

## The Status of the Museum as Cultural Institution

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### Abstract:

*This paper proposes to analyze the status of the museum as cultural and educational institution, from the end of the 18th century to postmodernity. Until the 18th century, the museum was considered to be an enclosed environment, established with the task of displaying art collections of royal house, access to it being restricted only to members of the privileged strata of society. The open access of all the individuals in the museum and the new function of the museum to educate and cultivate the middle and working classes, represent the main subject analysed by Tony Bennett in his work The birth of the museum- history, theory, politics.*

*Starting from the analyses of this important changes brought by the modernity regarding the status of the museum, my paper will focus on highlighting relevant aspects of the museum of modern art (in which were exposed only original masterpieces, which claimed profound contemplation of the viewer and active engagement in discerning their significance) and postmodern museum (in which the reproducible works of art becomes as valuable as original art works and the cult value possessed by the original exhibits is replaced with the exhibition value), analysed by Douglas Crimp in his work On the museum's ruins.*

*The last part of my paper is focused on emphasizing the importance of the museum as a cultural instance in postmodernity, highlighting the existence of certain national laws that protect both the museum and the works of art exhibited within it.*

**Key words:** modern and postmodern art museum, works of art, private and public sphere, cultural and educational institution, national laws of the museums.

## **Introduction**

The conception of the museum as cultural institution is based on the development of various branches of science: history, anthropology, biology, art history and archeology. All these have an essential role in classifying works of art in relation to the historical period of their creation, taking their part in the construction of a universal history and in the education of the individual. Until the 18th century, the museum was considered to be an enclosed environment, established with the task of displaying art collections of royal and noble houses, access to it being restricted to members of the privileged strata of society: nobility, higher ranking clergy, bourgeoisie. Later on, beginning with the 19th century, the museum becomes an institution of the public sphere, a tool for the aesthetic and moral education, aiming to homogenize the different social classes that compose society (including the working class). Simultaneously with this liberalization of access to the exhibitions, emerges the types of the museum, of further interest here being the museum of modern art and the postmodern museum.

### **The status and the role of the museum in modernity. The museum of modern art**

Tony Bennett, in his work *The Birth of the Museum: History, Theory, Politics*, investigates the cultural function of the museum, analyzing its evolutionary stages starting with the 17th century, mainly focusing on the second stage of its institutional development, that in which the museum becomes a component of the public sphere, available to everyone. Prior to the end of the 18th century, the museum was a private space, to

which access was restricted to the wealthier social strata, presupposed to solely have the knowledge and exquisiteness of taste, imparted through aesthetic education, required to understand the significance of works of art. As is the case of other cultural practices of the period (costume balls, festivals, ballet etc.), the purpose of the museum was to enhance the prestige of the royal or noble house. The criteria for choosing the exhibitions to be displayed, depended on the personal taste of the owner (who was the prince).<sup>1</sup>

The novelty brought by the 19th century to this field, consists in the reconceptualization of the museum as a public institution equally accessible to everyone, in transforming the contemplation of art from a strictly private privilege to a universal right. The new social relevance of the museum resides in its function to educate and cultivate the middle and working classes, striving towards the cultural homogenization of the society.<sup>2</sup> The public museum appears simultaneously with the development of the modern art and has three functions: the organization and education of the public as a whole, the interior organization of the individuals and the establishment of links between the individuals and other cultural institutions.

The conceptualization of the role of the higher forms of art (painting, sculpture, literature as *belles arts*) as a tool for the education of the individuals, appears for the first time in the writings of Silk James Buckingham, during the political reforms of the Victorian Epoch. He published in 1849 a plan for a model city, envisaged as a "higher state of existence"<sup>3</sup>, in which the individual would have free access to culture and the

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<sup>1</sup> The museum was viewed as "a vehicle for the display of power." Bennett, *The birth of the museum- history, theory, politics*, 94.

<sup>2</sup> The transformation of the muzeum "from a symbol of arbitray power into an instrument which, through the education of its citizens, was to serve the collective good of the state." Bennett, *The birth of the museum- history, theory, politics*, 89.

<sup>3</sup> Bennett, *The birth of the museum- history, theory, politics*, 17.

museum being considered as an instrument for the civilizing of individuals, aiming towards correcting their behavior. The liberty of access to culture was facilitated by architectural objects (the presence of statues, fountains in the cities), as well as by cultural institutions (public libraries, art schools, museums). At the basis of this model lies the idea that high culture (as that institutionalized in the form of the museum), enacts transformations both in the interior life of people (through developing their moral and religious feelings) as well as in their way of life. By frequenting such cultural institutions as museums and theaters, the individual together with his family fulfill their need for reasonable occupation of their leisure time, combining relaxation with aesthetic and moral education. During the 19th century, such family activities are considered to be a necessity for the elimination of the personal vices.

The educational role fulfilled by the museum in the public sphere is manifested also through the modes of configuration employed in the arrangement of the works of art displayed: the progressive gallery and the period rooms. These specific configurations were produced as effects of the development of the social sciences, the museum taking on the role of a space for the representation of the culture and values attributed to the universal man, answering the questions of his origin, the causality inherent in his history and modes of representation, functioning as a hermeneutic machine for explaining through a coherent series of representations the meaning of the history. New techniques are employed for displaying the works of art in such a way as to produce educative effects in the viewer, grouping the displayed items in periods arranged in chronological order.<sup>4</sup> The principle at the

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<sup>4</sup> "This technology forms merely a part of the modern machinery of a history of art which sequences each object and provides it with sources (ancestors) and consequences (descendants) beyond itself, hanging paintings in a row so that the individual work is implied to be following this and leading to that." Bennett, *The birth of the museum- history, theory, politics*, 44.

basis of such arrangement of the space of representation is to construct a meaningful narrative about the universal man.<sup>5</sup> It appeals to the faculty of knowledge, imparting specific education to the public that it forms. But this formative function also brings about the normative sense of the educative role of the museum, that implies surveillance and prevention of unwanted behavior.<sup>6</sup> This function of the museum becomes manifest if it is compared to the disciplinary institutions described in the archeological studies of Foucault (the clinique, the asylum, the prison). Here also the architecture is used in order to determine human behavior.<sup>7</sup> The lighting of all the spaces of the museum serves not only to enable the visibility of the exhibits but also for the maintenance of orderly behavior from the part of the viewers, each one subject to the surveillance of the others. Bennett makes use of the archeology of Foucault to argue the case of a reversed trajectory of the development of the museum from that of the punishment. Punishment as a public representation of sovereign power becomes, with the advent of disciplinary practices, enclosed behind the walls of the prison.<sup>8</sup>The reverse happens in the case

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"Bazin stresses the formative influence of the Musée des Monuments Français, in exhibiting works of art in galleries devoted to different periods, the visitor's route leading from earlier to later periods, with a view to demonstrating both the painterly conventions peculiar to each epoch and their historical development." Bennett, *The birth of the museum- history, theory, politics*, 76.

<sup>5</sup> "The displacement in the art gallery, of the king by the citizen as the archactor and metanarrator of a self-referring narrative formed part of a new and broader narrative, one with a wider epistemic reach in which it is Man who functions as the archactor and metanarrator of the story of his own development." Bennett, *The birth of the museum- history, theory, politics*, 38.

<sup>6</sup> "Not to render the populace visible to the power, but to render power visible to the people and, at the same time, to represent to them that power as their own." Bennett, *The birth of the museum- history, theory, politics*, 98. "The museum became a site where bodies, constantly under surveillance were to be rendered docile." Bennett, *The birth of the museum- history, theory, politics*, 89.

<sup>7</sup> "Architecture might help to shape and fashion human conduct." Bennett, *The birth of the museum- history, theory, politics*, 48.

<sup>8</sup> "With the development of the carceral system, by contrast, punishment was removed from the public gaze in being enacted behind the closed walls of the penitentiary and had in view not the production of signs of society, but the

of the museum, that only from modernity becomes open to the public (as it was analyzed before) <sup>9</sup>. The principle of the Panopticon, identified by Foucault as the paradigm of the disciplinary space (with its normalization and individualization techniques involving the subjectifying quality of being subject to the surveillance of another) nevertheless remains valid also in the case of the museum, the viewers always being visible, subjects to the surveillance of the others. This renders the museum into an instrument for self-regularization, for enforcing a code of public manners<sup>10</sup> where individuals monitor themselves<sup>11</sup>, effectively making it a paradigmatic instance of "a society watching over itself"<sup>12</sup>. In the case of the museum, the disciplinary function also refers to the ordering of the exhibits, itself serving the normalizing function of an educational discourse and also facilitating the surveillance. The kinship between museum and carceral space can be seen also in the opening, in the 19th century, of Madame Tussauds Museum

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correction of the offender. No longer an art of public effects, punishment aimed at a calculated transformation in the behaviour of the convicted. The body of the offender, no longer a medium for the relay of signs of power, was zoned as the target for disciplinary technologies which sought to modify the behaviour through repetition." Bennett, *The birth of the museum- history, theory, politics*, 64.

<sup>9</sup> "A citizen who was interchangeably the object and the subject of policing, in circulation between being subjected to the controlling gaze of others to, in turn, exercising such a gaze." Bennett, *The birth of the museum- history, theory, politics*, 48. "The architectural manipulation of relations of space and vision was to the ways in which such communities aspired to be morally self-regulating in subjecting each individual to the controlling gaze of their fellows." Bennett, *The birth of the museum- history, theory, politics*, 48.

<sup>10</sup> "Museums, galleries and more intermittently, exhibitions played a pivotal role in the formation of the modern state and are fundamental to its conception as, among other things a set of educative and civilizing agencies." Bennett, *The birth of the museum- history, theory, politics*, 66.

<sup>11</sup> "The exhibitionary complex, perfected a self monitoring system of looks in which the subject and the object position can be exchanged, in which the crowd comes to commune with and regulate itself through interiorizing the ideal and ordered view of itself as seen from the controlling vision of power- a site of sight accessible to all." Bennett, *The birth of the museum- history, theory, politics*, 69.

<sup>12</sup> Bennett, *The birth of the museum- history, theory, politics*, 69.

(with the horror chamber of Millbank Penitentiary exposed as work of art).

Similarly to the prison, the museum also constitutes an institution requiring reformation. Two principles had to be employed for such purpose: the principle of public rights (the museum has to be accessible to all humans) and the principle of adequate representation: to show and to tell the story of the universal man, synthesizing the culture and values of all people. This 19th century social reform of the museum<sup>13</sup>, with its transformation into space of emulation<sup>14</sup>, a public space freely accessible for the betterment and education of people of all social classes,<sup>15</sup> despite being a progressive idea, it met some difficulties. One of these was that the differences between social classes were impossible to bypass. The different classes were scheduled for admittance at distinct hours and with different entry fees, the lower strata of society being segregated from the educated higher classes, whose members already followed a strict code of conduct in society and were hostile to contact with the uncultured masses. The working class was permanently subject to the processes of education and surveillance of conduct, incapable of transcending the sphere of visibility, of establishing a relationship with the work of art, to contemplate

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<sup>13</sup> "Indeed, in the conception of those who viewed museums as instruments of social reform, it was intended that they should function as spaces of emulation within which visitors from the lower classes might improve their public manners and appearance by imitating the forms of dress and behaviour of the middle-classes." Bennett, *The birth of the museum- history, theory, politics*, 169.

<sup>14</sup> "The construction of the museum as a space of emulation in which the working classes, in being allowed to commingle with the middle classes, in a formally and undifferentiated sphere, could learn to adopt new forms of behaviour by imitation." Bennett, *The birth of the museum- history, theory, politics*, 100.

<sup>15</sup> "The course of the museum's development, by contrast, is one of its increasing permeability as the variety of restrictions placed on access-people with clean shoes, those who came by carriage, persons able to present their credentials for inspection-are removed to produce, by the mid-nineteenth century, an institution which had migrated from a variety of private and exclusive spheres into the public domain." Bennett, *The birth of the museum- history, theory, politics*, 94.

it and find its hidden meaning or its essence. The codes of conduct inside the brochures distributed by the museums and the practice of labeling the art works served the purpose of establishing a link between the visible and the invisible, facilitating the mass access to culture. Besides these aspects pertaining to the instruction of the working class, another difficulty for the museum in its role as public institution had to do with the access of women in the museum. If until the 19th century women had no access inside the museum, being of unequal status to men, after gaining this right (but only being accompanied by their husbands) they had become civilizing agents for masculine appearance (imagine) inside the museum.<sup>16</sup>

The museum of modern art constitutes a fundamental type of museum, focused on displaying original masterpieces<sup>17</sup> considered as being the only type of authentic works of art, which implies a natural orientation towards the profound vision of the spectator. The original work of art has that "certain here and now"<sup>18</sup>, that legitimizes its superior value as authenticity and uniqueness. The representative painter of modernity is Edouard Manet<sup>19</sup>, whose purpose of renewing the art of painting determined a large criticism, being directed towards it from the part of the impressionists, whom did not agree with depictions of natural scenery or nudes that are not framed in mythology. His most controversial works appeared in 1863,

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<sup>16</sup> "A man walking out with his family among his neighbours of different ranks, will naturally be desirous to be properly clothed and that his wife should be also; but this desire duty directed an controlled, is found by experience to be of the most powerful effect in promoting Civilization and exciting industry." Bennett, *The birth of the museum- history, theory, politics*, 32.

<sup>17</sup> "The masterpiece is the quintessential complete and finished object." Bennett, *The birth of the museum- history, theory, politics*, 44.

<sup>18</sup> Benjamin, *Illuminări*, 109.

<sup>19</sup> "Flaubert is to the library what Manet is to the museum. They both produced works in a self-conscious relationship to early paintings or texts-or rather to the aspect in painting or writing that remains indefinitely open. They erect their art within the archive." Crimp, *On the museum's ruins*, 50.



being the first museal paintings of Europe: “Dejuner sur l'herbe” and “Olympia”, the last one being a duplicate after “Venus of Urbino”<sup>20</sup> by Titan, with altered settings and details, showing the courtesan Victorine Meunet as equivalent of the mythological Aphrodite.

### **The postmodern museum and the postmodern art**

If the museum of modern art is centered on the classical art works (painting and sculpture) considered as being the only pure types of works of art due to their uniqueness, the postmodern museum, appeared at the end of the 19th and beginning of the 20th centuries, brought with it major changes to the concept of art museum and its status in contemporaneity. Now the mechanically reproducible art form is situated at the same value level as original works (for example, Goya's “Pepito” with the reproduced “Pygmalion and Galatea” by Gérôme), situation that attracted a manifold criticism.<sup>21</sup> This new status of art was analyzed by Walter Benjamin in “The work of art in the age of mechanical reproduction”, while the contemporaneous status of the museum is discussed in “On the museum's ruins” by Douglas Crimp.

In the age of mechanical reproduction, the work of art “is emancipated from the parasitical type of existence that was imposed on it by its ritual role”,<sup>22</sup> and it starts to be employed on the basis of the necessity to make alterations at the level of its social functions, the accent being situated now on its exhibition value. The reproduction of art works is considered by Benjamin a new phenomena consisting in the generalization of practices harking back to a genealogical progression, thus:

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<sup>20</sup> "Titan`s Venus of Urbino is meant to be as recognizable a vehicle for the picture of modern courtesan in Menet`s Olympia as is the unmodeled pink paint that composes her body." Crimp, *On the museum's ruins*, 48.

<sup>21</sup> "Under the new post-modernist dispensation, anything goes..." Crimp, *On the museum's ruins*, 45.

<sup>22</sup> Benjamin, *Iluminări*, 113.

during the times of the ancient Greeks, the only reproducible art works were coins, bronze statues and terracotta pieces (through casting and respectively embossing); before the Middle Ages we have wood engravings that render graphic art reproducible; the Middle Ages bring with them copper engraving techniques and the 19th century, lithography<sup>23</sup>, which allows graphic art to reach the market with superior frequency.

The first truly revolutionary technique was photography, in which the accent is no longer situated on the hands, but on the eyes as sense organ more sensible to the features of the art work, being able to penetrate in an area inaccessible to the hand, the visual unconsciousness. Starting with the 1900s, reproduction techniques may be applied to all objects of art, modifying their impact on the public as well as their forms of expression as original art works. To demonstrate this, Benjamin mentions the effects of using techniques of reproduction of art works that accentuate hidden features of the original object, like the objective of the photo or video camera, that may be placed at diverse angles from its object, or it can zoom in or out on it. Using such techniques of mechanical reproduction, art may also reach places inaccessible to the original: a music concert may be recorded and then listened to at home or in the salon, the physical presence in the concert hall no longer being necessary.<sup>24</sup> Therefore, the object is detached from tradition, being able to be seen or heard in

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<sup>23</sup> "This much more direct process was distinguished by the tracing of the design on a stone rather than its incision on a block of wood or its etching on a copperplate and permitted graphic art for the first time to put its products on the market, not only in large numbers as hitherto, but also in daily changing forms." Benjamin, *Iluminări*, 108. The technique of lithography permits the printing of illustrated magazines.

<sup>24</sup> "Simultaneously with the emancipation of the different ritual artistic practices, the occasions of displaying their products multiply." Benjamin, *Iluminări*, 114.

whatever circumstance,<sup>25</sup> its value being now one purely of exhibition instead of the ritual value<sup>26</sup> previously implied by art. This transition from cult value to exhibition value was not a facile one, the cult value having tried to maintain its supremacy through the form of the portrait that had an important place at the advent of photography due to the cult of the memory of the loved ones.

An extended form of photography is the kinetic medium provided by film. The revolutionary function of cinematography lies in its capacity of accenting the details and banalities of life, allowing a better understanding of it.<sup>27</sup> On the other side, cinematography makes extensive use of technical effects, rendering through the montage of sequences an essentially artificial reality. The film actor has no direct contact with the public, he cannot adapt to it, but he can anticipate its reaction, which is influenced by the dynamic inter-relations from the appreciative or dis-appreciative manifestations of the individual members that constitute the public. The relationship between actor and public is mediated through the lens of the camera, that transmits to the public the performance of the actor. The criticisms leveled at cinematography have at their core its being a form of passive mass reception through entertainment, where the masses seeking facile entertainment already pose as experts and do not strive for further meaning

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<sup>25</sup> "The cathedral leaves its locale to be received in the studio of a lover of art; the choral production, performed in an auditorium or in the open air, resounds in the drawing room." Benjamin, *Illuminări*, 110.

<sup>26</sup> The cult value tends to hide, to restrict access to the object. For example, a certain statue may have been accessible only to the clergy.

<sup>27</sup> "Our taverns and our metropolitan streets, our offices and furnished rooms, our railroad stations and our factories appeared to have us locked up hopelessly. Then came the film and burst this prison-world asunder by the dynamite of the tenth of a second, so that now, in the midst of its far-flung ruins and debris, we calmly and adventurously go traveling. With the close-up, space expands; with slow motion, movement is extended. The enlargement of a snapshot does not simply render more precise what in any case was visible, though unclear: it reveals entirely new structural formations of the subject." Benjamin, *Illuminări*, 125.

that could be obtained through earnest contemplation of a work of art.<sup>28</sup> Art demands concentration, not entertainment, cult value not exhibit value.

The translation from production techniques (original art: painting and sculpture) to techniques of reproduction (photography, cinematography) has given birth to postmodern art, that disavow the traditional concepts of authenticity, originality, creativity, the genius and mystery that conferred an aura of eternal value to original art. The postmodern reproducible art aims at the resurrection of the object presented in its innumerable iterations and in renewing of urban architecture.<sup>29</sup> Using various innovative strategies, postmodern artists seek to exhibit, to bring to the foreground the material and social conditions of the production and reception of art. David Buren<sup>30</sup>, Marcel Broodthaers<sup>31</sup>, Richard Serra<sup>32</sup>, Hans Haacke, Cindy Sherman<sup>33</sup>, Sherrie Levine<sup>34</sup> are considered by

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<sup>28</sup> Movies are "a pastime for helots, a diversion for uneducated, wretched, worn-out creatures who are consumed by their worries a spectacle which requires no concentration and presupposes no intelligence which kindles no light in the heart and awakens no hope other than the ridiculous one of someday becoming a 'star' in Los Angeles." Benjamin, *Iluminări*, 128.

<sup>29</sup> "The resurgence of art that comfortably fits within the museum's space, both physical and discursive, the return of easel painting and bronze-cast sculpture, the renewal of an architecture of master builders- it is this that is now popularly known as postmodernism." Crimp, *On the museum's ruins*, 287.

<sup>30</sup> French conceptual artist, whose most important work is *Les deux plateaux* from the court of *Palais Royal* in Paris (1938).

<sup>31</sup> Creator of the entirely fictive *Musée de l'Art Moderne, Département des Aigles* (1968), based on the link between present and history: consciousness of the present and commitment to one's past. The *Département des Aigles* is the main, but not only section of the museum, containing 266 representations of eagles, each bearing a label and being derived from originals housed in 46 museums and his personal collection.

<sup>32</sup> American creator of the *Fulcrum* Sculpture of London.

<sup>33</sup> American photographer and movie director, recognized mainly for her conceptual portraits exposed in different museums.

<sup>34</sup> American photographer, famous for her pictures taken of Van Gogh paintings.

Crimp the innovative postmodern artists. The quintessential postmodern museum is considered to be the *Altes Museum* of Berlin, built by the architect Karl Friedrich Schinkel between 1823 and 1830. The purpose of the museum was the public exhibition of the royal Prussian Art Collection, which, being private, was being threatened with robbery. For the project of building the museum, Schinkel was in competition with Aloise Hirt, a university professor of architecture. The two of them had different visions on the purpose and on the architecture of the German museum. For Hirt, the museum was to be an annex of the Academy, a studio, a means of education accessible to students and artists, a place for contemplating collections composed from ancient sculptures, coins, precious gems, paintings.<sup>35</sup> The official inscription that he proposed for the museum was: "Friedrich Wilhelm III founded this Museum, for the study of antique objects of all kind and the fine arts."<sup>36</sup> Schinkel proposed that at the center of the museum there be a rotunda, a circular sanctuary where the paintings and sculptures would be exhibited. The purpose of the museum was to be a place for exhibiting both original and reproduced art works together, the criteria for choosing them being their relevance for art history.<sup>37</sup> The structure of the museum was to be composed of two overlapping columns, each forming a circle, where the lower column would contain sculpture and the higher one, paintings.<sup>38</sup>

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<sup>35</sup> "The initial plans for the Berlin Museum called for building a new wing on the academy of sciences to house a study collection for artists and scholars." Crimp, *On the museum's ruins*, 295.

<sup>36</sup> Crimp, *On the museum's ruins*, 293.

<sup>37</sup> "On the one hand to exhibit works that are outstanding in and of themselves and on the other hand to exhibit works that are important for a history art." Crimp, *On the museum's ruins*, 301.

<sup>38</sup> "The two-story colonnade of the south facade, raising the building on a high foundation with a grand entrance staircase, the two-story rotunda at the museums`centre, and the freestanding columns of the main floor, where the sculpture was to be installed." Crimp, *On the museum's ruins*, 296.

## **National laws that protect both the museum and the works of art exhibited within it**

Postmodernity brought with it a series of laws for protecting museums and works of art. For example, Romania enacted the *Law of Museums and Public Collections* No. 311 of the 8<sup>th</sup> of July 2003, Law No. 182 of the 25<sup>th</sup> of October 2000 *On the Protection of Mobile National Cultural Patrimony* and respectively the Decree No. 1546 of the 18<sup>th</sup> of December 2003 *On the Approval of the Norms of Conservation and Restoration of Registered Mobile Cultural Goods*.

a) *Law No. 311/2003* refers to the juridical status of the museums, to the principles and classification of museums and to the public or private collections accessible to everyone. The law includes seven chapters, each one dealing with a specific aspect:

- Ch. I defines the term “museum” (as the cultural institution that, rendering a service to society, collects, preserves, researches, communicates and exhibits works pertinent on the history of the community, with the aim of educating and providing recreation to the public) and the term “collection” (as an aggregate of cultural and natural goods, coherently assembled by physical or juridical persons; it can either be a private collection, where public access depends on the agreement of the owner or a public collection, where this criteria is no longer pertinent). The function of the museum consists in the administration, preservation, restoration, protection, documentation and capitalization of the museal patrimony with the aim of providing education and recreation. The function of the collection is to document, protect and capitalize its proper patrimony. The duty of the state consists in protecting the museums and to assure the conditions for their free activity and development.

- Ch. II deals with the types of goods belonging to the cultural patrimony (goods with archeological, historic, ethnographic value, etc.) specifying the rights and duties of the museums and

public collections (the owners of public collections and the museums have the duty of protecting their collections, to guarantee open access to them for all people, to obtain the necessary authorizations for the functioning of the museum, to assure the safety of the works of art) with regard their patrimony.

- Ch. III deals with the classification of museums and public or private collections, at the national, regional or local level. The financing and accreditation of museums and collections is to be done only through law and requires approval from the National Commission of Museums and Collections.

- Ch. IV deals with modes of financing for museums and collections, which can be obtained through state funding and from the respective institution's own budget, from the sell of tickets or the sell/donation of collections.

- Ch. V deals with the management, organization and functioning of the museums and public collections, that have to employ specialized personnel (archeologists, researchers, graphicicians, etc.) whose activity is to be evaluated and monitored by scientific counsels consisting in specialists of the field.

- Ch. VI deals with the state level institutions (the Ministry of Culture and Cults working together with the Ministry of Administration, Ministry of Education and Research and the Ministry of Labour) that coordinate the allocation of funds from the state budget and oversee the protection, modifications in status and the classification of the collections.

- Ch. VII deals with the issues pertaining to the violation of the above provisions, elaborated by the National Commission of Museums and Collections and by the Ministry of Culture and Cults.

b) *Law No. 182/2000* resembles the law analyzed above. Its main difference is that it deals exclusively with the juridical regime of goods belonging to the national cultural patrimony, with the protection and preservation of goods belonging to museums, public libraries, memorial houses and religious cults.

The state, through the Ministry of Culture and Cults as well as through the National Commission of Museums and Collections has to provide the required conditions for the protection, safe keeping and classification of the goods having national value in goods that belong to the thesaurus of cultural patrimony (goods important for all humanity) or to the mobile cultural patrimony fund (being important for Romania). The goods must be visibly identified as original art works or artifacts. They can be exported temporarily or definitively, on the basis of a certificate emitted by the National Commission of Museums and Collections and approved by the Ministry of Culture and Cults.

c) The conservation and restoration of registered mobile cultural goods is addressed in the *Decree No. 1546/2003*. This governmental decree states the optimum conditions under which the activity of public exhibition has to take place: the exhibition space has to be large, clean and dry, with a temperature of below 22 degrees Celsius and with moderate intensity lighting, where the light source has to be situated at a suitable distance from the exhibit in order to not damage it. The art work has to be protected from touch by the public and continuous surveillance must be provided.

## **Conclusion**

The role of the museum has changed once its doors opened before the public at large, becoming an instrument for the education, the instruction of the working class, its purpose being to homogenize through culture the different classes. The museum is no longer a private sphere, restricted only to members of the privileged strata of society (nobility, higher ranking clergy, bourgeoisie). Each individual has free access in it. The manner in which the exhibits were disposed, the practice of labeling the art works and the museal brochures as codes of conduct, represent in one hand, the principle means by which the individuals were educated and in another hand, the first step towards proper comprehension of the message and the



meaning that each art work possesses. The museum as public space includes the museum of modern art (where the accent falls on the link of the original, authentic art work with the history that assigns its cult value) and the museum of postmodern art (where reproduced artifacts are valued at the same level as the original art works). Nowadays, the museums and the art collections are all protected through and by law.

## **BIBLIOGRAPHY**

- Bennett, Tony. 1995. *The birth of the museum- history, theory, politics*. New York: Routledge.
- Benjamin, Walter. 2000. *Iluminări*. Bucharest: Univers.
- Crimp, Douglas. 1993. *On the museum's ruins*. London: Mit Press,
- Romanian Law No. 182 of the 25<sup>th</sup> of October 2000: On the Protection of Mobile National Cultural Patrimony.
- Romanian Law of Museums and Public Collections No. 311 of the 8<sup>th</sup> of July 2003.
- Romanian Decree No. 1546 of the 18<sup>th</sup> of December 2003: On the Approval of the Norms of Conservation and Restoration of Registered Mobile Cultural Goods.