

Mission Money & Models Symposium
New approaches to financial sustainability in the cultural sector

Understanding our Changing Environment

HOW SHOULD THE UK CULTURAL SECTOR RESPOND TO CHANGING NOTIONS OF IDENTITY, OWNERSHIP AND ACCESS ACROSS THE WORLD?

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1. Identifying Changing Notions of Cultural and National Identity

General Trends

There were dramatic changes in perceptions of national and cultural identities across the world in the last quarter of the twentieth century. The general trend has been a shift away from the notion that both nations and cultures are permanent and inextricably linked to one another towards the recognition that both are fluid, and independent entities. The result is the present recognition of cultural diversity and adaptability, which acknowledges the dynamics of an ever-changing world.

The fragility of 'artificial' nation states and their cultures

The fluidity of nationhood has been amply demonstrated across the globe. In Europe the emergence of independent nations from the former Soviet Union, Yugoslavia and Czechoslovakia has served to indicate how cultural identities were subsumed by the artifice of nationhood in the post-war international political settlement.

Likewise, the disintegration or federalisation of a number of African nations, such as Ethiopia and Nigeria, and the pressures for a multi-state solution in post-war Iraq, all illustrate the world-wide fragility of the nation state and of the notions of national identity cultivated around nation states.

The proliferation of smaller nations from Bosnia to Eritrea can be ascribed to a 'new nationalism' that has been concurrent with the decline of ideology in the wake of the Cold War. This new nationalism has seen old nations that had subsumed two or more cultures fracture along cultural lines. In certain cases it can be argued that 'new nationalism' is characterised by people defining themselves by who they are not as much as who they are.

The devolution of the constituent parts of the UK and the campaigns for either independence or greater autonomy in certain regions within Spain and Italy demonstrate that, even in the most established nations, the permanency of current borders cannot be taken for granted.

Localism, Indigenous Identities and Diversity

Alongside such nationalism there are competing concerns: the notion of localism, the cultural identities of indigenous peoples in colonised areas of the world, the diversity arising from ethnic/cultural minorities within a population and the continuing dynamics of worldwide migration.

Localism has challenged the homogeneity of national cultures by highlighting historic and contemporary differences and offering local cultural identity as a facet of if not an alternative to national identity.

The increasing recognition of indigenous cultures has emerged as a caveat to the dominant post-colonial cultures in regions such as North and South America and Australasia.

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An awareness of the importance of ethnic minority cultures resulted in the evolution of the concept of multiculturalism. The UNESCO Director-General's Report of 1981-3 referred to 'individuals and groups in a multicultural situation' with specific reference to migrant workers. There has subsequently been a decline in the belief that the goal of immigrant communities should be assimilation and a general acceptance within liberal democracies of the notion and benefits of diversity

However, this liberal concept of diversity has come under threat, especially since the events of September 11 2001. For example certain aspects of some Islamic cultures are regularly criticised in the Western media and the UK government has moved to place assimilation back on the political agenda in its introduction of English language and citizenship tests for new immigrants.

Within the UK, the Commission for Racial Equality has controversially tried to move beyond the language of multiculturalism to champion the notion of cultural integration as opposed to assimilation:

“When discussing issues of integration and race equality, misunderstandings sometimes occur. So let us be clear: we are not in favour of assimilation. Assimilation is the destruction of difference, an essential ingredient that enriches and strengthens our society. Rather, our aim is to better manage the tensions that naturally flow from aspects of difference so that we can live alongside one another in a welcoming environment of increased understanding and mutual respect... I want to see an integrated society where we are all equal, but free to be different.”¹

Internationally, the notion of cultural diversity and its benefits were enshrined by UNESCO in the Universal Declaration on Cultural Diversity, adopted unanimously by the 185 Member States represented at the 31st session of the General Conference in 2001 in the wake of the events of 11 September 2001. The declaration is intended as “the founding act of a new ethic being promoted by UNESCO at the dawn of the 21st century.”²

The existence of culturally plural societies across the world is a reality, particularly in the major cosmopolitan cities such as London. This has led to the suggestion that they exist outside national identities - witness the recent tongue-in-cheek debate promoted by *Time Out* concerning the creation of an independent London on the model of the Italian City States of the Renaissance.

Furthermore, major urban centres are sites for the complex interaction of cultures and the continued blurring of old cultural identities formed along distinct national or ethnic lines. Figures published by the Office for National Statistics in 2001 revealed the number of mixed

¹ Trevor Phillips, Foreword to, *Strength in Diversity: A Response*, CRE, October 2004 P4

² Text of declaration available at www.unesco.org/culture

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race people in the UK grew by more than 75% during the 1990s to around 415,000, 10% of the total ethnic minority population in the UK.³

Globalisation and pan-national identities

There is concern that the rich diversity of global culture is threatened by economic globalisation and the rise of pan-national identities, such as Europe and religious identities. These developments have also questioned old notions of cultural identity.

The development of economic globalisation at an increasingly rapid pace since the early 1990s has both threatened and encouraged cultural diversity. Initial interpretations of globalisation concentrated on the worldwide proliferation of multinational companies, the imposition of Anglo-American economic models on the developing world through the IMF/WTO and American 'cultural imperialism'.

These fears are not limited to the developing world. Concerns are regularly expressed in European countries, most notably France, at the Americanisation of national cultures and the Anglicisation of language. Most recently President Chirac has warned of the dangers of a 'unipolar' world dominated by Anglo-American language, culture and economics. Chirac invoked the tragedy of vanishing cultures and the threat to human cultural diversity.

Nevertheless it is also the case that the revolutions in technology, communication and travel that have facilitated globalisation also have the potential to enhance cultural diversity. For example technology can now serve as a platform for the voices of the diverse cultures of the world and to increase worldwide awareness of specific cultures. Optimists would point to the massive potential impact that the Internet is having and will continue to have on the democratisation of knowledge. The increase in interest in diverse cultures in the West, for example through cultural tourism and the popularity of world music, are examples of globalisation providing possibilities for the broader exploration of cultural diversity.

A post-secular world? The renewal of religious identities

Of the pan-national cultural identities, perhaps the most potent are religious identities, which have been brought into focus following the collapse of the ideological struggle that characterised the cold war era.

The emergence of Islam as a political force and the increasing prevalence of Christianity on the right in the US has resulted in a reflection of the renewed power of religion as a cornerstone of cultural identity. The secular political cultures of the liberal democracies of Europe, most zealously guarded in France, are now arguably out of step much of the rest of the world.

Intangible Heritage

³ http://news.bbc.co.uk/1/hi/english/static/in_depth/uk/2002/race/changing_face_of_britain.stm.

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Allied to the shift away from rigid national definitions of cultural identities towards cultural diversity is a growing recognition of the importance intangible heritage (for example language, traditions etc.) in the formation of cultural identity.

UNESCO and the World Intellectual Property Organisation have sought protections for intangible indigenous property, including issuing proposed model protection laws in 1982.

The 2003 UNESCO *Convention for the Safeguarding of the Intangible Cultural Heritage* defines the intangible cultural heritage as the practices, representations, expressions, as well as the knowledge and skills, that communities, groups and, in some cases, individuals recognise as part of their cultural heritage. It is sometimes called living cultural heritage and encompasses:

- Oral traditions and expressions, including language as a vehicle of the intangible cultural heritage;
- Performing arts;
- Social practices, rituals and festive events;
- Knowledge and practices concerning nature and the universe;
- Traditional craftsmanship.

UNESCO has four major programmes in the field of intangible cultural heritage:

- Proclamation of Masterpieces of the Oral and Intangible Heritage of Humanity
- Living Human Treasures
- Endangered Languages
- Traditional Music of the World

However the UNESCO's Convention has so far been ratified by Algeria alone and requires ratification by a least 30 countries to take effect.⁴

Changing Notions of Ownership

As cultural groups, whether local, indigenous or new national cultures (those that have previously been subsumed within old artificial national cultures), have become more self-aware, self-confident or indeed politically independent, members of these cultures have begun to question the legitimacy of the current ownership of tangible cultural objects.

Ethical standards of acquisition and ownership by both private individuals and public institutions have changed considerably over the past two hundred years. One manifestation of colonialism and other forms of military and political aggression or pressure was that a number of objects were removed from their cultural context in questionable circumstances. As a result there is a widespread perception of the nineteenth-century heritage of many of our museum collections as one tainted by theft, looting and the removal of objects by military force. In addition other circumstances in which an object may have been acquired legally but its

⁴ *Art Newspaper*, May 2004, p17.

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ownership might now be questioned include those removed from a site/country by its legitimate owner, sold under duress, or acquired through the exploitation of circumstances such as war, civil disorder or natural disaster.

Furthermore, seemingly legitimate acquisitions made when objects were removed with permission may be questioned. Was permission given by someone with authority to give it? This is not always clear in the case of objects from tribal communities where notions of communal ownership might be held.

As previously powerless cultures assert themselves, the legitimacy of the present ownership of objects acquired in these manners is frequently called into question.

UNESCO has not resolved the question of the ownership of intangible culture. With regard to the Convention for the Safeguarding of Intangible Culture (2003), UNESCO's website states that, "The ownership of specific forms of intangible cultural heritage by groups or communities is difficult to define, and will be an important issue of discussion for the future Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage."⁵

⁵www.portal.unesco.org/culture/admin/ev.php?URL_ID=21593&URL_DO=DO_TOPIC&URL_SECTION=201&reload=1100771891

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2. Issues arising for the UK cultural sector and responses/strategies, with specific reference to the major 'knowledge institutions', such as the National Museums, the British Library, Kew etc...

RESTITUTION OF OBJECTS

Changing notions of cultural ownership have resulted in restitution claims on objects in public collections. Such claims tend to be made by non-governmental groups rather than nation states themselves. Of the restitution claims made on objects in the British Museum only that relating to the Parthenon Frieze has been conducted at government level.

Claims for restitution tend to come from the developing world and generally serve political and economic agendas as well as having a moral dimension. More specifically, certain claimants have cited the projected economic benefit of cultural tourism that would be generated by the return of objects.

Groups not associated with the interests of a nation state; namely indigenous populations have also made restitution claims. These have tended to relate either to human remains and spiritually significant objects, which are dealt with separately below.

Responses/strategies

Following the restoration of democracy in Greece, the claim on the Parthenon Frieze has been an issue of national policy for the Greek government. However, until recently the British Museum has tended to dismiss such claims, using the argument that the museum's statute forbids it to de-accession objects. Historically this position has served to polarise debate and foster resentment rather than resolve any of the issues surrounding restitution claims.

Approaches to restitution are changing and a number of more sophisticated responses are evolving which offer alternative positions to the two previously available which, put simply, were 'give it back' or 'keep it'.⁶ Emerging and proposed responses include co-operation with claimant institutions, international loans, joint acquisitions and a broader strategy of repositioning by large international institutions: a move away from the paradigm of them as self-contained citadels towards a loose international network. Such developments would help create a kind of 'market place' for objects and ideas.

Co-operation/collaboration

Co-operation with claimants and potential claimants is pivotal to ongoing responses to restitution. There are good examples of national institutions working with institutions in claimant countries, sharing curatorial and conservation expertise.

For example, the British Museum has developed a positive relationship with the Ethiopian Orthodox Church, Institute of Ethiopian Studies, and Ministry of Culture. A grant has been

⁶ See Neil MacGregor, 'The whole world in our hands', *The Guardian*, Saturday, July 24, 2004 <http://books.guardian.co.uk/review/story/0,1267250,00.html> for a discussion of the BM's current thinking around these issues.

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secured for a survey of the collections in the Institute of Ethiopian Studies as a basis for the IES to apply for additional funding for further conservation; the Ethiopian Ministry of Culture is also seeking British Museum help with the new ethnographic museum in Addis Ababa and possible help in Axum. Representatives from the British Museum will be travelling to Ethiopia in February 2005 to take forward these initiatives.

Such work increases mutual cultural understanding and offers practical help in establishing good museum practice where necessary in claimant countries, thus increasing the possibility of loans of objects. Identification of potential future claims by UK institutions and pro-active moves to collaborate would indicate intent to address this issue. There is also scope for institutions to work collaboratively on this issue. For example institutions facing potential claims from common sources should share their resources, knowledge and experience in this regard and develop a common strategy.

Loans

As part of this co-operation, the possibility of loans, including medium-long term loans of disputed objects should where possible exist. Loans of disputed objects to claimant countries/communities will, it is hoped, help to erode current preoccupations with ownership in favour of more pragmatic assessment of access and display.

There are two major obstacles to the freedom of movement of objects that the sector must address. The first relates to a minority of institutions that are unable to loan objects because of their constitution/deeds of trust (for example the Burrell Collection and the Wallace Collection). The second, which is more universal and pressing, is the potential legal difficulties arising from differences in national law concerning ownership and title of cultural objects.

A recent example of a local law, relating to indigenous heritage, that has affected museums in the UK is the claim on two etched barks on loan from the British Museum and the Royal Botanical Gardens, Kew to the Melbourne Museum, Australia. The claim has been lodged by the Dja Dja Wurrung people under the 1984 Aboriginal and Torres Strait Island Heritage Protection Act⁷ and the items have been impounded under an emergency declaration, in the stores of the Melbourne Museum.

At present it is down to lending institutions to proceed with due diligence when undertaking to loan an item. However the legal status of an object under foreign jurisdiction may not always be clear and there is a very real danger that fear of litigation and possible seizure may serve to impede the very flow of loans that is intended to help diffuse the restitution issue. Especially vulnerable are loans of objects pertaining to the indigenous cultures of countries such as Australia, New Zealand, Canada and the US. Whilst major national institutions might have access to relevant legal advice the process is set to become prohibitively expensive and time-consuming for smaller institutions, which may be easily dissuaded from loaning.

⁷ *Museums Journal*, September 2004, p10

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Given the international nature of this problem, an international solution is required. One idea might be an international agreement, perhaps under the aegis of UNESCO, that museum-to-museum loans are exempt from claims on title which may prevent their return and an agreement that such claims should be pursued under the jurisdiction of the country in which the owning institution is based.

Putting these potential legal difficulties aside, a further benefit of increasing collaboration with overseas institutions, particularly those in the developing world, is likely to be a greater volume of loans from these countries to British and other Western institutions. Current examples of this are the exhibition at the British Museum of objects on loan from Sudan and the proposed loan to the US from Afghanistan of the so-called Bactrian Gold expected in 2006.

This serves a number of purposes. Aside from the obvious access to the objects themselves, such exhibitions serve to highlight the richness and scholarly value of collections abroad and in particular in the developing world. This promotes a popular sense of the value of diverse global cultures and in the long term may bring economic benefits to countries such as Sudan and Afghanistan, when they begin to emerge from their current crises. Indeed the exhibition of Bactrian Gold to the US is expected to raise funds for the preservation of Afghanistan's cultural heritage.⁸ In addition, in terms of public/press profile, a loan such as that of the Sudanese objects helps to redress the prevalent view in the media that cultural exchange is one-way phenomenon and that only major European and American museums hold objects of true importance.

Joint Acquisitions

A more long-term response to the issues surrounding restitution and one that would seek to begin to address the source of the problem is the idea of joint acquisitions. The concept of joint acquisitions is a relatively recent one, and has so far been driven largely by the escalating cost of works of art, the most recent example being the joint purchase by the V&A and the BM of the 6th-7th century *Standing figure of the Buddha Sakyamuni* for £850,000 in April 2004.⁹ However other recognised benefits include the sharing of expertise between institutions and the potential for greater access if an object is displayed by its shared owners.

Further to these essentially practical arguments in favour of joint ownership could be added cross-cultural ones. Shared ownership between national and local institutions within the UK and between UK museums and institutions abroad would be a way to work within current legal frameworks to challenge the notion of sole ownership of cultural property in the future. The future shared ownership between institutions of objects that become available would serve to strengthen ties between institutions and enhance the culture of international collaboration. It would also help solve dilemmas that occur when an object has relevance to more than one culture or region or when more than one institution can make a valid case for

⁸ *Art Newspaper*, May 2004, page 6

⁹ National Art Collections Fund, *2003 Review*, p130.

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its ownership of an object. As this culture developed loans would become more frequent and notions of ownership would move down the political agenda.

The obstacles to such international partnerships include the difficulty of contractual arrangements involving different national legal systems. Nevertheless they are possible. In 2002 Tate Modern, the Whitney Museum in New York and the Pompidou Centre in Paris collaborated in the joint purchase of Bill Viola's *Five Angels for the Millennium*.¹⁰

Within the UK, any potential tension between national and differing local interests was avoided in the joint acquisition by the National Portrait Gallery, the Captain Cook Memorial Museum in Whitby and the National Museum and Gallery, Cardiff of William Parry's *Portrait of Omai, Sir Joseph Banks and Dr Daniel Solander* (1775-6).¹¹ As a result the painting will be shared by the three institutions, each taking a turn to display it. If a similar object were to become available again perhaps the possibility of shared ownership with a collection in the pacific area might be explored? On a practical note, a forum for the sharing of legal/contractual expertise concerning joint acquisitions would address one of the primary difficulties in this area and could result in the streamlining of the legal process.

Strategy of re-positioning

The rethinking of single-institution acquisitions could provide an important way forward in the re-positioning of major international museums as a network of 'world museums' rather than a series of national citadels. A parallel model in the commercial world might be the series of 'alliances' developed by national airlines to give themselves global coverage and open up access to routes. An emerging network would begin to erode the sense of finality, exclusivity and institutionalisation currently felt when an object is acquired by a large museums.

In a sense this process is already underway in the UK. The creation of regional museum hubs as part of the Renaissance in the Regions programme brought together groups of local museums and galleries, while a comparable initiative is planned with the creation of a partnership between the Wallace Collection, the Bowes Museum, Compton Verney, the Holburne Museum of Art in Bath and Waddesdon Manor.

Taken to its conclusion, this debate has fundamental implications for questions of local, national and international ownership, which are discussed below.

HUMAN REMAINS

There have been a number of restitution claims relating to human remains held in the collections of museums and these are now being considered separately from other restitution claims because of the unique moral and ethical questions involved.

¹⁰ Patrick Steel, 'Joint purchasing power', *Museums Journal*, May 2004, p17.

¹¹ National Art Collections Fund, *2003 Review*, p112.

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The issue of the restitution of human remains is complicated by the fact that their return would usually mean their destruction by reburial, cremation etc... This is difficult for many in the research community to accept as it precludes further scientific research in the future, the nature and possible benefits of which we have no way of gauging at present. In this realm the politics of respect for the cultural sensitivities of others appear to clash irrevocably with the enlightenment values of Western science and knowledge. The debate is not about where something should be held but whether it should be held at all.

In recent years there have been 33 requests to English museums, covering everything from the remains of a single individual to those of a group - 11 coming from Tasmanian Aboriginals, 10 from New Zealand Maoris, 6 from Australian Aboriginals (including one with the Tasmanian Aboriginals) 5 from American communities and two others. 7 requests have resulted in agreement to return, 5 decisions are pending, 13 were refused on the grounds that UK law prohibits them and 8 were refused on other grounds.¹²

Responses/strategies

Collaboration with claimant communities

Reference to accepted practice in countries such as Canada, the US and Australia provides an insight into the potential scientific and scholarly benefits of returning human remains. For example in Canada scientists working with local indigenous communities have excavated burial sites which have been exposed through erosion and recorded and analysed remains and copied artefacts discovered before returning the originals to the community for reburial. Another example of collaboration and re-burial led to an indigenous community in Canada collaborating with scientists in a widespread genetic survey which is otherwise unlikely to have taken place¹³

The search for a collective strategy within the UK

The report of the DCMS's Working group on Human Remains was published in November 2003, however consensus was not reached. The main thrust of the report is that museums should not retain human remains without the consent of close relatives of the deceased where these can be identified. More controversially, it also calls for consent where "within the deceased person's own religion or culture [have] a status or responsibility comparable to that of close family". This was the majority view of the working group, but some members disagreed about repatriation requested by non-family members.¹⁴ Nevertheless, a code of practice is likely to evolve from the recent DCMS consultation on the Care of Historic Human Remains, the results of which are due to be reported in February 2005. English Heritage and the Church of England have recently formulated a code of practice with regard to burials in Christian contexts in England (AD 7th-19th century). *The Church Archaeology and Human Remains Working Group Report* takes account of both theological and scientific opinion. It aims to provide "reasonably comprehensive guidelines covering the treatment of human

¹² *Art Newspaper*, December 2003, p13.

¹³ See Laura Peers, 'Relative Values', *Museums Journal*, September 2004, pp18-19.

¹⁴ *Art Newspaper*, December 2003, p13.

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remains" and hopes to "stimulate debate which may lead to formulation of policy for dealing with human remains from a wider range of contexts."¹⁵

The International Council of Museums' (ICOM) *Code of Ethics for Museums* stops short of prescribing a single solution in favour of delegating to individual museums. Paragraph 6.6 states that "Requests for return of human remains or material of sacred significance must be addressed expeditiously with respect and sensitivity. Museum policies should clearly define the process for responding to such requests"

Unilateral Responses

The Museum of London is notable for its unilateral programme of the reburial of human remains in its collection. In November 2004 the museum was expected to bury 350 human remains in the City of London Cemetery at Manor Park. The bones came from the burial ground of St Nicholas-by-the Shambles, Newgate Street and are disarticulated bones of "no scientific value."

The Museum's Director holds strong views on this subject and has further plans for reburial. However, reburial or storage on a religious site would not take place before a scientific survey of the bones has been conducted. The museum recently established a Centre for Human Bio-Archaeology, which is being funded with a £435,000 grant from the Wellcome Trust. Details of all the bones will be recorded.

SACRED OBJECTS

Sacred objects - those that hold specific religious or spiritual value - have been the subject of restitution claims and the House of Commons Culture Media and Sport Select Committee recommended in December 2003 that they be treated separately in the same way that Human Remains are.

Aside from any restitution issues there is increasing sensitivity to the traditions and beliefs associated with these objects and there are a range of potential implications concerning display, handling, photographic reproduction, copying and in some cases the very notion of the preservation of such objects. As with human remains, the return of sacred objects will sometimes result in their destruction.

Responses/strategies

The return of objects

There are examples of objects that have been returned on the condition that they are not destroyed and that they either displayed or available for study. For example, in 1999, Glasgow Museums returned the 'Ghost Dance Shirt' to the Wounded Knee Survivors Association when it became clear it would not be buried.¹⁶

¹⁵ . *The Church Archaeology and Human Remains Working Group Report*, p1 & 3, available to download from www.cofe.anglican.org

¹⁶ For a discussion of the political interference that took place in this case see Julian Spalding, *The Poetic Museum*, 2002, pp115-116

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Collaboration in display/storage and the role of technology

Alternative strategies involve the collaboration with affected communities and cultures to understand appropriate methods of conservation and display (where acceptable) and the use of technological advances to respect the environmental requirements of certain objects.

For example, in the US, the National Museum of the American Indian consults closely with Native American communities. As a result, the museum has devised special containers to meet Native American requests that certain sacred objects not be handled by menstruating women or, in the case of South American poison arrow points, not to be touched by women at all. Using the containers, women can now move the objects around without actually touching them, which avoids discrimination among museum staff based on gender. The museum has also created storage for objects, which are believed to be "still spiritually active", placing them at raised height so that spirits moving through them will be "above the realm of living persons". The museum has also developed air-flow techniques for objects seen as "living entities"¹⁷

FREE EXPRESSION AND RELIGIOUS SENSIBILITIES

The secular political cultures of many continental European democracies, which now seem so out of step with strengthening religious cultural identities across the globe, are founded on the same enlightenment principles as our museums, galleries, libraries and other collections. As a result of this secular tradition the cultural sector has inevitably provided one of the many arenas in which the tension between the secular and the spiritual are played out.

The recent cancellation of Gurpeet Kaur Bhatti's play *Behzti* at the Birmingham Rep in the face of violent protests by elements within the Sikh community serves as a reminder that the conflict between artistic freedom of expression and religious sensibility is a matter of profound importance in Britain today.

We have yet to see public funding threatened on the grounds of religious sensibilities although there is a precedent for this in the US. When Chris Offili's *Holy Virgin Mary*, a portrait that includes clumps of elephant dung and cuttings from pornographic magazines, was shown as part of the *Sensation* exhibition at the Brooklyn Museum, Mayor Guiliani withheld \$500,000 of New York city funding for the museum. Prior to this the US Senate banned government funding for 'obscene or indecent works' following the controversy surrounding Andres Serrano's 1987 work *Piss Christ*.

Nevertheless, the notion of the UK as a secular artistic environment that must be defended at all costs is a myth. Arguably, there was a brief 'secular moment' in the UK: perhaps the twelve years between the conviction for blasphemous libel in 1976 of Denis Lemon, the editor of *Gay News*, following the publication of James Kirkup's poem *The Love That Dares to Speak its Name*, and the furore that followed the 1988 publication of Salman Rushdie's *Satanic Verses*.

¹⁷ *Art Newspaper*, May 2004, p17.

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For some the issue which faces a secular cultural sector in a non-secular world are straightforward and simple: The issue is the freedom of artistic or intellectual expression in the face of religious inspired intolerance, and the solution is that such expression should be defended to the hilt. Yet in the context of progressive ideas about sensitivity to a plurality of cultural identities things become more uncertain. Is artistic freedom something to be defended at all costs? Can this argument be logically maintained when, on the other hand the sector is acknowledging the rights of communities based on spiritual beliefs that it does not share and that are in direct contrast with enlightenment scientific values?

Responses/strategies

Self Censorship

In 1999 The National Gallery of Australia shelved plans to show *Sensation*. The gallery was scheduled to show the exhibition in June 2000, but pulled out after the controversy that met the exhibition in the US.

The museum's then director Brian Kennedy said that, "The issues raised so far have not been about the art. They have been political and too litigious, and I can't lead the gallery into that... We are a publicly funded body and can't ignore what the public thinks."¹⁸

Although the BBC defended its right to televise *Jerry Springer the Opera* in January this year, in the face of protests from Christian fundamentalists, it recently decided not to show *Popetown*, a cartoon in which Ruby Wax provided the voice for the Pope, that had drawn criticism from Catholics. When pushed on this inconsistency, a spokesperson for the BBC argued that the two were different in terms of merit and "seriousness of intent."¹⁹ It seems that as far as public broadcasting in the UK is concerned this notion of 'seriousness of intent' is used as a measure as to whether or not to self-censor. The spokesperson was not asked whether this benchmark would apply if a dramatisation of *Satanic Verses* were ever proposed.

Openness and Consultation

Prior to the cancellation of *Behzti* the Birmingham Rep had taken the road of consultation in conjunction with the defence of freedom expression. It said, "short of bowing to blatant censorship and cancelling the production... it could not have done more to appease the Sikh community."

A spokeswoman described how, "The theatre has taken the lead in consulting with community members about the play over the last few months and, as a result, several changes were made to the show before it went into production... The theatre also invited the Sikh community to write a statement expressing its views on the play and this has both been given to every audience member and also read out in the auditorium before each performance."

In defence of artistic freedom

¹⁸ *The Guardian*, Tuesday 30 November, 1999

¹⁹ *Sunday*, Radio 4, 9 January 2005.

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The eventual cancellation of the play drew strong criticism from the artistic establishment. "The causing of offence is part of our business," said Nicholas Hytner. "I don't think people have the right not to be offended by works of the imagination," he told the BBC.

The day before the cancellation Dominic Dromgoole, the artistic director of the Oxford Stage Company, argued, "Now that various forms of fundamentalism are queuing up to close the shutters on the windows of enlightenment... it is more important than ever that theatre finds various ways of saying no to the various blind yeses that are so ardently promoted."²⁰

Such clashes are inevitable according to Hanif Kureshi, writing before this incident in 2003. "If there is to be a profusion, or multi-culturalism, of voices, particularly from the margins of expression, then the possibility of dispute and disagreement is increased. The virtue and risk of real multi-culturalism is that we could find that our values are, ultimately, irreconcilable with those of others."

But Kureshi went on to caution that "There are always good reasons not to speak, to bite our own tongues, as many dissidents, artists and children will testify. It will offend, it is dangerous, hurtful, frightening, morally bad, others will suffer or they will not hear."²¹

LEGAL DEVELOPMENTS AFFECTING TITLE/LEGITIMATE OWNERSHIP

In addition to the problems arising from national laws concerning indigenous heritage, growing concerns about the illegitimate trade in tainted cultural objects (in particular antiquities and other archaeological items that have been removed from the country of origin in discreditable circumstances) have resulted in a number recent legal developments with implications on title and the ownership of objects.

Changes in the law and discrepancies in international laws can unexpectedly bring issues of ownership into focus. The following examples have arisen recently with regard to the trade in illegitimate objects:

- The Iraq (UN Sanctions) Order 2003 made it an offence not to hand over to a "constable" objects unlawfully removed from Iraq after 6 August 1990. Moreover a reversal of the usual burden of proof requires the owner/holder of the objects to prove legitimacy. As the law is retrospective there is scope for previously lawful possession to become unlawful. Mis-attributions, re-attributions from new scholarship and the lack of a database of 'unlawful' objects, mean a potential minefield of ownership issues has been created
- Museums that borrow or lend items are now subject to The Dealing in Cultural Objects (offences) Act, 2003.

²⁰ *The Guardian*, Monday December 20 2004, p3.

²¹ Hanif Kureshi, "Loose tongues and liberty", *The Guardian*, Saturday June 7, 2003.

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- The US National Stolen Property Act has recently been applied with regard to antiquities. The Act prohibits the knowing receipt, possession, concealment, sale or transport of goods worth \$5,000 or more "which have crossed a State or US boundary after being stolen, unlawfully converted, or taken."²² This could have implications for the loan of an object with any question mark over ownership for exhibition in the US.

Responses/strategies

Current issues surround the complexity of and differences between national legal codes with regard to ownership.

See '*Restitution:loans*' above for the idea of an international agreement, perhaps under the aegis of UNESCO, that museum-to-museum loans are exempt from claims on title which may prevent their return and an agreement that such claims should be pursued under the jurisdiction of the country in which the owning institution is based.

More broadly there is a case for considering legal standards with regard to illicit objects on an international basis. For example, Christina Weiss, Germany's Federal Commissioner for Cultural Affairs and the Media has raised doubts about Russian law. There have been German restitution claims on works of art looted by the advancing Red Army in 1945 and Ms. Weiss claimed that "Russia's law on Transferred Cultural Valuables does not conform to standards of international law."²³

LOCAL, NATIONAL OR INTERNATIONAL OWNERSHIP?

The tension between local and national cultural interests is played out from time to time in debates about the ownership and acquisition of objects by institutions.

Within the UK, the example of museums in Scotland serves to illustrate the nature of this issue. Historically there has been a centralisation of Scottish objects, either in London or Edinburgh, due to the centralisation of expertise and the lack of a suitable local institution.²⁴ More recently the growth in 'localism' in Scotland has been accompanied by a significant expansion in the local museum sector. In 1982 fewer than 40% of Scottish local authorities could boast professionally staffed museums. By 1996 this figure had risen to 90%. One outcome of this increase was that by the late 1990s over 60% of archaeological material directed to museums under treasure trove now goes to local museums.²⁵

²² See *Art Newspaper*, July-August 2004, p27, 'An internationally respectful application of national law' for a discussion of two recent high-profile cases, *US v. an Antique Platter of Gold*, 1999, and *US v. Schultz*, 2003.

²³ *Art Newspaper*, "Incoming Russian Minister Dismisses German Claims", May 2004, p3.

²⁴ Michael Taylor, 'What is in a 'national' Museum? The Challenges of collecting Policies at the National Museums of Scotland', in Simon J. Knell (ed), *Museums and the Future of Collecting*, Leicester, 1999, p127.

²⁵ A. Sheridan, 'Portable antiquities legislation in Scotland: What is it and how does it work?' in K.W. Tubb (ed), *Antiquities Trade or Betrayed*, Quoted in Michael Taylor, 'What is in a 'national' Museum?

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Questions remain as to the appropriate home for objects depending on their local, national or international importance. The Museums Association Ethics Committee's guidance on the 'ethics and practicalities of acquisition' state that certain items, "cannot be acquired ethically... [including] items better owned by another museum or public institution for reasons of care, access, use or context... [and] items better held for moral reasons by individuals, groups, societies or peoples."²⁶

Responses/strategies

Similar strategies to those addressing the issue of restitution can be considered in response to strengthening local identities (i.e. long-term loans, collaborations, joint acquisitions and the strategic repositioning of institutions away from the notion of the citadel). For example the case of the joint acquisition by the National Portrait Gallery, the Captain Cook Memorial Museum in Whitby and the National Museum and Gallery, Cardiff of William Parry's *Portrait of Omai, Sir Joseph Banks and Dr Daniel Solander* discussed above.

A specific example of co-operation between local and national interests when there was a lack of adequate local provision was that of the dinosaur remains found on Skye. The remains were donated to the National Museum of Scotland by the landowner Sir Iain Noble for conservation, publishing, research and display on condition that when a suitable museum opens on Skye the remains should return there.

The possibility exists for both joint acquisitions and donations with the condition of return taking place on an international level. Together with long-term loans, and the creation of networks of museums, these developments would help to blur the lines between 'ownership', 'stewardship' and 'display'.

Museums have previously defined themselves by what they own rather than what they stand for or what they do with their collections. This is reinforced by strong principles of independent governance, traditionally strict approaches to de-accessioning and regular stipulations by donors that wish to dictate the ownership of a donation in perpetuity.

A network of international 'world museums' would formally elevate institutions beyond a purely national framework. Among other benefits this might eventually lead to closer formal collaboration in acquisitions and an end to the polarisation of resources and expertise that regularly occurs when for example major US and UK museums compete for a work of art.

Technology might also contribute to this erosion of the primacy of ownership. The Internet offers the possibility for works to be presented together regardless of owner. For example as

The Challenges of collecting Policies at the National Museums of Scotland', in Simon J. Knell (ed), *Museums and the Future of Collecting*, Leicester, 1999, p127.

²⁶ Museums Association Ethics Committee, *Acquisition: Guidance on the ethics and practicalities of acquisition*, Ethical Guidelines 1 (1996) pp1-4. Quoted in Michael Taylor, 'What is in a 'national' Museum? The Challenges of collecting Policies at the National Museums of Scotland', in Simon J. Knell (ed), *Museums and the Future of Collecting*, Leicester, 1999, p123.

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part of Tate's thinking around the future development of its collection on line after the completion of digitisation, the question has been raised as to whether Tate should be filling in the gaps virtually to include works from other collections.²⁷

REPRESENTING INTANGIBLE CULTURE

With regard to the notion of intangible culture, one of the key issues that arises is whether such aspects of culture can be represented and its representation in museums, libraries and other 'knowledge institutions', and if so how?

According to UNESCO, "safeguarding 'intangible culture' under the Convention rather means to protect the conditions that enable communities and groups to continue to perform and practice than to protect as such the form or function of the manifestations of the intangible cultural heritage."²⁸

Protection soon enters the realm of politics. Institutions concerned with the natural world engage with the protection of endangered species (for instance 'endangered week' at the Darwin Centre in the Natural History Museum 15-21 November 2004) and in this sense become campaigning institutions. The question therefore is should institutions such as the British Museum and the British Library, or even the National Theatre and others in the performing arts sector, be involved in campaigning for the protection of cultures and languages? Fundamentally, should museums be campaigning organisations? Or rather, given the adaptive nature of culture, should the sector's role be one of documentation of cultural change and the dissemination of that information?

UNESCO also highlights the role of documentation and recording of intangible culture:

"Documentation and archiving will be means for the safeguarding; documentation does not necessarily freeze intangible cultural heritage, nor does it render the intangible tangible. What documentation does is preserving for future generations and for researchers, one or more specific manifestations of elements of the intangible cultural heritage, which, of course, will not and should not be stopped from developing further by virtue of a documentation.

Documentation can also be extremely useful, in the case of elements whose transmission to the younger generations has become problematic. When the traditional, oral transmission of traditions comes to a halt, their documentation can be used for training purposes; such a switch from orality to textuality will have far-going consequences for the further development of the traditions in question. The attitudes of communities and groups whose traditions are concerned will determine whether

²⁷ Jemima Rellie, *Tate Online: Towards a Third Generation Museum Website*, paper given at ICHIM conference 'Cultural Institutions and Digital Technology', Paris, September 2003, www.ichim.org.

²⁸ http://portal.unesco.org/culture/admin/ev.php?URL_ID=21592&URL_DO=DO_TOPIC&URL_SECTION=201&reload=1100771891

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traditions transmitted in such a way can still be considered as belonging to the living heritage."²⁹

Responses/strategies

The role of knowledge-institutions in recording and archiving intangible culture is an area that demands further investigation. For example to what extent is intangible culture referred to in collections policies? If so, what areas of collecting might this affect? Are there new types of collecting that might suggest themselves?

In the UK the Survey of English Dialects (carried out in the 1950s), and the Millennium Memory Bank (1998-9) both form part of the British Library's Sound Archive. They demonstrate the evolution of approaches to the collection of vernacular language³⁰. The economic costs of such projects are significant and in the case of the Millennium Memory Bank the British Library developed partnerships with the Leeds University Archive of Vernacular Culture³¹ and BBC Nations and Regions.

The BL Sound Archive collects audio and videotaped interviews as well as carrying out its programme of life story recordings. As the national centre for oral history in Britain, it provides advice and training in oral history methods and maintains close contact with oral history groups in Britain and abroad.

Another area of intangible cultural heritage that is being collected is performance art. In 1992 the National Theatre Museum began making and collecting videos of current productions, launching its National Video Archive of Performance in 1992 through an agreement with the Federation of Entertainment Unions. Video has increasingly geared the Museum's collecting policy towards contemporary performance and oral history where previously it concentrated on programmes, scripts and other printed material.

These examples suggest ways in which the collection of intangible culture within the UK could inform its collection abroad. Perhaps institutions with an interest in this field could come together to formulate guidelines for best practice and a national strategy for collection and access that might link the wide range of disparate holdings of UK material? In the context of UNESCO's current thinking around the subject of intangible culture, a collective UK strategy might also serve as a model that could be applied internationally.

Aside from the national collections mentioned, a broader range of institutions should also be aware of the manifestations of intangible culture around them. For example do museums of social history adequately represent intangible cultures in Britain and continue to collect

²⁹http://portal.unesco.org/culture/admin/ev.php?URL_ID=21592&URL_DO=DO_TOPIC&URL_SECTION=201&reload=1100771891

³⁰ See www.collectbritain.co.uk/collections/dialects/textintro.cfm for a discussion of these two projects.

³¹ The material in the Leeds Archive of Vernacular Culture consists of the archives of the former Institute of Dialect and Folk Life Studies, part of the University of Leeds from October 1964 to September 1983.

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examples of this material? An interesting current example is the artist Jeremy Deller's archive of English Folk Art and the extent to which it covers areas which fall outside the usual collecting policies of museums. With regard to the performing arts, might the performance sector in the UK have a role in the preservation of intangible cultural assets by fostering links with threatened cultures?

ACCESS AND OPENNESS: LOCAL, NATIONAL, INTERNATIONAL

Access to cultural institutions within the context of a culturally diverse UK has been of paramount political importance over recent years. The relationship between access, particularly of ethnic minority groups, and government funding has been established in the UK. For example, plans for the *Black British Style* exhibition were noted in the V&A's funding agreement as were much smaller scale projects in the National Gallery's agreement.

Strategies for increasing access continue to be an essential element of the sector's response to changing notions of cultural identity, ownership and access. Moving beyond this essentially reactive position how should institutions adapt to play a leading role in a culturally diverse society?

The issue of access to 'excluded' groups (whether in terms of ethnicity, age or class) within the UK is only part of the issue. Institutions that claim to be world resources (for example the BM and the BL) and have holdings directly relevant to many cultures world-wide also have a responsibility to provide access to those cultural groups outside the UK. This aspect of access, in which technology will play a central role, will become increasingly important, as it is a key aspect of the openness and transparency regarding collections. The lack of such transparency in the past has helped polarise views with regard to issues such as restitution, human remains, and sacred objects.

Responses/strategies

It is no longer enough for major institutions to cite their location in a world city such as London as a sufficient demonstration of access of collections to international audiences. Given that the openness about the contents of collections is central to the broader strategy of collaboration and sharing, the role of Internet technology to broadening access to cultures across the globe is pivotal.

Technology

Current provision by many UK institutions is confined to information about the institution and its activities together with a cursory survey of the areas covered by its collections (Obvious exceptions include the National Gallery and Tate for example that have the benefit of smaller, predominantly two dimensional collections). Websites tend to be a useful prelude to a visit or as a point of contact rather than an alternative to a physical visit.

For this to change, a programme of digitisation of collections and the option of accessing detailed research on objects or collections must be a priority.

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The models currently available within the UK are partnerships with the private sector digitise collections (for example the NG's collaboration with Hewlett Packard), sponsorship of specific digitisation projects (for example the Paul Mellon Foundation's sponsorship of the digitisation of the Dunhuang paintings in the British Museum) or government funding, although the DCMS's Culture Online was notably not concerned with digitisation.

Culture Online (www.cultureonline.gov.uk) is the most recent government initiative to improve online access to the UK cultural sector. Culture Online defines itself as "an innovative initiative to increase access to, and participation in, arts and culture. It brings together cultural organisations with cutting-edge technical providers to create projects that will delight adults and children of all ages and backgrounds." However, Culture Online does not provide funding for, "Activities or events mainly taking place outside England; the project's primary target audience must be located mainly in England". Moreover, its scope is too limited to consider large-scale ongoing digitisation projects.

Between 2002 and 2004, £13m has been allocated to fund around 20 projects. Rather it concentrates on specific, often educational, projects

Culture Online does not give grants but administers contracts, the thinking being that an organisation that includes specialists in technology and production can ensure good practice and value for money.

Despite its limited scope, Culture Online constitutes recognition by government that online activities do require both money and expertise which cultural institutions, particularly smaller institutions, do not have in-house. The transience of technology and of many potential partner companies in this field is an added complication.

One recent suggestion has been a national digitisation strategy, featuring "sustainable, museologically correct, digitally consistent, preservable system of websites in each museum region".³² Such a system could draw from existing models abroad, most notably *Kulturnet* in Denmark (www.kulturnet.dk/en/omknet.html) and the Canadian Heritage Information Network (CHIN - www.chin.gc.ca) and the Virtual Museum of Canada (VMC - www.virtualmuseum.ca).³³

Kulturnet is a portal site for cultural institutions in Denmark but also manages digitisation strategy and policy and is staffed by IT and design professionals. The Danish model represents a more confident and coherent strategy than culture online.

Likewise, the Canadian Heritage Information Network (CHIN) and Canadian museums work together to strengthen their collective ability to create present and manage Canadian digital content. This collaboration has resulted in CHIN's internationally respected Web site for heritage professionals, as well as the VMC.

³² Julie Nightingale, 'Raising Sites', *Museums Journal*, May 2004, p30. This idea is attributed to an unnamed "senior museum figure".

³³ Julie Nightingale, 'Raising Sites', *Museums Journal*, May 2004, p30

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CHIN began as the National Inventory Programme (NIP) in 1972. It was created in response to the 1970 UNESCO *Convention on Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property*, of which Canada was an early signatory. A detailed history of the organisation and the transformation it has undergone as technology has changed is available on the CHIN website. The story is one of enlightened centralisation with the organisation facilitating and encouraging Canada's museums to be at the vanguard of technological change.

CHIN is a Special Operating Agency within the Federal Department of Canadian Heritage. The agency "collaborates with the heritage community and other interested parties to strengthen our collective ability to create, present and manage Canadian digital content." Its mission statement is to "engage national and international audiences in Canadian heritage through leadership and innovation in digital content, partnerships and lifelong learning opportunities."

NEW APPROACHES TO FUNDING

What implications do the responses of the sector to changing notions of cultural identity and diversity have in terms of funding? Initiatives such as digitisation, technological progress, partnerships with institutions abroad and programmes of cultural exchange all have costs attached. These activities have either received low priorities due to pressures on funds, or have traditionally been seen as outside the remit of institutions such as museums.

Recognition and Funding of 'Cultural Diplomacy'

Recognition by non-cultural government departments and the private sector of the importance of international partnerships and greater international access to collections and knowledge as 'Cultural Diplomacy' may point to a new area of funding that is not yet being accessed by the sector.

The importance of cultural contact in the wider context of political and economic diplomacy is widely acknowledged. The Center for Arts and Culture, a US think-tank, argues that "Beyond formal diplomatic channels, the avenues of cultural diplomacy offer constructive ways for countries to represent their ideas, culture, and beliefs through artistic and educational programs." It defines cultural diplomacy as "the representation of culture through the "soft diplomacy" of artistic and cultural exchange".³⁴

In the UK during the cold war 'friendship groups' sponsored by government played an important role in maintaining cultural links with countries when high level political contact was seen as too high profile. Such contact often provided the basis for later collaboration at higher levels. To some extent this remains part of the rationale behind the Foreign and Commonwealth Office's work through the British Council. The FCO also works through Visiting Arts and with the DTI with respect to creative industries. However the nature of all

³⁴ www.culturalpolicy.org/issuepages/culturaldiplomacy.cfm

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these programmes is that are on the whole concerned with expressions of contemporary culture rather than the agendas of the major 'knowledge institutions'.

Through promoting international partnerships and encouraging international access the major institutions in our sector increasingly finds themselves playing such a role. For example recent work by Western institutions with Iran and North Korea have demonstrated the value of cultural contact when political and diplomatic tensions are running high. For example, The Oriental Institute at the University of Chicago is forging important academic, curatorial and conservation links with Iran, as is the British Museum, which has scheduled a major exhibition on the "Splendours of Ancient Persia" for 2005-06 which will involve a significant number of loans from Iran. The exhibition may also tour.³⁵ The British Museum's engagement with North Korea and its policy of collecting contemporary objects from the communist state, instigated in 2000, has had direct political benefits. According to Jane Portal, Curator of Chinese and Korean Collections, "The British Museum has performed an important role in providing a venue for the two halves of the country to meet, as for example at the opening of the first display of NK acquisitions in the lobby of the Korean Gallery Lobby in November 2001"³⁶

The sector should collectively make its case that this kind of contact should be recognised financially by government departments such as the Foreign and Commonwealth Office, the Department of Trade and Industry.

In the US, the stated purpose of the Center for Arts and Culture's cultural diplomacy initiative has been, "(1) to raise awareness of the importance of cultural diplomacy, (2) to commission much needed research on the subject, and (3) to directly influence the programs and budget of the Bureau of Educational and Cultural Affairs at the U.S. Department of State."

The Center has commissioned much relevant research including an International Comparison featuring an analysis of the current structure of funding in the UK.³⁷ UK funding for cultural diplomacy is calculated at \$3.57 per capita, third highest of those countries analysed, but significantly behind the French figure of \$17.57 per capita.

Both France and Italy place great emphasis on the role of cultural diplomacy on a large scale. For example, it was recently reported that Italy and China have embarked on a series of cultural exchanges "as part of a wider trade agreement negotiated between the two countries." [In June 2004] the Italian President Ciampi was guest of honour at the National Museum of China in Beijing to open the exhibition "Ancient Roman Civilization" a major show of some 170 antiquities on loan from museums in Naples, Rome, Herculaneum and Pompeii.... As part of the agreement, Chinese museums are to send loans to Naples. At the same time there is "Made in Italy" gallery celebrating Italian Design in the National Gallery of

³⁵ *Art Newspaper*, July-August 2004, pp1&3.

³⁶ Jane Portal, 'Cultural Détente with North Korea', *Art Newspaper*, April 2004, p32.

³⁷ M.J Wyszomirski, *International Cultural Relations: A Multi-Country Comparison*, www.culturalpolicy.org/issuepages/culturaldiplomacy.cfm

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China and Italian conservators are working on the pavilion of Supreme Harmony in the Forbidden City.³⁸

The reluctance of non-governmental funders to back programmes that fulfil such an obvious 'national' economic/political role is born out by the limited extent of these activities in the US. There, research has shown that less than 1% of foundation disbursements go to American cultural activity outside the US.³⁹

The possibilities of private sponsorship for a programme/venture with a 'cultural diplomacy' function should also be more fully explored, for example partnerships with UK companies with major investment interests in certain countries. Given that museum collections are often considered geographically, there is also scope here for funding core curatorial costs rather than the more obvious project based sponsorship.

Partnerships outside the cultural sector

The costs and specialist expertise required in the provision of digital services by cultural institutions make it a logical field for external partnerships. At a time when old-fashioned cultural sponsorship from the corporate sector is levelling off, such partnerships represent a significant opportunity for the cultural sector to benefit from business via shared interest and business goals.

In the museum sector the two most celebrated collaborations are those between Tate/BT/BBC and the National Gallery/Hewlett Packard. The National Gallery has been working with Hewlett-Packard for ten years on a scheme to digitise all of its 2300 paintings. The images have been captured with a digital camera that steps backwards and forwards over the painting, a technique that improves the resolution of the image to 100 megapixels, 20 times that of the best consumer cameras.⁴⁰

While Tate's digitisation programme was lottery funded, BT's sponsorship has enabled Tate Online to establish a team to pursue the plan for its website to "function as a sixth site for Tate, featuring a distinct and identifiable programme, appropriate to the medium."⁴¹

The rapidity of technological change means that the sector must be nimble in its responses. Two current examples are Beon Media's Gallery Player and new Video on Demand technology delivered through broadband. Both could have a major impact on the consumption of visual art and the derivation of income for the owners of images.

³⁸ *Art Newspaper*, July -Aug 2004, p3.

³⁹ A. Szanto, *A New Mandate for Philanthropy? US Foundation Support for International Arts Exchanges*, p3, www.culturalpolicy.org/issuepages/culturaldiplomacy.cfm

⁴⁰ *Piracy warning over digitised fine art*, *New Scientist*, 7 August 2003.

⁴¹ Jemima Rellie, *Tate Online: Towards a Third Generation Museum Website*, paper given at ICHIM conference 'Cultural Institutions and Digital Technology', Paris, September 2003, www.ichim.org.

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Gallery Player, for example, is a “digital home gallery service” available via the Microsoft Windows Media Centre. The service is described as a “library that is updated weekly and monthly”. Pictures can be displayed on hanging plasma screens costing around \$1700 and consumers will pay \$4.95 per month for a “gallery of images”. Founder Scott Lipsky has predicted that museums will join the service to attract new visitors. Gallery Player is currently working on contracts with cable TV providers and one of the auction houses.⁴²

Cultural institutions and Corporate Social Responsibility

Companies will inevitably seek to align their support for charities and CSR activities with business goals, a prime example outside the cultural sector being BT’s support for Childline. Given the decline in corporate support for the arts, cultural institutions need to be imaginative in the ways in which they can seek to work with partners in the business sector. This will involve looking at areas such as education, regeneration, and work with partners in the developing world which many institutions are already very active in but which, in terms of funding, are perhaps more readily associated with either trusts and foundations or government.

A recognition that large Cultural Institutions are working to help 'endangered' cultures and ensuring the preservation of cultural diversity which “is as necessary to humankind as biodiversity is to nature”⁴³ also brings with it the possibility of institutions as recipients of funds that are allocated to CSR.

At the moment, the only two programmes the DCMS has put forward on the government’s CSR website are Creative Partnerships (Art and Education) and the Cultural Diversity Network (Broadcasting). Is there scope for museums and knowledge institutions to collaborate with government, perhaps via the DTI as well as the DCMS, to create specific programmes which would serve as a recognised channel for CSR funds to museums and galleries? One example might be a scheme to harness some of the technological expertise in the corporate sector, an area that is often problematic for the cultural sector, especially for smaller institutions.

⁴² *Art Newspaper*, January 2005, p6.

⁴³ UNESCO, *Universal Declaration of Cultural Diversity, Article 1*, November 2001.

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3. CONCLUSIONS

Information, Education and Advice

- Continued co-operation/collaboration with potential claimant communities. The creation of a forum to shared resources, knowledge and experience in this regard.
- Informal recognition of the value of long term loans to institutions, particularly in the developing world.
- Sustainable, museologically correct, digitally consistent, preservable system of websites,

Direct Intervention

- The creation of a DCMS sponsored CSR scheme for museums and galleries, perhaps with a focus on technology.

Economic Instruments

- Financial recognition of the 'cultural diplomacy' role of museums and other knowledge institutions.

Regulation or other Legislation

- Creation through UNESCO of an international agreement on the legal status of objects loaned from museums to prevent legal wrangles that will impact on the system of museum loans

Self Regulation

- Wider use of joint acquisitions and a forum for the sharing of legal/contractual expertise with regard to joint acquisition
- The creation of a formal alliance of world museums that would change the focus from the ownership to the display of objects
- The formulation of guidelines for best practice and a national strategy for collection and access that might link the wide range of disparate holdings of UK material. In the context of UNESCO's current thinking around the subject of intangible culture, a collective UK strategy might also serve as a model that could be applied internationally.
- Consideration of the role of the performance sector in the preservation of intangible heritage.