
STATE AND PRIVATE SECTOR INVOLVEMENT IN DEVELOPING AND PROMOTING CULTURAL AND RELIGIOUS HERITAGE

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Abstract

Cultural heritage resource management and historic property in Romania have a high importance in regional and national development. As witnesses of human civilization, monuments and sites contribute to the strengthening of historical awareness and cultural identity of individuals and the community. Both the historical and sites are very important locally, nationally and internationally, since they are an expression of culture and life style and also a significant part of the world heritage. Our country is one in which in 24 hours you can visit a Byzantine church, a Turkish Moshe, a Greek fortress and not only this. From these special premises derives our responsibility to protect and to preserve historical monuments and sites at all levels and all time. The main resource for protecting and developing the cultural heritage during the last two decades in Romania has been the State. After establishing a large juridical framework with respect to the cultural heritage and cultural policies, the Romanian State seems to have arrived to a certain limit in terms of financing and developing cultural policies related to the national heritage. Under these circumstances, our study tries to point out the necessity of civil society and private capital involvement in the cultural policies related to the national patrimony. What if the community identity itself becomes, by its local/regional specific institutions, a vector of the Romanian touristic potential that could generate the necessary financial revenues for effective cultural policies?

Keywords: Cultural heritage, Romanian cultural policy, religious heritage, cultural tourism, community identity

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1. Introduction

The present paper aims to offer a general perspective over the Romanian cultural heritage in terms of categories, quantitative and qualitative dimension of it, types of cultural public policies and a dynamics of the public interest towards the national cultural heritage during the last two decades.

Inside of this general framework analysis related to the research objective we are trying to identify the dimension and the role of the local/regional community - private initiative and capital, NGOs - in transforming the cultural patrimony into an 'active local/regional asset' that could become a source of cultural knowledge introduced into cultural tours as information both for national and international group of tourists.

1.1. *The methodological dimension of the analysis*

Our analysis is also related to the intention of identifying the institutions and the role of each institution in a future perspective of developing and preserving the cultural and religious heritage of Romania. An analysis of the *juridical dimension* of the Romanian cultural policy is the methodological dimension that supports both: (i) a conclusion concerning the nature of this institutional interaction and (ii) the content of the Romanian public involvement into cultural strategies and cultural policies related to the national cultural patrimony.

The basic research question is not related to the importance and the involvement of the main actor of this institutional triangular interaction, 'State – Private initiative/Capital – Civil society (NGOs)' in the conservation of the Romanian cultural heritage, but to the actors that were until now less involved into cultural policies in Romania. So if the State seems to be a poorer investor in the conservation of the Romanian cultural heritage, is there any way to associate the local/regional community to such a cultural policy?

1.2. *Cultural policies and community identity*

This question goes towards the possibility of finding ways to associate the cultural local/regional cultural heritage elements to local/regional cultural identities of these communities. It is right, the Community does not participate itself (groups, individuals) into such policies but through its private initiatives and non-governmental institutions that could become the real vectors of stressing the association between: (i) the local/regional cultural heritage and (ii) the identity of the correspondent Romanian communities.

Under these circumstances, our research hypothesis has the following form: *The more the different elements of the Romanian cultural heritage involves an association with the community identity, the more its elements become an active vector of the cultural policies.*

2. State and private sector involvement

National heritage is all inherited resources, identified as such, regardless of ownership over them, and which is a witness and an expression of values, beliefs, knowledge and tradition evolution. Cultural heritage includes all the elements resulting from the interaction of human and natural factors, over time. At international level, culture has become more and more important. The European Union turned from a strictly economical project, into a political and cultural one [1]. Unity in diversity, individual cultural rights, as human fundamental rights, but also diversity and tolerance towards ‘other’, cultures are the linking elements, the elements of social cohesion – the directory forces of the international cultural area. The countries become preoccupied with their image, with building national identity. Romania has a history and ethno-folk cultural heritage of great value and tourist attraction. Here are more than 680 cultural heritage values and national and international interest, among which stands out: churches and monastic ensembles, monuments and architectural ensembles and art, archaeological sites, some of them being part of the World Heritage of UNESCO. Patrimony is represented by two different types: immaterial patrimony (tradition, creative skills, specific holidays and events) and material patrimony (museums, monuments, architectural buildings, building of religious or military nature, traditional and the well preserved villages and gardens, etc.). Cultural tourism is a kind of tourism motivated by the interest on historic, artistic, scientific or heritage [2]. Recent studies show that there is a general lack of research on the factors that can ‘affect’ the country’s economy and suggest a possible mechanism for sustained growth of cultural investment [3].

3. The role of government represented by the Ministry of Culture

The role of Ministry of Culture is to ensure compliance and promote fundamental rights and freedoms, established by the Romanian Constitution and by international treaties and conventions which Romania is part of, in terms with: freedom of expression and creation, equal opportunities and access to culture, participation in cultural life, including the formulation of cultural policies, freedom of conscience and religious beliefs. An essential element in the human development is culture, and for this reasons the Ministry of Culture has an activity based on the cultural creativity which is a source of human progress. Culture is also an important factor of sustainable development and a quality factor of life ensuring social cohesion. Religious culture is legally recognized and is free, independent and equal for the authorities. Between 2005 and 2008 the Ministry of Culture conducted a comprehensive and coherent set of programs that are considering and archaeological sites. From this program we mention the National Program of Restoration (NPR) which subsume a number of projects aimed at different types of monuments; ‘LOGOPAT’ Program – this program conducted scientific events and also events for conferences, annual awards for

the national cultural heritage; 'THESAURUS' Program whose principal objective was the publication of albums, monographs, thematic studies, scientific papers, etc.; 'MEDIAPAT' Program was designed for media projects of the historic monuments including archaeological sites. In period 2004-2007 the Ministry of Culture and National Heritage also conducted four programs which aimed the mobile patrimony, these are: 'Protection of Movable Cultural Heritage', 'National program for support and development of movable cultural heritage', 'Stimulation of national expression and promotion of values' and 'National program of cultural tourism'. At present is in progress the program 'Culture 2007-2013' which a financing program of the European Union managed by Agency for Education, Audiovisual and Culture and by European Commission [<http://www.cultura2007.ro>].

In Romania, legislation for cultural heritage protection is relatively recent. Experience with the current legal framework indicates a number of inaccuracies to be corrected urgently. In the context of integration into European structures, Romania's contribution to preserving cultural identity is realized through conservation, protection, restoration and enhancement of the national cultural heritage. In this context, is required administrative and legislative action in order to ensure increasing levels of protection for the national heritage. In this regard the Ministry of Culture made a *public policy proposal for increasing the level of protection of national cultural heritage* [http://www.darktheglass.com/MET%20Audiere%20Publica/propunere%20Ministerul%20Culturii_2010.pdf]. The name of proposed policy is *ensuring increasing national cultural heritage* and aims to establish a comprehensive, efficient and integrated system for protection of national cultural heritage. Thus, during the 1997–2000 government, the preoccupation for 'national culture' was considered by cultural administrators a false problem because 'the cultural identity' supposes other frames than the frontiers and the criteria of nation, as the cultural policy evaluation report by Romanian experts puts it [4].

3.1. What represents the cultural policy?

Open culture entering in political area comes to life. Culture enters under the incidence of politics, because culture is the one that designates the social way of life, and the area of politics comprises and is oriented especially towards the community life, towards society. Cultural policy should develop and fund projects for conservation and promotion of cultural heritage and not only. Cultural policy is focused on investments rather than cultural infrastructure.

Cultural patrimony conservation and construction of new patrimony is the foundation of future generation. According to F. Benhamou only state is capable to protect and finance this future consumption [5]. Cultural policy must also invest in public education, in orienting it towards the cultural consumption and products, in the meaning of art, and also the facilitation of access to culture. All this support of the culture by the state, by financial and legal means, has to be understood as made for citizen. Cultural policy represents measures that are

made by state to protect cultural goods, promote new artistic and cultural trends and to ensure a positive cultural environment for personal and society evolution. Cultural policy is described a set of operational principles that guides cultural programmers planning, institutional instalments, and the issuing of administrative and budgetary laws for their implementation [6]. Legally cultural policy means adjustment of interest in cultural field and takes decision on cultural development issues at national and international level. From a financial point of view, „cultural policy could be defined as an operational principle corpus, administrative and budgetary practices that offer a basis for cultural action by the state” or any other organization [7].

In the report of the Council of Europe in 1999 [4] there are registered as cultural institutions: 19 national museums, 62 regional museums, 600 municipal and city museums, approximately 50 theatres and opera houses, 2 national libraries, 41 regional libraries, 212 city libraries and more than 2600 local libraries, without including the libraries under the tutelage of the Ministry of Learning and Education.

Ministry of Culture in Romania was created in 1989 – instead of State Committee for Culture and Art (afterwards the Committee of Socialist Culture and Art) – through law decree number 12/28 December 1989, emitted by the Committee of National Salvation Front. Even if it was one of the first ministries after 1989, it had difficultly structured a coherent policy. The Romanian cultural policy way after 1989 started in fact in 1996, as the Council of Europe group of experts study shows [4]. Until that moment Romania had no cultural policy.

Politically speaking, the Ministry was characterized, during the years 1990–1996, by a huge instability on governmental level, having in this time gap 8 ministries. From 1996 on, with the ministry Ion Caramitru, the cultural policy started a new period, having a certain strategic orientation and organization. After Ion Caramitru, starting with December 2000, Răzvan Theodorescu was the minister, and the Ministry changed its name into Ministry of Culture and Religion Affairs. In February 2000 had been made the first steps towards a cultural policy, when the Ministry of Culture together with the Council of Europe, through PHARE Programme, had defined together a cultural policy, the first one for Romania – named Cultural Strategy – for a period of 10 years. This one was continued by the cultural policy of the Ministry of Cultures and Cults, under the management of Mona Muscă. In this period there has been defined a structured political culture, through the strategy of the Ministry of Culture and Cults in the governance plan 2005–2008. Therefore, beginning with 1990 until 2006, during 16 years, the Ministry of Culture had 12 ministries, in 5 presidential reprises and 2 coherent cultural policies.

4. Implication of local administration

Local council assumes the responsibility in terms of design, implementation and coordination at local level and also finances cultural activities at county level. In the view of cultural policy formulation, implementation and evaluation involves two categories of institution: public authority (represented by Ministry of Culture and local authorities) and non-governmental organizations. Relation between public authorities and civil society related to cultural policy are not that the civil society wants, but this relation is continuously changes. Until 1997 cultural policy was realized only by public officials and responsible persons from Ministry, starting with 1997 has been created an advisory council under Ministry tutelage in order to manage the relationship with non-governmental institutions. This activity has gathered criticism from civil society [8].

In the Council of Europe Declaration in 1983 [9], participating countries have considered essential that local authorities have the right to formulate and implement their own cultural policy according to existing infrastructure and cultural specific tradition. In Romania decentralization was realized in administrative and political terms. Decentralization is a part of redirection of central authorities responsibility to local authorities. In cultural domain it has tried decentralization in 1993. A subtle decentralization was conducted between 1989-1994 but had negative consequents: increasing financial pressure on state budget, dysfunctions in specialized activity of public local cultural institutions, tensions between Ministry of Culture and public local authorities [4]. Next step of decentralization was in 1998 when have been reformulated attributes and skills in cultural field.

5. NGOs and private sector

NGOs and local administration can contribute to cultural preservation. Once established this premise is necessary to encourage their continued involvement in direct management of sites and collection, or other heritage objectives. Collaborative networks of local government and NGOs on issues of cultural heritage are encouraging but still limited. There is a need of expansion to strengthen such a link and a very important tool can be the legislative support. These entities are invited to help especially those areas where public institution cannot cover the local needs because of insufficient human and financial resources. The traditional role of private sector in cultural heritage has been to sponsor individual projects, usually involving conservation activities of important national or local monuments. This partial approach of private sponsorship in cultural heritage field shows signs of a gradual transformation in favour of more structured activities and long term. A proposed solution to this context is the 'adoption' of cultural patrimony objectives by private companies or enterprises, these kind of measure being beneficial for local communities and can become the basis of a solid community with a very strong economic

dimension. A present shape of this type of collaboration is represented by the increasing number of cultural heritage attractions which are administrated by private institution. Local administration, NGOs and private sector can realize important partnership for public institution responsible for developing cultural heritage sector.

A very important issue in the field of cultural patrimony is the public access. Increase public access to cultural heritage objectives is directly proportional to their conservation and recognition. Conservation and exposures activities are justified as a means of guaranteeing the right of access to cultural resources both now and in the future. Although closely related, to serve the same purpose, conservation and presentation of cultural heritage are considered independent areas. Both areas are regulated by law in their application, have developed policies, professional and standard ethics, but also good practice guides. These are integrated in international context, both in conservation and museum area, but and at more widely in cultural heritage field. All cultural heritage institution covered by Ministry of Culture plays a key role in guaranteeing public access and cultural patrimony conservation. NGOs and private sector could also be principal actors in fields, both as promoters and direct investors for an increasing quality in the field. Another aspect of accessibility and exposure is investment in temporary exhibition with themes of cultural heritage and intended to be promotional activities abroad. The organization of these exhibitions to a high quality standard is costly in museum work, mainly because insurance and transportation costs.

6. Cultural tourism and participation of civil society in development and promoting of cultural heritage

Tourism is a vital revenue base for museums and other cultural institution. Cultural tourism can be defined on one side of access motivation to cultural sites such as travel for art festivals and other cultural sites and events, but also for study. In broader sense all forms of tourism can be defined as a cultural tourism if it fails to meet basic human need for diversity, tending to increase cultural awareness of individuals discovering new knowledge, experiences and encounters. Cultural and religious heritage is one of the most important components and is the fastest growing tourism [10, 11]. Cultural heritage was for a long time an important factor for increasing and developing tourism industry from Romania contributing to the development of various sectors of tourism. Cultural heritage resources are used to promote tourist destinations and to create an attraction as an alternative to existing tourist destination and other profile. Cultural heritage field argues that the cultural values are compromised when are used in commercial activities [12-14], but tourism supporters sustain that cultural values are compromised only when are improperly managed [15, 16].

In recent years cultural tourism has become itself an important component for local tourism. Cultural heritage sector can become itself a beneficiary of tourism industry. A separate proof is the fact that Sibiu was in 2007 one of the top 10 tourist destination worldwide. However, the coexistence of cultural heritage and tourism induce a specific set of problems. Crowding of visitors to museums and monuments can cause progressive deterioration of the cultural objectives, tourism infrastructure and overall satisfaction level of tourist. Without adequate investment in maintenance and preventive preservation of sites and monuments will become themselves a negative model to promote cultural heritage and will alter the desire of visiting tourists. It is imperative that the current advertising campaigns to promote cultural tourism to be based on the authentic national cultural product and not on pseudo-cultural events. Also, is recommended to request professionals in management and marketing culture. Integration of professionals in the cultural heritage filed help to raise the qualitative level of culture and will play an important role in stimulating new research methods and create a sustainable cultural industry. National and especially international tourism besides its economic contributions, investments, employment, is also a key point in building national identity.

7. Legislation

Cultural field is seen as a marginal activity or hobby by parliamentarians but in time become a necessity for legislative process. Some parliamentarians said that partnership with civil society is an important element in political activity. Although contribution of civil society on legal concept is recognized, partnership between public authorities, political representative and third organization are very few. Relation between public authorities and civil society about cultural policy changes, but it is not yet what it wants to be. Until 1997 the conception of cultural policy was realized exclusively by public functionaries of Ministry, but after 1997 has been created an advisory council under the Ministry tutelage, for managing relation with non-governmental institutions.

The Ministry of Culture through its institutions will develop a public awareness regarding the importance of cultural heritage in training and development of a 'cultural industry'. Promote the use of cultural sites for students, professors and researchers in continuing education programs. Promoting a culture of social inclusion by ensuring that cultural heritage is accessible to all social groups, beyond any form of discrimination. Special emphasis is placed on ensuring access for people with disabilities. Strengthening national consensus on the value needs to protect cultural heritage from destruction of goods. Is important to mention here the need for tax initiatives, in order to encourage the individual and private entities to contribute actively to the maintenance and promotion of cultural preservation.

The last list of regulations on national cultural patrimony protection was updated at 06.05.2011 and is divided on categories [<http://www.cultura.ro/page/49>]. So, for immobile patrimonies are a number of

52 of decrees, laws and government decision on historic monuments and archaeology, they refer to protection of cultural and natural patrimony, construction and others. In terms of mobile patrimony (museums and collection) there are a number of 19 laws, ministry order and government decision. And the last category concerns the immaterial patrimony represented by three laws and four ministry orders in view of protection, valuing and safeguarding of immaterial cultural heritage.

Romanian archaeological heritage is protected by a set of laws adopted after 2000. In this respect the legal protection of archaeological sites and archaeological heritage consist of government Ordinance no. 43/30.01.2001, which were then amended and supplemented by law no. 462/12.11.2003. For protection of historical monuments, the legal regulatory framework comprises the government ordinance no. 70/30.01.2000, subsequently amended by law 422/18.07.2001 and law no. 468/12.11.2003. This set of regulation provides measure for administrative, legal, financial/fiscal, scientific and technical, to ensure research, filing, inventory, preservation, maintenance, security, consolidation and restoration of historical monuments. The direct purpose of these measures is the integration value and historical monuments in the social-economic and cultural communities. Very important is that the instruments on the protection of historical monuments have established a complex institutional organization, formed by the Ministry of Culture, National Institute of Historical Monuments, National Monuments, the central institutions and local services subordinated of County Department for Culture, Cults and Heritage. As professional bodies, mention the National Monuments, with consultation and approval responsibilities and control for protection of historical monuments. Legal status of museum and public collections consist of a single act, law no. 311/8.07.2003, law what established the principles of organization and operation of museum, public and private collections that are open to the public, defining also the museum and collection.

With regard to movable heritage, the law no. 182/25.10.2000 was the basic legal act which provides legal protection of movable cultural heritage, subsequently amended and supplemented by GEO 16/2003 and law no. 105/2004, with GD (government decision) 1420/2003, GD 518/2003 and GD 1546/2003 and finally by law no. 488/2006.

8. Conclusions – civic attitude and community identity as vectors for effective cultural policies in Romania

It is clear that a cultural policy organized and administrated only by public authorities is no longer effective when talking about the developments and conservation of the Romanian cultural and religious heritage. We think that future cultural policies should focus primarily on involving people and local and regional communities in cultural actions and in the cultural life. Romania has gone through a transition period that marked both the economy and the

political and cultural sphere of the country. During this two decades period the State has remained in an important degree the main financing source for culture.

As we have already seen, a large part of the Romanian cultural and religious patrimony could produce its own revenue base when transforming it in cultural objectives (museums, tourist visits etc.). It seems today that expecting too much from the public authorities is no longer profitable as a civic attitude towards the Romanian cultural heritage. It is true, the public authorities, in different moments of the last two decades generated the necessary juridical framework to secure the cultural heritage. We have tried to stress upon the fact that the Romanian State seems to have arrived somehow to a kind of end concerning the limits of its financial involvement in the development and conservation of the cultural and religious patrimony. Our proposal involves a kind of organized ‘call for partnership’ of the public authorities towards the local and regional communities to get involved in defining and developing their cultural identities by investing money, expertise, other kinds of resources in the local patrimony as their own ‘identity patrimony’. It seems somehow peculiar that the State would become in this way a promoter of the private or civil society involvement or activism, but, at this moment, such an attempt to define different elements of the national cultural heritage as parts of local/regional community identities might be a starting point to transform them from passive to active vectors of the cultural policy. The cultural policies supported by public investments need to be accompanied by revenues generated by the museums themselves, for instance – thing which is impossible if the museums are not introduced into cultural tours for groups of tourists. A general action of associating the community identity to the local/regional cultural and religious elements of patrimony would be the necessary step to activate that ‘communitarian spirit’ of becoming part of the cultural histories told by tourist guides to Romanian and foreign visitors. In other words, it seems that the centre of gravity that has organized until now the triangular interaction of the Romanian cultural policies ‘State – Private Capital – Civil society’ has to move towards the private capital and civic interest. In the terms of our hypothesis, we think that the association between the community identity and the local/regional elements of cultural patrimony would become the effective social incentive towards a ‘community will’ to become part of the stories told by brochures and tourism guides to the national and foreign groups of tourists. Along with the analysis of the Romanian cultural policy after the European Union access, this might be a subject for future study.

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