Ubi maior, minor cessat: A comparative study of the relation between changing cultural policy rationales and globalization in post-1980s England and Italy

by

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Cultural policy in Italy: Origins, historical development
and recent trends

As was observed in the preceding chapters, the study of issues relating to cultural policy-making has been dominated, in Italy, by the legal disciplines. The main consequence of this strong legalistic approach is that the available literature to the cultural policy researcher tends to favour a 'single-issue' format. That is, articles and books tend to focus on a single question, usually concerning the technicalities and the consequences pertaining to the introduction of a new item of legislation, or more generally reforms undergone by the corpus of rules and legislation that make up, effectively, Italian cultural policy. As a result, public policies for the arts and culture as they have been developing in the Italian context over time have not been the object of a systematic or broad-ranging analysis in a way comparable to other main European countries, and the UK in particular. Another consequence of the legal emphasis of research into public policies for the cultural sector is that publications become outdated as soon as new legislative acts are promulgated, and, as chapter 3 has shown, this tends to happen in Italy with uncommon frequency and regularity.

107 The predominance of the legal approach to the discussion and practice of cultural policy might indeed be at the root of the apparent lesser emphasis, in the Italian context, on auditing and evaluation. It might be argued that, precisely because of the hold that the legal disciplines have on the Italian debate, this has been less liable to appropriate teachings from the management and business studies disciplines, as has been the case in the UK.
The field of cultural policy studies is a very young one within Academia and one that has properly taken off only in the last thirty years or so (Kawashima 1999). And yet, a significant body of literature can already be found (in the UK, France, the Scandinavian countries and in many other main European countries) that deals with many aspects of cultural policy making, its historical development and its relationship to the historical, political and cultural contexts of each country. In the UK, a number of texts have indeed become "classics" within the field (see Bennett 2004)\(^{108}\). However, a comprehensive body of literature of a similar nature cannot be found in Italy for the many reasons already explored in the preceding chapters. One of the very few significant

\(^{108}\) So, the cultural policy researcher who wants to devote his or her attention to the historical development of the British Arts Councils can refer, for instance, to the time-honoured work by Hutchinson *The Politics of the Arts Council* (1982), Pick's *Vile Jelly* (1991), White's *The Arts Council of Great Britain* (1975) or the already mentioned article on the Arts Council published by Raymond Williams in 1979. In addition, more recent attempts to delineate the historical development of the bodies involved in distributing public resources to the arts sector have been proffered – among others - by Andrew Sinclair (1995), Hewison (1995), Quinn (1997) and Witts (1998). Bennett (1995) has identified the prominent rationales behind British cultural policies over time, and the available cultural statistics concerning the UK cultural sector have been collected and clearly presented in Selwood (2001), together with a critical discussion of their current use and abuse. Furthermore, a number of individuals who worked in arts administration or held crucial positions within the Arts Council have recorded their experiences in books which have proved extremely useful in aiding the reconstruction not only of the cultural organizations' history, but also of the cultural climate prevailing in Britain at the time of their involvement in arts policy-making. The most illustrious examples are Hugh Jenkin's *The Culture Gap* (1979), Roy Shaw's *The Arts and The People* (1987), and John Tusa's *Art Matters* (1999) (Hugh Jenkins was minister for the Arts from 1974 to 1976; Roy Shaw became Secretary-general of the Arts Council in 1975; John Tusa has been Managing Director of the Barbican Centre in London since 1995). For the historically minded researcher, the already mentioned works by Minihan (1977) and Pearson (1982) represent an invaluable source of information on the origins, in the 19th century, of the official involvement of the British state in the cultural sphere. This is just a small section of the available literature on cultural policy, but it is representative of the approach to cultural policy research as it has come to flourish in the UK. All the references referred to above are characterized by the view that public policies for culture can only be fully understood when discussed in relation to the broader political, social and cultural circumstances of the country that originated them. Furthermore, many of them explicitly adopt an interdisciplinary approach in order to deal with such a complex and multifaceted subject matter.
exceptions is represented by the study in two volumes edited by Vincenzo Cazzato that investigates Italian cultural institutions and policies in the 1930s. Cazzato's work was published in 2001 by the official publishing body of the Italian State (the Istituto Poligrafico e Zecca dello Stato) on behalf of the Ministry for Heritage and Cultural Activities. Despite the central role of the discussion of crucial legal texts, Cazzato and his colleagues also attempt to understand and explain the legal developments in the cultural sphere by systematically placing them in the cultural and political context of Fascist Italy. However, in view of the limited temporal scope of this work, it does not suffice to fill the gap in the extant literature, and it remains an exception to the general approach to the topic prevalent in Italy, rather than the norm. This would seem to point towards the conclusion that the critical remarks made in 1996 by Bianchini et al. are still largely valid today. Bianchini and his co-authors lamented that a problem in the extant literature is "the dearth of critical analysis, historical contextualization, and interpretation which relates cultural policies to party political priorities and strategies, to intellectual debates, and to changes in patterns of cultural consumption" (Bianchini et al. (1996, 291).

The only significant exception to this dreary scenario is the literature on arts economics which has been flourishing in Italy in the last two or three decades. Examples of the growing interest in the themes of cultural economics are the series of books published by the International Centre for Arts Economic at the Universita` Ca` Foscari in Venice, the Etas and
the Electa series of books on various aspects of museum management\textsuperscript{109}. Another type of published material of growing popularity is represented by case studies publications, such as the three volumes edited by Antonio Floridia (2000; 2001, and 2003 with Misiti) on various aspects of regional cultural policy in Tuscany. Significantly — and consistently with the popularity of the discipline of cultural economics in Italy — one of only two academic periodical publications especially devoted to the discussion of issues of cultural policy is the journal \textit{Economia della Cultura}. The only other relevant periodical publication is the online journal \textit{Aedon}, which focuses on the analysis of legislation pertinent to the cultural sector.

As a result of this situation, the most comprehensive and exhaustive pieces of writing on Italian cultural policy are still, from many points of view, the National Report compiled for the Council of Europe in 1995 and the accompanying Report published in the same year and written by Christopher Gordon. However, as we have seen, the framework for cultural policy-making in Italy (as well as the respective competencies of the various tiers of government) has changed dramatically since then. Therefore, while still a useful tool for a historical reconstruction of cultural policy's administrative framework in the Italian context, the above-mentioned documents are sadly extremely outdated. A systematic and

\textsuperscript{109} Silvia Bagdadli's book entitled 'The Museum as Firm' (\textit{Il Museo come Azienda}) on the management of museums, and Guido Guerzoni and Silvia Stabile's 'The Rights of Museums' (\textit{I Diritti del Museo}) on how to reconcile copyrights regulations with the economic exploitation of museums are representative of the type of work published in the Etas series. The Electa publications consulted in the course of the preparation of this thesis were Montella (2003) and Zan (2003).
critical review of the more recent unfolding of the process of law-making vis à vis the cultural sector and its political and cultural implications has not been published yet. Thus this chapter, despite its obvious limitation of space and scope, constitutes an attempt to filling this gap. The present chapter will provide, first of all, an updated review of the legal and bureaucratic mechanisms for the public support of the cultural sector in Italy. The final part of the chapter will focus on the hitherto largely unexplored territory of the most recent legal and administrative developments in Italian cultural policy and highlight their links to broader political and economic phenomena of a global nature, with a view of drawing a parallel with the observations and interpretations presented in chapter 5 with regards to Great Britain.

CULTURAL ASSETS VS. PERFORMING ARTS: AN ITALIAN PECULIARITY

Though aiming to present as wide a picture of Italian cultural policy as possible, the chapter will focus on the sector of the beni culturali, or "cultural assets". The analysis of the Italian case will therefore be based on an in-depth discussion of the county's heritage policy. Heritage is indeed the section of the Italian cultural sector that has always been a privileged area in the public policy making process. It consequently represents the ideal object of analysis for a study of the trends and changing attitudes within the Italian cultural policy debates\(^\text{110}\) (a detailed

\(^{110}\text{In 2002 the current Minister for Culture, Giuliano Urbani wrote: "Within our Ministry you must understand the artistic patrimony is the most important thing, though with no offence meant to the performing arts and sport". Urbani's actual words are: "Nel nostro}
discussion of what the category of *beni culturali* include and the relevant legislation, can be found in the Appendix). This decision, on the one hand, is determined by the necessity of limiting the scope of the analysis due to the inevitable limitations of time and space that this thesis imposes. However, on the other hand, it also rests upon a distinction that is peculiar to the Italian cultural policy model. A traditional feature of Italian cultural policy is indeed what Palma and Clemente di San Luca (1987, 68) define as the separation between the *traditional arts* (painting, sculpture, architecture, poetry and literature) and the *representative arts* (cinema, theatre and music). The State's approach to funding and promotion, in Italy, has been very different for each of the two sectors. Indeed, responsibilities for the performing arts and the *beni culturali* only came under the same Ministry in 1998, with the creation of the new *Ministero per i Beni e le Attività Culturali*. Following the destitution of the Fascist regime, responsibilities for the performing arts were transferred to the *Presidenza del Consiglio dei Ministri* (equivalent to the Prime Minister Office) and subsequently to the *Ministero del Turismo e dello Spettacolo* (Ministry for Tourism and the Live Performing Arts) which was abolished as a result of a public referendum in 1993 (Bianchini et al. 1996, 293). The performing arts therefore remained under the responsibility of the *Presidenza* until the establishment of the first Italian 'unified' Ministry for cultural assets and cultural activities in 1998.

Ministero, voi capite bene, il patrimonio artistico è la cosa più importante, senza nulla togliere né allo spettacolo né allo sport* (Urbani 2002, 16).
In their attempt to explain the historical origin of such a sharp separation between the traditional and representative arts (which has for such a long time significantly hindered the possibility of elaborating and implementing an organic and comprehensive cultural policy), Palma and Clemente di San Luca (1987, 69 and 100-101) suggest that this state of affair was an inheritance of the Fascist cultural administration. The distinction between art forms indeed mirrors the organizational separation established by the regime between the Ministry for National Education and the Ministry for Popular Culture (often referred to as Min culpop). The former institution had responsibilities not only for the education sector, but also for the 'national heritage'. According to Bianchini et al. (1996, 292) such a coupling is "rooted in the Italian tradition of emphasizing the importance of high culture and the heritage in the formation of national consciousness and citizenship". In the light of this consideration, the attempt on the part of the Ministry for National Education to resist the expansion of the regime's interest in cultural policy and strategy becomes even more significant. The Ministry for Education actively resisted pressures from the Fascist echelons and actively fought to retain control over the national artistic patrimony (Palma and Clemente di San Luca 1987, 69). Furthermore, the Ministry for Education also made a clear attempt to include modern art within its remit by establishing the Office of Contemporary Arts in 1940 (which never became operational though, because of Italy's entry into WWII later that year) (ibid., 100). The Min culpop, on the other hand, was the prime actor in Italian cultural policy-making during Fascism for the sectors of film, the performing arts,
publishing and radio, with responsibilities not just for funding and administration, but — crucially — also for propaganda and censorship (Bianchini et al. 292).

As a matter of fact, the fragmentation that characterized Italian cultural policy until the late 1990s originated directly from the organizational structure of the administrative infrastructure for the cultural sector that the Italian Republic inherited from the Fascist regime. The immediate successor of the Fascist Ministry of National Education, the Ministero della Pubblica Istruzione, indeed took over all its areas of responsibility, including the Direzione delle Antichità e Belle Arti (Directorate for Antiquities and Fine Arts) which dealt with policies for the archaeological and artistic heritage (that is, in today’s terminology, the beni culturali) (Bianchini et al 1996, 293). As far as the Minculpop is concerned, the above-mentioned Ministry of Tourism and the Live Performing Arts, stemmed directly form its dissolution following the demise of the Fascist rule (Palma and Clemente di San Luca 1987, 100-101).

One further reason for the predominance of the heritage sector in the Italian cultural scene is self-evident: according to Unesco, over 40% of the world’s cultural heritage is located in Italy (Gordon 1995, 1)\(^\text{111}\), and, as Zerboni (2001, 103) reports, there are 2,099 monuments and sites of archaeological or artistic interest spread all over the country (though

\(^{111}\) This statistic is often cited in the cultural policy literature and stated as fact, despite the fact that no supporting evidence for this statement seems to be available.
about half of them is concentrated in the South). Furthermore, Italy currently boasts 39 out of Unesco’s 750 World Heritage Sites, more than any other country (Arie 2004).

As Sergio Romano, at one time working for Italy’s Ministry for Foreign Affairs\(^{112}\) explains, Italy has “the largest ‘open air’ heritage in the western world (Romano 1984, 12; see also Zeri 1988). The practical consequences of possessing such a rich cultural patrimony is that it might in fact represent a liability rather an asset. No other country but Italy has had to tackle the huge task of administering and protecting such an important and substantial archaeological and architectural heritage that is, to quote Romano again, “unguarded and unguardable” (Romano, *ibid.*). As Salvatore Settis (2002, 10) explains, the peculiarity (and, in his opinion, the strength) of the Italian model lies precisely in the capillary diffusion, across the Italian soil, of a cultural heritage of which only a small percentage is to be found between the walls of a museum. As Romano (*ibid.*) sharply observes, however, the end result of Italy’s extraordinary artistic, architectural and archaeological endowment is, in reality, that “Italy has become a gigantic ‘cultural warehouse’\(^{113}\), an historical depository to which the laws of profit and economy do not apply\(^{114}\).

\(^{112}\) Sergio Romano was Italian Ambassador to NATO in the 1980s, and had formerly covered the position of Head of Cultural Relations at the Italian Ministry of Foreign Affairs.

\(^{113}\) This is a view that Romano does not behold alone. Significantly, Antonio Paolucci – a cultural administrator (*soprintendente*) who covered, for a short while, the position of Minister for *Beni Culturali* – entitled his collection of essays and articles published in 1997 *Museo Italia*.

\(^{114}\) The contrasting view expressed by Settis (2002, 10) is that, in fact, it is the very widespread presence of an organic and coherent body of artistic and cultural riches
THE THREE PHASES OF ITALIAN CULTURAL POLICY

The field of heritage policy is indeed the area where the phenomena of growing instrumentalism that have been discussed with regards to the UK have given rise to most interesting developments which are so uncharacteristic of the Italian cultural policy tradition, as to be – for this very reason alone – worthy of closer scrutiny. In order to make sense of such a complicated scenario, this chapter will begin with a critical discussion of the historical evolution of the legislation concerning the cultural sector, focussing, for practical reasons, on the most crucial phases of the legal developments of Italian cultural policy. Indeed, as Carta (1999, 43) argues, the interpretation of the value and the symbolic functions of the cultural patrimony and its fruition by the public - as well as the norms that regulate them - require a historical analysis of their formation (because they are closely dependant on the social and political processes that originated them).

On the basis of a number of crucial pieces of legislation affecting Italian heritage policy, the discussion will show how it is possible to distinguish three different phases in the development of the Italian State's direct involvement in cultural matters and the financial support for the preservation of the country's cultural and artistic heritage.

(which he sees as the result of a coherent plan on the part of the Italian institutions) that makes the Italian model appealing to Italy's foreign visitors and observers.
• From the Unification of Italy to the Fascist era: the crucial legal act of this period is law 1089 of 1939 on which the administration of cultural assets was based until the process of legal reorganization and reform that started in the mid 1990s (but which, in its spirit, still represents an important guiding principle for many aspects of the legislation affecting heritage policy);

• The period between the postwar years and the 1970s: one of the most important events of this period is represented by the creation, in 1975, of the first Ministry fully devoted to the cultural assets, and the first attempts to decentralise cultural policy, by involving the Regions in cultural administration.

• The period from the 1980s to the present day: This period has also witnessed the so-called ‘cultural assets boom’ (Council of Europe 1995, 30) and the flourishing of the interest and debate over the economic potential of the beni culturali. Arguments on the cultural assets’ contribution to the national economy (through cultural tourism) and especially the local and regional economy has gained common currency during this phase. This has been, indeed, a very intense period which has witnessed the involvement of the beni culturali in a number of projects and schemes developed by other non-cultural government departments. As was mentioned earlier, the year 1998 also witnessed the institution of the Ministero per i Beni e le Attività Culturali, the first unified Ministry for Culture since
the dissolution of the Fascist regime. This crucial year in recent Italian cultural policy also witnessed the elaboration of the already mentioned Testo Unico sui Beni Culturali ed Ambientali, a single legal document which brought together and tried to simplify and tidy up the impressive and often inconsistent body of laws with pertinence to the cultural sector. An especially significant development in this phase is represented by the decree (decreto legislativo) n. 63 of 2002, which introduced - as will be discussed at length later on in this chapter - a number of important changes in the relationship between the Italian State and its cultural patrimony. In particular, it will be argued that this piece of legislation highlights important changes in the attitude of the government with respect to the role of the cultural heritage and patrimony of Italy in the broader economic sphere, and a clear move towards explicitly instrumental views of "cultural assets" which seem to parallel those currently prevalent in the UK.

In addition to the pertinent laws, the analysis of this latter phase of Italian cultural policy will focus in particular on two texts which were chosen because they are representative of the main positions within the current cultural policy debate in Italy. These consist of the book published in 2002 by the then Italian Minister for Culture Giuliano Urbani, entitled Il Tesoro degli Italiani ("The Treasure that Belongs to the Italian People"). The book presents the official view of the Berlusconi government presently in power on the future of Italian cultural policy, and delineates
the role that the envisaged reformed management of the country's cultural patrimony will play in the government's economic plans for the future of the country. The other publication is the vitriolic book published by the art historian and former director of the Getty Research Institute of Art History in Los Angeles, Salvatore Settis (2002) and polemically entitled Italia S.p.A.\textsuperscript{115} Whilst Settis' book is both in tone and structure, more a pamphlet than an academic exposition on the situation of cultural policy as can be observed in Italy today, it is significant as it represents a widely spread view among the Italian intellectual elite and the professionals working in the field of cultural management. As it will become clearer as the discussion unfolds and tackles the historical development of Italian cultural policy, over the last fifteen or twenty years a clear and dramatic shift of priorities has occurred in Italian cultural policy, whereby an increasing instrumentalism seems to have progressively shadowed the once predominant values of cultural preservation and conservation. Such developments have caused great concern among cultural and political commentators as well as cultural administrators. Settis is indeed a most vehement spokesperson for the fears and unease of the intellectual elites vis à vis recent evolutions in the rationales and values that underpin cultural policy-making in Italy. Significantly, as Settis (2002, 43-44) himself remarks, little preoccupation

\textsuperscript{115} According to Italian commercial law, the acronym S.p.A. (\textit{Societa' per Azioni}) indicates a company set up on the basis of a capital and through a legal act of official nature (prepared by a specially trained professional) whose activities are guided by an official statute. The capital of the S.p.A. is represented by shares (either quoted or unlisted), and whoever acquires shares, becomes a partner within the company. The role of the S.p.A in relation to cultural administration will be discussed in greater detail later.
has been shown for the interpretation of the origins - political as well as cultural - of this phenomenon. As a result, no systematic attempt has so far been made, in Italy, to explain recent developments in cultural policy in relation to the broader Italian and international political context. However, it is my belief that what has happened in Italy - and has been felt as a profound departure from a long-standing cultural and political tradition - can be inscribed in the broader, in fact global, set of trends and changes that have already been discussed in chapter 5 with regards to the UK.

PHASE I: THE PRESERVATION OF THE CULTURAL HERITAGE FROM THE PRE-UNITARY TIMES TO THE DEMISE OF FASCISM

As Sergio Romano (1984, 12) explains, the size and importance of the artistic and archaeological patrimony that Italy is responsible for is such, that “Italy never really had the choice between a laissez-faire and an interventionist approach to the management of the cultural heritage”. Furthermore, he continues, “[w]hereas in other countries the scarcity of financial resources and the requirements of modernisation force the authorities to make a choice, to reach agreement within the cultural world on the criteria to be adopted for [their] choices, the Italian State is expected, in theory, to preserve everything” (Romano, ibid., 13). The reasons behind what Romano (ibid.) critically describes as the ‘ideology of indiscriminate conservation’ have been at the centre of much discussion. According to Romano (ibid.) this attitude to conservation has
prevailed in Italy because, on the one hand, it has been favoured by the Italian intelligentsia, and on the other, it is perfectly suited to the indolent and slow-moving nature of the Italian political system. A contrasting, and more idealistic interpretation of the undoubtedly distinctive Italian situation is offered by Settis (2002, 19-20). Similarly to Sergio Romano, he also draws attention to the fact that Italy can boast a percentage of the cultural patrimony still to be found in situ (that is, in the environment within which it was originally produced) which is much higher than in any other country, but he gives a much more positive interpretation of this state of affairs. For Settis (ibid.), the root of the Italian peculiarity lies in history, and precisely in the fact that Italy did not experience dramatic events such as the iconoclasm of the Protestant movement that affected Northern Europe or the frenzy of destruction that accompanied the French Revolution. In addition, the relative stagnation of the economy in large areas of the country (an element also judged significant by Romano) that lasted centuries, and the innate conservative tendencies of the Church and the noble class in Italy, all contributed to the preservation of the country's heritage. As Romano (1984, 12) further explains:

If Italy had had a mercantile revolution in the 17th century, and an industrial revolution between the second half of the 18th and the first half of the 19th centuries, its bourgeoisie, enriched by trade and

116 Genovese (1995, 24) puts forward a different interpretation still. In her opinion, the practice of heritage preservation stems precisely from the French Revolution. She sees the notion and values of heritage preservation as being directly related to the establishment of the concept of the appropriation of the historical and artistic patrimony on the part of the people that is a legacy of the Revolution. That is, the state takes it upon itself to preserve and look after the archaeological, artistic and historical heritage because it belongs to its people. This is, however, a questionable interpretation, since as I will show later in this thesis – practices of heritage preservation in Italy were already in place, in Italy, well before the 18th century (see pp. 230 ff.).
manufacturing, would have demolished Renaissance palaces to build more comfortable homes, pulled down the medieval walls and gutted the medieval quarters to make way for their private carriages and public transport, and undergone a much quicker process of secularisation, to the detriment of churches, and the ecclesiastical heritage.

Settis (2002, 20) distances himself from Romano’s position in that he firmly believes that equally important in the development of what he calls the ‘Italian model’ was the precocious development, in Italy, of a ‘culture of conservation’ that had the highest consideration not only for the cultural heritage itself, but also for its relationship to territory and locality. Furthermore, according to Settis (bid.), not only were this attitude and this model of conservation responsible for the survival of the great Italian artistic heritage, but they also seemed to constitute such an efficient and successful model as to have been largely exported – over time - across Europe and beyond.

It will thus come as no surprise that the history of direct state involvement in the protection of its artistic patrimony has a very long history in Italy. In fact, it predates the very birth of the Unitary Italian state in 1860. It is interesting to observe that Italians never really constituted a distinctive ethnic group, that is to say, they did not represent a ‘people’ before the unification process took place. As the historian Nicholas Doumanis (2001, 9) explains, “[w]hen the Italian nation-state was established in 1860, the new political order was well aware that the task of creating a
nation of Italians, of creating an ethnic identity, was before them.117 This is consistent with the view expressed by Pinna (2001, 63) that "when Italy was first unified, the new national government set up a cultural policy that was designed to destroy the symbols of the former Italian states dating from the period before unification. At the same time, it sought to construct and disseminate other symbols, namely those of a new nation."118

Significantly, thus, in the territory that is now Italy, the preoccupation to define and establish policies for the cultural patrimony pre-dated the very formation of a national consciousness and a national spirit. The pre-unitary States in the Italian peninsula had already developed a rather sophisticated and advanced corpus of laws and regulations that were in place with the explicit aim of preserving Italy's immense artistic heritage for the generations to come (Settis 2002, 14). In his historical and semiotic reconstruction of the formation of the notion, values and legal status of the beni culturali in the Italian context - Maurizio Carta (1999, chapter 2) convincingly argues that the first civilization to elaborate specific administrative and legal tools for the protection of artistic and cultural objects was Republican – and, later, Imperial – Rome (see also

117 However, Doumanis (2001, 10) also believes that "italianità" constituted a form of 'cultural capital' that predated the Risorgimento in that it had long been employed by Italian elites to locate themselves in the wider world".
118 Obviously, when speaking about the destruction of symbols on the part of the pre-unitary states, Pinna does not refer to the physical destruction of objects of artistic or historical importance. Instead, he refers to what he calls 'de-symbolization' of the cultural inheritance of the old states, obtained through a 'diaspora of cultural assets' (Pinna 2001, 63). He clarifies this notion thus: "In particular, the arts objects collected in the residencies of the old ruling houses were moved elsewhere and management of the cultural heritage was entrusted to the central government" (ibid.).
Mirri 2000, 11). The activity of instituting norms and tools for the preservation of objects of artistic value obtained as spoils of war represents the prehistory of state involvement in cultural matters in the territories that would eventually become Italy. The meaning of the spoils, the object of Rome’s care and protection, shifted from that of material objects to that of symbols, whereby they came to stand for Rome’s military and cultural superiority over its enemies (Carta 1999, 43). Following from his discussion of Ancient Rome, Carta (ibid., 46) maintains that 'intentional policies of conservation' underline a notion of the cultural patrimony that views it as a sort of ‘genetic patrimony of a territory’ represented by the ensemble of the material evidences, the stories, the rituals and customs as they have been codified within a certain area by a certain social ordainment.

If we espouse Carta’s theorization according to which Italian cultural policy is embedded in attitudes and regulations established centuries before the Italian nation state was born, then we would have to conclude that the first policies specifically targeted to the protection of works of art date as far back as the IV century AD. A number of rulings were emitted by the Pontifical State between the year 346 and 408 that aimed at the suppression of pagan cults and temples. Despite the determination - apparent from the text of the decrees – to successfully suppress any form of pagan religious expression, other rulings were also emitted that ordered, with equal vehemence, that the pagan temples, in virtue of their architectural and aesthetic value (in so far as they represented public
monuments and were built on land that was of papal property) ought to be not just spared from destruction, but actively protected. The first legislative measure promulgated primarily to regulate the protection of monuments was the Edict of Maggioranus, issued by the Church in 455 AD (Carta 1999, 47).

The legislation for the preservation of the artistic and architectural heritage continued to develop ever since. Another important phase in this evolutionary process is represented by the XVII century. It was around this time that the definition of the norms affecting the cultural patrimony constituted by artistic and historical objects comes into sharper focus, both from a legal and technical perspective. As a result, it is in the XVII century that the legal and administrative category of 'artistic and historical patrimony' finds a more precise formulation and witnesses a broadening of its boundaries (Carta 1999, 48). This theoretical work of definition of the legal nature of heritage provided the basis for the flourishing of norms and rulings in the second half of the XVIII and the XIX centuries. In 1773, for instance the Republic of Venice decided in favour of the drawing up of an official Catalogue of the artistic and cultural objects present on its territory listed area by area. Moreover, every six months, especially appointed inspectors were to report to the Republican government on the conditions of the cultural objects listed in the Catalogue, and offer suggestions on the interventions required for their optimal conservation. (Rossano and Rossano 2002, 29). The Catalogue therefore represented...
in all respects a fully fledged and official tool of cultural and heritage preservation. Another crucial legislative act, which was to prefigure an important aspect of modern Italian cultural policy, is represented by the 1802 edict promulgated in the Pontifical State by Pope Pio VII. This decree sanctioned the State's right to protecting its movable cultural patrimony in its entirety, by imposing the duty of registration of all artistic objects to the papal authorities. The importance of this decree lies in the fact that the state's right to ensure the preservation of objects of artistic value was not limited to the objects of property of the state itself, but it also extended to those that belonged to private individuals (Rossano and Rossano 2002, 30). A later decree emitted in 1820 by Cardinal Pacca, imposed further obligations on the proprietors of artistic objects, who were now expected to inform the authorities of any movements of the works of art in their possession, and had to allow commissions of experts to periodically examine them (ibid.). These measures for the protection of the cultural heritage were clearly the result of the diffusion of the notion of the universal value of culture that had been made popular across Europe by the Enlightenment movement. The notion of reason as the common characteristic to all human beings had brought with it a new understanding of art and culture. Coupled with the Enlightenment belief in the values of the 'common good' and 'happiness for all', the regulations promoting heritage preservation that see the light in this period represent a clear expression of the new cultural climate (Musi 1995, 19). In the intention of the legislators, the effective beneficiary of the heritage preservation effort was to be humanity as a whole. In this perspective -
which found an enthusiastic spokesperson in Quatremère de Quincy – the ultimate aim of the protection and the promotion of the cultural heritage becomes "that of civilization, of the perfecting of the measures to obtain happiness and pleasure, of the promotion and progress of education and reason, of the improvement, in a single word, of humanity".\textsuperscript{119} The Papal legal measures were very influential across the Italian peninsula, and indeed, similar norms were issued by most other pre-unitary states. Similar regulations were issued, for instance, in 1818 in the Duchy of Lucca, in 1822 in the Realm of Naples and they were still in vigour after Unification following the article 5 of law n. 286 of 1871, which extended the pre-existing norms to the newly created state (Rossano and Rossano 2002, 30; Carta 1999, 53)\textsuperscript{120}. The first original act of legislation promulgated by the new Italian state especially for the heritage sector, in fact, came about as late as 1902 (Genovese 1995, 30). The 1902 legislation was further perfected in 1909, when – for the first time – measures for the protection of objects of historical, artistic and archaeological interest on the part of the state were officially introduced, regardless of whether those objects were of public or private property (Rossano and Rossano 2002, 111)\textsuperscript{121}.

\textsuperscript{119} De Quincy quoted in Carta (1999, 51).
\textsuperscript{120} It is interesting to note that, paradoxically, the only pre-unitary state that did not have a legislation specifically devoted to the protection of the cultural heritage was the Kingdom of Sardinia, which led the military campaign that resulted in the unification of Italy (Carta 1999, 57).
\textsuperscript{121} Indeed, according to the 1995 National Report on Italian cultural policy, "this long legislative deadlock was due to the difficulty in reconciling two apparently contrasting principles: public interest in the cultural heritage and the inviolability of private property" (Council of Europe 1995, 21).
From the very beginning thus, Italian cultural policy was characterised by the central role of norms for the protection of the heritage, in the context of what was, according to Carta (1999, 56) a 'negative' (in the sense of passive) notion of the heritage, merely founded on the values of preservation of the existing cultural patrimony rather than on proactive strategies of heritage promotion. In the years immediately following the Unification, the debate was dominated by the crucial issue of choosing between centralization and decentralisation of cultural administration. Despite the similarities among them, heritage conservation policies were based on legislative bodies and administrative structures that were different among the various pre-unitary states. The options available then, were to either unify - and thus centralize - methodologies and tools for heritage preservation, or to allow them to develop according to local needs and on the basis of the regional models already in place (Carta 1999, 56). The alternative that eventually prevailed was the centralization of heritage policy. According to Carta (ibid.), the already mentioned belief in the universal nature of culture might have had a role in making the centralizing option look more appealing to the administrators of the newly unified Italy. Indeed, among influential intellectuals at the time a view gained currency that saw museums no longer as rooted in their local reality and territory. On the contrary, museums came to be seen as the ultimate instrument in the full appreciation and learning of classical art, to the extent that this period witnessed the theorization of the dislocation of works of art and archaeological relics from the place of their discovery to
purpose built museums. This, it was felt, would facilitate the intellectual reconstruction of the evolution of art in ages past.¹²²

The decision to opt for a centralised model of heritage policy has been, in Pinna’s view, most decisive in determining the future developments of Italian heritage policy:

This centralised management resulted in the deliberate destruction of the symbolic and cultural significance of the heritage of the various Italian communities, and emphasis was inevitably placed more on the material aspects of the objects, as distinct from their signification in any historical context. This, then, is how ‘heritage’ was transformed into ‘cultural assets’ (Pinna 2001, 63; See the Appendix).

This approach to cultural policy, Pinna continues (ibid.) produced two significant outcomes. First of all, the emphasis was placed on heritage conservation rather than on public access to it. This had a positive effect in so far as it resulted in the creation of heritage preservation institutions and regulations among the best in the world. However, the prioritisation of heritage preservation also meant that ordinary Italians were largely removed from their own cultural patrimony, and that Italy has – as a result - failed in establishing an effective and visitor-friendly museum

¹²² Giuseppe Fiorelli, Minister for Public Education in the mid-1880s, famously defended this position in two famous reports (published in 1883 and 1885). He explicitly presented a conception of the cultural patrimony as fundamental educational tool for the artistic instruction and the humanistic formation of the new generations, whilst also underlining the important function of the heritage towards the deeper understanding and comprehension of a now united Italy (Genovese 1995, 31).
organization. Hence the numerous museums of archaeology that would be more appropriately labelled - as Pinna (ibid.) polemically argues - as 'museums- storehouses', since objects are often exhibited with the only accompaniment of their inventory numbers, without any explanatory material for the benefit of visitors. Pinna (ibid.) concludes his tirade against the current attitude to heritage policy in Italy thus:

The state’s restrictive interpretation of 'cultural assets' and 'guarantors of ownership' meant that museums became places where being open to the public was tolerated as a minimum concession – to the true owners of the public heritage themselves! It is a fact that citizens are often regarded as a dangerous source of potential damage to valuable objects.

As will become clearer as the discussion progresses and includes more recent heritage policies in Italy, preservation was from the very establishment of a legal and administrative framework for heritage policy, the number one priority. And, interestingly, expressions of unease for such a status quo as that expressed by Pinna, and protestations against the marginal role of explicit 'access' policies are, in the Italian context, less frequent than could be expected.

123 It might be argued, though, that the picture painted by Pinna is not accurate any longer. At least, this is what a recent publication by the Ministero per i Beni e le Attività Culturali seems to suggests. The pamphlet indeed boasts that Italy is the country within Europe with the highest number of archaeological sites open to the public. Equally, the document would seem to argue that the number of monuments, museums, parks that are open all day and over bank holidays in Italy is higher than the European average (Mbac 2005, 20-1). It has to be said, though, that the pamphlet does not explain on the basis of what data these conclusions are reached, nor does it presents any specific comparison with opening hours and accessibility in other European countries. Such claims might therefore be best accepted with a certain caution.

124 The 1995 National Report in conclusion of its overview of cultural policies between the 19th and the early 20th centuries, explicitly admits this: "As a whole, the protection system has been conceived according to a typical policy of guarantee, liberal in spirit without promotion aims" (Council of Europe 1995, 23).
As was mentioned earlier, the Fascist era was an extremely important phase in the development of Italian cultural policy. During this time, indeed, a number of substantial organizational changes were made, both at the central and local levels (Cazzato and Rizza 2001, 12). As a matter of fact, a number of later legal and administrative initiatives represented the continuation and the perfecting of norms that had been first introduced in the 1930s (ibid., 15). The phenomenal legislative activity that flourished in the 1930s, however, also represents the culmination of the long process of establishing a complex set of norms and regulations for the heritage sector that has been just discussed above. This is indeed an aspect of Fascist cultural policy that has been largely overlooked by the English-speaking academic community. Whilst there are a great numbers of publications available on many different aspects of Fascist art and culture, the administrative aspects, and the issue of the normative elaborations carried out by the regime have not caught the interest of researchers and commentators.

In a way, this could be seen as a consequence of the characteristics of the Fascist regime itself. As it has been observed from many parts, Fascism's cultural strategy was subordinated to the regime's broader and fundamental commitment to 'making the Italians' (Doumanis 2001, 140). The Liberal regimes that preceded it had indeed targeted their efforts to build a national spirit within a unified Italy merely to the educated higher middle classes. This was, according to Nicholas Doumanis (ibid.) as much the result of a widespread elitism, as part of a political strategy that
was weary of the subversive potential inherent in mass politicisation. Fascism’s plans to forge a national culture and identity for the Italian people, however, entailed a much more inclusive notion of the *grande nazione* (‘great nation’) they wanted to turn Italy into. The regime’s motto, to ‘bring the masses into the state’ leaves very little doubt about it (Doumanis *ibid.*). It has been argued that Italian Fascism equates to a political project that had its ultimate goal in the re-creation of the self, that is, in the moulding of the Italian people with a view to ‘create new identities as citizens of Fascist Italy’ (Berezin 1997, 5). As Doumanis (*ibid.*, 146) further explains:

Mussolini sought to develop a national culture that engaged directly with the masses, that appealed to their sensibilities and which they might find emotionally uplifting. The new national culture was to be celebrated through new rituals and commemorative practices, through the creation and adoration of new or reinvented symbols and sacred objects. [...] In most ways, Mussolini’s government was demonstrably incompetent, but where it showed considerable ingenuity was in recognizing the importance of culture in politics. Its attempts to solve the problem of mass politics by allowing for cultural instead of political participation was probably Italian Fascism’s most distinctive contribution to modern politics.

Unsurprisingly then, the ritual forms of mass cultural participation and mobilization perfected by the Fascist regime have been the aspects of culture and policy that have been most commonly researched and written about. Ostensibly, despite the broad-ranging nature of the regime’s cultural reformation and reorganization125, public spectacle was the

125 As Mabel Berezin (1997, 5) puts it, “[t]he regime ‘fascistified’ Italy's principal cultural and social institutions”. Indeed, it reorganised the educational system, it took over the
preferred vehicle for the expression of the Fascist identity project. In spite of the extensive restructuring of the educational system, Italy during the Fascist Ventennio was a country with large areas inhabited by an illiterate population that did not use the national language in everyday life, and where access to culture was strongly limited. As a matter of fact, only a small elite had the privilege to enjoy Italian high culture and the great Italian artistic heritage (Berezin 1997, 47). Therefore, from the regime's perspective, 'public spectacle' - that is grand public ritualistic events - were the perfect tool to reach a broadly culturally unsophisticated populace. Despite the obvious propagandistic nature of this type of official cultural intervention, in its attempt to successfully reach its public, Fascist cultural policy also challenged the accepted boundaries of culture, and succeeded in exposing new social groups (such as the working and lower-middle classes, both urban and rural) to cultural experiences never encountered before (Stone 1998, 6). It is beyond questioning that from 1922 onwards, "spectacle replaced aesthetics as a defining force within popular Fascist cultural practice" (Berezin 1997, 41). Great events, exhibitions, expositions, fairs and processions with a distinct ritualistic flavour ensured that spectacle became the regime's privileged form of political communication. In her study of the culture and politics of Fascist Italy, Maria Stone (1999) concentrates her analysis on

administration of the most prestigious cultural and artistic institutions as well as the more popular ones (cinema, theatre, publishing and the press). It also created a nationwide network of voluntary cultural and leisure organizations that managed to involve men and women of all ages and from every corner of the country into the official rituals and cultural activities promoted by the regime itself.

126 Berezin (1995, 47) offers a synthetic yet forceful picture of the social and educational condition of Fascist Italy: "In 1922, Italy was a country with an urban industrial north, a vociferous working class, an illiterate and underdeveloped peasant south, and a quasi-educated and economically disadvantaged middle class."
the regime’s ‘exhibiting culture’. She argues that exhibitions were a fundamental element in Fascist cultural policy, because they represented the meeting point between the dictatorship itself and the producers and consumers of culture. In Stone’s own words, “[e]xhibitions, as places of cultural exchange, together with the practices and institutions of patronage such as commissions, competitions, and artists’ unions, were major locations for the unfolding of Fascist arts policy” (Stone 1998, 16). Fascism’s particular interest in ‘big events’ is indeed confirmed by its substantial legislative activity in this field (Cazzato 2001, 13).

These more ostentatious and grand events, as well as forms of low or mass culture (such as - for instance – cinema, radio and the press) have flourished, over time, into fertile grounds for academic analysis. However, the innovations brought about by the Fascist regime in the field of heritage policy, both on the legal and administrative levels - though less immediately obvious and not as showy a phenomenon as the regime’s intervention in other cultural spheres - are nevertheless equally significant. In fact, many of the innovations and changes that took place within the temporal scope of the Fascist Ventennio affected Italian policies for the beni culturali until well into the 1990s. In a powerful metaphor, Sabino Cassese suggests that the legislation produced between the 1930s and 1940s represents a genuine ‘mine’, from which a number of precious inspirations would be consistently drawn in later times (Cassese 2001, 22).
Public intervention in the arts was indeed first institutionalised and theorised in the Fascist period, giving rise to the first real example of a coherent Italian cultural policy (Palma and Clemente di San Luca 1987, 69). The Thirties witnessed a great acceleration of the process of legislative elaboration; this was preceded and accompanied by a remarkably intense activity encompassing the design of new projects and the proposal of new laws. The debate around the norms, the institutions and changes that were needed in the field of heritage policy also gained great momentum at this time (Cassese 2001, 21). This increase in the speed with which new laws were introduced, new institutions created and public administration reformed, was a phenomenon that characterized many fields of Italian public life during Fascism. However, according to Cassese (Ibid.), this gathering speed of processes of change was particularly significant in the sphere of what we refer to – in today’s terminology – as beni culturali. In his view, the principal characteristic of public intervention in the heritage field during the 1930s was the impressive scope of the plans that were drawn for the sector (Cassese 2001, 21-22). In what was effectively a short span of time, a strikingly large number of new measures and laws (of which law n. 1089 of 1939 represents but the apex) were suggested, proposed, discussed and finally approved which affected numerous elements of the public cultural sphere. Moreover, the regime went beyond mere legislation in order to tackle managerial and administrative issues, as proven by the establishment of new institutions, such as – for instance – the Istituto Centrale di Restauro (Central Institute for Restorations). Cassese (2001,
stresses the point that such measures are especially significant in view of the fact that, at the time, the broad-ranging and complex notion of bene culturale had not been fully elaborated yet. Therefore, the fact that, at such an early point in time, links were explicitly and officially made between areas of the cultural sector that were felt as contiguous (and that would be eventually be brought coherently together in the rhetoric of the bene culturale), appears to Cassese to be 'almost miraculous' (Cassese 2001, 22).

The reasons for such a flourishing of measures for the heritage and cultural sectors are manifold and complex. Ostensibly, the Thirties represented a time of general upsurge of activities in public life, as a direct result of the grave economic crisis that hit Italy around that time, and of the developments in the political sphere. Paradoxically, it is arguable that had Italy not been facing a disastrous economic crisis and the likely prospect of a world war, it would have been much harder to obtain such a prompt consensus around the need of the State to develop a policy for the arts and culture. This, in turn, implied that the State would have to take upon itself duties that had belonged, up until then, to the private sphere, so as to protect the cultural heritage even at the cost of limiting drastically the rights of private owners of cultural goods. Furthermore, it was probably the very lack of democracy that allowed to cut corners, thus reducing dramatically the times required to turn bills into actual laws, by sidestepping lengthy parliamentary debates and votes (Cassese 2001, 23).
Cassese (*bid.*) argues that it was precisely the regimes' authoritarian nature that allowed it to interfere so heavily in the private sphere, to an extent that would have been just unthinkable for any liberal government. Hence a further paradox: in many ways, it was precisely the authoritarian and illiberal element within the Fascist regime that might have represented an incentive to ensure that provisions were made (both through legislative and administrative measures) so that the Italian cultural patrimony could be preserved for the benefit of future generations. Finally, another factor that contributed to the boost of popularity of heritage issues during Fascism was surely the regimes' cultural affinity with Italy's Roman past. Fascist ideology was based on a strong intellectual and ideological link with Roman culture in which Renaissance culture was also embedded, as well as the numerous neoclassical artistic currents that followed. Preserving archaeological and artistic objects from these eras therefore, had a special cultural significance for the regime (Cassese 2001, 23). In conclusion, the first half of the 20th century witnessed the shift from a phase in which juridical institutions appeared to be largely uninterested in cultural matters127 to a new era, characterised by a legislative production of very high quality in the field of heritage, if limited to purposes of cultural preservation (Valentino 1999, XV).

127 This is confirmed by the fact that pre-unitary laws were simply extended to the unified country, and that the legislative activity following unification was extremely scanty. The first law for cultural preservation was issued by the unified Italy as late as 1902 (Genovese 1995, 30).
If one were to single out the most influential piece of legislation produced by the Fascist regime, this would undoubtedly be the law n. 1089 of 1939. The enduring influence of this legislative act over time is confirmed by the observation that the 1999 Testo Unico closely reflects its thematic structure. Indeed, law 1089/1939 had articulated the various measures for cultural preservation and valorisation that it set out across eight different main directives which correspond almost exactly to the eight sections into which the Testo Unico is divided (Zerboni 2001, 115). Furthermore, law n 1089 also introduces the exclusion from the measures for preservation of all works of art whose creator was still alive or that had been produced in the fifty years preceding the implementation of the law. This statute was re-confirmed in the 1999 Testo Unico (Rossano and Rossano 2002, 112 and Zerboni 2001, 117).

There is widespread agreement among commentators that the strand of legislative activity of which the 1939 law is an example, is a clear sign of the programmatic ratio operating at the time and resulting in Italy's first real cultural strategy (Carta 1999, 64)\textsuperscript{128}. The law 1089 of 1939 envisages a system of heritage protection whose responsibility was primarily entrusted to the Ministero dell'Educazione Nazionale (eventually renamed Ministero della Pubblica Istruzione, that is, the Education

\textsuperscript{128} One of the main reasons why it can be rightfully argued that the first 'proper' cultural strategy was established in Italy in this phase is the remarkable breadth of scope of the normative production. Indeed, this involved not only the protection of the artistic and historical heritage by the law n. 1089 of 1939 here under discussion, but also the protection of archives and documentary heritage with the law n. 2006 of 1939 and even the environment (bellezze naturali) with the law n. 1497 of 1939 (Council of Europe 1995, 23-24; Mirri 2000, 12-13).
Ministry) which was assisted in its tasks by a number of Direzioni generali
delle antichità e delle belle arti e delle accademie e biblioteche that were
spread all across the country and that had been instituted in two waves,
in 1875 and 1916 (Mirri 2000, 12). This administrative structure has
largely survived the lifespan of the law as it is clearly reflected in the
Soprintendenze offices that are presently in charge of the preservation,
restoration and administration of cultural assets at the local level. The
first articles of the first section of the law identify the targets of the
conservation effort in objects that are deemed deserving of state-
sponsored preservation in virtue of their historical, artistic, archaeological
and ethnographic interest. Moreover, a scale of various levels of interest
was introduced (in order to evaluate the importance of each individual
object of art) which culminated with the cultural objects classified as
"exceptional"\textsuperscript{129}. The system of protection put in place by the Ministry and
the regional and local offices was closely related to the enforcement of a
listing process based on such classifications (ibid.). It is thus clear that
the system established by the law n. 1089 relied on the premise of the
exceptional nature of cultural assets, independently of whether they
belonged to the state or to private owners (Barbati et al. 2003, 13). More
significant is the observation that one of the guiding principles of the new
legislation was the belief that the state had the right, as well as the duty,
to get involved in the administration and restoration of those privately
owned cultural assets that were recognised to have a cultural
significance for the national community as a whole.

\textsuperscript{129} For the cultural objects of 'exceptional' artistic importance, the law envisaged the
possibility of issuing expropriation orders and to forbid their exportation (Serio 2001a,
334).
In the light of this necessarily brief discussion of the administrative and normative structure introduced by the law n. 1089, a number of important observations can be made. Firstly, the very notion of cultural assets that underlies the legislative act is obviously a result of the dominant ideology of the "masterpiece". According to this *ideologia del capolavoro*, at the centre of heritage policy is the notion of the exceptional work of art that can be appreciated independently from its local and cultural context in virtue of its objective artistic quality (Serio 2001a, 333). Even the legislation for the bellezze naturali (the environment endowed with particular natural beauty) shows clear traces of this attitude to art and beauty. Law n.1497 of 1939 conceives environmental protection not as a crucial aspect of the preservation of an ecological equilibrium, but rather focuses on the very partial and superficial conception of the preservation of landscape judged on purely aesthetic terms as the volto della patria (the 'face of the homeland') (Serravalle 1995, 59-60 and Ventura 2001, 448). As Mario Serio further explains, the state admitted the need to protect the environment only to the extent to which a beautiful landscape could be functional to the enjoyment of monuments, by providing the ideal perspective, lighting and dignity (*prospettiva, luce* and *decoro*) (Ibid.). This is an obvious consequence of the neo-idealistic conception of art and its role in society prevalent in Italy around this time that was discussed in Chapter 4.
Secondly, the system of heritage policy as defined by the 1939 law is a very centralised one, which is probably not surprising considering that it emanated from a totalitarian regime. Fascism's centralizing impetus was but the culmination of a process that had begun over forty years previously, when the administrative structures of the unitary Italian State had begun developing according to a fairly centralized model (Serio 2001a, 331 and Serio 2001b, 615). Another important feature of heritage policy in this period is that the very authoritarian nature of the Fascist government allowed the state to intervene in the private sphere and extend its right to impose listings and limitations to privately owned cultural objects. One of the explicit aims of the law n.1089/39 was indeed to withdraw from their normal use (and therefore both from the economy and the citizens) a selective, yet rather large, number of objects (archaeological relics, painting, artistic objects, etc.) which - in view of their rarity or artistic and historical importance - were deemed worthy of special attention and care. On this ground, it thus seemed opportune, and even desirable, for these objects to be removed from their natural and usual practical functions in order to avoid the risks of damage and the wear and tear they involve. The ultimate aim of this process was to endow these objects with the much nobler and eternal function of historical document of a set of aesthetic and cultural values. To achieve this end, the law gave the public authority the power to establish extensive vincoli (preservation requirements) to movable objects, individual buildings and even to entire areas\textsuperscript{130}. A vincolo withdraws the

\textsuperscript{130} The establishing of vincoli corresponds roughly to the process of listing period
chosen cultural assets from any economic use that could have damaging effects and that would not be conducive to the assets' future preservation. In the name of the preservation of the national cultural patrimony, the establishment of vincoli could even turn the very purpose for which an object was originally created into a legally improper use (Montella 2003, 49). Article 23 of law n.1089 also sanctioned the principio d'inalienabilità of the cultural objects in the public domain; that is, it forbids the sale of any publicly-owned object of historical or artistic interest (Ibid., 63). The inalienabilità of cultural assets became indeed a crucial tenet of Italian public policy, and was reinforced by the codice civile (civil code) introduced in 1942. The civil code decrees that unmovable goods of historical, archaeological or artistic importance, as well as the collections housed in museums, galleries, archives and libraries can be of either public or private property. Article 822 of the code also specifies that when they are of public property, cultural assets fall within the category of demanio pubblico, and this has crucial implications. First and foremost, the demanielità of cultural assets implies their inalienabilità but also, more generally, their incommerciabilità, that is the impossibility for cultural assets of public property to be sold for profit (Rossano and Rossano 2002, 144; see also Montella 2003, 63-64 and Cofrancesco 1999, 93).

buildings in Britain. However, in the Italian system, not only buildings, but also movable objects might be subjected to extensive vincoli.  

131 The law n.1089 even ratifies the principle according to which archaeological objects not yet discovered are property of the State (Giancotti 1998, 20). This is quite significant if we consider that experts believe that only about 30% of what has been created and produced in antiquity has been so far brought to life (Dell'Orso 2002, 25).
It thus appear evident that the cultural policy system, as it came to be defined in Italy from the late 1930s onwards, was based on the value of preservation, over and above any consideration of the economic value of the protected cultural objects, and on the duty of the public administration to provide and manage this activity of protection. The literature displays wide agreement on the fact that *tutela* (preservation) was the number one priority for Italian cultural policy since its very inception. The word *tutela* appears for the first time in the already mentioned legislation of 1909, and its derivation from the Latin *tueor*, meaning to defend, leaves no doubt as to the state's approach to heritage policy (Rossano and Rossano 2002, 117). The primary goal of the activity of *tutela* of the cultural patrimony coincided with an attempt to avoid the absolute liberalization of the objects that were part of art collections (private ones as well as public). The practice of *tutela* is based on norms and regulations that strive to hinder the economic exploitation of the cultural assets by severely limiting the possibility to sell them. The marketplace alone, within a capitalist system, provides no limitations related to the nature of the goods for sale, which is irrelevant in a context where the logic of maximum profit rules. Francesco Ventura thus defines *tutela* as the production of mechanisms mediating between economic calculation and profit on the one hand, and the rights of the cultural patrimony based on the principle of the public interest on the other (Ventura 2001, 447). It is precisely on the basis of such public interest that the national government and the local authorities, each according to its own remit, are engaged in ensuring that the processes aiming at the conservation,
salvaging and restoration of the country's cultural patrimony are effectively implemented (Ibid).

For this reason, the Italian system is founded on a conception of cultural preservation that identifies as one of its fundamental objectives the non-dispersion of cultural goods – and, in this respect, it is considered to be one of the strictest in the world (Serravalle 1995, 58). However, this seems to be a very passive and conservative interpretation of the concept of tutela (Jalla, 2003, 10). The extensive use of the legal device of the vincolo means that, in many ways, cultural preservation seems to be restricted to a set of ample limitations imposed on the private owners of cultural and artistic objects (D'Angelo 1995, 45 and Serravalle 1995, 58-59).

For the reasons discussed above, the Fascist regime had always been very interested in arts and artists. As early as 1923, Mussolini, speaking at the opening of a contemporary art exhibition in Milan, declared that it would be impossible to expect to run a country ignoring its arts and artists, and a government that decided to do so, especially in a country like Italy, would simply be stupid¹³² (Margozzi 2001a, 27). Fifteen years later - in the period when, as we have seen, the regime's cultural policy progressively took on a more concrete form through an intense legislative activity - the Minister for National Education, Giuseppe Bottai, in the first

¹³² Mussolini's exact words were: "Non si può governare ignorando l'arte e gli artisti [...]. In un paese come l'Italia sarebbe deficiente un governo che si disinteressasse dell'arte e degli artisti". (Quoted in Margozzi 2001a, 27).
issue of the periodical *Le Arti*, proclaims that according to Fascist doctrine, art is an indispensable element in the education of the masses (Margozzi 2001a, 27). It is beyond doubt that the Fascist regime had a very instrumental notion of the arts and culture, in so far as it saw them as a powerful tool for persuasion and moulding public opinion. However, it is significant that, despite the difficult economic situation of the country when the regime took power, the economic exploitation of the rich Italian cultural patrimony was never appealed for. The arts and culture were indeed seen as a tool, but mainly as a tool towards the achievement of the 'fascistization' of Italian society and its people. It was the educational and therefore 'civil' potential of the arts that was consistently emphasised. The 1933 *Manifesto della pittura murale* (Manifesto for mural art) is a perfect example of the regime's attitude to culture. The manifesto clearly states that in the Fascist state arts are meant to have a social function, that is, an educational role. The manifesto reaches the conclusion that, thanks to such an educational role, art will become again what it once was within the most sophisticated and developed ancient civilizations: a "perfect tool of spiritual government" (Margozzi 2001b, 125-126).

This notion of the civic function of culture came to its culmination during Fascism (for obvious reasons), but it was not extinguished with the demise of the regime. In fact, as Chapter 4 has shown, this seems to

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133 In Bottai own words, the Fascist state "nella sua dottrina unitaria, considera l'arte l'elemento indispensabile dell'educazione delle masse" (Quoted in Margozzi 2001a, 27).
represent a very deep seated belief within the Italian tradition. Most recently the respected art historian Salvatore Settis - a personality whom one would normally most certainly not associate with Fascist values - concluded a brief historical reconstruction of the birth of the museum institution in Italy by writing that: "the citizens are the heirs, and therefore, the owners of the country's cultural patrimony - both its monetary value as well as its symbolic and metaphoric value, that is as incarnation of the State and of its historical memory; as a sign of belonging, as representation of the citizenship and identity of the country. The cultural patrimony thus assumes a remarkable civil function" (Settis 2002, 24; emphasis in the original)\textsuperscript{134}. Settis (2002, 26) is therefore convinced that in the Italian tradition, the administration and the protection of the cultural patrimony have never been intended merely in a 'patrimonial-proprietary' sense, because the financial value of monuments and artistic objects was always seen as subordinate to their civic function\textsuperscript{135}.

Since this view is so embedded in Italian culture, it logically follows that the dispersion and the degradation of the cultural patrimony comes to be interpreted as a damage to the patria. \textit{Patria} can be translated as 'motherland', but its meaning has, in the Italian language, a much

\textsuperscript{134} "I cittadini sono gli eredi e i proprietari del patrimonio culturale, tanto nel suo valore monetario che nel suo valore simbolico e metaforico, come incarnation dello Stato e della sua memoria storica, come segno d'appartenenza, come figura della cittadinanza e dell'identità del Paese. Il patrimonio culturale assume in tal modo una notevolissima funzione civile".

\textsuperscript{135} In Settis' own words: "Nella tradizione Italiana, la gestione e la tutela del patrimonio culturale non sono state mai intese in senso meramente patrimoniale-proprietario. Sono sempre 'fatti i conti' (se no, palazzo, quadri e chiese non sarebbero più dove sono) ma si è sempre pensato che il valore venale di monumenti e oggetti d'arte fosse subordinato all'funzione civile del patrimonio artistico" (Settis 2002, 26).
stronger emotional nuance: the word patria, after all, shares the same root of the word patriotism ('patriottismo' in Italian). Patria is indeed the 'land of the fathers', and pater (Latin for 'father') is the etymon for 'patrimony'. As the etymology of the word clearly shows, the ancient historical and artistic objects, once in possession of royal and noble families, the Church and local communities become, in the contemporary world, the inheritance of the nation as a whole. The ensemble of the various local cultural patrimonies to be found within a country therefore belongs in primis to the people of that country, but could ultimately be seen as representing the patrimony of the entire humanity, as in the perspective currently accepted with regards to the arts and culture (Ventura 2001, 446). Francesco Ventura (Ibid.) further observes that the word nazione (nation) derives from the Latin nasci (to be born), and in view of its etymology he argues that the term indicates 'an ethnic unity aware of its own cultural peculiarity'. The various cultural values that are attributable to the objects and the cultural expressions that make up the cultural patrimony are therefore also peculiar to those very people, although they become – as a result of the globalisation processes at work in the contemporary world – also patrimony of all the people in the world. It is as a consequence of the adoption of this line of reasoning – Ventura argues – that within the space of a century and a half, a strategy of tutela has been developing in the Western world which begun with the protection of art collections and architectural monuments only to expand, over time, also to the urban patrimony, and encompassing, eventually (through the ecological movement for the protection of the environment)
the whole planet (Ventura 2001, 446). Situated in this intellectual context, the indisputable centrality of tutela within the Italian cultural policy model is more easily understood. In legal terms, this priority was embodied in the principle of the esigenza-sufficienza della conservazione expressed by law n. 1089, which identified the ultimate goal of the state's activities in the heritage sphere with the protection of the cultural patrimony from all possible eventualities – both material and juridical – that might jeopardise its integrity (Barbati et al. 2003, 13). As the following sections of the chapter will demonstrate, cultural preservation remained the uncontested priority in Italian heritage policy for a few decades longer until the 1980s, when things finally seemed to change radically.

PHASE II: FROM THE POSTWAR YEARS TO THE 1970S

Although at the conclusion of WWII Italy found itself freed from the authoritarian regime that had led her into a disastrous world conflict, the postwar years represented a very difficult and tumultuous time for the Italian nation. However, these were also years during which social and economic changes seemed to accelerate considerably, so that - in the twenty-year period between the 1950s and 1970s - Italy became unrecognisable from its pre-war self. This period was indeed characterised by a mass migration of enormous proportion and without

In 1995, the National Report on Italian Cultural Policy formally acknowledged the predominance of the preservation-based approach to cultural policy-making: "As regards overall culture, and planning trends in this field, we can mention the pre-eminence of the 'defence' dimension as opposed to enhancement and promotion: a pre-eminence evidently involving the awareness of a unique heritage of properties, but which is still reluctant to 'think' about culture as a value for the social and economic development of the country". (Council of Europe 1995, 10; emphasis in the original).
equal precedent. In addition to emigration to foreign countries, over a period of about ten years about 12 million people moved from the impoverished South to the North and Centre of mainland Italy, providing much needed cheap manpower. This, in turn, contributed to the phenomenal economic expansion that took place in Italy at this point, a phenomenon usually referred to as the economic ‘boom’ (Cofrancesco 1999, 93).

The period here under scrutiny did not only represent a period of exceptional economic change, for important developments had also happened at political and institutional levels. Following a referendum in 1946 that offered the Italian people the choice between a monarchic and a republican system, Italy, in that same year, became a democratic Republic. Following the declaration of the Italian Republic, an Assemblea Costituente was established in June 1946 with the task of drawing up the Italian Constitution, which entered into force in 1948.

The Italian Constitution brought about a formal ratification of the Republic’s belief in the civic function of the cultural patrimony. In particular, article 9 declares that “the Italian Republic promotes the flourishing of culture as well as scientific and technical research. It also protects the landscape (paesaggio) and the historical and artistic patrimony of the Nation”\textsuperscript{137}. Article 9 therefore identifies two primary roles for the Italian state vis à vis culture: to promote cultural development and

\textsuperscript{137} In the original, article 9 reads: “La Repubblica promuove lo sviluppo della cultura e la ricerca scientifica. Tutela il paesaggio e il patrimonio storico e artistico della Nazione”. 

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scientific research and to *protect* the landscape and the historical and artistic patrimony of the nation (Carta 1999, 68-69). The explicit reference to the need for the state to promote culture seems to open the way for a potential departure from the notion of the *esigenza-sufficienza della conservazione* (the requirement-sufficiency of preservation) which was introduced by law 1089. However, the Constitution's introduction of the element of cultural promotion in the cultural policy debate has, according to Carta (1999, 69) another important meaning. Carta underlines the deep social significance of the concept of cultural promotion, and relates it to the other important task of the Republic expressed by article 3 of the Constitution. According to article 3, the Republic "takes it upon itself to eliminate the obstacles, of an economic and social nature, which - insofar as they *de facto* limit the freedom and equality of citizens - prevent the full development of the individual and thus hinders his or her participation to the working, social and political life of the country". In Carta's (Ibid.) interpretation, the two articles demonstrate that the importance of cultural participation for all is sanctioned at Constitutional level, and furthermore, that it falls within the Republic's duty to ensure the full personal development of all her citizens. In other words, thanks to the Constitution, the enjoyment of the cultural patrimony becomes a defining element of full participation in public life, and a necessary requisite for a social development founded

138 Article 3 of the Italian Constitution reads: "Tutti I cittadini hanno pari dignità sociale e sono uguali davanti alla legge, senza distinzione di sesso, di razza, di lingua, di religione, di opinioni politiche, di condizioni personali e sociali. È compito della repubblica di rimuovere gli ostacoli di ordine economico e sociale, che, limitando di fatto, la libertà e l'eguaglianza dei cittadini, impediscono il pieno sviluppo della persona umana e l'effettiva partecipazione di tutti I lavoratori all'organizzazione politica, economica e sociale del paese" (emphasis mine).
upon "the historical identity of the nation" (Carta 1999, 69). This is confirmed by the very fact that article 9 is to be found in the section which deals with the *principi fondamentali*, that is, the fundamental principles on which the Republic is based (D'Angelo 1995, 42).

Two further important observations can be made at this point. Firstly, article 9 clearly establishes the notion of *tutela* as a central priority for the state, continuing the centrality of cultural preservation that characterises the Italian tradition (D'Angelo 1995, 42). Secondly, the above mentioned articles of the Italian Constitution, by emphasizing the cultural (in an anthropological sense) and the civic value of the artistic patrimony, represent the first formal move away from the aestheticism that underscored the notion of cultural assets purported by the 1939 legislation (Serravalle 1995, 63). The ultimate goal of *tutela*, indeed, is not the material conservation of the *bene culturale* in itself, but rather the preservation and defence – through measures that might include intervening on the material dimension of the beni - of the cultural values that it embodies (Cicerchia 2002, 59). This second phase in the evolution of Italian cultural policy, indeed, witnesses a slow but consistent move towards a notion of cultural assets that stresses their unique and crucial role in the moral, cultural and political formation of the individual. According to Carta (1999, 81), the 60s and 70s in particular, represented the moment in Italian contemporary history when the belief in the social utility of the *beni culturali* reached its zenith.
The elaboration of the Constitution undoubtedly represents the fruit of the most important legislative activity in this period. The remaining portion of this phase in Italian cultural policy does not witness many other influential pieces of legislation see the light of day. In fact, what seems to characterise the cultural policy debate from the 1950s to the late 1960s is the flourishing of Commissioni, that is, parliamentary commissions that were organised in order to collect information on the current state of cultural policy at the time. They also had the task to make recommendations and advise the parliament on the best course of action and on the possibility of introducing new legislation to implement the necessary changes. The first of these commissions was instituted in 1956 with the name Commissione mista per la tutela del paesaggio e la valorizzazione del patrimonio artistico e culturale. The Commissione’s main task was to establish the technical and economic situation of the institutions in charge of taking care of the administration of cultural assets (Carta 1999, 69). By far the most influential of the commissions set up in this period was the one commonly referred to as the Commissione Franceschini (named after the member of parliament who chaired it) and which was established in 1964. The commission’s final report, published in three volumes in 1967, was extremely influential. In the words of the 1995 National Report on Italian cultural policy, it “was for over a decade the point of reference in the debate on cultural heritage, even though it did not achieve its main purpose, which was the reform of the laws of 1939” (Council of Europe 1995, 27). The most lasting impact

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139 Its full name was Commissione d’indagine per la tutela e la valorizzazione delle cose d’interesse storico, archeologico e artistico e del paesaggio.
of the report was the introduction of the expression *beni culturali* into discussions of cultural policy matters. The formula *beni culturali* had originated in the international context, having been first used in the Hague Convention of 1954 (Jalla 2003, 87). As is discussed in the Appendix, far from being a merely linguistic issue, the adoption of the new expression (instead of the traditional 'objects of historical and artistic importance') marks a significant shift in the understanding of the very nature of the object of heritage policy. The report explicitly subscribes to an anthropological notion of *bene culturale* (now based on historical, rather than aesthetic, criteria), whereby cultural assets are important as expression of a civilization, and constitute, for this very reason, part of the cultural patrimony of humanity as a whole¹⁴⁰ (Carta 1999, 70; Volonté 2001, 35, and Council of Europe 1995, 28).

The expression *beni culturali* was obviously there to stay, and was endorsed by the following two parliamentary commissions that were established between the late 1960s and early 1970s. These go under the name of first and second Commissione Papa/do (again, named after their chairman). The *raison d'être* of the Commissions was to attempt to analyse the functions of cultural preservation as promotion that the Constitution had identified as the main duties of the State in the cultural

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¹⁴⁰ The original passage of the report here referred to reads: "La Commissione, all'inizio dei suoi lavori richiamandosi a principi già largamente e sicuramente affermati anche in sede internazionale, dichiara di voler riconoscere al patrimonio storico, archeologico, artistico e paesistico, oggetto della sua indagine, un preminente valore di civiltà assoluta, universale e non transeunte, tale da caratterizzarlo come patrimonio dell'umanità di cui ogni possessore singolo, ogni Paese, ogni generazione debbono considerarsi soltanto depositari, e quindi responsabili di fronte alla società, a tutto il mondo civile e alle generazioni future" (Quoted in Carta 1999, 70).
sphere, and how such duties could be accommodated within the existing administrative framework (which was still the one configured by the 1939 law). The main innovation suggested by the second Papaldo commission was the proposal for the institution of a Ministry for the *beni culturali*. The new ministry was indeed established in 1975, by the government led by Aldo Moro and composed of a coalition of the Christian Democrats and the Republican Party (DC and PRI), with the name of *Ministero dei Beni Culturali ed Ambientali*, thus ratifying at the legislative and institutional levels the use of the expression *beni culturali* that had, by then, become common currency in the policy debate (Carta 1999, 73 and Serravalle 1995, 56)\(^{141}\).

The new *Ministero* represented the institutional embodiment of the conviction in the moral and civic function of the cultural patrimony which, as we have seen, had been gaining momentum over time and that found now its culmination. The very establishment of the Ministry was borne out of the idealistic intent to make the administration of cultural assets the object of an autonomous policy-making body, so as to confer to the sphere of the *beni culturali* a higher position in the political hierarchy (Carta 1999, 74). The idealistic view that underscored the institution of

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\(^{141}\) This is how the 1995 National Report describes the administrative structure of the new *Ministero*: "The structure of the Ministry consisted of a combination of three general departments, two of which were offshoots from the Ministry of Education and one from the Ministry of the Interior. To these was added a department for general administrative affairs and for staff. The four central institutions in charge of ensuring methodological unity in the sectors of both bibliographical and art-history cataloguing and restoration, both of works of art and of the bibliographical heritage, were only a reorganisation of pre-existing organised bodies. The most important innovation which took up another suggestion of the Franceschini Commission, was the division of the highest advisory body, the National Council for Cultural Assets, into separate sector committees on the basis of distinct types of assets" (Council of Europe 1995, 29).
the 1975 Ministry is summarised by the declaration by Giuseppe Galasso about the widespread agreement that the Ministry should be not a 'Ministry of Culture' but a 'Ministry for the cultural and environmental patrimony' (Galasso 1996, 106; emphasis in the original)\textsuperscript{142}. That this was a common feeling is indeed confirmed by the writings of the protagonists of this moment of institutional change.

The principal promoter of the creation of the new Ministry was the member of Parliament and well respected historian Giovanni Spadolini. The historical and cultural patrimony of the nation was central to his very notion of Italy. Antonio Paolucci (who was working in the field of cultural administration at the time, later to become - for a short while - Minister for the beni culturali himself) recalls Spadolini's firm belief that Italy enjoys an incommensurable privilege in view of its rich cultural patrimony, complex history and fascinating beauty. It was Spadolini's conviction that - precisely by virtue of Italy's special artistic and cultural endowment - the issue of the administration of cultural assets ought to be central to the country's public and political life. Hence his campaigning for the necessity for an autonomous Ministry especially devoted to heritage policy and administration (Paolucci 1996, 102). The centrality of the beni culturali to this understanding of the richness of Italian culture is further demonstrated by the fact that it did not seem opportune, at the time, to incorporate responsibilities for music, theatre and the other live

\textsuperscript{142} In Galasso's own words: "In Italia fin dalla istituzione del Ministero per I Beni Culturali ed Ambientali, nel 1975, fu chiaro che esso non doveva essere un "ministero della cultura", ma un "ministero per il patrimonio culturale ed ambientale" (Galasso 1996, 106)."
performing arts within the remit of the new Ministry\textsuperscript{143}. The new institution, thus, concerned itself with the *beni culturali* and ambientali alone, which used to be under the responsibility of the *Ministero della Pubblica Istruzione* (the Education Ministry) (Jalla 2003, 90).

It thus appears evident that the creation of the new Ministry was a crucial element in a much broader political plan whereby cultural policy-making and the *beni culturali* would acquire centre stage in Italian political life (Paolucci 1996, 103). In this grand scheme of things, the Ministry was meant to be a technical - rather than bureaucratic – tool for the promotion and preservation of the cultural patrimony\textsuperscript{144}. The best interests of the cultural heritage were the ultimate goal that this ambitious plan aimed to achieve. In a speech to the Italian parliament, Spadolini himself clearly expressed his view of a State that gets involved in cultural matters purely to make available resources and technical and scientific know-how in the

\textsuperscript{143} One of the most remarkable features of the policies for the performing arts in Italy in this phase is that there was no devoted general legislation or regulations. The sector was therefore administered and funded on the basis of *ad hoc* dispositions that were communicated through *circolari ministeriali*, which were issued yearly. The *circolari* are really meant to be a policy tool to be used in cases of emergency, when a situation requires urgent action, and it would thus be dangerous to wait for the normal long bureaucratic procedures. Yet the performing arts sector has been run through *circolari ministeriali* for decades! The obvious implications of this state of affairs was the difficulties in planning long term for cultural organizations and the obvious repercussions of what was clearly a lack of a coherent strategy for the sector (Trezzini 1997, 7-14). With regards to the decision of leaving out the performing arts from the new Ministry’s remit, the 1995 National Report comments: “It was discussed whether in the new ministry they should merge the responsibilities for tourism and the performing arts but the question, rather than solved, was shelved, seeing the hast with which they proceeded to establish the ministry. The Government crisis was, in fact, already taking place and the legislative instrument they used was the exceptional option of a decree” (Council of Europe 1995, 28). For a discussion of the most recent legislation affecting the performing arts, see Trimarchi 2000 and 2002; Mbac 2004a and 2004b; Tubertini 2004.

\textsuperscript{144} Paolucci (1996, 103-104) explains the meaning of a ‘technical Ministry’: a Ministry predominantly staffed by *tecnicl* of the discipline of cultural preservation. The category includes archivists, librarians, archaeologists, art and architecture historians, professional restorers and so on.
field of cultural preservation - without becoming itself the promoter of any particular type of culture. In a crucial passage of the speech, Spadolini maintains that a democratic state should defend its cultural patrimony which belongs to the whole national community, and therefore by no means should the state ever use that cultural patrimony instrumentally\textsuperscript{145} (Carta 1999, 74).

In spite of the intense idealistic enthusiasm that accompanied it, there is wide agreement between commentators that the establishment of the new Ministry was, on the whole, a missed opportunity, and that Spadolini's ambitious plan to put cultural policy on the front stage of Italian politics resulted in a painful failure (Palma and Clemente di San Luca 1987, 74). Since its very institution the Ministry was perceived by Italian politicians as being of secondary importance. Not only did it have very little contractual power in the complex Italian political game, but it soon became one of the obvious choices for the last-minute political transactions that characterise that peculiar phenomenon in Italian politics known as spartizione delle cariche (the sharing out of important public positions among the various parties that make up the governing coalition of the day)\textsuperscript{146} (Paolucci 1996, 104). Settis (2002, 36) argues that, as a consequence of this situation, the autonomy of decision-making of the

\textsuperscript{145} In Giovanni Spadolini's words the new Ministry "non deve essere un Ministero della Cultura, né tanto meno della cultura popolare; ma in genere di nessun'altra cultura, perché lo Stato democratico non è possessore di una cultura. Lo Stato è difensore di un patrimonio culturale, che è patrimonio di tutti, ma non deve gestire esso, e cioè strumentalizzare la cultura. [Il Ministero deve essere invece] una struttura di promozione della linea di tendenza e conservazione nella urgenza immediata" (Quoted in Carta 1999, 74).

\textsuperscript{146} A more detailed discussion of this and other peculiar characteristics of the Italian political system can be found in Fabbrini (2000).
Ministry – which in theory should have ensured the optimal valorisation of the cultural assets – in fact resulted in cultural policy issues being marginalized and isolated. It has indeed been argued that it is precisely with the institution of the new Ministry that a period of profound crisis begun in the sphere of cultural administration (Settis 2002, 36; Paolucci 1996, 103; Jalla 2003, 90-91). Besides the mediocre leadership and the inadequate funding, the main problem with the new Ministry was that, despite the excitement its institution created, the institutional transformation brought about very little actual change. Palma and Clemente di San Luca report on the opinion expressed at the time that the Ministry “basically remains a ministry of restoration, museums, libraries, and exhibitions. It has not enabled cultural policy to take giant steps on the organizational plane” (Serrani quoted in Palma and Clemente di San Luca 1987, 74). Despite superficial changes in the naming of offices and departments, administrative structures, as well as relevant legislation, were left unchanged. As a matter of fact, this second phase of Italian cultural policy witnesses no significant departure

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147 One further proof of the failure of the Ministry in establishing itself into an efficient administrative machine is represented by the persistent problem of the residui passivi. This expression refers to the significant proportion of the funds that the Ministry receives from central government which are left unspent at the end of the fiscal year (which results in them being lost for good). In a country where only between 0.2% and 0.4% of the entire public budget goes to the cultural sector (Valentino 1999, 387 and Galasso 1996, 67), the failure to plan ahead so that the best use can be made of (all) the meagre resources available appear not just wasteful, but also irresponsible (Galasso 1996, 67). Galasso (ibid.) attributes this paradoxical situation in part to the complexity of the Italian legislation and bureaucracy. However, he makes it clear that this was also partly a consequence of the strongly bureaucratic and therefore inflexible physiognomy that the Ministry had progressively assumed. Interestingly, things seem not to have improved much since the 1970s, as proved by the declaration of the present Minister for Culture, Urbani, who, in 2002, wrote that at the time of taking up his appointment as Culture Minister, he found a huge amount of accumulated residui passivi that amounted to one and a half time the total funds available annually for the cultural sector (Urbani 2002, 24).
from pre-existing cultural policy priorities and strategies (Jalla 2003, 91). M. Dallari, writing in 1976, comments:

the new ministerial apparatus seems so scantily equipped with personnel and resources as to restrict its activity to the mere conservation of the existing Italian cultural patrimony without any opportunity for growth (Quoted in Palma and Clemente di San Luca 1987, 74).

Equally disappointing was the handling, on the part of the new Ministry, of the pressures coming from regional and local authorities to take on a more proactive role in local cultural planning and policy. These increasing requests coming from the local levels of public administration resulted in the initiation, in 1975, of a gradual process of decentralization of policy-making in the cultural sphere, which culminated in the Dpr (Presidential decree) n. 619 of 1977. Article 49 of the Presidential decree extended responsibilities for cultural and educational promotion to the Regions (which had themselves been established in 1970) (Carta 1999, 75). The decree represented the final result of a long and problematic juridical debate around the interpretation of article 9 of the Constitution already discussed in Chapter 3, and on whether responsibility for decision-making should reside with the Central State alone. The prevailing position was that the tutela of the cultural assets should be a common task of both the Central State and the Regions. However, according to the 1995 National Report:

Fruit of a difficult mediation between demand for participation by the local authorities and the reluctance of central government to
delegate any of its traditional functions, the transfer of responsibilities occurred in a partial way, without any real planning logic, and in such a way as to emphasise the conflict between the parties. As a consequence they did not succeed in coming to an agreement on the outline law, which should have regulated ex novo the subject of cultural assets by 1 January 1979 (Council of Europe 1995, 30).

Although the Presidential decree did formally provide for the collaboration between regional and central administration, in reality, it gave no operational guidelines on how to achieve this, pre-emptying the regulation from any real possibility of genuine implementation (Jalla 2003, 90). As could be expected, the Regions challenged such centralistic attitudes, but as the decentralization of administrative functions was not accompanied by a decentralization of financial resources, there was very little the Regions could do148. Effectively, regional cultural policy entered a phase of progressive decline from the late 1970s onwards. In this context, the task to ensure adequate cultural provision at the local level fell on urban local authorities, which in numerous cases were able to implement very ambitious and successful cultural strategies (Bianchini et al 1996, 295-298). As we shall see in the following section, the ineffectuality of the Minister continued in following years, due to lack of resources and political will. In the 1980s, indeed, as Settis (2002, 36) polemically argues, “the question of the cultural

148 Legislation clarifying the actual respective competences of the central and regional levels of administration has been produced as late as 2004, when a new Codice dei beni culturali e del paesaggio was drawn up. However, even in this most recent decree, commentators have found clear signs of a centralistic approach and a persisting reluctance of the centre to relinquish some of its competences to lower administrative tiers (Pastori 2004a; Pastori 2004b; Barbati 2004; Cammelli 2004; Nardella 2004). See also Poggi 2002 for a discussion of the impacts that revisions of the Constitution have had on the issue of the decentralisation of cultural administration.
patrimony started to be diluted in more wide-ranging governmental clever machinations”.

Following the analysis of the first two periods of Italian cultural policy we can conclude that in the first half of the 20th century we witness a clear shift from a phase during which public institutions did not show great interest for the cultural assets of the country, to another phase – broadly coinciding with the lifespan of the Fascist regime – characterised by a legislative production remarkable both in terms of quantity and quality, but limited to guaranteeing the protection of the existing heritage through regulations of practices of tutela. After the Fascist era, we register a certain slowing down of the legislative impetus and less remarkable change in the normative as well as the administrative fields, with the only relative exception of the establishment of a new Ministry for the Cultural and Environmental Assets in 1975. According to Valentino et al (1999 b), the explanation for such a slow development in the second phase of Italian cultural policy lies in the fact that the cultural sector in Italy is affected only marginally by market forces, which he seems to see as the real agent for rapid change in Italy at this time (this was indeed the era in which Italy witnessed the so-called ‘economic-boom’ a period of great and unprecedented economic expansion149) (Valentino 1999, XV). We can conclude thus, that until the period just discussed, the rationales behind public intervention in the public sector were, in Italy, either reasons of national grandeur – as was true especially under Fascism – or

149 On the Italian 'economic boom', also referred to as the 'economic miracle', see Ginsborg 2001 and Cohen and Federico 2001.
reasons linked to cultural identity and civic education of the national community, as is the case for the 1948 Constitution and much of the following policies for the beni culturali. In the 1980s, however, a new policy rationale and its own very distinctive accompanying rhetoric enter the Italian public debate, thus rocking the centrality of tutela within Italian cultural policies, which had been, until then, largely uncontested. Indeed, the growing awareness of the economic dimension of the beni culturali brought about significant changes in language, legislation and administrative practices. These changes will be discussed in the following section of this chapter.

PHASE 3: FROM THE 1980s TO THE PRESENT DAY

Chapter 5 has discussed at length the diffuse feeling that the 1980s represented somewhat of a watershed in British cultural policy, marking a clear change of direction and an abrupt shift in policy priorities and rationales. Interestingly, the perception of the 1980s as a moment of fracture and profound change can also be found in Italy. Here too, it was felt that momentous transformations were taking place that altered the way in which the cultural patrimony was understood and administered. There are however, some significant differences between the events taking place around the '80s in the two countries. As we have seen, in Britain, the diffuse feeling of 'beleaguerment' originated from the contraction of public resources destined for the cultural sector, and the consequent feeling that the arts were 'under attack'. As a result of this
perception of its own situation and place within the public debate, the cultural sector believed it had to find new and more powerful ammunition so as to win the fierce battle for resources (now a necessary endeavour in order to compete successfully with other areas of public spending). Hence the 'attachment' of cultural policy to other areas of policy (social and economic) that could command greater political clout in the public arena.

In Italy, however, the 1980s appear as a time of change precisely for the opposite reason – that is, because of the unprecedented increase in available funding for the heritage field. Moreover, the involvement of the public cultural patrimony in a number of non-specifically cultural governmental initiatives, not only solicited an unusual amount of public interest in cultural matters, but also made further resources available to the heritage sector. Montella (2003, 98) reports that, despite the inevitable inconsistencies between the various available statistics, analysts generally agree that public spending on the cultural sector – in the 1980s – registered an increase of at least 80%. This is an exceptional growth in public spending, in comparison not just to Britain, but to any other European country.

Commentators (Valentino 1999, XI; Zerboni 2001, 3) agree that the transformations that took place in the 1980s in the Italian cultural sphere are referable to the crisis of the very peculiar Italian model of economic development that struck the country around that same time. This was the
model which had produced the already mentioned 'miracle' and that had ensured the remarkable economic and social development of post-war Italy. This profound crisis was further aggravated by international developments such as the progressive globalisation of economic processes and the need to adapt to EU norms and regulations. The brunt of the economic crisis was felt in particular by the Southern regions of the country, which were traditionally economically disadvantaged in comparison to the more industrialised North. The Mezzogiorno had been indeed the target of special programmes aimed at facilitating economic development and job creation, but the 1980s also witnessed the cessation of such initiatives of *intervento straordinario* ('extraordinary intervention'), which were felt to have been largely unsuccessful.\footnote{For more on the special public intervention in the South of Italy and its limited impact on the region's economic development see Giannola 2000 and Trigilia1992.}

In the political sphere, the 1980s were also a time of significant change, and witnessed the consolidation of the leadership of the Socialist Party (PSI) and its secretary, Bettino Craxi.\footnote{As LaPalombara (1987, 232) observes about Craxi's leadership of the country: "During Italy's twelve decades as a nation, only a Fascist dictator had held executive office longer without interruption. Craxi may have generated much antipathy within the political class. But the general public warmed to his arrogance, his grinta, or true grit, and his negative charisma". Ginsborg (2001, 156) observes that Craxi popularity had assumed — by 1987 — an international dimension: his was the only statue of a contemporary Italian to be found at Madame Tussaud's in London.} His particular style of government, that he himself referred to as *decisionismo* (which meant — Gundle (1996, 94) observes, "in essence deciding quickly and without consultation or compromise with the opposition"), his push for tax cuts and managerialism in public administration — together with the party's choice to affiliate itself to the growing numbers of successful Italian
imprenditori (entrepreneurs) — Berlusconi among them — had a great influence over the political life of the country. In many ways, the laws and the initiatives regarding the beni culturali introduced in this period are indissolubly linked to the political fortunes of the Socialist party, and Craxi in particular.\footnote{LaPalombara's (1987, 232) compellingly summarises Craxi's appeal: "Bettino Craxi's decisionismo, or forceful style of executive leadership, his, overuse of the executive decree as a substitute for ordinary legislation, and his willingness to take on Communists and Christian Democrats alike in head-on collisions certainly mad him the centre of controversy. But he demonstrated that, within the existing framework of institutions, the country is eminently governable. As he was fond of replying to the fiercest critics of his stewardship, "e la nave va", and the ship sails on. Italians ate it up. Several years without a cabinet crisis was more than alluring; it was downright addictive".}

It is in this context that we need to understand the feeling that spread among politicians as well as the public opinion in this period that a drastic rethinking of the way public resources should be used was necessary (Santoro 1995). As far as the cultural sector is concerned, the 1980s was a decade that witnessed new trends in the political and legislative spheres which increasingly moved towards a conception of the beni culturali as economic goods. It is precisely this discovery of the economic dimension of the heritage (and its potential for local economic development) that accounts for the apparently bizarre notion of a country that raises its funding for the cultural sector at a time when the 'economic boom' of the 1960s and 1970s was certainly slowing down. Since it was unrealistic to argue in favour of increased public spending on the arts and culture, the cultural sector promoted, instead, the idea that the beni culturali themselves are capable to produce at least part of the resources required for their preservation and enjoyment on the part of the public.
(Valentino 1999, 387-388). Galasso (1996, 58) confirms that the '80s were a decade that witnessed a general push towards a serious commitment of the state to a very pro-active cultural policy and a carefully planned strategy of valorizzazione ('valorisation') of the country's cultural patrimony. The traditional notion of the moral and civic quality of the cultural and artistic heritage of the nation now finds itself placed alongside the principle that the cultural patrimony should be seen as a resource that needs to be maximised in the country's best financial interests (especially at times of economic duress). As Settis (2002, 35) laments, for reasons that have to do with the increasing importance of economic considerations in the political discourse (a phenomenon hardly limited to Italy alone), the traditional institutional and cultural rationales in favour of public financing of the cultural sector were progressively overshadowed by economic arguments. Paolucci (1996, 120) observes how, in addition to the dire economic predicament of Italy, the 1980s were also a time that witnessed the progressive but fast dissolution of the radical spirit of the Sixties and Seventies based on the belief in the democratisation of culture, the values of mass education and the people's enjoyment of the country's heritage as a form of 'reappropriation' of local civic and historical traditions and values. Whilst these phenomena did not exert a significant influence of cultural policy-making at the national level, they had important repercussions at the local level (see Bianchini et al. 1996).
In order to face the economic difficulties of the time, a decision was made to redirect public resources to projects and initiatives capable of developing new areas of the economy that were seen to provide high returns for low investments and that could be easily exported. In a country like Italy, the heritage and cultural sectors appeared as the perfect area for the concentration of initiatives of the nature just described. What is more significant, this choice was met by consensus across the whole Italian political spectrum, with even eminent representatives of the Italian Communist party speaking enthusiastically of the economic, profit-making and job creation potential of the conservation of the Italian artistic and archaeological heritage (Montella 2003, 98-100). Unsurprisingly, a particular emphasis was placed on the links between Italy's extraordinary cultural richness and the possibility of expanding the tourism industry (Valentino 1999, 69; Zerboni 2001, 7). According to the government's own definition, this was to be a sort of 'Marshall plan for culture' (Montella 2003, 99). More specifically, the government's 'plan' was articulated around four main initiatives which were expected to guarantee significant financial returns: the FIO - *Fondo Investimenti e Occupazione* (Investments and Employment Fund); the *Giacimenti Culturali* (this literally means 'cultural deposits'); law n. 64 of 1986; and law n. 449 of 1987.

The FIO was a special fund established in 1982 by that year's budget law under as so called *pentapartito* (five-party coalition) government led by
the Republican Giovanni Spadolini. The FIO had the task to finance a number of infrastructural and structural projects. The ultimate goal of the fund was to promote the use of cultural heritage for purposes of wealth and job creation; the fund remained operative until 1987 (Bianchini et al. 1996, 299 and Valentino 1999, 70). The 1995 National Report openly admits that the FIO represented "for the first time an attempt to evaluate intervention in the cultural heritage according to criteria of profitability" (Council of Europe 1995, 34). The giacimenti culturali were established in 1986 by the Ministry for Employment and Welfare and consisted in funding schemes for heritage-related inventory, training and employment programmes that made use of new information technologies (Bianchini et al. 1996, 299). Law n. 64 of 1986 established extraordinary funding measures for cultural projects in the South of the country, with the explicit intent to promote employment and local economic development in economically disadvantaged areas. Finally, law n. 449 of 1987 focussed on the redirection of extraordinary funding to projects of heritage restoration targeted at the most damaged and degraded sections of the cultural patrimony. However, the law made it clear that the projects that ought to be privileged in the selection process were those that would result in enhanced public access to cultural assets and that would, thus, encourage cultural tourism (Valentino 1999, 70-71).

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153 The five parties constituting the coalition in question were: the Christian Democrats (DC), the Socialist Party (PSI), the Social-democratic Party (PSDI), the Republican Party (PRI), and the Liberal Party (PLI).
154 The Minister for Employment and Welfare at the time was Gianna De Michelis, and head of the government was Bettino Craxi, who led the pentapartito coalition composed of DC, PSI, PSDI, PRI and PLI (see preceding footnote) between 1986 and 1987 (IX Legislatura).
155 According to the statistics cited by Jalla (2003, 92), the resources redirected towards the cultural sector by the FIO, in the period between 1982 and 1989, amounted to
These initiatives were all very controversial at the time of their implementation, and even today – twenty years afterwards - commentators are very critical towards them, and sceptical over their actual effectiveness. Indeed, there seems to be a wide agreement that these schemes were all fundamentally unsuccessful both on the cultural and the economic planes. In particular, Valentino (1999, 71-73) offers a detailed discussion of the limitations and problems inherent in the above-mentioned initiatives. His overall diagnosis is that the programmes established in the 1980s only managed to boost local economic development in limited areas of the country, so that, on the whole, from an economic point of view, they represented a failure (Valentino 1999, 71)\textsuperscript{156}. Montella (2003, 101) - though willing to acknowledge that these initiatives allowed to increase the volume of restorations carried out, resulting in a greater proportion of the cultural heritage becoming available to the public – is also very critical of their economic impacts. Montella (Ibid.) observes that, as a result of these programmes, no new market was created; furthermore, the investment was wholly public, since no significant private investment was raised. The use of public resources to fund projects that seem to advantage mainly the private sector was

\textsuperscript{156} Valentino (1999, 74) also makes the interesting point that the limitations and problems that have been unanimously identified in the initiatives of the 1980s and that were, arguably, at the root of their fundamental failure, reappeared unchanged and unchallenged in later initiatives that strove to redirect additional funding to the cultural sector, such as the schemes funded through resources made available by the Lotto (the Italian equivalent of the National Lottery).
indeed one of the most controversial aspects of these initiatives. The policy makers working within the Ministry for Cultural Assets had indeed expressed their deep reservations about the FIO. In particular, what worried them was their impression that the Fund envisaged the role of the state merely as that of a passive funder for projects that had been identified and set up by the private sector\textsuperscript{157}.

Jalla (2003, 92) further highlights the problem inherent in the 'special' character of these initiatives, which left unchanged the levels of ordinary funding for the heritage sector (unanimously reputed to be totally inadequate to the upkeep of a vast heritage such as the one the Italian state was responsible for). It is precisely the extraordinary nature of this additional expenditure that is responsible in Jalla's argument, for the exiguous cultural impact of initiatives which ultimately proved advantageous for a small section of the private sector dealing with information technologies. Finally, Cicerchia (2002, 28) criticises the automatic, a-critical and superficial connection that was established around this time between the beni culturali and the tourism industry.

\textsuperscript{157} Writing about the experiment of the giacimenti culturali, Bianchini et al. (1996, 299), observe that: "[...] it gave the private sector the responsibility of identifying the heritage assets to be developed, confining the role of the state to that of mere provider of funds for private enterprise. It failed to develop an effective employment strategy, with the result that the jobs created were only temporary. An even more serious criticism of the giacimenti culturali initiative is that, like the FIO, it channelled funds to a wide range of enterprises - from computer manufacturing and software production firms to providers of training and other services. These enterprises carried out projects often without clear prioritising, guidance, monitoring, and evaluation by the experts in the Ministero dei Beni Culturali. The relevance, as well as the cultural and employment benefits, of such projects in many cases was difficult to demonstrate".
The fierce criticism that these initiatives have encountered did not focus merely on their alleged failure to achieve their official goals, but also on the change in the rhetoric accompanying cultural policy-making that they engendered. There is indeed no doubt that Italy witnessed, in this period, a change in the vocabulary and language of cultural policy discourse not at all dissimilar to the one that was discussed with regards to Britain (see chapter 5). This quote by Gianni De Michelis, the then Minister for Employment, and the principal figure behind the creation of the *giacimenti* law, leaves no doubts as to the new direction that Italian cultural policy was being steered towards:

> The financial resources needed for the conservation of the Italian heritage will never become available unless the emphasis is placed on the enhancement of the heritage's economic potential. The resources will never be raised purely on the basis of the ethical-aesthetical value of conservation; only in so far as the cultural assets come to be viewed as an economic advantage it becomes possible to conceive of a scheme whereby resources can be destined to their conservation (Quoted in Montella 2003, 101)\(^{158}\).

If De Michelis' words ever left any room for further doubt, the very names of some of the programmes discussed above are a clear marker of the patrimonial conception of the cultural assets that gains common currency around this time. Indeed, as Settis (2002, 37) points out, the metaphor of

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\(^{158}\) This is my translation. De Michelis' original statement was: "Le risorse economiche necessarie alla conservazione non ci saranno mai finché non ne viene evidenziata la valorizzazione economica. Le risorse non si avranno infatti mai semplicemente sulla base del valore etico-estetico della conservazione; solo nella misura in cui il bene culturale viene concepito come convenienza economica, diventa possibile concepire una operazione le cui risorse possono essere destinate alla sua conservazione" (Quoted in Montella 2003, 101).
the *giacimenti culturali* is very indicative of the changed climate of the time:

[...] or what else is our cultural patrimony if not passive ‘deposits’ (the *giacimenti*), that is, resources that have not been adequately exploited? And here come our intrepid ministers ready to venture into a mission of discovery of these new oil wells, anxious to ‘exploit’ them in the most efficient manner possible, obviously for such laudable causes as the good of the country, youth employment and so on\(^\text{159}\).

The consequences of the increasing popularity of this metaphor - and the approach to cultural funding that underpins it – are, according to Settis (2002, 40) that it has, in fact, turned against its very object. Settis argues that the notion of ‘cultural deposits’ encourages a conception of the cultural assets as a totally passive economic resource rather than as an important and living element in the national history and identity. In this new perspective, Italy’s cultural heritage is to be seen precisely as an oil well\(^\text{160}\), which is sensible to exploit fully, so as to maximise the profit that can be gained from it, or as a ‘deposit’ where the only current value is of a monetary kind (rather than of a human and professional kind) and everything is given a price tag. Ultimately, the result of this shift is thus:

The centuries-long stratification of civic, cultural and institutional values that had made the cultural patrimony into one of the

\(^{159}\) In Settis’ own words: “La metafora dei ‘giacimenti culturali’ è indicativa: che cos’altro è il nostro patrimonio culturale se non passivi ‘giacimenti’, risorse non sfruttate in maniera adeguata? Ed ecco intrepidi ministri avventurarsi alla scoperta di questi nuovi pozzi di petrolio, ansiosi di ‘sfruttarli’ nel modo migliore, si capisce per il bene del Paese, l’occupazione giovanile e così via”. Eco (1988, 15) makes a similar point, by explaining that a *giacimento* (a deposit) is indeed something that is presently hidden and that therefore needs to be brought into the light. Its discovery, thus, necessarily entails its exploitation.

\(^{160}\) The then Minister for the *beni culturali*, Giuliano Urbani, used this very analogy of cultural assets as Italy’s ‘oil’ in an official publication of the Ministry (Mbac 2004c)
mainstays of what Italy and the Italians really are is at risk to be sacrificed to the god of money (although ministers and governments keep referring to — in their words at least — to noble ideals). Venal values destroy and dispel the symbolic and metaphoric values that had been accumulated through memory and history (Settis 2002, 40)\(^{161}\).

Although Settis is probably one of the most vocal and passionate critics of the developments occurring in Italian cultural policy around this time, he is by no means alone in denouncing the negative implications of the emphasis placed on the economic potential of the *beni culturali*. Galasso (1996, 59), for instance, expresses a view very close to that of Settis, and also openly admits that criticism to the new trends from the professionals working within the public cultural administration were numerous. The once-culture minister Paolucci (1996, 120-121) fundamentally agrees, and defines the 1980s as the *punto di svolta* (the ‘turning point’), when the “threatening and glittering slogan of the cultural assets as ‘our oil’” was invented\(^{162}\).

The quotes above certainly remind one of the ‘discourse of beleaguerment’ that characterised the cultural policy debate in Britain in approximately the same period. However, the similarities do not end

\(^{161}\) Settis’ original words are: “La secolare stratificazione di valori civili, culturali, istituzionali che aveva fatto del patrimonio culturale uno dei pilastri portanti di ciò che è l’Italia e che sono gli Italiani rischia così di essere sacrificata sull’altare del denaro (anche se ministri e governi continuano a richiamarsi, a parole, ad alti ideali). Il valore venale brucia e disperde il valore simbolico e metaforico accumolatosi nella memoria e nella storia” (Settis 2002, 40).

\(^{162}\) In Paolucci’s own words: “... lo slogan trucido e splendente dei beni culturali ‘nostro petrolio...’”. It is interesting here to note the particular signification of the term *trucido* with regards to the metaphor of the *giacimenti culturali* as oil wells. *Trucido* is indeed an adjective deriving form the verb *trucidare*, which the Collins-Sansoni English/Italian dictionary describes as meaning ‘to slaughter, to slay, to massacre’.
here. Chapter 5 has shown how arguments around the beneficial economic and social impacts of the arts can be traced back to the British public debate of the late 18th and 19th centuries. Similarly, it can be argued that in Italy too instrumental notions of the role and importance of the arts and culture in society can be traced to much earlier historical moments than the 1980s.

According to Carta (1999, 49), it was in the 18th century that the public powers begun a coherent process of systematic legislation aimed at putting in place mechanisms for the protection of the cultural patrimony. The value of such patrimony was conceived as based on the twofold consideration of its economic value and its value as evidence of past and present artistic achievements. A significant example of this double notion of the value of cultural assets is represented by the edicts issued by Cardinal Spinola in 1704, and by Cardinal Albani in 1733. Both acts display a perception of the 'superior richness' that is inherent in the cultural value of the beni culturali and that is much higher than the simple market value of the individual cultural objects. Indeed, both legislative acts were borne out of an already clear awareness that the conservation of the artistic and historical patrimony of the Pontifical State would be important in order to attract foreign visitors to the country. This on the one hand, would be in itself an important source of revenue, but it would also contribute to enhancing the market value of the cultural assets themselves, in what was an obvious anticipation of the principle of the 'multiplicative nature' of the economic processes linked to the tourism
industry (Carta 1999, 49). Another legislative measure of great significance in the present discussion was also elaborated in the Pontifical state in the 19th century. I refer here to the Pontifical *Chirografo* (chirograph) of Pius VII, issued in 1802. The document makes unequivocal references to the crucial issue of the social and economic sustainability of the *tutela* of the cultural patrimony.\(^{163}\) The numerous economic activities that are seen as deriving directly form the conservation of monuments and artistic objects are indeed listed in the edict. Moreover, the ‘competitive advantage’ that they seem to offer the city of Rome is openly identified as the main motivation behind the commitment to conservation (Carta 1999, 51)\(^{164}\). A distinctive awareness and appreciation of the economic potential of the cultural heritage seems therefore to represent a *fil rouge* throughout the development of a public debate around the public administration of Italy’s cultural assets. Settis quotes a ministerial official who, in 1908, speaking with regards to Italy’s cultural richness, declared that “this is a country of billions!\(^{165}\); furthermore, the claim that “art is the oil of Italy” was recurrently made in the public debate in the period in between the two world wars (Settis

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163 Andrea Emiliani argues that this measure signifies an explicit acknowledgement of the productive and economic role of cultural assets in the city of Rome, which had already been consolidating its vocation to be ‘a third sector city’, that is, a centre devoted to the production of immaterial goods and knowledge (Carta 1999, 50).

164 This quote from the original text of the edict is most striking: “... Questi preziosi avanzi della Antichità forniscono alla Città di Roma un ornamento, che la distingue tra tutte le altre più insigni Città dell'Europa; somministrano I Soggetti I piú importanti alle meditazioni degli Eruditi, ed I modelli, e gli esemplari I più pregiati agli Artisti, per sollevare li loro ingegni alle idee del bello, e del sublime chiamano a questa Città il concorso dei Forastieri, attratti dal piacere di osservare queste singolari Rarità; alimentano una grande quantità d'individui impiegati nell'esercizio delle Belle Arti; e finalmente nelle nuove produzioni, che sortono dalle loro mani, animano un ramo di commercio, e d'industria piú d'ogni altro utile al Pubblico, ed allo Stato, perché interamente attivo e di facile produzione, come quello che tutto è dovuto alla mano ed all'ingegno dell'Uomo” (Quoted in Carta 1999, 51).

165 In the original, “questo è il paese dei miliardi!” (Quoted in Settis 2002, 35).
2002, 35). In Settis' interpretation (Ibid.), as a result of the progressive centrality assumed by economic preoccupations in the public realm, the economic argument has become paramount, inducing the ‘oil well’ metaphor and similar ones (such as the one that sees cultural assets as ‘family jewels’) to gain popularity and currency within the policy-making discourse. In particular, Settis (2002, 34-35) identifies the creation of the new Ministero per i Beni Culturali - and the introduction of the very expression beni culturali that is associated with it - as a crucial phase in this evolution. As he explains, labels are important, and thus the introduction of the label of beni culturali to refer to the country's heritage denotes a shift in meaning and understanding of their importance and their role in the life of the nation. The label of Beni culturali clearly alludes not just to the cultural character of the objects the 'tag' is placed onto, but also to their patrimonial value – here strictly seen as the possibility to convert those cultural assets in hard cash. As a result, Settis (2002, 47) believes that the present Italian situation is characterised by an acute contradiction. On the one hand, one can find in Italy a noble and deep-rooted tradition of conservation and protection of the cultural heritage. On the other hand, one can also witness the opposite tendency to consider the heritage in merely economic and monetary terms; the latter trend goes hand in hand with recriminations against the alleged Italian arretratezza (backwardness) and the consequent need to follow foreign (mainly American) models of cultural administration, and to involve private investors heavily in the process (with a view of speeding it up, and 'catch up' with other countries whose managerial practices appear to
be, comparatively, more up to date and advanced). In practical terms, this attempt to modernise the cultural sector ("svecchiare il settore" as Settis polemically says) has provoked the recourse to the sudden and a-critical adoption of the language and philosophy that had been, until then, typical of the 'private firm': the language of business (Settis 2002, 83).

Indeed, what seems to characterise the developments of the 1980s in Italy is a similar prevalence of the logic and language of managerialism and economic profitability which we have also seen in operation in Britain in the same period (see chapter 5). Whereas the long process that saw the establishment of a coherent heritage policy in post-unification Italy had placed the values of cultural preservation, heritage conservation and restoration – embodied in the notion of tutela - at the very heart of the State's action in the cultural sphere, concerns for the economic aspects of the beni culturali begin to acquire centre stage position in the 1980s. This theory finds confirmation in the separation that begins to be theoretically elaborated around this time between the administration and management of the cultural assets (to be guided by market principles and business practice) and their tutela – now seen as two distinct areas of the State's responsibilities (Barbati et al. 2003, 17). Unsurprisingly, Settis defines this separation between gestione (that is the cultural management aspect) and the tutela (the measures of heritage conservation and restoration) as "non affatto tranquillizzante" ('not at all reassuring'), but – in fact – as false and damaging. He protests that tutela and gestione are, as a matter of fact, two interrelating (and thus
inseparable) moments of a single process (Settis 2002, 90)\textsuperscript{166}. Settis's pleas ostensibly represent a minority view in the Italian cultural policy debate, for instrumental cultural policy seems to be alive and well in Italy as much as it is in Britain. Valentino (2003, 3) plainly confirms this:

\begin{quote}
In the last decades the economic impacts associated with the process of promotion and exploitation (valorizzazione) of cultural assets have become increasingly important, to the extent that they are nowadays included amongst the explicit objectives of the public policies aimed at the rationalization and development of the cultural sector\textsuperscript{167}.
\end{quote}

Tourism is still hailed as the privileged arena where the management of the cultural heritage and business practice can profitably meet. Zan (2003, 17) reports that, according to available statistics, cultural tourism in Italy might be responsible for up to 40\% of the total influx of tourists to the country. Besides the obvious positive impacts on the national economy of such a substantial movement of tourists, Zan (\textit{Ibid.}, 17-18) also points out that cultural tourism offers the additional advantages of a very high multiplier effect. Thus, he argues that, for instance, for every 10 euros that each individual visitor pays to enter the site of Pompei, he or she would have spent at least 5, 10 or even 20 times as much for additional services provided locally (so that the extra spending can be argued to benefit directly the local economy).

\textsuperscript{166} For a detailed and comprehensive review of the gradual process of distinction between processes of tutela and valorizzazione in Italian legislation, its ambiguities and implications, see Aicardi 2003.

\textsuperscript{167} The original reads: "Negli ultimi decenni gli impatti economici associati al processo di valorizzazione dei "beni culturali" hanno assunto maggiore importanza, e vengono oramai considerati tra gli obiettivi espliciti delle politiche di razionalizzazione e sviluppo del settore culturale" (Valentino 2003, 3).
It will thus not come as a surprise that notions and concepts - such as for instance, the *distretti culturali*\(^{168}\) (cultural districts) – and managerial principles have crossed boundaries and have been imported from English-speaking countries with a view of guiding policy and administrative practice in Italy (Silvia's Bagdadli's aptly titled book *Il Museo come Azienda* – 'The museum as a firm' - is indeed a case in point) (Valentino 2003; Zan 2003; Bagdadli 1997)\(^ {169}\). As Zan (2003, 23) observes, the fact that managerial values and practices have been historically extraneous to the development of the institutions in charge of looking after the cultural heritage has done little to hinder their pervasiveness and popularity\(^ {170}\). Montella (2003, 104) further complains that the adoption *in toto* of principles of 'management' and 'marketing' imported from abroad did not take into account - nor made the most of – the profound links between museums and local territory that represent the main feature and function of the Italian reality. Finally, the clear and open hostility that many cultural administrators working in the public sector have shown for the ever increasing role of the private and profit-seeking sector in the management of the *beni culturali* has not resulted in

\(^{168}\) It is worth mentioning, however, that the notion of 'cultural district', though imported from Anglophone countries has acquires a distinctive meaning in the Italian context. So Filas, an organisation set up by the region of Lazio to foster innovation and local economic development, defines a *distretto culturale* thus: "a local inhabited settlement in which plans for the management of local development is based on the exploitation of the cultural and environmental assets" (un ambiente insediativo locale nel quale l'accordo di concertazione per il governo dello sviluppo territoriale è fondato sulla valorizzazione del patrimonio dei beni culturali e paesaggistici". From: www.filas.it).

\(^{169}\) It is enlightening, in this regard, the regretful admission made by the current Culture Minister, Giovanni Urbani, that on taking up his post, he had to face the inadequate competencies in the field of marketing among the staff working at the Ministry (Urbani 2002, 26).

\(^{170}\) Zan (2003, 23) rightly observes that, whereas managerial principles of cultural administration have been around for just about a decade in Italy and just over two in Britain, alternative, non-managerial administrative practices have been guiding the running of organizations such as the site of Pompeii or the British Museum for the past 250 years at least.
slowing down the trend towards the attempt to enforce managerial practices in the administration of the public cultural sector (Tumino in Cammelli et al. 2002, 19).

In the 1990s the trends just described became even more prominent. The positive contribution that the heritage sector could make to the national economy by boosting the tourism industry remained a very popular theme in the debates on the *beni culturali*. However, contrary to what had happened in the preceding decade, even instrumental rationales for public spending could no longer command the same influence and effect a redirection of funds *en masse* to the heritage sector, for the situation had dramatically changed. The economic recession that made itself felt across the whole Western world did not leave Italy untouched. Just like other countries (Britain surely among them), Italy had to reduce public spending to face the financial crisis in a desperate attempt to contain its public deficit. As a result of this situation, in the 1990s, public financing for culture dropped to the 0,2% of the national budget, the main part of which was absorbed by the running costs of the ministerial and cultural institutions that make up the complex Italian cultural bureaucracy (Montella 2003, 102). As we have seen in chapter 5, in the post-1980s, Britain has displayed a tendency to reduced central government spending on the arts and culture. A similar trend is visibly active in Italy too: according to the then Culture Minister Urbani, in 2002, only 0,17 of the country’s GDP was earmarked for the *Ministero per i Beni e le Attività Culturali* (Urbani 2002, 5).
Politically too, this was an interesting time. Following the 1991 referendum on the abolition of the multiple preference vote, a process of electoral reform begun (with a view of bringing about the demise of the proportional system, which many felt to be at the root of Italy's political corruption) which culminated in the electoral reform promoted by the Christian Democrat Mattarella and approved in August 1993 (Parker 1996). Even more influential, however, was the 'judicial revolution' that altered the face of the country in the early 1990s. As Ginsborg (1996, 19) argues, "the years from 1992 to 1994 were amongst the most dramatic in the history of the Italian Republic". Ginsborg refers here to the phenomenon of Tangentopoli (Kickback City). In a period of two years, following April 1992, all the major parties of government in Italy were effectively swept away by the force of the judicial investigations which brought to light illegal organised systems for the financing of political parties and numerous instances of illegal and corrupt agreement between politicians and businessmen (Nelken 1996, 191)\textsuperscript{171}.

This context of economic duress and consequent reduced public spending represents the appropriate backdrop for law n. 4 of 1993 --

\textsuperscript{171} The Socialist Party, and Bettino Craxi himself, soon became directly involved in the judges' investigation over corruption charges, so that the progress of the mani pulite (clean hands) campaign, marked the beginning of Craxi's political decline. When the President of the Republic Scalfaro was called to offer the post of Prime Minister to a representative of the PSI, following the 1992 general elections, Craxi was overlooked in favour of another Socialist, the law professor Giovanni Amato. In view of the very delicate (and increasingly difficult) position of the Socialist Party vis à vis suspicion of corruption, Amato decided to form a government that was constituted mainly by technical experts rather than controversial (and now largely discredited) former ministers (Gundle and Parker 1996, 3). This allowed a number of intellectual and experts that were not necessarily 'career politicians' to be involved in the government of the country, and this proved to be, in many respects, an interesting experiment. The nomination of the well-known and respected journalist Alberto Ronchey to the post of Minister for cultural assets, represents a case in point.
also known as Ronchey Act, from the name of the main political personality behind it. The Ronchey Act "started form the principle that Italian museums should become as self-sufficient as possible, with a more effective use of their premises, personnel and collections" (Bianchini et al. 1996, 300). In particular, there are two aspects that make this act of legislation particularly interesting for the present discussion. Firstly, the Ronchey Act introduces the possibility for the Ministry to 'rent out' (the Italian legal expression is concedere in uso) cultural assets under its responsibility to other public institutions or private individuals and companies (Jalla 2003, 94). Secondly, the law of 1993 also ratified the possibility for the establishment of the so-called servizi aggiuntivi (additional services) within publicly-owned museums, libraries and archives. These serviziaggiuntivi are represented by bookshops, coffee shops and wardrobe services that the state-owned museums could now contract out to private firms in order to improve the 'cultural experience' of their public. As chapter 5 discussed, the contracting out of services, is one of the principal tenets of NPM, and indeed the Ronchey Act seems rather sympathetic to the values of economy and efficiency of public administration that are at the core of the NPM cult. Montella (2003, 102-103) indeed maintains that the Ronchey Act attests to the fact that, by the early 1990s, the Italian political class and the policy-makers had fully accepted the notion that

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172 In this regard, it is also important to mention the Merloni Act of 1994, which established that the State is under the obligation of contracting out public works to the firm that can carry them out for the lowest price (Urbani 2002, 19). These dispositions also affect large-scale projects of heritage restoration and conservation, providing additional evidence of the spread, in Italy, of the core values at the heart of the NPM discourse.
the conservation of the cultural patrimony could not represent in itself the end of cultural policy. Rather, the efficient and effective management of cultural organisations was the new target, in so far as it would promote a better cultural experience for the public, and also place them on the sunny road towards self-sufficiency. Jalla (2003, 95) attributes the enthusiasm for the innovation introduced with the servizi aggiuntivi (and the belief that they would allow museums and other organisations to become, in the long term, fully self-financing) that accompanied the introduction of the Ronchey Act primarily as the result of the distortions of the media. However, the law clearly represents the acceptance, on the part of the government, of an instrumental notion of the beni culturali and of cultural expenditure. This interpretation is further validated by the fact that the actual implementation of the Ronchey Act (despite the obvious enthusiasm of politicians) was ridiculously slow, due to the 'passive resistance' of a large number of soprintendenti (administrators of beni culturali at the local level) who were either uninterested or fiercely opposed to the introduction of entrepreneurial values and practices in the administration of cultural assets (Jalla 2003, 95). Jalla (Ibid.) indeed maintains that the Ronchey Act was a largely unsuccessful piece of legislation, whose main merit was to have shown how unfounded the enthusiasm for the potential of fund-raising - with a view to achieving self-sufficiency - through the servizi aggiuntivi actually was. He argues that it is nowadays an agreed point that the additional services can only have a marginal role in covering the huge costs involved in the running of a museum. The principal rationale for the establishment of a bookshop or
a cafeteria should thus not be economic calculations but rather the attempt to make museums, libraries and archives a more welcoming and pleasant environment for their visitors. The Ronchey Act, however, unquestionably represented a defining moment in contemporary cultural policy in Italy, since it introduces a revolutionary way of conceiving the relationship between public and private sector with regards to the cultural sphere. If, in the past, the involvement of the enterprise sector in the cultural sphere had been uniquely limited to sponsorships and donations, now the possibility was introduced for an unprecedented involvement of private organisations in cultural administration (Dell'Orso 2002, 128).

Another important legislative measure introduced in the 1990s is represented by law n. 59 of 1997, more commonly known as the Bassanini Act\textsuperscript{173}. This has been defined as the most innovative and incisive reform of the Italian system of cultural administration (Jalla 2003, 183). The present thesis does not allow for an in-depth discussion of the details of the changes introduced by the 1997 law, and will therefore limit itself to those aspects that are more relevant to the discussion here on hand. In very general terms, the Bassanini Act had three main strategic objectives: to simplify and slim down the famously cumbersome Italian administrative structure; to decentralise administration wherever possible; and to reorganise public administration on the organizational and functional planes both at the central and local level (Jalla 2003, 183).

\textsuperscript{173} Law n. 59 of 1997 was passed during the XIII Legislatura, when the centre-left party Ulivo was in power; Romano Prodi was Prime Minister and Walter Veltroni Minister for the Beni Culturali.
The law openly expresses a commitment to efficiency and economy in public administration, in pure NPM style (Ibid., 185). However, even more interesting is the fact that the Bassanini Act also introduces a legally ambiguous norm that would appear to abrogate the already mentioned articles of the civil code that sanctions the inalienabilità of the cultural assets, that is the impossibility for their legal property to belong to anybody but the Italian State (Cofrancesco 1999, 98-99). Cofrancesco (Ibid.) sardonically observes that this particular norm introduced by law n. 59 of 1997 would seem to create the legal premises for a paradoxical scenario in which the State could simply sell off the Colosseum - a situation occurring in a very popular Italian comedy film starring Totò, the most loved Italian comic actor of all times. The last section of this chapter will show that this possibility - which Cofrancesco, in 1999, clearly believed to be the stuff of comedy - is today a very real legal and political possibility (and lacking the legal ambiguities that weakened the Bassanini Act in this respect) as a result of the huge transformations introduced by the law decree n. 63 of 2002.

The 1990s represented, in Italy, a consistent effort, on the part of the State, to entice the private, profit-making sector into getting involved in the cultural sector. The motivation behind this attempt was the hope that the involvement of private enterprise in cultural matters would result in the injection of much-needed additional resources in the sector. This is indeed the phenomenon that Settis (2002, chapter 12), in his philippic against what he sees as the degenerative tendencies of current Italian
cultural policy, refers to as the *svendita* (literally the 'clearance sale') of the nation's cultural patrimony. Settis (*ibid.*, 104) identifies a further crucial stage in the 'escalation of the private' in the *legislative decree n. 41 of 1995*\(^{174}\), issued by the government led by Lamberto Dini\(^{175}\). The decree largely expanded the category of the *servizi* that a museum could outsource. As we have seen, the Ronchey Act had introduced the possibility of contracting out catering and other services that were not directly related to the museum's core activities. However, with the introduction of the 1995 decree, the range of such services was much broadened so as to include (to Settis' horror) also guided tours, educational activities, the preparation (not just the sale) of catalogues, archives, and IT support, the setting up of exhibition and special events (Barbati *et al.* 2003, 176). These are however, all activities that – it might be argued – should be, in fact, part of any museum's essential functions. They are indeed very closely related to the function of preservation and to the transmission of knowledge that lies at the heart of the role of the museum institution. This is why – Settis points out – in many other countries these are tasks that are carried out by the museum's own staff (rather than being contracted out to external organizations, as is now possible in Italy).

\(^{174}\) At the time this decree was issued, the already mentioned Paolucci was the Minister in charge of the *beni culturali*.

\(^{175}\) The government led by Lamberto Dini is a case of what Ginsborg (2001, 299) calls a "Presidential Government", which was seen, by President Scalfaro, as the best option following the collapse of the first Berlusconi government (which had come to power following the 1994 general elections). Rejecting the call for new elections coming from Berlusconi and Fini (leader of Berlusconi’s allied post-fascist party *Alleanza Nazionale*), Scalfaro nominated Dini (former Minister of the Treasury in the short-lived Berlusconi government) as President of the Council of Ministers. Dini was in power for a year, during which he was at head of another executive dominated by technical experts rather than consumed politicians.
A subsequent legislative act, the ministerial decree n. 139 of 1997, introduced a clarification of the conditions for the outsourcing of services, by confirming that this was to be limited to the services and activities that could not be successfully provided internally by the organisations' own financial or human resources (Settis 2002, 104). Nevertheless, as Settis (Ibid.) argues, the decree of 1997 did little to dissipate the ambiguity deriving from the lack of a precise demarcation between what should be considered as the specific task and duty of the public administration (and, for Settis, the preparation of catalogues, educational programmes, the setting up of exhibitions and so on should all belong to this category), and what can legitimately be outsourced. Settis concludes:

> In view of the lack of a clear definition of the unavoidable duties of the public administration and of the tools required to carry them out, even measures such as this one [the decree of 1997], besides the good intentions they are borne out of, can appear – retrospectively – as a first destabilizing step, as the timid beginning of the subsequent gradual process of emptying out of the public administration's institutional duties (Settis 2002, 104).\(^{176}\)

Settis (Ibid.) further laments that, following the legislative acts of 1995 and 1997, the encouragement of the access of private players to the administration of the Italian public cultural sector - within an ambiguous

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\(^{176}\) Settis' original words are: "... in mancanza di una chiara definizione dei compiti imprescindibili dell'amministrazione e dei mezzi per svolgerli, anche misure come queste, al di là di ogni buona intenzione, possono apparire retrospettivamente come un primo passo destabilizzante, come il timido inizio del successivo svuotamento graduale dei compiti istituzionali dell'amministrazione pubblica" (Settis 2002, 104).
legal framework - became the norm. Some of the prescriptions contained in the document that established, in 1998, the first unified ministry for culture since Fascism, would seem, indeed, to confirm his grievances.

The new Ministero per i Beni e le Attività Culturali (Ministry for Cultural Assets and Activities) was established by the legislative decree n. 368 of 1998. The most obvious innovation introduced by the new institution was that, in addition to the beni culturali, its remit also included responsibilities for the live performing arts and sport. The spectrum of the ministerial responsibilities in Italy has therefore been, since 1998, very broad. As Barbati et al. (2003, 125) put it “there is no sector that can be linked to the sphere of the cultural assets or activities for which the Ministry has not been found to have legitimate competencies”177. In relation to the present discussion, it is important to note that article 10 of the legislative decree that reformed the Ministry with responsibilities for the cultural assets, makes a step forward on the path highlighted by the 1997 Ronchey Act. Article 10, indeed, represented the most explicit attempt yet, to extend mechanisms of outsourcing (in Italian referred to as esternalizzazione) – which were already operational in other ambits of public administration - to the cultural sector. The significance of article 10 is thus twofold. Firstly, it certainly gave a clear sign to those working within the public cultural administration who, as was explained earlier, had shown a stubborn hostility against the permeation of entrepreneurial

177 “Non vi è nessun settore, riconducibile ai beni o alle attività culturali, su cui il ministero non sia riconosciuto titolare di competenze”. For a very detailed description of the Ministry’s competencies see Jalla 2003, 222-223.
values and practices into the public cultural sector (on the grounds that they felt the public sector to be driven by a much different, and incompatible ethos). Secondly, article 10 also opened up the possibility of a further extension of the services to be outsourced. Activities of inventory, cataloguing and restorations could already be contracted out by museums to private firms. However, article 10 extended this possibility also to the Ministry itself, for the spheres of valorizzazione and gestione (that is, ‘valorisation’ and ‘exploitation’, and ‘management’). One more important feature of the legislative decree n. 368 of 1998 is that, in defining the role and tasks of the restructured Ministry, it confirms and ratifies the distinction between activities of tutela on the one hand and and gestione and valorizzazione on the other, that – as we have seen – had been progressively taking shape and raising concerns. This trend has been further accentuated by the Constitutional reform of 2001 (particularly the changes to the Titolo V della Costituzione), following which the functions of the public administration with regards to the cultural assets appear sharply polarized between tutela and valorizzazione (Barbati et al. 2003, 58). This polarization reflects the changes in the repartition of responsibilities between the central State and the Regions following the 2001 constitutional reform (Barbati et al. 2003, 106). The aim of the changes had been the attempt to reform Italian public administration with a view to enhance ‘institutional pluralism’. With this reform, all tiers of government are formally confirmed to be constitutive elements of the Repubblica of equal dignity. In the sphere of cultural policy, this means that responsibilities are now shared
out. The central state thus retains all functions linked to the task of *tutela*, while the Regions and other local authorities are now formally granted the right to get fully involved in cultural administration in the spheres of the *valorizzazione dei beni culturali e ambientali* (the valorisation of cultural and environmental assets) and the *promozione e organizzazione delle attività culturali* (the promotion and organization of cultural activities) (Jalla 2003, 200-201). Settis (2002, 111) expresses concerns for the weakening of the function of *tutela* that he sees as an unavoidable consequence of this separation of roles: a mechanism of *tutela* disjointed by managerial functions would lose any strategic edge, any sense of the ‘bigger picture’ of the cultural assets situation, and therefore the possibility to monitor and control effectively the quality of the service provided.

Finally, the decree that established the new ministry, also instituted the possibility for the ministry itself - in order to fulfil its tasks in the most effective manner – to take part, together with the private sector, in foundations, associations or companies. The law also allows the Ministry to grant access and exploitation of the cultural assets under its responsibility to private partners – with a view, obviously, to obtain a financial gain from such dealings with the private sector (Settis 2002, 105). This possibility was later confirmed and clarified by law n. 448 of 2002, which was the budget law for 2003. In Settis’s critical view, this was yet another stage of the progressive ‘escalation of the private sector within public cultural administration (Settis 2002, 109). The reasons for his interpretation are self-evident: the law confirms a further enlargement
of the ever-expanding category of services that is possible for the public administration to outsource\textsuperscript{178}. In fact, this law of 2002 subscribes to a notion of 'global service' whereby the only sphere whose responsibility is reserved to the State alone is that of tutela (Jalla 2003, 237). Needless to say, the private firm that is contracted to provide these various services is supposed to pay the State a fee, so that the innovation induced many to speak up and express their concern for what seemed as a 'trick' to privatise \textit{de facto} much of the national cultural patrimony and its administrative bodies (Jalla 2003, 238; Settis 2002, 109).

One of the crucial points in Settis' criticism of what he sees as a damaging process of limitation of the State's responsibilities and role in the administration of the cultural assets (to the full advantage of the private and profit-driven sector), is that – ostensibly – this was a phenomenon that developed gradually, but consistently and coherently over time. The other crucial legislative act besides the one that reformed the Ministry, that is, the \textbf{Testo Unico of 1999}, is also an important stage in this evolution. The significance of the Testo lies first and foremost in the fact that it aimed at bringing together in a single act the ensemble of norms and regulations for the cultural assets that had been accumulating over time, with the inevitable complication represented by various overlapping laws, inconsistencies and even open contradictions between

\footnote{It is interesting to point out that, despite the main objective of outsourcing is, as we have seen, to make museums and cultural organisations more efficient and cost effective, in many cases it is simply not possible to verify whether the changes introduced have been at all successful. As Cappelli (2002, 100-1) observes, the accounts of the \textit{Soprintendenza} that are in charge of administering and preserving cultural assets at the local level are not available. As a result, there are presently no indicators that can help in measuring the economic aspects of the activities of Italian museums, so that comparisons over time (and thus the understanding of whether organisations are run more or less efficiently than before) are impossible.}
different pieces of legislation. This means that although the Testo Unico had the power to abrogate extant legislation (and it indeed invalidated the dispositions introduced by law n. 1089 and n. 1047 of 1939), introducing normative innovations was beyond its remit (Cammelli 2000a; Zerboni 2001, 115). With regards to the present discussion's concern with the growing popularity of principles of outsourcing, public-private partnerships and the question of the alleged svendita of cultural assets, it is important to mention that the Testo Unico too explicitly ratifies both the possibility for the State to form partnerships or conventions with the private and voluntary sectors and the commitment to an expansion of the category of servizi aggiuntivi subject to externalizzazione\(^{179}\). These are here referred to with a new label: servizi di assistenza culturale e ospitalità per il pubblico (services of cultural assistance and hospitality) (Jalla 2003, 245). This is clearly a much broader category than the bookshops and cafeterias originally prefigured by the Ronchey Act. According to article n. 113 of the Testo, if the services cannot be adequately provided internally and it appears to be financially convenient to do so, then they can be contracted out to private companies (Ibid.)\(^{180}\).

\(^{179}\) There are, of course, a number of other aspects of the Testo Unico that this chapter cannot discuss in much detail. The common feeling that the Testo represented somewhat of a missed opportunity has already been mentioned in the Appendix with regards to its adoption of a ‘normative’ and ‘conservative’ notion of beni culturali that focused on their material nature (the bene as cosa, ‘thing’, that is a physical object) (Cammelli 2000a, Zerboni 2001, 120; Pitruzzella 2000). The Testo Unico also identifies four main objectives of public intervention with respect to the beni culturali. For a detailed discussion of each article of the Testo Unico see Cammelli 2000b.

\(^{180}\) Guido Corso (2000, 359) makes an important clarification with regards to this particular article of the Testo Unico. He explains that whenever the two conditions cited above occur (the impossibility of providing a service internally, and the financial convenience in contracting it out), then the soprintendente or the decision-making officer is legally required (in other words, he must) involve a third party in the provision of that service. However, Corso is also very careful in pointing out that this is a case of ‘outsourcing Italian style’, by which he means that the forms of outsourcing configured by article 113 do not correspond to what Corso (Ibid.) refers to ‘outsourcing (or
This is the interpretation of the events taking place in the Italian cultural sphere in this phase as put forward by Settis (2002, 108):

In the last few years, therefore, the State has begun to willingly lose ground contemporaneously on two different planes: on the one hand, by putting in place the requirements for a reluctant and only partial devolution to the Regions and local authorities, and on the other hand, by opening itself to the private sector both with the expansion of the services that can be contracted out, and through the introduction of the new institution of the Foundations181.

The phenomenon of the introduction and growth of the so-called Fondazioni, represents one of the most remarkable aspects of the trend towards desétatisation that – as we have seen – has characterised Italian cultural policy since the mid-1990s. The legal model for the Fondazioni put forward by the Italian legislation constitutes an adaptation of the American community foundation - that is, an area-based organisation that is run by a number of diverse bodies and is financed through numerous sources of funding (Cappelli 2002, 36). Carla Bodo (2002, 25) characterises this development as “the transformation of some of the main public cultural institutions into private organisations, generally under contracting out) English style’. Indeed, in the understanding and practice of outsourcing as it has been developed in the Anglo-Saxon world, if the cost of providing a service internally is higher than the cost of buying that same service from a third party, then the public administrative apparatus previously in place is dismantled, and jobs (within the public administration) are consequently lost. In other terms, in this conception of outsourcing, financial convenience is at the same time the primary goal and the primary criterion for decision-making. In the Italian version – and as prescribed by article 113 – inadequate staff levels within the public administration are a pre-requisite for the contracting out of services to a third party, but do not necessarily lead to the restructuring of the public administration nor to job losses.

181 Settis’ actual words are “Negli ultimi anni, dunque, lo Stato ha cominciato a cedere terreno, quasi contemporaneamente, su due fronti. Da un lato, predisponendo devoluzioni riluttanti e parziali alle regioni e agli enti locali, e dall’altro aprendo le braccia ai privati sia allungando la lista dei ‘servizi’ concedibili, sia con il nuovo strumento delle fondazioni” (Settis 2002, 108).
foundation status. [...] The logic behind these measures was twofold: a) to pursue a more efficient management of such institutions, traditionally paralysed by red tape; b) to ease the burden they represent for the public purse by facilitating fundraising from the private sector.\footnote{The first national cultural organisations to be transformed into foundations were: the thirteen Enti Autonomi Lirici (autonomous opera houses) which became Fondazioni liriche; the world-renown Venice Biennale was transformed into the Società di Cultura Biennale di Venezia; the Centro Sperimentale di Cinema – a national centre for professional training in the art of film-making – became the Scuola Nazionale di Cinema (Bodo 2002, 25). For a discussion of the legal aspects entailed in this recent reforms see Cortese 2004 and Foà 2005.} Interestingly, Bodo (Ibid.) also adds that the latter aim "has only been partially achieved" since, as a matter of fact, the considerable running costs of the newly created fondazioni are still covered mostly by the state Budget. Moreover, the establishment of fondazioni for the management of opera houses has been especially difficult in the less prosperous areas of Southern Italy, which are, for obvious reasons, less appealing to private investors. As a result, a number of opera houses in the Mezzogiorno are presently in dire financial trouble and might face the possibility of having to close down (Bodo 2002, 26). Regrettably, a detailed discussion of the development of the foundation and its implications is beyond the scope of the present analysis. However, Luca Zan (2003b) – who has devoted much time to the study of the increasing pervasiveness of a managerial style in Italian cultural administration - maintains that the Fondazioni represent the privileged form that the process of 'managerialization' (aziendalizzazione) of cultural institutions has assumed in Italy (see also Sicca and Zan 2004).
It is with the new millennium, however, that the involvement of the private enterprise in cultural administration reaches its apex, and when evidence abounds of the subscription of the Italian government to an instrumental and patrimonial notion of the cultural assets as a way to raise the funds required to finance public infrastructural works - providing additional targets to Settis' polemic's against the 'suicidal tendencies' of the Italian state.

ITALIAN CULTURAL POLICY IN THE NEW MILLENNIUM: SELLING OFF THE COLOSSEUM?

The final part of this chapter will focus on the highly controversial changes introduced by the decreto legislativo (legislative decree) n. 63 of 2002, later converted into law n. 112 of 2002 by the government led by Silvio Berlusconi following his victory at the 2001 general elections.

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183 Chapter 13 of Settis's 2002 book is indeed entitled "The suicidal state" (Lo stato suicida).

184 A decreto legge is the ordinance that can be issued, in cases of urgency or emergency, by the executive power (that is, the government). A decreto legge is a 'formal law', which means that it has the power to modify or abrogate already existing laws. However, the decree, once issued, needs to be converted in law (and thus has to go through Parliament in the usual law-making process). If the Parliament fails to do so within 60 days, the decreto legge is annulled.

185 Ginsborg (2001, 320) ascribes Berlusconi's victory in part to the internal divisions that blighted the centre-left coalition, and its consequent incapacity to put in front of the electorate a clear and convincing political alternative. However, Ginsborg (Idem, 321-2) also points out that the strong points of Berlusconi's campaign proved determinant in deciding the result of the elections. A particular strength of his campaign was the clear language in which Berlusconi formulated his solemn 'promise to the Italians', which he signed during a television broadcasting, and to which - he claimed - Italians could held him accountable should he win the election. At the top of the list of promises made by Berlusconi was administrative reform, followed immediately by the promise to undertake a very ambitious programme of public works, including building a bridge connecting Sicily to mainland Italy. As Ginsborg observes: "The promise of major public works for the South appealed enormously in regions where the level of youth unemployment was high, and Berlusconi successfully portrayed himself as the experienced entrepreneur who could kick-start the economy of the South into action". Other important ingredients in Berlusconi's programme were the promise to lower taxes (and the obvious tension between this commitment to tax reductions and major public works, as we will see, will
Both Settis (2002) and Dell'Orso (2002) describe in great detail the antecedent legislation which paved the way for the 2002 decree. This, indeed, for Settis represents the culmination of that gradual but irrepressible process of svendita in which the Italian public institutions seem to be engaged. Such process, indeed, seemed to accelerate following the return to power of Berlusconi in 2001, whose programme Ginsborg (2001, 291) summarises as “a basically neo-liberal economic programme, with strong Thatcherist overtones: fewer taxes, greater choices for citizens, competition and efficiency in public life, and a residual welfare state”.

In this context, Settis writes (2002, 120) that what the decree announced was "the radicalisation of the measures aimed at the dismissal of the state's patrimony and the befalling, upon our country, of an unprecedented deregulation". Silvia Dell'Orso (2002, 136) describes the scenario opened up by the new legislation as "hazy and very disturbing at the same time". At the centre of their concern was the Patrimonio dello Stato S.p.A. which the decree instituted. This is a company set up on the basis of a capital represented by shares and is completely state owned. The decree also establishes the possibility to

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186 In Settis' own words: "Quello che il decreto di aprile annunciava senza mezzi termini era una radicalizzazione delle misure di dismissione del patrimonio statale, l'abbattersi sul nostro Paese di una deregulation senza precedenti" (Settis 2002, 120).

187 As Benedikter (2004, 370) explains: "All estates belonging to the state were included, including all monuments, museums and cultural objects. The company is administered by the Ministry of Economic Affairs, and a professional financial manager is the chief executive. This de facto assigning of all cultural heritage to the Ministry of Economic Affairs was a measure taken in order to improve the general management of state property and to allow the use of the infrastructural budget for the purpose of preservation".
transfer to this company all property rights with regards to all the real estate assets that belong to the State's patrimony, including those that are part of the Demanio Pubblico (State Property), on the uses of which, traditionally, a number of strict limitations were in place - including the already mentioned inalienabilità. The components of the state patrimony that are susceptible to be handed over to the Patrimonio S.p.A. thus include all national parks and coastlines, all the buildings that belong to the public sector, all public monuments, museums, archives and libraries, for a total value estimated in the region of 2,000 billion euros (Settis 2002, 121). The handing over of such valuable assets is justified as a way to guarantee their more effective and efficient management, as well as to increase their profitability (Dell'Orso 2002, 136). The contentious point here is that the decree (as well as the subsequent law) also introduces the possibility to repossess (alienare) the state's assets mentioned above, so that even legal experts agree that, once the legislation introducing the Patrimonio S.p.A. is analysed in all its details and implications, it appears to represent mainly a way to contribute to enhance public resources though the alienation of its assets (including, of course, the cultural assets) (Barbati et al. 2003, 187).

But if, as was noted earlier, so much of the Italian cultural heritage is part of the Demanio (and therefore cannot be alienated), how can it be sold so that the state can raise cash? The answer lies in another S.p.A. - called Infrastrutture S.p.A. - that is meant to work closely with the Patrimonio S.p.A. and whose shares are open to private investment. The
The legal status of the *Infrastrutture S.p.A.* is that of a financial trust based on share ownership - indirectly controlled by the Italian Minister for the Economy and under the supervision of the *Banca d'Italia* – whose object is to foster the realization of infrastructures, public works and investments to sustain economic development. The *Infrastrutture S.p.A.* is supposed to work towards this objective through the concession of loans and financial guarantees (Barbati et al. 2003, 187). The Minister of the Economy, by simply issuing a ministerial degree, has the power to transfer the assets belonging to the *Patrimonio S.p.A.* to the *Infrastrutture S.p.A.*. The latter, therefore, works like a huge real estate trust, whereby the state raises resources for its public works selling off its assets to private investors (Settis 2002, 125). The fact that the *Infrastrutture S.p.A.* is open to private investors also means that the assets belonging to the *Patrimonio S.p.A.* can ultimately pass into private hands. Benedikter (2004, 370-1) maintains the conditions that investors need to meet are "comparatively light". Unsurprisingly, "the law has often been criticised for being 'flexible', lacking clear statements about which objects may and may not be privatised. There seem to be no additional criteria except the one requiring the sale of groups of objects and not of individual objects so as not to leave single objects of minor interest behind" (Ibid.)\(^{188}\).

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\(^{188}\) As was mentioned earlier, the political and economic contexts for resorting to such a dramatic means of generating income was the tension between Berlusconi's commitment not to raise income tax (and, in fact, to reduce taxation where possible) and to carry out major public works (a very expensive exercise). At the same time, Italy's economy came under strict supervision by the European Central Bank following her tumultuous entry into the Eurozone in 1998 (because of the country's difficulty in keeping her public deficit within the mark of 3% of GDP – see Ginsborg 2001, 308-9). In addition, competition from China put further pressure on the Italian manufacturing sector.
In this complicated scenario, what happens to the portion of the real estate that belongs to the artistic and cultural patrimony of the country? The answer is very simple, they too are susceptible to go through the process described above, with the only difference that, in order for the property rights of assets of 'particular artistic importance'\textsuperscript{189} to be transferred from one S.p.A. to the other, the Minister of the Economy has to act in agreement with the Minister for the Cultural Assets and Activities. As Settis (2002, 121) bitterly clarifies, in order to sell off the Colosseum, the signature of two ministers would be required on the ministerial decree, rather than that of the Minister of the Economy alone. This provides very little reassurance, especially in view of the very exiguous political weight that the cultural Ministry has always had in the Italian political tradition\textsuperscript{190}. For, although probably no government, present or future, will want to really sell the Colosseum to a Japanese firm (or at least, so one would hope), in the present legislative framework, the legal possibility has been put in place for this to be actually possible\textsuperscript{191}. The symbolic meaning of this state of affairs is self-evident.

\textsuperscript{189} The ambiguity of the expression "asset of particular artistic importance" will no doubt cause innumerable complications and arguments in the implementation phase of the law.

\textsuperscript{190} The concern that the new law provoked amongst the general public as well as the cultural administrators was such that the President of the Republic felt compelled to intervene in order to highlight the need for clearer regulations with a view to ensure adequate protection of the cultural assets in question (Cappelli 2002, 21).

\textsuperscript{191} Settis (2002, 129-130) also expresses an additional concern: that this new complex legal mechanism – which is effectively under the almost exclusive control of the Minister for the Economy – will ultimately result in the redirection of public resources form the state Budget to the two newly created S.p.A. and, ultimately, to private banks and investors. For the cultural sector in particular, this might entail an emphasis on the monetary evaluation of the work of museums and galleries.
The new Codice Urbani of 2004 tried to respond to the criticism that these dispositions gave rise to by attempting a clearer identification of those assets that are part of the demanio, and that are therefore not-sellable and whose circulation is subject to strict limitations. These categories include: museums, art galleries, painting collections, libraries and archives, national monuments and archaeological sites. The 2004 code also introduces a condition for the sale of all other assets that are recognised as sellable: the sale must not in any way pose a danger to the correct preservation of the cultural assets up for sale, nor should public access to the beni be restricted as a result of their sale (Mbac 2004c, 13). Legal experts, however, have pointed out that the 2004 codice is not without inconsistencies and contradictions, so that it does not successfully quell the criticism discussed above (Ferretti 2004).

As Benedikter (2004, 369) reports, "already, 36 objects from the medieval period to the 20th century have been sold to international investment firms and private investors for amounts that many Italian experts consider well below the median market price". The situation is complicated by the fact that, although the number of state-owned objects that are susceptible of being sold in the future has been estimated to be as high as 400,000, no complete official list actually exists yet (Ibid., 371). As was

192 Some of the most artistically significant monuments sold are: the Villa Manzoni in Rome (19th century); the Manifattura Tabacchi in Florence (a large manufacturing complex built in the 20th century); the Archivio di Stato in Bari (19th century); the Palazzo Correr in Venice (16th century); the Palazzo Via del Cambiatori (1601) and the Palazzo Piazza del Monte in Reggio Emilia (1671); the Palazzo Via Balbi in Genoa (1677) (Benedikter 2004, 371).

193 As a result of this situation, "listings of public property for sale are, therefore, being compiled and supplemented on the basis of suggestions made by the Ministry of the
mentioned above, the law prescribes that assets need to be sold in large lots, so as to avoid that those located in less popular or provincial areas are left unsold. Obviously, group sales necessarily require larger investments. As a result, the selling process seems to favour larger international investors. Indeed, so far, none of the assets sold have been purchased by cultural institutions, but rather by international real estate and economic investors. The 36 properties already sold and referred to above, were bought by the American Carlyle Investment Group (a global private equity firm) in what was described as possibly "one of the most significant sales to take place in the European real estate market in 2003" (quoted in Benedikter 2004, 375). Furthermore, the method chosen to sell off the properties (auction) has also given rise to problems of transparency and to speculations about the involvement of private interests in the proceeding:

The Economy Ministry and its holding companies 'Patrimonio dello Stato SpA' and 'Infrastrutture SpA' have formed some additional sub-companies for each individual portfolio sale. Their task is to carry out an auction and to attract international bids. These companies seem to be linked to associations of international real estate agents (Benedikter 2004, 374).

Following the sale, the former under-secretary of State for culture (and TV celebrity) Vittorio Sgarbi – who famously left his post in protest against precisely these measures – declared with regards to some of the properties sold and located in Rome: "no real-estate agency in Rome Economy, the regions and local authorities" (Benedikter 2004, 371). Often, however, it would seem that, in fact, assets are sold due to urgent need for resources or because they are not in use (Ibid., 373).
would have hesitated to offer three or four times the allotment price\textsuperscript{194} (quoted in Benedikter 2004, 376). Furthermore, as the heritage expert Lorenzo Pagnini observes, "the investment company who bought it [the portfolio of assets] does certainly not intend to restructure the historic monuments for their intrinsic value, but is acting as a real-estate investor. It has an interest in high-value buildings located in areas of historical flavour" (quoted in Benedikter 2004, 376). Preoccupations with \textit{tutela} are certainly not paramount here!

The possibility to sell off cultural assets in order to raise the financial resources needed to carry out planned public works represents the apotheosis of an instrumental notion of the arts, whereby the \textit{beni culturali} are seen as mere tools towards the achievement of non-cultural aims (as the building of roads and motorways certainly is). What can be witnessed in Italy is the glorification and, at the same time, the degeneration of the notion that the cultural sector could and should have a positive economic impact and a role of wealth creation within the national economy. The present situation also represents the most fitting embodiment of the popular metaphor according to which Italy's enormous cultural and artistic richness is, for the Italian state and its people, like a collection of 'family jewels'. For, what else would a once-wealthy family do in times of financial difficulty if not start to sell off, one by one, all its

\textsuperscript{194} The Carlyle Group acquired the portfolio of 36 properties for €230 million (Benedikter 2004, 375).
most precious possessions in the hope to make it through the hard times? As Settis (202, 124-125) lucidly argues:

The Italian tradition has been founded for centuries on two main guiding principles: that the cultural patrimony is of public property and needs to be promoted by the state through research and measures of preservation; and that this patrimony needs to be seen as an indissoluble whole spread throughout the national territory. The very root of these principles has been weakened by the new law which risks, if implemented literally, to cause a change of epochal proportions, by stripping the citizens of rights they have been enjoying for centuries.\footnote{La tradizione Italiana si basa da secoli su due principi ispiratori: che il patrimonio culturale è di proprietà pubblica e va promosso dallo Stato mediante la ricerca e la tutela; e che esso va inteso come un insieme inscindibile distribuito nel territorio nazionale. Questi principi sono stati incrinati alla base dalla nuova legge che rischia, se applicata alla lettera, di provocare una svolta epocale, espropriando i cittadini di secolari diritti (Settis 2002, 124-125).}

Another rather disturbing fact is the somewhat limited response that such developments have given rise to among Italian commentators. As a result, the most common remark made by foreign observations was the astonishment in front of what appeared to them as a relative absence of reaction (Settis 2002, 43)\footnote{The international museology community, however, decided to speak up. Hence, in 2001, the International Council of Museums (ICOM) launched an appeal against what appeared to be an attempt to enslave public interests and access to the laws of profit. Shortly afterwards, 37 directors of the most renowned museums in the world signed a petition against the privatisations of Italian museums, archaeological and artistic heritage (Cappelli 2002, 24). How Benedikter (2004, 384) explains, "they feared the 'denaturing' of Italian museums, which would no longer fulfil UNESCO's primary criteria for a museum, i.e. to be a non-profit organisation and to serve for public benefit. Further, they petitioned for a far-reaching national and international debate on Italian privatisation plans, because Italian heritage constitutes, as they stated, a primordial value for World Heritage and thus belongs not to individuals but to the whole world". For some snippets of the Italian press debate, see De Luca 2001a and 2001b, De Seta 2001, Giuliani 2001 and Calvesi 2002.}, as if what was happening was just the logical consequence of a shift in values and priorities in the public sphere that had been so complete and pervasive, as to appear beyond any
possible criticism (besides isolated examples of civic and cultural indignation of which Settis is a prime example). As it has been mentioned numerous times – though – Settis is openly critical of recent developments in Italian cultural policy, and relying too heavily on his reconstruction and interpretation of events might appear too one-sided an attitude. However, if we turn to the book published, in 2002, by the previous Culture Minister, Giuliano Urbani\textsuperscript{197}, we cannot but conclude that here too the instrumental rhetoric abounds.

Urbani's principal defence of the duo of newly created S.p.As. is that the involvement of the private sector will guarantee \textit{tutela} and accessibility to the public for a number of building and monuments that are presently in a state of decay, and which the State simply cannot afford to look after adequately (Urbani 2002, 42-43). Urbani touches here on a real issue in the Italian context. As earlier sections of this chapter have shown, Italian cultural policy was dominated, in the first half of the 20\textsuperscript{th} century by the absolute priority of \textit{tutela} over and above any other concern. This centrality of the state's duty of cultural preservation was behind the introduction, in law n.1089 of 1939, of a norm according to which every building and cultural asset of public property that is more than fifty years old is automatically considered a \textit{bene culturale} to be protected and never sold (again, on the basis of the principle of \textit{inalienabilità}), on the grounds of its historical, and possibly even artistic importance, unless the

\textsuperscript{197} In April 2005, the controversial Rocco Buttiglione succeeded Urbani in his ministerial post.
contrary is proven and evidence collected to this aim. This has been a regulation endorsed by all subsequent legislation in the field up until 2002. This has resulted in a huge number of buildings and other assets being included in the legal category of bene culturale and, thus, placed under the responsibility of the State for upkeep and preservation. Obviously, not all of these properties and assets are of any genuine historical or artistic value. In fact, a great percentage of them represent a 'dead weight' for the state (Settis 2002, 116). A high percentage of these assets is therefore languishing underused and in decay, and — as Urbani's argument goes — there would be nothing wrong with the involvement of private investors to bring these disused and decaying buildings back into life. Urbani (2002, 44) declares that he intends to sell everything which is a rischio (at risk) because selling assets — provided that selling criteria and conditions are in place — is, according to the Minister, the best way to ensure their valorizzazione. Urbani's most interesting statement though, comes later in his book, where he admits that the economic and financial reason behind the introduction of these changes is 'vital', although accompanied by considerations that have to do with the effective tutela of the beni. In private hands they will be finally well looked after. What about the evidence that this will indeed be the case? In Urbani's view, this is self-evident: the private investors that will buy cultural assets from the State will love them (this seems to be in Urbani's view a logic necessity, since they are happy to pay so much money to buy them), and who can be trusted to care for them well, if not somebody that really, really loves them? (Urbani 2002, 47). In Urbani's
cogent reasoning, the *Patrimonio S.p.A.* and the *Infrastrutture S.p.A.* do not represent a danger for the *beni culturali*, but, rather, an opportunity (Ibid., 46). To those who fear that he might be tempted to sell off a bit more than empty and crumbling old buildings, he replies firmly:

[...] no, we do not want to sell the Colosseum, we do not want to sell the Trevi Fountain, we do not want to sell Milan’s Duomo

[...] We will not sell any of those assets that have a great potential for exploitation – noble exploitation, as I explained earlier – for the simple reason that it will be in our best interest to keep them. If you still have it, you can exploit it; if you no longer have it, because you have sold it, then, that’s it, end of story (Urbani 2002, 41).198

These words ostensibly will not have brought much reassurance to Settis and the many others who have looked at recent developments in Italian cultural policy with growing unease. The ‘noble exploitation’ here referred to relates to the view that private ownership of the assets will increase public accessibility to the assets in question. However, the real reasons behind the 2002 decree and law transpire as Urbani’s argument unfolds: referring to the *Patrimonio S.p.A.* and the *Infrastrutture S.p.A.* he maintains that in the context of the disastrous Italian financial situation, they had to be created (Urbani 2002, 46). Here is why:

We have the highest public debt in the West, on which we pay an extremely high interest, that is money that cannot be destined to the cultural assets nor to anything else. We also have the largest artistic patrimony in the West (nobody knows

198 «... no, non vogliamo vendere il Colosseo, non vogliamo vendere la Fontana di Trevi, non vogliamo vendere il Duomo di Milano. [...] tutto ciò che ha un grosso valore di potenziale sfruttamento – di sfruttamento nobile, come dicevo prima – non lo venderemo, per la semplice ragione che ci farà comodo averlo. Se ce l’hai lo sfrutti; se non ce l’hai più perché l’hai venduto, chiuso il discorso” (Urbani 2002, 41).
what the exact percentage is, but it is certainly remarkable)
Well: we have on the one hand, a huge debt on which we pay interest, and on the other hand, a fabulous public patrimony, artistic and belonging to the state, from which we make no profit. Shouldn't we try to achieve some balance? Otherwise, we will never have enough money to do what we need to do (schools, hospitals, and so on)\textsuperscript{199}.

Despite the vague grammar, Urbani's position is very clear, and it represents instrumental cultural policy in its purest form. It is also very interesting to note how Urbani does not justify the sale of part of the artistic heritage as a way to finance other initiatives belonging to the cultural sphere. His argument is that it is unacceptable for a country that has a huge public debt yet still has to build schools and hospitals (no mention about building museums here!) not to maximise the financial potential of its artistic patrimony. This is a defence of the act of selling off of the family jewels to face the hardship caused by the difficult economic circumstances\textsuperscript{200}.

\textsuperscript{199} In Urbani's own words: "Conclusione: le due società non sono un pericolo per i beni culturali, possono e devono essere un'opportunità. Inoltre, nel panorama delle finanze Italiane non si potevano non creare. Il nostro è il più grande debito pubblico dell'Occidente, su di esso paghiamo fior di interessi, quindi soldi che non possiamo dare nè ai Beni culturali nè ad altri. Abbiamo pure il più grande patrimonio artistico dell'Occidente (nessuno sa quale sia la vera percentuale, comunque è notevole). Bene: un mare di debiti sul quale paghiamo interessi e un favoloso patrimonio pubblico, artistico e statale, da cui non guadagniamo niente. Vogliamo trovare un equilibrio? Altrimenti, non avremo mai i soldi per fare ciò' che dovremo fare (scuole, ospedali e quant'altro" (Urbani 2002, 46; emphasis in the original).

\textsuperscript{200} Another interesting sign of the Berlusconi government's interest for the encouragement of the involvement of private investors in the administration of publicly owned \textit{beni culturali} is the recent legislation aimed at the creation, for the first time, of a coherent and clear legal framework for private sponsorship of cultural assets and their restoration (Piperata 2005).
However, Urbani's view only reflects the position of the Berlusconi government with regards to the administration of the (still) public cultural patrimony. If further evidence were needed, the current Dpef (Documento di Programmazione Economico-Finanziaria, that is the country's official economic strategy) covering the period 2003-2006 has chosen to redefine public expenditure on the beni culturali as 'investment' (spesa d'investimento) – instead of the traditional 'ordinary expenditure' (spesa corrente), in a development that mirrors that of Britain (Settis 2002, 138). The Dpef, indeed, considers the cultural patrimony to be “of strategic importance for the development of relevant economic and financial sectors, ranging from tourism to the promotion of products ‘made in Italy’” (Quoted in Settis 2002, 138). Settis (Ibid.), sharp as usual, points to something missing in this enunciation of reasons for the strategic importance of the Italian cultural patrimony. Indeed, what is missing is any reference to any function of an institutional, historical or civic nature. This seems to provide further ammunition for Settis' accusations that the problem afflicting the politicians in whose hand the destiny of the cultural assets rests, is their progressive distancing from that typically Italian and centuries-long institutional culture that considered the cultural patrimony of the country as one of the pillars of Italian civil society (Settis 2002, 113). This distancing has expressed itself in the language of managerialism and through the rhetoric of profitability.

A final example of this trend that this thesis will consider (but there are so many more that one could describe) is represented by a number of
policies that have been developed with a view to promote economic development in the South of Italy, an area that includes zones of severe economic disadvantage. Theoretical debates on the so called "questione meridionale" (Southern question) as well as specific action to resolve the economic and social backwardness of the Southern regions date back to the years following the Unification of Italy. A number of special funds and strategies aiming at fostering the growth of the secondary sector in the mainly peasant South were set up. In particular, the most important initiative was the Cassa per il Mezzogiorno. This was a fund set up in 1950 with the aim of improving the economy of the South and reducing income inequalities between North and South of the country by helping to create almost ex nihilo a secondary sector in the Mezzogiorno. The initiative was considered to be fundamentally a failure, leading to the closure of the Fund in 1984. A number of measures targeted at the less developed Southern regions have followed, but with not much more successful outcomes. In fact, the fundamental failure of such initiatives is today generally acknowledged by economists, sociologists and politicians alike (Trigilia 1992).

In these circumstances, it is evident that new strategies for a sustainable economic development of the Southern regions needed to be established, and, most recently, the attention has focused on the potential of culture towards sustainable development and job creation (Santoro 1995, I-II). This potential could be particularly remarkable in view of the fact that a high proportion of the Italian artistic and
archaeological heritage is to be found in Central and Southern areas of the country. In the South of Italy, the consistent use of culture with regenerative aims is still at an early stage of development, and it was partly the result of institutional pressures to make the most of EU Structural Funds to finance cultural projects. Despite the fact that this is a relatively recent development, the rhetoric of management and profitability that we have seen seeping through the main pieces of legislation discussed above, has already affected current policies for economic development set up for the Southern regions. In particular, the Programma di Sviluppo del Mezzogiorno (PSM, that translates as Programme for the Development of Southern Italy) - a policy document that outlines the way European funds will be invested in the South between the year 2000 and 2006 - attributes a central role to the valorisation of the South’s cultural patrimony in order to bring about economic development and create new job opportunities (Marchesi 2000, 21). The PSM is a seven-year strategy that will redirect a third of all national public spending to the Southern regions, allowing for investments in the region of about 2,544 million euros (Barca 2000, 195; Dell’Orso 2002, 117). A number of regions, including Calabria, Puglia and Sicily, have a number of projects already well under way (Dell’Orso 2002, 117). Culture-based urban regeneration and local economic development are hardly an invention of the Southern regions of Italy, but what is of interest here is the rapidity with which the language of public policy – and cultural policy in particular – has changed, absorbing the rhetoric - as well as the values – of the instrumental discourse. Marchesi (2000, 22) quotes
from the PSM document the part that concerns the broad objectives of the initiative, which are:

To establish conditions favourable to the development of new entrepreneurial possibilities in the sector of culture and cultural activities; to enhance the quality of life of citizens, their trust and their social wellbeing; to valorise, protect and enhance public access to the cultural resources of the Southern regions.

Despite the survival of references to principles of valorizzazione and tutela, we are in front of a new type of language that - in Italy too - emphasises the importance of the subsidised cultural sector as a promoter of economic development and employment.

It seems fit to conclude this necessarily selective historical overview of developments in the cultural policy field in Italy with the thoughts of the ex-culture Minister Paolucci, who notes how, in a not too far away past, cultural organisations were considered as places that are expensive to run, but have a value for those who want to go there; they might have some beneficial impacts on tourism, but their importance did not lie in economic profitability (Quoted in Dell’Orso 2002, 10). Museums are a perfect example – or used to be – in so far as their entrance ticket used to have a symbolic value rather than any kind of financial profitability. However, in the last twenty years, things have changed. An entrance ticket to the Galleria dell’Accademia in Florence, for instance has gone up in less than twenty years, from 150 lire to 6,60 euros - the equivalent of about 12,500 lire (Dell’Orso 2002, 10-11). No other public service has registered a rise in prices of this proportion. For Paolucci, “this explains
the entity of the shift that has occurred in our understanding of the concept of cultural asset, which has now loosened its anchorage to its traditional historical and idealistic moorings, in order to berth at the land of economic utility"201 (Paolucci quoted in Dell'Orso 2002, 11).

201 "Questo spiega l'entità dello slittamento subito dal concetto di bene culturale che si è disancorato dai suoi tradizionali ormeggi storicistici e idealistici per approdare agli scenari dell'utilità economica" (Paolucci quoted in Dell'Orso 2002, 11)
Chapter 7

‘Instrumentalism’ across borders: Towards an explanatory framework

As the preceding discussion of the most recent trends in cultural policy in the two countries has shown, the differences that once characterized the Italian and British national policy models seem now to be becoming progressively less significant. Despite the fact that the impact of neoliberalism takes different forms in the two countries at the centre of the present research – because of the different characteristics of capitalism assumes in the two countries, different political systems and parties - a common ethos of instrumentalism and a similar rhetoric emphasising the alleged positive economic or social repercussions of cultural expenditure seem indeed to be seeping through the cultural policy debate in both Italy and the UK. This is certainly a significant departure from very well established cultural and political traditions in both countries, and for this reason alone, worthy of a closer scrutiny. This final chapter, therefore, aims to provide a plausible explanation for the trends and attitudes that are currently at work in both countries, reshaping the contours of cultural policy as it has been traditionally understood and interpreted. An attempt will be made to provide a possible paradigm of explanation for the dramatic rupture in the traditional understanding of culture as an object of public policy, and the
role of the state in its promotion and administration. In order to achieve this, this chapter will look at issues and developments in cultural policy in the light of the global phenomena that have dramatically changed the world as we used to know it, giving rise to what could be defined as a 'new world order'. In particular, I will look at the phenomena of globalisation and the seemingly unstoppable rise of neoliberalism. The present discussion of the impacts of neo-liberal globalisation over cultural policy will complement the examination of the implications of the diffusion of NPM principles and practices presented in chapter 5, giving as complete a picture of how global transformations have affected cultural policy-making as the limitations of scope and time imposed by this thesis allow. Finally, the theory of policy transfer will be examined in detail, in order to suggest a possible specific explanation for the apparently similar cultural policy trends that have been observed in two countries so profoundly different (in all the respects discussed in this thesis, and more) as Britain and Italy.

UNDERSTANDING THE 'DISCOURSE OF BELEAGUREMENT'

As was observed earlier, in both the countries that are at the centre of the present enquiry, a widespread agreement can be found that the 1980s represented a time of radical change, when transformations occurred in the public sphere so profound as to require, for their understanding, a whole new set of theoretical and analytical tools. Another puzzling aspect of the post-1980s era, according to McGuigan (2004, 137), is also that an
extremely significant change of direction took place in the academic study of culture. In the decades preceding the rise of the New Right in the 1980s, the disciplines of cultural and media studies had been characterised by a firm commitment to ideological critique (in the form of a critical attitude to the current political and cultural order). However, such commitment appeared to be wavering precisely at a time when it would have been most justified by the shape that global politics was assuming. One of the aims of this section is, therefore, to try and answer the question “what really happened in the 1980s?” in order to justify the “discourse of beleaguerment” (Bennett 1995, 200) that seems to have entered the cultural debate then, resulting in a “sense of the public sector being occupied by alien power” (McGuigan 2004, 46).

The premise of this chapter is that the answer to our question is to be found in the ensemble of transformations that are usually characterised as the defining traits of the new global society, and principally in the spread of neo-liberal globalisation. As Andrew Gamble (2001, 127) explains:

One of the significant trends of the last thirty years has been the revival of economic liberalism both as a form of political economy and as a political ideology. By the end of the century many had come to regard it as the new hegemonic ideology, following the collapse of Communism in the USSR, the fading of alternative paths of development in the Third World and the new trajectory of social democracy.
It was precisely during the 1980s that the debate over the various and controversial phenomena that are usually grouped under the umbrella-term of 'globalisation' started gaining momentum - in academia and beyond. This has resulted in the development of a very substantial and varied body of literature, both academic and journalistic in nature (in fact, often of a character that blurs the boundaries within the two), representing equally diverse and varied positions and interpretations of 'the' topic of the times. As Moore (2003, 15) maintains:

Globalisation has joined imperialism, colonialism, capitalism and communism in becoming an all-purpose tag, which can be wielded like a club in almost any ideological direction. It is the defining political, economic and social phenomenon of the new millennium.

For obvious reasons, the present examination of matters relating to globalizing processes currently at work in the world will have to be necessarily selective. The analysis will thus be limited to those aspects that are more immediately relevant to the understanding of the cultural policy-making process as it is currently unfolding in Britain and Italy. Nevertheless, I will try to refer to the available literature, and to account for the most important themes and debates that mark the (very lively) present debate over globalisation in general, and neo-liberal globalisation in particular.
NEO-LIBERAL GLOBALIZATION AND THE TRIUMPH OF ECONOMIC REASON

"We live in an age dominated by economic reason". This is the opening line of Jim McGuigan's latest work entitled *Rethinking Cultural Policy* (2004, 1). The book attempts to suggest a possible answer to the question "What does it mean for cultural life when economic reason predominates?" (Ibid.). The prevalence of economic values and principles exemplified by today's 'market fundamentalism' has, according to McGuigan, clear repercussions in the cultural policy field:

In the past, cultural policy has been rationalised in various ways, including the amelioration of 'market failure' for practices deemed to have a *cultural* value that is not reducible to economic value. While this rationalization persists residually, it has very largely been superseded by an exclusively economic rationale. In this sense, cultural practices are deemed worthy of support because they are of *economic* value. Cultural policy has been rethought in such a way that it no longer requires a specifically cultural rationale. This is a manifestation of the pervasive dominance of economic reason today: to put it bluntly, naked capitalism (McGuigan 2004, 1; emphasis in the original).

The analysis of the British and Italian case studies, presented in the preceding sections of this thesis, certainly reinforces and substantiates McGuigan's argument. However, in order to better understand such developments in the cultural policy arena, it is necessary to pose some further crucial questions, such as: where does this all-pervading economic reason come from? What have been the circumstances that have allowed it to be endorsed so enthusiastically by governments and
institutions operating within such different cultural, political and administrative frameworks? Is economic reasoning - and the instrumental rationality that seem to accompany it – a global phenomenon? These are the questions that the following and final part of this thesis will tackle and strive to answer.

It has been noted (Peck and Ticknell 2002, 392) that “neoliberalism does indeed seem to be everywhere. And its apparent omnipresence is at the same time a manifestation of and a source of political-economic power”. And yet, a precise and clear definition of what neoliberalism actually is appears rather hard to come by. A number of scholars have commented on the difficulty of pinning down a definition of the phenomenon of neoliberalism that can be broad enough to encompass the varied aspects of such a complex phenomenon whilst at the same time avoiding gross generalizations that do not take into account the fact that neoliberalism, albeit a global trend, when implanted in different economic, political and cultural contexts, gives rise to very different local manifestations. As Peck and Ticknell (2002, 381-2) explain, "[t]his means walking a line of sorts between producing, on the one hand, overgeneralized accounts of a monolithic and omnipresent neoliberalism, which tend to be insufficiently sensitive to its local variability and complex internal constitution, and on the other hand, excessively concrete and contingent analyses of (local) neoliberal strategies, which are

202 The variations across countries in the interpretation of the label 'neoliberalism', and the differing interpretation of its relationship to the preceding 'liberalism' contribute to making neoliberalism "a recent concept open to several often conflicting interpretations" (Cerny 2004, 1).
inadequately attentive to the substantial connections and necessary characteristics of neoliberalism as an extralocal project"\textsuperscript{203} (see also Overbeek and Van Der Pijl 1993, 15). Brenner and Theodore (2002, 353) go as far as arguing that "a purely definitional approach to the political economy of neoliberal restructuring contains significant analytical limitations"\textsuperscript{204}. They seem to express a point of widespread agreement among commentators when they conclude: "the somewhat elusive phenomenon that needs definition must be construed as a historically specific, ongoing, and internally contradictory process of market-driven sociospatial transformation, rather than as a fully actualised policy regime, ideological form, or regulatory framework". Colin Hay (2004, 507-8), thus, argues that rather than striving for a fixed definition, the most fruitful approach is, rather, to identify a set of core tenets and principles that can be said to 'capture the identity of neoliberalism', and at the same time leave room for variations in specific policies across time and space. These are, according to Hay (Ibid.) the main tenets of neoliberalism:

1. A confidence in the market as an efficient mechanism for the allocation of scarce resources.
2. A belief in the desirability of a global regime of free trade and free capital mobility.

\textsuperscript{203} Larner (2004, 5), for instance, has pointed out that often, current definitions of neoliberalism tend to conflate the concept with that of neo-conservatism, an occurrence which does not account for the fact that "the articulation between neoliberalism and neoconservatism is contingent rather then inherent". She thus concludes (Ibid.) that "[w]e need to be more sensitive to the fact that there are different configurations of neo-liberalism. Close inspection of particular neo-liberal political projects is more likely to reveal a complex and hybrid imaginary, rather than the straightforward implementation of a unified and coherent political philosophy".

\textsuperscript{204} Colin Hay (2004, 507) expresses a similar position when he says "[d]efinitions are static; paradigms evolve. Tempting though it is to fashion a generic and trans-historical definition of neoliberalism as a set of policy preferences, this will not do".
3. A belief in the desirability, all things being equal, of a limited and non-interventionist role for the state and of the state as a facilitator and custodian rather than a substitute for market mechanisms.

4. A rejection of Keynesian demand-management techniques in favour of monetarism, neo-monetarism, and supply-side economics.

5. A commitment to the removal of those welfare benefits which might be seen to act as disincentives to market participation (in short, a subordination of the principles of social justice to those of perceived economic imperative).

6. A defence of labour-market flexibility and the promotion and nurturing of cost competitiveness.

7. A confidence in the use of private finance in public projects and, more generally, in the allocative efficiency of market and quasi-market mechanisms in the provision of public goods\textsuperscript{205}.

A corollary of these principles is the view that conceives states and markets as diametrically opposed principles of social organization, in a dualistic view that seems to ignore the fact that, in fact, they both are politically construed notions. In addition, neoliberalism offers the world a 'one size fits all' model of public policy that assumes that similar market-driven reforms will bring about similar changes independently of the institutional and political contexts (Brenner and Theodore 2002, 353).

Having established the fundamental characteristics of neoliberalism (a number of which will be further investigated later), it remains to be ascertained what brought about the 'neoliberal regime shift' that commentators agree took place in Britain and the US in the late 1970s.

\textsuperscript{205} The literature discussing the main principles of neoliberalism is vast. The sources consulted for this section of the chapter were: also Cerny 2004; Peck and Tickell 2002; Larner 2004; Solomon 1994, ch. 1, 2 and 3; Bremmer and Theodore 2002; Overbeek 1993; Jessop 2002.
(Jessop 2002, 457). A shared agreement indeed exists that the intellectual roots of the neoliberalism creed are to be found in the work of a group of jurists and economists that came to be known, collectively, with the label of Ordoliberalen, on the grounds of their involvement in the journal Ordo (Gordon 1991, 41)206. A crucial tenet of the Ordoliberalen was that market needs to be understood as “an artificial game of competitive liberty” (Kendall 2003, 7). They advocated a form of interventionism targeted not at the market itself, but rather at those conditions that can allow the market to flourish: the rule of law, the cultural climate, the institutional framework, etc. Ideally, intervention in these areas would result in instilling in society at large a useful and fruitful competitive spirit (Ibid., 7-8). Another important element in the intellectual line of descent of current neoliberal ideology is represented by the Chicago School theorists, whose principal representative was Gary C. Becker, who wrote his most influential books between the 1960s and '70s. The hallmark of the school was a much more radical view of the relationship between the market and the social sphere, and their suggestion that the social be seen as a form of the economic (Ibid., 9). The Chicago School theorists’ faith in the market was such that they felt that its logic could be usefully extended to the social (family life, human relationships, crime, work life, etc.). At the basis of this line of reasoning is the assumption that the essence of all rational behaviour ultimately boils down to making decisions about which resources are best

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206 The Ordoliberalen were mostly jurists and economists that had been working in Germany since the 1920s though were exiled during Nazism. Many of them returned to Germany after the end of the war, and contributed to reconstructing post-war West Germany (Kendall 2003, 7).
channelled towards which ends. As, Kendall (Ibid.) explains, "[o]nce all rational human behaviour has been understood as economic behaviour, then, government becomes nothing more or less than economic government". The final key figure in the theoretical elaborations that neoliberalism feeds upon, is Hayek, and the highly influential critique of state intervention that he put forward in his 1944 book *The Road to Serfdom*. At the heart of Hayek's work is the notion of freedom, "that ideal of freedom which inspired modern Western civilization" (Hayek quoted in Viskovatoff 2002, 2). This he sees as an artefact of civilization, and an act of individual submission to discipline (Kendall 2003, 12). However, as Klees (1999, 5) notes, "Frederich Hayek begins by assuming a very narrow view of the meaning of freedom and liberty and ends up supporting an extremist version of laissez-faire*. Indeed, Hayek sees the market not as the end product of governmental policy, but rather as "a 'spontaneous social order' [...] arrived at through the rules of conduct established in cultural evolution" (Kendall 2003, 13). Defining the market as something 'cultural' leads Hayek to the conclusion that it cannot possibly be sensibly and effectively regulated by the government, and it is therefore best left to its own devices and logic (ibid.){

207 Klees (1999, 5) also reports that Keynes, commenting on Hayek's work reached the following conclusion: "it is an extraordinary example of how starting from a mistake a remorseless logician can end up in bedlam".

208 Furthermore, as the democratic liberal Herman Finer wrote in his angry response to Hayek, *The Road to Reaction* (1945), though Hayek seems to nominally be in favour of democracy, he seems not to think much of what the people really want, for he attributes "more rationality and honor to millions struggling with each other economically than to millions democratically composing their own laws and controlling their responsible administrations (Finer quoted in Gottfried 1999, 11). In conclusion, according to a scathing Finer (Ibid.) "in our time the only form of government which will give Hayek what he wants – namely the protection of economic individualism in the extreme form
Even from such a necessarily terse review, it is evident how these theoretical elaborations aim to undermine the values and beliefs at the root of the post-war welfare model and propose a much different alternative. The extent to which these theories underpin a new and radical alternative approach to market and society has been spelled out by Colin Gordon (1991, 43):

Economics thus becomes an 'approach' capable in principle of addressing the totality of human behaviour, and, consequentially, of envisaging a coherent, purely economic method of programming the totality of governmental action. The neo-liberal homo economicus is both a reactivation and a radical inversion of the economic agent as conceived by the liberalism of Smith, Hume or Ferguson. The reactivation consists in positing a fundamental human faculty of choice, a principle which empowers economic calculation effectively to sweep aside the anthropological categories and frameworks of the human and social sciences.

In the mid-1930s, Keynes has famously argued that "the ideas of economists and political philosophers, both when they are right and when they are wrong, are more powerful than is commonly understood" (quoted in Milberg 2004, 352). His claim seems to have stood the test of time, for - according to Peck and Tickell's (2002, 388-9) reconstruction - the late Seventies were precisely the time when the abstract intellectualist theoretical elaborations of the thinkers discussed above coalesced into an actual neoliberal political project of 'state-authored restructuring' carried out mainly by the Thatcherite and Reaganite
that he wants it – is dictatorship, which coerces whole peoples, and sneers at rule by persuasion".
governments\textsuperscript{209}. As the following sections of this chapter will highlight, a second important shift took place in the early 1990s. This was indeed a time when it was no longer possible to deny the institutional and political limits, and the negative economic and social consequences of the neoliberal reforms. However, the final outcome of the realization of the negative aspects of neoliberal strategies was not an implosion of the system, but rather its reconstitution into more 'socially interventionist and ameliorative forms', epitomised by the Third-Way politics of the Clinton and Blair governments (Peck and Tickell 2002, 388).

NEOLIBERALISM: A SCENARIO WITH NO ALTERNATIVES?

Jessop (2002, 467) maintains that one of the key features of neoliberalism is that its success "depends on promoting new ways of representing the world, new discourses, new subjectivities that establish the legitimacy of the market economy, the disciplinary state, and enterprise culture". Consistently with this claim, a first observation that can be made from the analysis of the extensive corpus of literature that examines the seemingly inexorable diffusion, globally, of neo-liberalism,

\textsuperscript{209} The trait d'union between theory and political practice was in many cases represented by think tanks, policy elites and public intellectuals (Peck and Tickell 2002, 401; Osborne 2004). As the anti-neoliberal political activist Susan George (2001, 9) has pointed out: "They [the neoliberals] have understood, as progressives have not, that ideas have consequences. Starting from a tiny embryo at the University of Chicago with the philosopher-economist Friedrich von Hayek and his students – Milton Friedman among them – at its nucleus, the neoliberals and their funders have created a huge international network of foundations, institutes, research centres, publications, scholars, writers and public relations hacks to develop, package and push their ideas and doctrine relentlessly".
is the widespread agreement that the faith in its tenets has gained today such a degree of acceptance as to have become, in many ways, a truly universal religion, summoning an inexorable "logic of no alternative" (Hay and Watson 2003, 147; see also Peters 2001, chapter 6 and Smart 2003, chapter 2). In his already mentioned discussion of the revival of the doctrines of the free market, Gamble (2001, 127) notes how - in the late 1980s - "[c]apital appeared once more triumphant, and the nostrums of economic liberalism about the organisation of the economy were once more being expressed as simple common sense and encountering relatively little challenge, either politically or intellectually". Following the historical collapse of communism and the seeming weakening popularity of Marxism, liberalism has progressively yet steadily assuming the role of the official ideology that legitimises advanced multinational capitalism (Peters 2001, 119).

Anderson (2000, 17), in the editorial of the opening first issue of the New Left Review's (NLR) second series, brings the argument a step further:

For the first time since Reformation, there are no longer any significant oppositions – that is, systematic rival outlooks – within the thought-world of the West; and scarcely any on a world scale either, if we discount religious doctrines as largely inoperative archaisms, as the experiences of Poland or Iran indicate we may. Whatever limitations persist to its practice, neo-liberalism as a set of principles rules undivided across the globe: the most successful ideology in world history (emphasis mine).
It was from the very pages of the *NLR* that, two years previously, Pierre Bourdieu (1998, 125) had proffered his own perceptive interpretation of the present "period of neo-conservative reconstruction", which is worth quoting in full:

> It is a new type of conservative revolution that claims connection with progress, reason and science — economics actually — to justify its own re-establishment, and by the same token tries to relegate progressive thought and action to archaic status. It erects into defining standards for all practices, and thus into ideal rules, the regularities of the economic world abandoned to its own logic: the law of the market, the law of the strongest. It ratifies and glorifies the rule of what we call the financial markets, a return to a sort of radical capitalism answering to no law except that of maximum profit; an undisguised, unrestrained capitalism, but one that has been rationalized, tuned to the limit of its economic efficiency through the introduction of modern forms of domination ('management') and manipulative techniques like market research, marketing and commercial advertising.

According to Bourdieu, neo-liberalism's "uncrossable horizon of thought" equates to an all-pervading form of *economic fatalism*, which is "becoming a sort of universal belief, a new ecumenical gospel" (*Ibid.*, 126; see also Bourdieu 1998b, pp.29-44 and 1998c). Neo-liberalism, thus, is "a powerful economic theory whose strictly symbolic strength, combined with the effect of theory, redoubles the force of the economic realities it is supposed to express" (*Ibid.*, emphasis in the original).
Across the Atlantic, Bourdieu's and Gamble's words are echoed by Thomas Frank's (2000, XV) declaration that ideas revolving around the notion of what he calls 'market populism', in the nineties, "became canonical, solidified into a new orthodoxy that anathematised all alternative ways of understanding democracy, history, and the rest of the world". His concept of 'market populism' is indeed very interesting. In a book significantly entitled One Market under God (2000), Frank presents an incisive and scathing analysis of the neo-liberal orthodoxy in the cultural and political public spheres in Britain and the States. He makes a significant point when he notes how one of its main theoretical principles is the identification between democracy and the workings of the market, which is at the root of so much of today's public policy and political theory. In the neo-liberal set of beliefs, the free market and democracy are seen as identical entities\textsuperscript{210}. Indeed, Frank (2000, 29) writes:

By its very nature the market was democratic, perfectly expressing the popular will through the machinery of supply and demand poll and focus group, superstore and Internet. In fact, the market was more democratic than any of the formal institutions of democracy — elections, legislatures, government. The market was a community. The market was infinitely diverse, permitting without prejudice the articulation of any and all tastes and preferences. Most importantly of all, the market was militant about its democracy. It had no place for snobs, for hierarchies, for elitism, for pretence, and it would fight these things by its very nature.

\textsuperscript{210} Frank (2000, 15) also points out that, in fact, such an identification is not something new in itself, for claims in favour of such identification have always been a recurrent theme in the American political debate. What is 'new', however, according to Frank, is — once again — "this idea's triumphs over all its rivals: the determination of American leaders to extend it to all the world; the general belief among opinion-makers that there is something natural, something divine, something inherently democratic about markets".
The problem here is that there is actually an obvious conflict between the logic of maximum profit and capital accumulation on the basis of which the global economy operates on the one hand, and - on the other hand - the 'logic of legitimisation' which guides politics in all liberal states that are administered on the basis of democratic elections. Whereas the former only recognises the requirements of capital as its priority, the latter aims at achieving economic stability - and possibly growth - on condition that certain social needs of the population are met\(^{211}\) (Leys 2003, 26).

This identification of the market with a democratising force within society entails all sorts of significant implications for the publicly subsidised cultural sector. The case of Britain is, in this respect, very significant. Accusations of snobbery and elitism indeed have been addressed against the Arts Council's arts policy and funding allocations since the 1960s. Some commentators even suggested that it would be desirable that public subsidy for the arts should be stripped off completely, and the livelihood of the cultural sector left to the will of the public as it expresses itself through the marketplace (Sawers, 1993).

\(^{211}\) As Leys (2003, 26) further observes, in the past (that is in the epoch of national economies) the conflict between these two logics was limited, to a certain extent, by the relative immobility of capital. The situation is today radically different: "[g]lobalization has for the first time separated the fields of operation of the two logics" (Ibid.). As a result, the national states that are committed to the attempt of limiting the impact of the market forces on the life of their citizens find that they have very little room for manoeuvre left. Realistically, in order to survive in the global economy, national governments have no other feasible option but to pursue whatever economic policies can allow them to boost national competitiveness in the global marketplace, and at the same time encourage economic growth and employment (Ibid., 28).
An influential promoter of the positive cultural role of the market in cultural life is certainly Tyler Cowen, whose work - in particular the book *In Praise of Commercial Culture* (1998) – has been at the centre of great interest in Europe, and in Britain especially (see also Cowen 2002). In the attempt to counteract the diffuse pessimism *vis à vis* the negative impacts of the market on culture - and the defence of public subsidy for the cultural sector that relies on it - Cowen (1998, 37) famously stated: "The state does its best in promoting the arts when it acts simply as another customer, patron or employer, rather than as a bureaucracy with a public mandate. Direct government funding works best when it serves as private funding in disguise..."\(^{212}\).

On the one hand, it is beyond question that in many instances the market has contributed to making culture, in all its high-, mid- and low-brow manifestations, more accessible to a larger number of people. On the other hand, though, it has also been observed that a tendency is currently spreading among western cultural commentators of looking at the tension between culture and the economy in ways that are largely uncritical of the relations of economic power that are involved in the

\(^{212}\) Similar arguments, however, had been in circulation within the cultural debate for quite some time, as proven by a Council of Europe document of cultural democracy, published as early as 1976, which – in its historical discussion of the progressive move towards a focus on cultural democracy (over the traditional cultural policy goal of the democratisation of 'high' culture), openly refers to the contribution of the market to cultural democratisation: "Commercial interests, always astute in the diagnosis of potential profitability, had begun to intervene in ways that contributed to the diffusion of culture. [...] There can be no doubt of the contribution made by the cultural industries to the democratisation of culture" (Simpson 1976, 16 and 17).
production, circulation and consumption of culture. As a result, many cultural critics as well as cultural policy-makers seem to have opted for the adoption of the jargon and values of the market, and appear completely oblivious to the very possibility of any alternative set of values or cultural policy rationales (McGuigan 2004, 121-122). This conclusion is clearly confirmed by the recent trends in both British and Italian cultural policies, where increasing 'managerialization' (through the implementation of NMP principles) of the cultural sector and the instrumental rationality of the economic and social impact of the arts has been met by very little resistance, and by the failure (or even the renunciation to attempting) to formulate an alternative theoretical defence of the rightfulness and importance of the involvement of the state in the funding and nurturing of the public cultural sphere. For this is indeed the "age of corporate colonization" (Boggs 2000, 6), characterised by the decline of the public sphere (Marquand 2004; Sennett 2003 [1977]213; see also Duggan 2003). According to Marquand (2004, 6):

The single most important element of the New Right project of the 1980s and 1990s was a relentless kulturkampf designed to root out the culture of service and citizenship which had become part of the social fabric. De-regulation, privatisation,

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213 As early as 1977, the sociologist Richard Sennett, in his major work entitled (quite significantly) The Fall of Public Man had already identified the decline of the public sphere as a distinguishing feature of contemporary western society. His main argument is that as a consequence of the development of capitalism and the secularisation of society, the boundary between the public and the private domains have been progressively eroded. Moreover, Sennett argues that such breakdown has been so dramatic, as to have left 'public man' deprived of any clear ideas of his role in society. In the first chapter of the book Sennett writes: "Today public life has also become a matter of formal obligation. Most citizens approach their dealings with the state in a spirit of resigned acquiescence, but this public enervation is in its scope much broader than political affairs. Manners and ritual interchanges with strangers are looked on as at best formal and dry, at worst as phoney... As in Roman times, participation in the res publica today is most often a matter of going along, and the forums for this public life, like the city, are in a state of decay" (Sennett 2003 [1977] 3-4).
so-called public-private partnerships, proxy markets, performance indicators mimicking those of the private corporate sector, and a systematic assault on professional autonomy narrowed the public domain and blurred the distinction between it and the market domain.

Chapter 5 and 6 have discussed, respectively, the new orthodoxy of managerialism and New Labour’s cultural policies, characterised by their consistent promotion of a connection between ‘culture’ and ‘industry’\textsuperscript{214} (Littler 2000, 204) – to the point of having arguably transformed Britain in the “UK Plc”\textsuperscript{215} (Cohen 1999, 172 ff.) - and the clear determination shown by the Italian government to find the resources needed for the planned public works by ruthlessly selling off the treasures of the Italian cultural heritage to private companies. Furthermore, it has been suggested (Bardouille 2000) that the spread of the NPM paradigm (also discussed in chapter 5) has been enthusiastically embraced by OECD countries not only as ‘the’ panacea for all their governmental inefficiencies, but principally as a way to make their governance practices consistent with the fundamental values and ideological constructs of neo-liberal globalisation. On the grounds of the analysis there proposed, thus, we can agree with McGuigan’s (2004, 59) conclusion that “[t]he crucial

\textsuperscript{214} The encroachment of economic concerns in the cultural sphere that has been discussed in chapter 5 and 6 with regards to Britain and Italy respectively, is a phenomenon that has undergone, as a matter of fact, much broader circulation. Jeremy Ahearne (2002, 22) for instance, discussing French cultural policy, concluded that – in the 1980s – in France too the minister for Culture Jack Lang and the President Mitterand had collaboratively established a “new cultural policy matrix” whose distinguishing feature was the juxtaposition of culture and economy.

\textsuperscript{215} The claim that the UK has become a fully market-driven state (Leys 2003) is hardly pertinent to the British experience alone, as shown, at the global level, by the concept of ‘McWorld’ put forward by Barber (2003 [1995]) and George Ritzer’s (2004) theory of the ‘McDonaldization of society’.
development in the recent period has been the ideological de-legitimisation of state intervention and public-sector arts and media. They persist, but with an uncertain and poorly defended rationale. Even when they persist, however, their operations are reconfigured increasingly by market reasoning so that publicly funded organizations must behave like private businesses, thereby further undercuts their own legitimacy”.

But is neo-liberalism really the only possible option? How did this “logic of no alternative” find so strong a rooting in Western culture? This is indeed a very intriguing question, especially in view of the fact that until not long ago, the significance of the revival of market fundamentalism was not universally grasped, so that the unchallenged consolidation and diffusion of neo-liberalism was not always successfully predicted - not even by widely respected and usually very perspective commentators (Anderson 2000, 10; Gamble 2001, 127). None other than Eric Hobsbawm, by all means one of the most remarkable living historians, as late as 1998, seemed to fail to foresee its future global spread216. I refer

216 Although, as the preceding quotes demonstrate, the perception of neo-liberalism as the current orthodox ideology in the political and economic fields is the prevalent interpretation of the world's development in the last three decades, assessments of the global influence of neoliberalism differ (Peters 2001, 120 ff). For there are isolated voices that argue that the impacts and the spread – and of course, the inevitability – of neo-liberal globalization have been overestimated. For instance, writing in 2002, Walden Bello maintains that “[i]ncreasing resort to unilateralism and the brazen manipulation of multilateral mechanisms to achieve hegemony by the United States was an important source of the crisis of legitimacy that began to grip the global order in the late 1990s. But equally important as the erosion of multilateralism as a source of de-legitimation was the spreading realization that the global neoliberal regime resting on free trade and free markets could no longer deliver on its promise... When the Asian economies collapsed in the long summer of 1997 [...] the follies of neoliberal economics came to the fore” (Bello 2002, 4-5). Furthermore, it is interesting to register here the opinion expressed by Kiser and Laing (2001, 51 ff) that the theoretical consensus engendered among financial and economics experts that the rise of neoliberal ideas and policies across much of the world would result in the progressive decline of taxation on
Here to Hobsbawm's contribution to a special issue of Marxism Today with an article whose title, in hindsight, sounds very naïve: "The death of neo-liberalism"²¹⁷.

How was it, then, that neoliberalism has become the "new hegemonic creed" (Gamble 2001, 133), despite the diffuse criticism of its ethos and its well-documented adverse social impacts (Bennett 2001, 156-165, and Sennett 1999)? For an answer we have to look, once again, at the political and economic developments that followed the global economic crisis of the early 1970s, and in particular at the political and economic strategies of the Thatcher and Reagan government in Britain and the US, and their repercussions on the rest of the world. Gamble (2001) acknowledges that, by the 1970s, it had become evident that the Keynesian policy regime was struggling because of the rise of inflation and consequent fiscal crisis. This, in turn, precipitated the already existing economic recession and exacerbated the unemployment problem, a situation that was further compounded by the oil crisis of 1973. However, he also argues that, at that time, the prevalent opinion amongst economics experts was that the only possible alternative to Keynesianism (albeit in a reformed version) was a socialist alternative. In

²¹⁷ In the article, Hobsbawm argued that the economic crisis which begun in South-East and East Asia - threatening to turn into a global capitalist crisis - heralded "the end of free-market fundamentalism" (Hobsbawm 1998, 4).
other words, in the 1970s, Keynesianism was still largely thought of as the most effective economic and political strategy available for the success of capitalism. Things, though, were to change abruptly:

By the end of the 1980s neo-liberalism had successfully redrawn the terms of the debate, sidelining both Keynesianism and socialist alternatives. In Britain and the United States the political interventions represented by Thatcherism and Reaganism established neo-liberalism as the new dominant common sense, the paradigm shaping all policies (Gamble 2001, 129).

As Bennett (2001, 150) notes, what had begun as an economic necessity and the required austerity to face the hardship and difficulties brought about by the early 1970s crisis, by the 1980s had transformed itself – in Britain and the States – into a fully-fledged political mission\(^{218}\). Neo-liberal ideals effectively began their ascendant journey in English-speaking countries, where the new political and economic ethos seemed to find much more fertile ground than in continental Europe or Asia. Gamble (2001, 129-30) establishes a link between the spread of the neo-liberal creed in countries such as the US, Britain, Australia and New Zealand and the adoption, on the part of these countries, of a defensive strategy to protect their own model of capitalism from others that seemed, at that time, more successful (in particular those of Germany

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\(^{218}\) Yergin and Stanislaw (1998, 108) quote Margaret Thatcher herself to have said: "We should not expect the state to appear in the guise of an extravagant good fairy at every christening, a loquacious companion at every stage of life's journey, and the unknown mourner at every funeral". As they explain (Ibid.), instead, "[s]he wanted to replace what she called the 'Nanny State' and its cradle-to-grave 'coddling' with the much more bracing risks and rewards of the 'enterprise culture'.

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and Sweden in Europe, and Japan in Asia). The feeling of being under increasing pressure, if not even under direct threat, from international competitors was particularly strong in Britain and the US, where – in the 1980s – debates over current decline dominated the political and economic discourse. In this context, the most commonly suggested explanation for Britain's perceived economic decline was what Rubinstein (1993, 1-2) calls the 'cultural critique', according to which the main culprit for Britain's decline is the traditionally anti-capitalist character of British culture. In this rhetoric of decline (which, by the way, was equally popular among leftists and conservative commentators), many British cultural institutions appeared intrinsically suspicious and at times

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219 There is an extensive body of literature that deals with the many aspects of the perception (more or less unfounded) of Britain's economic, political and cultural decline. Gamble's Britain in Decline (1994), for instance, tackles mainly economic issues relating to Britain's economic problems. Political decline is at the centre of Jim Tomlinson's The Politics of Decline (2001). Cultural as well as political aspects of decline are commented upon in George Bernstein's Myth of Decline (2004) and W. D. Rubinstein's Capitalism, Culture & Decline in Britain (1993). A separate mention is deserved by a distinctive type of publication, usually produced by conservative cultural commentators and focusing on a nostalgic exaltation of traditional British (or even specifically English) cultural and moral values which are seen as irredeemably threatened in the current climate of decline. The most eminent examples of this literature are Peter Hitchens' The Abolition of Britain (2000; focussing in particular on British decline in the Blairite era) and the more interesting England; An Elegy by Roger Scruton (2001). The latter, in particular, is a glorious example of the genre, displaying high points of whingeing that make for an often unwittingly amusing reading. Yet Scruton is undoubtedly the interpreter of much diffused feelings among the English — and, more generally, British — people. This passage from the book's last chapter is thus worth quoting at length to get a picture of just what intense peaks the sense of decline has reached in the UK: "England consisted in the physiognomy, the habits, the institutions, the religion and the culture that I have described in these pages. Almost all have died. [...] It is right that the heirs to English civilisation should commemorate its virtues, its achievements and its meaning. For dead civilisations can speak to living people, and the more conscious they are while they are dying, the more fertile is their influence thereafter. [...] I find myself confirmed in the desire to praise the English for the virtues which they once displayed, and which they were taught even in my youth to emulate. This does not alter the fact that these virtues are rapidly disappearing. Having been famous for their stoicism, their decorum, their honesty, their gentleness and their sexual puritanism, the English now subsist in a society in which those qualities are no longer honoured — a society of people who regard long-term loyalties with cynicism, and whose response to misfortune is to look round for someone to sue. England is no longer a gentle country, and the old courtesies and decencies are disappearing" (Scruton 2001, 244-245). Interestingly, Scruton's concluding tirade goes on for further 12 pages!
overtly hostile to capitalist values, and therefore had an adverse effect on Britain's entrepreneurship\textsuperscript{220}. Under attack as mechanisms for the transmissions of non-business-friendly values from one generation to the next were the educational system, the anti-urban feelings so common among the population, and the altogether anti-capitalist inspiration of so much of British culture, as argued by Wiener (1985) in his essay *English Culture and the Decline of the Industrial Spirit*. Thus, according to the advocates of the 'cultural critique', "[u]nlike America or contemporary Japan, British culture was, generally speaking, anti-capitalist, regarding free market economics as unfair, its chief beneficiaries the despicable factory-owners and plutocrats of the age of *laissez faire*, its chief victims the working class" (Rubenstein 1993, 2). Rubenstein (Ibid., 3) – before proceeding to argue against all the main contentions of the cultural explanation for Britain's economic decline in an analysis spanning the period 1750 to 1990 – concludes that, according to the cultural critique, "[t]he end product of this is a society rooted in the past, pre-modern and anti-modern in most respects, and ill-equipped to deal with the modern world".

For all the perceptions of enduring decline that seem to have persistently affected the British people, the reality of the matter is that, by the end of

\textsuperscript{220} The perception that Britain's economic performance was in some way defective had begun unfolding in the 1960s giving rise to a sense of 'national angst' that got progressively worse over the following two decades. As a result, the specific issue of economic performance gradually became identified with a broader sense of Britain's decline. As George Bernstein (2004, 157) puts it "[t]he very concept of 'national decline' as it evolved in this context implied a failure of character, and so the British began to ask what was wrong with themselves". The fact that evidence of decline was, in fact, partial and inconclusive did not seem to change perceptions much (Ibid.).
the 1990s, the picture appeared somewhat altered. The renewed buoyancy of American – and, though to a lesser extent, British – capitalism, combined with the growing difficulties faced by other capitalist models (such as Japan's and Germany's) ultimately meant the assumption of neo-liberalism as "the dominant ideology of the new world order proclaimed by the Americans and also of the discourse of globalisation" (Gamble 2001, 130). The political message of neo-liberalism was that the adoption of a Keynesian political economy had resulted in an unsustainable situation, whereby the state's sphere of intervention in the economy was getting larger (so that capital was often prevented from flowing freely across the markets), whilst the inflation was accelerating. Neo-liberalism therefore calls for the freedom of capital from the various commitments required by the Keynesian system (such as welfare), and an emphasis on capital as money, instead of capital as production. This, in turn, requires a devotion to monetarism as the cornerstone of economic policy (ahead of other concerns, such as an adequate welfare provision and the goal of unemployment reduction, which are at the forefront of Keynesian economics) that was indeed enthusiastically espoused by the Thatcher governments during the 1980s (Gamble 2001). The main casualties of this turn in British politics were the Welfare state as it had come to be structured in the post-war period of consensus, and the Trade Unions.

When New Labour entered into office, therefore, they inherited a 'social landscape' that had been deeply transformed by the Thatcherite
revolution. However, from the very beginning of their leadership of the country, New Labour made it clear that they would rather work within the paradigm established by the previous conservative governments rather than put forward any radically different or alternative model (Watkins 2004, 10). According to Susan Watkins (2004, 26), indeed, “it is obvious enough that neo-labourism is a variant of neoliberalism”. In 2000, Perry Anderson had already affirmed that, from an ideological point of view, the rising neo-liberal consensus had found an important point of stabilisation in the ‘Third Way’ of the Clinton-Blair regimes. The ‘Third Way’ was in fact - in his words – “the best ideological shell of neo-liberalism today” (Anderson 2000, 11).

What distinguishes, then, New Labour’s ‘Third-Way Politics’ from the Thatcherite project? A possible answer lies in the influence exerted on New Labour thinking by communitarian thought, which Tony Blair himself became interested in during his days at Oxford University, when he discovered the work of the Scottish philosopher John MacMurray (Gould 1998, 233). Subsequently, the influence of American communitarian thinking as articulated by Amitai Etzioni (1995 [1993] and 2000), together with the development of thinking around the concept of community by personalities such as Giddens (1998), also contributed to progressively shape some of the values central to New Labour’s political project221.

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221 Philip Gould (1998, 233) – one of Blair’s senior advisers – comments: “The idea that individuals are defined by their relationships to the community, not in isolation from the community, is Blair’s grounding idea, his core political insight”. However, Stephen Driver and Luke Martell (1998 and 2002) have questioned the extent to which the Blairite notion of what ‘Britishness’ and the British community is (as exemplified in the slogan ‘Cool Britannia’), is actually based on a realistic picture of the country. The authors
The central tenets of communitarianism is the belief that individuals can only flourish and realise their full potential within a strong and supportive community (hence the centrality of issues of social inclusion and cohesion in New Labour’s rhetoric). Another crucial principle of communitarianism is the belief that there can be no rights without responsibilities attached to them, and furthermore, that, in a healthy society, there are also responsibilities and duties that citizens are expected to fulfil even though no rights or benefits are immediately attached to them. However, doubts have been raised about the extent to which the adoption of communitarianism as one of the philosophical references for ‘Third-way politics’ really sets New Labour’s project apart from Thatcher’s version of neo-liberalism. For instance, the politics scholar Alex Callinicos (2001, 64) poses a crucial question: “How can a political current so strongly identified with the forces of capitalism and modernity somehow attach itself to communitarian theories that define themselves in opposition to these forces? Certainly what has become suggest (2002, 151) that “Labour’s vision of a creative, young country within a post-industrial economy is unlikely to apply evenly across the United Kingdom. It reflects a rather narrow view of British society and being British. It is hardly representative of the British economy, British society – or even British demographics”. As Etzioni (1995, 10) explains, “Although it is difficult to imagine rights without corollary responsibilities, we must recognise that we have some duties that lay moral claims on us from which we derive no immediate benefit or even long-term payoff”. In a later publication for the think-tank Demos, Etzioni (2000, 12) further clarifies this, and links it to another central theme in New Labour’s body of values, social inclusion: “Equally pivotal is the recognition that only in a society where no one is excluded, and all are treated with equal respect, are all people accorded the status of being ends in themselves and allowed to reach their full human potential. Furthermore, the core communitarian idea – that we have inalienable individual rights and social responsibilities for each other – is based on the same basic principle: we are both entitled to be treated as ends in ourselves and are required to treat others and our communities in this way.”
Blair's cliché of 'Traditional Values in a Modern Setting' offers no easy solution to this problem. Callinicos (Ibid., 67) thus concludes:

Blair is as solid a champion as Thatcher of Family, Church, Monarchy and Nation, albeit interpreting them in somewhat more contemporary terms; meanwhile, as we have seen, his government is guided by the same version of neo-liberal economics that she embraced.

Presently, the new axis Blair-Bush would indeed appear to have moved the canonization of neo-liberalism one stage further. As Watkins (2004, 30) maintains the so-called special relationship between the Bush and Blair governments have much less to do with a past tradition of British loyalty to Washington, but rather more with the similar internal position occupied by the two countries within the neo-liberal spectrum. The UK experience therefore confirms the observation made by many commentators (Watkins 2004 and McGuigan 2004 among them) that, nowadays, the political colour of the leading government party hardly has a significant impact on the country's position in the global political system. It was remarked, in chapter 6, how, in his fierce indictment of the present situation of the Italian heritage, Settis (2002) insisted that the dramatic developments under Berlusconi's centre-right government had

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223 Callinicos (2001, 66) points out that a number of Third way theorists have also acknowledged the contradiction inherent in the embrace of capitalism and the affirmation of communitarian values. He mentions, for instance, the reservations expressed by Charles Leadbeater (a writer otherwise close to the values of 'Third-way Politics') for the notion of community, which he sees as a reactionary force in society, and incompatible with the requirements of a knowledge society. In Living on Thin Air, indeed, Leadbeater (2000, 15) maintains that "The communitarian critique of market capitalism is superficially appealing but eventually disappointing. Strong communities can be pockets of intolerance and prejudice. Settled, stable communities are the enemies of innovation, talent, creativity, diversity and experimentation. They are often hostile to outsiders, dissenters, young upstarts and immigrants. Community can too quickly become a rallying cry for nostalgia; that kind of community is the enemy of knowledge creation, which is the well-spring of economic growth".
been allowed and prepared by similarly spirited (though, admittedly, more timid) legislative and administrative changes implemented by the preceding centre-left governments. In both Britain and Italy, then, it would appear possible that managerialism and marketisation of the public sector are phenomena hardly ascribable to the political leadership of the day alone (though the latter obviously has an impact)\(^{224}\). This situation is powerfully grasped by Chin-tao Wu (2002) in her perceptive and incisive analysis of the continuous spread of the practices and values of the 'enterprise culture' in the cultural sector that has been taking place, since the 1980s, in Britain and the US. Wu writes (\textit{Ibid.}, 276):

On this side of the Atlantic, New Labour's record on public funding of the arts is a mixed one. In many areas of public spending, the Blair government has simply continued the policies that it inherited from the Conservatives. For those who waited 18 years for the Tory Party to be defeated, Tony Blair might seem a born-again Thatcherite, and the celebrated 'Third way' he so fervently champions nothing more than the decanting of the old wine of market principles into attractive new bottles, with the added ingredients of moral uplift and big smiles\(^{225}\).

\(^{224}\) It is obviously impossible to say with any degree of certainty that things would have developed exactly as they did if elections had been won by different parties, for such a conclusion would belong to the sphere of speculation. However, it is significant to register that a certain progressive convergence over a call for a wider involvement of the private sector in the administration of the cultural sector can be found in both Italy and the UK among both centre-left and centre-right political parties. In many cases, this represented an important departure from traditionally held positions (see for instance David Forgacs' (1990b, 170) on the change that can be detected in the Italian Communist Party's official positions over cultural assets in the mid-1980s).

\(^{225}\) In view of Wu's argument, it is interesting to point to the growing popularity of the 'public value' debate, that has been seen as a sign that New Labour's might be in fact looking at developing tools for public administration alternative to the strict adherence to NPM and neoliberal principles that was called for by the preceding political regime. An important ingredient in the growing debate over the notion 'public value' and how its adoption as guiding principle of public policy-making might help in going beyond the limitations of performance measurement, was a paper commissioned by the Cabinet Office and put together by Gavin Kelly, Geoff Mulgan, and Stephen Muers (2002), entitled "Creating Public Value: An analytical framework for public service reforms". The authors claim that: "Public value provides a broader measure than is conventionally used within the new public management literature, covering outcomes, the means used..."
The repercussions of this commonality of intent and goals between successive Tory and New Labour governments in the more practical field of public-policy making, has been extensively discussed in chapter 5. Chapter 6, on the other hand, has shown how similar developments are also taking place in Italy, the country that at one time could boast the most powerful communist party in liberal Europe (the same that – having changed its name to *Partito Democratico della Sinistra* [PDS, that is, Democratic Party of the Left] created the legislative and political basis for the successive process of privatisation of the Italian cultural heritage).

Ilaria Favretto (2000, 103) in her comparative discussion of New Labour and the Italian Left has indeed observed that Tony Blair's party and the Italian PDS (later renamed *Democratici di Sinistra*, DS, in 1998) "are two parties whose histories could not be more different, but which, after the fall of the Berlin Wall and the process of homogenisation and convergence which has characterised European socialism over the last few years (between both east and west, north and south), now find themselves surprisingly close". In other words, socialist parties might have been successful in gaining power from the 1990s onwards, but this was achieved by pushing forward very few traditionally left-wing policies – that is, by accepting and subscribing to the hegemony of neo-liberal ideology (*Ibid.*, 102).

to deliver them as well as trust and legitimacy. It addresses issues such as equity, ethos and accountability. Current public management practice sometimes fails to consider, understand or manage this full range of factors" (p.3). John Holden (2004) has recently attempted to adapt the notion of 'public value' to cultural policy; however, it is probably still too early to say whether this most recent development represents a authentic departure from preceding styles of public management and whether they reflect values genuinely different from those expressed by Thatcher's neo-liberal project.
The similar general orientation of recent cultural policy in the two countries, as well as the common prevalence of instrumental rationality over traditional rationales, and the rhetorical emphasis on the cultural sector's positive contribution to the economy are all features of 21st century British and Italian cultural policies that are broadly consistent and, in fact, dependent on the global transformations just discussed. However, the almost identical recurrence of similar justifications for public spending on the arts that are alien to traditional rationales; the equal popularity gained by the buzz words of marketing and managerialism, and the similar trends in funding allocations in the two country require a more compelling and specific explanation than the general thesis of the impacts of neo-liberal globalisation allows. To this end, the theory of policy transfer, recently elaborated within the discipline of public policy studies is most useful, and – as the concluding section of this chapter will argue – can provide a useful framework for the understanding and the interpretation of the developments that we have seen at work in both Britain and Italy.

THE THEORY OF 'POLICY TRANSFER'

In the past fifteen years, a body of literature has been developing within the field of political science and international studies, that investigates various aspects of the phenomena that are usually referred to as 'lesson-drawing', 'policy convergence' 'policy diffusion' and 'policy transfer'
(Dolowitz 2000b, 3; Dolowitz and Marsh 2000; Stone 1999). Despite the various labels attached to these sub-groups within the literature, it was obvious that their authors were dealing with very similar and inter-relating objects\textsuperscript{226}. It is in the last decade, however, thanks to the work of Dolowitz and Marsh (1996 and 2000; see also Dolowitz, Greenwold and Marsh 1999; Dolowitz 2003) that the initially fragmented literature has been collectively analysed and systematically organised into a relatively coherent whole under the epithet of policy transfer (Evans 2004, 21)\textsuperscript{227}. Dolowitz (2000b, 3) defines policy transfer as "the occurrence of, and processes involved in, the development of programmes, policies, institutions, etc. within one political and/or social system which are based upon the ideas, institutions, programmes and policies emanating from other political and/or social systems".

\textsuperscript{226} Dolowitz and Marsh (1996, 344) explain that some use the terms 'lesson-drawing' and 'policy transfer' interchangeably. However, they argue that the latter expression is preferable in so far as the former implies that political actors and policy makers voluntarily choose to look at other countries' experiences for lessons and ideas. However, especially in developing countries (but by no means them alone), policymakers are often not free to make their own policy decisions, as they can be subjected to pressures of various intensity coming from other governments or transnational organizations (such as, for instance, the EU, the IMF and the World Bank). The expression 'policy transfer', thus, can refer to both 'voluntary' and 'coercive' policy transfer. More precisely still, Dolowitz and Marsh (2000) further differentiate between 'lesson drawing', 'obligated transfer' and 'coercive transfer'. Stone (2001a, 6) explains that "[t]he emphasis of the policy transfer literature is on understanding the process by which policies and practices move from exporter to importer jurisdictions, especially the agents of policy transfer and the processes of decision making in the importer jurisdictions".

\textsuperscript{227} All the commentators cited in this section of the chapter agree that policy transfer can happen across time (when a country looks at its own or other's past to draw lessons) as well as space. Moreover, transfer can also happen internally, between different levels of government within a single country (or between states in the case of federal countries). The present discussion, however, will limit itself to the case of policy transfer between different countries, which is more relevant to the comparative study of British and Italian cultural policy that is the focus of this research.
Despite their relatively recent theorization, the actual practices of lesson-drawing and policy transfer are much older. Evans (2004, 1) notes how as far back as 315BC – none other than Aristotle, in his *Nicomachean Ethics*, recommended to look at others' administrative experiences, both positive and negative, in order to gain precious knowledge and inspiration to guide decision-making. If the practice of policy transfer, thus, is as old as Western civilization itself, the recent interest for its ratification at the more theoretical level can be ascribed to the transformations in communications, governance, and politics that have been discussed in the previous section of this chapter. The fast growth in communications technology; globalisation; the worldwide spread of the Internet; the expanding body of international organisations and think tanks since the mid-20th century have all accelerated the process, by stimulating interest in what other nations are doing, and by making the finding out much easier than in the past (Dolowitz 2000b, Evans 2004, Rose 1991 and 1993). Furthermore, the structural changes that have accompanied globalisation processes (such as growing internationalisation of politics and economics) have directly or indirectly created new political and institutional structures (think, for instance, of the IMF or the OECD; the UN or the EU) that facilitate – if not even actively promote – policy transfer (Evans 2004). Indeed, as globalisations proceeds its ascending march and international integration becomes even more institutionalised, policy makers worldwide will be further encouraged to look to other countries and other political systems for inspiration, ideas or – more specifically – for policies and programmes that can help them tackle the
problems they are faced with (Dolowitz 2000b, 3). The growing reliance on evidence-based policy-making resulting from the spread of NPM practices (discussed in chapter 5) has also encouraged policy-makers to look at other countries’ implementation of policies to tackle common problems. This, as Rose (2001) argues, offers an evidence-based alternative to the development of a specifically designed new programme. Instead of one’s own government’s experience, though, the decision-making process is based on the evidence provided by the experience of other countries. Much of the current literature on policy transfer, then, focuses its analysis on the voluntary policy transfer between developed countries seen as a tool of policy development. In this context, researchers have attempted to identify and describe “a process in which policies implemented elsewhere are examined by rational political actors for their potential utilization within another political system” (Evans 2004). As it can be expected, thus, the study of policy transfer is characterised by a strongly interdisciplinary, as well as multidisciplinary, nature (Evans and Davies 1999). Although this is certainly a testimony to the richness and complexity of this research area, it also means that policy transfer analysts do not enjoy a unified, consistent and universally agreed upon theoretical or methodological approach (Evans 2004). Dolowitz (2000c, 9) comments that, so far, “there have been few attempts to organize the elements of this phenomenon [policy transfer] into a coherent model capable of being generalised across policy areas and academic disciplines”:\footnote{228 A most significant exception is represented by the volume edited by Mark Evans in}
THE CRUCIAL QUESTION: WHO TRANSFERS WHAT?

The fundamental question that the policy transfer approach to transnational research should address, is ‘who transfers?’ and ‘what is transferred?’ Dolowitz (2000c, 16 ff.) suggests that there are nine main categories of actors that can be actively involved in processes of policy transfer. These actors are: elected officials; bureaucrats and civil servants; policy entrepreneurs and experts;229 consultants; pressure groups; think tanks; corporations; and, finally, governmental as well as non-governmental international organizations and institutions. In addition to these individual actors, Dolowitz (Ibid.) also acknowledges the important role, in policy transfer, of networks - that institutionalise the relationship that develops between governmental officials and wider societal interests within a certain policy area230 - and of the so-called “epistemic communities”. These are constituted of groups and individuals that are involved, in different ways, in the development and promotion of policies within a certain sphere of public policy. What differentiates the epistemic community from a network is the fact that the latter is formed around a “system of shared knowledge”. This body of knowledge is built on the basis of information and quantitative data provided by professional

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229 Dolowitz (2000c, 18) identifies an interesting sub-group within the category of policy entrepreneurs and experts, that of ‘the academic entrepreneurs’, whose roles he defines thus: "Not only are academics advising local and national governments, but they are heavily involved in the work of international organizations and think tanks, often moving between these institutions throughout their careers. In each of these areas academic entrepreneurs take with them policy proposals, which are often accepted as legitimate due to their status as academics".

230 On the increasing significance of network in the globalised society, see the interesting work by Anne-Marie Slaughter (2004). For more on the crucial role of networks in the policy transfer process, see also Evans 2004.
organizations or individuals working in the field of policy analysis. Dolowitz (Ibid., 22) explains that "[t]his knowledge is then moulded into 'consensual knowledge', or commonly accepted cause and effect propositions, which defines the nature of policy problems and shape the responses available to government [...]. Thus, policy making is about the use of knowledge to define political interests and to refine the ideological basis of policy proposals". If we look at the field of cultural policy, which is the concern of this thesis, then we can argue that there definitely exist an 'epistemic community' active in this field. It comprises academic researchers conducting cultural policy (or cultural policy related) research from within a number of disciplinary areas, researchers working in cultural consultancies and think tanks, civil servants, cultural administrators, and individual members of the public (often highly regarded and influential ones) who are simply enthusiastic about the arts and culture and therefore take an interest in cultural policy matters (sometimes with a clear intent to affect policy decisions). Arguably, it is precisely as a result of its acceptance (until recently largely uncontested) within the cultural policy epistemic community's 'consensual knowledge' that Richard Florida's The Rise of the Creative Class (2002) could become so influential as to inspire the re-design of so many urban cultural policies worldwide\(^{231}\).

\(^{231}\) See for instance the very critical discussion of the adoption of principles and ideas derived from Florida's work in the city of Wellington, New Zealand, in Volkerling (2004), or the analysis of the aptly named 'Creative City Strategy' developed by Brecknock Consulting for the city of Brisbane, in Australia (Brecknock 2004). Also very pertinent here is Deborah Stevenson's (2004) intelligent discussion of the rhetoric of the 'creative city' and the 'creative class' in the context of 'Third Way' cultural policies in Australia.
The role of consultancies and think tanks, in particular, is becoming increasingly significant. Suffice to mention here, the deep impact of the work carried out by Matarasso (1997) for Comedia on the social impacts of the arts on cultural policy making in the last ten years (Belfiore 2002; Merli 2002). Equally exemplary is the work of the think tank close to New Labour's heart, Demos, and its role in the promotion of the idea of the centrality of 'cultural entrepreneurs" in today's knowledge economy (Leadbeater 2000, 2001 and 1999 with Kate Oakley)\textsuperscript{232}.

This brings us to the second important question, “what exactly gets transferred" in the process of lesson drawing from other countries? Again, Dolowitz (2000c, 23) proposes six different categories of policy elements that can be transferred from one country to another: policy goals, content and instruments; programmes; institutions; ideologies; ideas and attitudes; and negative lessons. It is worth elaborating on the difference between 'policy' and 'programme' for which the differentiation might not appear immediately obvious. In Dolowitz's (\textit{Ibid.}) definition, "policies are generally seen as broad statements of intention which represent the direction in which policy makers wish to go"; programmes, on the other hand, "are the specific means or course of action used to

\textsuperscript{232} With regards to think tanks, whose leverage over British cultural policy-making is undeniable, it is interesting to mention here the research carried out by Diane Stone (2001b, 338) on the role of think tanks in influencing global social policy: "One facet of think tank impact on the global order is the propensity for lesson drawing that aids cross-national policy transfers of ideas, practices and policy programmes. The international spread of ideas can contribute to an 'atmospheric' form of influence on the climate of policy thinking whereas policy transfer usually involves more concrete form of agenda-setting and political decision-making". The notion of 'atmospheric influence' is indeed a useful tool to make sense of the role of think tanks such as the Policy Studies Institute (that published, in the 1980s, Myerscough's influential report on the economic impact of the arts) and Demos.
implement policies. Because of different administrative structures in place in different countries (a situation that the British and Italian cases clearly illustrate), it is often impossible for a specific programme or institution to be successfully transferred across countries. In this case, policy actors might decide to transfer, instead, ideologies and attitudes on which those programmes or institutions are based. Indeed, as Dolowitz (2000c, 23) comments with regard to this type of 'ideology transfer', "during the past twenty years governments around the world, including the current Blair government (to a certain extent) have been actively borrowing the ideological rhetoric emerging from the American New Right in relation to welfare reform". The political reasons behind this have been looked at earlier in this chapter. At this stage it is more interesting to note, how, although in the theory of policy transfer all policy actors (and therefore all countries) are equally liable to import or export policies (at least whenever countries engage in a process of 'voluntary' transfer – see note 11), in the reality of it, certain countries tend to be importers, rather than exporters, or vice versa. More precisely (and unsurprisingly), the United States' involvement in mechanisms of policy transfer is more often than not in the role of lender, rather then borrower. In most areas of public policy, Britain – on the other hand – appears to be a consistent borrower, with the exception of education policy, since the British model

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233 In other terms, the desire to emphasise the economic value of the Italian cultural heritage - so that the State can gain some financial gain from its protection and management of cultural assets, is the Italian government's current cultural policy. The sale of a significant portion of the county's artistic and architectonic patrimony is the specific programme through which that more general aim is hoped to be achieved.
has been widely exported globally (Dolowitz 2000b, 5). Interestingly, Britain seems to display a tendency to borrow prevalently from the US\textsuperscript{234}.

If we consider again the sphere of cultural policy, we can see that in the age of neo-liberal globalisation, for the reasons already discussed, the US have been an important player in the transfer of ideas and ideology and - albeit more rarely - programmes. This was indeed the case with the promotion of business sponsorship of the arts as an alternative form of support to public subsidy, which was Mrs Thatcher's most explicit attempt to push Britain in the direction of "the American model of private cultural provision" (Bradley 1998, 139; see also Wu 2002, 6). Policy transfer from the States received a boost under the Thatcher governments in all areas of public policy, and the cultural one was no exception (McGuigan 1996, 59 ff.). The emphasis on the values of the 'enterprise culture', and their translation in a radically new direction and language for cultural policy have already been discussed in chapter 5. The reasons behind this consistent borrowing from the US can be inferred from the previous discussion of the global spread of neo-liberalism. In summary, they are the common values and the shared ideology of both Thatcher and Reagan, which are at the root of the so-called 'Washington consensus' (Evans 2004, 32). The integration of ideas and ideology borrowed from American cultural policies in Italy, though, is an altogether more complicated issue.

\textsuperscript{234} See for instance the collection of essays contained in Dolowitz 2000a on the process of UK borrowing from the States in various areas of public and social policy; Hulme 2004 on the impact of American ideas on British social policy, and Ferguson (2002) on how New Labour's policies to tackle social exclusion amongst young people are indebted to US workfare policies.
In his ferocious attack on the current direction of Italian cultural policy, Settis (2002, 49) laments that the theme of the 'backwardness of the Italian public administration' – a recurrent one in Italian political debates since the Unification – has been exploited, in recent times, for the delegitimisation of the traditional forms of public cultural administration, with a view to create a climate favourable to the private sector. The key element in what could be called the 'rhetoric of backwardness', as it has been deployed in the Italian cultural policy discourse, is the exaltation of the American model, by both the Left and the Right, as the solution to the problems of the cultural heritage (Ibid.). Settis (Ibid., 50 ff.) argues that the transformation of the American model into a veritable myth reveals a fundamental ignorance – on the part of Italy's politicians – of the actual American situation. More importantly, however, the mythologizing of the US model - and the promotion of its application to the Italian system - is a convenient way to divert attention from the real reasons behind the recent policies of privatisation and the push towards managerialism in cultural administration. Once again, changes that are the end product of locally made political decisions (affected by specifically Italian interests and political games) are justified as being part and parcel of the ineluctable processes of modernization that Italy must undergo if it wants to remain a key political player in the global society. Consequently, the allegedly politically neutral concept of modernisation, becomes a mask for the actual expansion of the (politically charged) logic of the market to the previously sheltered sphere of cultural heritage. Settis (Ibid.) then
focuses his analysis on the museum sector, on which pressures to incorporate teachings from the US have been especially strong. As we have seen in chapter 6, Settis is convinced that what distinguishes the Italian situation is that the country's culture, and its artistic manifestations are very deeply rooted in the local community. Indeed, many archaeological areas and artistic monuments are to be found, in Italy, in squares, in churches, behind residential buildings, that is, in the very heart of the community. Even the smallest village in Italy is in charge of protecting and maintaining all sorts of cultural, archaeological, architectural and artistic treasures. In Settis' view, herein lies the richness of Italy. Hence the alien nature of the American museum model that is now been pushed by Italian policy-makers. This is based on a network of high-profile museums, supported mainly by powerful and rich donors. Sponsorship is not a challenge for these museums, since their international prestige is such that firms will always be glad to pay to have their name linked to their projects. But this is clearly not the case for so many Italian museums and galleries. With the exception of the Uffizi Gallery, Villa Borghese and a few other flagship organisations, who will donate to the numerous small provincial museums scattered all over the country? And why should a wealthy multinational company decide to sponsor an exhibition in a small museum whose identity is so closely related to the immediate local community (as opposed to the global community that a museum like MoMa in New York appeals to)? It simply would not make economic sense. Similarly, in his discussion of the recent trend towards the infiltration of managerial rhetoric and practices in the
cultural sector, Zan (2003, chapter 2) discusses at lengths the managerial innovations carried out by the British Museum. He paints a very critical picture of the 'managerial excesses' that determined the crisis that the museum was faced with at the dawn of the new Millennium. Yet, for all the perplexities voiced by academics, journalists and commentators, the managerial and marketing rhetoric still dominates Italian cultural policy debates. It is therefore evident that the careful work of adaptation of the policy or ideas transferred from one political system and cultural context into that of another country has not taken place in Italy. This, according to policy transfer experts is the prerequisite condition for successful policy transfer. "Handling the problem of context" is indeed one of the 'ten steps' guide to policy transfer proposed by Rose (2001, 16). He states that "[t]o recommend that one country emulate or catch up with another's success simply by copying or transferring a programme wholesale is naïve, because it ignores the way in which national context influences how a programme can operate, and whether it may be effective ". Furthermore, Evans (2004, 4) maintains that "policy transfer can be a rational and progressive learning activity but only if the policy that is transferred is compatible with the value system of the recipient organization, culturally assimilated through comprehensive evaluation, and, builds on existing organizational strengths".

How can we explain the seemingly paradoxical obsession displayed by Italian policy-makers for a model that is not just incompatible with the national tradition that sees the cultural patrimony as a repository of civic
values (that are thus better served by the State), but which is just simply not feasible nor economically viable in the Italian context?

A possible explanation comes again from the policy transfer literature. Colin J. Bennett (1991) has concentrated his analysis on the interests of the policy receiver or importer (though he acknowledges that the exporter too might have vested interest in exporting information about its policies and programmes). Bennett (1991, 33) concludes that political elites that decide to emulate the policy experiences of other states may in fact have five different political motives for doing so. They might want: 1) to put a specific issue on the policy agenda; 2) to mollify political pressure to intervene in a certain political area of public policy; 3) to emulate the actions of an 'exemplar' (such as a particularly influential country) in an area that has been identified as needing action; 4) to make the search for the best policy more effective; 5) finally - and more pertinently to our discussion - to legitimate conclusions already reached and decisions already made. Obviously, the prevalence of any of these motivations will determine the exact timing of the introduction of evidence, the nature of the evidence presented, and the breadth of the geographical scope of the search for inspiration. With regards to this final point, Bennett (Ibid., 38) makes a crucial argument:

Evidence is used in the policy process in highly selective ways to reinforce positions and to legitimate decisions already taken. Thus, information about the effects of a program elsewhere enters a debate in an incomplete and anecdotal way to justify prior positions [...]. The sources cited will be chosen selectively,
with little attempt to garner evidence from a variety of nations. Evidence from selective sources will be used selectively, with little regard to accepted canons of methodological reliability and validity. Such argument also tends to be oblivious to the problems of transferability: 'It works there, it can work here'. It may also, of course, be used to justify non-action 'It has not worked there, so it can't work here'.

Arguably, then, the real reason behind the current push of the American model in the field of Italian heritage policy, might be the simple fact that what the implementation of that model requires, coincides conveniently with the government's already manifest intention to 'roll back' (as Mrs Thatcher would have it) and reduce their support of the cultural sector. This would allow the Italian state to reduce its financial outlay by getting the private sector involved in the administration of the cultural patrimony: hence the extensive privatisation plans, and the sale of architectural assets to firms that would then be responsible for their maintenance and upkeep.

It seems fair to conclude, therefore, that the policy transfer approach can offer interesting insights into some of the mechanisms that are at work in cultural policy making in the age of globalisation. However, whilst 'policy transfer' might provide a useful framework to investigate the movements of policy concepts and ideas from one country to another, it is at this stage still impossible to provide 'hard evidence' to corroborate the identification of preferential routes that certain ideas follow in the international sphere (e.g. a route that brings ideas from the US and the
UK to other countries, such as Italy). In the sphere of cultural policy, evidence of actual transfer is still difficult to come by, though the aim of this chapter has been to highlight that work done so far in the 'policy transfer' arena might prove useful, if further explored and perfected. Policy transfer is, after all, a very young field of enquiry yet, and – as such – one that still has to refine its methods and tools of intellectual enquiry. Yet, it seems certainly to provide an approach that can prove fruitful and rich in potential for the cultural policy researcher. It is thus my hope that the present study might act as a stimulus to further enquiry into the possible applications of the policy transfer theory to the understanding of cultural policy-making in the new Millennium, particularly in studies of a cross-national nature.
Conclusions

This thesis has begun with an attempt to propose and put in practice a rigorous methodology for cross-national cultural policy analysis based on the principle of contextualization. The illustration of the different institutional, legal, political and intellectual traditions of the two countries therefore provided the background for a discussion more specifically focused on the two countries' cultural policies. In particular, the present study of British and Italian cultural policy has attempted to show how, under the pressures of the intensifying globalisation process, the shape and nature of public policy making in the two countries has been progressively changing. As a result, the two countries under examination here, show clear signs of having moved towards a new logic of cultural policy making, dominated by economic reason and instrumental rationales. British and Italian cultural policy, as the first two parts of this thesis have demonstrated, are rooted in very different intellectual and administrative traditions. These, in their turn, are deeply rooted in each country's cultural context and political history. Yet, the rhetoric of cultural policy has become, today, quite similar in the two countries. One of the common elements, is - as we have seen - the deployment of instrumental justifications for public funding of the cultural sector in the face of a continuously shrinking public budget. It was also observed how the growth of instrumentalism seems to have paralleled a tendency, on the part of the central government, to adopt a 'hands-on' approach to public policy-making that commentators feels equate – in fact – to a process of
effective centralization (Gordon 2005) – despite the move towards devolution in the UK and a fuller involvement of the Regions in Italian cultural policy-making.

This thesis has also claimed that the alleged positive economic and social benefits of the public cultural sector have been hailed as the solution to the ‘legitimacy crisis’ that has invested traditional cultural institutions and values at the hand of postmodern theory. Furthermore, chapter 5 has put forward the argument that the growing popularity of practices of auditing and performance evaluation in the cultural sector since the 1970s, can be seen as a ‘compensative’ phenomenon for the cultural relativism that has eroded the very foundations of the traditional, post-war consensus on public financing of the arts as part of the welfare state.

But this escamotage is not without costs. With regards to the emphasis on the impacts of the arts as advocacy strategy for the British cultural sector, chapter 5 argued that what started out as ‘policies of survival’ are not sustainable long term, so that they might eventually reveal themselves to be, in fact, ‘policies of extinction’. Moreover, besides the ostensible impossibility for instrumental cultural policy rationales to survive in the long term within the public policy arena (see Bennett 1995 and Belfiore 2002), the all pervading logic and ethos of the marketplace also have very problematic ethical implications.
I refer here to the theory put forward by Michael A. Peters (2001, chapter 6) according to which the neoliberalism creed, with its characteristic teleological slant discussed in the preceding chapter, has surged to the role of a new and powerful metanarrative – à la Lyotard - that legitimises and justifies the current social and economic status quo. It was precisely the French theorist Jean-François Lyotard who, in an essay originally published in 1979 (and translated into English in 1984) entitled *The Postmodern Condition*, defined postmodernity as “incredulity towards narratives” (p. xxiv). Modernism and modernity, according to Lyotard, were, on the other hand, characterised by the co-existence of science alongside a number of universalising and legitimating metanarratives. Their origin - despite the diversity between them - could ultimately be traced back to the Enlightenment, its values and telos, and especially its belief in reason and human progress (Milner and Browitt 2002, 176). As Peter Barry (1995, 86) explains:

For Lyotard the Enlightenment whose project Habermas wishes to continue is simply one of the would-be authoritative 'overarching', 'totalising' explanation of things – like Christianity, Marxism, or the myth of scientific progress. These 'metanarratives' ['super-narratives'], which purport to explain and reassure are really illusions, fostered in order to smother difference, opposition and plurality.

The illusory nature of all grand narratives lies in their being rooted in a sense of unity, harmony and wholeness that are nothing but a myth. For, in Lyotard's view, there is no real unity, and no genuine collective or
universal subject that fights for freedom and emancipation. Quite the opposite, in fact; as Swingewood (1998, 160) puts it, “the concept of the whole is totalitarian and ‘terroristic’ in that it seeks to exclude others from participating in its idealised communities”. Metanarratives, thus - despite being presented as having universal attributes and value - are, in fact, expression of the interests of specific groups and communities characterised by internal homogeneity and a common purpose (Ibid.). Once all grand theories claiming to offer true accounts of the world are all equally discredited to the point of becoming untenable, one can only refer to a series of equally weighing ‘mininarratives’. These are, thus, necessarily contingent, temporary, and relative: each of them can only provide a basis for the activities of very specific groups in particular and local circumstances (Barry 1995, 87). In other words, postmodernity effectively deconstructs the basic aim and project of the Enlightenment, the Enlightenment narrative being one in which, according to Lyotard, “the hero of knowledge works towards a good ethico-political end – universal peace” (Lyotard 1984, xxiii).

Lyotard’s identification of the incredulity towards grand narratives as the distinguishing feature of postmodernity has been extremely influential: the impact of the legitimation crisis that invested the Enlightenment-derived metanarratives, and the consequent decline of the Western cultural institutions that had traditionally expressed their values, was already referred to in chapter 5. Hence the importance and originality of
Peters’ argument. He maintains that there is evidence that in advanced liberal states at the present time, official discourses are being constructed around theories of post-industrialism, of the information society and the knowledge economy. Peters’ (Ibid., 129) claim is that these various discourses in fact represent “the neoliberal attempt to develop a new metanarrative, a unifying and totalising story, as a basis to reimagine the future... It also functions as a myth to mask the interest that it serves”. In the context of this overarching and all-embracing narrative, modernization is conceived as based upon “an economic instrumental rationality that has universalist value”, especially after the failure of alternative projects of modernization (of a communist, nationalist or anti-imperial inspiration) (Ibid.). The neoliberal project of postmodernity, then, is for Peters nothing but “an extreme form of economic rationalism that restructures science, technology, and education as the future leading economic sectors and basis for national competitive advantage in the global economy” (Peters 2001, 129). The process by which this new metanarrative has taken shape has been – according to Peters (Ibid., 115) - the revival and revitalization, throughout the Western world, of the master narrative of classic liberalism under the new label of neoliberalism. If, in the cultural arena, the most influential narratives in the Western tradition have been the theories of liberal humanism and Marxism (Jordan and Weedon 1995, 19), in the economic sphere, the predominant theory was, indeed, classical liberalism235.

235 As Peters (2001, 116) explains, “[c]lassical liberalism has been the dominant metanarrative, which in one form at least, has appealed to reason in the guise of an individualism that privileges the rational, knowing subject as the fount of all knowledge,
On this basis, Peters argues that at the root of the recently elaborated theories around the restructuring of the public sector and the welfare state discussed before, is a 'philosophy of individualism' that originates precisely from the principal tenets of classical economic liberalism. Peters (Ibid., 118) thus concludes that:

The form of political reason that has come to dominate the policy agendas of successive governments in these countries is Eurocentric in origin and both rationalistic and totalising in its effects. In the simplest terms, we might say that this form of reason is motivated by an extreme economic rationalism that views the market not only as a superior allocative mechanism for the distribution of scarce public resources but also as a morally superior form of political economy.

In this perspective, it becomes easier to understand the development (described in chapter 7) that saw – following the collapse of many communist regimes in the West and, therefore, the ostensible popular decline of Marxism – the rise of liberalism as today's predominant narrative. Furthermore, it is today indubitable that liberalism, in its most recent neoliberal guise, has progressively become the official ideology that serves to legitimate advanced multinational capitalism (Peters 2001, 119). As Peters (Ibid.) further explains, the legitimising role and teleological impetus of the neoliberal metanarrative, is undeniable:

signification, moral authority, and action. The particular variant of this metanarrative that informs the economic rationalism of neoliberalism is construed in classical terms of the assumption of homo oeconomicus, the assumption that in all of our behaviour we act as self-interested individuals (Peters 2001, 116).
Needless to say, as it is to be expected of any self-respecting
metanarrative, one of the principal functions of the neoliberal framework
is to operate a sharp closure, so as to deny validity to any alternative or
competing vision of the future. Indeed, it has been noted how
"neoliberalism is qualitatively different from 'competing' regulatory
projects and experiments: it shapes the environments, contexts, and
frameworks within which political-economic and socio-institutional
restructuring takes place" (Peck and Tickell 2002, 400).

Peters' theory offers a compelling background against which to
understand the recent developments in Italian and British cultural policy
that have been described so far. As the Latin quote in the title of this
thesis hints to, in the neoliberal metanarrative economic reason is key,
and thus supplants any other pre-existing value or priority. *Ubi maior,

236 As Peck and Tickell (2002, 382) observe, "[l]ike the globalization rhetorics with which
they are elided, discourses of neoliberalism have proved to be so compelling because,
in representing the world of market rules as a state of nature, their prescriptions have a
self-actualizing quality. Even as they misdescribe the social world, discourses of
globalization and neoliberalism seek to remake it in their own image [...]. Discourses of
neoliberalism are 'strong discourses' in part by virtue of this self-actualizing nature and
in part because of their self-evident alignment with the primary contours of
contemporary political-economic power".
minor cessat: whenever a more powerful issue arises (here economic reason and the neoliberal ethos), the smaller one (traditional cultural policy priorities) has to give way.

Another significant ethical implication of the developments here discussed is highlighted by McGuigan (2004, 96) when he points out that "[a]s cultural policy immaterialises into economic policy in rich countries, curiously, it becomes a way of thinking about development for poorer countries, which arguably obscures the realities of economic inequality and political domination". It is hardly surprising, in this perspective, that development economics as it has been articulated and written about in America, has consistently placed great emphasis on the social and cultural aspects of economic development. A clear example of this attitude is the work of the two Harward academics, Lawrence H. Harrison and Samuel P. Huntington. Together, they edited a book published in 2000 and entitled Culture Matters: How values shape human progress. In the foreword to the volume, Huntington explains that "the book explores how culture in this subjective sense\textsuperscript{237} affects the extent to which and the ways in which societies achieve or fail to achieve progress in economic development and political democratisation" (Harrison and Huntington 2000, xv). Furthermore, in a book significantly titled Underdevelopment is a State of Mind: The Latin American case, Harrison (2000 [1985]) declares:

\textsuperscript{237} Huntington defines the term 'culture' as used in the book "in purely subjective terms as the values, attitudes beliefs, orientations, and underlying assumptions prevalent among people in a society" (Harrison and Huntington 2000, xv).
I believe that the creative capacity of human beings is at the heart of the development process. What makes development happen is our ability to imagine, theorize, conceptualize, experiment, invent, articulate, organize, manage, solve problems, and do a hundred other things with our minds and hands that contribute to the progress of the individual and of humankind. Natural resources, climate, geography, history, market size, governmental policies, and many other factors influence the direction and pace of progress. But the engine is human creative capacity.

This passage engenders a series of important reflections. I take Harrison's quote, and in fact, the whole cultural approach to economic development (in the Third World as well as in economically backward areas within otherwise wealthy countries) as the most obvious symptom of the recent trends towards the re-elaboration in cultural terms of what used to be seen as social problems. So, the economic backwardness of the developing world, rather than being seen as the end-product of centuries of Imperialism, exploitation, or of climatic and natural causes is reinterpreted as a cultural problem. It is their culture that makes the Third World underdeveloped and poor. Needless to say, this is an interpretation of things that allows to easily gloss over the responsibilities of the Western world in the suffering of so much of humankind today. It is very convenient, indeed, to shift from the political and economic planes to the cultural one.

In what way does all of this concern the cultural policy researcher? Undoubtedly, the debates over the role of the cultural sector in
contributing to fighting social exclusion and promoting local economic
development that have become paramount within the British cultural
policy discourse (and that are quickly gaining ground in Italy too) fall
within this very same phenomenon. Nowadays, discussions over issues
of poverty and the need of a serious project of wealth redistribution to
fight it are totally absent from the British political debate, having been
overturned by their 'softer' versions of social exclusion and inclusion
policies. As a result, the political, social and economic status quo is
effectively preserved, while the government can appear to be actively
tackling social and economic disadvantage. The arts and the public
cultural sector have been harnessed as tools in what is essentially a
conservative political strategy which has very little to do with culture,
access to the arts or arts policy 'proper'. Regrettably, despite a few
sporadic manifestations of resistance, the sector seems not to have been
able or willing to resist this tendency. This situation poses clear moral
issues, a number of which have been highlighted throughout this
thesis238. However, besides ethical consideration, one more observation
can be made with regards to the implications of instrumental cultural
policy. As McGuigan (2004, 114) points out:

Any discussion of public cultural policy – whether in the
narrowest sense of arts patronage or in the broadest sense of
reforming the social – must, at some point, address questions of
value [...]. Such questions stretch from the rigorous application of
the most stringent criteria of aesthetic judgement to, at the other
extreme, measuring indicators of social justice and wealth
creation associated with specific cultural policies. The

238 For a specific discussion of the ethical problems inherent in current policies that
tackle social exclusion through the arts, see Merli 2002.
This thesis has attempted to explore precisely this issue, by showing how—on the one hand—aesthetic criteria (or, more generally, culturally specific ones) have been progressively losing ground in the cultural policy arena in favour of instrumental considerations and policy rationales. On the other hand, the research has also shown that the endorsement of economic reason, which becomes paramount within a neoliberal framework, results in the enforcement of the principle of 'value for money' on the subsidised cultural sphere. Significantly, though, the publicly funded cultural sector has not been able to provide convincing evidence of its capacity to 'deliver' against the targets set by those instrumental policies. By describing and explaining the rise of the instrumental character of so much of today's cultural policy in Britain and Italy, this thesis aspires to contribute to the creation of the ground for the establishment of a new discourse of cultural policy and a renewed discussion of the rationales for public subsidy of the arts that does not shy away from aesthetic issues, whilst also being firmly aware of the highly politicised character of public policy in general, and cultural policy in particular. Far from dealing with haughty and detached artistic matters, cultural policy clearly appears to be, in today's knowledge economy, right at the intersection between the political, economic, social and cultural sphere. Cultural policy research should strive to reflect such complexity.
Therefore, issues for further research might be the investigation of the role of the subsidised arts in contemporary society, in a manner that shies away from the stifling dichotomy between an 'art for art's sake' or excessively instrumental view of the principles that ought to guide contemporary cultural policy. Furthermore, some of the methodological tools and frameworks utilised in the present work, such as contextualization in cross-national policy research and policy transfer, might be further investigated, with a view of refining them and providing further examples of their adaptation to the study of cultural policy in other countries. In particular, the capacity of theories of 'policy transfer' and their applications to generate solid evidence for the movement of policy concepts and ideas from one country to another ought to be further tested.
Appendix

**BENI CULTURALI: THE DEFINITION OF THE CONCEPT OF 'CULTURAL ASSETS' IN THE ITALIAN LEGISLATION**

The category of *beni culturali* is constituted by works or art and archaeological finds, scientific objects, historical documents and monuments. As Giovanni Pinna (2001, 62) explains, the *beni culturali* are "a complex set of assets, symbols and traditions which are referred to in French and in English by the respective terms *patrimoine* and heritage." Pinna (ibid.) also notes how the Italian *beni culturali* differentiate themselves from the French and English counterparts in that they are not considered as a single entity, but are rather referred to by their component parts:

In the official documents of the government, ministries and public administration, the cultural and historical inheritance of the Italian people is not referred to as *patrimonio culturale* (cultural heritage), which would be a perfectly correct term in the Italian language, but invariably as *beni culturali*, meaning 'cultural goods or assets'. Words are never used haphazardly in a given language; and *beni culturali* is the precise reflection of a particular interpretation of heritage and its social role. This interpretation is rooted in the policy that has been followed by the Italian state since the early days of national unity.

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239 According to Italian legislation, the expressions *patrimonio culturale* (cultural patrimony) and *patrimonio storico e artistico* (patrimony of a historic and artistic nature) convey concepts that tend to coincide with the ensemble of all the *beni culturali* that can be found within the geographical area or the context under consideration (Sciullo 2003, 29).
According to Pinna's (2001, 62) argument, the usage of the label of 'cultural assets' to designate cultural heritage reveals a number of essential features of Italian cultural policy:

first [...] objects are not considered as an overall entity implied by the terms patrimoine and heritage, but are taken individually; second, the material aspects of the objects is given prominence and their symbolic significance is hidden; and third, the potential symbolic value is greatly diminished because cultural assets are not regarded as forming an overall entity, as is the case when the concepts of patrimoine and heritage are chosen.

As the quotes above lead to infer, the definition of what precisely belongs to the category of "cultural assets" as defined within the Italian legal system is far more controversial than the corresponding notion of "heritage sector" is in the British context. In fact, the interpretation of the definition of bene culturale in the evolution of the relevant legal norms has been keeping legal experts very busy for decades. The lack of agreement about what characteristics are fundamental to the beni culturali is such that even successive legislators have opted for differing interpretations in different pieces of legislation. As a result, there seems to be a certain degree of inconsistency among different laws passed at different times by different governments. It is important to observe that the notion of cultural assets as they have been understood in Italian jurisprudence was introduced in the Italian cultural policy debate towards the end of the 1950s, as a reaction to the already mentioned law n. 1089 of 1939 (Sciullo 2003, 25). This law had fundamentally opted for an

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240 For a very thorough discussion of the heritage sector and its relation to the broader cultural and political circumstances of Britain, see Hewison 1987.
idealistic and strongly aesthetics-based view of the Italian cultural heritage, by limiting the object of Italy's cultural policy to objects of arts of agreed and established artistic importance. The limitations of law n. 1089 had progressively become apparent, in view of the strong aestheticism it professed in its characterization of the cultural assets (Chiti 1998).

The expression *beni culturali* represented the aspiration to a more flexible notion of what type of cultural expressions should come under the responsibility of the state. The formula showed a remarkable vitality, and continued to be commonly used in the cultural policy debate - though it was officially ratified only in 1974, with the institution of the *Ministero per i Beni Culturali e per l'Ambiente* (Montella 2003; Chiti 1998). As Massimo Montella (2003, 29 ff.) explains, the term *cultural assets* is in no way a synonym of 'monuments', nor in fact can *beni culturali* be identified solely with the so-called “objects of artistic or historical interest” as claimed by the 1939 law. The concept of *beni culturali* instead implies the adoption of a much broader notion of culture: whilst including monuments and objects of artistic importance, the *bene* cannot be conceptually nor materially limited to them. The importance of this clarification lies in the fact that the concept of *beni culturali* - as it was gradually shaped by the legal doctrine and debate that followed (and reacted to) the enforcement of the 1939 law - is underpinned by a new understanding of cultural

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241 “Cose di interesse artistico o storico”.
242 Interestingly though, Giuseppe Galasso, denounces that notwithstanding changes in legislation, the progress towards a notion of *beni culturali* that goes beyond their identification with objects of artistic excellence alone has been, in Italy, frustratingly slow (Galasso 1996, 218).
values\textsuperscript{243}. As Montella (2003, 29 ff.) and Pitruzzella (2002) argue, at the root of the accepted understanding of the term \textit{beni culturali} is a rejection of a selective tradition that used to limit its application to a restricted group of examples of aesthetic excellence. This rejection on the part of the legal experts has led to the progressive extension of the boundaries of the category of \textit{bene culturale} to those artefacts and those cultural objects that are deemed to represent a significant material evidence of a past civilization, thus spurning distinctions between high and low cultural and artistic expressions (Council of Europe 1995, 27-28). Rossano and Rossano (2002, 8) explain this evolution as the shift from a notion according to which the \textit{bene culturale} is identified with a 'monument-as-object' (\textit{monumento-oggetto}) to a conception of \textit{bene culturale} as 'document' of a cultural value (\textit{documento}).

Therefore, the vicissitudes of the legislative acts that have been trying to refine and clarify the notion of \textit{beni culturali} rather than representing a mere manifestation of the all too typical Italian tendency to over-legislate, constitute - according to Montella (2003, 30-31) - the progressive "negation of the cult of the Bel Paese", that is the denial of a vision that only recognises as valid "aristocratic" (Montella, \textit{ibid.}) cultural and artistic expressions, the denial of aesthetic hierarchies, of the intellectualism, the aestheticism and the Romantic veneration of the 'sublime' that had traditionally inspired cultural -- and in particular heritage -- policy in Italy.

\textsuperscript{243} It is important to mention that, however, even when the law 1089 was still being enforced, the doctrine had come to interpret its definition of the object of heritage policy in a much more open and flexible way than a literal interpretation of the legal text would have suggested (Chiti 1998).
Therefore, Mantella (Ibid.) concludes that the notion of *beni culturali* purports a concept of culture of an anthropological nature - what the 1995 National Report defines as "the assertion of a 'middle view' of culture (Council of Europe 1995, 3; see also Galasso 1996). It was thus established an explicit and direct link between the cultural objects at the centre of cultural policy and the material, historical, and cultural contexts in which they were produced, as well as the natural environment in which they existed. Indeed, in view of the fact that a significant proportion of Italy's archaeological and artistic heritage is to be found in open-air sites, environmental issues (such as the preservation of areas of particular naturalistic as well as cultural importance) has always been perceived as being closely related to debates over heritage policy and preservation, as well as with urban issues and planning. However, the 'environmental assets' (*beni ambientali*) are legally distinct entities from the *beni culturali*, and are subject to a separate set of norms and regulations (Sciullo 2003, 29). Finally, in this new and more inclusive perspective, the traditional contraposition between *arte maggiore* and *arte minore* breaks down, and cultural expressions from everyday life also find - at least potentially - a place within the category of *beni culturali* (Cicerchia 2002, 15-16).

From a legal point of view, the inclusive nature of the concept of *beni culturali* that has come to be shaped, over the years, by the jurisprudential doctrine inevitably results in a very open legal notion of cultural assets which eludes any clear-cut definition. Commentators
generally agree that, in fact, the relevant legislation has failed so far to formulate norms and regulations that can do full justice to the complexity and density of the term (Montella 2003; Pitruzzella 2000; Jalla 2003, 240). In particular, the Testo Unico of 1999 appeared to many legal commentators as a failed opportunity to ratify the more inclusive and broad notion of cultural assets that had come to be accepted, over the decades, within the legal doctrine (Zerboni 2001, 120; Cammelli 2000; Pitruzzella 2000). The decreto legislativo n. 112/ of 1998 which paved the way for the 1999 legislative reorganization (and which, at the time of its promulgation, had been interpreted as the culmination of one of the most important trends in the legal thought on cultural assets) had legitimised the principle that the objects at the centre of policy should not be limited to the material beni alone, but ought to be extended to each and every cultural expression from which a form of cultural activity originates (Giancotti, 1998, 23).

As chapter 6 has discussed, the 1999 reorganization of the extant legislation affecting the beni culturali, seemed to prefer a somewhat conservative and cautious definition of cultural assets. By stressing on the material nature of the beni (which are now explicitly limited to cose, that is, physical objects alone), the definition presented by the Testo Unico in many ways was felt to be reminiscent of the 1939 law, probably more than many commentators felt necessary, or even desirable (Zerboni 2001, 120; Sciullo 2003, 28; Cammelli 2000) A possible explanation for this might be that the legislator was deeply aware of the risks and
practical difficulties involved in the ratification of a broader definition of what ought to be included in the category of cultural assets (thus coming under the responsibility of the State as far as preservation and valorisation are concerned – a very expensive situation) (Galasso 1996, 13). However, as Pinna (2001, 63) observes, it is precisely this emphasis on the material dimension of the beni that operated the transformation, within Italian cultural policy, from heritage to 'cultural assets'. In Pinna's opinion (ibid.) this shift is also primarily responsible for the emphasis on conservation over citizen access to the beni which characterizes the Italian model. Pinna (ibid.) further laments that: [h]owever absurd this might seem, in Italy the state museums are not museums, but offices of the 'superintendencies', with no administrative and financial autonomy, no authority to manage their own administrative personnel and attendants and no scientific or teaching role. The state's restrictive interpretation of 'cultural assets' and 'guarantors of ownership' meant that museums became places where being open to the public was tolerated as a minimum concession – to the true owners of the public heritage themselves! It is a fact that citizens are often regarded as a dangerous source of potential damage to valuable objects".

Montella (2003, 33) goes as far as to interpret such cautious attitude on the part of the legislator as a move towards a 'non-definition' of cultural assets in the Testo Unico. Indeed, the wording of the articles dealing with the definition of cultural assets seems to lead to the conclusion that the quality of being a bene culturale - rather than residing within the
cultural object itself - is conferred to it by the legislator via his or her categorization and definition of the bene. It would almost seem, Montella (ibid.) argues, that it is the legislator himself who creates the bene culturale. This, together with other problems, both technical and concerning content, have been raised and discussed within the legal and academic communities. Further evidence of the widespread unease with the somewhat restrictive definition proposed by the Testo Unico is represented by the numerous expressions of concerns and perplexity that have come from a number of the higher institutions of the Italian State - such as the Consiglio Nazionale, the Consiglio di Stato, as well as the parliamentary commissions of both Camera and Senato, (the two houses that make up the Italian Parliament) (Zerboni 2001, 121). Most significantly, the Constitutional Court, the highest institution in the Italian legal system, has recently passed a judgement (sentenza n.94 del 2003) - to solve a case of conflict between the central State and the region of Lazio over respective competencies in the field of heritage preservation - which has been interpreted as an attempt to put forward a more open and flexible interpretation of the label of ‘cultural assets’ (Poggi 2003).

The most recent articulation of the concept of beni culturali can be found in the legislative decree n.42 of 22nd January 2004 (the so-called Decreto Urbani). The second part of the decree focuses on the cultural assets, and presents a classification of the assets in three different and autonomous areas: The first paragraph of article 10 (1° comma dell’art.10) identifies beni culturali with “those movable and unmoveable
objects belonging to the State, the Regions, other area-based authorities or to public bodies and institutions or to non-profit private bodies with legal personalities and displaying a historic, artistic, archaeological or ethno-anthropological interest (Ferretti 2004, 68). The second paragraph of article 10 (comma 2 dell'art. 10) identifies a second category of cultural asset. This consists of those assets that belong to public entities (the State, the Regions, other area-based authorities and any other public organisation and institution) and whose cultural importance is seen to be intrinsic (or, in legal terms, appears to exist ex se). These consist of museum collections, painting collections, art galleries, archives and libraries. Finally, the third category of assets is constituted by all privately owned assets, which are susceptible of a process of assessment (regulated by article 13 and following) to establish whether they are of artistic or cultural value (Ferretti 2004, 68). The law imposes a number of limitations and requirements to the owners of cultural objects that, following the assessment process (referred to as processo di individuazione), are deemed to belong to the class of beni culturali, since they automatically become subject to the State's policies for cultural preservation (tutela). The Codice of 2004, then, introduces an important innovation in the logic behind the classification of cultural assets. Whilst the Testo Unico had envisaged a list grouping all beni culturali, the 2004 legislation distinguishes the three categories of assets on the basis of their ownership (public/private). Furthermore, with regards to the assets of private property, the new Codice also introduces

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244 The law refers here to 'cose' that is physical objects.
a notion of 'different levels of cultural interest', limiting State's responsibility only to those assets that have a 'particularly important' cultural interest. This represents an interesting innovation with respect to the 1999 Testo Unico, which required the somewhat feeble quality of 'remarkable cultural interest' (Ibid. 69-70).
Table 1: GLOSSARY OF ITALIAN LEGAL TERMS

Decreto Legislativo (abbreviated as D.Lgs. and also referred to as Legge delegata) – This is a legal act with the same formal efficacy of a law. It is emanated by the Government on the basis (and within the limits) of a legislative DELEGA (called delega legislativa) from the Parliament. Only the Government (but not an individual minister), and more precisely the Consiglio dei Ministri (the Italian equivalent of the Cabinet) can receive a delega legislativa.

Decreto Legge (abbreviated as D.L.) - This type of legal act results in provisional measures (provvedimenti provvisori) that have powers equivalent to those of actual laws. A Decreto Legge is initiated by the Government, of its own initiative and under its responsibility, whenever an extraordinary occurrence of great urgency and importance arises. For such measures to become permanent (definitivi) they have to go through Parliament in order to be converted into laws (this process is called conversione dei decreti legge). A Decreto Legge is decided upon by the Consiglio dei Ministri (the Italian equivalent of the Cabinet) and emanated through a Presidential Decree (decreto del Presidente della Repubblica) and is then published in the Gazzetta Ufficiale, the official state publication where all new legal acts and other official documents are published so as to be publicly available and ‘consultable’.
Decretto Ministeriale (abbreviated D.M. – Ministerial decree) - This is a secondary legal act (atto di normazione secondaria) that is emanated by individual ministers on the basis of a preceding formal law that explicitly gives the minister in question such powers (within the ambit of his or her ministerial responsibilities).

Demanio Pubblico – This is the term used to indicate the ensemble of the assets that belong to the State, the Regions, the Provincie and the Comuni (Italy’s local authorities) and that satisfy public interests. In order for these assets to be allowed to carry out their public functions, they are subjected to a set of norms and regulations that differs from those that are in force for objects of private property. In particular, the objects belonging to the Demanio Pubblico are subject to the principles of inalienabilità, and incommerciabilità; that is, they cannot be sold, and their property rights must always remain in the public sphere. The Italian amministrative authorities are in charge of protecting and looking after the assets that belong to the Demanio.

Testo Unico – This is a legal text that brings together the norms and prescriptions contained in a number of different legal acts that concern a same issue that have been promulgated over a certain period of time. It is possible to distinguish two types of Testo Unico:
• *Testo Unico di coordinamento* (co-ordinating Testo Unico) – This has the same legal powers and enforceability of the laws that it aims to bring together. It therefore can abrogate or modify the preceding norms.

• *Testo Unico di mera compilazione* (Testo Unico of a compilative nature) – This type of Testo Unico has the only function of ‘tidying up’ the existing norms, by collating them in a single act. Therefore, it cannot innovate or change extant legislation, but, at best, can suggest an official interpretation of the already existing norms. Such interpretation, however, is in no way *vincolante* (binding) for judges. The *Testo Unico* for the *beni culturali* belongs to this latter category

**Vincolo** - Whenever a cultural asset is subjected to a *vincolo*, this entails that the asset in question cannot be altered or modified in any way; nor can it be moved or removed from its usual site unless the body that is responsible for its protection provides an authorization to do so.

Sources: Cammelli 2000; Rossano and Rossano 2002; http://www.simone.it/cgi-local/Dizionari/newdiz.cgi?index.5.A
Table 2: A SUMMARY OF ESSENTIAL ITALIAN LEGISLATION

Law n. 1089 of 1939 – This is one of the most influential laws in the field of heritage. A crucial element of the law was the central role of the process of identification of the particular historical and artistic importance (later referred to, more inclusively, as 'cultural importance') of the beni, Indeed, one of the principal features of the system of cultural preservation introduced by law n.1089 was the reliance on a conception of beni culturali founded on the belief in their extraordinary nature and their rarity (what has been referred to, in chapter 6 as the 'cult of the masterpiece'). Another important feature of this law was the identification of preservation of the beni (from all types of potential threats, both material and juridical) as the principal objective of state heritage policy.

Law n. 1497 of 1939 - Law n.1497 of 1939 institutes a number of measures for environmental protection. In this act, the conception of the preservation of landscape is judged primarily on aesthetic terms.

D.P.R. (Presidential Decree) n. 619 of 1977 - Article 49 of this Presidential decree extended responsibilities for cultural and educational promotion to the Regions.

Law n. 64 of 1986 – This law established extraordinary funding measures for cultural projects in the South of the country, with the explicit
intent to promote employment and local economic development in economically disadvantaged areas.

**Law n. 449 of 1987** – This legal act focused on the redirection of extraordinary funding to projects of heritage restoration targeted at the most damaged and degraded sections of the cultural patrimony. It was the intent of the law that these projects would result in enhanced public access to cultural assets, thus encouraging cultural tourism.

**Law n. 4 of 1993 (commonly known as Ronchey Act)** – This is the law that introduced the possibility of contracting out to privates a number of services defined as servizi di assistenza culturale e di ospitalità (services of cultural support and hospitality) referred to as servizi aggiuntivi (additional services), such as coffee shops, wardrobe services, etc.

**D. Lgs. (Legislative Decree) n. 41 of 1995** - The decree largely expanded the category of the servizi that a museum could outsource. The range of such services now included also guided tours, educational activities, the preparation (not just the sale) of catalogues, archives, and IT support, the setting up of exhibition and special events.
D. M. (Ministerial Decree) n. 139 of 1997 – This decree introduced a clarification of the conditions in place for the outsourcing of services, by confirming that this was to be limited to the services and activities that could not be successfully provided internally by the organisations’ own financial or human resources.

Law n. 59 of 1997 (more commonly known as Bassanini Act) - The Bassanini Act had three main strategic objectives: to simplify and slim the famously cumbersome Italian administrative structure; to decentralise administration wherever possible; and to reorganise public administration on the organizational and functional planes both at the central and local level. In order to do this, it introduced a number of measures aiming at promoting the practice of outsourcing (esternalizzazione) and broadening the scope of its application.

D. Lgs. (Legislative Decree) n. 368 of 1998 – This decree established the new Ministero per i Beni e le Attività Culturali (Ministry for Cultural Assets and Activities). The remit of the new Ministry included, besides heritage policy, responsibilities for the live performing arts and sport. Article 10 of the law also opened up the possibility of a further extension of the services to be outsourced. One more important feature of this legislative decree is that, in defining the role and tasks of the restructured Ministry, it confirms and ratifies the distinction between activities of tutela
on the one hand and and *gestione* (management) and *valorizzazione* (valorisation) on the other.

D. Lgs. n. 490 of 1999, usually referred to as Testo Unico of 1999 – This is the legal act that brought together the extant norms relative to the heritage sector. It also offered suggestions on the best interpretation of the preceding legislation (see Table 1).

D. Lgs. n. 63 of 2002 (later converted into law n. 112 of 2002) – This decree introduces the *Patrimonio dello Stato S.p.A.* and *Infrastrutture S.p.A.*; as shown in chapter 7 this law represents a crucial moment in the progressive process of *svendita* of the Italian cultural patrimony lamented by Settis.

D. Lgs n. 42 of 2004 (the so-called *Decreto Urbani*) – This decree presents the most recent articulation of the concept of *beni culturali* can be found in the legislative decree n.42 of 22nd January 2004 (the so-called *Decreto Urbani*). The *Codice* of 2004, then, introduces an important innovation in the logic behind the classification of cultural assets. Whilst the *Testo Unico* had envisaged a list grouping all *beni culturali*, the 2004 legislation distinguishes the three categories of assets on the basis of their ownership (public/private). Furthermore, with regards to the assets of private property, the new *Codice* also introduces a notion of 'different levels of cultural interest', limiting State's responsibility only to those assets that have a 'particularly important'
cultural interest. This represents an interesting innovation with respect to the 1999 *Testo Unico*, which required the somewhat feebler quality of 'remarkable cultural interest' (Ibid. 69-70).
References

Aicardi, Nicola (2003) "Recenti sviluppi sulla distinzione tra "tutela" e "valorizzazione" dei beni culturali e sul ruolo del ministero per i Beni e le Attività culturali in materia di valorizzazione del patrimonio culturale di appartenenza statale" in Aedon, No.1.


Bellamy, R. (2001b), "Introduction - From philosophes to pundits: Italian intellectuals and politics from Vico to Eco", *Journal of Modern Italian Studies*, vol. 6, no. 2, pp. 151-156.


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Cammelli, M. (2003b) "La riorganizzazione del ministero per i Beni e le Attività culturali (d.lg. 8 gennaio 2004, n.3).


Cortese, F. (2004), "La Biennale di Venezia, il Centro sperimentale di cinematografia e l'Istituto nazionale per il dramma antico nel quadro delle recenti riforme culturali", in *Aedon*, No. 2.


De Seta (2001) "Ma così è soltanto un miraggio pericoloso", *Repubblica*. 


Horak, R. (1999) "Cultural studies in Germany (and Austria) and why there is no such thing", *European Journal of Cultural Studies*, vol. 2, no. 1, pp. 109-115.


Mbac (2004a) *Per La Musica e Il Teatro*, Rome, Ministero per I Beni e le Attività Culturali.

Mbac (2004c) *Per il Bel Paese: il patrimonio storico-artistico e il paesaggio*, Rome, Ministero per I Beni e le Attività Culturali.


Pastori, G. (2004a) "La cooperazione delle regioni e degli altri enti pubblici territoriali in materia di tutela del patrimonio culturale (art. 5)" in Aedon, No. 1.

Pastori, G. (2004b) "Le funzioni dello Stato in materia di tutela del patrimonio culturale (art. 4)," in Aedon, No. 1.


Quinn, R. M. (1997) 'Distance or intimacy? The arm's length principle, the British government and the Arts Council of Great Britain' in International Journal of Cultural Policy, v. 4, issue 1, p. 127-130.


Salvati, M. (2003) "Behind the Cold War: Rethinking the left, the state and civil society in Italy (1940s-1970s)" in *Journal of Modern Italian Studies*, vol. 8, No. 4, pp. 556-577.


