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ORGANIZATION OF THE SERVICES OF PRESERVATION,
CATALOGUING AND PROFESSIONAL TRAINING

HISTORICAL OUTLINE OF THE PROTECTIVE LEGISLATION

Already in Rome of the Caesars the need was recognized to provide for the preservation of works of art considered at the time as living and concrete testimony of victories in war and as a spiritual inheritance belonging to the entire community. In the Augustan period a special body was set up called the "Comes nitentium rerum" for the preservation of public and private buildings. There later followed specific laws which controlled the sale of the city (Lex Municipalis, Lex Malacitana). However, it was during the Papal period that there was an extensive development of legislation for the protection of monuments.

Pope Leo X assigned to Raphael Sanzio the office of Inspector General of the Arts.

The seal of Gregory VIII "Quae publice utilia" of 1574 introduced measures for expropriation and compensation, for the restoration of old quarters of the city and for the compulsory reconstruction of property in danger of collapse.

The constitution of Gregory was strengthened by the later measures of Cardinal Pietro Aldobrandini (1611) and of Cardinal Antonio Barberini (1658). Also recorded are the edicts of Cardinal Valenti Gonzaga and Cardinal Doria Pamphili of 1750 which prohibited absolutely the exporting of antique objects from Rome.

During the pontificate of Pius VIII, the edict of Cardinal Pacca dated 7-4-1820 is shown to be of the greatest importance not only for its comprehensiveness and for the solution contained within it but above all because it stressed the inherent problems of the protection of the cultural inheritance

within and beyond the bounds of the Papal state. In fact, barely two years later, Ferdinand I of Bourbon issued a decree in the kingdom of Naples with the same purpose as and clearly influenced by the decree of Cardinal Pacco.

In Tuscany a first comprehensive piece of legislation was published on 18-4-1854 at the instigation of Granduca Leopoldo, while in Lombardy-Veneto regulations were already in existence which saw to the rapid and efficient protection and also decided on the right of preference in favour of the State regarding privately owned works of art which were about to be exported. Again in Piedmont, Carlo Alberto recognized the problem and although not couched in juridical terms it was resolved by the setting up of a council of antiquities and the arts which had the duty of examining the situation and suggesting methods of preservation and protection.

After the unification the serious and urgent problems that needed to be resolved and, above all, the dominant concept of private property that "without exception is inviolable" (consecrated in article 29 of the Albertine Statute) relegated to second place the problem of protection and preservation of the cultural heritage. The State was left with just one method of intervention provided for only incidentally by law no. 2359/25-6-1865 which allowed for the possibility of expropriation by the State only when the private owner had failed to maintain property of artistic and historical value in a good state of repair.

After 1870 with the annexation of the Papal State into the new kingdom of Italy the jurisprudence, adopting an elastic and discutable interpretation, continued to apply the laws of the Italian States in the respective regions and thus created an indubitably unequal situation because of the diverse criteria of juridical procedure used in the various regions.

The legislative confusion inevitably had a serious effect on the state of our artistic inheritance.

It was really the resurgence of feelings in the community at the disappearance of the most precious works of art together with a more developed social conscience which influenced the passing of the law of 7-2-1891, later modified by law no. 185 of 12-6-1902.

A limit to the efficacy of this law was brought about by the entering of monuments and of objects of art into a particular catalogue as an indispensable premiss for the application of the law.

It was only in 1909 with law no. 364/20-6-1909 that there was finally established a body of regulations which provided a complete and exhaustive ruling on the protection of our cultural heritage. This law placed under protection all property movable and immovable of artistic, historic, archaeo-

logical and architectural interest and no longer just single items, and forbade the export and proclaimed the inalienability of all such property of the State or of other public organizations and made it necessary for private individuals to notify the state of every transaction thus allowing for the possibility of exercising on behalf of the state the right of preference. Later this law was amplified and coordinated in law no. 1089/1-6-1939 which now implements the protection of the cultural heritage.

DESCRIPTION OF THE ACTUAL ORGANIZATION OF THE NETWORK FOR PROTECTION; RELATIONSHIP AND INTERACTION BETWEEN STATE, REGIONS AND LOCAL BODIES

For about a century now since 1875 the organization in charge of the complex activity of protecting the national artistic heritage has been the Direction General of Antiquities and The Arts established at the Ministry of Public Instruction.

In the last decades the evolution of protective legislation, of the sorting out of the concept of "Cultural Heritage", of the stratification of different guiding principles and the consequent conflict of interests and of different juridical areas have contributed to speed up the otherwise natural process of ageing of an as it were ancient organization.

In 1974 therefore, while in anticipation of a new law of protection due for release by 1979, newly organized structures were prepared.

Thus was instituted the Ministry of Cultural and Environmental Affairs with the intention of stressing the necessity of having just one organized body which alone would be able to provide for our heritage with the suitable implements for a political and legislative programme on the internal and international levels. As we shall see below the administrative organization of the Italian state and the present regulations regarding the juridical system governing private property as well as that administration of the inheritance and the general accountability of the State noted in the law of 1923, have not permitted the full achievement of the hoped for unified organization of the network for protection which remain instead split between the state, the regions and the other public bodies.

For the purposes of this meeting we shall obviously limit ourselves only to a description of the organization of the network put into effect by the Ministry for Cultural Affairs not forgetting, however, to underline when necessary the interaction with the other similar state administrative bodies and with already mentioned public bodies.

The handing over of the administrative functions for the protection of the cultural heritage is primarily concerned with the jurisdiction over the material of architectural, historical and artistic interest as defined in law 1089/1939.

More specifically the Ministry for Cultural and Environmental Affairs has assumed competence for the protection and utilization of the archaeological, historical and artistic inheritance; for the spreading of art and culture other than that carried out by the Ministry of Foreign Affairs; the studying and programming of choices, initiatives and research concerning parks and natural reserves in concordance with the proper ministries and maintaining the individual competence of the regions.

However, as regards the powers of the Ministry with respect to areas of natural environmental beauty, previously under the supervision of the Administration of The Arts by virtue of law 1497/1939, in determining that Cultural Affairs are a natural heritage it was stated specifically that the regions have the power to transfer or delegate responsibility at some future time in the realizing of the decentralization of the administrative functions according to the Constitution.

And since the Constitution determines what the duties of the regions are with respect to urban matters the following regulations of this bringing into effect identify among the urban material also that which comes under the protection of Environmental Affairs and attribute to the regions not only the approval of the diverse urban instruments, but also the administrative powers once exercised by the central and peripheral bodies of the earlier Administration of The Arts, as well as the approval and compilation of territorial and landscape plans.

From this therefore comes a diversified solution for the Cultural and Environmental Affairs.

Thus, in fact, while the architectural, artistic, historical and archaeological heritage is under the competence of the State and therefore of the Ministry of Cultural and Environmental Affairs, the duty of protection of the environmental heritage is modified in a regional sense.

However, by virtue of the general principles of law, the function of direction and coordination belong to the State.

Organization

The organization of the Ministry of Cultural and Environmental Affairs

as regulated by DPR 805/75 is articulated through the administration of the network for protection divided into collegial bodies, central bodies, central institutes and peripheral bodies.

The collegial bodies actuate horizontal links among the peripheral bodies and operate by the setting up of programmes and by the identification of sectional objectives. They are divided as follows:

— Consiglio Nazionale, under the chairmanship of the Minister and composed of representatives from the Ministries of Foreign Affairs, of the National Budget and Economic Programmization, of Home Affairs, of Public Works in Agriculture and Forests, of Public Instruction, of Commercial and Artisan Industry, of the Office of the Minister for Scientific Research, of the Universities, of representatives from the scientific personnel from the Ministry of Cultural Affairs, from the regions, the provinces, the communities, of representatives taken from the rest of the personnel of the Ministry for Cultural Affairs.

The Ministry also employs the Consiglio Nazionale for specific consultative duties.

— Sectional Committees, composed of members of the abovementioned Consiglio, which look at:

- 1) The environmental and architectural heritage.
- 2) The archaeological heritage.
- 3) The historical and artistic heritage.

— Paritetic Regional Committees for coordination between State and Regions.

— Periodical regional conferences attended by the heads of the Peripheral Institutes.

The central body of the Ministry as regards the arts in the Central Office for the Artistic, Architectural, Archaeological, Environmental and Historical heritage is departmentalized into 7 divisions General Business - Environmental Heritage - (directive and coordinative activity) - Architectural Heritage - Artistic and Historical Heritage - The functioning of peripheral bodies and security services - Cultural relations.

The central body coordinates the activity of the peripheral bodies and of the central Institutions by imposing a type of vertical link.

The Central Institutions are bodies which attend to certain determined operations of active administration, have operating links with the peripheral organizations and harmonize joint programmes relating to research concerning cataloguing and preservation. They are divided as follows:

- 1) The Central Institution for the Catalogue and documentation.
- 2) The Central Institution for Restoration.

The peripheral articulation, preserving that established earlier in 1939 includes:

- 1) The archaeological Superintendencies.
- 2) The Superintendencies for the artistic and historical heritage.
- 3) The Superintendencies for the environmental and architectural heritage.
- 4) Mixed Superintendencies for the artistic, archaeological, architectural, environmental and historical heritage.

The number of the Superintendencies is fixed at 58 of which 25 are concerned with archaeology, 15 with architecture and environment, 16 with art and history and 10 mixed.

The archaeological heritage and archaeological excavations are entrusted to the Superintendencies for archaeology.

Apart from what is assigned to the competence of the archaeological Superintendencies, the Superintendencies for the artistic and historical heritage look after movable property and the Superintendencies for the architectural and environmental heritage look after single and groups of immovable property.

As far as items of artistic cultural heritage are concerned, if they are movable or belong to an estate discovered within a villa or a group of properties they assigned to the authority of the D.M. in accordance with the Conference of the Heads of Institutions.

Each Superintendency carries out its activity in certain determined provinces of the national territory although some Superintendencies do not have districts in as much as they are defined as institutions with duties limited to increasing, preserving and improving scientifically and culturally the museums they administer.

Also in the Superintendencies for the artistic and historical heritage and in the Superintendency for archaeology are situated the offices of Exportation regulated by R.d. 3164/1923 and by D.P.R. 28-7-1967. These offices have the right to control and prohibit the exporting of art works. The banning of exportation which was of great harm to the protected inheritance was promulgated in law 1089/1939.

The state museums, the galleries, the picture galleries, the archaeological zones, important villas, open air monuments, parks and gardens are usually

defined as "Institutions of Antiquity and Art" and are regulated by the appropriate rules which govern the offices, the personnel, the custody, the opening hours and the entrance fees.

Each institution has a director who is subordinate to the Superintendent.

The director takes care of the compilation of the inventories of the record cards and catalogues.

The Superintendent takes urgent measures for the protection and preservation of the collections.

The visiting of the Institutions is often subject to a predetermined fee fixed by the appropriate committee for the coordination and regulation of the entrance fee.

The network for protection in the Superintendencies

The Superintendencies are technical-deliberative bodies set up for the management of the historical and artistic heritage, a management which consists of the following activities:

identification of items of cultural worth: (proposed application of direct or indirect restriction in accordance with law 1089/39)

preservation: (restoration and direct management of domainal heritage — approval of projects to modify or restore protected property; the carrying out of indirect protective and preservative measures in the case of negligence in the private sector of urgent work; surveillance of the affixing of advertising material.)

circulation: (surveillance of the transfer of private property defined as part of the protected cultural heritage; exercising of the law of preferential right in the case of onerous sale; issue of export licence.)

public recreation: (1) admission to the public for the purpose of visiting the properties of the state and of public bodies in accordance with law 1089/39; 2) authorizations to make tracings, reproductions, to take photographs, films for television and cinema, in the Institutions of Antiquity and Art; 3) keeping a watch on items of exceptional interest owned by private persons which have been declared and to which are admitted members of the public for cultural purposes.)

indirect sanctioning activity: for the repression of crimes committed against items of artistic and historic interest which are subject to the law of protection.

Notes on the juridical system of property and the consequent interaction of the different administrations on the network for protection

In order to better understand how the network for protection is organized and operates and to understand the variety of confluent interests in the area in which the Superintendencies work, it is first necessary to state clearly the current juridical situation regarding property. Article 42 of the Constitution defines two types of property: public and private.

Private property in accordance with articles 43 and 44 of the Constitution can suffer certain limitations because of the aim to make accessible to all some items of the cultural heritage for general enjoyment.

The limits between the contraposed interests of the community and of individual owners are established by special laws which impose negative limitations or positive obligations or various limitations on the rights of owners.

Considered among the more important items of notable common interests are those artistic, historical and archaeological value as well as areas of great natural beauty.

Article 839 of the Civil Code states that "Items of private property whether movable or immovable which have an artistic, historic, archaeological or ethnographical interest are placed under the rules of special laws.

Law 1089/1939 protects especially the items of artistic and historic interest.

Law 1497/29-6-39 protects the areas of great natural beauty.

When a piece of immovable property has artistic and historic value as well as beings conspicuous for its natural beauty its regulation in accordance with 1089 coexists with that of 1497 how under regional jurisdiction.

The regulations contained in the abovementioned special laws affect not only the alienability of protected items but also impose obligations and limitations with thought for the securing of their preservation and of public recreation.

The State and other public bodies can possess cultural property under public title (domainal and patrimonial, when is inalienable) or under private title (patrimonial and alienable).

The regulations pertaining to the identification of cultural property of the State or of public bodies are contained in the Civil Code in article 822. Included in the public domain are sea coasts, beaches, anchorages, harbours, rivers, torrents and lakes; also included are all buildings of historical and archaeological interest which belong to the state in accordance with the respective laws; collections in museums and picture galleries are also included.

Article 826 of the Civil Code includes among the cultural property of the public and patrimonial sort items of historical, archaeological, prehistoric, palaeontological and artistic interest discovered underground by anyone in any way.

All the cultural fixed property of the State whether domainal or patrimonial is dealt with by the Ministry of Finance through its administrative branches. The management of the cultural property comprises the operations of preservation and utilization. The first is concerned with improvement and protection, the second with ordinary and extraordinary maintenance.

For the domainal property listed below the activity of preservation is carried out by the various interested administrations:

- 1) Ministry of Defence for the military domain.
- 2) Naval Ministry (harbour officials) for the maritime domain.
- 3) Ministry of Cultural and Environmental Affairs (Superintendencies) for the historical, artistic, architectural, archaeological domain.
- 4) Ministry of Public Works for the roads. (in accordance with law no. 292 of 1968 the Ministry of Public Works has care of works of hereditary historic and artistic interest limited to those works of an essential technical and structural character which do not impinge upon the aspects of artistic significance of the buildings nor require scientific research or special procedure).

The domainal property granted through the government services are understood to be for the free use of the Ministries to which they are subordinate and by which they are administered.

The Regions according to the article 119 of the Constitution and the Communities according to article 824 of the Civil Code have their own domain which includes among other things the domainal property of historic, artistic and archaeological value.

A separate discussion concerns the property of cultural worth belonging to the Ecclesiastical institutions. Such property if it has not been treated differently in accordance with the special laws and in particular in accordance with the regulations embodied in the Concordat of 1929 with the Holy See, is subject to the laws which govern private property.

For items of historic and artistic interest article 8 of law no. 1089/1939 with the aim of combining the requirements of worship with public interest determines that the Ministry for Cultural Affairs with the aim of protection of such property should act in accordance with the Ecclesiastical Authority.

There has been much discussion about the nature of the limits of juridical protection of the cultural property of the Church.

Some suggest that such property cannot be made subject to the control of State law:

- 1) in considerations of the particular needs of the Church;
- 2) because article 30 of the Concordat states that the ordinary and extraordinary management of all property belonging to whatever Ecclesiastical institution or religious association should be under the control of the competent authorities of the Church and should not be subject to any intervention on the part of the State.

The contrary arguments are:

- 1) the legislation of the Concordat has not freed the Ecclesiastical Institutions from observance of the laws about the protection of art;
- 2) in accordance with the same Concordat and from the law pertaining to its operation (810/29) it is clear that all activities excepting religious ones are subject to State control;
- 3) it is also noted in the Concordat that property existing in buildings classed as extra-territorial should have their artistic and historic integrity preserved.

The Consiglio di Stato has stated that article 8 of law no. 1089 has not excluded but has placed under certain conditions the application of measures for protection in agreement with the Ecclesiastical Authority and has confirmed that agreement with the Ecclesiastical Authority is not necessary when the property of artistic and historic interest is not used for the purposes of worship.

From what has been expounded above it is to be concluded that the protection of items which are covered by law 1089/1939 is regulated and carried out in different ways according whether the property belongs to private individuals, the State, the regions, the provinces, the communities or the other public institutions.

Property belonging to the regions, provinces and communities are under the control of the Ministry of Cultural and Environmental Affairs which assesses the state of preservation and protection and arranges for the necessary work to be carried out in order to avoid deterioration.

The cultural property of the State wherever it is kept in use or under charge is subject to the Ministry only for the purpose of preservation. As for the items of artistic and historic interest belonging to the Ecclesiastical institutions, article 8 of law 1089/1939 establishes that the Ministry for Cultural Affairs should act in accordance with the Ecclesiastical Authority.

FROM THE "ITEM OF HISTORIC-ARTISTIC INTEREST" TO THE "CULTURAL HERITAGE" EVOLUTION OF THE CONCEPT OF PROTECTION

The current laws of protection of the historic-artistic inheritance and of the environment (Law no. 1089 of 1-6-39 and Law no. 1497 of 29-6-39) were born in a particular historical moment and originated in that attitude in the presence of "beauty" which characterized the philosophy of idealism. Such an attitude brought about in its turn the result of an evolving process of defining a work of art and aesthetics in general which interested the whole of nineteenth century. With such premisses and philosophical methods, material which had already been dealt with by other earlier rulings was recorded and the work of safeguarding it was put into effect by means of two laws which protected respectively: "items of historic-artistic value" and "areas of great natural beauty".

For the drafter of the legislation "items of historical and artistic interest" were thus defined if they had exceptional or unique characteristics and once so defined their intangibility and preservation was assured by a series of regulations. Therefore protection was applied almost exclusively to those objects and to those architectural movements of the grand style in which one can identify a "work of art" understood as an unusual and higher result of human action; and thus viewed it must always necessarily be and remain in its own picture frame which enhances the capacity of aesthetic enjoyment. Thus the element above ground is always guaranteed as is also the surrounding element in connection with it; while the relationship which such element above ground might constitute with the other elements of the section of the city or landscape in which it is situated is not considered relevant for the purposes of protection.

For this reason it is extremely difficult to put back in those cases foreseen by the law, those elements such as, to cite only one example among many, the urban or territorial outlines as they have been historically defining themselves, although unable to be seen in themselves as "works of art" cannot nevertheless be cancelled out or altered without a great loss to the historical memory and therefore also to the identity of the community in which such elements are present. Article 21 of Law 1089 is concerned to guarantee the "integrity of the items" and to see that "the prospective and the light are not damaged and the conditions of the setting and decoration are not altered". With such statements the fundamental aim of making the "item" aesthetically pleasing is emphasised as is the attention of the legislator to the prevention of any discordant element from disturbing the ideal atmosphere which assures the public's enjoyment.

The same philosophical premisses have determined the regulations of Law no. 1497 for the safeguarding of "beauty-spots" considered as "natural pictures" viewed as landscape paintings and isolated from their surroundings with consideration only for formal and aesthetic aspects.

Notwithstanding these critical considerations which can be made easily enough from a contemporary viewpoint, it cannot be denied that the laws of protection, still current, clearly express the historical moment in which they had their birth and that they also established a system of operation very advanced for their time and a noteworthy juridical and cultural commitment to the regularization of the material.

What damage, perhaps irreparable, that there has been in recent times to the environment of Italy and to the historic centres (especially the minor ones) can only be in part attributed to the inadequacy of the laws since without a doubt political management, ideological orientations and cultural mistakes must bear the major weight of responsibility.

The great and, almost always, uncontrolled changes that took place in the country after the war due to rapid industrialization, forced urbanization, internal and external emigration, the development of communication, the prevalence of the new myth of technology altered, often radically, the urban centres and the countryside and caused the abandonment of traditional constructive systems and of historical techniques, the alterations of equilibriums consolidated in time by the forced imposition of elements often completely out of place in their context. All this has created not only the "flattening of" but also at times the complete destruction of the identity of entire communities of the country with the consequent tragic alienation and dishumanization with which these days, unfortunately, we are accustomed to live.

Such substantial and evident changes require a careful reconsideration of the way in which we understand those "items of historical and artistic interest" and those "areas of great natural beauty" which are spoken about in the laws of protection. The risk of the irreversible loss to whole sections of the culture as well as the evidence of the damage already done to the environment and the country's artistic and historic inheritance have modified and extended the definition of the "items" which require protection until the development in these last years, of the concept of "cultural heritage".

This concept is to be understood in the widest possible sense referring to the work and activity of man who is able to transmit messages and memories and is capable of establishing and representing values in which the communities recognize themselves.

Thus the idea of placing something monumental in a "picture frame" to preserve it has not been passed over. Object to be protected need to be considered not only for their intrinsic significance but also even more for the complex relationships which they are able to achieve with the other elements in the urban reality and in the countryside.

In recent years besides deepening investigations and definition, methodological tools and the understanding of such subjects as: typological classification; urban outline; urban morphology; the concept of city; the concept of "place"; have revealed the importance of the structural elements of city and country, the tight and invisible connection existing between public buildings of the community and the residential construction, for a long time ignored in favour of things more immediately noteworthy from the aesthetic and historical point of view.

As a consequence of the evolution of the interpretation of an object requiring protection, the concept of "monument" has also been modified and considered more carefully. It can no longer be understood simply as something distinct and complete in itself but instead needs to have its own symbolic qualities ever clearly defined and at the same time to be placed in concrete relationship with the structuralization of the section of the city or country in which it is situated.

From such a conceptual extent of what a monument is it can be realized that any operation of restoration cannot and should not be limited to the structure itself but must take note of all those elements which from historical analysis appear inseparable from the significance and essence of the monument which is now defined no more as an exceptional phenomenon only for aesthetic and specialist appreciation but instead in its proper rôle as part of the communal memory of city and country, as an objective document of the history of human activity, as a historic "piece" through which other phenomena related to it can be understood, and finally as an irreplaceable tool of communal knowledge and consciousness.

In conclusion: static consolidation, architectural restoration, revitalization by means of the proper function and the recovery of the urban and symbolic rôle make up a unique process of restoration which is understood in a global sense and has the aim of reinserting the monument as a clearly readable section of history in the present moment. Also therefore following on from this it is proposed that the concept of restoration of a "monument-work of art" be developed to that more progressive and wider concept of "urban restoration".

THE ORGANIZATIONAL FAILINGS IN THE PRESENT SYSTEM AND A PROPOSAL FOR A REFORM

The requirement for a revision of the juridical and administrative system which is today proposed for the protection of the cultural heritage takes its origin from the new scientific needs and manifests itself in the functioning of the territorial offices tied to legislative equipment and administrative structures which are inadequate.

Due to the conception of the territory as a pluralistic product of isolated objects intervention with the aim of protection have assumed an episodic character. It has been impossible to overcome because there exists no systematic census or catalogue of cultural property through which it would be possible to draw up territorial plans and maps and to organize interventions to protect, across the urban web, areas of historical significance with all their contents whether they be monumental or rural in nature.

With the lack of a census the operation is rendered even more fragmentary because of the splitting of jurisdiction in the same area between the various institutions which carry out protection: the communities, the regions, the State, without any coordination in the programming of choices at a centralized level.

The structure of the current laws, one relating to protection of the country, the other to protection of monuments, because of their complementary nature involved necessarily a unified management. Where one law was failing in the safeguarding of a monument and its immediate surroundings, the other could compensate since, although based on a concept limited to the natural panoramic pictures, it could be utilized for intervention on behalf of the historical surroundings in relation to their natural context. This procedure however much it was an insufficient response to the effective necessities of safeguarding nevertheless allowed intervention by the proposed body for protection and examination of the urbanistic instruments. The division of these two branches of protection between different administrations, according to D.P.R. 616 of 24-7-77, no longer permits the integrating of the two laws and deprives the Superintendency of any possibility of control of the historical ambience. With the delegation to the Regions of the duty of protecting the countryside there is an even greater need for a law which, while confirming the powers of local bodies and of the Regions themselves as regards the management and understanding of the cultural wealth, entrusts interdisciplinary programming and the coordination of protection to the State administration.

In order that the preservation and restoration of cultural property should not be abstracted from its territorial situation at every level it is

necessary for protection to recognize a precise function of coordination of choices concerning the territorial arrangement.

It is therefore necessary to ensure at the central and peripheral levels that there is an efficient network which can guarantee a qualified presence of all the respective organizations when decisions are to be taken right from the national programming level down to the level of local urban equipment and, as well, a qualified participation of the selfsame organizations for the elaboration of legislation to be applied to the cultural heritage.

The current difficulty of coordinating interventions for protection is rendered even more complex by the situation within the Ministry for Cultural Affairs itself, by the fragmentation of the powers among the Superintendencies which have chronological limits completely inappropriate to a correct vision of history or material with distinctions which are incoherent with the idea of "unicum" fundamental to the cultural heritage and thus rendering impossible any kind of unified structure for protection.

Moreover the serious failings at all levels of the personnel in the peripheral offices means that when the personnel is faced with the mass of duties it is unable to resolve them in any satisfactory way.

All this is clearly opposed to an effective interdisciplinary understanding of the cultural heritage and therefore of its significance in relation to the territory and of its availability for preservation re-use.

This subdivision of powers deprives interventions for protection of any real value and with the demands of other bodies it is difficult to take any decisions or to assume a determining position for the purpose of safeguarding the cultural inheritance.

Once the presence of an organization for protection is assured whether in the valuation of programmatic choices concerning the arrangement of the territory or whether in the actual verifying of such choices then the concept of restriction for sectional and episodic identification of objects requiring protection will be overcome.

The current concept on the level of private ownership of cultural property is equivocally set out in law no. 1089/1939 which, while ensuring in theory that an item of cultural heritage is such ipso jure whatever the declaration, yet it considers that the essential element for recognition to be notification; from this comes the difficulty of understanding because of the restrictions on access and study so that the only way of bringing such property back into the sphere of works of art under protection is to place it under complete restriction.

As a consequence this conception of restriction implies an unacceptable hierarchical valuation of the cultural heritage; a pulverization of the action

of protection to such levels is a passive action of the administrative body which is limited to the preventing of violation of the law with direct restriction placed on the property itself or placed on the surrounding area.

These regulations usually cause, in the case of violation of a piece of restricted cultural property, contention which loses sight of the real importance of the damage and does not measure it according to the size of the documentary loss of the cultural property a loss which is violation of the national inheritance much more irreversible than any figurative or aesthetic loss.

The restrictive measure in the new legislation ought to be substituted by an action of safeguarding on a much vaster scale with the promotional aim of intervention by an administrative organization. Together with such an idea, by revaluing the preminent communal interest in the safeguarding of cultural property as a national inheritance, it will be necessary to introduce the concept of sanctioning which will place violation of the cultural heritage among the crimes committed against the national heritage.

Thus the action of protection will no longer figure as an insignificant immobilization of an immeasurable quantity of cultural property but instead will guarantee its correct preservation and cognizant evolution in relation to the development of the culture, ensuring the documentation and programmatization of its use.

CATALOGUING: INSTRUMENT FOR THE UNDERSTANDING OF PROTECTION AND THE CORRECT ADMINISTRATION OF THE CULTURAL HERITAGE

It is only in the last few years after about a century after it was first begun, arranged and governed by discrete rules, that the work of cataloguing in the slow development of a unified and efficient Administration, has assumed an appearance and methodological certainty, with experience derived from a long series, as yet not sufficiently well coordinated, of scientific research and from a discontinuous collection of data on the historical and artistic inheritance.

In fact in 1969 in combination with the constitution of the Central Office of Cataloguing and Documentation of the Ministry of Public Instruction there was a happy moment of a renewal of the plan of research into and cataloguing of the Cultural Heritage which with the progressive widening of knowledge and acceptance of the aim amplified the operational field of the Cataloguing itself, in order to collect the testimonies and significant statements of past civilizations, making necessary on an instrumental

level the formulation of fundamental methodological criteria and the adoption of special index cards for the distinct typological categories of the items of cultural heritage.

In 1975 the new structure was finally outlined with D.P.R. 805 and the Central Institute for Cataloguing and Documentation made more incisive work of unification, experimentation and methodological-operational coordination of the cataloguing at the Superintendencies, museums and autonomous institutions in the various categories of cultural heritage under their jurisdiction and proposed on a system of annual programmes.

The operational instruments for the cataloguing are the index cards worked out by the Central Office of Cataloguing and Documentation for the different categories of cultural property and prepared with the prospect of automatized development of one section of the data collected.

The cataloguing campaigns set in motion at the Superintendencies for the Environmental and Architectural Heritage using specific types of index cards have put into effect systematic research on the communal territory (index T) both in its present state and as it evolved historically collecting also with an interdisciplinary method every significant urban, geological, floral and faunal aspect and revealing the close relationship between the historical events and the connected anthropological changes.

Under the case of other Offices or scholars expert in sociological, demographic problems etc... parallel territorial research will guarantee the acquisition of useful data for combined valuation of the various cultural components that emerge.

Pursuing the analyses from the general (index T) to the particular (Architectural index) the following are described and documented: elaborate diagrams of historic centres (on the scale of 1/500) and carefully carried out archivist and bibliographical studies; sections of a city identified with the building are analysed individually with the support of relief maps (on the scale of 1/200) in their present state and in their historical evolution with consideration of their architectural function in the overall view of the city; the extra-urban areas with documented research into their history and oral traditions, of areas with anthropological evidence and not describing the character and typology of possible settlements, the types of use of the soil and its transformations.

The vast subject of groups of distinctive architectural monuments, of industrial establishments and individual works in parks, villas and gardens is being studied and documented according to the operational principles of the respective indices. The architectural index by means of the reply to various listed headings relative to the vicissitudes of construction to the

information of a historical and critical kind appertaining to the urban system described and illustrated on the basis of iconographic and documentary research conducted at private and public archives particularly for a number of monumental complexes can constitute specific critical reference. Thorough investigation verifies and proves by means of historiographic information on the birth and on the transformations undergone during the course of time by the entire structure, which can be extracted from archives (projects, drawings, prints, maps, tenders for public contracts, notarial deeds, correspondence etc...) and aided by the consultation of an extensive critical bibliography.

This is the typical case of domainal complexes in which the Superintendency because of its institutional duties has to intervene to perform maintenance work and to carry out restoration.

For these complexes as for every other item of fixed property under the filing system, the contribution made available for the understanding and documentation of such property by the survey is often irreplaceable and is the primary critical tool for perusal, analysis and definition of the monument itself.

For the more important groups of monuments under the direction of the Superintendency the needs of the Cataloguing are combined directly and sometimes urgently with the needs of preservation; the project of restoration of such property requires that the surveys be complete which is something that the technical offices themselves cannot always achieve because of the lack of staff.

Recourse has therefore been made to professionals from abroad in order not to exhaust the available funds during the performance of tasks relating to domainal complexes, to put into effect the cataloguing and to carry out the survey of various properties among which some of the important examples are:

a) The Abbey of S. Nilo at Grottaferrata which has been studied as a whole and in its particular parts, namely: The Church, the Cardinal's palace, the convent, the fortifications.

b) The Abbey of Farfa at Fara Sabina. The monastic complex is analysed by means of a general index while only the church of S. Maria is analysed with a relative index.

c) The Altieri palace at Oriolo Romano; the survey and the indexing of the Farnese palace at Caprarola begun in this year.

In particular at Tivoli besides the indexing and survey of the architecture of the Villa d'Este a survey has been begun of the fountains and garden. There is also a compilation of the P.V.G. index of the park which includes

not only a typological analysis of the same but also a collection of evidence relative to the micro-climate, the pedological characteristics, the surroundings, the water system and above all a classification and information on the plant life.

In all the other cases of the cataloguing of architectural material, it is noted that the elaborate plans connected with the index are generally limited for reason of economy to a single plan of a scale of 1/100. The part chosen for the plan is that which is most representative of the composition and function of the catalogued architectural structure. For private immovable property and for the urban sectors planned on the scale of 1/200 an attempt is made to indicate their structural elements by using land survey maps which are brought up to date on site.

When a survey cannot be carried out because of the inaccessibility of the property or because of the owner's refusal, an attempt is made to investigate thoroughly the iconographic and archivistic documentation. An example of this is the indexing for Civitavecchia for which sources at the Academy of S. Luca, of the Vatican Archive and of the State Archive were consulted. The cataloguing initiated by this Superintendency about six years ago using the new index system has been of principal interest for the provinces of Frosinone, Latina, Rome and Rieti. 1670 indices have been compiled relating to displaced buildings in seventysix communities of these provinces.

The work of cataloguing before the change, from 1970 to 1973, at that time in its first stage under the charge of the Superintendency, produced about 1100 indices on the old system which will be able to be used only after much reworking of their form and content and methodological verification to make them conform to those used at the Central Office for Cataloguing and Documentation. Such collected material placed in archives can be taken out again and partly reused by running through it using the more recently developed methodology. In 1979 a start was made on the cataloguing of the Urban Sectors (indices S.U.) in an experimental way in the provinces of Rieti, Latina and Frosinone respectively in the communities of Leonessa, Fara Sabina, Sonnino, Priverno, Roccasecca dei Volsci and Boville Ernica with a total of thirtyeight indices for the various community areas.

Recently there has been experimentation with indexing of industrial archaeology choosing as the trial subject the abattoir of Rome. Such an index works in a supplementary way with the research done using indexing A on various pieces of architecture. Among other things it identifies the organization of the industrial establishment, the energy sources, the technology of production, the principle materials used and, in particular, describes

scientifically, when possible with the support of original projects, the machinery used in the work cycles.

To put into effect the described cataloguing campaigns 170 graduates have been employed (90% architects, 10% art historians) and 15 graduands. To carry out the painstaking revision of the acquired indices there has been the opportunity to entrust the indexing to collaborators outside the Administration who in possession of all the relevant material can produce a qualified and specialist work. It has been noted that there is a need to establish university courses such as "design and surveying", "descriptive geometry" and "the history of architecture".

The revision, correction and integration now happening of the indices of twenty communities especially of the provinces of Frosinone and Latina will be available to the public just as soon as the Central Office of Cataloguing and Documentation sends the microfilms of the indices to the Superintendency of about 30% of the material found between 1974 and 1980.

Now current is the cataloguing with survey of Villa Mondragone at Monteporzio Catone and of Villa Grazioli at Grottaferrata; the carrying out of surveys of immovable property: Collegio Romano, Convent of St. Francis a Ripa, Complex of S. Michele, Palace of Calcografia at Rome and Villa Lante at Bagnaia (VT), with the supplementary compilation of the OA index for the works of art present in the above mentioned complexes under the charge of the Superintendency.

A substantial contribution for the understanding of the structuralization, of the space, of the single architectural units which constitute the Urban sectors is offered by the survey of blocks of buildings from ground and by survey noting the internal and external spatial relationships of buildings, of the empty areas namely streets, piazzas, courtyards and further blocks of buildings which make up the urban network. The survey of extensive spaces requires the aid of aerial photography which is used to help research at ground level and for the territorial indexing. Such aerial photography is useful also for the compilation of the indices P.V.G. and T. which were mentioned earlier and for the surveys of groups of monuments such as St. Francis a Ripa and the Institute of S. Michele.

The cultural heritage thus identified in its historical matrix, valued as a document of and witness to specific human activities, brought back to life in its original context or through the intervening transformations, properly understood and preserved not only from the point of view of its physical appearance but with all the methods that can guarantee its survival.

The aim of the cataloguing operation is in fact to put at the disposal of those engaged in the protection of the cultural heritage the most efficient

methods of understanding it and to supply an active cultural promotional service in order to bring about the correct economic and political management of the whole cultural heritage.

In fact it is now unanimously agreed that a platform of knowledge is needed for the protection of our heritage, a platform which can be divided thus: understanding — protection — diffusion which make up the three sectors of the public service. It is for this objective that the catalogue exists.

PROFESSIONAL TRAINING

In approaching the subject of professional training it will be as well to consider for a while the concept of "professionalism" and how this can be consistently improved in the Administration. Professionalism can be defined as the capacity to commit oneself, within the limits of an institution or an area of work, to the competent and conscientious undertaking of the duties of one's own profession and therefore, in our case to the carrying out of the service. In consideration of the fact that a large part of the very delicate area of the Cultural Heritage has often relied on the enthusiasm and willingness of the people involved, it is to be hoped that for the future far from being a bureaucratic bastion, "professionalism" in the Ministry of Cultural Affairs will mean above all: competence, research, updating and collaboration. In fact, considering that the aims of the Ministry are understanding, cataloguing, preservation, protection and improvement of activities and "items" connected with culture, there is all the more reason to recruit carefully staff who fit in these ideals and to give attention to the training and informing of people, institutions and organizations which under various titles and in various ways operate in the area of the cultural heritage. The Ministry therefore will have to establish a point of reference also in the area of research, which in its own time will have to find in it, the highest level of experimentation and application as far as concerns the study of documents and of evidence which are "useful for the knowledge of history, humanity and the earth" (The Franceschini Commission).

With the aim of achieving the highest level of cultural preparation and professional capability of the personnel goes the hope of a continuous and consistent updating.

In particular the activity of historical cognizance could be the common denominator between the various technical-scientific branches which operate in the field of protection and preservation of the cultural heritage putting into practise symbiotic approach architects, art historians, archaeologists,

restorers and cataloguers. All this would be hoped for in a new organization of mixed Superintendencies who could operate together.

A more efficient functioning of the administrative machine would be able to overcome the communication breakdowns between individual workers in the same institution as well as between those in different institutions.

One way of resolving the problem would be by the practice of a greater frequency of personnel exchange and mobility within the Administration and, within certain limits, between other parallel organizations (University etc.) which would improve the level of professionalism and dedication to work.

One can hope for example for a greater coordination, either on the level of programming or of operations, between technicians and administrators, between the peripheral organizations operating throughout the country and further between these and the Central Institutions which, by definition, powers and structure of the whole organization, ought to provide good and consistent operational support in research, information and experience for the staff of the numerous peripheral institutions by bringing about meetings, providing initiatives and opportunities for cultural exchange as well as the proper courses for updating and qualification.

Professional updating moreover, ought to include the possibility of cultural exchange with didactic organizations (universities and schools) and with research organizations including content with abroad and with experienced employers of ICOMOS and UNESCO and the other more recent international bodies (see for example the various conventions during exhibitions, cultural exchanges, restitution of illegally exported objects, etc.).

Another traditional weakness in the personnel system is that there is only too rare and often indirect contact between technical and administrative staff. In fact recently, there has been greater emphasis placed on the informing of technical and scientific staff in juridical matters without any reciprocal scientific information for the administrative staff, information which would be of value for their administrative duties.

There is also the necessity of a constant revision of the criteria used for the appointing of staff which can ascertain the effective abilities and real professionalism of a person who will have to deal with material which is delicate and difficult. Also necessary is the correspondence between the professionalism of the worker and his duties.

It is also possible to do much outside the Administration towards the education and sensitization of citizens with respect to the cultural heritage. For example it is opportune that the request of the Ministry now alert to find the best among the externally-hired employers (such as contract firms, consultants, restorers, analysts, planners, craftsmen) has the aim not only

of finding the solution to the contingent problem but also of training people who can carry out work at a high level of specialization, by recreating systems of apprenticeship for the lack of which architectural restoration, the work of artisans and work connected with the lesser arts have been impossible in many areas.

In this regard one could draw up a register like those actually in existence for contract firms and for all specialized craftsmen. With the help of special laws and regulations life could be put back into that sector of the work force by recovering and extending the operational area of artisans and apprentices with successive and diversified contracts providing greater mobility with the aim of producing formative plans and cycles of work.

The greatest attention must be given to the formulation of regulations to control the professional activities of those who restore monuments, work of art and, in general, preserve the cultural heritage. Appropriate registers of such people can also be drawn up.

To meet the ever growing specialization in the working world and also in the area of the cultural heritage it is hoped that there will be a revision of university and post-university courses of study and of higher courses (at Accademies, Art Institutions, professional schools) and also a wide-ranging programme of cultural appreciation throughout the school system.

In conclusion it should be pointed out that there is a possibility that projects and plans will come to nothing if that linking is not achieved which is to be pursued through the mobility and interchange with scientific and university institutions with the aim of promoting the interdisciplinary understanding and improvement of our national cultural inheritance.

THE ROLE OF DIDACTICS IN THE TASK OF SENSITIZATION FOR THE SAFEGUARD OF THE CULTURAL HERITAGE

The understanding of the cultural heritage diffused and organized in a general and strategic programme of coordination between the various Superintendencies and the users (Ministry of Public Instruction, the Director of Education, Secondary Schools) must accompany every action taken to safeguard the cultural heritage carried out in the execution of the law of protection and in the financing of plans for restoration.

If appreciation of the cultural heritage is not to be limited to an aestheticizing concept of itself, which is a conception still current in scholastic syllabuses, but is to consist instead in the readaption of the monument and its possible re-use once inserted in a greater and better defined scheme

of relationships with the urban structure, then the participation of the community should be able to offer valid collaboration in the carrying out of protection undertaken by the competent bodies and in the proposing of a legislative structure which responds to modern preservation requirements.

The task of sensitization for the safeguarding of the cultural heritage must regard the school as its point of departure and centre of impetus for a greater activity to include as well the fragmentary undertakings proposed by the local institutions, and by local and regional governments and to create one general picture in which the often hoped for system of continuous education can develop.

To activate this sensitization initiated some time ago by the Ministry for Cultural and Environmental Affairs with the demonstration of "cultural heritage week", limited however to a brief period of the year, it is necessary to establish a continuous exchange between school, teachers and students, providing them with the critical apparatus to understand the work by means of the availability of documentary material until now considered little adapted to popularisation and to school needs.

By means of putting these two ideas into effect: an organized didactic programme agreed upon by the competent authorities for protection and the school structure and secondly the willingness to make available officials and documentary material (inventories, cataloguing and census), it will be possible to affirm that the task of understanding the cultural heritage and its relationship to its physical surroundings has been begun. With the cognizance of this relationship and the historical phases which have given it its form and expansion, it will be possible to reject the inferior significance which has been attached to the cultural heritage and to give to it the value of an element on equal terms with others which will contribute to the composition of plans for the economic, urbanistic and cultural development of the country.

In this way the antiquated and localized methods of teaching of the various disciplines at school would be modified and one would hope that those words of the opening declaration of the Franceschini commission one recognizes "for the historical, archaeological, artistic and rural inheritance, the object of its research, a pre-eminent value of civilization, absolute, universal and intransient, to be characterized as the inheritance of humanity of which each individual owner, each country, each generation must consider themselves only depositaries and therefore responsible to society, the whole civilized world and to future generations" will not remain only as words but become transformed into a tangible and concrete will to ensure the survival of this our inheritance.

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THEME: PROFESSION

TITRE: ORGANISATION DES SERVICES DE PRESERVATION, CATALOGUE ET FORMATION PROFESSIONNELLE.

RESUME:

- Projet historique de la législation de protection.
- Description de l'organisation actuelle du réseau de protection; relation et interaction entre les institutions d'état, régionales et locales.
- Evolution du concept de protection sous ses différents aspects: de l'« intérêt historique » jusqu'au « patrimoine culturel ».
- Les lacunes de l'actuel système d'organisation et une proposition de réforme.
- Elaboration du catalogue: instrument pour la compréhension de la protection et l'administration satisfaisante du patrimoine culturel.
- Formation professionnelle.
- Sensibilisation du public par l'enseignement en vue de sauver le patrimoine culturel.

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SUBJECT: PROFESSION

TITLE: ORGANIZATION OF THE SERVICES OF PRESERVATION, CATALOGUING AND PROFESSIONAL TRAINING.

SUMMARY:

- Historical outlines of the preservation legislation.
- Description of the actual organization of the network for protection; relationship and interaction between state, regions and local bodies.
- From the "items of historic-artistic interest" to the "cultural heritage": evolution of the concept of protection.
- The organizational failings in the present system and a proposal for reform.
- Cataloguing: instrument for the understanding of protection and the correct administration of the cultural heritage.
- Professional training.
- The role of didactics in the task of sensitiveness for the safeguard of the cultural heritage.

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TEMA: PROFESION

TITULO: ORGANIZACION DE LOS SERVICIOS DE PRESERVACION, CATALOGO Y FORMACION PROFESIONAL.

SUMARIO:

- Bosquejo histórico de la Legislación Proteccionista.
- Descripción de la organización actual de la red de protección; relación e interacción entre las instituciones estatales, regionales y locales.
- Evolución del concepto de protección desde los postulados del « interés histórico artístico », hasta el concepto de « Patrimonio Cultural ».
- Los defectos de organización en el actual sistema y una propuesta de reforma.
- Catalogación: instrumento para la comprensión de la protección y la correcta administración del Patrimonio Cultural.
- Formación Profesional.
- El papel de la Didáctica para lograr la sensibilización sobre la salvaguarda del Patrimonio Cultural.

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Предмет : Профессия

Название : Организация отделений по охране, по инвентарю и по профессиональному обучению

Краткое Описание : Изложение основных законов по вопросам охраны

- Описание организации существующей сети для охранения, отношений и взаимных отношений между Государством, районами и местными властями
- Эволюция понятия сохранения, начиная с предмета "исторический и артистический интерес" до предмета "культурное наследие"
- Недостатки в организации настоящей системы и предложения для ее реформы
- Инвентарь : орудие для понимания идеи сохранения для устройства соответствующей администрации культурного достояния
- Профессиональное обучение
- Роль преподавания по отношению к сенсibilизации мнения к идее сохранения культурного наследия

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TEMA: PROFESSIONE

TITOLO: ORGANIZZAZIONE DEI SERVIZI PER LA CONSERVAZIONE; CATALOGAZIONE; FORMAZIONE PROFESSIONALE.

SOMMARIO:

- Schemi storici della legislazione protettiva.
- Descrizione dell'attuale organizzazione della rete di protezione; rapporti ed azioni reciproche tra Stato, Regioni ed Enti locali.
- Dai « Dettagli di interesse storico-artistico » al « Patrimonio culturale »: evoluzione del concetto di protezione.
- Le debolezze organizzative del presente sistema ed una proposta di riforma.
- Catalogazione: strumenti per la comprensione della protezione e della corretta amministrazione del patrimonio culturale.
- La formazione professionale.
- Il ruolo della didattica nel compito della sensibilizzazione verso la salvaguardia del patrimonio culturale.