

The Interconnectedness of the Sources

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In the 2004 Codice dei Beni Culturali (hereafter ‘Code’),¹ Art. 101, a museum is defined as follows: “A permanent structure that acquires, catalogues, preserves, orders and exhibits cultural heritage for purposes of education and study”. Art. 2 of the same decree defines what the law means by ‘cultural heritage’:

immovable and movable things which, pursuant to Articles 10 and 11, present artistic, historical, archaeological, ethno-anthropological, archival, and bibliographical interest, and any other thing identified by law or in accordance with the law as testifying to the values of civilization.

What immediately stands out in this wording is, on the one hand, the absence of specific reference to historical-scientific heritage, and on the other, the use of the expression developed during the work of the Commissione Franceschini in 1964,² “testifying to the values of

This contribution was made possible through research carried out during a visiting fellowship at the Max Planck Institute for the History of Science in Berlin.

¹ Legislative Decree No. 42 of 22 January 2004, Codice dei beni culturali e del paesaggio, pursuant to Article 10 of the legislation of 6 July 2002, No. 137 (<https://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:decreto.legislativo:2004-01-22;42>). Cataloguing was not mentioned in the original text and was later introduced by Legislative Decree No. 62 of 26 March 2008. Further supplementary and corrective provisions related to cultural heritage were added to Legislative Decree No. 42 of 22 January 2004.

² The Commissione d’indagine per la tutela e la valorizzazione del patrimonio storico, archeologico, artistico e del Paesaggio (Commission of Inquiry for the Protection and Enhancement of Historical, Archaeological, Artistic, and

civilization" (Ainis 2009). As noted by constitutional law expert Michele Ainis, this expression for the first time abandons the traditional typological specification of the various components of cultural heritage³ inherited from previous legislation in 1909 and 1939 (otherwise known as Rava-Rosadi and Bottai). He instead attempts to formulate a definition that embraces the general dynamic of heritage itself, which is inherently predisposed to historical evolution.

As Ainis again notes, the legislation on cultural heritage has not always developed in a linear manner from the 1970s to this first quarter of the twenty-first century. On the contrary, we observe a series of interventions both in terms of legislation (above all regarding matters with economic consequences), and in relation to the organisation of the Ministry, which has modified its name (today Ministry of Culture), and its structure several times. In spite of all this *bailamme* (Ainis' expression meaning 'uproar'), some fundamental points were established in the Code, above all in theoretical terms. Starting with Art. 2, in fact, it is immediately evident that the wording is the result of a blend between the enumerative tradition and the innovative approach recommended by the Commissione Franceschini.

The first question to be asked therefore is: What do we mean to say by "testifying to the values of civilization"? Not all mobile or immobile things are cultural assets, but how can we distinguish those that are? The answer (according to the author) is that they are things that take on a meaningful identity in the broader or narrower

context of a community, which can be expressed at different levels: local, national, international, even global according to UNESCO's declaration on world heritage. Moreover, the 2004 Code (whose subsequent amendments and additions are of particular interest to us, as will be seen) also stipulates that the value of a cultural asset should be defined by means of specific procedures conducted by ministerial bodies, *ex officio*, or at the request of the owners or holders (if the asset belongs to a private party).

Furthermore, with regard to cultural heritage in general, Art. 2 of the Code states in Section 2 that "the protection and enhancement of the cultural heritage shall concur to preserve the memory of the national community and its territory and to promote the development of culture". For that matter, when speaking about memory, there is an implicit reference to identity: a person who loses their memory also loses, to a greater or lesser degree (depending on the extent of the amnesia), all or part of their own identity: the same occurs to a social entity.

The UNESCO conventions of 2003 and 2005 address identity (and the right to safeguard memory as a cultural right based on one's identity),⁴ and are clearly referred to in Art. 7 bis of the Code starting from the title: "Espressioni di identità culturale collettiva" (Expressions of Collective Cultural Identity).

It is worth adding that historical-scientific heritage, which is not mentioned in the typological enumeration of Art. 2, reappears in Art. 10, Section 3:

Landscape Heritage) was established in April 1964, and adopted the name of its president, Francesco Franceschini. It prepared an important report that laid the groundwork for the process that, ten years later, would lead to the establishment of the Ministry for Cultural Heritage and Activities. The acts, documents and other materials collected by the Commission were published under the title *Atti e documenti della Commissione d'indagine per la tutela e la valorizzazione del patrimonio storico, archeologico, artistico e del paesaggio* (1967).

³ In the framework of the Code, cultural assets are described as a component of cultural heritage, and some related general principles in Art. 1, cites Articles 9 and 117 of the Constitution as superior reference sources (section 1).

⁴ See Mucci 2012.

Cultural heritage also includes, when the declaration provided for in Article 13 has been made: [...] immovable and movable things, of any owner, that are of particular importance due to their connection with the political, military, literary, artistic, scientific, technical, industrial, or cultural history in general, or as testimonies of the identity and history of public, collective, or religious institutions.⁵

In the same paragraph ethnological and anthropological items are expressly mentioned, and in the following Section 4, the extensive list of objects included among the items subject to protection includes many whose scientific and/or technical nature is inherent to the object itself (ships, instruments, paleontological finds, etc.).

The 2004 Code therefore introduced the following elements (and they are currently in force):⁶ the necessity of cataloguing; the reference to historical-scientific and technological assets; the reference to UNESCO conventions and the interconnectedness of the relationship between cultural heritage, memory and identity. In other words, protection and enhancement have been liberated from the strict monetary dimension of financial return – which is necessary because the preservation and utilisation of cultural heritage come at a cost – and brings to light again their ethical-social value.⁷ From this perspective, ultimately, whatever type of cultural asset is a 'document', or rather a 'monument': the two terms have an area of semantic overlap, which derives from their etymology. 'Document' comes from the Latin verb *doceo*, which literally means "that which 'shows' or 'represents', 'something that serves to represent a fact'. [...] The document is an *opus*, whose author, medium,

and content can vary" (Carnelutti 1932, 86); 'monument' instead derives from *moneo*, which was also linked to the functions of showing, representing and serving to demonstrate a fact. We do not have to go back very far to find an interchange of the two terms: consider the first and most famous collections of medieval document editions, the *Monumenta Germaniae Historica*, or to the direct link made by Jacques Le Goff in the basic entry for "Documento/Monumento" of the *Enciclopedia* published by Einaudi (1978).

As Giovanna Nicolaj highlights:

Originally and generally, the terms 'document' and 'monument' indicate what is needed to teach, show and prove as well as whatever serves to record and inform, and can be put to a variety of uses. Not only written documents, but also archaeological and artistic objects, fossils and archaeological layers, or photographs, recordings and so on. (2007, 22)

There is therefore a circularity, an interdependence between cultural assets whose typological differences, however, must continue to be the basis for their cataloguing/inventorying, that is to say for their evaluation and description, on which a general theory is still lacking. If there is one sector where interdependence has always been present, it is the historical-scientific heritage. Any object displayed (or displayable during the periodic renovation of museum layouts), even in a museum dedicated to science, inevitably brings with it a bibliographic and archival reference, because without this the object is not able to fully express its potential. While this is more easily verified for exhibitions with a purely historical

⁵ Art. 3, Section 3, lett. d.

⁶ In particular, for interest, it involves supplementary content to the Legislative Decree of 26 March 2008, no. 62. Further corrective and supplementary texts for the Legislative Decree on 22 January 2004, no. 42, in relation to cultural assets.

⁷ See also Ainis 2009 regarding this point.

focus, we should not overlook the type of science centre display,⁸ where the historical objects, when present, have a functional role in the presentation of strictly scientific content. On the other hand, collections of scientific instrumentation or biomedical and natural history specimens have for centuries been an essential component of science teaching. In this sense, it could be perhaps said that this approach to artefacts, later implemented by science centres, precedes the concept of the historically integrated science museum (as is the case with the Museo Nazionale Scienza e Tecnologia Leonardo da Vinci di Milano). However, the existence of historical-scientific heritage, which is both archival and bibliographical in nature, is not only a support to 'museum' heritage in the traditional sense: it is an integral part of the Museum, both as a heritage component and as a working tool.

One final point to consider is the materiality of cultural heritage, for which the Code regulates restoration activities and conservation responsibilities: studying an *opus* identifiable as a 'cultural asset' from the perspective of its material composition and its structure, is not only important for reasons linked to restoration and conservation, or for the evaluation of its authenticity, but it is also a vital interpretative element. This aspect is even more significant for artefacts in science and historical-science museums, because many of them, conceived as *exhibits* (especially instrumentation), were then copied and/or produced in series, also by different producers, as they

were used for teaching purposes and/or for communication and enhancement.⁹

This consideration is of particular importance for the objects described in this volume, and in general, for the enormous 'Marconian' historical heritage, housed at various locations in Italy and abroad, and made up of cultural assets of every type and from various periods, even subsequent to Marconi's death. To mention just a few examples: Villa Griffone and the Collina dei Celestini (a building and a landscape asset); the various archives (the main collections are at the Accademia Nazionale dei Lincei – both institutional and personal in nature – and the Bodleian Libraries in Oxford, which house the business archives of the Marconi company). Not to mention the materials still preserved by Marconi's heirs and items bought by collectors around the world, as well as the documentation related to Marconi kept in Rome in different archival holdings at the Archivio Centrale dello Stato; the instruments (main locations include Fondazione Marconi di Pontecchio, Museo Nazionale Scienza e Tecnologia Leonardo da Vinci di Milano, Science Museum in Oxford). Marc Raboy attempted a systematic census in preparing his monumental biography of Marconi (2016), but – while it produced a wealth of results – it cannot however be considered definitive. To sum up, the 150-year anniversary of Marconi's birth highlights the great quantity of work that has been carried out but also prompts reflection on how much remains to be done.

⁸ For the differentiation and relationship between scientific museum and science centres, see for example Schiele 2014; Alberti 2017; Bud 2017; Schirrmacher 2019.

⁹ Regarding this reflective piece, I am indebted to Tea Ghigo, and to her presentation on Art, Science, Museums and Heritage, at the Linacre Lecture 2024 held in Bologna on 4 May 2024. It should be added that the Marconian instruments, for example, are in this sense a case in point: created in series to be sold, but later replicated in multiple copies under the supervision of their inventor to be displayed at the Chicago World's Fair, in the museum initially affiliated to the Rome headquarters of the CNR. For the various origins of the Marconian instruments, see Casonato, *infra*, and in particular for the circumstances regarding the collections linked to the 1933 Chicago World's Fair, Paoloni, Reali, Ronzon 2019.

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