandings: we do not plead for a transfer of constitutional

powers from the Member States to the Union in these fields. It would be unrealistic to expect the Union to copy "cultural policies" of Member States on a European level.

We plead for making full use of the existing policy instruments which affect heritage and for additional actions on the basis of the carefully widened mandate of the Draft Constitution's Art.III-176. It provides a.o. for "incentive actions" by a European law or framework law in the field of culture including the "conservation and safeguarding of cultural heritage of European significance".

European significance, of course, has to be interpreted in the light of the mandate to respect and promote national and regional cultural diversity in Europe, while at the same time bringing their common cultural heritage to the fore (article 151.1. of the EU Treaty). This has always been the guiding principle of Europa Nostra's award scheme, recently up-graded with the launch of the EU Prize for Cultural Heritage/Europa Nostra Awards: the successful entries range from humble barns to magnificent castles. Also any EU action must take into account that European culture is not limited to the EU's territory. Close cooperation with neighbouring European countries and the Council of Europe, with its wider membership and its experience and expertise, is imperative.

What really matters is the awareness of all Europeans, citizens as well as national and European authorities, that cultural heritage is fundamental to European integration and cooperation. It helps us to realise that our shared historical experience consists of more than the memory of murderous European civil wars. A generation of Europeans who can "read" and understand the European character of our historic buildings and cultural landscapes will be able to place their own regional and national past, and indeed present, within the context of Europe – an important step towards a development of a sense of European citizenship. Heritage education should therefore be one of the priorities of a wider EU cultural policy.

In fully implementing its mandate in the field of culture and especially in the field of the safeguarding and enhancing of our common European heritage, the EU has also got the chance of changing its largely economic and technocratic image. A European Union which is seen as an active promoter of heritage conservation would appeal to millions of citizens. It would develop a more human face, becoming slowly what the founding fathers half a century ago had in mind, the political expression of our common European civilisation.

Europa Nostra stands ready to contribute to a Europe which draws its strength from a renewed awareness of its shared cultural heritage.

**Otto von der Gablentz**

Born in 1930, studies and research in politics and sociology at the College of Europe/Bruges, at St. Antony's College/Oxford (B.phil.1955), at Harvard University (1956/57) and at the German Association for Foreign Policy. From 1959 - 1995 German Foreign Service, serving in Australia and London as well as in the Foreign Office in Bonn (dealing with problems concerning Germany and Berlin and European political cooperation). From 1978-82 seconded to the Federal Chancellor's Office under Chancellor H. Schmidt as deputy, later head of the Foreign and Defence Policy Department. German Ambassador to the Netherlands (1983-90), to Israel (1990-93) and to Russia (1993-95). Rector of the College of Europe/Bruges and Natolin/Warsaw. Executive President of Europa Nostra since October 2002.