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ΣΧΟΛΟΣ ΣΦΝΘΡΗΤΟΝ ΑΡΧΑΙΟΤΗΤΟΝ
& ΕΡΓΟΝ ΤΕΧΝΗΣ ΤΡΙΤΟΒΑΘΜΙΑΣ ΕΚΠΑΙΔΕΥΣΗΣ

ΠΡΑΚΤΙΚΑ ΣΥΝΕΔΡΙΟΝ/ΗΜΕΡΙΔΟΝ

ACAWA-GR CONFERENCE PROCEEDINGS

Papers of the National Associations of E.C.C.O.

Ensuring high quality in safeguarding Cultural Heritage

The vital importance of protecting the title
and regulating the profession of
Conservation-Restoration in Europe

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Protecting cultural heritage by protecting conservators' title

Clémentine Bollard

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Protecting cultural heritage by protecting conservators' title

Clémentine Bollard

French Federation of Conservator-Restorers (FFCR), former President (2019-2022); Delegate for the national protected title project (since June 2022)

ABSTRACT

« Art. L. 117-2. - The implementation of conservation-restoration measures and actions, as well as the performance of project management, consulting, and expertise missions in the field of conservation-restoration, fall within the competencies of professionals, known as conservators-restorers, qualified in the fields of preventive conservation, curative conservation, and restoration.

“Only persons holding a Master’s degree, issued by an approved training institution under conditions laid down by regulation, certifying specific cultural, scientific and technical training in conservation-restoration may use the title of “conservator-restorer” in their professional practice. »

These two paragraphs, constituting the article L. 117-2 of the bill [1] tabled by MP Raphaël Gérard¹ on the 25th of January 2022, give substance to the long-standing demand by the profession, in France and in other European Union countries, that a name has to be given to conservator-restorers. It specifies that only natural persons with a Master’s degree in conservation-restoration of tangible cultural heritage could use this protected title.

The explanatory memorandum of this bill summarises the indisputable reasons why cultural heritage must be taken care of by professionals recognised as having the necessary qualifications, recalling the content of the report “Our Creative Diversity”, published in 1996 by the World Commission on Culture and Development, under the aegis of UNESCO, which states that “cultural property is a resource that constitutes a fragile, non-replaceable asset, the risk of loss of which necessitates the implementation of measures commensurate with the stakes involved in safeguarding it for society as a whole”.

The creation of a protected title for conservator-restorers, therefore, represents a major step in the reinforcement of policies for the protection and conservation of cultural heritage since, at present, anyone can call themselves a conservator-restorer, without necessarily having the qualifications or skills. The protection of this title also brings expectations of a social nature since it will undeniably favour the structuring of a profession, 76% of which is currently practiced by self-employed people in France, and which is, after all, a recent profession in the history of cultural heritage conservation.

1. SHORT DESCRIPTION OF FFCR

The Fédération française des conservateurs-restaurateurs (FFCR) is a non-profit professional organization, member of the European Confederation of Conservator-Restorers Organisations, which promotes the profession of conservator-restorer.

FFCR’s actions aim at the recognition of their skills and qualifications, the improvement of their working conditions, and at representing them among other cultural heritage professions.

¹ Fourth district of Charente-Maritime

The organisation is managed by a committee of 15 elected members - which further elect an executive office - and employs a part-time permanent member of staff. Its members (approximately 420, among 1300 professionals) graduated from a Master in conservation of cultural heritage or who are state-recognised conservators, for those who started working before the creation of specific trainings.

2. CURRENT LEGISLATION REGARDING CONSERVATION-RESTORATION IN FRANCE

In France, the profession is partially regulated by a law that was enacted in 2002 and is commonly referred to as the “loi Musées”. In 2004, all the legislative texts referring to cultural heritage were reunited in the “code du patrimoine” (Heritage Code), which contains seven “books”: the first gather the common features of cultural heritage, the five following are dedicated to a heritage sector (archives, libraries, museums, archeology, historical monuments) and the last pertains to overseas territories specific arrangements.

In Book IV that refers to museums, its Title V, Chapter II, states that “restoration”² of collections pertaining to approximately 1 200 museums qualifying as Musées de France must be performed by “specialists presenting qualifications or a professional experience defined in a decree”. The decree lists the qualifications required as follows:

- Holders of a French diploma in the field of heritage conservation, awarded after five years of specialized higher education (or four years if the diploma was obtained before April 29, 2002);
- Professionals whose experience in heritage conservation has been validated through accreditation of prior experiential learning process;
- Persons who, between April 28, 1997, and April 29, 2002, have been authorized by the Ministry of Culture to carry out conservation-restoration activities on museum collections pertaining to a Musée de France.
- Civil servants belonging to bodies with a statutory vocation to carry out “restoration” activities.

Moreover, a specific accreditation procedure from the Ministry of Culture exists for professionals who hold a diploma from, and/or have experience outside of France. It was established with the « arrêté du 3 mai 2016 », in order to respect the February 3, 2016, decree n° 2016-112 which incorporates « into our law the terms and conditions for opening up to these professionals the possibility of permanent (freedom of establishment) or occasional (freedom to provide services) practice, or even partial access, in France »⁴.^[2]

As the practice of conservation-restoration is partially regulated, one might ask whether it is necessary to create a legally protected title. What will be the added value for cultural heritage and for the profession? The answer is to be found in the fragmented and incomplete nature of the French legislation, which in fact, introduces a hierarchy in the care of cultural property: some - those forming part of the collections of the Musées de France - benefit from care by qualified professionals, others - archaeological property, movable property of historical monuments, archives, and property forming part of library collections - may be taken care of by people without precise qualifications.

Moreover, we shall see that creating a protected title meets the expectations of professionals. It will have positive social consequences for a profession that needs to be more

² The word conservation-restoration is, to this date, not mentioned in the French Heritage Code, but in practice this article of law clearly refers to conservation-restoration actions, and not only to restoration

structured around common references established by this very profession since its gradual constitution around the creation of specific training courses in the 1970s.

3. TO IDENTIFY AND GUARANTEE SKILLS AND COMPETENCES FOR END-USERS, AT THE SERVICE OF HERITAGE CONSERVATION

In France, the project to create a protected title takes place in a context of a need to clarify the skills and qualifications required to intervene in all heritage sectors. At present, only Book IV of the Heritage Code, relating to museums, determines the qualifications of the professionals responsible for conservation-restoration work on the collections of Musées de France [3]. As things stand, the contribution of conservator-restorers is there fore strictly recognised in these specific collections (Art. L. 452-1 of the Heritage Code).

It potentially will be recognised for movable objects classified as historical monuments (Art. L. 622-7 of the Heritage Code³) but at present, the publication of the decree implementing this law, which should specify the quality of those involved in the conservation of this type of heritage, is still awaited. Regarding archaeology, the Heritage Code only requires “qualified staff” to intervene on archaeological assets (Art. L. 546-1 of the Heritage Code), without any further details on the nature of qualifications. As for libraries, Article R. 311-3 refers to conservation projects for heritage documents in the custody of local authority libraries (municipal, regional, etc.), without qualifying the people who may be put in charge of these projects.

French legislation, therefore, grants only limited recognition to conservator-restorers, since in the fields of archaeological objects, movable objects protected as historical monuments, and heritage documents in libraries and archives, the professional qualification requirements for carrying out conservation-restoration missions are undetermined.

The partial identification of the skills and qualifications required goes hand in hand with the absence of a common name for professionals working in conservation-restoration: conservator-restorer? conservator? restorer of cultural heritage? What are the levels of diplomas, qualifications, and skills associated with them?

The creation of a protected title will clarify and distribute the roles and responsibilities of conservator-restorers among the other professions working in the cultural heritage sector, and will enable the various users of conservator-restorers’ services (public and private clients, entities issuing public tenders, etc.) to identify professionals with a high and recognised level of qualification and skills, and whose activity is based on the respect of a code of ethics. This protection of the consumer, or more precisely of the “user” as far as cultural goods are concerned, is, moreover, desired by Article 7 of the European Union directive of 27 December 2006⁴.

The introduction of the term “conservation-restoration” in the Heritage Code will make it possible to integrate this internationally recognised term and thus to name precisely,

³ Article L622-7: “Objects listed as historic monuments may not be modified, repaired or restored without the authorisation of the competent administrative authority. Authorised work is carried out under the scientific and technical control of the State services responsible for historic monuments. A decree in the Council of State specifies the categories of professionals to whom the owner or assignee of a movable object classified as a historic monument or a classified organ is required to entrust the project management of the work”

⁴ Directive 2006/123/EC of the European Parliament and of the council of 12 december 2006 on services on the internal market.

without any possible ambiguity, a discipline and a field of activity and, in extension, to give an understanding of the origin of the term “conservation-restorer” used to name the professionals who practice it.

As a professional federation, FFCR hopes that the creation of a protected title will not be considered as a corporatist and protectionist approach but rather as a first link at the beginning of a process of defining the roles and responsibilities of each professional in the sector. We strongly advocate that specialists in preventive conservation, registrars, stone masons, etc., i.e., members of professions working in the field of cultural heritage conservation, also need to have their specificity recognised.

4. STRUCTURING A PROFESSION AROUND COMMON REFERENCES

Today, the practice of conservation-restoration is nowadays based on the existence of specific training courses awarding a Master’s degree and using a common reference frame of skills and competencies⁵, a code of ethics [4] and a body of internationally recognised reference texts [5]. The expertise and the field of action of conservators-restorers are wide: they conceive and carry out conservation-restoration interventions, but they also oversee and manage projects and provide assistance to the contracting authority, perform research and partake in mediation activities around the preservation of cultural heritage. Conservator-restorers constitute a professional population structured on this common base, but whose identity and unity must be reinforced and recognised by public authorities, so that they may be identified by everyone.

A recent study [6], [7] on the future of graduates in conservation-restoration of cultural heritage shows that this profession, which is mainly feminine (83%) and which tends to become more feminised, is practised in 76% of cases under a self-employed status. These figures highlight an asymmetry between self-employment and the status of employees of cultural institutions and a probable desertion of the profession by men caused by the low income generated by the activity. It also underlines the growing difficulty of practicing conservation-restoration in France: the number of businesses that cease their activity for reasons other than retirement has increased over the last five years.

This study also reveals the low economic and statistical visibility of the profession due to the fact that companies are referenced in no less than thirty-four different NAF or APE codes⁶. The Covid-19 crisis has confirmed the need to identify conservation-restoration businesses more easily in order to target financial aid to particularly affected and vulnerable sectors, and the current overhaul of French and European activity nomenclatures gives hope that a specific code for conservation-restoration activity will be created soon. There is no doubt that the creation of a protected professional title for conservator-restorers will support the creation of a specific code in the nomenclatures and will subsequently make it easier to set up socio-economic studies, thus helping to give coherence and visibility to a singular sector of activity.

It, therefore, appears that with the creation of a protected title, a new stage in the process of structuring the profession of conservator-restorer is being played out in the wake of the texts mentioned earlier, which established the discipline and defined the profession.

⁵ The four French programs delivering a Master's degree in conservation-restoration of cultural heritage have drafted a common set of competences, based on the principles laid down by the E.C.C.O. and ENCoRE.

⁶ NAF : French Nomenclature of Activities; APE : Company's main activity code

In a collective book [8] the sociologist Léonie Hénaut shows, through an analysis of the relations between the various actors in the sector, how the associations of conservators-restorers, “reflexive actors”, have, through their exchanges with the public authorities, contributed to defining the qualifications required to practice conservation. They have thus created a framework to mark the differences between their peers and the competition - a term that should not be considered solely in its economic sense but also, or even above all, in its social dimension of construction of a profession through the definition of those who are not able to be a part of it, for lack of the required qualifications. Her study shows “what the development of a profession owes to the constitution of a monopoly, and vice versa”, and that the definition of who is a conservator-restorer and who is not ultimately makes it possible to “draw” the profession and “shape [its] boundaries”. Therefore, reserving the use of the name of conservator-restorer to those who have the qualifications and skills by creating a title protected by law - in line with the “Loi Musées” regarding the identification of the required qualifications, and with a broader scope since it will concern all professionals and will therefore cover all heritage sectors - will further clarify the contours of the profession.

5. AT THE END OF A LENGTHY PROCESS?

Demanded for forty years by the profession, under discussion within international bodies for almost a century [9], identified as imperative by official reports and by the various actors in the heritage chain, including the French Ministry of Culture, the creation of a protected professional title will provide conservator-restorers with professional recognition and coherence in the distribution of responsibilities in order to guarantee the practice of conservation-restoration in the service of cultural heritage.

The tabling of the bill by MP Raphaël Gérard is, therefore an important step in this long process of recognition, and the profession is still waiting for it to become a reality. There are two political avenues. The first is the submission of a new bill by MP Raphaël Gérard, as the text of January 2022 is no longer valid since legislative elections took place in the following month of June. It is, therefore, necessary to submit a new text to the National Assembly, which will have to vote on it before transmitting it to the Senate, which will, in turn, be solicited to adopt the text. In this hypothesis, it is possible that the text of the bill will be slightly modified to take into account remarks that may have been made since the initial submission of the text.

The second option would be for Ryma Abdul Malak, the current French minister of Culture appointed in May 2022, to take up this project for the creation of a protected title on behalf of the government and bring it to the National Assembly for a vote. Since October 2021, a working group has been set up within the Ministry of Culture, to which FFCR has been able to contribute in order to draw up a preliminary draft law. The text is currently being finalised and could be presented to the Minister's heritage advisors soon.

FFCR continues to push the project in these two directions, relying on the European dynamic in favour of the creation of protected titles in all countries of the European Union, the full expression of which we were able to see at the conference “Ensuring high quality in safeguarding Cultural Heritage - The vital importance of protecting the title and regulating the profession of Conservation-Restoration in Europe”.

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