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# Cultural Heritage in Poland – the Background, Opportunities and Dangers

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# Introduction

The issue of legal and physical protection of cultural heritage in a global, national, regional as well as local sense is slowly becoming an important field of knowledge and different legislative regulations and studies, both for professional researchers and for hobbyists striving to grasp the matters important for local communities. A countless number of publications have been created on cultural heritage touching upon its different aspects, with differing chronological and territorial presentation – some of them cohesive, others continuous and synthesising or contributory. However, they do not present the issue of cultural heritage in all the complexity of its global, continental, regional and local aspects, with the local one always proving to be the hardest due to the highly time-consuming research of archives and libraries and to a limited number of local researchers. It might seem that the complexity of issues relating to cultural heritage has been covered almost completely since 1989. In reality, this assumption is far from true as it turns out that new areas worthy of scientific description along with new fixed properties and movables that require both legal and physical protection are still discovered. Thus, every new publication on various aspects of cultural heritage not only enriches the humanities; it also serves as yet another means for broadening humanistic knowledge on cultural heritage – regardless of its territorial range – from a many-sided and multi-dimensional perspective. The task is not easy as thoughts on cultural heritage do not fit unambiguously into a single field of knowledge; rather they transgress boundaries and draw on the methodology and terminology of many fields of humanistic knowledge.

In the Republic of Poland there is hardly a community that would not have a local programme for the protection of its cultural heritage. A programme known as “regional education” has been introduced into all levels of public education. This is a symptom of the slow objectivisation of knowledge about the significance of the protection of different ingredients of national and local cultural heritage.

It is not only within intellectual elites now that the awareness of the importance of knowledge about cultural heritage is considered to be a major factor of socio-economic development and a method for finding ways of communication in regions stricken with conflicts revolving around ethnic or religious matters; it is also thought to be an expression of the cultural diversity of countries and regions. The globalisation of lifestyle, the Americanisation of everyday life and mass culture, the disappearance of cultural activity within local communities, the dominant influence of mass media, especially the television – they all draw attention to the uniqueness of cultural phenomena from the past. The evaporation of traditional state borders and censorship and unlimited travel possibilities for masses generate new and dangerous phenomena of diffusion and deculturation. Every nation, region and various cultural communities attempt – with great care, consciously and according to an agenda – to preserve their own cultural identity by means of protecting material and non-material cultural goods of the past.

The task is complex and difficult to implement in everyday life. There are many dilemmas connected with the cultural, legal and physical protection of cultural heritage in a national, regional and local dimension; there are a number of open questions here too.

The author of the present book has decided to point out, rank and characterise various dilemmas relating to the protection of Polish cultural heritage. Therefore, the aim of the book is not a characterisation of fixed properties and movables classified as cultural heritage or of historical artefacts constituting the ingredients of the Polish or regional structure – or the local structure, which is often the case too – of cultural identity. The reasoning applied by the author relates to unsettled and ambiguous issues in the protection of Polish cultural heritage.

The awareness of the lack of many legislative regulations, economic solutions and even chemical technologies with respect to the preservation for

the sake of the future of many cultural goods, both movable and durable, can become inspiration for research and a reason for decision-makers to look for optimal solutions or to create smart programmes for universal regional education. Such was in fact the principal objective of the author as she undertook her attempt to name and define in hierarchical significance a range of dilemmas connected with the cultural, legal and physical protection of Polish cultural heritage in its national and regional dimension, as well as the diverse, colourful local uniqueness.

To satisfy this convention for her book, the author has decided to start off with an analysis of the understanding of cultural heritage in different fields of humanistic knowledge, especially historical sciences, archaeology, literary studies, linguistics, cultural goods protection, sociology, ethnology, psychology, pedagogy, culture studies, and even economy, in particular its new sub-discipline of culture tourism. The vagueness of the notion of cultural heritage, coupled with the emphasis falling on various methods of defining the notion encourage the search for differences and similarities in the systemic understanding of cultural heritage as a phenomenon of temporal, spatial and at the same time social and unique nature. The fuzzy definition of the notion of cultural heritage, which – understood broadly – incorporates diverse material and non-material relics as well as a range of phenomena related with contemporary culture, virtually requires the creation of a thesaurus of cultural heritage. The following question arises here: according to what formula and what methodology of which field of the humanities should such a thesaurus be compiled?

The author is also trying to answer another question: how is cultural heritage created and according to what criteria do the Memory of the World Programme and the World Heritage Programme function? The question is legitimate as Polish complexes and social phenomena are also classified as world heritage. This problem is linked with the issue of UNESCO conventions and recommendations within the programme of relics preservation. Yet another question might be posed here: to what extent is Polish cultural heritage subject to regulations and recommendations in the area of the protection of Polish cultural goods of the past?

The cultural diversity and uniqueness of many regional cultural goods in Poland demands consideration with respect to legal, economic and physical

possibility to protect Polish castles and palaces, folk culture phenomena fading away along with dialects and slangs, relics of technology, as well as landscape parks and exceptional natural phenomena, not yet wasted by tourism.

It is also worthwhile to consider the relics of Jewish cultural heritage built in Poland for over a millennium, as well as the future of remaining cemeteries, tenements and post-Jewish factories in spite of the fact that their owners abandoned their properties and works of art as a result of the war-time Holocaust and the Nazi occupation of the country between 1939 and 1945.

A separate but equally thought-provoking topic is the specificity of culture in cultural borderlands, where cultural diffusion has created over the centuries a unique social, religious, architectonic and linguistic climate. Questions arise as to the possibilities of protection and preservation of this climate.

Another issue are relics of Polish cultural heritage which have remained abroad since 1945. This particularly applies to Polish cultural sites in the Vilnius Region or in the Lviv Land, but also to nearly majority of European countries as an aftermath of the tragic nature of Polish history and of many ground-breaking historic moments of the Polish nation.

There are questions about the selection of cultural sites worthy of digitisation and about restoration priorities within the national plan for protection of Polish culture monuments.

A significant issue is the legal system of cultural heritage protection in Poland after 1989 and its evolution in the following decades.

An open issue is the search for methods and forms of universal education on behalf of the popularisation of Polish cultural heritage, both in the practical and theoretical aspects.

Finally, there is a need to give some thought to various ways of researching on behalf of the protection of Polish cultural heritage in terms of economic and legal directives of the European Union as they determine Polish activities with respect to the protection of cultural goods from the past.

To illustrate issues that are this complex, the author conducted painstaking archive and library research and went through dozens of theoretical and contributory publications, a variety of local programmes and descriptions of numerous initiatives to preserve countless individual cultural goods. All of these documents contributed to the author's understanding of the matters,



but the author herself concentrated on asking questions that have no unambiguous answers yet. The present work – despite a considerable measure of subjectivism – was created to expose many aspects of the process of the protection of Polish cultural heritage that are still waiting for legislative and economic solutions or support from state or local government administration.

The author hopes that the present logic-driven work will contribute to further theoretical inspection as well as to practical research of the vital process of protecting and preserving national, regional and local cultural heritage.

# The understanding of cultural heritage in various disciplines

Teresa Michałowska, the author of a fundamental work on the culture and literature of the Middle Ages, advances a thesis that during the Middle Ages in parts of Europe that had used to belong to the Western Roman Empire a form of culture formed that bore the hallmarks of a community that dated back to Greek-Roman antiquity and to the Christian tradition.

Thus, entirely new and previously unknown culture developed in the medieval era. It was then that two trends – the post-ancient and Judeo-Christian – merged into one inseparable paradigm. With these two trends as their basis, the cultures of individual European nations, including the Polish nation, formed in the long course of history<sup>1</sup>. If we were to accept the thesis put forward by the researcher, then the considerations of Polish cultural heritage would come down to a caesura from the Middle Ages to the present day.

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<sup>1</sup> T. Michałowska, *Średniowiecze*, Wydawnictwo Naukowe PWN, Warszawa 1995, p. 16. **Michałowska Teresa** – a literature historian, member of the Academic Council of the Literary Research Institute within the Polish Academy of Sciences, as well as of the Polish Literature Studies Committee, Adam Mickiewicz Literary Society and PEN Club – department in Poland. The editor-in-chief of a publishing serial *Studia Staropolskie*. Since 1961 she has co-operated with the Literary Research Institute of the Polish Academy of Sciences. Her researching interests focus on the history of poetics in old Poland against the European background and on the history of selected aesthetic and literary ideas. Her most important publications: *Staropolska teoria genologiczna; Poetyka i poezja. Studia i szkice staropolskie; Słownik literatury staropolskiej; Średniowiecze*.

Aleksander Brückner, the doyen of Polish researchers of the history of Polish culture, who observed the formation of Polish national culture across various disciplines, was the first person to create an original concept of the history of culture that consciously departed from the limitations of the narrow scope of research in particular fields of knowledge. He also sought for the beginnings of Polish culture much earlier than in the Middle Ages. The methodological validity of his early 20<sup>th</sup> century theses is quite astounding and many of his visionary reflections are only coming true now, at the beginning of our century<sup>2</sup>.

Bogdan Suchodolski, another doyen of Polish culture studies, wrote about things through which the memory of the past stays alive. He claimed that Poland had entered the stage of European history as a country with no historical awareness. In his opinion, there had earlier been a certain community determined through certain bonds and agricultural activities but it had been the state that had really begun keeping records of Polish history. He thought that the state needed to be written about in yearbooks and chronicles. Bogdan Suchodolski refers to medieval historiography, that is to the chronicles of Gallus Anonymus from the 12<sup>th</sup> c., Wincenty Kadłubek from the 13<sup>th</sup> c., Janko from Czarnków from the 14<sup>th</sup> c. and Jan Długosz from the 15<sup>th</sup> c. Suchodolski states that historical self-knowledge of medieval chroniclers had laid the foundations for national cultural heritage. They had turned their attention to first Polish martyrs, to the unity of the Crown, to periods of glory and prosperity interspersed between periods of misery and disasters,

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<sup>2</sup> A. Brückner, *Dzieje kultury polskiej*, Warszawa 1957.

**Brückner Aleksander** (1856-1939) – an outstanding literature and culture historian, Slavist, linguist. A university professor in Berlin for many years, a member of science academies of a few countries, including the Polish Academy of Skills. He dealt with writing, culture, customs and languages from the Middle Ages to baroque. He published relics of old Polish literature, including *Kazania świętokrzyskie*. He was the author of *Dzieje literatury polskiej w zarysie* (Vol. 1-2, 1903, incl. in German), *Dzieje kultury polskiej* (Vol. 1-4, 1930-1946); *Encyklopedia staropolska* (Vol. 1-2, 1937-1938); *Dzieje języka polskiego* (1906); *Słownik etymologiczny języka polskiego* (1927); *Mitologia słowiańska* (1918); *Mitologia polska* (1924).

Sources: W. Berbelicki, *Aleksander Brückner 1856-1939*, Warszawa 1989; W. Kosny (ed.), *Aleksander Brückner, ein polnischer Slavist in Berlin*, Wiesbaden 1991; A. Nagórko (ed.), *Aleksander Brückner zum 60. Todestag. Beiträge der Berliner Tagung 1999*, Frankfurt am Main 2001.

to treasures hidden in nature and in land, to the specificity of Polish Christianity and to specific Polish customs. He was one of the first Polish researchers to underline the necessity of recognising the sources of Polish national identity and the protection of material and non-material values that are crucial for national identity<sup>3</sup>.

The above references to the researchers of culture philosophy, set apart by generation gaps and attitudinal differences, hint at the fact that cultural heritage can hardly be discussed without clear definitions of the following terms: culture, civilisation, nation, national identity, collective consciousness, stereotype, collective memory, and so on.

The definition of the term “cultural heritage” is a derivative of the basic terms relating to human culture and formed within different fields of humanistic knowledge. Various definitions of the term “culture” often differ significantly with respect to many vital points. The majority of fields and disciplines dealing with different aspects of the existence and functioning of human culture agree that cultural heritage of nations, ethnic groups or communities needs to be supplemented with a range of fixed properties and movables belonging to a specific large or small group of people living in the past, a group that bequeathed to the next generations a collection of material and non-material goods in the form of memory of historic events, customs, rituals and

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<sup>3</sup> B. Suchodolski, *Dzieje kultury polskiej*, Wydawnictwo „Interpress”, Warszawa 1986.  
**Suchodolski Bogdan** (1903-1992) – a teacher, philosopher, historian of culture. A professor of the Lviv University (since 1938) and the University of Warsaw (1946-1970). A manager of the Institute of Pedagogic Sciences of the University of Warsaw (1958-1968). A member of the Polish Academy of Skills (since 1946) and the Polish Academy of Sciences (since 1952), where from 1965 to 1970 he was a deputy to the academic secretary. From 1958 to 1974 he was the chairman of the Committee of the Pedagogic Sciences of the Polish Academy of Sciences. He was an editor to a number of publications and pedagogic periodicals, as well as an author of scientific works on the history of Polish sciences, pedagogy, philosophy. His most important works are *Wychowanie moralno-społeczne* (1936); *Uspocznienie kultury* (1937); *Wychowanie dla przyszłości* (1947); *O pedagogikę na miarę naszych czasów* (1958); *Narodziny nowożytnej filozofii człowieka* (1963); *Rozwój nowożytnej filozofii człowieka* (1967); *Trzy pedagogiki* (1970); *Komisja Edukacji Narodowej* (1972); *Problemy wychowania w cywilizacji współczesnej* (1974).  
Source: A. Stopińska-Pająk (ed.), *Bogdan Suchodolski: pedagog – humanista – uczonec*, the serial: „Prace Naukowe Uniwersytetu Śląskiego”, Wydawnictwo Uniwersytetu Śląskiego, Katowice 1998.

beliefs<sup>4</sup>, sacred and secular buildings, significant written documents. The legacy of past generations – due to its accepted patriotic, religious, artistic and scientific value – ensures the continuity of cultural and social development and gives a foothold to national, ethnic and regional identity.

According to the International Charter for the Protection and Management of the Archaeological Heritage enacted in 1990, archaeology familiarises us with material elements of the culture of past generations that indirectly allow to examine non-material spheres of culture. Archaeology also enables an inspection of the creative – or sometimes destructive – role of the human being in history on a given cultural territory. As a field of knowledge, archaeology refers to history of nations or ethnic groups through arduous excavation of traces of the past preserved in the ground. From time to time, excavated objects of ageless value reveal their economic side too as they often become a tourist attraction, popularising unknown but historically important places. Discovered by archaeologists, objects made of stone, metal, wood, bone, porcelain, pieces of buildings etc. become exhibits of archaeological and ethnographical museums all around the world<sup>5</sup>.

By contrast, the subject of modern ethnology and ethnography is modern culture. In the past, the most essential goal was the reconstruction of the past. The stress of the research shifted to studying regional and local communities. Certain researching matters became obsolete, such as the assimilation of Polish settlers in western and northern Polish territories after 1945. Mass culture began to be examined. Elements of cultural heritage appear in researching studies of modern ethnologists and ethnographers in relation to

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<sup>4</sup> Z. Drozdowicz, *Mity. Historia i struktura mistyfikacji*, Wydawnictwo Fundacji „Humaniora”, Poznań 1997; *Filozoficzny i antropologiczny wymiar badań religioznawczych*, Wydawnictwo Fundacji „Humaniora”, Poznań 2008.

<sup>5</sup> Z. Kobyliński, *Międzynarodowe zasady ochrony i konserwacji dziedzictwa archeologicznego*, Warszawa 1998; Z. Kobyliński, *Teoretyczne podstawy konserwacji dziedzictwa archeologicznego*, Warszawa 2001; Z. Kobyliński (ed.), *Quo vadis archaeologia? Whither European archaeology in the 21st century?*, the European Science Foundation, the Institute of Archaeology and Ethnology of the Polish Academy of Sciences, Foundation „Res Publica Multiethnica”, Warszawa 2001, p. 12 and the following. See also the International Charter on the Protection and Management of Underwater Cultural Heritage, signed at Sofia in 1996 as well as the European Convention on the Archaeological Heritage, signed on 16 January 1992 at La Valletta (Journal of Laws of 1996, Nr 120, item 56).

currently significant history. This is the case with the research of folk culture in the past, diversified regionally with traces retained in folk architecture, herbalism, folk clothing. Modern ethnology examines historical influences on religiousness, morality, music. A lot of energy is invested into researching the mutual influence of various elements of culture from distant territories, transferred over the time, e.g. linguistic influences, architectonic styles, common motifs across different fields of art, functioning historical stereotypes, myths, legends, customs<sup>6</sup>.

A German writer, poet and at the same time exceptional philosopher Johann Gottfried Herder, the creator of a Romantic literary movement later labelled as “Storm and Stress” was once close to the modern style of ethnographic research. He assigned the greatest role in ethnological and literary studies to the human mind and its yearning for justice. He considered music in terms of a manifestation of the mind, particularly religious music and folk songs as a unique dimension of human culture<sup>7</sup>.

The studies of the culture of human civilisations translate into dozens of definitions of culture, theories about the functioning of cultures and schools of methodological penetration of cultural phenomena in the past as well as in the present. None of them denies completely the existence of cultural heritage as an inseparable ingredient of the continuity of human civilisations. However, cultural heritage is credited with different levels of significance for the present day. The theories and definitions sometimes contradict or even rule each other out. Synonymously to the French term “culture”, since the mid-18<sup>th</sup> century researchers have used the term “civilisation”. The latter is understood as the development level of a society in a given historical age especially in terms of the level of material culture (particularly science and technology) as an indicator of the extent of human control of nature and

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<sup>6</sup> Z. Jasiewicz, T. Karwicka (ed.), *Przeszłość etnologii polskiej w jej terażniejszości*, „Prace Komitetu Nauk Etnologicznych PAN”, No. 10, Poznań 2001; B. Olszewska-Dyoniziak, *Zarys antropologii kultury*, Wydawnictwo Uniwersytetu Jagiellońskiego, Kraków 1996; A. Posern-Zieliński, *Etnologia*, [in:] „Encyklopedia socjologii. Suplement”, Oficyna Naukowa, Warszawa 2005; C. Robotycki, *Etnografia wobec kultury współczesnej*, Wydawnictwo Uniwersytetu Jagiellońskiego, Kraków 1992.

<sup>7</sup> J.G. Herder, *Mysli o filozofii dziejów*, the serial: „Biblioteka Klasyków Filozofii”, Vol. 1-2, Wydawnictwo Naukowe PWN, Warszawa 1962.

the use of natural resources to suit the needs of the society<sup>8</sup>. The term “civilisation” is also used to denote the highest development stage in the evolution system of the human kind. Civilisation is additionally associated with advanced organisation of collective life, technological level, arts and science development. Societies described as “civilised” are most frequently contrasted with barbaric ones. The evolution of European ethnological and historical knowledge led to the conclusion that there have been many civilisations with differing systems of ideas, values, morality and institutions.

The European civilisation and European culture are synonymous terms. The following terms are used colloquially and academically: European civilisation, Mediterranean culture, scientific-technical civilisation, industrial or post-industrial civilisation, Atlantic civilisation etc. The exact number of great civilisations in the history of the world remains disputable<sup>9</sup>.

The term “civilisation” was developed in the 18<sup>th</sup> century. Since then it has been used in various scientific studies in humanistic fields parallelly with the term “culture”. Initially the latter term had a broader range of meaning than the former one. In 20<sup>th</sup> and 21<sup>st</sup> century publications these terms have more and more often been used interchangeably, and their ranges of meaning are now almost identical or nearly the same.

In many fields of science a common theory of culture could not be developed as every field of knowledge uses its own specific terms and researching methodology. The closer we get to the present time, the greater the polarisation of scientific disciplines, even within related fields of the humanities.

Some of them highlight everything that does not belong to nature but has been created by the human kind. Other fields in turn look for differences between human communities on the basis of the specificity of the functioning of social institutions. Other fields of knowledge perceive cultural phenomena as a whole, while yet another disciplines focus fragmentarily on the culture of national or ethnic societies and their language, literature, music, customs, beliefs, functioning stereotypes or lifestyle.

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<sup>8</sup> „Encyklopedia Popularna PWN”, Wydawnictwo Naukowe PWN, Warszawa 1982, p. 142.

<sup>9</sup> K. Kumaniecki, *Historia kultury starożytnej Grecji i Rzymu*, ed. 6, Warszawa 1975; J. Le Goff, *Kultura średniowiecznej Europy*, transl. by H. Szumańska-Grossowa, Gdańsk-Warszawa 2002; O. Pedersen, *The first universities: studium generale and the origins of university education in Europe*, Cambridge University Press, Cambridge 1997.

Ralph Linton, an American sociologist and culture anthropologist who examined the relations between an individual's personality and culture in the course of his numerous researching expeditions in South and North America and in Madagascar noticed and stressed the relativism of each definition, because each definition only contains certain aspects of phenomena and processes incorporated into "culture"<sup>10</sup>.

Authors of works and theories on ethnosociology, Alfred Louis Kroeber and Clyde Kay Maben Kluckhohn, who spent years studying cultures of primitive peoples undertook an attempt to formulate a general theory of culture. They analysed the functioning definitions of culture and created their typology<sup>11</sup>, finally concluding that all definitions of culture might be divided into descriptive-enumerative (also known as nominalistic), normative, historical, psychological, genetic and structural.

Among descriptive-enumerative definitions they list the theory of Edward Burnett Tylor, an English anthropologist, the creator of a trend known as "evolutionism". E.B. Tylor studied the genesis of culture and the creation of religion<sup>12</sup>. Classical evolutionism as presented by such researchers as Edward Burnett Tylor, John Lubbock, Lewis Henry Morgan, or Henry Sumner Maine pointed out the analogy between a social organism and a living organism. The researchers compared human communities from different ages and

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<sup>10</sup> R. Linton, *Kulturowe podstawy osobowości*, the serial: „Biblioteka Socjologiczna”, Wydawnictwo Naukowe PWN, Warszawa 2000.

<sup>11</sup> F.R. Kluckhohn, F.L. Strodbeck, *Variations in value orientations*, Evanston, Illinois 1961; C. Kluckhohn, *Review: 'Man's Way: a preface to the understanding of human society', by Walter Goldschmidt*, "American Anthropologist", Vol. 61, p. 1098-99; T. Kroeber, A. Kroeber, *A personal configuration*, Berkeley and Los Angeles, University of California Press 1970; T. Parsons, E.Z. Vogt, *Clyde Kay Maben Kluckhohn 1905-1960*, "American Anthropologist" 1962, No. 64, p. 140-161; T. Parsons, *Clyde Kluckhohn and the integration of social science*, [in:] W.W. Taylor, J.L. Fischer, E.Z. Vogt (ed.), *Culture and life: essays in memory of Clyde Kluckhohn*, Southern Illinois University Press 1973, p. 30 et seq.; W.R. Powers, *The Harvard study of values. Mirror for postwar anthropology*, "Journal of the History of the Behavioral Sciences" 2000, No. 36 (1), p. 15-29; K.W. Russo, *Finding the middle ground: insights and applications of the value orientations method*, Yarmouth 2000.

<sup>12</sup> D. Ławęcka, *Wstęp do archeologii*, Wydawnictwo Naukowe PWN, Warszawa 2003, 2009; M. Nowaczyk, *Ewolucjonizm kulturowy a religia*, Wydawnictwo Naukowe PWN, Warszawa 1989.



areas and concluded that all human communities develop in a similar way and go through the same development phases. The so-called universal evolutionism was born on the basis of classical evolutionism in the 1930s, and multilinear evolutionism was created two decades later.

The above definition was referred to by Ruth Benedict<sup>13</sup>, an American researcher of Native American and Japanese cultures. She treated culture in terms of integrated configuration, an entirety which could be described with a skilfully chosen and applied pattern (the so-called main pattern). Within this integrated entirety, the researcher placed a code of behaviour for social groups, human ideas and abilities, beliefs, customs, consumer goods, tools. She argued that culturally people are equal regardless of their origin, race or place of residence. Every community has got its own roots – or in other words, historically conditioned cultural heritage.

A descriptive definition of culture was also developed by a Polish anthropologist Bronisław Malinowski, an outstanding representative of global anthropology and at the same time the creator of a trend known as functionalism. According to representatives of this trend of cultural anthropology, human culture forms inseparable unity and creates a system of objects and human activity to satisfy human needs. These generalisations in the theory of culture followed from the research conducted by Bronisław Malinowski between 1914 and 1918 in New Guinea and in the Triobrand archipelago (the Triobrand Islands). Malinowski is the author of works such as *Argonaucci z zachodniego Pacyfiku* (1922, published in Poland in 1967), *Magia, nauka i religia* (1925), *Anthropology* (1926), *Życie seksualne dzikich w północno-zachodniej Melanezji* (1929, published in Polish in 1938, 1957), *Naukowe teorie kultury* (1944), *Dziela* (Vol. 1-7 until 1990), *Dziennik w ścisłym znaczeniu tego wyrazu* (2002). The functionalist theory of culture is still under discussion today. Bronisław Malinowski based his claims on observation. He decided that the most essential element of culture are institutions, because they secure the survival of the human being and the satisfaction of the basic human needs. According to representatives of functionalism, it is possible to isolate a set of central values that regulate human behaviour. The researcher

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<sup>13</sup> A. Kłoskowska, *Kultury narodowe u korzeni*, Wydawnictwo Naukowe PWN, Warszawa 1966, 2005.

excluded cultural heritage from the set, even though he believed that certain social institutions are moulded on its basis<sup>14</sup>.

Regarding normative definitions of culture, they usually underline the dependence of human actions on norms, values, models and patterns. An American sociologist Talcott Parsons was an eminent representative of this trend. An academic teacher and researcher all his life, he concentrated on crucial topics of social theory and appreciated rationality and looking for social order in human behaviour. Sociologists commonly acknowledged T. Parsons as the leader of the structural-functionalist school. The scholar emphasised the meaning of “process” and “system” in the concept of social activity. According to him, the factor that cements groups of people is the reciprocal relation between the active party and the situation as well as energy limits of people in time and space. Parson’s functionalist theory states that the balance and stability of a given social arrangement depends on transferred and produced information, ideas and other symbolically significant systems that shape human behaviour as well as on the products of that behaviour. This approach therefore recognises the role of the elements tagged with the comprehensive term of cultural heritage<sup>15</sup>.

Cultural heritage is the most crucial part of historical definitions of culture since these definitions stress the importance of tradition as a basic mechanism for transferring behavioural patterns.

A definition of this type was created by a distinguished Polish interwar scholar of culture, Stefan Czarnowski. He dealt with the history of social thought, the sociology of culture, the theory and history of culture as well as with religious studies<sup>16</sup>. He claimed that culture is a collective good and at

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<sup>14</sup> M.W. Young, *Bronisław Malinowski. Odyseja antropologa 1884-1920*, Warszawa 2008.

<sup>15</sup> R.C. Fox, V.M. Lidsz, H.J. Bershady (ed.), *After Parsons. A theory of social action for the twenty-first century*, Russell Sage Foundation 2005; G.C. Hallen, M.U. Martel, R. Prasad, M.V. Belok (ed.), *Essays on the sociology of Parsons: a felicitation volume in honor of Talcott Parsons*, “Indian Journal of Social Research” 1977; C. Hart (ed.), *Talcott Parsons: a collection of essays in honour of Talcott Parsons*, Chester, Midrash 2009; T. Parsons, *Struktura społeczna a osobowość*, Państwowe Wydawnictwo Ekonomiczne, Warszawa 1969; T. Parsons, *Szkice z teorii socjologicznej*, the serial: “Biblioteka Socjologiczna”, Wydawnictwo Naukowe PWN, Warszawa 1972; T. Parsons, *System społeczny*, Zakład Wydawniczy “Nomos”, Kraków 2009.

<sup>16</sup> *Biogramy uczonych polskich*, part 1: „Nauki społeczne”, Vol. 1 („A-J”), Wrocław 1983.

the same time a form of collective achievement. It comprises the entirety of objectivised elements of the social achievement of various groups capable of spreading in space. This approach to the matter awards an important role to cultural heritage, because historical definitions unambiguously point to the past as one of the most pivotal ingredients of human culture within every cultural group. Stefan Czarnowski claimed that the past is retained in every present in spite of the thorough changes it undergoes in quantity and quality. According to Stefan Czarnowski, the present alters the past as it tinkers with the existing system, rejecting some elements or assimilating them selectively. He also thought that the past hinders the present. The general conclusion of the researcher was that the present is in fact the transformed and updated past and the future in the making.

At the beginning of the 20<sup>th</sup> century appeared a trend called psychologism. Its foremost representative was Sigmund Freud<sup>17</sup>. According to the theory, society is a creation in ceaseless conflict between biology and human culture, with culture as a regulator of human activities conditioned by instincts. Psychologism focuses on inspecting the influence of culture and its products on the behaviour of individuals, especially with respect to norms, values and behavioural patterns of individuals within social groups. Elements such as law, religion, value systems, customs and rituals serve to protect the social life from negative consequences of anti-social behaviour. In this sense, cultural heritage is a means for forming norms that regulate human behaviour as they mould cultural habits and influence the shaping of human personality.

In the theory of psychologism, the emphasis falls on learning and imitation as a process of assimilating culture.

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<sup>17</sup> J.R. Casafont, *Zygmunt Freud*, Wydawnictwo „Muza S.A.”, Warszawa 2007; F. Cioffi, *Freud i psychoanaliza*, Wydawnictwo WAM, Kraków 2010; Z. Freud, *Wstęp do psychoanalizy*, Wydawnictwo Książka i Wiedza, Warszawa 1957; Z. Freud, *Człowiek, religia, kultura*, trans.by J. Prokopiuk, Wydawnictwo Książka i Wiedza, Warszawa 1967; Z. Freud, *Kultura jako źródło cierpień*, Wydawnictwo KR, Warszawa 1995; M. Jacobs, *Zygmunt Freud*, the serial: „Twórcy Psychoterapii”, trans. by M. Piskorska, Gdańskie Wydawnictwo Psychologiczne, Gdańsk 2006; M. Macmillian, *Freud oceniony. Analiza krytyczna dzieła. Zamknięty krąg*, Wydawnictwo WAM, Kraków 2007; K. Pospiszyl, *Zygmunt Freud. Człowiek i dzieło*, Zakład Narodowy im. Ossolińskich, Wrocław-Warszawa-Kraków 1991; P. Ricoeur, *O interpretacji. Esej o Freudzie*, Wydawnictwo KR, Warszawa 2008; Z. Rosińska, *Zygmunt Freud*, Wydawnictwo Wiedza Powszechna, Warszawa 1993.

Supporters of the psychological trend classified as culture a whole paradigm of mental predispositions that are formed in the course of the life of human groups and in the everyday functioning of individuals. Representatives of cultural psychologism concluded that human mentality, experience, perception of other people and emotions are more important than nature and the social system that people happen to live in. They maintained that an individual formed by a given group with its own customs, rituals, way of thinking and stereotypes concerning other people will keep his or her attributes even when he or she moves physically and joins a different cultural circle. According to the representatives of this trend, the perception of social reality of such an individual will not change and nor will his or her previously formed sensitivity.

A leading representative of Polish cultural psychologism was Stanisław Ossowski, a great authority in Polish science. He emphasised that of all creatures only human beings possess the ability to think as well as unique patterns of behaviour. Due to the ability to think and to behaviour characteristic for the human kind only material objects are created as a result of human activity<sup>18</sup>.

As for cultures listed as “structural” in the definition group above, the most important thing is the principal elements (the structure) and their internal connections. Culture in the understanding of structuralism is a collective good. Culture begins when a discovery or an invention is transferred from generation to generation. It then becomes a durable asset for the community. Four basic categories of culture components are most commonly distinguished: social, material-technical, mental (i.e. feelings and conduct) and ideological. Structuralism in cultural anthropology concentrates on systems and relationships resulting from kinship as well as on myths. For the sake of their research, structuralists tried to find even the tiniest communities. That determined their research in the context of primitive peoples, making it possible to create a typology of various relationships. The imperative for the research of structuralists was to study the changeability of the ways of think-

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<sup>18</sup> M. Chałubiński, *Stanisław Ossowski*, the serial: „Myśli i Ludzie”, Wydawnictwo Wiedza Powszechna, Warszawa 2007, p. 387; S. Ossowski, *U podstaw estetyki*, Wydawnictwo Naukowe PWN, Warszawa 1958; S. Ossowski, *O osobliwościach nauk społecznych*, Wydawnictwo Naukowe PWN, Warszawa 2001.

ing, which led them to the conclusion that cultural phenomena – irrespective of the level of civilisation – result from the natural need of human beings to live in an orderly world. Structuralists assumed that in human culture the most important thing is not human thinking but actually social structures. Every structure operating within the culture of human groups is shaped in historical development. In this sense the past matters a lot for the contemporary shape of culture, even though changes in quantity and quality are still taking place in existing structures.

Claude Lévi-Strauss, a French sociologist, ethnologist and expert in cultural studies, regarded as the creator of structural anthropology, was a foremost representative of the structuralist approach to culture. This researcher was in favour of applying mathematical methods to anthropological studies. He perceived the socio-cultural reality as a reflection of the deep structures of the mind that are common to all people. During his scientific expeditions, he analysed social order, myths and kinship systems<sup>19</sup>.

Genetic definitions of culture point to social sources of culture. They present it as a product of social co-existence and thus created social space. The focal point of this attitude is the study of the internal development of culture and the emphasis on the creation of another forms, developing from the previous ones. A lot of energy is also devoted to the emergence of culture from nature as well as to the observation of relationships, differences and contrasts between various cultures.

A wide spectrum of definitions of culture – varying from each other with respect to the significance that they associate with cultural heritage – results from differing methods of studying culture and the phenomena treated as man-made culture.

One methodological approach to the study of cultural phenomena is a consequence of the conviction that culture is exclusively a property and a trait of human communities. An instance is provided by the studies of the above-mentioned American anthropologist Claude Lévi-Strauss, who went on researching expeditions to peoples living in New Guinea, the Gilbert Is-

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<sup>19</sup> M. Filipiak (ed.), *Wprowadzenie do socjologii*, Wydawnictwo Uniwersytetu Marii Curie-Skłodowskiej, Lublin 2009, p. 326; Lévi-Strauss Claude, [in:] „Encyclopedia Word Biography”, The Gale Group 2010; B. Szacka, *Wprowadzenie do socjologii*, Oficyna Wydawnicza 2008.

lands and Micronesia. Under the influence of the observation of tribes living in these exotic and primitive micro-worlds he drew the conclusion that culture is made up of institutions and of external traits characteristic for certain human communities, as well as of learned rules of functioning and knowledge passed on by predecessors<sup>20</sup>. Such approach also accommodates for the heritage of the past of a specific human community<sup>21</sup>.

Another methodology of culture analysis relies on describing the content without looking into ethical or aesthetic aspects of cultural phenomena. The researcher concentrates only on the phenomenon itself, ignoring its social, moral-ethical or economic aspects.

Culture as a social phenomenon is associated with the human being. It is marked by its repetitiveness. It is also a set of phenomena that are passed on to the next generation through the process of learning and educating.

Another quality of culture is its temporal and spatial character. Culture is a system that encompasses everything in an indivisible way. According to the methodological approach, the development of the world is a natural process resulting with culture as a phenomenon relating to the whole human species. It is the human kind that shapes the world, interprets and changes it. The cultural system consists of many subsystems based on various forms and spiritual content carried by natural languages of communities raised in them and developed over the time. A problematic issue is the determination of the functioning of a cultural system and its separate subsystems in the consciousness of an individual, since every single culture has got its own internal logic. Culture might also be seen as a peculiar adaptive mechanism, within which an individual prepares to deal with the social and natural environment in a given cultural circle.

All the cultural processes and phenomena assume a material dimension, because both the creation and reception of artistic works is associated with getting ready for reception, sensitivity and emotions during an act of consumption of art in each individual case.

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<sup>20</sup> T. Sucharski, *Claude Lévi-Strauss*, [in:] M. Kuziak, S. Rzepczyński, T. Tomasiak, D. Sikorski, T. Sucharski, *Słownik myśli filozoficznej*, Wydawnictwo „Park Sp. z.o.o.”, Bielsko-Biała 2005, p. 410-227.

<sup>21</sup> W.H. Goodenough, *Culture, language and society*, The Benjamin/ Cummings Publishing Company, London 1981.

Culture in all its manifestations and artefacts influences human behaviour, because it forms opinions, triggers motivation and shapes an individual's various ethical and aesthetic values; it influences the creation of norms. This applies to the process of creating and receiving literature, musical pieces and pieces of the fine arts, theatrical plays<sup>22</sup>.

Alfred Weber, a German sociologist, culture theoretician and economist at the same time, sought for the material dimension of culture in the emergence of generation-specific more and more advanced technologies, inventions and tools that provide generations with easier existence and more efficient ways of obtaining all the necessary resources<sup>23</sup>. Other cultural phenomena, mainly non-material and not resulting from the determination of adaptation to natural and social conditions, are according to the researcher a consequence of the process of looking for various goods and values per se (autotelic), resulting from human thinking and creativity.

Of all living creatures, only the human being has been able to develop culture by transforming nature. However, a single human being is unable to do it alone, because culture might only emerge in a community (a social group) capable of transferring experience from generation to generation.

Culture is a quality characteristic only of human communities. Cultural values are generated in every historical era and in each geographical space. At each moment of history they are different as they are created under the influence of different norms and values, usually characteristic of and typical for specific communities, determined culturally by the climate, religion, morality, neighbourhood, history, language etc.

Cultural studies is a field of knowledge that deals with diverse aspects of the functioning of culture. On the basis of cultural studies theoretical knowledge about culture is formed. However, cultural phenomena and processes are not researched only by cultural studies – it is the subject of research also

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<sup>22</sup> J. Grad, *Badania uczestnictwa w kulturze artystycznej w polskiej socjologii kultury*, Wydawnictwo Naukowe UAM, Poznań 1997, p. 180.

<sup>23</sup> R. Blomert, *Intellektuelle im Aufbruch. Karl Mannheim, Alfred Weber, Norbert Elias und die Heidelberger Sozialwissenschaften der Zwischenkriegszeit*, Carl Hanser Verlag, München 1999; Z. Drozdowicz, *Weberowski "model" badań historycznych*, "Nauka", No. 3, Wydawnictwo PWN, Warszawa 2009, p. 115-132.

for many other fields and disciplines of the humanities<sup>24</sup>. Culture is studied by e.g. cultural anthropology, sociology of culture, philosophy of culture, economy of culture, mimetics, psychology.

The theoretical and practical knowledge developed by these fields and disciplines makes it possible to shape cultural policies not only on the level of the state, but also to create strategies for the cultural development of regions, provinces, cities and communities. Cultural policy of the state and the strategies of local government authorities<sup>25</sup> on behalf of the protection of cultural heritage are particularly important.

Culture as a social phenomenon became a subject of an investigative research that led to the creation of a trend known as “the philosophy of culture”. The interest in the issue of the development of human civilisations and processes – related with the formation of human activity creating culture as well as in the fields of science, language, arts, religion – along with the search for the reasons of crises of values, changes in languages, new ways of understanding aesthetic values, generated a number of sub-disciplines, such as the philosophy of language, arts, ethics, aesthetics, religion; social philosophy, philosophy of law. The matter was presented in a variety of philosophical

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<sup>24</sup> E. Baldwin, B. Longhurst, S. McCracken, M. Ogborn, G. Smith, *Wstęp do kulturoznawstwa*, Wydawnictwo „Zysk i S-ka”, Poznań 2007; W.J. Burszta, M. Januszkiewicz (ed.), *Kulturoznawstwo: dyscyplina bez dyscypliny?*, Wydawnictwo SWPS Academica, Warszawa 2010, p. 257; J. Kmita, *Późny wnuk filozofii. Wprowadzenie do kulturoznawstwa*, Wydawnictwo Naukowe Bogucki, Poznań 2007; J. Sójka (ed.), *Perspektywy refleksji kulturoznawczej*, Wydawnictwo Fundacji „Humaniora”, Poznań 1995; J. Sójka, *Kulturoznawstwo – od znawstwa do dyscypliny naukowej*, „Nauka” 2005, No. 4, Wydawnictwo Naukowe PWN, p. 97-116.

<sup>25</sup> J. Damrosz, *Kultura polska w nowej sytuacji historycznej*, Instytut Kultury, Warszawa 1998; a document of the Ministry of Culture (the former name), *Narodowa strategia rozwoju kultury na lata 2004-2013* (according to the amendment the aims are to be accomplished by 2020); K. Krzysztofek, *Polityka kulturalna w międzynarodowych raportach o kulturze*, [in:] K. Mazurek-Łopacińska (ed.), *Problemy zarządzania sferą kultury i turystyki*, Wydawnictwo Akademii Ekonomicznej im. Oskara Langego, Warszawa-Wrocław 1999, p. 11 and the following; T. Leśniak (ed.), *Zarządzanie kulturą. Wybrane materiały seminarium dla menedżerów kultury*, Wydawnictwo Międzynarodowego Centrum Kultury, Kraków 1993; G. Praweńska-Skrzypek, *Polityka kulturalna polskich samorządów. Wybrane zagadnienia*, Wydawnictwo Uniwersytetu Jagiellońskiego, Kraków 2003, p. 9 et seq.



ways and in many scientific works of e.g. T.W. Adorn, E. Cassirer, M. Eliade, E. Fromm, J. Orte y Gasset, F.W. Nietzsche, M. Scheler<sup>26</sup>.

Cultural anthropology and the sociology of culture are two contemporary basic fields of the humanities that deal with various aspects of human culture.

Cultural anthropology is a branch of anthropology and it analyses human behaviour with respect to culture<sup>27</sup>. Cultural anthropology does not have a fully developed researching methodology, so instead it refers to other fields of science, e.g. to archaeology, ethnography, linguistics, psychology, sociology, religious studies and many other sub-disciplines that are quite far from typical humanities. Cultural anthropology was studied by many notable scholars, for example R. Benedict, F. Boas, V.G. Childe, C.S. Coon, J. Dewey, E. Durkheim, A.A. Goldenweiser, M.J. Herskovits, A. Kardiner, C.K.M. Kluckhohn, A.L. Kroeber, R. Linton, C. Lévi-Strauss, R.H. Lowie, L. Mair, B. Malinowski, M. Mauss, M. Mead, A.R. Radcliffe-Brown, E. Sapir, E.B. Tylor, L.A. White, B.L. Whorf. Representatives of cultural anthropology formulate theories about the functioning of human culture understood as a unique phenomenon that is limited exclusively to people. However, they try to understand and describe the cultures of various nations and ethnic groups living on their respective territories<sup>28</sup>. As for culture studies, cultural anthropology defines social structures, origins of various

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<sup>26</sup> *Filozofia kultury*, [in:] E. Olinkiewicz, K. Radzymińska, H. Styś, *Słownik encyklopedyczny – Język polski*, Wydawnictwo „Europa”, Wrocław 1999; R. Konersmann, *Filozofia kultury. Wprowadzenie*, Oficyna Naukowa, Warszawa 2009; S. Kowalczyk, *Filozofia kultury. Próba personalistycznego ujęcia problematyki*, Wydawnictwo Katolickiego Uniwersytetu Lubelskiego, Lublin 2005; Z. Rosińska, J. Michalik (ed.), *Co to jest filozofia kultury?*, Wydawnictwo Uniwersytetu Warszawskiego, Warszawa 2007; G. Simmel, *Filozofia kultury. Wybór esejów*, Wydawnictwo Uniwersytetu Jagiellońskiego, Kraków 2008; B. Truchlińska, *Filozofia kultury Bogdana Suchodolskiego*, Wydawnictwo Uniwersytetu Marii Curie-Skłodowskiej, Lublin 2006; F. Znaniecki, *Nauki o kulturze. Narodziny i rozwój*, the serial: „Biblioteka Socjologiczna”, tłum. J. Szacki, Wydawnictwo Naukowe PWN, Warszawa 1971.

<sup>27</sup> E. Nowicka, *Świat człowieka – świat kultury*, Wydawnictwo Naukowe PWN, Warszawa 2007, p. 17 et seq.

<sup>28</sup> M. Buchowski, *Zrozumieć Innego. Antropologia racjonalności*, Wydawnictwo Uniwersytetu Jagiellońskiego, Kraków 2004; W.J. Burszta, *Antropologia kultury*, Wydawnictwo „Zysk i S-ka”, Poznań 2008, p. 83-100, 133 et seq.

phenomena, norms, values, customs, institutions and cultural systems as well as all kinds of relationships between individual cultural elements, including between the past and the present in culture<sup>29</sup>.

As regards the studies of the sociology of culture, they pivot on symbolic culture. Symbolic culture stands in contrast to material culture. Language, law, arts, religion and customs are all in the scope of interest of this discipline. Symbolic culture includes human needs of a higher order in specific cultural space. The condition for symbolic culture to function is an understanding of cultural patterns. This applies to values, symbolic meanings, references and allegories to collective historical and contemporary experience, rituals, ceremonies etc<sup>30</sup>. The leading researcher of the sociology of culture in Poland was Antonina Kłoskowska<sup>31</sup>.

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<sup>29</sup> A. Barnard, *Antropologia. Zarys teorii i historii*, introduction by J. Tokarska-Bakir, trans. by S. Szymański, Państwowy Instytut Wydawniczy, Warszawa 2006; W.J. Burszta, *Antropologia kultury*, op. cit.; J. Gajda, *Antropologia kulturowa*, 2 volumes: *I: Wprowadzenie do wiedzy o kulturze*, *II: Kultura obyczajowa początku XXI wieku*, Wydawnictwo „Impuls”, Kraków 2009; E. Kosowska, E. Jaworski (ed.), *Antropologia kultury – antropologia literatury*, Wydawnictwo Uniwersytetu Śląskiego, Katowice 2005; W. Kuligowski, *Antropologia współczesności. Wiele światów, jedno miejsce*, Wydawnictwo „Universitas – Towarzystwo Autorów i Wydawców Prac Naukowych”, Kraków 2007; A.K., Pałuch, *Mistrzowie antropologii społecznej. Rzecz o rozwoju teorii antropologicznej*, Wydawnictwo Naukowe PWN, Warszawa 1990; Z. Staszczak (ed.), *Słownik etnologiczny. Terminy ogólne*, Warszawa-Poznań 1987; W. Wołoszyn-Spirka, *Antropologia kulturowa*, Wydawnictwo Edukacyjne „Wers”, Bydgoszcz 2008.

<sup>30</sup> A. Giddens, *Socjologia*, Wydawnictwo Naukowe PWN, Warszawa 2008, p. 27-43; M. Golka, *Socjologia kultury*, Wydawnictwo Naukowe „Scholar”, Warszawa 2008, p. 360. See also: M. Filipiak, *Wprowadzenie do socjologii kultury*, op. cit.

<sup>31</sup> **Kłoskowska Antonina** (1919-2001) – an outstanding Polish sociologist of culture. She was the chairman of the Polish Sociologist Society. The editor-in-chief of the quarterly *Kultura i Społeczeństwo*, published since 1957 by the Polish Academy of Sciences. Among the researching interests of A. Kłoskowska were various aspects of the sociology of culture. Her most important publications: *Kultura masowa – krytyka i obrona* (1964); *Z historii socjologii kultury* (1969); *Spoleczne ramy kultury* (1973); *Socjologia kultury* (1981); *Edukacja kulturalna a egzystencja człowieka* (1986); *Kultury narodowe u korzeni* (1996). Sources: *Antonina Kłoskowska – autor i redaktor*, „Kultura i Społeczeństwo” 2002, Vol. 46, No.2, monographic number, p. 192; Z. Bokszański et al. (ed.), *Spoleczeństwo-kultura-osobowość. Księga dedykowana Pani Profesor Antoninie Kłoskowskiej w siedemdziesiątą rocznicę urodzin*, PWN, Warszawa-Łódź 1990, p. 25 and the following.

Both in colloquial and academic language the following terms are in use: material culture, symbolic culture. Jerzy Kmita, a renowned scholar of Poznań scientific circle classified as symbolic culture cultural phenomena such as language, law, arts, philosophical trends, customs, religion, magic, rituals and so on. He claimed that all phenomena that do not have any material character or material dimension need to be classified as symbolic culture.

Characteristic for symbolic culture is therefore the possibility of satisfying human needs of a higher order (also known as secondary needs). These are values, aesthetic categories. Literary works, pieces of fine arts, theatrical plays and different pieces of mass media information are among examples of symbolic culture<sup>32</sup>.

Representatives of different fields and disciplines of humanistic and social knowledge try to compose a typology of cultures. They analyse, describe and interpret cultural phenomena and processes in scientific studies, compendiums etc. Their studies cover also the functioning of culture or cultures in different territories in the history of nations and ethnic groups. They examine cultural changes occurring quickly, particularly due to cultural globalisation, the omnipresence of mass media and computerisation. For the sake of the research, various names are distributed to various cultures in keeping with the time of their functioning, their type or location, e.g. cultures of particular nations, ethnic groups, national minorities and so on. Thus we distinguish spiritual, legal, economic, political, written and linguistic cultures. Depending on the criteria, more typologies can be created. The cultures of lost civilisations have always been the subject of keen scientific interest.

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<sup>32</sup> J. Kmita, *Z problemów epistemologii historycznej*, Wydawnictwo Naukowe PWN, Warszawa 1980.

**Jerzy Kmita** – the creator of a socio-regulatory concept of culture. Between 1968 and 1969 he was the head of the Logics Department of the Philosophical-Historical Faculty (the name at the time) of Adam Mickiewicz University in Poznań. In 1976 he started working for the Social Sciences Institute at AMU (now: the Social Sciences Department at AMU). He was the head of the Institute of Philosophy at AMU (1969-1976) and the Institute of Cultural Studies at AMU (1978-1993). A member of the Polish Philosophical Society, the Philosophical Sciences Committee of the Polish Academy of Sciences, where he was an actual member since 1994.

The source: M. Dąbrowski et al. (ed.), *Poczet wielkopolskich członków Polskiej Akademii Nauk*, Ośrodek Wydawnictw Naukowych PAN, Poznań 2000, p. 265-267.

Historically, the greatest role has been assigned to national cultures. Human communities that were able to develop a system of shared values, connected by the same language, history, often by territory, religion and symbols – these communities merged into a nation. Whenever any of the vital components of the nation waned, the nation would go apart. Nations not only have their own name, they also believe in the same ancestors, they have collective historical memory, a sense of territorial bond, common religion, a sense of national solidarity as well as characteristic symbols that make it possible to identify people that belong to a given nation. The hierarchy of components forming national cultures differs with nations.

Almost every national culture emphasises tradition, common past, material and non-material elements of national cultural heritage. Apart from language, they are one of the most significant ingredients of Polish national culture. For centuries, Polish national identity has been built on Polish cultural heritage. Cultural heritage in national cultures conditions the lives of generations through inherited traditions, stereotypes, education in families, lifestyle.

In the age of globalisation, cultural heritage is becoming an antidote against unification and the disappearance of national symbols, in particular the weakening of the mental bonds with the nation.

Most concepts see different cultural heritage phenomena as a constitutive part of ethnicity and a basic ingredient of a national group. Max Weber, a leading German sociologist, studied economic aspects of great religions such as Confucianism, Taoism, Hinduism, Buddhism and Judaism – he differentiated between a national and ethnic group on the basis of differences in the character of auto-definition and the sense of mental solidarity of group members<sup>33</sup>. Max Weber posed the following important question: is cultural heritage of a given nation simultaneously its ethnic heritage? What really matters here is the consciousness and the mental sense of identity.

The considerations of cultural heritage are inextricably linked with the perception of nations and ethnic groups. Sociologists are not unanimous when it comes to the nature, origin, life span and changes of the nation as

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<sup>33</sup> D. Kaesler, *Weber. Życie i dzieła*, Oficyna Naukowa, Warszawa 2010; M. Weber, *Gospodarka i społeczeństwo. Zarys socjologii rozumiejącej*, Wydawnictwo Naukowe PWN, Warszawa 2002, p. 295.

the biggest human group. Generally speaking, the factors that define a nation or an ethnic group boil down to possessing an own name, myths of common ancestors, collective historical memory, a sense of bond with a certain territory and solidarity within the group. The essence of the difference between an ethnic group and a national group is that nations strive to have their own autonomy and to create their own state. The studies performed by anthropologists of culture on nations led to the conclusion that the national identity and culture of a given nation is one of the main categories setting the nature of the reality of the contemporary world. As for national identity, it is mostly made up of cultural heritage<sup>34</sup>.

The term “cultural heritage” appears more and more often with reference to particular local communities, although the term “local community” is very controversial in sociology, and all its renditions touch upon the issue of social bonds. Local communities are most frequently spoken about with reference to a common territory as the basis for social life, to social interaction occurring between the inhabitants of a given territory, as well as to social interests resulting from the usage of a particular area. This term is most frequently supplemented with local sentiment too. This last element points out the otherness of cultural heritage specific to a territory inhabited by a particular local community. In this field there is the greatest number of programmes for the protection of the cultural past, regional studies as well as promotional-informative documents either in print or electronic, aimed at showcasing cultural uniqueness and attractiveness in relation to other communities<sup>35</sup>.

In his study entitled *Krótki raport o użytkowaniu historii*<sup>36</sup>, Marcin Kula put forward a few significant theses on the function of history and cultural heritage in the sense of national, regional and local heritage. A thesis proposed in the study assumes that certain periods and matters are chosen from the past to form the interpretation and vision of the present. Cultural heritage as an important element of the process of identity formation cements nations, ethnic groups or social and political movements, and even vari-

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<sup>34</sup> J. Szacki, *Naród*, [in:] „Encyklopedia socjologii”, Vol. 2, Warszawa 2002, p. 287-295.

<sup>35</sup> Ibidem, p. 97-107.

<sup>36</sup> M. Kula, *Krótki raport o użytkowaniu historii*, Wydawnictwo Naukowe PWN, Warszawa 2004.

ous professional groups. Cultural heritage always shapes historical thinking. Contemporary people relate to the past indirectly also through erecting and knocking down monuments, through acts of building memory in historical sites of national and religious events, through celebrating anniversaries or giving names to streets or institutions. Cultural heritage reveals itself in customs or formulas for celebrating anniversaries. Every generation uses cultural heritage to justify its political activity or its ways of exercising authority over a nation. Cultural heritage accompanies education at all levels.

With all these issues as the backdrop, a fundamental question about historical truth can be asked here. Marcin Kula claims that there is no objectivity in the description of history as history is closely linked to relativity and all the cultural and environmental issues that infallibly condition researchers of the past. Factual constructions that dominate written studies on cultural heritage distort knowledge about the past unless they go in hand with broader deliberations of processes and phenomena taking place over greater periods of time.

Marcin Kula's book is therefore a peculiar historiographic treatise on historical studies that proves that above all descriptions of history serve various social functions with reference to the present and that at the same time they are relative stories that can be used a key to understanding the present.

The above theses corroborate definitions of cultural heritage formulated within various fields of humanistic knowledge. The explication of the term "cultural heritage" is not free from political and religious ideology, nor is it devoid of national or ethnic xenophobia.

All of this contributes to the interpretation of the emergence and evolution of cultural heritage in the national, ethnic, regional and local dimension.

In his prominent work *Przemiany obyczajów w cywilizacji Zachodu*, Norbert Elias put forward a thesis about the changeability of the understanding of cultural heritage by various nations of Europe along with the variability of the lifestyle and material context of existence in particular historical periods<sup>37</sup>.

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<sup>37</sup> N. Elias, *Przemiany obyczajów w cywilizacji Zachodu*, Państwowy Instytut Wydawniczy, Warszawa 1980.

**Elias Norbert** (1897-1990) – a German sociologist. He conducted thorough studies of the gradual development of customs and social behaviour and state organisations

The influence of the religious history of philosophy might be illustrated with the example of an interpretation of researchers of Catholicism. Cultural heritage is simultaneously God's heritage worldwide as well as on the level of nations and communities<sup>38</sup>.

Similarly, in the remarkable study *Historia chrześcijaństwa* there is a thesis that world cultural heritage was created as a result of the expansion of Western European Christianity accepting regional and local customs, rituals and opinions dating back to pagan times<sup>39</sup>.

The understanding of cultural heritage is different with respect to particular fields of humanistic knowledge as each of them uses different methodology and conceptualisation to describe the social space of small and large human groups in the past and in the present.

Archaeology perceives the world of past civilisations and cultures through the prism of material objects discovered at excavation sites.

Ethnography observes human behaviour such as traditions, trends, proverbs, songs, legends, myths, customs, rituals characteristic for regional and local communities.

Anthropology – apart from material objects and human behaviour – classifies as cultural heritage language, social institutions, economic activity, religion.

Psychology in turn concentrates on human thoughts, feelings, reactions. It lists as cultural heritage rules and motives for particular types of conduct, forms of expression, imperatives and bans, opinions and points of view.

Sociology advocates perceiving cultural heritage in terms of an allocated sphere of life and activity of human groups that lived in the past.

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in which the authorities try to centralise the legal use of violence. He described the phenomenon of civilisation development as a process of replacing external restrictions of human behaviour with a system of moral regulations. He also dealt with the so-called figurative analyses, analyses of the functioning of norms and social customs, the sociology of knowledge. His most important works are *Über den Prozess der Zivilisation* (1939); *Was ist Soziologie?* (1970); *Die Gesellschaft der Individuen* (1987); *Studien über die Deutschen* (1989).

<sup>38</sup> J. Chmiel, *Dziedzictwo boże*, [in:] „Encyklopedia Katolicka”, Vol. 4, Lublin 1989, p. 570-571.

<sup>39</sup> *Historia chrześcijaństwa*, Oficyna Wydawnicza „Vocatio”, Warszawa 1978, p. 668 et seq.

Pedagogy as a field of knowledge defines the notion of cultural heritage in a characteristic way. This definition is important because this is the field of humanistic knowledge that formulates directives for universal education on cultural heritage on the national, ethnic, regional and local scale. Pedagogy conceives cultural heritage as the sum of cultural products of some human community, with the products passed on from generation to generation and capable of lasting in time. This means that the notion of cultural heritage encapsulates the ability of ideas, objects and behaviour to last in time and to impact the behaviour of generations to come through information transfer between generations. This field of science treats cultural heritage as a tool in the process of socialisation and upbringing. There is some legitimacy behind storing desirable and valued goods recognised as cultural heritage in museums, libraries and other institutions, because they are capable of evoking positive emotional and aesthetic reactions that make it possible for human groups to integrate in the national, regional or local sense<sup>40</sup>.

The studies of cultural heritage are hindered by the lack of a thesaurus. The definition of the term “cultural heritage” is vague because it contains a broadly understood variety of material and non-material relics as well as a range of phenomena related with human behaviour in the past. The lack of such a dictionary of terms to describe relics of culture makes it difficult to co-operate for researchers of various fields: ethnology, musicology, theatology, architecture, pedagogy, psychology, culture studies, the history of culture, the history of arts and many others. It also hinders co-operation between different institutions like libraries, museums, archives on the international and domestic level. A common multidisciplinary and polyhierarchical dictionary of terms related with cultural heritage would introduce unambiguousness into interdisciplinary scientific descriptions. Such a thesaurus would make it possible to organise hierarchically cultural sites recognised as worthy of special protection.

There is a need for research of cultural heritage of both theoretical and practical character, because this is the only way to show places of universal quality that possess exceptional aesthetic, artistic and cultural values. This applies to historical sites and places of unique value, but also to beautiful land-

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<sup>40</sup> J. Nikitorowicz, *Dziedzictwo kulturowe*, [in:] „Encyklopedia pedagogiczna XXI wieku”, Wydawnictwo Akademickie „Żak”, Warszawa 2003, p. 900-901.



scapes, songs, legends, customs, rituals, clothing, sacred and secular architecture, dishes, language and many other elements of unique nature.

Knowledge about cultural heritage of nations, ethnic groups, regions or local communities is purposeful only when broad and common objectivisation of this knowledge takes place at the same time. This idea can only be fostered through universal education on behalf of cultural heritage<sup>41</sup>.

Knowledge about cultural heritage is an important piece for comprehensive understanding of the lifestyle, tradition, religious beliefs, customs and rituals, language, clothing and architecture of other nations, ethnic groups, or even local communities. This unequivocally leads to the elimination or at least reduction of the consequences of xenophobia, nationalisms, religious fundamentalism, historical stereotypes about other people or nations.

An interpretation of cultural heritage can be extremely useful in the process of shaping societies based on knowledge and tolerance. In result it might help to build life on the Earth without violence, wars or slavery and with respect for life in regions that are distant culturally. Otherwise studying cultural heritage would be pointless.

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<sup>41</sup> J. Torowska, *Edukacja na rzecz dziedzictwa kulturowego. Aspekty teoretyczne i praktyczne*, Wydawnictwo Uniwersytetu Jagiellońskiego, Kraków 2010.

# World cultural and natural heritage

We are surrounded by countless natural and cultural treasures. Some of them were created by nature, others are products of human activity. They inspire admiration, delight with their beauty, provoke thoughts about the mind power of long-gone civilisations. Fragments of the “civilisational perfection” of culture have meticulously been uncovered all over the world since the 19<sup>th</sup> century by archaeology.

The value of cultural heritage of the human kind has been appreciated by an organisation which is now the key institution in this aspect – the United Nations Educational, Scientific and Cultural Organisation, or UNESCO. These days, almost 200 countries are UNESCO members. The noble ambition of the organisation is to support all kinds of initiatives on behalf of securing peace and safety by endorsing co-operation between nations in the area of education, science and culture for the sake of common respect for justice, law, human rights and all the basic human liberties that the Charter of the United Nations<sup>1</sup> awards to all people, irrespective of their race, sex, language or religion<sup>2</sup>. These aims were articulated in the Constitution of UNESCO.

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<sup>1</sup> The Charter of the United Nations was signed on 26 June 1945 in San Francisco, ratified by Poland (Journal of Laws of 1947, Nr 23, item 90).

<sup>2</sup> The Constitutional Act of UNESCO from 16<sup>th</sup> November 1945. This date is considered to be the beginning of the functioning of UNESCO. The first General Manager of UNESCO was a British man Julian S. Huxley (1887-1975) who is remembered not only as a good organiser (e.g. the co-founder of UNESCO, 25 years as the vice-chairman of the

The document was signed on 16<sup>th</sup> November 1945 in London. Incidentally, appeals for peace after World War Two were completely understandable. However, one cannot help but wonder how much relevance have the declarations from 1945 at the beginning of the 21<sup>st</sup> century. These days, the world enjoys relative global peace, although in some parts of the world there are local conflicts. There is a need to intensify activities on behalf of the protection of world cultural and natural heritage that we inherited from our ancestors. Unfortunately, this fact is not yet commonly recognised. Being an inheritor is connected not only with prerogatives, but also with rationally justifiable duties. Identification with cultural and natural heritage of a given nation, country, region or even local community should go in hand with an active attitude with respect to the protection of fixed or movable documents of the past.

UNESCO is an organisation that functions within the United Nations. One could ask the following question here: to what extent do the activities undertaken with respect to the protection of diverse unique constituents of cultural heritage depend on political discourse and to what extent are they dependent on autonomous and objective analysis? Moreover, the perception of terms such as “peace”, “safety”, “justice”, “culture” or “human rights” differs according to geographical or civilisational-cultural regions, which may lead to various misunderstandings. It might also complicate the performance of co-ordinated actions on the international level.

The first General Manager of UNESCO was a European, and between 1999 and 2009 an Asian – a Japanese lawyer, economist and diplomat Koïchiro Matsuura (born in 1937). It is interesting what criteria and what reasoning these people apply in administrative-governing processes. This matter is significant with respect to the classification and protection of sites that are or will be recognised as world cultural or natural heritage.

The attention of the world was turned to the necessity of undertaking actions to do with the protection of cultural and natural heritage by the Convention Concerning the Protection of the World Cultural and Natural Heritage, signed on 16<sup>th</sup> November 1972 in Paris. Poland ratified it in 1976 (Jour-

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International Commission of the History of the Scientific and Cultural Development of Humankind), but also as a biologist, philosopher, propagator of education, writer. He served the function between 1946 and 1948. The current GM of UNESCO is Ms Irina Bokova (Bulgaria).

nal of Laws of 1976, No. 32, item 190). The signees committed themselves to the protection of relics and natural sites not only in their own country, but also of those belonging to other nations but located on their territories. Thus, the document became an important legal instrument with respect to the protection of cultural and natural sites and places on the global scale.

However, the act is entirely declarative in its character and it demands prior ratification by the interested states. It is not equipped with any controlling-executive mechanisms. In the first place the protection of cultural and natural sites is required from the signatory states. Hence the conclusion that such mechanisms should first of all be created and start to operate on a national level.

The Convention defines the key terms relating to the protection of cultural and natural heritage.

According to the Convention, the following can be classified as parts of cultural heritage:

- monuments and relics: works of architecture, monumental sculptures and paintings, elements and buildings of archaeological character, inscriptions, caves or clusters of these elements possessing unique and universal value from the points of view of history, arts or education;
- complexes: complexes of separate or connected buildings which have unique and universal value from the points of view of history, arts or education due to their architecture, uniformity or their cohesion with the landscape;
- monumental sites: human creations or combined creative efforts of human beings and nature, as well as zones and archaeological sites that possess unique and universal value from the historical, aesthetic, ethnological or anthropological points of view.

As regards natural heritage, its definition includes the following forms:

- monuments of nature created by physical or biological formations, or clusters of such formations exhibiting unique and universal value from aesthetic or scientific points of view;
- geological and physiographic formations and zones with clearly defined boundaries that house endangered species of animals or plants, possessing unique and universal value important scientifically or for the sake of the preservation of those species;

- natural places or zones with clearly defined boundaries that possess unique and universal value from the points of view of science, natural beauty or the preservation of it.

These definitions do not have a clearly outlined scope of meaning.

The former definition points to a few objects that can be acknowledged as cultural heritage. This is rather a non-enumerative list, because it ignores e.g. functional art, ethnographic objects, burial mounds, non-material values that contribute to cultural heritage (among other things – stories, legends and songs passed on orally; moral-ethical and religious values, personal attributes). This definition makes it clear that goods of culture can be movable, fixed and archaeological. However, not every historic property must simultaneously be an archaeological monument. It is emphasised that a historic site might be surrounded by natural or man-made greenery or elements of inanimate nature (e.g. rocks, caves). This is notably close to the latter definition of natural heritage, with which the above elements are directly related. Another issue is that the values presented in both the definitions might not appear as a given site might as well possess some other qualities. Moreover, the term “value” is somewhat disputable itself, because things considered as valuable and useful might possess differing levels of significance depending on the country, region, religion and even the lifestyle of a given social group. For example, the propagation of ideologies relating to totalitarian regimes is nowadays forbidden by the law, but buildings created in the past by different totalitarian regimes may today be perceived as monuments (e.g. historic edifices housing institutions of culture or public buildings like libraries, museums, theatres, state offices, schools, hospitals etc.). In Polish law, cultural heritage is associated with the term “monument” (“zabytek” in Polish), while in international law the same thing is usually referred to as a “cultural good”. Speaking of buildings constructed in the times of various totalitarian systems, the use of the term “cultural good” – even if removed from the context of the ideology – could result in an interpretative and cognitive dissonance. The classification of cultural goods is therefore not unambiguous. Furthermore, the Convention’s article No. 3 declares that the identification and demarcation of goods of all sorts that can be classified as a cultural or natural good is the responsibility of the respective states. Therefore, the classification of a site or a building as a cultural good is first of all related with its factual

and legal appraisal in a given country. Different people will perceive the same cultural site in different ways. In terms of numbers, nowadays there are less natural sites than cultural ones. There are also countries that are not represented on the list of World Heritage Sites at all, even though they ratified the convention on the protection of cultural and natural heritage. The matter is complex and it requires some adjustments in terms of national laws and then its correlation with the activities undertaken by UNESCO.

There is one more issue that appears with respect to countries that have no conservation service and no lists of monuments due to wars or various military conflicts, e.g. in Iraq. Lots of countries signed a convention for the protection of cultural goods in case of a military conflict<sup>3</sup>. However, it does not specify the exact circumstances for the execution of the rules or how monuments could efficiently be protected from military damage, devastation or looting not only during wars but in the times of relative peace too. In Iraq, some soldiers of the anti-terrorist coalition (including some officers from Poland) were accused of stealing cultural goods from the regions of the former Mesopotamia. This is a paradoxical situation because the people that were supposed to protect order and safety probably acted to the detriment of unique cultural goods themselves.

The protection of cultural goods from dangers and unpredictable situations, e.g. fires, floods, power failures, burglaries is especially necessary. It also needs to be streamlined.

In a national dimension, I will use two examples to illustrate the problem.

The 2009 flood, which afflicted the southern east of Poland, caused gigantic losses in terms of cultural heritage. In the town of Ropczyce, water flooded a library, completely destroying 10,000 books. None of the town's inhabitants predicted that the water could reach the library. The conclusion is therefore that the library was not sufficiently protected from random incidents.

However, there are situations where tragedies could have been avoided if there had been appropriate supervision or signalling devices. At this point,

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<sup>3</sup> The Convention for the Protection of Cultural Property in the Event of Armed Conflict, signed on 14 May 1954 at the Hague with regulations for the execution of the convention and protocol amendments ratified by Poland (Journal of Laws of 1957, nr 46, item 212).

it is worth mentioning the incident that occurred in the Prof. T. Kotarbiński Pedagogical Provincial Library in Łódź in 2005. The building housed the library as well as a primary school, located on the floor above the library. A waterworks pipe exploded in the school and flooded the library, resulting in the destruction of 50% (i.e. 150,000 books) of the collection, 20% of it destroyed beyond repair.

The question one might pose here is as follows: are buildings housing cultural institutions equipped with protective-monitoring devices (e.g. sensors, smoke and fire detectors, burglar alarms and deterrents)? How many cultural institutions are protected in this way, and to what extent? How about the effectiveness of detecting and prosecuting perpetrators of crimes and offences against cultural monuments and institutions? Moreover, what is the effectiveness of regulations, legal procedures and judicial proceedings in relation to thieves and vandals of cultural goods? Is the increase of legal duties with respect to these goods connected with an increase of expenditures? Are conservation and rescue services properly prepared (e.g. substantially, infrastructurally and with respect to the personnel) and sufficiently equipped technically (e.g. equipment, modern technology)? The above questions are hard to answer due to the subordination of cultural institutions to various founding authorities and to the lack of co-ordination of their activities in this area. Some cultural goods to be found in temples, monasteries or private collections are still beyond the control of state or local government institutions.

Questions arise also with respect to the addition of entries to the World Heritage List.

Protection standards and criteria for isolating cultural and natural sites of global importance are set by the Intergovernmental Committee for the Protection of the World Cultural and Natural Heritage, with its name typically shortened to “the World Heritage Committee” (from now on, it will be referred to as “the WHC” or “the Committee” in the present study)<sup>4</sup>. It has been active since December 1975. The WHC receives proposals of sites to be included on the World Heritage List. Candidatures can be put forward by the signatories of the Convention on the protection of world cultural and

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<sup>4</sup> The World Heritage Committee was created on behalf of art. 8, act 1 of the constitution. In Poland the UNESCO Committee has been active since 1956. The current chairman is Prof. dr hab. Andrzej Rottermund.

natural heritage from 1972, which means that Poland can do it too. Before the Committee considers an application, it refers to the recommendations of advisory bodies, issued with relation to cultural sites by the International Council on Monuments and Sites (ICOMOS), as well with relation to natural sites by the International Union for Conservation of Nature (UICN).

The statute of the Association of the Polish National Committee of the International Council on Monuments and Sites of 19<sup>th</sup> April 2000 declares that physical and legal individuals can become members of the Polish Committee of the ICOMOS. It also discriminates between ordinary, supportive and honourable members. A physical person that possesses the right to perform legal activities and that possesses public rights as well as accepts the aims of the association can become an ordinary member. As regards supportive members, they are recruited from among physical or legal individuals interested in the activity of the association who pledged to support the association financially or materially. An honourable member is in turn a person who contributed in an extraordinary way to the development of the idea of the association or who rendered some other great service to it<sup>5</sup>. One must also remark that there is no mention here of education or experience with respect to the protection of monuments.

More questions follow: on what basis can people with no specialist knowledge about monuments put sites on the World Heritage List? What are they driven by as they manage cultural heritage? Consequently, are all decision regarding the entries well thought out and justified? Different experts are expected to possess knowledge about law and various international regulations. Insight into biology, geography, geology, archaeology, history as well as an ability to act without prejudices are also appreciated.

In Poland, candidatures of natural and cultural places and sites – after their appraisal by appropriate institutions and following a decision of the General Conservator of Monuments – go to the Ministry of Culture and Cultural Heritage. After a verification there, they are transferred to a so-called “information list”. After one year a given cultural site can be moved to the World Heritage List. Also at this point we might ask the question about

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<sup>5</sup> The legal basis: § 9 of acts 1-3 of the statute of the Association of the Polish National Committee of the International Council on Monuments and Sites of 19 April 2000.



the qualifications and competences of the people who single out and appraise proposals of such places on the national level. What political, economic, social, national, ideological or financial influence are they under as they choose from among cultural sites to include on the list? Why do some relics or natural monuments, prominent for the history and culture of Poland, remain outside of the UNESCO's World Heritage List? For example, a few wooden churches from the region of Małopolska are included on the list, whereas the monastery at Jasna Góra (*Clarus Mons*, Częstochowa), treated by the majority of Poles as a saint place is not there, and the same is true for Góra Grabarka, the main place of Orthodox worship and pilgrimages.

The World Heritage List includes things created both by the human kind and nature that possess universal and unique significance for the human kind due to their anthropological, natural, artistic, historic, archaeological or scientific value<sup>6</sup>. These sites are essentially a reflection of the creation, transformation, development and history of human civilisations. They allow a better understanding of the relation and the interdependence of the human being and nature as well as the relationships between various social groups and cultures.

An example of inclusion on the World Heritage List is the Libyan ancient town of Ghadames (its name stems from an Arabic word *ghada ams* – yesterday's meal), located on the Sahara Desert. It is an oasis of striking beauty. First settlers arrived there around 10,000 years ago. Over the time, the town was under the governance of the Roman Empire (1<sup>st</sup> c. B.C.) and then the Byzantine Empire (5<sup>th</sup> – 6<sup>th</sup> c.). In 667 it was conquered by an Arabic ruler. Coming under the sphere of Arabic influence was connected with the time of the town's greatest splendour. It became an important trade centre on the route leading through the whole Arabic world of the time up to the Atlantic Ocean. The town is an example of co-existence of the human being and a desert climate. Exceptional architecture causes the city to be called "the Pearl of the Desert". For centuries, the town was vibrant with life, however, as a lack of water it emptied at the beginning of the 1980s. There is an urgent need for protective and strategic actions in order to preserve the charming

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<sup>6</sup> M. Cattaneo, J. Trifoni, *Cuda świata przyrody pod patronatem UNESCO*, Wydawnictwo "Arkady", Warszawa 2004, p. 9 et seq.; the same authors: *Najcenniejsze zabytki pod patronatem UNESCO*, Wydawnictwo „Arkady”, Warszawa 2003, 2004, p. 8 et seq.

and specific beauty spot on the Sahara Desert. Therefore Ghadames found its way to the World Heritage List.

Another example: Rwenzori Mountains National Park in Uganda, which presents a surprising sight of mountains and regions covered with permanent snow – on the equator. Ptolemy (100-168; Κλαύδιος Πτολεμαῖος; *Claudius Ptolemaeus*) wrote that the source of the Nile River is in the Mountains of the Moon (*Lunae Montes*) – that is, in the Rwenzori Mountains. The mountain range is composed of rocks from the Pre-Cambrian era (3.5 billion years). Plants that can be seen in the region include Papyrus Cyperus, exceptional Lobelia Inflata (*Lobelia rhynchopetalum*), which can weigh as much as 60 kilograms, Erica (*Erica kingaensis*) that can be as tall as 9 metres or Senecio johnstonii which can live for 100 years or even more. Among the flora and fauna there are many endemic species, i.e. species that only appear in the Rwenzori Mountains. Rwenzori Mountains National Park is included in the List of World Heritage in Danger, because natural habitats of plants and animals are in danger due to local wars, which resulted in a decrease in the number of tourists and therefore also in the decrease of the amount of money that can be spent on protecting the park.

The criteria for inclusion on the World Heritage List have changed in the recent years. With respect to cultural heritage, nowadays 6 principal criteria are spoken about, and as regards natural heritage – 4<sup>7</sup>.

To be precise, according to the WHC for a given cultural site to be included on the World Heritage List, the argumentation of the application should outline the exceptional achievements of the creative genius of the human kind; significant effect of the value in a given age or within a given cultural zone in the area of architectural or technological development, monumental art, spatial design of towns or shaping the landscape; unique or at least exceptional testimony to cultural tradition or civilisation – living or extinct; an exceptional example of a type of building or architectural or technical complex, which illustrates an important stage in the history of the human kind; a prominent instance of a traditional method of settling or developing an area, representative of a given culture (or cultures), especially for

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<sup>7</sup> A UNESCO document: *Operational Guidelines for the Implementation of the World Heritage Convention* (WHC.05/2, 2<sup>nd</sup> February 2005), Paris 2005, p. 10 et seq.

cases where the area is endangered with irreversible change; direct or tangible relation with events or living traditions, with ideas, beliefs, artistic or literary works that bear special and universal significance<sup>8</sup>.

The author notices that the criterion involving the phrase “the exceptional achievements of the creative genius of the human kind” can cause anxiety as one never knows if some traits of the individual in question (among others – the background, citizenship, education, religion, partyism or the lack of it) will prevail over talent or abilities during the analysis. Other controversial criteria include “significant effect of the value in a given age or within a given cultural zone” as it does not specify whose and what cultural values it refers to. The phrase “an exceptional example of a type of building or architectonical or technical complex, which illustrates an important stage in the history of the human kind” in turn does not point to the criteria of the building or the time of its creation.

However, with respect to natural heritage the analysis answers the question if the site is an outstanding example reflecting a principal period in the history of the Earth along with life traces and important geological processes. Is it an eminent example demonstrating ongoing ecological and biological processes and the development of land, water, shore and sea ecosystems, as well as the ecosystems of plant and animal groups? What is more, does it involve extraordinary natural phenomena or regions of exceptional beauty and aesthetical meaning, as well as natural habitats that are crucial for the protection of biological diversity along with those that deal with endangered species of particular importance<sup>9</sup>?

A natural site designed for inclusion should fulfil one or a few of the above criteria. The criteria of choice come with some doubts and ambiguity. For example, what exactly does the phrase “life traces” mean? Moreover, how should “important” be understood? A similar question mark appears next to the phrase “aesthetical meaning”. Aesthetics can be perceived differently. The presented criteria are therefore relative, because it is difficult to say if a given geographical area is “of particular importance” for the world when there is a great number of candidatures for the World Heritage List entries.

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<sup>8</sup> Ibidem

<sup>9</sup> Ibidem

Thus, the stress is placed on the World Heritage List to be filled with sites exhibiting “exceptional common / universal value”, most precious for the human kind. The list ought to be updated every two years. At the time this book was being written, the World Heritage List included 911 sites (704 cultural sites, 180 natural sites and 27 sites with mixed traits), coming from over 150 countries of the world. The list is dominated by cultural sites, the fewest number of sites come with mixed traits. This results from various reasons, one of them being the selection and specification of criteria, both by respective member countries as well as by the World Heritage Committee.

Examples of cultural sites from a) Sub-Saharan Africa, among others monolithic churches of Lalibela carved out in rock, which aspired to the appellation of “New Jerusalem” (I, II, III; 1978 – Ethiopia<sup>10</sup>); palaces belonging to the owners of the kingdom of Abomey (III, IV; 1985 – Benin); the ruins of the Great Zimbabwe, the capital of the Kingdom of Sheba, an important medieval trade town (I, III, VI; 1986 – Zimbabwe); Tsodilo also known as “the Louvre of the Desert” – cave paintings on the Kalahari Desert (I, III, VI; 2001 – Botswana); Aapravasi Ghat, a district of Port Louis, where hired workers would arrive with the intention to emigrate in order to earn money (VI; 2006 – the Republic of Mauritius); the ruins of the fortifications of the settlement of Loropéni – the beginning of a trans-Saharan trail (III; 2009 – Burkina Faso); b) Latin America, among others the historic complex of the town of Ouro Preto, whose most successful period was during the so-called “gold rush” (I, III; 1980 – Brazil); Potosi, considered in the 16<sup>th</sup> century to be the biggest industrial town in the world (II, IV, VI; 1987 – Bolivia); the cultural landscape of the Viñales Valley (IV; 1999 – Cuba); a modernist university town of Caracas (I, IV; 2000 – Venezuela); the Quebrada de Humahuaca Valley along the Rio Grande (II, IV, V; 2003 – Argentina); a saltpetre factory in Santa Laura and Humberstone (II, III, IV; 2005 – Chile); c) Asia and Oceania, among others the Taj Mahal in Agra (I; 1983 – India); Mogao caves on the Silk Route (I, II, III, IV, VI; 1987 – China); terraced rice fields, Philippine Cordilleras (III, IV, V; 1995 – the Philippines);

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<sup>10</sup> The brackets show location, fulfilled criteria and the year of inclusion on the World Heritage List.

saint places and a pilgrimage route in the forest of the Kii Mountain Range (II, III, IV, VI; 2004 – Japan); the Opera House in Sydney (I; 2007 – Australia); an archaeological site of primitive farming regions (III, IV; 2008 – Papua New Guinea); d) Europe and North America, among others a settlement of Pueblo Native Americans built on top of the Mesa Verde plateau (III; 1978 – the United States of America); Gothic Benedictine abbey at Mont Saint-Michel along with a town at a rocky island (“the Miracle of the West”). The entry also includes a bay (I, III, VI; 1979 – France); Schönbrunn – a palace with a garden, including the first zoological garden in the world, a residence of the Habsburg dynasty (I, IV; 1996 – Austria); 30 medieval clock towers and watchtowers in Flanders and Wallonia (II, IV; 1999, 2005 – Belgium); an Ottoman town – museum of Gjiokastra, the valley of the Drinos River (III, IV; 2005 – Albania); Rideau Canal, earlier used for strategic-military purposes, nowadays for sailing (I, IV; 2007 – Canada); e) Arabic countries, among others the ruins of an amphitheatre built by Romans – the biggest one in North Africa (IV, VI; 1979 – Tunisia); the historic Jerusalem with defensive walls (II, III, VI; 1981 – Jerusalem); a Phoenician port town of Tyr (Sur) – an important trade centre, reputed to be the first place where purple was manufactured (III, IV; 1984 – Lebanon); a desert castle-stronghold of Kasr Amra from the 8<sup>th</sup> c. (I, III, IV; 1985 – Jordan); an archaeological site at Madâin Sâlih (Hegra) from the times of the Nabataeans: cave drawings, the ruins of a town, over 100 monumental tombs, water wells with a plumbing system (II, III; 2008 – Saudi Arabia); an ancient town of Samarra – the capital town of the Muslim empire of the Abbasids (II, III, IV; 2007 – Iraq).

The greatest number of cultural sites on the World Heritage List are from Europe<sup>11</sup>. This is nothing surprising as the European continent has hosted various civilisations along with their culture, science and arts. One of the main reasons of the quick spread of thought and artistic achievements

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<sup>11</sup> M. Andrews, *The birth of Europe: colliding continents and the destiny of nations*, London 1991; J. Bowle, *A history of Europe: a cultural and political survey*, London; 1979; N. Davis, *Europa – rozprawa historyka z historiã*, Kraków 1998, the same author: *Europa – między Wschodem a Zachodem*, Kraków 2007; H. Fisher, *A history of Europe*, London 1936; H. Janne, *Europe's cultural identity*, Strasbourg 1981; Ovid, *Metamorphozy*, Vol. 2, p. 866 et seq., Wrocław 1995.

was Christianity. In the times of *media tempora*<sup>12</sup>, social elites through cultural patronage contributed to the creation of countless exceptional works of architecture, literature or other forms of art<sup>13</sup>. Rulers tried to develop not only military or economic advantage over their rivals, but also to get the cultural upper hand over them. This tendency is evident through the buildings and estates they erected. Such buildings ought to be understood in terms of a manifestation of the might and majesty of the ruler, for example Wawel in Cracow or the Royal Castle in Warsaw; the royal palace in Caserta in Italy; the palace in Versailles in France. History also knows examples of erecting not just single edifices, but entire cities in honour of a ruler. A good example is Saint Petersburg, the construction of which was begun by the tsar of Russia, Peter I (*Пётр I Алексеевич*; 1672-1725). Culture was in its heyday in those European cities which were simultaneously trade and port centres (e.g. Bruges, Lübeck, Venice). However, the above-mentioned factors haven't always determined the cultural development of Europe, as there are countries, towns or regions that were inspired by other cultures, e.g. Spain, where there are also Muslim traces. Currently, new styles in art are created in Europe that are often far removed from previous canons.

A significant part of the sites from the World Heritage List can be found in Asia, in the specific melting pot of diverse cultures, nations, traditions, artistic currents and religions (e.g. Christianity, Islam, Judaism, Buddhism, Hinduism, Shintoism, Taoism). A number of sites can be admired in Asia (e.g. Bait Azem – the governor's residence in Damascus, Kunja Ark – a town-stronghold in Itchan Kala; the Forbidden City (Zijin Cheng), a complex of emperor's resi-

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<sup>12</sup> J. Baszkiewicz, *Mysł polityczna wieków średnich*, Warszawa 1970; A. Crombie, *Nauka średniowieczna i początki nauki nowożytnej*, Warszawa 1960; U. Eco, *Sztuka i piękno w średniowieczu*, Kraków 2006; E. Gilson, *Historia filozofii chrześcijańskiej w wiekach średnich*, Warszawa 1966; J. Goff, *Inteligencja w wiekach średnich*, Warszawa 1966, the same author: *Kultura średniowiecznej Europy*, Warszawa 1970, 2002; J. Kulisz, *Powszechna historia gospodarcza średniowiecza i czasów nowożytnych*, Warszawa 1961; T. Manteuffel, *Historia powszechna – średniowiecze*, Warszawa 2008; R. Michałowski, *Historia powszechna – średniowiecze*, Warszawa 2009; H. Pirenne, *Economic and social history of medieval Europe*, Routledge & K. Paul, London 1949; B. Zientara, *Historia powszechna średniowiecza*, Warszawa 1998, p. 9 et seq.

<sup>13</sup> J. Kęłbowski, *Polska sztuka gotycka*, Warszawa 1983, p. 5 and the following; R. Toman (ed.), *Sztuka gotyku. Architektura – rzeźba – malarstwo*, 2000, p. 7 et seq.

dences in Beijing; gardens in Lahore; the Church of the Holy Sepulchre in Jerusalem; Djama'a al-Kebir in San, Kasthamandap – a temple in Kathmandu; a monastery in Wat Chang Tong). One can also trace influences from the times of colonialism (for example, a city-fort in Galla in Sri Lanka, which became an object of rivalry between the British, the Dutch and the Portuguese).

However, there are relatively few monumental sites in Africa. Inaccessible regions and unpredictable climate did not exactly facilitate settlement and urbanisation. For European colonisers the continent was inhospitable, mysterious and shrouded in an aura of a legend – in contrast to the local tribes, which over the time learnt the art of co-existence with nature (e.g. the residences of the Dogon people in Mali and the routes of nomadic Ethiopian peoples). The majority of the existing monuments are related with Muslims (e.g. a mosque in the town of Djenné in Mali; the town of Fes in Morocco; Islamic Cairo). Dishonourable traces from the age of slavery have remained until today, for example in Zanzibar (Tanzania). Nowadays, monuments of Africa are endangered by the expansion of cities not always based on the rule of balanced development, as well as by civil wars and natural phenomena (e.g. droughts). Many African countries suffer from famine, disease epidemics, lack of money for everything – let alone for the conservation and restoration of monuments. A number of ventures is possible only with the support of the international community.

As regards North and Latin America, the majority of monuments stem from the times of the European colonisation (for example, the city-fortress of Cartagena de Indias in Colombia, the historic city of Arequipa in Peru; the historic centre of Salvador de Bahia in Brazil; the edifice of the university in Sucre in Bolivia; a complex of Jesuit buildings in Córdoba), or from the times of the fight for independence (e.g. the Statue of Liberty in New York). The arrival of Europeans was directly connected with the indigenous inhabitants of the land (Native Americans, the Mayas, the Incas) being driven away along with their original cultures and civilisations. In North America, in the USA in particular, scientific and technological development has taken place. People from all over the world have migrated to the USA, which has made the country a melting pot for different nations and cultures.

Natural cultural heritage is in turn represented through natural sites of unique quality in numerous places, e.g. in: a) Africa, among others the atoll

of Aldabra – islands and a coral reef along with a lagoon (II, III, IV; 1982 – Seychelles); the Mana Pools National Park by the Zambezi River – the zones of Chewore and Sapi safari (II, III, IV; 1984 – Zimbabwe); the Kilimanjaro National Park (III; 1987 – Tanzania); an okapi reserve in the forest of Ituri, the catchment area of the Congo River (IV; 1996 – the Democratic Republic of Congo); the Mount Kenya National Park (II, III; 1997 – Kenya); rainforests in Atsinanana (IX, X; 2007 – Madagascar); b) Latin America, among others the Galápagos Islands (I, II, III, IV; 1978-2001 – Ecuador); a biosphere reserve in Rio Platano – the relics of a tropical forest (I, II, III, IV; 1982 – Honduras); a gray whale reserve „El Vizcaino” (IV; 1993 – Mexico); the Valdés peninsula – the protection of sea mammals, Patagonia (IV; 1999 – Argentina); a reserve of the south-eastern Atlantic forest, the states of São Paulo and Parana (II, III, IV; 1999 – Brazil); a fauna and flora reserve at the Malpelo Island along with the water environment of the eastern tropical Pacific Ocean (II, III; 2006 – Colombia); c) Asia and Oceania, among others the Great Barrier Reef (I, II, III, IV; 1981 – Australia); an animal reserve in Manas, the Himalayas (II, III, IV; 1985 – India); the Jiuzhaigou Valley – a region of forest eco-systems (III; 1992 – China); the Komodo National Park – the habitat of monitor lizards (“the Komodo dragons”), volcanic islands (III, IV; 1991 – Indonesia); mangrove forests of Sundarban, Bay of Bengal (II, IV; 1997 – Bangladesh); the sub-Antarctic islands of New Zealand, 5 archipelagos (II, IV; 1998 – New Zealand); d) Europe and North America, including the Great Canyon National Park (I, II, III, IV; 1979 – the United States of America); the delta of the Danube River (III, IV; 1991 – Romania); the Waterton International Peace Park – Glacier (II, III; 1995 – Canada and the USA); the Gough Island – a wild fowl reserve, the southern Atlantic Ocean (III, IV; 1995 – the Great Britain); the Kamchatka Volcanoes (I, II, III, IV; 1996, 2001 – the Russian Federation); the Wadden Sea (VIII, IX, X; 2009 – Germany and the Netherlands); e) in Arabic countries, among others the Ichkeul National Park – Lake Ichkeul with marshes, the last one on the territory of North Africa (IV; 1980 – Tunisia); the Banc d’Arguin National Park (II, IV; 1989 – Mauritania); Wadi Al-Hitan (the Whale Valley) – fossils of an extinct species of whales – known under the name of *archaeoceti* – discovered in the desert (I; 2005 – Egypt); the archipelago of Sokotra, the Gulf of Aden (X; 2008 – Yemen).



The entries of a few sites are somewhat controversial. For example, Vegaoyan – Norwegian islands of the Vega archipelago were put in 2004 onto the World Heritage List as a cultural site. In reality, it is not only a cultural landscape as there are also elements of animate and inanimate nature there (among others, the water eco-system and the geological structure). As can be observed, the site could also be classified as a mixed site, or in other words a cultural-natural site.

On the European continent there have been many civilisations, e.g. the Greek and the Roman ones, which shaped the history of not only Europe but also the whole world. The technological-industrial and economic expansion has brought about a lot of positive changes, but on the other hand it also caused the pauperisation and destruction of the natural environment. At the beginning of the 21<sup>st</sup> century, uncontaminated nature is an increasingly rare sight (e.g. laurel forests of Madeira in Portugal; the Coto Doñana National Park in Spain; the Croatian Plitvice Lakes National Park; the Aeolian Islands in Italy; the caves of Aggtelek Karst and the Slovak Karst – Hungary and Slovakia; the cape of Piana Calanches in France; the Western Caucasus – the Russian Federation; the Swiss glacier of Aletsch). Many state institutions and non-governmental organisations have been protesting against the devastation of the natural environment. The human kind is aware of the necessity of protecting animals and nature, but these activities ought to be intensified and correlated to a greater extent also through international co-operation. So far, Poland has been represented on the World Heritage List in the group of natural sites only by the Białowieża Forest – a trans-border region shared with Belarus. Visitors to the forest get a chance to see what European lowlands used to look like before the expansion of the human being. This is a special biosphere reserve.

However, in Africa there are countless kilometres of areas with preserved natural eco-systems (e.g. the National Parks of Mosi-oa-Tunya / the Victoria Falls – Zambia and Zimbabwe; the Serengeti National Park in Tanzania; the Bwindi National Park in Uganda; the Ukhahlamba Park – the Drakensberg in the Republic of South Africa; the Tsingy de Bemaraha Strict Nature Reserve at Madagascar; the Ngorongoro Nature Reserve in Tanzania). Climate transformations, poaching and the destruction of the habitats of unique plants all pose bigger and bigger threat for flora and fauna. For African nature the danger is also linked with urbanisation and internal fights.

Another continent – Asia – is associated by many people with specific cultural heritage. Although this continent enjoys a relatively limited number of natural objects on the World Heritage List, they charm with their specific beauty (for example, spa regions known since antiquity, such as Hierapolis – nowadays Pamukkale in Turkey; the Central Sikhote-Alin – the Russian Federation; the Tubbataha Reef Sea Park on the Philippines; the Chitwan Royal National Park in Nepal; nature reserves in the valley of Huanglong and Jiuzhaigou in China; the Japanese Shirakami-Sanchi forest; nature reserves of Thung Yai and Huai Kha Khaeng in Thailand). The threat here is similar to the other continents – urbanisation and the unprecedented demographic and technological growth.

One third of natural sites featured on the World Heritage List can be found on the American continents. They are exceptionally charming and delightful animals, plants, places and natural phenomena (e.g. the Yellowstone National Park in the United States, the Yosemite National Park in the USA, the Hawaii Volcanoes National Park in the USA, the Wood Buffalo National Park in Canada; national parks of Kluane / Wrangell – St. Elias, Tatshenshini – Alsek as well as Glacier Bay – the USA and Canada; the Huascarán National Park in Peru; the Atlantic Forest South-East Reserves in Brazil, Cocos Island in Costa Rica, the Galápagos Islands in Ecuador; the Iguazú Waterfall – Argentina and Brazil). In spite of various efforts to counteract it, the wasteful exploitation of natural resources wreaks greater and greater havoc in America, with the human kind e.g. cutting down Amazon forests, dubbed as “the Green Lungs of the World”.

Australia and Oceania is a lushness of landscapes, flora and fauna. Many regions are still virgin, uncontaminated with civilisation (for instance, Tasmania Parks in Australia; humid equator forests of the state of Queensland in Australia; Australian Shark Bay; the Blue Mountains in Australia; the region of Te Wahipounamu – in the Māori language: “the Place of the Green Stone” – in New Zealand). This region of the Earth is the habitat of a number of endemic species of plants and animals. Along the Australian coasts there is the biggest protected area in the world – the Great Barrier Reef. It should be noted that the Australian government has developed a range of effective mechanisms on behalf of the protection of nature that can be a pattern for other countries.

The World Heritage List also isolates regions marked as “mixed sites” – a relatively low number of them, like Mount Taishan, a symbol of the Chinese civilisation and culture, a place of worship of emperors and awe-inspiring mountainous nature (N<sup>14</sup> III, IV; C I, III, V, VI; 1987 – China); the Tikal National Park, located in a jungle, connected with the civilisation and culture of the Mayas (N II, IV; C I, III, IV; 1979 – Guatemala); the threshold of Bandiagara or a Dogon settlement with its still living tradition, the cliff coast and sandy plateau (N III, C V; 1989 – Mali); the region of Lapland presenting the traditional lifestyle of the Laplanders, the pasturage of reindeers, virgin landscapes; Lopé – Wokanda or an eco-system of tropical rainforests or a savannah within a cultural landscape (the migratory routes of the people of Bantu – III, IV, IX, X; 2007, Gabon).

The notions “world cultural heritage” or “world natural heritage” enjoy a lot of popularity nowadays. Practically speaking, though, they are not non-discursive – for example, the sacred sites of Berat and Gjirokastra in Albania (C, III, IV; 2005, 2008), which host Byzantine churches, Muslim mosques or religious sites related with Christianity. They are places with a lot of social unrest due to stereotypes and religious fundamentalism, both Christian and Islamic. The same is true for trans-border natural sites – for instance, the Pyrenees – Mount Perdu / Monte Perdido, lying partially on the territories of France and Spain, which could also cause unnecessary controversy with respect to the status of the region.

The World Heritage List includes a few sites from the territory of Poland. Currently, there are 13 of them: the Old Town in Cracow (C IV; 1978); a salt mine in Wieliczka (C IV; 1978); a former German concentration and death camp Auschwitz-Birkenau (C VI, 1979); the Białowieża National Park (the Białowieża Forest) – together with Belarus (N III, 1979, 1992); the Old Town in Warsaw (C II, IV; 1980); the Renaissance Zamość (C IV; 1992); the historic complex of the city of Toruń (C II, IV; 1997); a Castle of the Teutonic Knights in Malbork (C II, III, IV; 1997); Kalwaria Zebrzydowska – an architectural, pilgrimage and landscape complex (C II, IV; 1999); Churches of Peace in Jawor and Świdnica (C III, IV, VI; 2001); wooden churches in

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<sup>14</sup> The letter “N” stands for natural criteria as verified by the WHC, whereas “C” symbolises cultural criteria.

Małopolska: Binarowa, Blizne, Dębno, Haczów, Lipnica Murowana, Sękowa (C III, IV; 2003); the Mużakowski Park (in German: Muskauer Park, Park von Muskau) – a trans-border site of Poland and Germany (C I, IV; 2004); the Centennial Hall (formerly: People's Hall) in Wrocław (C I, II, IV; 2006). There are many other unique cultural (secular or sacred) objects as well as unique natural objects that could aspire to be included on the List.

A local tourist organisation by the name of “the League of Polish UNESCO Cities and Sites” with its seat in Toruń has been active since 2005. Its aim is to protect, research, promote and find sources of financing on behalf of the Polish sites included on the World Heritage List. It is a pity that the ventures of the League of Polish UNESCO Cities and Sites are not adequately publicised.

There are questions about the effectiveness of conservatory supervision – with respect to both the Polish sites included on the World Heritage List as well as to other sites, treated as cultural or natural sites only on the national level. One could compare the condition of such sites at their inclusion to the list and now. Do inspection, restoration and conservation take place regularly? Are the sites properly secured from chance events or deeds forbidden by the law? How about the issue of ownership? As regards sacred sites, one of the problems is the insufficient competence of parish priests in the area of the history of art and restoration. There is a lack of programmes for the protection of churches and places of worship in Poland, especially the wooden ones, and the programmes that do operate in the country operate on the national level. There is a pressing need for developing regional protective programmes for various types of cultural and natural sites as for sure a clerk in Warsaw does not have enough local competence or knowledge.

The theft of the plaque “Arbeit macht frei” (“Work makes one free”)<sup>15</sup> from the museum of the former German concentration and death camp of Auschwitz-Birkenau at night between 18<sup>th</sup> and 19<sup>th</sup> December 2009 appalled the public opinion both in the country and internationally. The deed was uni-

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<sup>15</sup> The letters of the plaque “Arbeit macht frei” were manufactured by a prisoner – a master of artistic metalwork and locksmith Jan Liwacz (1898-1980) following an order from a camp trusty Kurt H. Müller (1909-1948). In order to protect the plaque from being taken away by the Red Army after their capture of the camp, a prisoner Eugeniusz Nosal hid it. Soon after it was handed over to the authorities of the Auschwitz-Birkenau State Museum, created in July 1947.

versally condemned. That special symbol of extermination and memory was later recovered. Nonetheless, the situation poses questions as far as the effectiveness of the control and monitoring of important historic sites is concerned. Legal regulations regarding the protection of monuments, memorials, especially memorials of extermination and martyrdom as well as the harshness of the punishment for their devastation, destruction or the theft of historic movables from them are insufficient<sup>16</sup>. Another complex matter is raising funds as well as their conservation and restoration. Unfortunately, the Auschwitz-Birkenau State Museum has had to deal with these problems too<sup>17</sup>. Thus the question: who should pay for and perform prophylactic activities? It might seem that there should be no such questions with respect to former concentration camps at all. Unfortunately, the lack of money and the lack of a clear division of competences practically paralyse activities in the area of the protection of historically significant sites. Polemics and discussions should give way to constructive, prospective and co-ordinated actions of the bodies connected with such unique sites. The protection of historically significant sites is at the same time the protection of national and regional identity of the Polish nation.

Every war is inextricably linked with a sea of human tragedies. Historic disasters cause a lot of destruction in the area of cultural heritage. In the context of World War Two, a somewhat uncharted territory is the exact size of the loss in terms of Polish libraries and their archives<sup>18</sup>. Written texts possess a unique historic quality. This matter will be considered in what follows.

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<sup>16</sup> An Act of May 1999 on the protection of former Nazi death camps (Journal of Laws of 2006, nr 120, item 1600 as amended); a directive of the Minister of the Interior and Administration of 27 May 1999 on specifying the method for demarcating the borders for Extermination Memorials and their protective zones along with patterns for signs showing these borders (Journal of Laws of 1999, nr 47, item 473 as amended).

<sup>17</sup> The Auschwitz-Birkenau Foundation was created on 15 January 2009, following an initiative of a former prisoner, Prof. Władysław Bartoszewski. The goal of the foundation is to raise 120 million Euro (the so-called "Eternal Capital / Fund") to create a prospective, comprehensive and stable international conservatory programme, since until today Poland has been left alone in this matter. Prof. W. Bartoszewski is also the chairman of the International Auschwitz Board.

<sup>18</sup> M. Walczak, *Ochrona pamięci o bezpowrotnie utraconych zbiorach bibliotecznych w latach wojny i okupacji hitlerowskiej (1939-1945)*, [in:] S. Kowalska (ed.), *Wybrane aspekty ochrony polskiego dziedzictwa kulturowego*, Uniwersytet im. Adama Mickiewicza w Poznaniu, Poznań-Kalisz 2010, p. 7-15.

# The protection of non-material cultural heritage within the Memory of the World Programme

Written communication is a principal component of the dialogue across generation gaps and it also forms the basis for intercultural communication. Without written documents there would be no development of the humanistic knowledge in any area. A written document as a graphical notation of the human thought allowed for the research of the history of culture, literature studies, ethnology, philosophy, and even many disciplines of knowledge about the Earth, the human being and the macro- and micro-cosmos. For a number of centuries, the written document has been improved and streamlined: from stone blocks, clay plates, papyrus scrolls, parchments and codes to more and more modern forms and means of storing and conveying the human thought<sup>1</sup>.

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<sup>1</sup> B. Bieńkowska, H. Chamerska, *Zarys dziejów książki*, Warszawa 1987, p. 166 and the following; B. Bieńkowska, *Książka na przestrzeni dziejów*, Warszawa 2005, p. 9 et seq.; T. Cieślowski, *Drzeworyt w książce, tece i na ścianie*, Warszawa 1936; S. Dahl, *Dzieje książki i bibliotek*, Wrocław-Warszawa-Kraków 1965, p. 11 et seq.; H. Dubowik, *Dzieje książki i bibliotek*, Bydgoszcz 1976, p. 5 et seq.; M. Drzewiecki, B. Sosińska-Kalata, K. Migoń, J. Papuzińska-Beksiak, H. Tadeusiewicz, Z. Żmigrodzki et al., *Nauka o książce, bibliotece i informacji we współczesnym świecie*, Warszawa 2003, p. 11 et seq.; K. Głombowski, H. Szejnkowska, *Książka rękopiśmienna i biblioteka w starożytności i średniowieczu*, Warszawa 1971; G. Jean, *Pismo – pamięć ludzkości*, Wrocław 1994, p. 16 et seq.; B. Klukowski, *Książka w świecie współczesnym*, Warszawa 2003; J. Kołodziejaska, *Biblioteki w Polsce i za granicą*, Warszawa 1978; M. Komza, K. Migoń, M. Skalska-Zlat, A. Żbikowska-Migoń (ed.), *Oblicza kultury książki. Prace i studia z bibliologii i informacji naukowej*, Wrocław 2005, p. 11 et seq.; L. Lipin, A. Bielów, *Gliniane księgi*, Warszawa 1954, p. 5 et seq.;

Written documents store knowledge of past generations about political, legal, economic, medical and religious matters.

The groundbreaking moment in the history of writing was the invention of printing<sup>2</sup>. Historic conditions determined the content and form of written documents. The technological development of the production of writing materials has undoubtedly influenced the format of generated documents. In spite of the changes in the form of recoding human thoughts, the book still remains one of the most vital ingredients of cultural heritage. It is a fundamental communication tool and a unique bridge between generations.

It is not buildings, architecture or works of art that are the key to “decoding” civilisations and cultures, but archive and library materials. They are a telling testimony to the creation, development and existence of societies, nations and countries.

Such was the motivation of UNESCO in 1992 during the implementation of the Memory of the World Programme, which is intended to perform activities on behalf of the preservation and protection as well as popularisation and promotion of documentary heritage on the global level. An important element of the programme is the Memory of the World International Register<sup>3</sup>. The first entries were made five years after the programme had been started. Currently, the list includes some 200 sites. It is updated every two years.

Some noteworthy entries on the register include 15<sup>th</sup> and 16<sup>th</sup> c. prints in Cyrillic (1997; Russia)<sup>4</sup>; a manuscript of the Koran (1997; Uzbekistan);

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J. Manteuffel, *Książka w starożytności*, Warszawa 1947, p. 36 et seq.; C. Ożarzewski, *Zarys dziejów książki i księgarstwa*, Poznań 1965, p. 5 et seq.; A. Świderkówna, M. Nowicka, *Książka się rozwija*, Wrocław 1970, p. 7 et seq.; B. Szyndler, *I książki mają swoją historię*, Warszawa 1982, p. 133 et seq.; J.W. Thompson, *The medieval library*, Chicago 1939; M. Walczak, *Wyzwania dla pedagogiki mediów w bibliotekach*, [in:] M. Majewska, M. Walczak (ed.), *Pedagogika biblioteczna w społeczeństwie informacyjnym*, Warszawa 2006, p. 21-36.

<sup>2</sup> J. Muszkowski, *Jan Gutenberg i wynalezienie sztuki drukarskiej*, Warszawa 1948; J. Pirożyński, *Johannes Gutenberg i początki ery druku*, Warszawa 2002.

<sup>3</sup> The Committee of the Memory of the World Programme began its activity in Poland in 1996.

<sup>4</sup> Brackets show the represented country along with the year of the inclusion on the list of the Memory of the World Programme.

archive records and documents related to the construction of the Suez Canal (1997; Egypt); archive materials from colonial times (1997; Benin); a collection of Tamil medical manuscripts (1997; India); recordings of traditional Chinese music (1997; China); the works of Carl Linnaeus / Carl von Linné, 1707-1778 (1997; Denmark); the Gutenberg Bible – the work of Johannes Gensfleisch zur Laden zum Gutenberg, 1399-1468 (2001; Germany); a national epic “Hikayat Hang Tuah” (2001; Malaysia); a patent for a radioscope developed by Kálmán Tihanyi (2001; Hungary); a document entitled “the Declaration of the Rights of Man and of the Citizen”, 1789-1791 (2003; France); a collection of Arabic manuscripts and prints (2003; Tanzania); the oldest preserved Islamic inscription (2003; Saudi Arabia); a collection of works of Avicenna / Ibn Sīnā, 980-1037 – a scholar, philosopher and doctor (2003; Turkey); a photographic collection “Family of Man”, a testimony to the life and work of Nikola Tesla, an engineer and inventor, 1856-1943 (2003; Serbia and Montenegro); footage from the times of the so-called “rosary revolution” of 1986 – the end of the reign of Ferdinand Edralin Marcos, a dictator, 1917-1989 (2003, the Philippines); a Phoenician alphabet (2005; Lebanon); the archive of Astrid Lindgren, an author of children’s stories, 1907-2002 (2005; Sweden); “Codex Purpureus Beratinus” – a 6<sup>th</sup> c. manuscript, a parchment code with evangelical notation (2005; Albania); a collection of works of Johannes Brahms, a composer and pianist, 1833-1897 (2005; Austria); films recorded by brothers Auguste Marie Louis Nicolas (1862-1954) and Louis Jean (1864-1948) Lumière as well a patent for a cinematograph they created (2005; France); the oldest public library in America – Biblioteca Palafoxiana (2005; Mexico); a collection of Jewish music created between 1912 and 1947 (2005; Ukraine); the diary of Anne Frank (2009; the Netherlands).

The Polish entries on the list are the following: the work of Mikołaj Kopernik / Nicolaus Copernicus „De revolutionibus orbium coelestium” – “On the Revolutions of the Celestial Spheres” (1999<sup>5</sup>); a musical-composing collection of Fryderyk Chopin / Frédéric Chopin (1999); an archive of the Warsaw Ghetto, a testimony to the Holocaust – the archive of Dr Ema-

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<sup>5</sup> Brackets show the year of the inclusion of the given object on the list of UNESCO’s Memory of the World Programme.



nuel Ringelblum (1999); the act of the Warsaw Confederation from 1573 (2003); Codex Suprasliensis, together with Croatia and Russia (2007); archive materials as a testimony to the activity of the Commission of National Education (2007); 21 demands of Solidarność / Solidarity from August 1980 and a collection “the Birth of Solidarity” (2007); the archives of the Radziwiłł family and the Nieśwież book collection – 15<sup>th</sup> to 20<sup>th</sup> c., together with Belarus, Finland, Lithuania, Russia, Ukraine (2009); the archives of the Literary Institute in Paris, 1946-2000 (2009)<sup>6</sup>. The entries on the list provoke thoughts about the absence of other objects representing diverse disciplines of science as well as written documents, equally valuable not only for Poland but for the whole world.

Controversy begins on the national level with the selection of written documents put forth for inclusion on the World Heritage List. For instance, the following notable elements have been omitted: the archives of the former German death camp Auschwitz-Birkenau (1940-1945); archive materials of the Unity of the Brethren from the period between 1507 and 1828; scientific works created at the Jagiellonian University in the 14<sup>th</sup> and 15<sup>th</sup> c.; the archive, library, museum and scientific collections of the Ossolineum / the National Ossoliński Institute from the 19<sup>th</sup>-20<sup>th</sup> c. The following doubt appears here: is a given candidature perhaps supported by an influential individual, a social group or a lobby? To what extent does the social-political and economic situation in the country and in the world affect Polish candidatures for the Memory of the World International Register? What substantial criteria were accepted by the organisational body of UNESCO considering these candidatures?

There are no answers for the question about the criteria for inclusion of archive and library materials on the register. For example, a national epic from Malaysia made its way to the register. Why then is the Polish epic “Pan Tadeusz” / “Sir Thaddeus” by A. Mickiewicz not there? An important question follows from that: what should our generations do on behalf of promoting documentary heritage? The criteria and the procedure of entry to the

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<sup>6</sup> For more, see: S. Kowalska, *Wielokulturowość jako baza dla konstrukcji programu UNESCO „Pamięć Świata”*, [in:] S. Kowalska (ed.), *Wielokulturowość w dziedzictwie kulturowym polskich społeczności regionalnych i lokalnych*, Uniwersytet im. Adama Mickiewicza w Poznaniu, Poznań-Kalisz 2011, p. 390-404.

Memory of the World International Register ought to be clearer not only in our country, but also in other countries-candidates.

Archives on death camps provide a lesson of history for contemporary and future generations. The Nazi invader strived towards exterminating the Polish intelligentsia, towards eradicating the Polish culture and science. Death camps were populated with all sorts of scholars and scientists (among others – university professors, lawyers, doctors, thinkers, community workers, clergymen) as well as artists (inter alia – writers, poets, painters, sculptors, actors, dancers, musicians). Deprived of their humanity, through their conduct and cultural activity they tried to warn future generations and to convey to them the message: “I shall not all die...”<sup>7</sup>.

UNESCO also manages a different register: Lost Memory – Libraries and Archives Destroyed in the Twentieth Century. Databases collecting information about lost cultural heritage are active in other countries too.

Such data is in Poland collected by the Department of Polish Cultural Heritage Abroad of the Ministry of Culture and National Heritage. For 19 years, the ministry has collected information about library book collections and works of art, lost in the course of World War Two<sup>8</sup>. It is estimated that in the interwar period there were 70,000,000 books in Polish state and

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<sup>7</sup> J. Jaworska, „Nie wszystkim umrę...” *Twórczość plastyczna Polaków w hitlerowskich więzieniach i obozach koncentracyjnych 1939-1945*, Warszawa 1975, p. 6 et seq.

<sup>8</sup> D. Matelski, *Grabież i restytucja polskich dóbr kultury od czasów nowożytnych do współczesnych*, Vol. 1, Kraków 2006, p. 37 et seq.; J. Pruszyński, *Dziedzictwo kultury Polski – jego straty i ochrona prawna*, Vol. 2, Kraków 2001, p. 412-481. See also for example: B. Bienkowska, *Straty bibliotek polskich w czasie II wojny światowej*, Warszawa 1994; K. Estreicher, *Straty kultury polskiej pod okupacją niemiecką 1939-1944 wraz z oryginalnymi dokumentami grabieży (Cultural Losses of Poland during the German occupation 1939-1944 with original documents of the looting)*, Kraków 2003; S. Lorenc (ed.), *Walka o dobra kultury w czasie wojny i okupacji*, Warszawa 1970; G. Mizera, *Straty wojenne. Sztuka starożytna. Obiekty utracone w Polsce w latach 1939-1945*, Vol. 1-2, Poznań 2000; A. Tyczyńska, K. Znojewska, *Straty wojenne. Malarstwo polskie*, Poznań 1998; M. Walczak, *Martyrologia ludności i straty osobowe okręgu jarocińskiego w okresie okupacji hitlerowskiej*, [in:] A. Czubiński (ed.), *Zbrodnie hitlerowskie na Ziemi Kaliskiej w latach 1939-1945*, Kalisz 1979, p. 240 et seq., the same author: *Walka ekonomiczna narodu polskiego w okresie okupacji hitlerowskiej (1939-1945)*, Warszawa 1983 and *Ochrona pamięci o bezpowrotnie utraconych zbiorach bibliotecznych w latach wojny i okupacji hitlerowskiej (1939-1945)*, [in:] S. Kowalska (ed.), *Wybrane aspekty ochrony polskiego dziedzictwa kulturowego*, Uniwersytet im. Adama Mickiewicza w Poznaniu, op. cit., p. 7 et seq.

private libraries. During World War Two, 50,000,000 were lost, 1,200,000 of them especially valuable. Scientific libraries lost a half or 55% of their books at the time, while private libraries lost 70% of their collections and educational libraries lost 90% of their collections. This data is incomplete as a lot of the lost library or archive materials or works of art had not been catalogued and had had no documentation, especially as far as private collections are concerned. Thus, the data is merely approximate. In reality, the losses could have been significantly greater.

In Poland, an index of historic objects that were stolen or transported abroad illegally is conducted by the Centre for the Protection of Public Collections in Warsaw.

Legal regulations relate to material heritage only. There is a need to develop a legal-legislative instrument that would extend the protection to non-material heritage too, because there are also monuments or relics of history that possess only an intangible dimension, e.g. legends, fairy tales, oral ceremonies, information transferred in the everyday life from generation to generation. The protection of this type of heritage is a complex and complicated process. Every community has got its own tradition and culture.

Defining the term “intangible cultural heritage” is not an easy task. Advanced efforts in this direction were undertaken in the second half of the 20<sup>th</sup> century<sup>9</sup>. The term “intangible cultural heritage” itself was directly articulated as late as in 2003 in the Convention for the Safeguarding of Intangible Cultural Heritage of UNESCO<sup>10</sup>. On the basis of its article 2, act 1, the term relates to “practices, representations, expressions, knowledge, skills – as well as the instruments, objects, artefacts and cultural spaces associated therewith – that communities, groups and, in some cases, individuals recognise as part of their cultural heritage”<sup>11</sup>. Art. 2, act 1 mentions another trait of intangible cultural heritage, i.e. the transfer from generation to generation, “constantly recreated by communities and groups in response to their environment” during the process of “their interaction with nature and their history”, which in

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<sup>9</sup> J. Blake, *Developing a new standard – setting instrument for the safeguarding of intangible cultural heritage – elements for consideration*, Paris 2001, p. 8 et seq.

<sup>10</sup> The Convention for the Safeguarding of Intangible Cultural Heritage of UNESCO was ratified on 17 October 2003 in Paris.

<sup>11</sup> Ibidem.

turn “provides them with a sense of identity and continuity”, and thus “promoting respect for cultural diversity and human creativity”. The legal act also states that for the sake of the Convention, the only recognised intangible cultural heritage shall be such heritage that remains in accordance with the functioning instruments in the area of international human rights as well as with the requirements of mutual respect between communities, groups and individuals and with the rule of balanced development<sup>12</sup>.

Intangible cultural heritage can be reflected in a) oral traditions and forms of expression, including the language as a vehicle for intangible cultural heritage; b) performance arts; c) social customs, rituals and festive ceremonies; d) knowledge about nature and the universe and the practices related to that knowledge; e) traditional craft (art. 2, act 2 of the Convention). The definition does not mention personal goods, non-material goods as well as the so-called imponderables. Therefore, it should be expanded, because many cultural goods of this type can disappear if they are not recorded, e.g. the customs and folk culture of the Beskids highlanders<sup>13</sup>.

As mentioned above, the language is thought of in terms of a vehicle for intangible cultural heritage. There are numerous diverse interdependencies between the language and culture. The language can have a material dimension (for example – a system of signs, the function of a sign, symbolisation, literal reflection in the form of writing)<sup>14</sup> as well as a non-material one (e.g. its role of a vehicle for meanings, an oral and phonological communication tool)<sup>15</sup>. The language lets its user articulate almost all cultural phenomena oc-

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<sup>12</sup> The Document Commission of the European Communities, *European sustainable cities. Report of the expert group on the urban environment*, Brussels 1996. Compare: S. Roaf, D. Crichton, F. Nicol, *Adapting buildings and cities for climate change. A 21<sup>st</sup> century survival guide*, Oxford 2004.

<sup>13</sup> Compare: D. Czubała, M. Miczka-Pajestka (ed.), *Tradycja i współczesność. Folklor – Język – Kultura*, Vol. 5 („Oświata i kultura na Podbeskidziu”), Bielsko-Biała 2009, p. 35 et seq.

<sup>14</sup> J. Anusiewicz, *Kulturowa teoria języka – zarys problematyki*, [in:] J. Anusiewicz, J. Bartmiński (ed.), *Język a kultura*, Vol. 1, Wrocław 1991, p. 17 and the following; E. Baldwin, B. Longhurst, S. McCracken, M. Ogborn, G. Smith, *Wstęp do kulturoznawstwa*, Poznań 2007, p. 66-75; Z. Ziemiński, *Logika praktyczna*, Warszawa 2000, p. 13 et seq.

<sup>15</sup> M. Filipiak (ed.), *Wprowadzenie do socjologii kultury*, Lublin 2009; M. Kempny, E. Nowicka (ed.), *Badanie kultury. Elementy teorii antropologicznej – kontynuacje*, Warszawa 2006;

curing in particular communities. Thanks to semiotics, not only culture, the art of word but also fine arts, science etc. can be created and shaped.

It must be noted that certain non-verbal linguistic forms are common for various cultures, e.g. gestures of greeting, respect or neglect, fear, threat; a facial expression betraying sadness or happiness. Understanding non-verbal signals gives an opportunity to get to know other people's thoughts and feelings.

According to an act of 7<sup>th</sup> October 1999 (Journal of Laws of 2009, No. 161, item 1280 as amended), the Polish language is considered to be "a basic element of the national identity and a national cultural good". The legislator concludes that "Polish culture contributes to the construction of a common, culturally diverse Europe, and retaining this culture and its development is possible only through protecting the Polish language"<sup>16</sup>.

National and ethnic minorities must not be discriminated against in Poland. They have a right to use their own language freely in the private and public sphere<sup>17</sup>. The stress is laid on the development of intercultural dialogue and on peaceful co-existence. It is permitted to introduce additional names of towns or physiographic sites in a minority's language or in a regional language. This matter is regulated in detail by a directive of the Minister of the Interior and Administration of 30<sup>th</sup> May 2005 (Journal of Laws of 2005, No. 102, item 857 as amended)<sup>18</sup>. Examples of additional names in: a) the Kashubian language, among others *Jagòdowò* – Jagodowo (the municipality of Sierakowice; Pomerania Province); *Kamienicczì Młin* – Kamienicki Młyn (the municipality of Sierakowice; Pomerania Province); *Kòżëczkòwò* – Kożyczkowo (the municipality of Chmielno; Pomerania Province); *Lësé Jamë* – Lisie Jamy (the municipality of Sierakowice; Pomerania

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A. Kłoskowska (ed.), *Encyklopedia kultury polskiej XX wieku. Pojęcia i problemy wiedzy o kulturze*, Wrocław 1991, p. 18; E. Nowicka, *Świat człowieka – świat kultury*, Warszawa 2007.

<sup>16</sup> Taken from the preamble to an Act of 7 October 1999 on the Polish language (Journal of Laws of 2009, nr 161, item 1280 as amended).

<sup>17</sup> The Act of 6 January 2005 on National and Ethnic Minorities and Regional Languages (Journal of Laws of 2005, No. 17, item 141 as amended).

<sup>18</sup> Regulation of the Minister of Infrastructure dated 10 August 2005 on the placement of signs and additional names in the languages of national minorities and ethnic minorities and regional language (Journal of Laws of 2005, No. 157, item 1320 as amended).

Province); *Miechùcěno* – Miechucino (the municipality of Chmielno; Pomerania Province); *Rzim* – Rzym (the municipality of Chmielno; Pomerania Province); b) the Lithuanian language, among others *Bokšiai* – Boksze-Osada (the municipality of Puńsk; Podlaskie Province); *Navinykai* – Nowinki (the municipality of Puńsk; Podlaskie Province); *Ožkiniai* – Oszkinie (the municipality of Puńsk; Podlaskie Province); *Raistiniai* – Rejsztokiemie (the municipality of Puńsk; Podlaskie Province); *Vidugiriai* – Widugiery (the municipality of Puńsk; Podlaskie Province); *Valinčiai* – Wołyńce (the municipality of Puńsk; Podlaskie Province); c) the Rusyn language, among others *Білянка* – Bielanka (the municipality of Gorlice; Małopolska Province); d) the German language, among others *Friedrichsthal* – Zagwiździe (the municipality of Murów; Opole Province); *Jarischau* – Jaryszów (the municipality of Ujazd; Opole Province); *Lenkau* – Łąki Kozielskie (the municipality of Leśnica; Opole Province); *Tempelhof* – Niwki (the municipality of Chrzastowice; Opole Province); *Groß Pramsen* – Prężyna (the municipality of Biała; Opole Province); *Stöblau* – Steblów (the municipality of Cisek; Opole Province). Having satisfied the formal-legal requirements, national and ethnic minorities can also apply for additional names of streets<sup>19</sup>. However, these names must not resemble the actual names from the periods of totalitarian regimes (Nazism, communism).

In the light of the above, one could ask a few questions with respect to the protection of various elements of the material and non-material heritage of minorities. It turns out that it is far easier to put up a sign with a bilingual name of a town than to preserve folk culture or folklore of a particular community. An important problem in borderlands is the consolidation and preservation of storytellers' tales; literary short forms; celebratory songs, melodies; customs and rituals accompanying various celebrations; traditional games and codes used by children while playing them; poetry; arts, handicrafts, national costumes, etc. Therefore there is a need for wider comparative inter-ethnic research. Moreover, it would be profitable to revise the current state of knowledge about folk culture and folklore. Another desirable thing would be international co-operation in this area.

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<sup>19</sup> Art. 12-13 of the Act of 6 January 2005 on National and Ethnic Minorities and Regional Languages (Journal of Laws of 2005, No. 17, item 141 as amended).

The above matters deal with personal goods. This problem is regulated in the Polish law by an act of 23<sup>rd</sup> April 1964 – Civil Code (Journal of Laws of 2010, No. 40, item 222, as amended), which classifies as personal goods of an individual – among other things – virtue, name, pseudonym, image<sup>20</sup>. For example, the Polish law assigns to objects related with Frédéric Chopin (1810-1849)<sup>21</sup> the status of national goods, and therefore they are subject to special protection – along with the name and the image of the composer<sup>22</sup>. The Minister of Culture and National Heritage is on guard of this image. The image of Frédéric Chopin is linked to many trademarks. For example: the image of Frédéric Chopin decorates bottles of alcohol and hotel names. Some physical individuals and organisations which have excelled in protecting the heritage of F. Chopin have been awarded with an honourable badge “Distinguished for the Preservation of Frédéric Chopin”<sup>23</sup>. Another example: many people find it appalling that the image of John Paul II is placed on almost all types of objects ranging from dishes, stationery, clothing and key rings to cigarette lighters. It is rather lamentable that profits of sellers and business people take precedence over the sense of good taste and tact.

Intangible goods also include copyrights. In the Polish law, this matter is settled in the Act of 4<sup>th</sup> February 1994 on Copyright and Related Rights (Journal of Laws of 2010, No. 152, item 1016 as amended). The act was implemented on 23<sup>rd</sup> May 1994 and it has remained legally binding ever since.

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<sup>20</sup> In an Act of 23 April 1964 – Civil Code (Journal of Laws of 2010, No. 40, item 222, as amended) the regulation of personal goods of an individual can be found in art. 23-24, whereas the protection of personal goods of legal individuals is described in art. 43. For more, see: Z. Radwański, *Prawo cywilne – część ogólna*, Warszawa 1999, p. 150-175; S. Grzybowski, *Ochrona dóbr osobistych według przepisów ogólnych prawa cywilnego*, Warszawa 1957, p. 86 et seq.; A. Kubiak-Cyrul, *Dobra osobiste osób prawnych*, Kraków 2005; K. Pietrzykowski (ed.), *Kodeks cywilny. Komentarz*, Vol. 1, Warszawa 2002, p. 81; A. Szpunar, *Ochrona dóbr osobistych*, Warszawa 1970, p. 80 et seq.

<sup>21</sup> The Polish Parliament announced the year 2010 to be the Year of Frédéric Chopin (the Chopin Year); it was accompanied by a number of scientific and artistic events in the country and abroad.

<sup>22</sup> The legal basis: art. 1, act 1 of the Act of 3 February 2001 on the protection of the heritage of Frédéric Chopin (Journal of Laws of 2001, No. 16, item 168 as amended).

<sup>23</sup> A regulation of the Minister of Culture and National Heritage of 3 February 2006 amending the Regulation on badges of honour “Distinguished for the Preservation of Frédéric Chopin” (Journal of Laws of 2006, No. 24, item 180 as amended).

According to the intention of the legislator, the protection relates not only to works created by professionals but also by amateur authors. The legal act protects especially works using words, mathematical symbols, graphical signs (whether they are literary, journalistic, scientific, cartographic or computer programmes); moreover, the following works of art are also protected: plastic and photographic works, works of violin-making, industrial design products or products of architecture and urban planning, musical pieces and verbal-musical compositions; onstage musical performances and pantomime. Contemporary artistic work is also protected<sup>24</sup>. An instance here can be the work of a painter – a representative of the so-called naïve art (also known as primitivism), Nikifor Krynicki (born Epifaniusz Drowniak; 1895-1968). There is a pressing need for supporting the development and promotion of talented young artists.

The protection of old art is in turn regulated by yet another act, i.e. an act of 23<sup>rd</sup> July 2003 on the protection of historic monuments and the care of monuments (Journal of Laws of 2010, No. 130, item 871 as amended). According to the act, the protection covers fixed monuments (e.g. cultural landscapes, urban and rural systems, works of architecture, technical sites, parks, gardens); mobile monuments (e.g. works of fine arts, artistic craft, musical instruments, numismatic objects, military items, flags, stamps, works of folk art and handicrafts); archaeological monuments (e.g. field remains of prehistoric and historic settlement; relics of artistic, economic or religious activity; burial mounds). However, human virtues like civil courage, bravery, wisdom, honesty, honour, hospitality etc. do not often fit easily into terminological or legal framework<sup>25</sup>.

For centuries, coats of arms of Polish noble families served as symbols of ancestral merits and virtues. Heraldry in Poland dates back to “Bandemia Prutenorum” (1448) by Jan Długosz (Ioannes Dlugossius, 1415-1480) –

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<sup>24</sup> S. Kowalska, *Wolność twórczości artystycznej a ochrona dóbr kultury w świetle prawa*, [in:] M. Sokołowski (ed.), *Kulturowe kody mediów. Stan obecny i perspektywy rozwoju*, Toruń 2008, p. 246-259; G. Sztabiński, *Granice wolności w sztuce współczesnej*, [in:] M. Zalewska-Pawlak (ed.), *Sztuka wobec zakresów wolności człowieka liberalnego*, Wydawnictwo Uniwersytetu Łódzkiego, Łódź 2009, p. 13-23.

<sup>25</sup> J. Pruszyński, *Dziedzictwo kultury Polski – jego straty i ochrona prawna*, Vol. 1, op. cit., p. 89.



a text written down in Latin on a parchment, involving the author's descriptions and a monastic scribe's drawings of Teutonic banners, captured in battle between 1410 and 1431. The work is larger than just the history of Poland and Lithuania as it documents European culture and knightly tradition. It is a significant document preserving the memory not only of Europe but also of the whole world. The work has not been included in the Memory of the World International Register. Fourteen years later, J. Długosz finished another work entitled "Insignia seu clenodia Regni Poloniae", which reviews in detail coats of arms used by knightly families. In our country, ancestral emblems came into use in the 13<sup>th</sup> century (Silesia)<sup>26</sup>.

Coats of arms were placed on many sites or objects that were culturally significant for the Polish nation. A good example of the trend is the Royal Sigismund Bell (1520) at Wawel, which bears the coat of arms of Poland (the White Eagle) and the coat of arms of Lithuania (Pogoń Litewska); the bell "August" (1949) in the church of Saint Lawrence in Kutno, engraved with the coats of arms of the city<sup>27</sup>.

Coats of arms provide information on the country, the city, history, ownership relations etc.

Legal protection is granted to historic coats of arms of dynasties, but contemporary ones are avoided<sup>28</sup>.

The law protects medals and state distinctions. This matter is regulated by an act of 16<sup>th</sup> October 1992 about medals and decorations (Journal of Laws 2009, No. 168, item 1323 as amended). However, the terms it includes, such as "national tradition", "services", "civic virtues" or "prominent achievements" are not unambiguous<sup>29</sup>.

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<sup>26</sup> J. Łojko, *Średniowieczne herby polskie*, Poznań 1985, p. 13.

<sup>27</sup> The Royal Sigismund Bell was cast by Jan (Hans) Beham in a workshop in Cracow. For the first time the bell tolled on 13<sup>th</sup> July 1521. The founder of the bell was King Sigismund I the Old (1467-1548) – a politician but also an admirer and patron of arts. His initiative led among others to the construction of the Renaissance Sigismund's Chapel.

<sup>28</sup> J. Pruszyński, *Dziedzictwo kultury Polski – jego straty i ochrona prawna*, Vol. 1, op. cit., p. 90.

<sup>29</sup> See also: a regulation of the President of the Republic of Poland dated 26 February 2010 on the detailed procedures in matters of granting medals and of relevant documents (Journal of Laws of 2010, No. 36, item 198 as amended).

National symbols are legally protected too. This significant matter is regulated by an act of 31<sup>st</sup> January 1980 on the emblem, colours and anthem of the Polish Republic (Journal of Laws of 2010, No. 18, item 96 as amended)<sup>30</sup>.

Furthermore, various kinds of artistic work can also be classified as a sort of a symbol, a cultural “business card” of a country or a nation – for instance, works of literature by Adam Mickiewicz, Juliusz Słowacki, Henryk Sienkiewicz, Stanisław Wyspiański, Władysław Reymont, Stefan Żeromski, generally recognised as parts of the Polish literature canon. A tangible trace is left by artistic expression assuming the form of e.g. sculpture (e.g. Magdalena Abakanowicz, Luna Drexlerówna, Xawery Dunikowski, Maria Dunin-Piotrowska, Władysław Hasior, Katarzyna Kobro, Władysław Skoczylas). Non-linguistic elements of cultural heritage can also serve as a designatum. Some of them are musical pieces (for example by Frédéric Chopin, Witold Lutosławski, Stanisław Moniuszko, Krzysztof Penderecki); paintings (e.g. by Józef Brandt, Maksymilian Gierymski, Artur Grottger, Jerzy Kosak, Juliusz Kossak, Wojciech Kossak, Jana Matejko, Jacek Malczewski, Piotr Michałowski, Aleksander Orłowski, Henryk Rodakowski, Jan Styka).

Culture on the national, regional and local scale refers to certain values, symbols and linguistic expressions. They cement and define communities (e.g. local every day, occasional and celebratory customs, rituals; myths, legends, folk tales, proverbs; dishes; clothing; architecture; ethical codes)<sup>31</sup> – for example, the so-called “Zakopane style” (the close of the 19<sup>th</sup> c.) invented by Stanisław Witkiewicz (1851-1915), which became a characteristic style of building in the Podhale region.

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<sup>30</sup> Compare: a regulation of the Minister of Foreign Affairs dated 7 March 2002 on detailed rules for raising the national flag with the emblem of the Republic of Polish by Polish diplomatic missions, consular offices and other official representations and missions abroad (Journal of Laws of 2002, No. 34, item 324 as amended); a regulation of the Minister of Infrastructure of 21 October 2005 on the model of maritime flags to mark a special state service classes and the circumstances and conditions for their lifting (Journal of Laws of 2005, No. 235, item 1998 as amended).

<sup>31</sup> A.L. Kroeber, *Źródła przekonań o dziedziczności zwyczajów*, [in:] A.L. Kroeber, *Istota kultury*, Warszawa 2002, p. 29-31.

The conservation and restoration of many buildings ought to be planned and documented <sup>32</sup>.

Local communities frequently lack people or institutions that would deal with collecting, protecting and preserving regional cultures, folklore. Representatives of state authorities should not refuse to register associations or foundations that want to cultivate local culture – unless they mean to achieve this aim illegally.

In Poland, there are not enough coherent mechanisms for the protection of intangible cultural heritage. On the global scale, the role of such an instrument is played by the Convention for the Safeguarding of Intangible Cultural Heritage of UNESCO of 17<sup>th</sup> October 2003. It clearly follows from the content of the convention that cultural heritage can be both material and non-material.

Is it justifiable to use the term “non-material cultural heritage of the human kind”? Local and regional traditions bond members of a given national or ethnical group, but not the human kind as an entirety. This term should rather be used to emphasise the need to harmonise activities for the protection of heritage on the global scale. One should not speak of standardising but of protecting cultural diversity through international co-operation.

Doubts appear with respect to using the term “intangible”. Does that refer to the form or the non-property / non-economic character<sup>33</sup>? It is beyond doubt that cultural goods, especially non-literal ones, possess an immeasurable value. Material relics on the market of works of art are converted into money. Oral tradition is of no use at the market of works of art, although its materialised form can sometimes be subject to trade, e.g. a stone or a parchment with an inscription of a legend, a poem characteristic for a given community or a film tape containing footage of the past.

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<sup>32</sup> Z. Bania, *Konserwacja architektury w Polsce*, [in:] T. Rudkowski (ed.), *O zabytkach. Opieka – Ochrona – Konserwacja*, Warszawa 2005, p. 57-69; B.M. Feilden, *Conservation of historic buildings*, Oxford 1995.

<sup>33</sup> J. Grad, *Uwarunkowania edukacyjne rynku sztuki współczesnej*, „Rynek Sztuki Współczesnej” 1986, XI, the same author: *Pozaeconomiczne uwarunkowania rynku sztuki*, [in:] M. Iwaszkiewicz (ed.), *Menedżer kultury*, Ośrodek Badań Rynku, Centrum Animacji Kultury, Warszawa – Poznań 1995.

UNESCO runs a register entitled “Masterpieces of the Oral and Intangible Heritage of Humanity”. So far, the following artefacts have been included on the list: **a)** from Sub-Saharan Africa, among others – the cultural space of Sosso-Bala in the village of Niagassola. The name “Sosso-Bala” stems from a musical instrument, traditional slats used for centuries by the tribe of Mandingue. The mentioned cultural space stretches over a region populated by this community (2001; Guinea); wooden handicrafts of the people of Zafimaniry, produced with no nails (2003, Madagascar); tree bark clothing, with the technique of creating this fabric dating back to the times from before weaving (2005; Uganda); **b)** from Latin America, among others – the Oruro festival, organised for centuries by the Uru Native Americans. The carnival is accompanied by an exhibition of folk handicrafts (2001; Bolivia); oral and cultural transfer of an Amazon tribe of Zápara as an example of co-existence with nature (2001; Ecuador and Peru); the tradition and culture of the descendants of Maroons slaves from Africa, including the Kromanti language, original drums and horn used a communication tool, peculiar medicine, the custom of farming, cultivated by the whole community (2003; Jamaica); “carreta” – traditional decorated carts with two wheels, pulled by oxen (2005; Costa Rica); **c)** from Asia and Oceania, among others – playing the zither (*guqin*), a tradition cultivated for three millenniums (2003; China); kris – daggers used every day, for fighting and for religious purposes, a valuable ancestral keepsake (2005; Indonesia); the music and songs of minstrels – bards known as Bauls, also famous for their unique poetry (2005; Bangladesh); the Kabuki theatre, staged since the 17<sup>th</sup> century (2005; China); **d)** from Europe and North America, among others – the performances of the Meddah, historical storytellers (2003; Turkey); playing tsiranapokhu (also known by the name of “Duduk”) created from apricot tree wood / the oboe (2005; Armenia); pipe / flute music, with the instrument meticulously adorned and used by shepherds, demanding of its creator significant artistic abilities (2005; Slovakia); Sardinia shepherds’ singing (2005; Italy); **e)** from Arabic countries, among others – Al-Sirah Al-Hilaliyyah, an epic poem passed on from generation to generation (2003; Egypt); the maqam musical genre, consisting of vocal and instrumental parts (2003; Iraq); annual meeting of tribes – moussem (2005; Morocco); the Bedouin culture and the cultural landscape of the areas surrounding Petra and Wadi Rum (2005; Jordan).

The register “Masterpieces of the Oral and Intangible Heritage of Humanity” includes the greatest number of entries from Asia and the Pacific Ocean and from Europe. The least represented are Arabic countries, which can be surprising if we take into account the region’s exceptionally rich tradition. Speaking of Europe, the countries on the list are the ones that are developing economically. How about the countries that are not developing so well, why were they omitted? Such discrimination is undoubtedly inadvisable, disproportions in the cultural sphere and in the access to cultural goods should instead be reduced or removed. There are also countries defending their autonomy – in the cultural sense too. So far, there has only been one edition of the list of the Masterpieces of the Oral and Intangible Heritage of Humanity (2006). Since the time of its publication, almost five years have passed and no updating has been done yet. Thus, the list in its present form does not exactly reflect the diversity of the intangible cultural heritage of the world.

The list includes no entries from Poland. What is the reason of this state of affairs? It results from the fact that Poland has yet not ratified the Convention for the Safeguarding of Intangible Cultural Heritage of UNESCO. This situation provokes diverse comments. Beyond any doubt, Poland can boast a plenty of intangible heritage treasures. Ratifying the Convention would surely strengthen the protection of such goods in our country. Procrastination in this matter is undesirable as many traditions might disappear, e.g. local slangs and customs. As far as the Polish state is concerned, there are no developed procedures for classifying and cataloguing intangible cultural heritage. It is also hard to say who should do it and in what form (e.g. traditional or electronic). The criteria for choosing such things are also not defined at this point, and neither are the rules for the exchange of information and cooperation in this area between state authorities (including the most important part of it, i.e. between different state departments), cultural institutions (e.g. libraries, archives, museums) and non-governmental organisations<sup>34</sup>.

Intangible cultural heritage is no doubt an integral constituent of cultural heritage. Therefore, the protection of cultural heritage clearly needs to be extended to cover it as well.

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<sup>34</sup> W. Szafrński, K. Zalańska (ed.), *Prawna ochrona dziedzictwa kulturowego. Wokół problematyki prawnej dzieł i zabytków*, Vol. 3, Wydawnictwo Poznańskie, Poznań 2010, p. 356.

# The system of cultural heritage protection in Poland after 1989

In the times of Polish People's Republic (1945–1989) the cultural sector was managed and financed centrally. The monuments were mainly owned by the state. The Polish Constitution of 2 April 1997 introduced decentralization in the scope of management. The responsibility was shifted from state administration onto the tenants and private owners. The monuments started being considered in commercial categories or treated as investments. The privatization of historic monument resources took place after 1989. A need arose to introduce a broadly defined cultural heritage conservation system. Each object of cultural heritage protection has its unique characteristics, which means that there is a need to develop individual conservation and prevention methods.

Urbanisation, economic and demographic progress is not insignificant for conservation of cultural heritage. These factors influence the structure and organisation of cultural heritage protection.

The system of conservation does not only translate into legal acts, documents, renovation and restoration work, but also into an array of interconnected or co-dependent factors, which compose the shape and “image” of Polish cultural heritage.

The organisation of protection of historic monuments is regulated by an act of 23 July 2003 protection of historic monuments and the care of monuments (Journal of Laws of 2010, No.130, item 871 as amended) in chapter IX (i.e. in articles 89-101). This legal regulation is somewhat limited, as the

regulations listed above refer to historic monuments and not to cultural heritage, which in specialist literature is considered a broader term<sup>1</sup>. The term “system” suggests that the elements which constitute it should be coordinated into a harmonised internal structure<sup>2</sup>.

The act above enumerates two historic monument protection bodies: the Minister of Culture and Cultural Heritage and province governors.

The Minister of Culture and National Heritage was entrusted with the management of the government administration department called “culture and protection of national heritage”<sup>3</sup>. This department was listed on the 9th place among the 28 other departments enumerated in the act of 4 September 1997 on government administration (Journal of Laws 2010, No. 107, item 679 as amended). In article 14 paragraph 1 the scope of the issues, which are the responsibility of the department was articulated, e.g. the protection and conservation of historic monuments; publications and readership; museum activity; protection of places of national remembrance; cultural education; artistic exhibitions; amateur artistic movements; regional and socio-cultural associations and organisations; foreign cultural exchange. As opposed to the times of Polish People’s Republic, the aim is not to steer or control centrally, as in the act the activity of the department of government administration for culture and national heritage is referred to as “*state patronage*”. In practice, however, central management is still possible, as the position of the Minister of Culture and National Heritage is still appointed by the parties in power. The policy of the Minister of Culture and National Heritage is determined by what is considered national heritage by the ruling party and what its priorities are. After the elections the person in charge of the ministry is changed and, as a result, so are the strategic programmes regarding the protection of

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<sup>1</sup> K. Zeidler, *Wartości zabytku jako kategoria normatywna*, [in:] W. Szafrński (ed.), *Wokół problematyki prawnej zabytków i dzieł sztuki*, Vol. 2, Wydawnictwo Poznańskie, Poznań 2008, p. 37.

<sup>2</sup> A. Redelbach, *Wstęp do prawoznawstwa. Podstawowe pojęcia nauk o władzy, państwie i prawie w perspektywie Unii Europejskiej. Regulamin Europejskiego Trybunału Praw Człowieka*, Toruń 1999, p. 201.

<sup>3</sup> Regulation of the Prime Minister of 16 November 2007 on the detailed scope of the Minister of Culture and National Heritage (Journal of Laws of 2007, No. 216, item 1595 as amended).

historic monuments, which were developed by the resigning minister. Each new minister and his “team usually cuts off from the past” and creates new norms and rules. Such a situation is not favourable for the stability and protection of cultural heritage. Thus, there is a need to design and introduce multi-year non-political actions and strategies.

The September 1997 act under discussion came into force on 1 April 1999, so only 3 months after the introduction of the three-level territorial division of the state (into municipalities, districts, provinces)<sup>4</sup>. Therefore, during the years 1990-1999 many Polish cultural institutions functioned in legally destabilised conditions. The administrative reform changed the situation of, for instance, public libraries in Poland. A new organisational level in the form of a district public library was introduced. However, instead of introducing legal regulations adapted to the new reality, in many cases they were based, or even copied from the previous era. For instance, it is claimed that the act on libraries of 1997, which is binding at the moment, is to a large extent a “calque” of the public libraries act from the times of Polish People’s Republic<sup>5</sup>. It is regrettable that, while the act multiplies the duties of the libraries, it is not accompanied by a proportional increase in financing for the implementation of those duties. Participation in culture depends on the existential and material situation of local and regional communities<sup>6</sup>.

According to Polish law the following persons may act as the organisers of cultural institutions: ministers, directors of central offices, local authority units, natural and legal persons and organisational units with no legal personality<sup>7</sup>. Cultural institutions should have precise aims and financial means for the execution of their statutory activity.

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<sup>4</sup> Act of 24 July 1998 on the introduction of the three division of the country (Journal of Laws of 2001 ; No. 45, item 497 as amended).

<sup>5</sup> T. Zarzębski, *Polskie prawo biblioteczne. Aneks I 1999-2000*, Warszawa 2000, p. 8.

<sup>6</sup> S. Kowalska, *Prawo w działalności współczesnych polskich bibliotek*, Poznań-Kalisz 2009, p. 99. See also M. Walczak, *Wpływ globalizacji i frustracji społecznych na kulturę społeczeństwa polskiego. Sytuacja materialna polskich gospodarstw domowych w początkach stulecia*, [in:] M. Walczak, *Wiedza o kulturze Polaków w początkach XXI wieku*, Konin 2006, p. 31-52.

<sup>7</sup> Legal basis: article 3; 8-9 of the Act of 25 October 1991 on organising and conducting cultural activities (Journal of Laws of 2009, No. 62, item 504 as amended).



The management of a cultural institution by a unit of local government is not always a recipe for an animated participation of the local community in culture<sup>8</sup>. Local governments do not have appropriate funds for the proper functioning of each cultural institution, as they deal with other sectors, such as education, healthcare, roads and public transport.

The General Monument Conservator is performing the tasks concerning the protection of cultural heritage on behalf the Minister of Culture and National Heritage. This is an example of the so called delegated legislation. A few years before the General Monument Conservator had at his disposal the Office of the General Monument Conservator. At the moment he acts as a part of the structure of Ministry of Culture and National Heritage. A question arises about the consequences of such subordination and the role of the General Monument Conservator on the national scale.

The statutory tasks of the General Monument Conservator have been listed in article 90 paragraph 2 of the act of 23 July 2003 on the protection of historic monuments and the care of monuments. These tasks include: preparation of a national programme of monument protection and conservation; implementation of tasks resulting from the national monument protection and conservation programme and the national spatial development policy; undertaking actions connected with the support of regional development and the implementation of province contracts regarding conservation of historic monuments; keeping the national register of monuments and the national register of stolen monuments or monuments exported illegally abroad; issuing decisions, statements and certifications regarding matters stipulated in this act in separate regulations; organising and controlling matters of compliance and application of regulations regarding conservation and protection of monuments; supervision over the activity of provincial monument conservators; promotion of research on monument conservation; granting distinctions, money or material prizes for protection of monuments; cooperation with public administration bodies regarding monument protection; organising trainings on monument protection and con-

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<sup>8</sup> More information on the transformation of cultural institutions: article 18-26 of the Act of 25 October 1991 on organising and conducting cultural activities (Journal of Laws of 2009, No. 62, item 504 as amended). See also: R. Gola, *Podstawy prawa kultury*, Wydawnictwo Poznańskie, Poznań 2006, p. 40-42.

servation of monuments; undertaking actions concerning caring for monuments; protecting monuments connected with the history of Poland located beyond the borders of the country. These are diverse competences, which require specialist knowledge, financial means and, international and local research, especially in case of monuments restitution. The author doubts whether the General Monument Conserver is able to control and assure implementation of the provisions of the Act when it comes to the supervision over the province monument conservers, as the catalogue of his duties is not limited only to monuments but reaches over to matters of broadly understood culture, including acting on behalf of the Minister of Culture and National Heritage.

Secondly, in the act of 23 July 2003 on the protection of historic monuments and the care of monuments there is no mention of a degree or professional experience, which the General Monument Conserver should have. While in the case of province monument conservers there is such a provision (Polish citizenship, an M.A degree in a field connected with monument protection and at least 5 year work experience in the field, knowledge on the functioning of public administration and the regulations applicable concerning protection and conservation of monuments, no record of crimes committed due to intentional guilt – article 91 paragraph 2 act on the protection of historic monuments and the care of monuments). As the General Monument Conserver supervises and controls the above mentioned tasks on the national level, he should also be characterised by appropriate knowledge and professional experience, as he or she not only administers, but also issues many important decisions.

The province governor appoints the province monument conserver, who manages the province conservation office upon General Monument Conserver's consent. Therefore, the conservation service is a part of state administration dealing with monuments<sup>9</sup>. Therefore, we are dealing here with province combined administration<sup>10</sup>. Such subordination has its benefits, but also

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<sup>9</sup> Minister of Culture's Regulation of 9 April 2004 on the organisation of provincial offices of the protection of monuments (Journal of Laws of 2004, No.75, item 706 as amended).

<sup>10</sup> Years ago National Service for the Protection of Historic Monuments functioned in Poland as non-combined administration

its faults. The latter may manifest themselves in attempts to influence the decisions on monument resources while following particular points of view and interests e.g. putting a priceless unique historic real estate up for “sale”, so that a person prominent in the region may buy it, or issuing a construction permit for a supermarket/shopping centre on an area of archaeological importance or natural value. There is a need for the individual ministries, especially the Ministry of Culture and National Heritage and the Ministry of Environment, to issue coherent administrative decisions in the scope of protection of monuments and natural resources.

In many cases monuments are harmoniously supplemented by elements of animate and inanimate nature. There are no formal and legal system solutions. There are voices demanding the exclusion of monument conservers from combined administration.

The current statutory catalogue of the province monument conserver's duties is not closed. It includes the following: the right to execute tasks of monument protection and conservation; preparation of financial plans – within the scope of the assigned budgetary means; preparation of a register and a province list of monuments and gathering documents on this matter; issuance of decisions, statements and certifications in matters stipulated in the act in separate regulations in accordance with competences; supervision over research on conservation, architecture, conservation, restoration, construction works and other actions connected with monuments as well as archaeological research; organising and executing control over monument protection and maintenance; preparation of province plans of monument protection in case of a military conflict and crisis situation and coordination of actions by the implementation of these plans (legal basis: article 91 paragraph 4 Act on the protection of historic monuments and the care of monuments). The Province Monuments Conserver is the first link in the system of cultural heritage protection in the region. Appropriate research and cooperation with other administrative bodies in this scope may ensure effective monument protection by the province monument conserver. At the moment the Minister of Culture and National Heritage does not take part in the establishment of the province conservation services nor in the preparation of their budget, and approval of regulations for the province monument pro-

tection services<sup>11</sup>. Polish law also lacks regulations concerning responsibility of the province monument conservator and conservation services for improper or wrong decisions.

Another urgent matter requiring regulation, is correlating the register of monuments on central and provincial level.

The province governors report to the Minister of Home Affairs and Administration, which makes it difficult for the Minister of Culture and National Heritage to take an active stance on issues concerning monuments. This is a curious situation, as matters of culture and cultural heritage in Poland were entered into the competences of this minister.

The province monument conservators should not only be prepared in their field of expertise, but also they should have elemental knowledge from other areas e.g. law, history, history of art architecture, economy, management and ecology. Conservation services should be reinforced with young, qualified specialists.

Similar questions, as in the case of the General Monument Conservator, arise about the duties of the province monument conservator (e.g. the level of control and implementation). The execution of the duties of the province monument conservator is hindered by many factors. In most cases it is the private owners of the historic monuments, who finance them and decide about their purpose or adaptation, and the province conservators only limit themselves to issuing an opinion or recommendation on conservation works. The province monument conservators have no tools to undertake actions and execute appropriate protection and conservation policy. Their actions are not harmonised. The decisions on entering a given object into the register of monuments in two given provinces may be different even in relation to historic monuments of similar value (e.g. old Jewish synagogues). The discretionary nature of the decisions in many cases paralyzes the protection activities. The effectiveness and quality of the actions undertaken by the province monument conservators is unknown, as they do not prepare any reports or statements. There is a need to develop objective criteria of entering monu-

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<sup>11</sup> In accordance with article 92 paragraph 2 of the act on the protection of historic monuments and the care of monuments, the province monument conservator offices are given their rules and regulations by the province governor, which means that on the national scale they may not be univocal.

ments into the register, which are justified by knowledge and law. The rules of evaluating and deciding on whether a given structure is a monument or not require particularisation. The criteria used to involve age, historical value, connection of the monument with an important person etc. Today, it often happens that entering into the register is conditioned by commercialisation, demography or development of the construction sector. The evaluation of monuments is often detached from regional/local environments (history, architectural and social tradition, nature, landscape) e.g. in reference to vernacular architecture. Also the meaning of the term “value” seems unstable.

At the moment one may get an appraiser’s licence in fourteen different areas connected with protection of monuments: archaeology; architecture and construction; town planning; cultural landscape; painting; prints; sculpture; architectural detail and architectural spaces, artistic craftsmanship and applied arts; musical instruments; library and archive materials; monuments of technology; parks, gardens and cemeteries; technical protection of monuments; evaluation and appraisal of movable monuments. Intangible cultural heritage was not included, although it also needs a system of protection. An appraiser’s licence may be given to a person who: enjoys full public and political rights and has at least 10 year experience in a given area of monument protection; has a high level of knowledge in the represented area and guarantees proper execution of duties<sup>12</sup>. The licence is handed out by the Minister of Culture and Cultural Heritage after he or she was advised by the General Monument Conserver. The request to the minister is submitted through the General Monument Conserver. The first “selection” is conducted by the General Monument Conserver. This opinion should be irrefragable and impartial. The appraiser should be professional, independent in his reasoning and objective, no matter what is the subject of his qualifications. Liability for an error of the appraiser is still not regulated by law. The expert’s opinion issued by the appraiser should have the status of a document, so that there is no doubt as to its importance and as to the person who issued it.

Among the advisory and opinion-giving bodies of the Minister of Culture and Cultural Heritage the following may be listed: Monument Protec-

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<sup>12</sup> § 1 and § 2 paragraph 1 of the regulation of the Minister of Culture dated 10 May 2004, experts on the Ministry of Culture for the care of monuments (Journal of Laws of 2004, No. 124, item 1302 as amended). The regulation came into force on 2 June 2004.

tion Council<sup>13</sup>; National Library Council<sup>14</sup>. The main opinion-giving body functioning by the General Monument Conservator is the Main Conservation Commission<sup>15</sup> and by the province monument conservator, the Province Council for Monument Protection<sup>16</sup>.

Foundations and associations are other subjects, which may act for the protection of national heritage in Poland. A foundation obtains a legal personality once it is entered into the National Court Register<sup>17</sup>. According to the law, after a foundation is entered into the National Court Register, the court informs the minister competent in reference to the foundation's registered office through the starost and transmits to him a copy of the foundation's statute<sup>18</sup>. A foundation is an institution based on assets such as library resources, works of art donated by a founder for given social or economic aims especially for the development of science, education, culture, art and environmental protection. The Minister of Culture and National Heritage would be a competent minister when it comes to a foundation dealing with monuments, library resources or works of art. However, foundations may

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<sup>13</sup> More information: Article 97 of Act of 23 July 2003 on the protection of historic monuments and the care of monuments (Journal of Laws of 2010, No. 130, item 871 as amended).

<sup>14</sup> More information: Article 7 of Act of June 1997 on libraries (Journal of Laws of 2006, No.220, item 1600 as amended). See also regulation of the Minister of Culture and Art of 19 March 1998 on the regulations of the National Library Council (Journal of Laws of 1998, No.47, item 297 as amended)

<sup>15</sup> More information: art. 98 uoz.

<sup>16</sup> More information: art. 99 uoz.

<sup>17</sup> More information: Act of 20 August 1997 on the National Court Register (Journal of Laws of 2010, No. 28, item 146 as amended).

<sup>18</sup> Legal basis: Article 9 paragraph 2 of the Act of 6 April 1984 on foundations (Journal of Laws of 2007, No.175, item 1462 as amended).

In the previous regulatory environment the mentioned article stipulated what follows: "The court notifies the proper minister about the inclusion of a foundation in the registry, that is, the minister proper in view of the scope of his or her activities and the purposes of the foundation (...) If the foundation is to be active on the territory of just one province, the court also notifies accordingly the province concerned (...) upon transmitting to him a copy of the foundation's statute" The current wording of this article is presented above in the main body of the text – as a result of an amendment it came into force on 1<sup>st</sup> of January 2006 (Journal of Laws, No.175,item 1462).

have aims stretching into the competences of other ministers, for example the foundation Department of National Ossolinski name, which is the legal successor of the foundation set up in 1816 by Józef Maksymilian Ossoliński. In accordance with the act of 5 January 1995 (Journal of Laws of 2007, No.147, item 1029 as amended) the aim of this foundation is the maintenance of the Ossolineum National Library and the multiplication of its resources, especially in the area of Polish and Slavic humanities as well as their compilation and dissemination; conservation of the Museum of Lubomirski Princes and multiplying the art and historic memorabilia collection; supporting and conducting research and publications<sup>19</sup>. At the beginning the supervision over the Zakład im. Ossolińskich foundation was conducted by the Minister of National Education, today – as a result of an amendment – it is executed by the Minister of Culture and National Heritage<sup>20</sup>.

Each year, the foundations should present their competent minister with a report from their statutory activity and from the tasks executed in the budgetary year<sup>21</sup>. Another dilemma emerges – in the currently binding act on foundations the deadline and the executive mechanism for this duty were not made precise, and, as a result, there are no disciplinary means or sanctions for the implementation of this stipulation.

Foundations might become helpful in case of restitution claims for cultural goods raised by private owners. Examples: XX Czartoryski Foundation (set up in September 1991, founder – prince Adam Karol Czartoryski-Borbon; at the moment count Adam Zamoyski is the chairman of the board) functioning by the Czartoryski Princes Museum in Krakow or the Raczyński Foundation by the National Museum in Poznań (founder: the President of the Polish Republic in Exile Edward Bernard Raczyński). Thanks to the creation of these foundations the exceptionally valuable collection of the

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<sup>19</sup> The above aims of the foundation were stipulated in article 5 of the act of 5 January 1995 by the Foundation – Department of National Ossolinski name (Journal of Laws of 2007, No. 147, item 1029 as amended).

<sup>20</sup> Amendment introduced in 2007.

<sup>21</sup> This duty was imposed by virtue of article 2 paragraph 2 of the act of 6 April 1984 on Foundations. Compare: Regulation of the Minister of Justice of 8 May 2001 on the framework the scope of the report on the activities of the foundations (Journal of Laws of 2001, No.50, item 529 as amended).

Czartoryski and Raczyński families remained in national museums. The right to their ownership was confirmed, but without changing their location and availability. In case of foundations, the advantages are mutual as opposed to court proceedings and sentences. There is still no consensus as to the collection of Izabella Elżbieta Czartoryska-Działyńska in Gołuchów. At the beginning of December 2010 the matter of the assets in Gołuchów was to be heard again by the Regional Court in Kalisz. However, not all cultural goods or collection may become a basis for the creation of a foundation.

Associations, on the other hand, should be, according to the law, voluntary, self-governing, permanent, non-profit unions based on social work of its members. Nonetheless, associations may have employees, in order to carry out their statutory duties<sup>22</sup>. Associations take on legal personality once they are entered into the National Court Register. The so called “common associations” do not have legal personalities, as opposed to “registered associations”. The supervising body, competent in reference to the future registered office of the association, is informed in writing about the establishment of a common association. In accordance with article 8 paragraph 5 of Act of 7 April 1989 – Law on Associations (Journal of Laws of 2007, No.112, item 766 as amended), the supervision over the activity of associations is the duty of: a) the province governor competent with respect to the registered office of the association – in the scope of supervision over the activity of associations units of territorial self-government; b) the competent starost with respect to the registered office of the association – in the scope of supervision over associations other than those listed in item “a”.

In Poland there are many associations acting in the field of culture and nature protection, e.g. Willa Decjusza Association (founded in 1995, Kraków), Kulturalne Reszelanie Association (founded in 2006); Izaak Bashevis Singer Cultural Association of Bigoraj, (founded in 1999); Carpathian Mountains Heritage Association (founded in 1999); „Kalwa” Association of Ziemia Pasymiska Lovers (founded in 1996).

A registered association may be created by at least 15 persons, but usually it is at least 3. The relatively easy procedure of creating associations

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<sup>22</sup> Legal basis: Article 2 paragraph 1 and 3 of act of 7 April 1989 – Law on Associations (Journal of Laws of 2007, No.112, item 766 as amended).



is unsettling. For that reason one sometimes may hear about national controversies concerning the “unclear activities” of a number of non-governmental organizations. Therefore, supervision over them should be more effective, however, not arbitrary.

Nevertheless, public authorities should not decline registration to associations, which intend to act peacefully for the protection of cultures of ethnic or national minorities or local/regional traditions, as foundations and associations are one of the institutionalised forms of conducting cultural activity.

Foundations and associations may conduct so called public benefit activities. The act of 24 April 2003 on Public Benefit and Volunteer Work (Journal of Laws of 2011, No.232, item 1378 as amended) finds its application in this area of interest. According to this act “public benefit work” is work for the social benefit conducted by non-governmental organisations in the sphere of public services stipulated by the act (article 3 paragraph 1)<sup>23</sup>. The services enumerated in the public sphere may refer to e.g. culture, art, protection of cultural and traditional goods; science, education and upbringing; protection of regional languages; cultural and regional studies; supporting the development of local communities, ecology and animal protection and protection of natural heritage; dissemination and protection of human rights and freedom as well as civil rights and supporting the development of democracy ; promotion and organisation of voluntary work<sup>24</sup>. The status of a public benefit organisation (PBO) is gained on being entered into the National Court Register. However, a given organisation must first meet certain legal and formal requirements. The status should not be given automatically, despite the fact that the activity of a given foundation or association may fit into the field of culture or monument and nature protection.

Examples of public benefit organisations: Bractwo Czarnej Wody – Association of Wda River Lovers (PBO status obtained in 2009; Osie); Crea-

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<sup>23</sup> The stipulations of the act above, in accordance with Article 3 paragraph 4 do not apply to 1) political parties 2) trade union and employers’ associations 3) professional self-governments; 4) foundations, the founder of which is the Treasury.

<sup>24</sup> Legal basis: Article 4 paragraph 1 items 4-5, 13, 16, 18-19 and 22 of act 24 April 2003 on Public Benefit and Volunteer Work (Journal of Laws of 2011, No.232, item 1378 as amended).

tivity and Education Foundation (PBO status – 2007; Białystok); “Bliziej Natury” Foundation (PBO status – 2010; Godurowo); Committee for the Reconstruction of the Royal Castle in Poznań, (PBO status – 2004; Poznań); Adam Mickiewicz University Chamber Choir Association (PBO status – 2005 r.; Poznań); Józef Zeidler Association of Lovers of Music of Święta Góra (PBO status – 2009; Głogówko); Association of Districts „Polish Gothic Castles” (PBO status – 2004; Olsztyn); Society for the Preservation of Historical Monuments (PBO status – 2004; Warszawa); Polish Society for the Protection of Animals (PBO status – 2004; Warsaw); Association of Polish Municipalities “Euroregion Bałtyk” (PBO status – 2005.; Elbląg); “Ziemia i My” Association – Ecological Education Centre (PBO status – 2008; Dąbrowa Górnicza).

Public benefit organizations submit obligatory reports from their activity<sup>25</sup>. Natural persons may donate to such organizations 1% of their income tax. Thus, this status not only involves duties, but also benefits (e.g. exemption from the corporate income tax and real estate tax as well as from court fees and stamp duties).

There is an increase in the number of public benefit organisations in Poland, as well as an increase of help given to them by society. It is a very much needed activity. However, their condition and activity is not fully known. There is also no univocal information on the way the obtained financial means are spent on and to what purpose.

Another matter: monuments undeniably enhance the cultural attractiveness of the regions. Tourism may bring in additional means, which could be potentially spent on conservation. The problem is, however, to use the potential of cultural and natural heritage wisely.

Before the state took Polish heritage under its formal protection, churches and religious groups held patronage over monuments and art. In the Middle Ages churches and monasteries were not only a form of cenobitism and a place of worship, but also centres of intellectual development. The contemporary conditions and philosophical thought made the art of those times mystical and religious. Many monuments and works of art were gathered in

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<sup>25</sup> Act of 29 September 1994 on accounting (Journal of Laws of 2009, No.165, item 1316 as amended).

churches and monasteries, which themselves are monuments. Apart from works of art, e.g. sculptures, paintings, one may find in churches also liturgical equipment (e.g. stoops, crucifixes, altars).

Most of Polish society declares that they are Catholic. For this reason a Concordat was concluded between the Holy See and the Republic of Poland on 28 July 1983 in Warsaw (Journal of Laws of 1998; No. 51, item 318)<sup>26</sup>. In article 1 of this document the relations between Poland and the Vatican are defined as independent and autonomous.

In accordance with this document, the parish priests should take care over the historic sacral monuments and their interiors. In accordance with article 25 of the Concordat, bearing in mind the protection of cultural goods in churches and sacral monuments, including archive materials, in each diocese, there should be a commission appointed by the bishop. The regulations concerning the availability of cultural goods, which are owned or remain under the Church's power, should be prepared by competent state and Church authorities. The Concordat refers to cultural goods as having "*national importance*", while with the archive materials the historical and artistic value was highlighted. There are no guidelines, however, as to cultural goods, which have local historic value. This problem also pertains to different archive materials. A conjunction was used in the text of the Concordat, which means that historic and artistic value should occur cumulatively. It happens, however, that a certain document has historic, but not necessarily artistic value. There may be other types of value, which are not mentioned in the Concordat, for example emotional value, or even practical value. A question arises: should the absence of any of these characteristics or the occurrence of another/others – in the light of the document under discussion – deprive a given object of protection?

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<sup>26</sup> The Concordat came into force on 25 April 1998. See also governmental statement of 3 April 1998 on the exchange of ratification documents between the Holy See and the Republic of Poland, signed at Warsaw 28 July 1993 (Journal of Laws of 1998, No. 51, item 319) and the announcement of the Minister of Foreign Affairs of 29 July 1999 on the execution of the Concordat between the Holy See and the Republic of Poland (Journal of Laws of 1999, No. 63, item 727)

Canon law code – the basic document regulating the functioning of the Catholic Church<sup>27</sup> – stipulates that by a transaction of objects, which were donated to the Church by vow or, which are precious due to artistic or historical value, apart from a consent from a Church superior, a consent from the Vatican is also required. Similarly, according to canon 1292. § 2, in order to sell things donated to the Church by vow or objects artistically or historically valuable, a consent should be obtained. It is not specified, however, what is to happen with things, which found their way to a church or a monastery in another way, sometimes perhaps without the knowledge of the rightful owner, for instance: during a war or as a result of a change of borders ruled by a treaty; theft; being transferred from museums; state libraries or other churches; taking over a sacral monument, which used to be managed by a different parish or religion.

The issues of restitution (recovery) of assets are a very complicated process, both when it comes to sacral and secular monuments.

The parish manager should, according to the canon law, prepare a detailed and verified inventory of valuable movables and immovables, regardless of whether they are cultural goods or not; one copy should stay at the parish, the other should be submitted to the curia. All changes in the assets should be marked (canon 1283. 2°–3°). However, to prepare such an inventory, specialist knowledge in the field of history and history of art, historic monument conservation is needed. The parish priests, however, usually decide on conservation and renovation following just their intuition. This poses a threat for the authentic substance of the monuments. Works in the listed churches in Haczów, Jastrzębia and Połomia can serve here as thought-provoking examples of lack of appropriate preparation and supervision.

Also, most of the sacral monuments are not secured against burglary, purposeful illegal actions (e.g. arson) or natural disasters and *force majeure* (e.g. lightning, fire, flood)<sup>28</sup>. In the years 1990-2000 fire took 50 sacral mon-

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<sup>27</sup> At the moment canon law code is in force in the Catholic Church, „*Codex Iuris canonici auctoritate Joannis Pauli PP. II promulgatus*”, which was proclaimed by John Paul II on 25 January 1983. This document was amended by the current pope Benedict XVI in 2009.

<sup>28</sup> E. Poniedziałek, *Ochrona polskich drewnianych kościołów jako unikatowych dóbr kultury w europejskim dziedzictwie kulturowym*, [in:] p. Kowalska (ed.), *Wybrane aspekty ochrony polskiego dziedzictwa kulturowego*, op. cit., p. 136-144.

uments in Poland, e.g. 18<sup>th</sup> century St. Andrew's church in Różnowice in Małopolska. Thus, protection programmes should be correlated; they should be made more comprehensive and multilayered, and the owners should be equipped with not only legal, but also financial tools.

The canon law code also stipulates that all managers, that is parish priests, are to fulfil their duties "*with the diligence of a good landlord*" This diligence involves, taking care that the goods under their care are not wasted or damaged. With that end in mind appropriate insurance contracts should be concluded<sup>29</sup>. Parish priests should obey both the canon law and the state law, as well as documents issued by the founder, donator, state authorities or local authorities. Each calendar year the parish priests should prepare reports on the management of the parish, and the documents and the evidence, on which the right of the parish or the institution to the assets is based, should be properly ordered, kept in an archive and secured. Copies of these documents should be submitted to the curia archive<sup>30</sup>.

There are no regulations for the management and execution of conservation and restoration of sacral monuments by appropriate state authorities<sup>31</sup>. The condition of the sacral monuments in Poland is not known, nor is the form of supervision over them. There is no legal interpretation on the grounds of which the province conservator could enter the church premises, or monastery library in order to evaluate the condition of the cultural goods stored there or to conduct the needed work. This task lies with the church parish managers, but the priests do not have the appropriate knowledge, financial means, legislative legal and technological support. State, local and church authorities should cooperate in this matter. Especially that the sacral monuments are places not only of worship, but a witness to the history of local communities.

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<sup>29</sup> The programme of wooden churches protection „PZU S.A. Saves Monuments”.

<sup>30</sup> Legal basis: canon 1284. § 1-2. 1°-3°, 5°, 7°-9° of the canon law code “*Codex Iuris canonici auctoritate Joannis Pauli PP. II promulgatus*” of 25 January 1983.

<sup>31</sup> S. Kardasz, *Specyficzne problemy związane z dziedzictwem kulturowym zarządzanym przez kościół*, [in:] K. Gutowska (ed.), *Problemy zarządzania dziedzictwem kulturowym*, Warszawa 2000, p. 216 et seq. ; J.S. Pasierb, *Ochrona zabytków sztuki kościelnej*, Warszawa 1995; J. Pruszyński, *Problemy prawnej ochrony zabytków ruchomych sztuki sakralnej*, „Ochrona Zabytków” 1982, No. 3-4; p. 217 et seq.

The role and work of other churches and religious groups cannot be underrated. Especially that the Constitution of the Republic of Poland of 2 April 1997 (Journal of Laws of 1997, No. 78, item 483; hereinafter referred to as: “Constitution of Poland”) states that all churches and other religious groups are equal. Public authorities should remain impartial in matters of religion, outlook or philosophy, ensuring the freedom of expression in public life. The relationship between the state and churches and other religious organizations shall be based on the principle of respect for their autonomy and the mutual independence of each in its own sphere, as well as on the principle of cooperation for the individual and the common good (article 25 paragraph 1-3 Constitution of Poland). This is made more concrete by Act of 17 May 1989 on Guarantees of freedom of conscience and religion (Journal of Laws of 2009, No. 98, item 817 as amended) according to which the Republic of Poland ensures freedom of conscience and religion for each of its citizens. This freedom includes choice of religion and beliefs and their individual, private and communal and public expression. The believers of all creeds and the non-believers have equal rights in political, economic, social and cultural life (article 1). One may wonder to what extent these regulations are respected in practice. It goes without saying that the meaning and input of churches and religious groups other than Catholic into Polish culture and cultural heritage cannot be omitted or underestimated.

The lack of appropriate means for security (e.g. installation of burglar alarms and fire alarms), conservation and restoration is the problem of not only parish priests, but also private owners and tenants. European Union funds offer some help, however, the level of their deployment in Poland is still “modest” as compared to the needs. There is a need to develop regulations and financial mechanisms, which would facilitate conducting conservation and protection to the private owners and non-governmental organisations in the form of subsidies or tax deductions.

At the moment 25 % of the listed historic monuments should undergo urgent renovation and conservation. The value of these works is estimated at app. 80% of replacement value which results in costs amounting to approximately PLN 32 billion. Movable historic monuments require at least five renovations a year, which in practice means spending at least half a billion PLN. Systematic and random conservation, restoration, reparation and protection

are crucial. These financial calculations are not full yet, as not every historic monument is entered into the register. In many historic buildings movable historic monuments can be found. Also, the calculations above do not show the expenses on security of monuments, which are owned by private owners. These are monuments, which are hard to estimate e.g. heirloom, historic court files, incunables; paintings stored in archives, libraries or museums. One cannot univocally determine the value of archaeological immovables and movables such as kurgans etc. Those factors force us to operate only on estimate data regarding both the lost as well the contemporary monument resources, as well as the cost of conservation, restoration and restitution<sup>32</sup>.

It requires emphasising that that many monuments in Poland were renovated, or even saved from destruction thanks to the selfless work of civil custodians of historic monuments. Volunteer care of monuments in Poland has traditions reaching into the 18th century. At the moment this matter is regulated by the act of 23 July 2003 on the protection of historic monuments and the care of monuments (Journal of Laws of 2010, No. 130, item 871 as amended). Civil custodians of historic monuments may undertake actions connected with preserving their value and keeping them in the best possible condition. They are entitled to instruct persons, who break the regulations on monument protection and conservation<sup>33</sup>.

Being a civil custodian of historic monuments is a form of voluntary work. Therefore, one may encounter in professional literature a comparison of the civil custodian of historic monuments to the role of the so called "honorary official"<sup>34</sup>. One should differentiate between a "body" and an "office". The Minister of Culture and Cultural Heritage is an example of a body, while the Ministry of Culture and Cultural Heritage is an office. A body of government administration acts on behalf of the state. He or she is equipped with

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<sup>32</sup> T. Rudkowski, *Rola społecznej opieki nad zabytkami w Polsce 1944-1989*, [in:] A. Tomaszewski (ed.), *Ochrona i konserwacja dóbr kultury w Polsce 1944-1989. Uwarunkowania polityczne i społeczne*, Warsaw 1996, p. 68 et seq.

<sup>33</sup> Ibidem and article 102 paragraph 1-2 in connection with article 104 on the protection of historic monuments and the care of monuments.

<sup>34</sup> I. Niżnik-Dobosz, *Wybrane zagadnienia ustroju i organizacji organów ochrony zabytków (służby ochrony konserwatorskiej)*, [in:] W. Szafrński, K. Zalańska (ed.), *Prawna ochrona dziedzictwa kulturowego*, Vol. 3, Wydawnictwo Poznańskie, Poznań 2009, p. 188.

discretionary power. While an office is a certain group of staff and technical infrastructure, which help the state body perform the tasks set out by relevant acts of law<sup>35</sup>. Civil custodians of historic monuments do not have discretionary powers, personnel, or material resources in the form of an office. An official, honorary he or she may be, is a part of public government, state or local administration. However, the act on protection of historic monuments and the care of monuments of July 2003 does not include the civil custodians of monuments among the monument protection bodies in Poland.

According to the act, any person who has the ability to enter into legal transactions, and who was not sentenced for criminal offences due to intentional guilt and who has knowledge in the scope of monument protection and conservation may become a civil custodian of monuments. Those tasks may also be performed by a legal person or other organizational unit, which does not have a legal personality<sup>36</sup>. Basing on article 103 paragraph 1 of the act on protection of historic monuments and the care of monuments, the starost relevant to the place of residence or registered office of the candidate appoints a civil custodian of monuments following a motion of the province monument conservator. Therefore, the civil custodians should cooperate with the province monument conservator and the starost. However, neither the starost nor the province monument conservator should use their position or influences to coerce any specific activity or lack of activity. It is beyond doubt that the civil custodians, although they have no discretionary power, may support many actions aiming to preserve cultural goods. It is also a form of promotion of monuments and spreading cultural education in local communities.

It should be noted, however, that the civil custodians of monuments should both be burdened with statutory duties in the scope of monument protection and conservation. Public authority bodies should give them practical, not only declarative support.

A civil custodian of monuments should be aware of the meaning and the need for cultural and natural heritage protection. The survival of many

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<sup>35</sup> E. Ochendowski, *Prawo administracyjne – część ogólna*, Toruń 2000, p. 211, 215.

<sup>36</sup> Article 102 paragraph 3-4 Act on the protection of historic monuments and the care of monuments.



unique historic monuments and natural sites is due to the activity of the civil monument custodians.

There is an active system of monument protection bodies in Poland. However, it is not always harmonious and comprehensive. It must be made more practical and precise. A modern system of monument protection should be based not only on the well tried, rational national model, but also on verified and useful methods from other countries<sup>37</sup>. International cooperation, especially between the member states of the European Union, is important. It is a crucial element in the protection of trans-border cultural and natural regions, and the recovery of lost, stolen, or illegally exported monuments and works of art.

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<sup>37</sup> See: e.g. W. Sobucki, *Ocena stanu zachowania księgozbioru metodą stanfordzką*, [in:] B. Drewniewska-Idziak, E. Stachowska-Musiał (ed.), *Ochrona i konserwacja zbiorów bibliotecznych*, Warsaw 1998, p. 59-65.

# Jewish cultural heritage in Poland or no man's property

Polish cultural heritage also stands for an abundance of the culture of Polish Jews, which is a crucial part of the humanistic cultural heritage of mankind<sup>1</sup>. Jews, spread over eighty countries of the world, developed a cul-

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<sup>1</sup> **Jews (the Hebrew)** a nation with Semitic roots. The name comes from the second name of Jacob, which, according to the Bible, was given by God himself. This name was "Israel", which may be translated from Hebrew as "Struggle with God". Worshipers of the only God Yahweh/Jehovah. For many centuries a theocratic state. Today most Jews live in diasporas dispersed around the world. Only 30% live in Israel. Initially they were a nomadic people with a patriarchal structure. A special role was played by Abraham, Isaac and Jacob, who inhabited the region of the Middle East. Jews came to Palestine in the times of Moses (13th century B.C.) believing that this was the "Promised Land" promised to their ancestors by God. The nation of Israel was formed app. 1025 B.C. The first king of Israel was Saul, then David and his son Solomon, who built the Temple of Jerusalem. Jewish history has many prominent figures e.g. king Josiah, Judge Gideon; prophets such as Haggai, Daniel, Elijah, Isaiah, Jeremiah, Malachi, Nehemiah, Hosea, Zechariah and the greatest of the prophets – Jesus Christ. From 332 B.C. Palestine was under Greek influences (hellenisation), and after the death of Alexander the Great – under the reign of the Ptolemaic dynasty. At this time the most resilient Jewish Diaspora could be found in Alexandria. In 1<sup>st</sup> century B.C. Palestine gained independence. However, it was not long before it became a Roman province. This was the time when the Old Testament was formed. Under the influence of many false prophets and Jewish religious leaders (Sadducees and Pharisees) a religious schism commenced. Jews undertook military attempts to free themselves from the Roman rule, which failed. The Romans demolished the temple in Jerusalem. The Jews who survived were exiled. From that moment Jews as a nation are united by one factor – the religion Judaism. An integrating role is played by religious leaders – the Rabbis. Apart from the Egyptian Diaspora,

ture, which is characteristic and unique in every aspect and manifestation – both sacral and secular. At least half of the Jewish Diaspora, which exceeds fifteen million people on all continents of the world, is emotionally tied with Polish Jews. Historical turbulences scattered Polish Jews over all continents. They left the country, but they kept the nostalgia for Poland, for the way of life and for the culture shaped in Polish towns and cities, and passed on to their descendants. The climate of Jewish towns in Poland was immortalized by the classics of Jewish literature such as Isaak Leib Perec<sup>2</sup>, Sholem

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the Babylonian Diaspora was energetically developing. That is where Talmud was created. As a result of a religious schism in 8<sup>th</sup> century a movement called Karaite Judaism emerged, which rejected the Talmud. This movement spread rapidly. After the Medieval Ages, many restrictions were often imposed on Jews, e.g. they could not buy land. Jews were famous for their activity in trade and industry (e.g. they lent money at an interest, although the Catholic church banned it). They contributed to the cultural and scientific development of the countries they inhabited. The Crusades and religious fanaticism which deepened from the 11th century contributed to the growth of anti-Jewish sentiments. Many Jews found refuge in Poland. Gradually Jews started integrating with the locals. In the modern times there were many prominent scientists and artists of Jewish origins e.g. Noble Prize winner Albert Einstein. Directly before and after World War I anti-Semitism grew stronger and stronger. It reached its peak during World War II., The crime of genocide, the Holocaust, until this day constitutes a warning against the mistakes of history. Basing on the United Nations resolution of 1948, the state of Israel was proclaimed. According to estimations there may be 5 million Jews living in Israel at the moment (some sources quote 7 million), 6 million in USA and 15 million around the world (some sources quote 13-17 million).

Source: E. Dąbrowa (ed.), *Bibliografia historii i kultury Żydów w Polsce*, Wydawnictwo Uniwersytetu Jagiellońskiego, Kraków 2002; J. Elihai, *Chrześcijaństwo i antysemityzm: między bolesną przeszłością a nadzieją jutra*, Wydawnictwo „Znak”, Cracow 2000; B. Engelking, F. Tych, A. Żbikowski, J. Żyndul, *Pamięć: historia Żydów polskich przed, w czasie i po zagładzie*, Fundacja „Shalom”, Warszawa 2004; M. Fuks, *Wielcy i sławni pochodzenia żydowskiego*, Oficyna Bibliofilów, Łódź 2004; H. Graetz, *Historia Żydów*, Wydawnictwo „Antyk”, Komorów 2010; H. Haumann, *Historia Żydów w Europie Środkowej i Wschodniej*, Wydawnictwo „Adamantan”, Warsaw 2000; A. Hertz, *Żydzi w kulturze polskiej*, Warsaw 2003; L. Trepp, *Żydzi. Naród-historia-religia, trans. from German by: S. Lisiecka*, Wydawnictwo „Cyklady”, Warsaw 2009, p. 448; W. Sombart, *Żydzi i życie gospodarcze*, Wydawnictwo Naukowe PAN, Warsaw 2010.

<sup>2</sup> **Isaak Leib Perec** (1851-1915) – a Jewish writer. He wrote in Yiddish. He lived in Warsaw from 1889. He was famous for short stories focusing on the issues of life and custom. His short story collections include: *Bilder fun a provinc-rajze* (1891), *Folkstimteche geszichtn* (1908); he also wrote symbolic drama such as: *Chasidisz* (1909), *Di goldene kejt*

Asch<sup>3</sup>, Sholem Aleichem<sup>4</sup> and dozens of other writers including the Nobel Prize winner – Isaac Bashevis Singer, who came from Radzymin by Warsaw<sup>5</sup>.

(1909). He is the creator of expressionism in Yiddish literature. He described his early-life memories in *Majne cikrojnjes* (1913-1914). He also wrote books for children.

Source: M. Adamczyk-Garbowska, „Tygodnik Powszechny” 1991, No. 30, p. 8.

- <sup>3</sup> **Sholem Asch** (1880-1957) – Jewish writer and dramatist. He wrote in Yiddish. His writings gained him universal recognition. He showed, in a realistic, yet not devoid of romanticism way the lifestyle and problems of Jewish communities. He is the author of *The Village* (1905, published in Polish in 1911); *America* (1911, published in Polish in 1926); *The Mother* (1925, published in Poland in 1933); the trilogy *Three cities* (1929-1931, Polish publication in the years of 1930-1931); *The Nazarene* (1939, published in Polish: 1990). He also wrote many plays such as: *Motke the Thief* (1916, published in Polish in 1925, shown in a Polish theatre five years later).

Source: Isaak Leib Perec, [in:] “Encyclopedia of Word Biography”, The Gale Group 2010.

- <sup>4</sup> **Sholem Aleichem, (Sholem Rabinovich)** (1859-1916) a Jewish writer. He wrote in Yiddish, Hebrew and Russian. He depicted everyday life of Jews in Eastern Europe in 19th and at the beginning of 20th century. He wrote about social and psychological issues, but also included autobiographical elements. He is known around the world, especially as the author of *Tevye the Milkman* (1894, Polish language version published in 1960), which is the basis for the musical *Fiddler on the Roof* with music composed by J. Bock (1964, filmed by N.F. Jewison in 1971).

Source: S. Alejchem, *Notatki komiwojażera*, translated by J. Appenzlak, Państwowy Instytut Wydawniczy, Warsaw 1958.

- <sup>5</sup> **Singer Isaac Bashevis, Singer Icchok**, pen name **Icchock Warszawski, D. Segal** (1904-1991) – an American writer. He wrote in Yiddish. He was born in Poland (Leoncin, by Nowy Dwór Mazowiecki). In 1978 he received the Nobel Prize. His books were translated into English, thanks to which he gained wide recognition. His most known works are: *The Slave* (1962) and *Shosha* (1978). Apart from novels, he also wrote books for children, short stories. In his novels he described his childhood memories, wrote about the relationship between God and man, the sacrum and the profanum. His books immortalize the life and climate of Jewish towns in Poland.

Sources: M. Adamczyk, *Szukanie wiary*, „Tygodnik Powszechny” 1983, No. 48, p. 8; M. Adamczyk-Garbowska, *Polska i Polacy w powieściach Isaaca Bashevisa Singera*, „Akcent” 1980, No.1; M. Adamczyk-Garbowska, *Polska Isaaca Bashevisa Singera: rozstanie i powrót*, Lublin 1994; M. Adamczyk-Garbowska, *Biłgoraj czyli raj...*, „Akcent” 2003, No.3, p. 9-14; M. Adamczyk-Garbowska, *Bracia Singerowie*, „Wiadomości Uniwersyteckie” 2003, No. 13-16; M. Adamczyk-Garbowska, *Isaac Bashevis Singer. Kalendarium życia i twórczości*, „Wiadomości Uniwersyteckie” 2003; A. Allison, *Isaac Bashevis Singer: children's stories and childhood memoirs*, New York 1996; E. Alexander, *Isaac Bashevis Singer: a study of the short fiction*, Boston 1990; R. Burgin, *Rozmowy z Isaakiem Bashevisem Singerem*, Gdańsk 2002; J. Hadda, *Isaac Bashevis Singer. Historia życia*, Warszawa 2001; R. Kuwałek, *Tam już nie ma nic z Singera. W poszukiwaniu nieistniejącego Bił-*

Many prominent Jews or persons of Jewish origins come from Galicia, Lodomeria, the Kingdom of Poland, Pomerania or the lands, which belonged to Poland during the interwar period.

The existence of over 400 associations of Polish Jews may bear witness to the presence of many Jewish communities in the past. No wonder, as the co-existence of Polish and Jewish nations, despite the changeability of Polish borders, has been continuing for over a thousand years. Jewish cultural heritage is a permanent feature of Polish culture of past ages.

Jews started settling on Polish lands in 10<sup>th</sup> century. Ibrahim Ibn Jakub, who in the summer of 965 or 966 travelled for trade from his hometown Toledo in Spain to the German Empire and Slavic states, was the first one to give a lengthy description of Poland. The development of cities and trade was favourable for Jewish settlers during the times of feudal fragmentation. Persecution of Jews in the time of the Crusades encouraged them to settle on Polish lands. By mid-14th century they settled in at least 35 Silesian cities. Close-knit Jewish communities were established in Płock (first mention in 1237), in Kalisz (1287) and in Cracow (1304). In 1264 Boleslaw the Pious gave the Jews the statute of Kalisz, in accordance to which Jews were no longer under the jurisdiction of municipal courts, but under the prince's jurisdiction. This statute ensured safety, protection of assets and religious freedom to Jews. Similar statutes were given to Jews by the Silesian princes. They were ratified in the years 1364 and 1367 by Casimir the Great, and in 1453 by Casimir Jagiellon. They functioned until the end of the 18<sup>th</sup> century.

At the end of the Middle Ages, Jews lived in 85 Polish cities. Their estimated number in the Polish-Lithuanian Commonwealth is 18 thousand in Poland and 6 thousand in Lithuania, which constituted as little as 0,6% percent of the population.

Jewish population grew exponentially in the 16th and 17th century as a result of Jews being exiled from the lands of the Habsburg Monarchy, so from Germany, Czech, Hungary and Upper Silesia. Jewish settlers also came from Spain, Portugal, Turkey and Italy. In approximately 1648 half of Polish

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goraja ... , „Wiadomości Uniwersyteckie” 2003, p.17-20; C. Shmeruk, *Świat utracony. O twórczości Isaaca Bashevisa Singera*, Lublin 2003; A. Tuszyńska, *Singer. Pejzaże pamięci*, Gdańsk 1994; K. Więclawska, *Obraz sztety w prozie Szaloma Asza i Izaaka Singera*, „Obyczaje” 2002, No. 8, p. 6-9.

cities were inhabited by Jews, and their number was estimated at half a million, which constituted 5 percent of all population of the Polish-Lithuanian Commonwealth. More and more Jews lived in the countryside. In the Eastern regions of the country in 2/3 of settlements there were smaller or larger Jewish communities. Jews mainly occupied themselves with trade. The historian of king Sigismund the Old, Justus Ludwik Decjusz stated in 1521 that there is no enterprise, toll or tax which the Jews did not supervise<sup>6</sup>.

Coupled with the quick development of Jewish settlements and industry, was the growth of their self-government on a scale unprecedented in other European states. Jewish communities were governed by kahals, which were electable collegial bodies, and in 1581 the Council of Four Lands (Waad Arba Aracot) was established. It represented all Jews and appointed the Central Council of Jews. In 16<sup>th</sup> and 17<sup>th</sup> century defence became an important issue in the Jewish quarters. These purposes were fulfilled by synagogues which were also strongholds. Dozens of them were constructed, e.g. in Bełżec, Bluszczy, Brody, Buczaczy, Czortków, Husiatyn, Jarosław, Lesznowice, Lublin, Łuck, Podkamień, Pomorzany, Sokal, Strzyżów, Szarogrod, Szczepietyn, Szydłów, Tarnopol, Zamość i Żółkiew.

In the 18<sup>th</sup> century basing on the census of Jewish communities (in 1766), their population was estimated at 750 thousand, which constituted 7% of population<sup>7</sup>.

Partitions of Poland brought changes in the treatment of the Jewish population. The rulers of the countries which took part in the partitions introduced many changes into the law, which mostly led to the degrading of the status of Jews as compared to their situation in the times of the Polish-Lithuanian Commonwealth. Under the Austrian partition the allowable occupations were limited, such as pharmacy, brewing or milling. Their possi-

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<sup>6</sup> **Decjusz Jost Ludwik (Ludwig Jodok Dietz)** (app. 1485-1549) – Polish economist, diplomat, historian, secretary and king's advisor. He came to Poland from Alsace (1508). He directed the king's mints in Cracow, Królewiec and Toruń. He introduced a monetary reform in Poland with a new currency unit – zloty. He led to the conclusion of a monetary agreement between Poland and Prussia in 1528.  
Source: Decjusz Justus Ludwik, [in:] „Polski Słownik Biograficzny”, Polska Akademia Umiejętności i Polska Akademia Nauk.

<sup>7</sup> J. Tomaszewski, A. Żbikowski (ed.), *Żydzi w Polsce. Dzieje i kultura. Leksykon*, Wydawnictwo „Cyklady”, Warsaw 2001.

bilities in trade were restricted. Similar limitations were put upon the Jews under Russian Partitions. Under the Prussian partition, there were many attempts at assimilation of Jews into the German nation. It was only the parliament of the free Second Polish Republic, which lifted all regulations discriminating against citizens due to their religion, nationality or race.

According to the national census of 1931, Jews constituted app. 10% of the population i.e. app. 3 million people. They mainly dealt with retail, industry, craftsmanship and mining. Dressmaking and shoemaking were characteristic occupations of Jews.

For many ages Poland was a multi-nation country. Before World War II, towards the end of the Second Polish Republic, 34% of the inhabitants of the country were not Polish. Jews with their culture expressed by architecture, literature, art, cemeteries, characteristic attire, as well as the obscure liturgy and customs, always constituted a considerable part of that number<sup>8</sup>.

Jewish culture was present everywhere where considerable Jewish communities lived. Jewish artists, whose work is tightly connected with religious cult, were almost exclusively mosaists. Jewish art found its expression in paintings on the walls of synagogues and tombstones, in illuminated Hebrew manuscripts, sculptured altars, metal ornaments of Torah scrolls. Objects of daily use, such as candlesticks, chandeliers, wall lights, metal trays, tins of the fruit of the tree of knowledge of good and evil, chalices, jugs, goblets, etc. were specific for the culture. They were not only made by Jews, but also Polish artists. The architects of synagogues were mostly Jewish, but sometimes Poles were also involved in designing.

The oldest monument of Jewish architecture in Poland is the Old Synagogue in Kazimierz near Cracow built in the end of 14<sup>th</sup> century and reconstructed by Mateusz Gucci in 1570. Also one of the oldest is the one-nave Old Synagogue in Poznań reconstructed in 16<sup>th</sup> century, the synagogue in Gniezno from the end of the 16<sup>th</sup> century and the Remuh synagogue in Kazimierz near Cracow also from the 16<sup>th</sup> century. In the 17<sup>th</sup> century on the South-Eastern and central regions of Poland, big four –pillar synagogues were constructed e.g. in Leszno, Łańcut, Nowogródek, Rzeszów. Although

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<sup>8</sup> J. Żyndul (ed.), *Rozdział wspólnej historii. Studia z dziejów Żydów w Polsce ofiarowane Jerzemu Tomaszewskiemu w siedemdziesiątą rocznicę urodzin*, Wydawnictwo „Cyklady”, Warszawa 2001.

they were under a constant threat of Tatar invasions, defensive synagogues were constructed on the Eastern borders beyond the city walls or on their verge. They had thick walls and escarpments. Jewish sacral buildings modelled on the architecture of Polish manor houses and Catholic churches appeared all over Poland. They had multi-colour paintings and wonderful polychromies. An example of such buildings are synagogues in Mohilow, Cracow and many other Polish cities and towns. The most prominent monuments of Jewish cemetery art were created in 17th and 18th century in Cracow, Wilnus, Tarnopol and Lublin. One of the most beautiful monuments of this kind of art is the tomb of the family of Berk Szmulewicz Zbytkower, which was made by a prominent Jewish sculptor David Friedlaender<sup>9</sup>.

Huge merits for Polish culture were brought in by Jewish printers, editors and booksellers. On Polish lands Jewish literature which percolated to many countries of the world. Jewish literature in Yiddish and Hebrew has reached Jewish communities on all continents. One cannot ignore the abundant history of Jewish theatre. Music has always had a special place in Jewish culture. It had two pillars: religious culture and folklore. Some Jewish cantors were legendary. The development of vocal synagogue music in Poland was a result of construction of many new synagogues in the 19th and the beginning of 20th century.

The abundant Jewish culture suffered a loss unprecedented in previous human history during the extermination of Jews during the war and German occupation (1939-1945).

The persecution of Jews began soon after Adolf Hitler's coming to power in Germany. In 1933 Jews were deposed from public offices, and in 1935 they were denied civil rights (The Nuremberg Laws). Their properties were being confiscated, their ability to work was limited, they were banned from studying. Until the outbreak of the Second World War 200 thousand of 540 thousand German Jews emigrated. The early phase of persecutions reached its peak on the Night of Broken Glass: riot attacks which resulted in the death of approximately 90 Jews, the destruction of 191 synagogues and numerous Jewish shops in Germany and Austria, and in the deportation

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<sup>9</sup> M. Fuks, Z. Hoffman, M. Horn, J. Tomaszewski, *Żydzi polscy. Dzieje i kultura*, Wydawnictwo „Interpress”, Warszawa 1982, p. 26-31.



of about 35 thousand people to concentration camps. In November 1938, about 17 thousand Polish Jews were deported by Germans to the border belt, where they were kept without shelter. The outbreak and the initial years of the Second World War opened a new phase of the extermination policy. The areas that Germany conquered by 1941 had been inhabited by 7,8 million Jews, including 3 million in Poland. They were stripped of all possessions, their freedom of mobility was limited, etc. Since November 1939, Judenrats, that is, Jewish Councils, were established in cities in order to facilitate the execution of orders from occupant authorities. At that time, Jewish ghettos started to be formed; first in Poland (about 400), since 1941 also in Lithuania, Latvia, Belarus and Ukraine. The living conditions in ghettos were tragic, attempts of escape were punished by death. In the occupied Poland there were over 400 labour camps for Jews, in some of which the mortality rate reached 50 percent. The extermination camp in Chełmno was already established in 1941, and in 1942 the ones in Bełżec, Sobibór and Treblinka, then in Brzezinka and Majdanek. In the summer of 1942, as a consequence of the liquidation of the Warsaw Ghetto, 300 thousand Jews were deported and put to death in Treblinka. The number of Jews and people of Jewish descent killed within the borders of the occupied Poland reached 4 million. Overall, the Nazis murdered about 6 million Jews during the Second World War, among whom there were many prominent scholars, artists and writers. The greatest loss among Jews were noted in the occupied areas of USSR (nearly 99%) and Poland (89%), the proportion was considerably smaller in Germany and Austria (about 30%), France (about 22%) and Italy (about 17%), the proportion was relatively small (below 1%) among Bulgarian, Finnish and Danish Jews<sup>10</sup>.

Along with the extermination of Jewish people the occupant undertook the destruction of Jewish objects of material culture. On the territories which belonged to Germany before 1939, the most important and most magnifi-

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<sup>10</sup> A. Eisenbach, *Hitlerowska polityka eksterminacji Żydów w latach 1939-1945 jako jeden z przejawów imperializmu niemieckiego*, Żydowski Instytut Historyczny, Warszawa 1953; A. Cała, H. Węgrzynek, G. Zalewska (eds.), *Historia i kultura Żydów polskich. Słownik*, Warszawa 2000; L. Rees, *Auschwitz. Naziści i „ostateczne rozwiązanie”*. Trans. from English P. Stachura. Foreword W. Bartoszewski, Wydawnictwo „Prószyński i S-ka”, Warszawa 2004.

cent synagogues were burnt on the night between 9<sup>th</sup> and 10<sup>th</sup> of November 1938 (the Night of Broken Glass), and then pulled down. Wooden synagogues were burnt systematically, both within the borders of Poland and on the eastern terrains which belonged to Poland before 1939, which today are territories of Belarus, Lithuania, and Ukraine. In fact, Jewish landmarks and other assets of Jewish material culture had not been appropriately protected for centuries, as Jewish communes had not possessed sufficient financial resources for conservation. Moreover, Jews believed that the worth of sacral art was not material, but spiritual, and therefore they did not think it needed to be conserved in a special way. It was only in the interwar period that the first attempts were made to document the landmarks of Jewish culture, and that the study of synagogues and Jewish art was undertaken<sup>11</sup>. Today it is difficult to accurately estimate the number of the objects of Jewish culture which existed in the interwar period, because of the lack of unequivocal inventories, documentations and many other documents which would enable the identification of sacral and secular structures with the art they contain which have been left by the Jewish community<sup>12</sup>.

The Jewish community, which constituted over 10 percent of Polish population in the interwar period, because of extermination and migration left behind a heritage of a variety of objects of material culture. They are nobody's possessions. It is therefore unsurprising that out of several thousand cemeteries, synagogues and other structures of Jewish religious cult only a few have been preserved until now in their original state. Neither the times of People's Republic of Poland were conducive to protection of Jewish material culture.

In the interwar period, almost every bigger town in Poland had some kind of a structure for Jewish religious cult. According to the statistics by Samuel Gruber, in 1939 there were 1415 Jewish communities comprising of

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<sup>11</sup> J. Tomaszewski (ed.), *Najnowsze dzieje Żydów w Polsce w zarysie (do 1950 roku)*, Wydawnictwo Naukowe PWN, Warszawa 1993; R. Żebrowski, *Dzieje Żydów w Polsce. Kalendarium*, Warszawa 1993.

<sup>12</sup> M. Bałaban, *Historia i literatura żydowska*, Lwów 1925, reprint 1982; R. Szkup, *Walory turystyczne obiektów kultury materialnej Żydów na obszarze Polski środkowej*, [in:] *Turyzm*, Wydawnictwo Uniwersytetu Łódzkiego 1994, paper 2.

at least 100 people. What is more, every Jewish commune had at least one synagogue and its own cemetery<sup>13</sup>.

The interwar period was a highly significant time in the history of Jewish presence in Poland, because, even though Jews had lived in Poland for hundreds of years, it was only in the interbellum that they became a part of Polish society. They began to learn Polish language, and they grew to play an important role in the country's economy. It was then, after centuries, that Jews and Poles began the process of getting to know each other's cultures. As a result, many Jews of Polish origin became involved with the Polish army as soldiers on all fronts in the war and Nazi occupation (1939-1945). Considerable influence of Judaism on Polish culture is also evident in that period, especially that on Catholic rituals<sup>14</sup>.

The decade of People's Republic of Poland was an unfavourable period for the salvaged Jewish cultural goods, as synagogues, cemeteries, and other objects of Jewish culture were dependent on accidental holders who did not protect them nor appreciate their cultural value. Many structures which could have been renovated were instead demolished and pulled down. This process progressed faster due post-war waves of to anti-Semitism and political antipathy towards Jews, which was a part of the political manoeuvres of the Polish United Workers' Party. Sometimes registering a monument in the *Catalogue*

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<sup>13</sup> **Samuel D. Gruber** – American documentalist, historian of art and architecture. Specialist in the conservation of Jewish monuments. Director of the Jewish Heritage Research Center. In the years 1989-1995 he was the director of the initiatives of the World Monuments Fund devoted to the protection of Jewish cultural heritage. In the years 1998-2008 he conducted research in the USA concerning Jewish cultural heritage. The author and editor of numerous articles and surveys on Jewish monuments. S.D. Gruber was the organiser and chairman of the first international conference on the protection of Jewish monuments. The conference took place in 1990, under the aegis of World Monuments Fund. The consecutive conferences were held in Paris (1999), Prague (2004), Bratislava (2009). Samuel D. Gruber continues to participate in and support similar scholarly initiatives.

Source: S. Gruber, P. Myers, *Survey of historic Jewish monuments in Poland: a report to the United States Commission for the Preservation of America's Heritage Abroad*, Jewish Heritage Council, World Monuments Fund, New York 1995.

<sup>14</sup> J. Kmieć, *Wpływ judaizmu na tradycje katolickie w Wielkopolsce w latach 1918-1939*, Poznań 2009, p. 303-304.

of Art Monuments in Poland did not assure its safety. It was so in the case of the demolished synagogues in Chrzanów, Pabianice, Opatów and Mikołów<sup>15</sup>.

Due to the course of history, only the remains of once thousands of magnificent synagogues exist; they are mostly empty places of cult, stripped of the works of Jewish artisans, only in a few cases some of the icons and adornment has been preserved.

After 1989, with the rise of Polish Third Republic and the end of socialist censorship, Polish-Jewish relations ceased to be a difficult or even forbidden subject, and the issue of protection of Jewish monuments was raised again.

The idea was supported especially by various organisations, among which the most significant were the Ronald S. Lauder Foundation, the Nissenbaum Family Foundation and the Sara and Manfred Bass-Frenkel Foundation. Foundations and associations devoted to the protection of the her-

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<sup>15</sup> E. Bergman, J. Jagielski, Jagielski J., *Synagogi w Polsce*, „Spotkania z Zabytkami” 1990, No.1. **Eleonora Bergman** – director of the Jewish Historical Institute in Warsaw since 2007. Expert in the field of the history and documentation of the monuments of Jewish culture. In 1997 she received the degree of Philosophy Doctor in humanities in the Institute of Art History, University of Warsaw for her dissertation *Orient w architekturze synagog na ziemiach polskich w XIX i na początku XX wieku*. She was awarded scholarships by the International Centre for the Study of the Preservation and Restoration of Cultural Property in Rome and Memorial Foundation for Jewish Culture (New York). A member of the council of the Museum of the History of Polish Jews, member of the council of the Auschwitz-Birkenau Foundation and the Council for the Protection of Struggle and Martyrdom Sites. Selected publications: „*Nie masz bóżnicy powszechnej*”. *Synagogi i domy modlitwy w Warszawie od końca XVIII do początku XXI wieku*, Wydawnictwo DIG, Warszawa 2007; *Nurt mauretański w architekturze synagog Europy Środkowo-Wschodniej w XIX i na początku XX wieku*, Wydawnictwo „Neriton”, Warszawa 2004. Source: *Survey of historic Jewish monuments in Poland: a report to the United States Commission for the Preservation of America's Heritage Abroad*, Jewish Heritage Council, World Monuments Fund, New York 1995. E. Bergman and J. Jagielski were the project coordinators in Poland.

**Jan Jagielski** – geochemist, graduated from The University of Warsaw. Since 1981, he has been actively involved in the protection and conservation of monuments of Polish Jews. Co-founder of the Social Committee on Cemeteries and Monuments of Jewish Culture in Poland. The originator of the initiative for the restoration of Jewish cemeteries in small towns and villages. An employee of the Jewish Historical Institute in Warsaw since 1991. He works on the documentation of traces of the presence of Jews on the territory of Poland in the past.

Source: *Jan Jagielski nagrodzony*, „Gazeta Wyborcza”, 6 September 2005.

itage of Jews of Polish origin are a vivid illustration of the multiculturalism of Poland and the tolerance of the Polish generations of the past<sup>16</sup>.

Nowadays, the cataloguing of the objects of material culture of Polish Jews is performed by the Jewish Historical Institute<sup>17</sup>.

In 1989, Eleonora Bergman and Jan Jagielski created a list of the lost and the preserved Jewish synagogues and cemeteries. Six years later the list was revised and included in the *Survey of historic Jewish monuments in Poland: a report to the United States Commission for the Preservation of America's Heritage Abroad*. The survey was published under the aegis of United States for the Preservation of America's Heritage Abroad. It reports that, at that time, there existed 1008 Jewish cemeteries, only 855 of them catalogued. According to the survey, graves were preserved in only 487 of Jewish cemeteries. Overall, only 172 cemeteries were included in the heritage register, of which only 46

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<sup>16</sup> **Nissenbaum Family Foundation** – its activity began in 1983. Its aim is to preserve the traces of Jewish Culture in Poland. Thanks to the foundation's activity numerous Jewish cemeteries have been preserved. Its work is rooted in the ideals of „long years of Polish-Jewish cultural bonds, inspiring interest in Jewish spiritual and material heritage, in the international diaspora as well as in Polish society, promoting and initiating Jews' visits in Poland”. Source: *O Fundacji Rodziny Nissenbaumów*, [in:] Portal Internetowy Fundacji Rodziny Nissenbaumów. Access: <http://www.nissenbaum.pl>, 2010-04-06. See also: *Fundacja Rodziny Nissenbaumów 1983-1993*, Wydawnictwo „Philobiblion”, Gdańsk 1993.

**Ronald S. Lauder Foundation** – founded in 1987 in the USA. The foundation's educational centres operate also in Poland, e.g. in Łódź since 1993. The foundation publishes the magazine „Magen David”, as well as resources on the subject of Judaism, the Holocaust and protection of Jewish historic sites, in print and in digital form. It is also involved in the promotion of positive social attitudes, education and cautioning against anti-Semitism. Source: *Historia i programy*, [in:] Portal internetowy Fundacji S. Laudera w Łodzi. Access: [http://lauder.lodz.pl/index.php?option=com\\_content&task=blogcategory&id=23&Itemid=47](http://lauder.lodz.pl/index.php?option=com_content&task=blogcategory&id=23&Itemid=47), 2010-04-06. See also: D. Sobierańska, *Oblicza szkoły. Żydowska szkoła Lauder-Morasha*, „Edukacja i Dialog” 1996, No. 9. p. 63-66.

<sup>17</sup> **The Emanuel Ringelblum Jewish Historical Institute** – a national cultural institution, established in 2009 on the basis of the decision of the Ministry of Culture and National Heritage of the Republic of Poland. The organisation's predecessor was the Central Jewish Historical Commission founded in 1944. Two years ago the Jewish Historical Institute has been named after Emanuel Ringelblum. It is currently headed by dr Eleonora Bergman. Source: *Żydowski Instytut Historyczny im. Emanuela Ringelbluma*, [in:] Portal Żydowskiego Instytutu Historycznego. Access: <http://www.jewishinstitute.org.pl/pl/home/institut/0.html>, 2010-04-06.

currently belong to the Union of Jewish Religious Communities in Poland. A few are still used for burials<sup>18</sup>.

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<sup>18</sup> The first privileges granting autonomy and freedom of religion to Jews in Poland were passed in the 13<sup>th</sup> century. The earliest document of this kind was the Statute of Kalisz passed by the king Bolesław Pobożny in 1264. It granted Jews protection and inviolability of cemeteries and burial grounds. In Hebrew, a cemetery can be referred to as *matzeva* (that is 'tombstone'), *beit kvarot* ('house of graves') or *beit olam* ('house of eternal life'). Poles use the terms *kirkut*, *kerchol*, *kierkow*, *stela*. The last one comes from the kind of grave slabs made from stone and finished at the top in a triangular, arched or rectangular shape. The slabs were decorated with inscriptions. *Stela* (stele) was especially characteristic of Ashkenazic Jews, who were the most numerous in Poland. On the other hand, Sephardi Jews (Spanish and Portuguese influences) buried their dead in sarcophagi (tombs). There were also *ohel* graves in the form of small wooden or brick structure raised on four poles. *Ohels* were usually the graves of religious leaders (*tzadiks*, rabbis). There are certain differences between Jewish and Christian graves. One of them consists in the fact that Jewish cemeteries cannot be disturbed. The remains of the deceased can only be exhumed in order to be moved to a family grave, to the Holy Land, from a non-Jewish cemetery to a Jewish one, or if threatened with desecration or natural phenomena, e.g. flood. In Judaism, graves are ritually unclean, and every person who enters into the area of about two meters around the grave also becomes unclean. Jews rarely visit cemeteries: in the event of burial or an anniversary of death. They do not adorn graves with flowers. They do, however, light candles on them and, in the case of the graves of religious leaders, leave pieces of paper with pleas to God written on them. In contrast, Christians allow for graves to be used for burial again, provided that a proper amount of time has passed from the previous burial. According to Jewish tradition, burial grounds need to be situated at the distance of at least 25 meters away from the nearest house. It is not allowed to pray, eat or stay at the cemetery. Graves should be treated with respect, therefore acts of devastation are condemned. Each cemetery should have a *Tahara* funeral home, and its area should be enclosed. The preparations for burial were performed by groups of people called *chevra kadisha*. In Judaism, participation in such ceremonies was considered one of the most important good deeds. The deceased ought to be buried as soon as possible, however not on a holy day. The body was washed and dressed in white attire in the burial home. The dead were always buried supine along the east-west direction, facing towards the east, so as set off to Jerusalem on the day of resurrection. At the grave, a prayer (*kaddish*) was recited by the son, and not by the rabbi. The grave should be covered with earth as the prayers are being offered. The tombstone was placed at the feet of the body, with the inscriptions facing east. The inscriptions included information about the person, such as their name, their father's name, the description of their good deeds and virtues. In the 16<sup>th</sup> century tombstones began to be marked with different symbols which indicated the social position of the deceased and their characteristics. The symbols were inspired by the Jewish religion, and reflected: 1. Nationality – since the 19<sup>th</sup> century the star of David was used to emphasise nationality; a bunch of grapes symbolised the people of Israel.

The official document of the above mentioned survey report lists 278 synagogues within the present-day borders of Poland. However, many synagogues are situated in areas which were territories of Poland before 1939, but today belong to Lithuania, Ukraine, and Belarus. The report does not include talmudic houses and small prayer houses<sup>19</sup>.

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2. Origin – the symbol of the Jewish leaders from the tribe of Aaron were hands posed in the gesture of blessing; also jug and bowl symbolised Levites. 3. Gender – woman was marked by a candlestick with an odd number of branches or with broken candles. 4. Name – e.g. lion pointed to the names Arieh, Jude, Leib; bear: Ber, Dov; deer: Tzvi, Hersh, Nephtali; wolf: Wolf, Zeev; bird: Ciphora, Faigel; sheep: Rachel, Rebekah; dove: Taube; rose: Rose, Shoshana. 5. Virtues – e.g. a crown symbolised wisdom or godliness; books – wisdom, knowledge of Torah and Talmud; money-box – charity; sheep – motherly care; two doves – marital harmony; pelican – parental care and dedication. 6. Profession – e.g. a hand holding a quill signified a sofer, that is a Torah copyist; lancet – a mohel, who performed the ritual of circumcision; clock symbolised a clockmaker; the rod of Asclepius – a doctor; mortar and pestle – an apothecary; violin – a musician. 7. Death – symbolised by a sinking ship or a broken tree. 8. Eternal life – a tree, a butterfly, a snake biting its tail. The liquidation of Jewish communes entailed the liquidation of cemeteries. In the 15<sup>th</sup> century Jews were expelled from Silesia, it was not until two centuries later that they settle there again. In Masovia, Jews were made to leave in 1527, and came back in the 18<sup>th</sup> century. In the case of Russian partition, the prohibition of residence and establishing cemeteries was lifted in 1862. Before the Second world War, there were already 1000 Jewish cemeteries. During the war, Germans used tombstones and grave slabs from Jewish cemeteries for the construction of e.g. roads. Unfortunately, the practice was continued after the war. The authorities of Poland of that time passed regulations which rendered it lawful. The situation changed many years later, in 1976, 1990 and 1991, when violation and vandalism of Jewish cemeteries were prohibited. According to the data collected by the Jewish Historical Institute, there were 350 Jewish burial sites in Poland in 1995 with no preserved graves, they were neglected and overgrown; there were still graves in about 400 sites; 260 burial grounds were turned into building sites, fields or parks.

Sources: *Obiekty kultury żydowskiej w Polsce*, [in:] Portal Państwa Izrael. Access: [www.izrael.badacz.org/zydzi\\_w\\_polsce/-obiekty.html](http://www.izrael.badacz.org/zydzi_w_polsce/-obiekty.html), 2010-04-07. See also: E. Bergman, J. Jagielski, *Zachowane synagogi i domy modlitwy w Polsce*, Żydowski Instytut Historyczny, Warszawa 1996; S. Bratkowski, *Pod wspólnym niebem: krótka historia Żydów w Polsce i stosunków polsko-żydowskich*, Warszawa 2001; A. Dylewski, *Śladami Żydów polskich. Przewodnik ilustrowany*, Bielsko-Biała 2002.

<sup>19</sup> **Synagogue** – from Greek, meaning assembly; its Hebrew names are *Beit Ha-kneset* meaning house of assemblies – a place of prayer used for performing Jewish religious rituals, *Beit Ha-midrash* meaning house of interpretation, house of learning – a place of study of the Talmud and the Torah, *shul* – Yiddish for school. The Polish equivalent for the term synagogue is *bożnica* (or *bóżnica*), which denotes a place devoted to God. In the

In big cities, a small number of other kinds of Jewish structures has been

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19<sup>th</sup> century this term was used unwillingly by Polish supporters of the reform of Judaism, because it referred to a pagan temple – house of prayer, Jewish school; the word *tempel* was used rarely to denote reformed synagogues built by German Jews, who were under the influence of *the Haskalah*. The large number of terms used for a Jewish sacral object can be explained by its multifunctionality. It was not only a place for prayer and services, but also a place for studying the Torah and the Talmud, a place for assemblies and the seat of the Kahal. A synagogue used to house various Kahal offices: a legal office, an archive, the rooms of the rabbi's court, the treasury, but also a shelter for the wanderer and a prison. A synagogue is, therefore, not a sacral building in the Christian understanding of the word. Sacrifices were not made there, paintings and statues were not worshipped, the place was not consecrated. The only true temple was *the Temple in Jerusalem*, destroyed by the Romans in 70 AD. Ever since, sacrifice has been completely replaced by prayer. The Jews scattered around the world gathered in synagogues which became social, economic and integration centres for the Jewish community. Synagogues on Polish land, created throughout the centuries, varied from one another in terms of size, building material, exterior architectural forms, and interior design. A Talmud regulation required a synagogue to be built in towns inhabited by at least 10 adult Jews (adult meaning over 13 years of age). Jewish communities that did not have sufficient financial means or could not raise a separate building for other objective reasons, used rooms in residential buildings instead (in Warsaw in the 19<sup>th</sup> century there were over 100 of them). The fact that synagogues served various functions created demands as to their form for the architects. The building had to be composed of a spacious prayer room for men, in the middle of which a *bima* (a raised platform with a pulpit) was placed, while the *Aron Kodesh* (Hebrew for the holy closet, the place where the holy Torah scrolls are kept) was placed on the East-facing wall. As far as the other rooms are concerned, the main hall was usually surrounded by additions that contained prayer rooms for women (the so-called *babince* – women's galleries) and rooms for the Kahal. The antechamber (the *polish*) functioned as a place for meetings of the court and kahal activity. The entrance to the synagogue was placed opposite the *Aron Kodesh*, because those praying had to be facing Jerusalem. The women's gallery, with a separate entrance, was usually a nave or a balcony. In reformed synagogues called *tempels* and in conservative synagogues the principle of gender segregation is not observed, and women take part in the service together with men. *Bima*, the pulpit, played a dominant role in a synagogue in terms of interior organisation, and was placed in the center. Depending on the type of the vault it was either covered with a canopy or had the form of a tent, a gazebo or a cage. The 17<sup>th</sup> century brought the development of the style of great synagogues, which favoured nine-section vaults. In the middle of the room four pillars that surrounded the *bima* and supported the vault were placed (e.g. Tykocin, Orla). At the turn of the 19<sup>th</sup> and 20<sup>th</sup> century mostly neogothic and Byzantine art styles were employed, which was supposed to differentiate Jewish architecture from Christian architecture. The exterior shape of synagogues was determined by Talmud regulations, such as Eastward orientation, or being taller than other buildings in the neighbourhood, and being situated near flowing water, but it was also affected by state and church legislation. In



preserved, mainly from the 19<sup>th</sup> century, such as hospitals, funeral homes, mikvehs for ritual washing and qahal houses, that is meeting places of Jewish commune authorities. Such structures were present in Cracow, Warsaw, Lublin, Białystok, Łódź. Among the few that still exist and are registered in the Catalogue of Art Monuments in Poland (published since 1951) there are: qahal house from the first half of the 19<sup>th</sup> century, located next to the Sandomierz Synagogue; Jewish meat market with ritual slaughterhouse from the first half of the 19<sup>th</sup> century, located in the former Jewish district in Chełm; the mikveh in Zamość.

Today, many institutions and non-governmental organisations are involved in the protection of the salvaged objects of Jewish material and spiritual culture. Already in 1989 “Polish Judaica” – the Polish-Israeli Foundation for the Protection of the Monuments of Jewish Religious Culture was established by the initiative of the Jewish diaspora.

In the largest Polish urban agglomerations numerous foundations have been founded to care for the Jewish culture of the past, for example the Judaica Foundation – Jewish Culture Center in Cracow<sup>20</sup>.

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order to build a synagogue it was necessary to obtain permission of the king or the landowner, and the bishop. Separate regulations required that it should not stand out in terms of height or appearance against other buildings, and determined that its location should be at a distance from that of the church. What this meant is that the humble exterior contrasted with the richly decorated interior and ornate liturgical vessels. The walls of the room of prayer were covered with quotations from the Torah and colourful frescos, which depicted signs of the Zodiac, animals, and Biblical scenes. The *Aron Kodesh*, crowned with a monument of the Decalogue, was covered with richly embroidered fabrics, called *parochets*. Seven- and nine-branch candle holders (the *menorahs*) stood at the feet of the closet, ornate spider-shaped chandeliers hung from the ceiling, and the bima, as the central point of the synagogue, was particularly beautifully decorated. Many valuable brick synagogues were built in Poland, but the ones that made our country famous were the unique wooden synagogues, with consummate interior design, rich polychrome and shapes that hark back to Poland's architecture of manor houses, coaching inns and granaries. Unfortunately not even one wooden synagogue in Poland survived the Second World War.”

Source: *Obiekty kultury żydowskiej w Polsce*, [in:] Portal Państwa Izrael. Access: [www.izrael.badacz.org/zydzi\\_w\\_polsce/obiekty.html](http://www.izrael.badacz.org/zydzi_w_polsce/obiekty.html), 2010-04-07. See Also J. Goldberg, *Jewish Privileges in the Polish Commonwealth. Charters of Rights Granted to Jewish Communities in Poland – Lithuania in the Sixteenth to Eighteenth Centuries*, Jerusalem 1985.

<sup>20</sup> **The Judaica Foundation (Fundacja Judaica)** – it began its activity in Cracow in 1991. It gathers people from both the field of science and art. The goal of the Foundation is to

Another example is the Foundation for the Preservation of Jewish Heritage in Poland<sup>21</sup>. Moreover, the following organisations, foundations and associations deal with the preservation of Jewish material and spiritual goods, to a greater or lesser extent: Beit Warszawa, Polish Center for Holocaust Research at the Polish Academy of Sciences, the Anielewicz Center, the Auschwitz Jewish Center, Czulent, the Forum of Polish Jews, the Foundation Monumentum Iudaicum Lodzense, the Professor Moses Schorr Foundation, the Jewish Community of Warsaw, Hatikwah, the Museum of History of the Polish Jews, Wirydarz, ZOOM, Wirydarz<sup>22</sup>.

The most interesting initiative of the recent years is the Museum of History of the Polish Jews<sup>23</sup>.

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protect and preserve the memory about Jewish presence and culture in Poland. It promotes an attitude of openness and tolerance towards others, especially among children and youth. The head office of the Foundation is located in a house of prayer (*Beit Hamidrash*), which dates from the 1880s. The house of prayer was created on an initiative by the Jewish Prayer and Charity Association B'nei Emunah. The Foundation realizes many social projects and educational programmes, publishes books, organises exhibitions, conferences and seminars, and from 1996 – the Month of Encounters with Jewish Culture BAYIT HADASH, which is Hebrew for “new home”.

Source: *Fundacja Judaica*, [in:] Portal Internetowy Fundacji Judaica – Centrum Kultury Żydowskiej. Access: [www.judaica.pl](http://www.judaica.pl), 2010-04-07.

- <sup>21</sup> **Foundation for the Preservation of Jewish Heritage in Poland (Fundacja Ochrony Dziedzictwa Żydowskiego)** – founded on an initiative of the World Jewish Restitution Organisation and the Union of Jewish Communities in Poland. The goal of the Foundation is the preservation of the surviving Jewish cultural heritage in the Republic of Poland. Its statutory objectives include, among others, restitution of Jewish property (e.g. former synagogues, cemeteries), protection of places and objects still important to Jews today for religious or historical reasons. Noteworthy examples of the restitutionary actions undertaken by the Foundation are the regeneration of the synagogue complex in Kraśnik (objects from the 17th-19th century), located on the Chassidic Route; revitalization of the Renaissance synagogue in Zamość, and of the synagogue in Przysucha (an 18<sup>th</sup> century building). Moreover, works to clear and commemorate the cemetery in Izbica have been undertaken there.

Source: *Fundacja Ochrony Dziedzictwa Żydowskiego*, [in:] Portal Internetowy: Organizacje. Stowarzyszenia. Fundacje. Fundacja Ochrony Dziedzictwa Żydowskiego. Access: <http://www.diapozytyw.pl/pl/site/organizacje>, 2010-04-07.

- <sup>22</sup> Homepage of Portal Internetowy: Organizacje. Stowarzyszenia. Fundacje. Access: <http://www.diapozytyw.pl/pl/site/organizacje>, 2010-04-07.

- <sup>23</sup> The idea to create the Museum of History of the Polish Jews was birthed by the staff of the Association of the Jewish at the Historical Institute of Poland. The idea received

A magazine entitled “*Studia Judaica*”<sup>24</sup> started to be published. Many new scholarly publications began to appear, including some of fundamental importance for the understanding of the material and spiritual culture of the Polish Jews. They include the newest encyclopaedias and dictionaries about the history and culture of the Polish Jews<sup>25</sup>.

One of the best researched areas is the subject of the Holocaust and Jewish ghettos during the War and the Nazi occupation. With reference to the history of the Polish Jews, the most known and popular are, understandably, museums of Jewish martyrdom, especially the Auschwitz-Birkenau Museum. There have also been more controversial publications, such as the book by Jan Tomasz Gross, *Neighbours* (“*Sąsiedzi*”)<sup>26</sup>.

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wide support and recognition not only within Poland, but also outside its borders. The President of the Republic of Poland at the time, Aleksander Kwaśniewski, took patronage over the enterprise. The International Honorary Committee of the Museum has distinguished individuals from all around the world among its members. The financial means for the building of the Museum came from private donations and grants from various countries (e.g. Poland, Germany, the USA). The goal of the institution is to preserve memory about Jewish history and to protect Jewish cultural heritage. It also aims at tightening the relationships between the nations, especially between Poles and the Jews. Source: Homepage of Portal Internetowy Muzeum Historii Żydów Polskich. Access: jewishmuseum.org.pl, 2010-04-07.

<sup>24</sup> **Studia Judaica** – a scholarly periodical that researches Jewish history, culture and heritage. For a long time this type of research was not popularised in Poland, and if it was conducted at all, it was mainly by the biggest academic centres. The University of Warsaw and the Jagiellonian University, along with the Polish Academy of Sciences attempted to start a scholarly journal covering interdisciplinary topics. The idea was realized successfully in 1996, which made these issues more popular in Poland. A Polish group of scholars of Judaism began to form, and it grew bigger and more active with time. One of the initiatives started by these scholars was organising numerous scholarly conferences, for example *Jews and Judaism in contemporary Polish research*, which took place in Cracow in 1995. Despite the passing of time, *Studia Judaica* remains an uncontested forum for an exchange of thoughts and dialogue, as its broad formula makes it open to researchers of various fields of science and knowledge.

Source: Homepage of “*Studia Judaica*”. Access: www.judaica.pl. 2010-04-07.

<sup>25</sup> A. Cała, H. Węgrzynek, G. Zalewska (ed.), *Historia i kultura Żydów polskich. Słownik*, Warszawa 2000; J. Tomaszewski, A. Żbikowski (ed.), *Żydzi w Polsce. Dzieje i kultura. Leksykon*, Warszawa 2001; Z. Bobrzyńska, R. Żebrowski, *Polski Słownik Judaistyczny: dzieje, religia, ludzie*, Warszawa 2003.

<sup>26</sup> J.T. Gross, *Sąsiedzi. Antysemityzm w Polsce tuż po wojnie*, Wydawnictwo „Znak”, Kraków 2008.

The above mentioned reflections pose a question about the point of the preservation of material objects of the centuries-old Jewish culture on Polish land. The majority of their owners were killed in concentration camps or emigrated to many different countries of the world. One could, therefore, formulate a thesis that they are no one's goods.

These objects have their unique value. They are material traces for the existence of Jewish communities in hundreds of Polish cities and towns. It is an important element of regional and local history of multicultural Poland. With no knowledge of the history and distinctness of the Jewish cultural heritage it will be difficult to provide reliable regional education on all levels. Moreover, without proper protection of the surviving objects of Jewish culture in the next generations, it will be hard to overcome historical stereotypes Poles hold about Jews, and to eliminate the, often irrational, manifestations of anti-Semitism, xenophobia and hostility towards Jews and their culture. There are numerous problems with the appropriate preservation of material cultural goods of the Polish Jews. One of them is the lack of documentation. Linguistic barriers discourage many researchers from a scholarly penetration of Hebrew or Yiddish sources. There are a few centres that deal with the preservation of the remaining material objects of the Jewish culture, but they function on voluntary basis rather than being of institutional, system-based nature. Many objects and places have not even been catalogued.

Awareness of the fact that material cultural goods of the Polish Jews also constitute Polish cultural heritage and, as such, should be respected and appropriately preserved, is emerging very slowly in local communities and in the administration of particular commune and municipal governments.

A factor that might encourage them to undertake such actions could be the mercantile dimension, as unique monuments of Jewish culture increase the tourist attractiveness of various places, which in turn brings tangible profits from tourism.

All of the above means that it cannot be unequivocally stated that Jewish cultural heritage in Poland is no man's property.

# Cultural heritage of national minorities and ethnic groups in cultural borderlands

Antonina Klosowska, the author of various splendid works concerning the topic of the theory of culture, in her book entitled “Kultury narodowe u korzeni” stated: “*The phenomenon of nation, examined from its roots, in its individual realisations, is far from being unequivocal, even if some theoreticians of nationalism struggle hard to come up with its strict definition, claiming that the historical beginnings of nation are recent and the perspectives of its lasting extremely limited. Research suggests that among the historical ambiguities of nation and national cultures, one can also come across a considerable variety of national psychic and social behaviours, which can be easily observed even among as homogenous social groups as young adult graduates or university students, that is the intellectuals of the same generation*”<sup>1</sup>. This statement is indeed crucial when related to the people living in the cultural borderlands, which is the area of intermingling cultural phenomena brought forth by various generations, often belonging to different cultural heritages.

The borderland might be understood as a space where at least two ethno-cultural groups coexist, sometimes there are even several of them, for the borderland is an area inhabited by people who participate in several cultures simultaneously. This participation is visible in the interference of various types of symbols present in architecture, customs, language, common lifestyle, clothes etc. The inhabitants of the borderland live in different cultures

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<sup>1</sup> A. Kłosowska, *Kultury narodowe u korzeni*, Wydawnictwo Naukowe PWN, Warszawa 1966, p. 368.

at the same time, however, not always being aware of it and their involvement in these cultures is not equal. The borderland becomes the space for contact of nations and cultures. In practice, however, it always considers cultures, as nation is only an artificial phenomenon, created by history and politicians. Cultures, therefore, are fundamental attributes of nations and ethnic groups.

In the literature considering the topic the term “borderland” is often understood as synonymous to the Polish term “Kresy”. It leads to misunderstandings and discrepancy between interpretations. It is used sometimes in relation to local societies but also to the universal understanding. Kresy are, in general, inhabited by diverse groups, which differ in language, religion, sometimes even race and, most of all, culture, due to their different cultural and historical development, different historical experience and fixed stereotypes, transferred from one generation to another. In this aspect, the borderland can be treated as a dynamic phenomenon, both in geographic and socio-ethnologic aspect.

When considering the life of groups functioning in the borderland, one more often deals with the issue of bilingualism, double culture and relativisation of cultural convergence.

Some scholars understand the term “borderland” as geographic territories which include foreign language enclaves or areas of complex language configuration. In this sense, one comes across Polish-German, Polish-Ukrainian, Polish-Lithuanian borderland, etc.

Discrepancies considering the understanding of the term “cultural borderland” stem from the variety of applied defining criteria. Commonly, it is the area of contact between various cultures, nations, ethnic groups, religions and languages. It is strictly connected to the issue of multiculturalism, which is an object of interest for many branches of science, such as cultural anthropology, anthropogeography, ethnology, ethnography, historical and political geography, socio-geography and geography of culture, law, history, linguistics and social sciences.

The borderland is also understood as an intrasocial category, or an intracultural one. Borderland, as a cultural category, is related to the understanding of the term borderland itself, yet, various senses still collide. Life in the borderland calls for a never-ending dialogue, people are forced to mak-

ing constant choices and assessments. The borderland expects its inhabitants to use their full rights and the principles of equality. The borderland, understood as a territory, relates to the various aspects of economy, religion, language and nation. On the other hand, the borderland, understood as the content of culture, deals with the phenomenon of interfering cultures and the process of shaping a dual system of identity. Interactive borderland relates to the process of communication between people. Specific social bonds may appear on the basis of a common moral code but also through constant struggles to impose the domination of one culture over another, which leads to conflicts among the neighbours.

There are also borderlands related to the states of consciousness and conscious acts of individuals. Such phenomenon could be distinguished only if there is an individual ability to evaluate changes, phenomena going far beyond one's place of inhabitancy. The state of consciousness of certain individuals influences the actions of whole social groups inhabiting the territories of the borderland. These individuals may build the community based on the idea of otherness, enmity and suspicion, therefore, contributing to the creation of closed human enclaves.

Individual consciousness might also influence the process of introducing tolerance, ability to function in multicultural societies and negotiation<sup>2</sup>.

Cultural anthropology examines borderlands in the ethnic and territorial context, trying to establish what is the relationship between territories and cultural standards introduced by local communities. Mutual interference of cultural phenomena present in closed nations causes the feeling of belonging to a certain territory and social group to disappear, as the borderland constitutes a specific transition zone between two nations. The borderland can be also influenced by just one centre, as a result of functioning in a specific time, politically, economically and socially organized system. Borderland might be also subdued to the influence of several centres, competing or cooperating. However, in some cases, the external influence is absent.

In every case, though, the phenomenon of acculturation is visible, causing mutual interference of cultural elements. Sometimes there are also pro-

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<sup>2</sup> M. Guziuk, *Pogranicze*, [in:] T. Pilch (ed.), „Encyklopedia pedagogiczna XXI wieku, Wydawnictwo Akademickie „Żak”, Vol. 4, Warszawa 2005, p. 497-500.

cesses of contrculturation, transculturation or reculturation. Transculturation is present if one culture borrows the standards and patterns from other culture and reculturation is the term for the process of restoration of a native culture, forgotten or abandoned by a generation<sup>3</sup>.

The issue of current research, which is also object of interest of regionalists and various stylizations, are now systems of customs, traditions, rituals and symbols. It is visible in various programmes concerning cultural development prepared by local governments in the borderland, e.g., festivals, restoration of open-air museums, contests, but also in the actions of local and regional communities which aim at spreading knowledge about the borderlands and their culture. They organize stylized cultural events, distribute popular publications, music recordings and restore various historical objects of architecture, both sacral and secular. It has become a specific “fashion trend” in the process of creating local cultural policy of the borderland.

An example of a deep interest concerning the issue of culture of the borderland can be a Polish charity organisation “Pogranicze”. It is an independent non-governmental organisation, founded in 1990 in Sejny by a group of culture animators working regularly in theatres “Gardzienice” (near Lublin), “Stop” (in Słupsk) and Cultural Centre “Dąbrówka” in Poznań: K. Czyżewski, W. Kaleta, R Okulicz-Kozaryn, M. Sporek-Czyżewska, W. Szroeder, W. Szumiński, W. Wróbel-Remstedt. Since the eighties of the twentieth century every second half of the year they organize international meetings named “Spotkania. Międzynarodowe Warsztaty Kultury Alternatywnej w Czarnej Dąbrówce”. The aim of the organisation is to promote the ethos of the borderland and participate in the dialogue between people of different culture areas, nations and religions.

In 2003, “Stowarzyszenie Przyjaciół Fundacji Pogranicze”, a supporting association, has been founded in Alexandria, near Washington. Among its donors, apart from various individuals, there are also various institutions and organisations. It cooperates with the “Pogranicze sztuk, kultur, narodów” cultural centre. The association publishes a cultural journal “Krasnogruda”

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<sup>3</sup> J. Muszyńska, *Pogranicze – konteksty etniczne i kulturowe*, [in:] T. Pilch (ed.), *Encyklopedia pedagogiczna XXI wieku*, Vol 4, Wydawnictwo Akademickie „Żak”, Warszawa 2005, p. 500-503.



and different volumes concerning history, anthropology, journalistic commentaries and belle-lettres<sup>4</sup>.

At present, "Pogranicze" conducts a number of projects, among which the most important are: "Międzynarodowe Centrum Dialogu", "Trakt Krasnogrudzki", "Gra Szklanych Paciorków", "Nowa Agora", "Cafe Europa", "Kolekcja Filmowa Opowieści Pogranicza", "Tratwa Muzykantów", "Pomiędzy Nowym Jorkiem a Sejnam", "Lektorium Sejneńskie", "HALMA". It also conducts a special publishing project devoted to the cultural dialogue of the borderland.

"Pogranicze" constitutes a good example of a non-governmental organisation working for the rapprochement of cultures of the borderland. Its course of actions does not consider merely Poland but it also extends to the territories of other nations which live together.

"Pogranicze" has conducted many actions in order to save historical places of remembrance. The best example would be the Jewish cemetery in Sejny. The website "Jewish cemeteries in Poland" states: "Jewish people from Sejny were buried at the cemetery in Marynowo village, near the road to Augustów, just outside the town border. The necropolis was ruined by the Nazis and the process of devastation was continued after the World War II. Nowadays there are only several gravestones left, however, macebas still being found in the town are collected and stored inside the synagogue by the "Pogranicze" foundation (...). In May 2002, thanks to the endeavours of "Pogranicze", new monument has been unveiled, dedicated to the Jewish people of Sejny. On a rock resembling a gravestone there is an engraved inscription both in Polish and Hebrew: "To the memory of Jewish people of Sejny, inhabitants of Sejny." Various prominent guests were present at the ceremony, among them was Shevah Weiss, the ambassador of Israel in Poland and a great supporter of the Polish-Jewish dialogue, Max Furmański, a cantor born in Sejny, Meira, a lady from Israel whose grandfather was buried at this cemetery, representatives of the Jewish society of Kowno, the local government, Kazimierz Gacki, the rector of the local Roman Catholic parish and many inhabitants of Sejny. During the ceremony Shevah Weiss spoke the most powerful words:

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<sup>4</sup> Encyclopaedic information, [in:] Portal Internetowy Fundacji „Pogranicze” w Sejnach. Access: [www.fundacjapogranicze.net](http://www.fundacjapogranicze.net), 2010-08-01.

*“Neighborhood without neighbours cannot exist. This meeting proves that we are all connected by a certain longing: ours for you and yours for us. It is proved by the meeting of a rabbi with a vicar and although there are no more Jewish people in Sejny, the Jewish spirit remains, on earth and under the clouds”*<sup>5</sup>.

Another example of the cultural rapprochement implemented in the borderland may be the project named “Dwie Cerkwie”. It is a project directed at the cultures of Polish and Slovakian borderland. This project is of a cross-border nature and aims at improving the economic sector of both countries using cultural heritage of the municipality of Komańcza and Obec Habura. The lead partner is the municipality of Komańcza (Orthodox parish church of Our Lady of Care in Komańcza), and the other partner – Slovak town Habura Obec. From the European Regional Development Fund comes the amount of nearly half million euro and nearly eight hundred million euro was provided by the governments of both countries. Joint actions are being implemented for the protection of cultural heritage and to raise cultural awareness, especially among children and adolescents. The project is aimed at people inhabiting the area of Polish-Slovak borderland, in particular, the inhabitants of the municipality of Komańcza and the municipality of Obec Habura. Among other factors which contributed to the running of this programme, the most valid was the fire in 2006. It consumed the only wooden Orthodox churches in Komańcza and Habura which were the foundations of religious and cultural identity of the inhabitants of this region. The project is aimed at the reconstruction of the nineteenth-century church in Komańcza. Reconstructed church is to bring awareness of the importance of history and culture for the borderland. Similar importance is to be given to the reconstruction of a seventeenth century church in Habura which also burnt down in 2006. A special programme dealing with the cultural heritage of Polish-Slovak borderland is to increase knowledge and awareness of the qualities of the Lemko culture in the borderland.

The process of losing cultural identity is tackled through the organisation of cultural events in Slovakia, such as “Dni kultury polskiej w Haburze”, “Dni Habury” and “Międzynarodowy turniej im. V. Onufraka” and, on the

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<sup>5</sup> K. Bielawski, *Cmentarze żydowskie w Sejnach*, [in:] Portal Internetowy „Cmentarze Żydowskie w Polsce”. Access: [www.kirkuty.xip.pl/sejny](http://www.kirkuty.xip.pl/sejny), 2010-08-01.

Polish side: „Dni kultury słowackiej w Rzepedzi”, „Radoszyckie źródółko”, „Spotkania przygraniczne w Komańczy”<sup>6</sup>.

An example of other problems, both economic and cultural, may be the Polish-German-Sorbian borderland, especially the Polish city of Zgorzelec and its second part, that is German Görlitz.

Görlitz, since it was first mentioned in 1071, until 1635 was possessed by the Czech Republic. From 1635 to 1815 it was under the Saxon dominion, and from 1815 to 1945 as a part of Lower Silesia, it stayed under the Prussian rule. Since 1346, when Görlitz became a part of the Lusatian League, it „felt” connected with the Upper Lusatia and Lower Silesia. Silesian Music Festival, which takes place every three years in Görlitz since 1889 (with a break between years 1945-1990), constitutes a proof of the city’s cultural connection with Silesia. Also during the years of World War II this situation changed little, since many refugees from Silesia remained in Görlitz.

After the expulsion of the German population in 1945 and 1946, many Poles from different regions and representing various social groups settled in Zgorzelec. The factors which integrated them were, most of all, common nationality and Catholicism. Apart from that, the boundary formed a social and a cultural wall. The division of the city had no impact on the attachment to the tradition of the Lower Silesia in Görlitz. After signing the „Treaty of Zgorzelec” in 1950 a gradual rapprochement started between Zgorzelec and Görlitz, considering their political cooperation; also first bonds between sports and artistic groups were established at that time. Since 1958 first economic relations were formed. As a result of the visa waiver agreement between the People’s Republic of Poland and the German Democratic Republic signed in 1972, people began to get to know each other, forming lasting relationships of friendship. Newly established bonds were then significantly reduced, as in 1980 in the former German Democratic Republic the border was closed for fear of the „Solidarity” movement<sup>7</sup>. Relations between cities became possible only after the opening of the border in 1991. Through various joint projects (Polish-German Cultural Agency, Polish-German Youth

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<sup>6</sup> „Dwie cerkwie – zbliżenie kultur pogranicza Polski i Słowacji”, [in:] Portal Internetowy „Zbliżenia kultur pogranicza Polski i Słowacji”. Access: [www.dwiecerkwie.eu](http://www.dwiecerkwie.eu), 2010-08-02.

<sup>7</sup> *Projekty*, [in:] Portal internetowy Deutsches Institut für Urbanistik. Access: <http://www.stadt2030-görlitz-zgorzelec.de>, 2010-08-07.

Club in Zgorzelec, cross-border bus service) authorities struggled to develop a sense of community in order to overcome alienation. After 1990 in Görlitz there have been excessive actions undertaken in order to preserve the Lower Silesia traditions, as to create, through the common history of the Lower Silesia, a cross-border identity. After 1991 Zgorzelec and Görlitz have signed a partnership agreement considering the cross-border cooperation in many fields (education, healthcare, public utilities, modernisation of infrastructure, etc.). An important event in the cooperation between the two cities was the signing of the proclamation “Europe-Town Zgorzelec-Görlitz” in 1998.

Currently, in the process of European integration, various identities crystallize complementing the national identity. In the case of people of Zgorzelec and Görlitz it is, most of all, the identification with the borderland: Upper Lusatia – Lower Silesia.

Thanks to the interculturalism of the people, former borderland might become a European centre for various companies oriented towards the Central and Eastern Europe. Polish-German project “Europe-Town’ includes the restoration of collective historical consciousness, supported by the cross-border infrastructure institutions. However, in order for this project to become successful (and that is to be obtained in 2030) the people of both cities have to devote deeply to its realisation. This is one of the most important factors influencing the development of common identity in the borderland.

People inhabiting the borderland know that the border constitutes not only a limitation but also an opportunity for mutual opening. Gradual reforms can lead both to the economic and cultural rapprochement. The abolition of border barriers and EU assistance programmes can turn this neglected region into a developed centre of economy and civilisation. However, like in the case of all new ventures, this situation causes several problems. German people are still afraid of competition and the increase in crime. Polish people, on the other hand fear of losing their land. Despite those various difficulties, the beginnings of cooperation are already visible. There is a Polish-German kindergarten, junior high school and a high school. Many Germans learn to speak Polish.

This specific cultural borderland has got, however, its specific problems. One of them is migration, as more people still migrate than arrive. Another issue is the aging of the population, as fewer births and mortality rates con-

tribute to such tendency in Zgorzelec and Görlitz. This trend is even reinforced by the migration of young people. Due to the poor economic condition, national identity strengthens, and, thus, the common identity weakens. One can only hope that the consequences of globalisation and the development of modern communication technology will contribute to the creation of a common urban identity. Migration of skilled professionals weakens the cross-border social commitment and leads to a kind of isolation. The cultural integration of people of Zgorzelec and Görlitz is, therefore, superficial and manifests itself mainly through political actions. Structural differences and different national interests hinder cross-border cooperation in the borderland, both in the economic and cultural sphere.

The region of Upper Lusatia and Lower Silesia is one of the most significant, considering the European history, culture and thought. Cities as are always the areas of cultural and spiritual life, various innovations and creativity, as they constitute the center of communication where social bonds are formed. Cities have a lot of achievements in the field of developing cross-border cooperation. The efforts of the city of Görlitz aimed at the organisation of the event called the “European Capital of Culture” in 2010 may contribute not only to the strengthening of people’s high self-esteem and to the consolidation of their identity with the city, but it may also increase its popularity, with all its strategic characteristics.

One of the greatest advantages of Görlitz is its varied cultural offer, which, combined with new projects, creates a rich array of different artistic events under the common name of the European Capital of Culture 2010. The administrators, through joint initiatives, want to promote dialogue between nations and cultures. Not only the Neisse river separates the city from its Polish neighbour Zgorzelec. There are also inner borders, considering the field of art, culture, ways of thinking and acting, which determine living in this city of two nations.

The idea of a “broad cultural landscape” may become a resource of new economic power, e.g., for the tourism industry. Polish and Czech Krkonose, Jizera Mountains and forest and pond landscape may act for the benefit of the city of Görlitz.

The intensive exchange of experience slowly opens up the areas of cross-border influence. Described borderland is an example of the occurrence of many cultural problems which emerge as a result of historical turbulence and

political division. It also shows signs of cultural diffusion and progressing acculturation.

“Via Regia”, an association founded in Zgorzelec, plays an important role in the cultural integration. Via Regia for many centuries was the most important military and commercial track in Europe. It run from Spanish Santiago de Compostela through France, Germany, Poland to Kiev – directly through Görlitz<sup>8</sup>. The association for many years focuses on various charity activities, promoting cultural valuables and working for the rapprochement of Poland, Germany, Lusatia and Czech Republic.

Multiculturalism and the former differences between nations and ethnic groups, can be shown through the protection of various elements of their cultural heritage and their popularisation among local communities. A good example of a multicultural city could be Kalisz located in Greater Poland or Głogów in Lower Silesia

In Głogów there are still many symbols referring to the history of German community which lived there until 1945 and significantly outnumbered both Poles and Jews.

Among these symbols there is a monument erected in 1926 to commemorate the first president of the Weimar Republic, Friedrich Ebert and the transformation of German Empire into a republic. The monument is located on the outskirts of today’s Forest Park, near the crossing of Bolesława Krzywoustego with Staromiejska street<sup>9</sup>. It is decorated with an inscription in ornate letters: “Ebert...”. After World War II it was of no value, commemorating nothing and no one. Gradually its condition deteriorated. Only in the mid-nineties of the twentieth century the city of Głogów, in agreement with the organisation “Glogauer Heimatbund”, came with a joint initiative to commemorate the victims of the World War II. This is one of the few monuments that survived the war, various governments, weather conditions and, finally, has changed its destiny.

The Fountain of F. Reuter is also among the symbols commemorating former inhabitants of the city. Fritz Reuter (1810-1874) was a poet and

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<sup>8</sup> *Zgorzelec Görlitz 1945-1998*, Kronika Miasta, Zgorzelec i Görlitz 1999.

<sup>9</sup> W. Borecki, *Pomniki głogowskie przedwojenne*, [in:] „Encyklopedia Ziemi Głogowskiej”, paper 51/52, Głogów 2000, p. 33.

a novelist, classical author of the north-German dialect. He stayed in Głogów in 1837, as he was kept in town fortress, accused of his participation in the progressive student movement<sup>10</sup>. Soon he was released but the time spent in prison found its expression in his autobiographical novel “Ut mine Festintigund”. The first chapter is focused around the time he spent in Głogów. The author of the novel vividly describes his experiences, other characters, prison personnel, the life of the city and its image seen during his allowed walks along fortress ramparts. To commemorate his stay in Głogów, the city founded a fountain of his name which was unveiled on 7 November 1911 at the Wilhelmsplatz, which today is the crossing of Powstańców and Piekarska street. The fountain was partially destroyed in 1945 and completely disassembled in 1959<sup>11</sup>.

In Głogów there was also a monument erected in honour of King Frederick II of Prussia, called “the Great” by the German people. The monument was unveiled on 19 April 1914<sup>12</sup>.

There is also a monument of Germania, ordered by William II, also known as the Monument of Fighters, designed and made by a sculptor born in Głogów, Emil Steiner. It was unveiled on the tenth anniversary of the Battle of Sedan in 1881 on former Wilhelmsplatz (today it is the crossing of Powstańców and Piekarska street)<sup>13</sup>. Monument was completely destroyed during the World War II.

In 1926 a monument of the 41<sup>st</sup> Field Artillery Regiment was erected, situated in the Bois of Pioneers (now Słowiański Park)<sup>14</sup>.

One of the most interesting relics in Głogów is the bust of Andreas Gryphius (1616-1664), an inhabitant of Głogów, a prominent playwright and a poet of the German Baroque. The sculpture made by Michealis has become one of the symbols of the city, and its location inside the building of the theatre situated at the market square, is to remind of poet's everyday

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<sup>10</sup> J. Chutkowski, *Głogów w XX wieku*, Głogów 2004, p. 30.

<sup>11</sup> J. Chutkowski, *Wędrowki po dawnym Głogowie*, Głogów 1997, p. 82.

<sup>12</sup> J. Chutkowski, *Głogów w XX wieku*, Głogów 2004, p. 29.

<sup>13</sup> W. Borecki, *Pomniki głogowskie przedwojenne*, [in:] „Encyklopedia Ziemi Głogowskiej”, paper 51/52, Głogów 2000, p. 31-31.

<sup>14</sup> *Ibidem*, p.20.

walks to the City Hall. The theatre in Głogów was also named after Andreas Gryphius, along with an award for the outstanding artists who work for the rapprochement of two nations granted by the Artists Guild in Esslingen (Germany) and in Głogów<sup>15</sup>.

Another trace of the multiculturalism of Głogów was the evangelical church “Schifflein Christi” (“boat of Christ”), built in 1764-1773. Building the church lasted long and it did not take place without a disaster, which killed three people. Soldiers, Swedish officers, inhabitants of different cities and the people of Głogów all helped with the work<sup>16</sup>. The church functioned until the World War II. In 1945, during the siege, it was seriously damaged. The remained ruins were completely disassembled in the sixties of the twentieth century.

The Jewish synagogue in Głogów is the spiritual centre of the Jewish community, which has its roots in the city. The first mention of the Jewish community in Głogów comes from a 1299 document. The synagogue was built in 1892 near the today’s Kollątaja street. Inside there was a place for 300 men and 250 women. It was a very original and interesting building, which shows how wealthy and sensitive to the artistic beauty was the Jewish community living there.

The synagogue was an impressive building, a real pride of the city<sup>17</sup>. On 9/10 November 1939 the synagogue was plundered and burnt down by Nazi militia. Soon after that event it was pulled down to the ground. On the 55<sup>th</sup> anniversary of this tragic event, a monument commemorating Jewish community of Głogów was unveiled in this city. It forms the outline of the city walls reconstructed on the original foundations of the synagogue, including also an obelisk with inscriptions in both Polish and Hebrew.

It is alarming that the knowledge of the multiculturalism of Głogów among the local community is almost nonexistent. It tells much about the processes of uniformity and cultural globalisation taking place in the minds of people who show little interest in the past and the roots of their own land.

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<sup>15</sup> J. Chutkowski, J. Dymytryszyn, R. Rokaszewicz, *Głogów – przewodnik turystyczny*, Głogów 1998, p. 12.

<sup>16</sup> K. Matwijowski (ed.), *Głogów. Zarys monografii miasta*, Wrocław-Głogów 1994, p. 146.

<sup>17</sup> J. Chutkowski, *Głogów. Informator historyczny*, Głogów 1992, p. 35.



The same case is with many other local communities whose historical and cultural spaces were unconventional and unusual.

Another unique place, containing traces of multiculturalism of the First and Second Polish Republic, is Kazimierz, a south-eastern part of Kraków, with fragments of original embankments preserved. The “Oppidum Judaeorum” (Jewish Town) was located there, which was one of the largest Jewish communities in Europe, as well as an intellectual centre. The grave of the Jewish scholar and mystic, Moses Isserles, who died in 1572, is located at the Jewish cemetery adjacent to the sixteenth-century synagogue Remuh in Kazimierz. Thanks to various initiatives, Kazimierz slowly emerges from oblivion. It is the most visited city district. On the facades of many buildings there are still Jewish inscriptions preserved, streets are covered with original cobblestones and signs made by old studios still decorate windows of various restaurants and pubs. In this part there is also the oldest synagogue in Kraków. The Historical Museum of the City of Kraków is located there nowadays. Tourists often visit also the Popper’s synagogue, built in 1620. Kazimierz organizes the Festival of Jewish Culture which attracts artists from all over the world<sup>18</sup>.

These selected examples are to prove that the intercultural dialogue can be conducted by reasonable and attractive historical education, concerning various nations, religions, cultures and daily lifestyle in the past. There are plenty of such examples, as both the First and the Second Polish Republic were indeed multinational. It was only due to the events of the World War II and the policy of the Polish People’s Republic which led to the creation of a monolithic Polish society. Ethnic minorities still constitute a small percentage of the structure of the society. Nevertheless, they survived mainly at the borderlands, with all their cultural diversity. Therefore, they have to be protected against rapid globalisation and cultural uniformity.

An example of a disappearing ethnic group might be the history of Crimean Karaites in Poland and its cultural specificity. It is the smallest ethnic minority living in Poland, its culture was already considered disappearing during the interwar period.

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<sup>18</sup> *Kraków. Na pograniczu kultur*, [in:] Portal Internetowy „Polska Niezwykła”. Access: [www.polskaniezwykla.pl](http://www.polskaniezwykla.pl), 2010-08-02.

Crimean Karaites constitute a religious and an ethnic group deriving from the Turkish people. It dates back to the eighth century. Among the Jews living in Babylonia (today's Iraq), there were some who strongly opposed against the growing importance of the Talmud, that is the written extra-biblical Jewish tradition. The leader of the opposition, Anan Ben David of Basra, believed that nothing must be added to what the Bible reveals. He considered Jesus Christ and Muhammad prophets. His doctrine was incompatible with the official version of Judaism, therefore, its followers separated themselves from the followers of Judaism. The teachings of Annan Ben David quickly began to spread in the Arabic countries, and his followers came to be called from Hebrew *karaim* (readers of the Hebrew Scriptures). The new religion entered the Turkish state of Khazars. In the tenth century the country collapsed but Karaites survived in the Crimea, afterwards, according to the tradition, hundreds of families were displaced in the fourteenth century by the Great Duke of Lithuania Vytuatas who made them live on the territory of Lithuania. Municipalities of Crimean Karaites received many privileges from the monarchs of Poland and Lithuania. Crimean Karaites were brave defenders and exemplary citizens. They lived mainly in Troki, Vilnius, Łuck and Halicz. After the World War II, some of them emigrated to the areas of contemporary Poland. There were about two hundred of them at the time of the Polish People's Republic. Currently there are about one hundred and fifty<sup>19</sup>.

All books of the Old Testament recognized by the followers of Judaism for Crimean Karaites were of equal value. However, the Pentateuch was the most appreciated. Everything was interpreted in the light of the Bible, neglecting other sources. Anan Ben David believed that the Talmud cannot be authoritative, and, therefore, its "Book of Rights" was closed, as he recommended that each of Karaites needs to study the Scriptures. Everyone had the right to interpret the Bible according to one's own conscience and knowledge<sup>20</sup>. In the life of the Karaites respecting the laws of the Bible was considered the unique and sufficient condition of salvation<sup>21</sup>. Often there is this

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<sup>19</sup> G. Pełczyński, *Najmniejsza mniejszość. Rzecz o Karaimach polskich*, Warszawa 1995, p. 11.

<sup>20</sup> A. Dubiński, *Caraimica. Prace karaimoznawcze*, Warszawa 1994, p. 51-51.

<sup>21</sup> G. Pełczyński, *Karaimi polscy*, Poznań 2004, p. 10.

thesis that Karaites are a sect, or that their separation from Judaism was a heresy. However, they believed in the return to the biblical tradition. Władysław Syrokomla stated “*They were eager to preserve the Bible, seeing it contaminated by the Talmud and other commentaries, therefore, they had every right to consider the Judaists apostates...*”<sup>22</sup>.

Crimean Karaites arrived at the Lithuanian-Polish lands already using two eastern dialects<sup>23</sup> which were very similar, differing only in some phonetic details.

In 1997 studies in Poland and Lithuania were undertaken in order to reveal what connects and divides Karaites in both countries. In Poland there are few Karaites communities, among them only three are prominent, namely communities in Wrocław, Warsaw and Gdańsk. There are more women than men, Karaites are an aging society, as the average age is 48 years old.

Only small part of Karaites knows their own language, however, it has not disappeared entirely. It turned out that Polish has become the new language of Karaites. Almost all of them participate in their traditional celebrations, associated with their faith. They also stick to norms and religious customs. They promote the idea of marriages between the representatives of their own society, however, they do not criticize those who made other choices, as they believe that such decisions are subject to individual choices.

Most of Karaites feel connected with their own culture, but more and more people assimilate the Polish culture. Such observations were made by I. Abkowicz who is a Karaite, herself. It leads to the conclusion that Karaites are a disappearing group but still having chance of restoration<sup>24</sup>. Today's Karaites who live in Poland consider it their homeland. When Poland regained its independence after the Great War, they began to adapt Polish national features. Although they lived in various cities, among different ethnic groups, they lived in peace, belonging to the same local community, wanting just to be treated as a separate ethnic group. They struggled to keep their individu-

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<sup>22</sup> A. Mardkowicz, *Synowie Zakonu. (Kilka słów o Karaimach)*, Łuck 1930.

<sup>23</sup> A. Dubiński, *Caraimica. Prace karaimoznawcze*, Warszawa 1994, p. 69.

<sup>24</sup> I. Abkowicz, *Karaimska grupa etniczna i jej specyfika kulturowa*, M.A. thesis written under the guidance of Mieczysław Sprengel Ph.D., Kalisz 2005, [in:] Uniwersytet im. Adama Mickiewicza w Poznaniu – the archives of Wydział Pedagogiczno-Artystyczny [typewriting].

ality<sup>25</sup>. Systematically, however, they assimilated various features characteristic of the Polish society. They dressed the same, ate the same dishes, spoke the same language. They began to blend into the Polish environment. In the first years after the World War II traditions of Karaites were still respected and preserved. Saturday ceremonies and meetings were celebrated, however, over the years the situation deteriorated. Day by day the number of people participating in religious and social life decreased. Polish Karaites are a nation prone to extinction. Encouragingly, there some special camps organized where children can learn the language of the Karaites. Books written in their language are of great historical value. One of the ways of manifesting the ethnic individuality of the Karaites was the foundation of the musical band called "Sanduhacz". The Internet has turned out to be an important tool supporting the traditions of the Karaites. Many native Karaites have, therefore, the chance of participating in their culture, roots and language. Undoubtedly, it is an inspiration for people of mixed families to stay in touch with their community in Poland<sup>26</sup>.

An important aspect concerning the restoration of the identity lost at the borderland, is the issue of the native language or dialect, often not known by younger generations. This is not easy to tackle, as the process of cultural assimilation progresses rapidly and systematically.

For example, as a result of migration which took place from the sixteenth to the nineteenth century, the Polish-Slovak border underwent a systematic slovakization of Poles. As a result, nowadays in this area, along with dialects of Greater Poland, one can still meet the relics of mixed Polish-Slovakian dialects. In the era of the artificial creation called "Czechoslovakia" (1918-1992), Poles were constantly faced with the phenomenon of triple language<sup>27</sup>. It negatively affected the knowledge of Polish language and local dialects of the Polish Beskids.

In Poland there are borderlands which trigger conflicts since decades. Among them is the so called "Lemkivishchyna". For decades various reli-

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<sup>25</sup> Ibidem

<sup>26</sup> Ibidem

<sup>27</sup> I. Nowakowska-Kempna, *Język i kultura pogranicza*, [in:] I. Nowakowska-Kempna (ed.), *Uczeń na pograniczu językowym polsko-słowackim*, Bielsko-Biała 2007, p. 46-47.

gious systems collided there: Catholic, Orthodox, and Ukrainian Catholic. For Lemko religions the most significant era was the end of the eighties of the twentieth century. It was the time of greater activation of the Orthodox and Ukrainian Catholic communities. It was due to the political transformations taking place in Poland and the whole Central Europe, liberating itself from the communist regime. Therefore, the situation of Ukrainian Catholic church was finally regulated. Polish authorities officially recognized the existence of different rites within the Catholic Church in 1991, starting the process of restoring the hierarchy and local structures of the Ukrainian Catholic church. This process has been crowned in 1996 with the creation of the Ukrainian Catholic Archeparchy of Przemyśl-Warsaw with its Archbishop Jan Martyniak. A certain balance was, therefore, established between the two most important religions of the Lemkivshchyna. Orthodox church often identifies with the Lemko or the Carpatho-Russian national programme, whereas the Ukrainian Catholics tend more toward the Ukrainian identity<sup>28</sup>.

Religious conflicts in Lemkivshchyna, lasting for many decades, influenced the process of disintegration. This resulted in the formation of national and cultural enclaves, separated by mental, moral and psychological boundaries, which sprang from religious differences.

Various political interests of different decades failed to work for the benefit of cultural integration of Lemkivshchyna and, in fact, even exacerbated the conflicts.

Works of literature also play an important role, as the people of the borderland always expressed their yearnings and memories through poetry and prose. At the Jagiellonian University there is a Department of the Literary

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<sup>28</sup> A. Krochmal, *Stosunki między grekokatolikami a prawosławnymi na Łemkowszczyźnie w latach 1918-1939*, [in:] J. Czajkowski (ed.), *Łemkowie w historii i kulturze Karpat*, part 1, Rzeszów 1992; T. Majkowicz, *Kościół grekokatolicki w PRL*, [in:] S. Stępień (red.), *Polska – Ukraina. 1000 lat sąsiedztwa*, t. 1, Przemyśl 1990; J. Martyniak, *Kościół grekokatolicki w Polsce w pięćdziesięcioleciu powojennym (1945-1995)*, [in:] J.S. Gajek, S. Nabywaniec (ed.), *Unia brzeska z perspektywy czterech stuleci*, Lublin 1998; J. Moklak, *Łemkowszczyzna w Drugiej Rzeczypospolitej*, Kraków 1997; J. Musiał, *Stan prawny i sytuacja faktyczna świątyń na terenie diecezji przemyskiej w latach 1945-1985* [in:] S. Stępień (ed.), *Polska – Ukraina. 1000 lat sąsiedztwa*, Vol. 1, Przemyśl 1990.

Culture of the Borderland, operating within the Institute of Polish Studies, headed by prof. Tadeusz Bujnicki<sup>29</sup>.

On the basis of previously formulated theses and selected examples of the complexity of the borderland cultures, several issues are to be stated, in relation to various dilemmas concerning the Polish borderlands:

1. There is a need for the protection of all the unique elements of nations and ethnic groups in the area of the cultural borderland.
2. There is a need for the intensification of social and ethnographic studies, with regards to the disappearing forms of language, clothing, household items, specific of various ethnic groups of the cultural borderland.
3. It is relevant to scientifically describe the intermingling customs, springing from the direct contact of cultures based on religions, traditions, and oral pronunciation at the cultural borderlands.
4. Actions of local authorities aimed at building open-air museums, ethnographic museums and places of remembrance are essential, as they enable the process of documentation of the borderland cultures.
5. The popularisation of the cultures of the borderland constitutes a valid issue and should be realized through various festivals, outdoor artistic events, competitions and exhibitions.
6. It is important to intensify the regional education through additional facultative classes on traditions, customs and language of the borderland cultures.
7. The revitalisation of sacral and secular buildings is extremely valid, as they constitute the relics of endangered cultures of the borderland.
8. The formation of local and regional associations, societies and foundations is essential in order to protect the endangered cultures of the borderland.

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<sup>29</sup> **Bujnicki Tadeusz** (born 1933 in Vilnius) – a historian and literary critic, interested in the works of Henryk Sienkiewicz, Polish literature from emigration and Kresy. His most important publications are: *Trylogia Sienkiewicza na tle tradycji polskiej powieści historycznej* (1973); *Sienkiewicza powieści z lat dawnych* (1996); *O poezji rewolucyjnej* (1978). Source: *Tadeusz Bujnicki, Władysław Broniewski*, serial: „Portrety Współczesnych Pisarzy Polskich”, Państwowy Instytut Wydawniczy, Warszawa 1972.

9. It is important to revive, in various forms, local dishes, traditions, rites, in order to recreate the endangered cultures.
10. Coordination of various actions concerning the distribution of financial funds by regional associations of cities and municipalities located in the borderlands and resources from the European Social Fund, becomes increasingly important.
11. Catholic, Orthodox, Evangelical and Ukrainian Catholic parishes should be more open towards the idea of tolerance for religious differences, mixed marriages and the lifestyle of the cultural borderland.
12. It is important to popularize the unique cultures of the Polish borderland through Polish cultural centers in various countries all over the world, as much as Polish embassies and diplomatic posts.

All the important and unique elements of the Polish cultural heritage in the borderlands may be used in the process of building united Europe, economically unified, yet culturally rich and diverse.

The culture of Polish borderlands determines the uniqueness of Slavic individuality, which could bring new values to the cultural heritage of Europe and stop the dangerous process of globalisation and cultural uniformity, which would make the social space of Poland and other European countries pale and colourless.

# Written valuables of Polish national heritage

Attempts of preserving unique library materials date back to antiquity. Books constitute exquisite cultural goods, due to the fact that they transfer ideas from one generation to another and constitute a documentation of the era. For a long time the only aspect which was appreciated was the economic value of material carriers used to preserve various literary works, e.g., stone instead of the manifestation of the artist's creative thinking process, parchment and not the actual document, work of literature or art. The idea of the intellectual copyright began shape only in modern times<sup>1</sup>. Nowadays, law, both Polish and international, guarantees legal protection of a work<sup>2</sup>.

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<sup>1</sup> E. Ferenc-Szydelko, *Kształtowanie się pojęcia własności intelektualnej*, [in:] E. Ferenc-Szydelko, *Prawo autorskie na ziemiach polskich do 1926 roku*, „Zeszyty Naukowe Uniwersytetu Jagiellońskiego – Prace z Wynałazczości i Ochrony Własności Intelektualnej” 2000, paper 75, p. 11-34; S. Grzybowski, *Geneza i miejsce prawa autorskiego w systemie prawa*, [in:] Z. Radwański (ed.), *System prawa prywatnego*, Vol. 13 („Prawo autorskie”), Warszawa 2007, p. 1-6.

<sup>2</sup> J. Barta, R. Markiewicz, *Prawo autorskie i prawa pokrewne*, Kraków 2005; M. Brzozowska M., *Prawo autorskie w kulturze. Praktyczny przewodnik po zakamarkach prawa autorskiego w muzeach, teatrach i innych instytucjach kultury*, Bytom 2010; L.M.C.R. Guibault, *Copyright limitations and contracts*, London-Boston 2002; M. Kępiński (ed.), *Granice prawa autorskiego*, Warszawa 2010; S. Ricketson, J.C. Ginsburg, *International copyright and neighbouring rights: The Berne Convention and beyond*, Oxford 2006; J. Sieńczyło-Chłabcz (ed.), *Prawo własności intelektualnej*, Warszawa 2009; M. Załucki (ed.), *Prawo własności intelektualnej*, Warszawa 2010.



Although since the second half of the twentieth century there is a rapid development of science and technology, the value and importance of a printed book, perceived as a document, in no way diminishes.

Modern communication technologies influence the activity of libraries. Undoubtedly, they give the access to knowledge and information to wider groups of users.

It was Plato (Πλάτων, 427-347 BC) who first stated that writings, “replace” human memory. Nowadays, as Wojciech Chyła put it, “audiovisuals replace the work of thoughts”<sup>3</sup>. Frequent reliance only on electronic transmission may be intellectually impoverishing. Therefore, it is desirable to implement educational programmes aimed at promoting readership and passion for traditional books.

Among such programmes there is “Education for All”, implemented by UNESCO. Currently, the programme is covered by more than 180 countries around the world, including Poland. The programme concerns the issue of compulsory and free preschool and primary school education for handicapped children from the areas of social exclusion, with particular reference to national, ethnic and religious minorities.

In addition, the programme includes the liquidation of functional illiteracy, barriers in access to education at secondary level, also for women. Education and gaining knowledge throughout one’s life (permanent, continuous education) significantly determine the style, quality and awareness of life. This raises the question: to what extent this UNESCO programme was implemented in Poland?

At the beginning of the twenty-first century, it is the Internet that has become a universal tool of communication, providing educational and institutional services. Therefore, European libraries have started to make their resources available also via the Internet.

The greatest achievements in the field of digitisation of library collections belong to the United States. Some of the American ideas concerning the training of information workers at relatively low costs could be implemented also in Poland. Borrowing certain inspiring solutions does not necessarily mean an overall takeover or reproduction. Undoubtedly, foreign achieve-

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<sup>3</sup> W. Chyła, *Kultura audiowizualna*, Poznań 1999, p. 94.

ments are worth taking into consideration but only to confront them with proven home models.

The precursors of digitisation of library collections in Poland are considered the Wojewódzka Biblioteka Publiczna – Książnica Kopernikańska in Toruń (1997); Biblioteka Uniwersytecka in Wrocław (1998) and the Biblioteka Główna Akademii Górniczo-Hutniczej in Kraków (1999). Although the Jagiellonian Library should also be mentioned, which in 1995 has transferred the work of Nicholas Copernicus 'The Revolutions of Heavenly Spheres' (*De revolutionibus orbium coelestium*) on a CD. However, on a broader scale, this library began to use the digital record just 9 years ago.

In many cases, working on the modern forms of archiving library collections was conditioned not only by the lack of adequate staff, but also insufficient funds. Another reason was the library profile. Therefore, this process was time consuming. Intensification of these activities took place in 2003 and 2004. It concerned both public and university libraries. Libraries more often reached for a variety of grants and EU funds. Many libraries began to form consortia in order to facilitate and accelerate the digitisation of collections.

Initially, the selection of library materials designed for electronic archiving was done by individuals occupying managerial positions in libraries and their substantive employees. In time, some other properly prepared librarians were included. Developing the criteria for the selection of materials for digital recording constituted an urgent need. As Małgorzata Kowalska (Institute of Information and Bibliology, Nicolaus Copernicus University in Toruń) stated: "*In most libraries, these are usually old prints, manuscripts, incunabula and journals from the nineteenth century which have been included in those programmes. Activities carried out by the libraries concerning the process of digitisation were primarily to protect and secure the valuables, but they also constituted a response to new needs of the users. Among the most frequently mentioned formal criteria were: the poor condition of objects, their uniqueness, scientific, cultural, and historical importance and frequent use by readers. In the case of several public libraries other factors have inspired digitisation, such as the need for a new documentation concerning inventory and catalogues (Książnica in Cieszyn) or the need for archiving and keeping records of legal acts published by local governments (libraries in Koszalin and Rzeszów). These initiatives,*

which aim at protecting original volumes, also helped facilitate the access to library collections, improve teaching and learning processes of various universities, complete collections, and in the case of public libraries, influence their popularisation. University libraries, in addition to the conversion of valuable and unique positions, have used the process of digitisation also for various teaching materials. Public libraries, on the other hand, apply it to various collections related to the history of the city or region. Due to the existing copyright regulations, usually these items were converted to which copyrights have expired. Among the most recent collections there are usually libraries' own publications and selected articles from various journals. With regard to the recent positions, most university libraries have prepared licensing agreements for the authors and publishers, which regulate the issue of publishing and the access to the publications"<sup>4</sup>. The question of kept records and the criteria for selecting library materials and archives have lost none of its topicality.

For the first time in Poland, the state of digitisation of library materials was examined in 2003<sup>5</sup>. The study was conducted at 55 libraries which were then included in the national library resource. Research coordinated by the National Library showed that at that time 10,000 library materials were subjected to this process.

Two years later there were 22 thousand digitized objects in 88 national libraries included in the National Library resources and some public libraries. It was found that half of the libraries which had digitizing labs, published their library materials in digital format in the Internet. Academic libraries belong to a nationwide library network, which was first to use modern technologies. Central libraries showed less activity in the described time frame. The main reason was the lack of proper equipment.

In 2005, the most digitized region in the context of library materials was Mazowieckie Province. Next were: Wielkopolskie, Małopolskie, Dolnośląskie and Pomorskie. The last came: Świętokrzyskie, Lubelskie, Łódzkie, Zachodniopomorskie, Warmińsko-Mazurskie and Opolskie.

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<sup>4</sup> M. Kowalska, *Digitalizacja zbiorów w bibliotekach polskich – próba oceny doświadczeń krajowych*, „EBIB” 2006, No. 11 (81).

<sup>5</sup> E. Potrzebnicka, *Digitalizacja – nowoczesną formą tworzenia kopii dokumentów bibliotecznych*, „Notes Konserwatorski” 2005, No. 9 („Trwałe zbiory – źródłem historii”), p. 66 et seq.

It is estimated that in 2006 the number of digitized library materials reached 100 thousand<sup>6</sup>. Many libraries allow users to scan their materials. Means obtained that way are spent on the continuation of the process of electronic archiving.

The need of protecting library materials affects the pace of works undertaken in this direction. Not in every case the electronic record is the best form of protection. The durability of information carriers is not known yet. Methods, which are used today, in the future may turn out outdated. Therefore, what should be done with the existing forms of archiving?

Another dilemma is the lack of standards and procedures concerning digitisation of cultural heritage<sup>7</sup>, that is of historical written materials other than books. Digitisation of Polish cultural heritage, due to its potential greater durability will make it possible to preserve Polish historical and artistic valuables.

In addition, access to digital written objects through the Internet can contribute to the popularisation of Polish culture abroad and to the creation of the image of Poland as a country respectful of its traditions. Museums, due to limited exhibition space, cannot show most of their resources. Some objects are exhibited only temporarily. When creating a virtual exhibition, this problem disappears, as everybody can learn about various elements of the national and European cultural heritage. This process accelerates the development of Polish information society.

The possibility of creating a faithful copy of written materials is an important aspect. In addition, in case of destruction of the original, there is always a possibility of making a copy.

Polish National Library, until the year 2009, has digitized twenty thousand objects, which can be found in the Internet through the "Digital Na-

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<sup>6</sup> M. Kowalska, *Digitalizacja zbiorów w bibliotekach polskich – próba oceny doświadczeń krajowych*, „EBIB” 2006, No. 11 (81); P. Zieliński, *Digitalizacja – stan obecny i perspektywy*, „Poradnik Bibliotekarza” 2007, No. 9, p. 24 et seq.

<sup>7</sup> E. Stachowska-Musiał, *Zastosowanie techniki cyfrowej w ochronie dziedzictwa intelektualnego i kulturowego*, „Notes Konserwatorski” 2004, No. 8 („SOS dla zbiorów”), p. 47; M. Wojciechowicz, *Digitalizacja dziedzictwa kulturalnego*, „Poradnik Bibliotekarza” 2007, No. 5, p. 21 et seq.

tional Library POLONA.” By the year 2014 this number is to increase up to 250 thousand. Excessive actions in this regard have been undertaken this year.

Archival materials produced by the state administration have been stored and made available since the end of the eighteenth century<sup>8</sup>. Archives began to be treated as a “collective memory of the society.” An important question which should be raised relates to the method of interpreting archival materials. Is it not true that sometimes the professional and reliable interpretation of the information content is overcome by the subjectivity of current events?

Actions undertaken in order to preserve the archives cannot consider merely documents, but also the buildings in which they are stored. Are they large enough for the collection? Do they meet the safety standards? Have there been specific plans developed in case of an emergency? Does the communication between archives and relevant services work properly? What is the condition of the historical archives<sup>9</sup>? Are they subject to a sufficient restoration works? What is the reason for including a certain material in the archives, classifying it as secret or digitizing?

Works on digitisation of the archives of the Capital Reconstruction Bureau from the period 1945-1951 are still in progress. These documents are stored in the State Archive of Warsaw. Due to their historical and documentary value, they have been selected as a candidate to enter the UNESCO list “the Memory of the World”. The question arises: do Polish national archives possess enough funds in order to protect and preserve their most unique objects?

Another important issue is whether the archival materials should be widely available, or whether this access should be limited, and if so, then which archives should those restrictions consider. What archival units, why and how long should be kept or classified as secret? What should be the degree of social information concerning the materials collected in the archives? To what extent are they used for scientific purposes? Clear solutions are need-

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<sup>8</sup> Actions in order to preserve the archival materials were undertaken during the French Revolution (1789-1799).

<sup>9</sup> For example, in 1995 in Poland only 15% of archival materials was stored properly, [in:] *Zagrożenie archiwów – skarbnicy pamięci państwa i narodów*, “Archeion” 1995, Vol. 96, p. 66.

ed in this regard, since the access to information, especially that which concerns the functioning of state and actions of government leaders, influences the formation of democracy and public confidence in the authorities. Do the national authorities cooperate with other countries or specialized organisations, such as UNESCO, International Council of Archives or International Institute of Social History using modern technologies (e.g., transmission of copies, microfilms, scanning, digitizing, running virtual archives)? This issue requires the development of an international consensus. Moreover, it also calls for the creation of an international organisation which could raise funds for the purpose of preparing microfilms, documenting the archival heritage of more than one country.

Carriers of archival information are one of the issues requiring solutions. How many data are kept on traditional carriers and how many on electronic ones? What is the reason for this situation? It has been stated that the paper made of wood pulp has been produced since the first half of the nineteenth century<sup>10</sup>. It consists of a polymer called lignin, easily undergoing oxidation, which leads to the hydrolysis of paper (so-called acidic paper)<sup>11</sup>. This process may cause the loss of many valid archival documents and library collections. Especially prone to destruction are nineteenth-century periodicals, which are an important part of research into the social life and culture of the era.

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<sup>10</sup> P. Wojciechowski, *Cele i zadania wieloletniego programu rządowego 'Kwaśny papier. Ratowanie w skali masowej zagrożonych polskich zasobów bibliotecznych i archiwalnych*, „Archeion” 2005, Vol.108, p. 33. Conf. J. Dąbrowski, *Papier drukowy i jego trwałość*, „Notes Konserwatorski” 1998, No. 1, p. 117 et seq.; B. Zyska, *Biologia książki*, part 1-2, Katowice 1996, 1997; B. Zyska, *Działania profilaktyczne w bibliotece jako czynnik ograniczenia szkodników biologicznych*, [in:] B. Zyska, *Biologia książki*, part 2, Katowice 1997.

<sup>11</sup> *Apel o trwałą papier na polskim rynku wydawniczym (dokument)*, [in:] B. Drewniewska-Idziak, E. Stachowska-Musiał (ed.), *Ochrona i konserwacja zbiorów bibliotecznych*, Warszawa 1998, p. 187-188; A. Barański, *Problem kwaśnego papieru. Koncepcje badawcze, uwarunkowania i działania praktyczne*, [in:] T. Łojewski, Z. Pietrzyk (ed.), *Kwaśny papier. Zagrożenie zbiorów bibliotecznych i archiwalnych*, Kraków 2001, p. 67-74; R.W. Frase, J.J. Whiffin, *Ochrona dziedzictwa naszych dokumentów a trwałą papier*, Warszawa 1998; B. Zyska, *Nad trwałością papierów drukowych*, Katowice 1993; B. Zyska, *Kwaśny papier. Zagrożenie XX wieku*, Katowice 1995.

Poland has carried out the process of deacidification of library materials and archives<sup>12</sup>. It is not known, however, what is the scope and pace of this process. Polish archives and libraries do not have sufficient funds or personnel in order to carry out the process optimally.

There is a constant need of updating collections preserved in a digital form, including photographs, as what is preserved today in high-resolution and has a proper colour, may turn out unclear on different machines could be used in the future. Digital reproduction causes the deterioration of the original source. The key question is whether the electronic form is really able to convey the essence of the original work. Therefore, the form of protecting archival and library materials must be continuously verified, with regards to the type, age, condition, value and meaning of a given object.

As a result of numerous studies, a so-called “durable paper” has been invented, which contains no wood pulp and calcium carbonate (3%) is the filler. In Poland, durable paper is in common use for office purposes since the end of the twentieth century<sup>13</sup>. It is not known, however, to what extent this paper is used for printing books and documents published by local governments and state administration.

There is an “overproduction” of acts and documents. Therefore, the issue of selecting documents by the archives must be taken into consideration. This is not clear which acts should be included in the archival resources. It is a difficult task, as any act rejected today may prove a valuable historical document in the future.

The database launched by the Head Office of State Archives includes these databases: “IZA” (of archival inventories in a form of a cartographic and technical acts)<sup>14</sup>, “PRADZIAD” (data on civil status and register books

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<sup>12</sup> P. Wojciechowski, *Cele i zadania wieloletniego programu rządowego ‘Kwaśny papier. Ratowanie w skali masowej zagrożonych polskich zasobów bibliotecznych i archiwalnych*, „Archeion” 2005, Vol.108, p. 32-49.

<sup>13</sup> Ibidem, p. 36.

<sup>14</sup> Full name: Inwentarze Zespołów Archiwalnych „IZA”. It was the first database created in order to facilitate the functioning of national archives. It was introduced in 1997-1998. K. Kopiński, *Wpływ komputeryzacji na opracowania w archiwach państwowych dokumentacji aktowej*, [in:] M. Kocójowa (ed.), *Włączenie czy e-wyobcowanie*, No.2, Kraków 2006, p. 47-51.

from the state archives, also information about the zabużański archive)<sup>15</sup>, “SEZAM” (the characteristics of units forming the national archival resource)<sup>16</sup>. However, there are still documents which are difficult to be classified. The problem arises due to the computerisation of archive units which were previously developed and, after some time, were complemented by new, unknown, objects. Therefore, it is still unclear how to deal with the open archival units. It is also difficult to define and standardize the form, criteria for developing the lists of delivery and acceptance and how to make an account of archival materials for the purposes of computerisation.

The implementation of the Integrated Archival Information System “ZoSia” started four years ago. This system is to become a source of information about the content of the archives in Poland. So far the Internet provides two and a half million archival units. Yet, the total number of archival units exceeds thirty-four million.

More and more library and archival materials are placed in virtual libraries and archives. The Commission of the European Communities, Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of Regions, *i2010: DIGITAL LIBRARIES* from 2005 justify the actions taken in that direction: “*European libraries and archives (now it also includes museums – S.K.), constitute a valuable repository of materials – including books, newspapers, films, photographs and maps – representing Europe’s rich history and its cultural and linguistic diversity. The release of these materials, which come from different cultures and language areas, in the Internet makes it easier for citizens to appreciate their own cultural heritage and the heritage of other European countries, and allows them to use these materials for study, work or leisure. It will constitute an addition and a support for the activities of the EU in the field of culture. (...). Once digitized, the European cultural heritage could become a driver of the network cultural exchange. It will also be a rich source of starting materials for sectors such as tourism and education. If properly preserved, these material*

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<sup>15</sup> Full name: Program Rejestracji Akt Metrykalnych i Stanu Cywilnego „PRADZIAD”.

<sup>16</sup> Full name: System Ewidencji Zasobu Archiwalnego „SEZAM”. K. Kopiński, *Wpływ komputeryzacji na opracowania w archiwach państwowych dokumentacji aktowej*, [in:] M. Kocójowa (ed.), *Włączenie czy e-wyobcowanie*, No.2, Kraków 2006, p. 47-51, p. 51-52.



*can be repeatedly used. Digitisation efforts will also inspire the creation of new companies developing innovative technologies*<sup>17</sup>.

Digitisation and introducing of library and archival materials to cyberspace entails the need of reproducing the work, creating a copy, lending, etc. At this point there is a problem of intellectual property and copyright. The international law puts great emphasis on ensuring the protection of copyright. However, it mentions certain cases when the copyright can be restricted, for the benefit of users.

In the European Union, the “Directive 2001/29/EC of the European Parliament and the Council of 22 May 2001 on the Harmonisation of Certain Aspects of Copyright and Related Rights in the Information Society” is in use. Therefore, it was possible to introduce exceptions concerning copying works by public libraries, educational institutions, museums and archives, if their purpose is not to obtain any financial benefits. There is still, however, the question of the size of previous implementation of the directive and its efficiency in various countries of the EU.

Polish law has opened a wider access to cultural valuables through the introduction of the already mentioned Act of 4 February 1994 on Copyright and Related Rights (Journal of Laws of 2010, No. 152, item 1016 as amended.) This regulation allows the use of various works, including writings, without having to any pay compensation to the author.

In the context of library activities, this means that libraries can: 1) provide free copies of published works, within their statutory tasks, 2) prepare or order the preparation of copies of published works in order to complete, maintain or protect their collections, 3) make their collections available for research purposes via terminals available at these institutions. Thanks to those legal regulations, library materials can be digitized and placed in digital libraries.

In Poland, the most important digital libraries are: “Cyfrowa Biblioteka Narodowa POLONA”, “Polska Biblioteka Internetowa”, “Biblioteka Literatury Polskiej i Internetu”. “WBN – Wirtualna Biblioteka Nauki”, “EXLIBRIS –

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<sup>17</sup> Document, Commission of the European Communities, Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of Regions, *i2010: DIGITAL LIBRARIES*, Brussels September 30, 2005 [SEC(2005) 1194, SEC(2005) 1195; COM(2005) 465]

Biblioteka Internetowa”, “Bibliologiczna Biblioteka Cyfrowa”, “E – Biblioteka Uniwersytetu Warszawskiego”, “Zbiory Specjalne Biblioteki Jagiellońskiej dostępne online,” “Biblioteka Cyfrowa Uniwersytetu Wrocławskiego,” “Biblioteka Cyfrowa Uniwersytetu Marii Curie-Skłodowskiej”; “Biblioteka Cyfrowa Politechniki Warszawskiej”; “Wielkopolska Biblioteka Cyfrowa”; “Małopolska Biblioteka Cyfrowa”; “Śląska Biblioteka Cyfrowa”; “Kaszubska Biblioteka Cyfrowa”; “Bałtycka Biblioteka Cyfrowa”; „Biblioteka Cyfrowa – Regionalia Ziemi Łódzkiej”; “Genealogiczna Biblioteka Cyfrowa”; “Pedagogiczna Biblioteka Cyfrowa”; „Wirtualna Biblioteka Inżyniera”; „Księgozbiór Wirtualny Federacji Bibliotek Kościelnych FIDES” Among the most important foreign digital libraries are: “The European Library / Europeana”, “The Online Books Page,” “Gallica”, “Project Gutenberg”, “Liberk”, “U.S. Library of Congress,” “ViFaTec – Virtuelle Fachbibliothek Technik (“ViFaTec – Engineering Subject Gateway”). The formal and legal status of library materials which are to undergo digitisation raises various objections all over the world.

However, this problem does not occur in the case of works belonging to the public domain, i.e. those that are no longer protected by the copyright. For example, in Poland, excluding special cases regulated by the Act, this law expires after 70 years: 1) since the death of the author, and in the case of joint works – after the death of the last living author; 2) in case of a work whose author is unknown – since the date of its first publication, unless the pseudonym leaves no doubt as to the author’s identity or if he or she revealed his or her identity, 3) in such cases when copyrights, due to legal regulations, belong to a person other than the author – since the date of the work’s first publication, and if the work has not been published – since the date of its creation, 4) in relation to an audiovisual work – since the death of the last living person including: the first director, screenwriter, the author of dialogues, the music composer.

Currently, digital resources of the European Library<sup>18</sup> are based primarily on this type of literary works. However, there have been cases of various works which had a status of an open source. Yet, after a long study it turned out that due to the fact that some editions were published after the author’s

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<sup>18</sup> Resolution of the European Parliament of 27 September 2007 on *i2010: towards a European digital library* [2006/2040 (INI)].

death, there was a problem of specifying the details concerning the graphic design, cover, illustrations or preface, when it is to be written but someone other than the author. Therefore, it appears that the determination of the legal status of library material might be more complicated, time-consuming and expensive than the process of digitisation and publishing copies in online libraries. In order to avoid complications springing from the issue of copyright, it is suggested that relevant agreements should be signed with the authors or their heirs.

Another important issue are the so-called “orphan works”. These works cannot have their author’s identity established. It is not settled, however, what time should be devoted to the attempts of establishing the author’s identity and what to do if he or she was found after that time and demanded his or her payments and royalties. These are not the only questions and doubts in connection with the issue of intellectual property. For example, nowadays in the U.S.A., legal actions shall be taken in order to protect orphan works<sup>19</sup>. In fact, the lack of consent of the author or his heirs results in the fact that such literary work cannot be exposed in a virtual library, archive or museum. However, according to the Berne Convention For the Protection of Literary and Artistic Works, signed in Paris on 24 July 1971 (ratified by Poland: Journal of Laws of 1990, No.82, item 474, as amended)<sup>20</sup>, in order to use their rights, authors are not required to meet any formalities. Polish law includes similar regulation<sup>21</sup>.

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<sup>19</sup> Document, *Promoting the use of orphan works: balancing the interests of copyright owners and users*, hearing before the Subcommittee on Courts, The Internet and Intellectual Property of the Committee on the Judiciary House of Representatives, one hundred tenth Congress second session, 13 March 2008, Serial No. 110-131, U.S. Government Printing Office, Washington 2008, p. 1 et seq.

<sup>20</sup> The first version of the Berne Convention text was prepared In 1886, however, since ten it was many times verified. Currently, the version published in Paris in the seventies of the twentieth century has become official.

<sup>21</sup> The position of the European Union concerning that matter can be acknowledged through the analysis of these documents: : i2010: Digital Libraries High Level Expert Group – Copyright Subgroup, *Report on Digital Preservation, Orphan Works, and Out-of-Print Works. Selected Implementation Issues* (adopted by the High Level Expert Group at its third meeting on 18.4.2007) and *Model agreement for a licence on digitisation of out of print works* (anex).

Yet, there are more and more examples of violations in the area of intellectual copyright. Therefore, the European Union struggles to unify legislation acts concerning this issue and develop a common system of protection and enforcement of copyright. These actions include also library materials, both in traditional form and digitized.

Digitisation and publishing books in virtual libraries, although it has its advantages, it also has several drawbacks. One of them concerns the issue of equipment and the format in which the whole process is to be performed. For example: the English "Domesday Book" was written in 1086, ordered by King William the Conqueror (William Bastard, around 1027/1028-1087). In 1986, in order to celebrate its 900 anniversary, its digital version was published. It turned out that the digital copy was used only for a few years, which is still much, taking into consideration the issue of software and hardware durability. In the early twenty-first century the multimedia version of this document could not have been shown by computers, in contrast to the original manuscript from the eleventh century.

Nowadays, personal and financial efforts are made in order to digitize the literary achievements (library and archival materials) and museum collections. For example: by 2013 Greece will spend more than 100 million euro on this issue. Many countries, in addition to their own resources, search for additional sources of external funding, including, for example, financial mechanisms of the EU. It is not known what is the amount of money spent on this issue in Poland.

Not every book or document must enter the library archives in an online form, but it may also be stored on a CD-ROM. Currently the most popular methods of conversion, except for digitisation, are photocopying and microfilming.

A microfilm was first used in the nineteenth century in France for the military and strategic purposes<sup>22</sup> (the siege of the capital). In Poland, microfilming appeared in the fifties of the twentieth century<sup>23</sup>. Preparation of microfilms (microforms) is applied in order to merge collections, expose them

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<sup>22</sup> W. Gmiterek, *Mikrofilm a komputeryzacja bibliotek*, „Bibliotekarz” 1997, No. 7-8, p. 13 et seq.

<sup>23</sup> T. Szczęsna, *Program mikrofilmowania czasopism i innych dokumentów z polskich bibliotek realizowany w Bibliotece Narodowej*, „Bibliotekarz” 1999, No.2.

temporarily to scholars outside the library building and archives, publish bibliographies and reprints, also in case of paper degradation, due to acid hydrolysis (acidic paper) or various incidents (e.g., flooding). Before a data collection or a work can undergo a process of conversion, one must ask several questions: what is the value of the object? Is this the only copy? Is it possible to keep it in its original form?, Does it require conservation or restoration? In the process of preservation, one should avoid too excessive interference and choose minimally invasive techniques.

Documentary collections, both in a traditional form and in the form of a microfilm, need not only to be catalogued, but also scientifically developed. Currently, microfilms are considered to be a good way of protecting collections. For example, the National Archive in Katowice still uses microfilms which were made over half a century ago<sup>24</sup>. What emerges is of course the question of their durability.

Electronic media, although they allow to save space in library archives, are quite prone to destruction. Damaged pages of a book can be reconstructed, as opposed to electronic media. Even a minor scratch can cause the CD to stop working. Although the longevity of a CD lasts for a hundred years, it is recommended to copy their contents every five years<sup>25</sup>. Every next copy causes the deterioration of image quality. It is also difficult to correctly recognize the text and the extraction of data (such as the name of the author, title, work's signature), their size during the process of conversion and the preparation of bibliographic record<sup>26</sup>.

Digitisation is, therefore, not a process that is able to provide library and archival materials with unlimited longevity. Therefore, there is the need for a long-term preservation, reasonable selection of materials, maintenance, proper storage and sharing, as much as transposition, depending

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<sup>24</sup> D. Wańka, *Mikrofilmowanie jako forma zabezpieczania archiwaliów i zbiorów bibliotecznych. Wady i zalety na tle nowoczesnych technologii cyfrowych*, [in:] S. Kowalska (ed.), *Wybrane aspekty ochrony polskiego dziedzictwa kulturowego*, Poznań-Kalisz 2010, p. 242-243.

<sup>25</sup> Ibidem, p. 244.

<sup>26</sup> M. Popenda, *Automatyczne rozpoznawanie pisma – zastosowanie w systemach bibliotecznych*, [in:] M. Górny, P. Nowak (ed.), *Dokumenty elektroniczne. Technologia DVD – Internet a leksykografia-Czasopisma elektroniczne-Portable Document Format-Automatyczne rozpoznawanie pisma*, Wydawnictwo „Sorus”, Poznań 1999, p. 97-123.

on the scientific and technical progress. Europe's cultural heritage requires certain actions, not only at national level, but also through international co-operation<sup>27</sup>.

Durability of a microfilm based on silver compounds is estimated at 500 years. In turn, durability of a microfilm coated by a silver halide membrane can be up to several centuries<sup>28</sup>. If a microform has an appropriate membrane it can be selected for the process of digitisation, which is less invasive than direct scanning. Ewa Stachowska-Musiał expressed this issue as follows: "(...) *digitized unique objects can be available even online. No traditional way of preservation can provide with such possibility, not even the methods of mass conservation*"<sup>29</sup>. However, next to modern technologies, the more traditional methods of preserving library collections, for example, through microforms, will probably continue to be used by libraries and archives.

Based on the Act of 7 November 1996 on Compulsory Library Collections (Journal of Laws of 2008, No. 171, item 1056, as amended), publishers should provide authorized libraries (e.g., Biblioteka Narodowa, Biblioteka Uniwersytetu Warszawskiego in Warsaw, Biblioteka Jagiellońska in Kraków, Biblioteka Uniwersytetu im. Adama Mickiewicza in Poznań, Biblioteka Uniwersytetu Marii Curie-Skłodowskiej In Lublin, Biblioteka Katolickiego Uniwersytetu Lubelskiego, Biblioteka Sejmowa In Warsaw, Filmoteka Narodowa, Biblioteka Śląska), with a sufficient number of publications. The Act defines the term "publication" as a work multiplied by whatever technique, but it mainly concerns literary works (e.g., books, brochures, newspapers, magazines and other periodicals, leaflets, posters); graphics (e.g., maps, posters, plans, diagrams, tables, drawings, illustrations, notes); audiovisuals preserv-

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<sup>27</sup> Resolution of the Council C/162/02 of 25 June 2002 on preserving tomorrow's memory – preserving digital content for future generations [OJEC July 6, 2002].

<sup>28</sup> Literature concerning the topic estimates that the durability of a microfilm can last up to 500-1000 years. D. Wańka, *Mikrofilmowanie jako forma zabezpieczania archiwaliów i zbiorów bibliotecznych. Wady i zalety na tle nowoczesnych technologii cyfrowych*, [in:] S. Kowalska (ed.), *Wybrane aspekty ochrony polskiego dziedzictwa kulturowego*, Poznań-Kalisz 2010, p. 246, 248, 251.

<sup>29</sup> From: D. Matysiak, *Digitalizacja jako proces zabezpieczenia i udostępniania zbiorów Biblioteki Uniwersytetu Ekonomicznego we Wrocławiu*, [in:] S. Kowalska (ed.), *Wybrane aspekty ochrony polskiego dziedzictwa kulturowego*, Uniwersytet im. Adama Mickiewicza w Poznaniu, Poznań-Kalisz 2010, p. 257.

ing sound, image or both (e.g., CDs, tapes, cassettes, slides, microfilms, microfiches); saved on data carriers; computer software. This definition includes also digital materials. This regulation, however, requires clarification. This Act does not provide a mechanism for the enforcement of compulsory collections for authorized libraries. There is no indication of the forms which could „mobilize” and support the publishing and bookselling activities in our country. Many publishers fail to provide the mandatory copies of publications, as it is not profitable. Another issue is the rapid increase of the number of publishing houses, and thus, published works. Therefore, the question arises: how to classify library materials in the light of the Act mentioned above?

A separate issue is the status and protection of documents of social life which are published for emergency purposes. They are characterized by a rapid increase in number and a short value in use, due to their ephemeral nature (e.g., normative prints, calendars, different types of guides, directories and folders, postcards, speeches, certificates, bylaws, reports, business cards, invitations, labels, newsletters, promotional announcements, recipes, timetables, leaflets, philately, ephemera, less significant religious publications. However, these are unique documents, as they make it possible to acknowledge the life and history of a certain community. Their collection, storage, classification, valuation, and archiving is in no way systematized, nor broadly examined. From the legal perspective, they are regulated by an Act of 7 November 1996 on Compulsory Library Collections, mentioned above, which, in fact, contains many gaps.

The oldest cimelia in the country are located at the National Library in Warsaw. They form the so-called. special collections. The National Library provides other libraries with the guidance for collecting cimelia. In Poland, cimelia are primarily collected by the largest public libraries. It is not established, however, whether the regional press, acts of various organisations and companies, etc. are to be qualified as cimelia. If they are, these materials could be transferred to state archives, and if not, to the internal archives.

It is to be remembered that cimelia are produced in a particular place and time. The question of historical truth has to be risen, as each generation focuses on a different aspect. Moreover, various facts after some time can be read quite differently. Which cimelia are to be preserved and which are not? Perhaps most cimelia in local repositories should be kept forever?

The European Union emphasizes regions, therefore, physical boundaries between countries disappear. Cultural distinctiveness of regional and local communities is the only tool to preserve the memory of the past and a way to the protection and conservation of historical objects and education in this field. In order to sustain the identity of a certain community, a cultural union of regions has to be cherished. It can be done through the implementation of effective mechanisms of protection, directed also at library materials, archives and cimelia<sup>30</sup>.

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<sup>30</sup> G. Płoszajski (ed.), *Standardy w procesie digitalizacji obiektów dziedzictwa kulturowego*, Wydawnictwo Politechniki Warszawskiej, Warszawa 2006, p. 248.



# Education for cultural heritage

In the era of globalisation, there is the question not only about the way of understanding the term “cultural education”, but also about the identity of different communities. The formation of various international organisations and state unions increases the tendency to unify local cultures. In the past, cultural education was determined by the generational way of understanding and articulating past and present. National culture was the guardian of certain widely approved and desired values, attitudes and their materialisation in the form of historical objects, archival and library materials, etc.

Intellectuals play an important role in the process of shaping memory and socio-historical consciousness. In Poland, its role, structure and the general image, has changed in time. In the era of the formation of knowledge-based society (the information society), a crucial issue emerges: in the information society it is not possible to distinguish, on the basis of stratification, a social class known as intellectuals. Nowadays, these are not only intellectuals who influence the public opinion, but also the media, journalists, politicians, lobby groups, etc. Different social groups refer to the idea of historical memory, rarely in order to form the image of history but rather to realize one's particular interests.

In the era of the Polish People's Republic, authorities promoted one universal model of cognition, based on the ideology of Marxism-Leninism. Their activities included also history and historiography. Polish history was rewritten, in a way, “from the beginning”, in accordance with the guidelines

of the ruling party. However, even in the era of Polish People's Republic there were still scholars who kept their own independent thinking.

In the times of the Polish People's Republic cultural valuables were treated as "national wealth", which were to be "protected by all citizens"<sup>1</sup>. Historical objects are undoubtedly a reason to be proud of, and each country has the right to protect its own cultural heritage.

Cultural valuables are tied to so many different countries and nations that it is often extremely difficult to clearly indicate their origin or establish to whom they belong. If reaching an agreement is particularly difficult, especially in the case of restitution proceedings, it is desirable to be guided by the concept of "the word cultural heritage", already mentioned when discussing the UNESCO Convention concerning the Protection of the World Cultural and Natural Heritage from 1972. Poland should cooperate and correlate efforts to protect cultural and natural heritage of other countries as well.

Intercultural education should be realized from the level of local educational areas. The training of future cadres of teachers should also proceed in the spirit of multiculturalism<sup>2</sup>, as only then might one expect proper attitudes from students and graduates.

At the beginning of this century, not only unification and uniformity should be avoided, but also multiculturalism, that is "parallel coexistence," if devoid of dialogue, as it creates artificial boundaries between people ("ghetto syndrome"). Society will not develop properly without a confrontation

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<sup>1</sup> Act of 15 February 1962 on the Protection of Cultural Property (Journal of Laws of 1962, No. 10, item 48). The Act was enforced on 21 May 1962 and expired on 17 November 2003. Currently the issue is regulated by: Act of 23 July of 2003 on the protection of historic monuments and the care of monuments (Journal of Laws of 2010, No. 130, item 871 as amended).

<sup>2</sup> A. Kozłowska, *Międzykulturowe wymiary kształcenia nauczycieli*, [in:] M. Janukowicz, K. Rędziński (ed.), *Edukacja wobec wielokulturowości*, Częstochowa 2001, p. 235 et seq.; J. Nikitorowicz, *Edukacja międzykulturowa wobec dylematów kształtowania tożsamości w społeczeństwach wielokulturowych*, [in:] T. Lewowicki, J. Nikitorowicz, T. Pilch, S. Tomiuk (ed.), *Edukacja wobec ładu globalnego*, Warszawa 2002, p. 54 et seq.; W. Prokopiuk, *Samokształcenie nauczycieli w kontekście humanistycznego paradygmatu rozwoju człowieka*, Białystok 1998; J. Szempruch, *Aksjologia w kształceniu i działaniu nauczycieli zreformowanej szkoły*, „Nowa Szkoła” 2000, No. 4, p. 22 et seq.

with another person, regardless of whether we share his or her lifestyle and hierarchy of values or not.

Poland can boast of its heritage, as it is indeed wonderful and unique. However, it must be done reasonably and not arbitrarily, for the Polish cultural property in many cases intertwines with social and historical courses of other nations. When protecting own heritage, one must take into consideration cultural differences. In order to achieve it, appropriate social attitudes must be promoted<sup>3</sup>.

The process of education begins in the family. It is, undoubtedly, the primary and most important “social cell”, where not only personal development takes place, but also a cultural one. Passion for “high culture” should be taught from the earliest childhood. It is not enough to develop educational programmes concerning this issue. Questions about their assumptions, aims, axiology, and relevance to the functioning of an individual in diverse society, economically and culturally polarized, must be risen.

Education, including cultural, is normally limited to the transfer of general knowledge. Yet, it should effectively prepare for changes which take place not only in the local environment, but also in the whole world. Institutionalized education plays an important role in this process, that includes schools and different educational institutions, but it also considers the pedagogical function of various cultural institutions, such as libraries, museums, art galleries, theaters, operas, concert halls, cinemas, cultural centres. Participation in culture is, in fact, an important factor which perpetuates and reinforces historical remembrance.

Understanding the choices and preferences of Polish cultural transfer becomes possible through analyzing reports and statistical data, in particular prepared by the Central Statistical Office (Polish: “GUS”). In 2009, the Department of Social Statistics has developed a report “Culture in 2008”. So far, the Central Statistical Office has not published a report for 2009 and 2010. Therefore, before this volume was finished, it had been still the only report available.

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<sup>3</sup> S. Kowalska, *Dziedzictwo kulturalne – narodowe czy wspólne?*, [in:] M. Sokołowski (ed.), *Syndrom pawia i papugi. 20 lat transformacji ustrojowej Polski*, Toruń 2010, p. 164-165.

According to the Central Statistical Office, in 2008 cultural institutions have increased the number of offered services, mainly of the most popular ones (e.g., tabloids, film screenings, concerts). However, the “high-brow” cultural activities (such as library offers, including the supply of new publications) were reduced<sup>4</sup>. National culture is built and strengthened primarily by more “ambitious” cultural institutions than those which deal with popular culture. Media transmissions can, in many cases, weaken or even distort the significance and value of cultural heritage and the associated psychological bond which is important for the national and regional identity.

Public authorities of central and local governments in 2008 spent 1 million PLN on culture and protection of national heritage. This amount is greater than it was a year before by almost 15%<sup>5</sup>. However, the needs go far beyond that. In our country various projects, implemented for that purpose by the Ministry of Culture and National Heritage, are rarely publicized.

Every household spent the medium amount of 381, 47 PLN on culture per person, which represents an increase when compared to 2007<sup>6</sup>. However, it should be noted that this amount includes not only goods and services associated with the “high-brow culture”. A substantial part constitute charges for various utilities, such as radio, television, Internet and electronic equipment (e.g. TV sets, CD/DVD players). The issue of participation in culture is more favourable in cities than in villages, yet, funds spent on culture in Polish families still constitute a marginal part of the expenditure. The reasons are varied. It is not only due to the family income and economic situation, but also to the preferred lifestyle, level of education, age, etc. Funds spent on mass culture rise, as people tend to buy new electronic equipment instead of books for their home libraries. Cultural values can be acquired through reading. Thanks to books one can not only expand knowledge but also participate in regional, national and even world culture. Law regulations state that

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<sup>4</sup> Report of the Central Statistical Office, *Kultura w 2008 r. (Culture in 2008)*, Warszawa 2009, p. 51.

<sup>5</sup> Ibidem, p. 51.

<sup>6</sup> Ibidem, p. 53-54.

library resources are considered to be particularly valuable cultural goods, as their role is to preserve the national heritage<sup>7</sup>.

Reading determines not only personal development, but also the level of education in the country. Material and spiritual achievements of past and present eras can last and be spread largely through readership and libraries.

In 2008 29, 3% of the society visited a library. The readers most often reach for fiction and popular science. This trend persists for several years. Usually libraries were visited by children, youth and students, therefore, the, so called, "functional writings" dominate<sup>8</sup>.

The group of people older than 60 years old was the smallest among the library users, and taking into consideration the issue of occupation, these were the farmers who visited libraries most seldom. In cities the number of readers has decreased by 2, 5%, and in the countryside by about 3, 6%, when compared with the previous year. Libraries constantly expand their range of services in order to attract new readers, especially young people, e.g. through audiovisual collections, exhibitions, entertainment and artistic activities for children, meetings with writers and artists. Public libraries located in cities have purchased more than 2 million books, representing an increase of 1, 8% compared with the year 2007, and in villages 1, 4 million new books were bought (an increase of 1, 3%). More than 67% of libraries had computer equipment in 2008. The number of computers in libraries is gradually increasing. However, still the number of closed public libraries rises. In 2008, 14 public libraries and 55 library points were closed, mainly in rural areas. Almost 40% of full-time staff of libraries had university education with librarian specialist degree<sup>9</sup>. Requirements of qualification considering librarians and scientific information workers and the mode of their recognition

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<sup>7</sup> This issue is regulated by: Act of 27 June 1997 on libraries (Journal of Laws of 2006, No. 220, item 1600 as amended).

<sup>8</sup> K. Migoń, *Kultura książki. Program dla bibliologii i potrzeba dla studiów bibliotekoznawczych*, [in:] M. Drzewiecki, B. Sosińska-Kalata, K. Migoń, J. Papuzińska-Beksiak, H. Tadeusiewicz, Z. Żmigrodzki et al., *Nauka o książce, biblioteczce i informacji we współczesnym świecie*, Warszawa 2003, p. 11-20.

<sup>9</sup> Report of the Central Statistical Office, *Kultura w 2008 r. (Culture in 2008)*, Warszawa 2009, p 59-62.

raise many questions<sup>10</sup>. Professional advancement and current salary rates should inspire to take actions in order to change the economic situation of librarians and staff of other cultural institutions.

The number of published volumes is increasing. Most published are academic volumes, popular science, belle-lettres, textbooks designed for universities and professional schools, and various compendia. This is due to the rapid formation of public and private educational institutions. The number of publishers also increased, including private ones. In 2008, most monographs were published in Mazowieckie province (over 12,000 titles), Małopolskie (over 3 thousand), Śląskie (over 2 thousand), Wielkopolskie (1864), Dolnośląskie (over a thousand). In 2008, the largest publishing centers were: Warsaw, Kraków, Poznań (53, 7%). Most serials were published in the Mazowieckie province (2730), Małopolskie (713) and Śląskie (613). The most periodicals are published in Warsaw, Kraków and Katowice (42, 8%)<sup>11</sup>. It is disturbing, however, that the readers often prefer to learn about the current news from the Internet and not from a traditional newspaper.

Museums play an important role in regional education and spreading of knowledge about cultural heritage. The number of new museums is constantly growing. In 2008 there were 23 new museums created and 4587 exhibitions were organized, including national and foreign ones. All in all, two years ago in our country there were 602 public museums and 141 private ones. Most people visited art museums (24, 1%) and those related to historical themes (19, 1%). This result is influenced by classes organized at museums. Compared to the years 1995-2004<sup>12</sup>, museums are now much more popular among visitors. It is mainly due to the promotion and various modern techniques of presenting art collection which certainly attract viewers'

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<sup>10</sup> M. Walczak, *Poglądy na status edukacyjny bibliotekarza i specjalisty informacji naukowej w bibliotece* („Opinion about educational status of librarian and scientific information professional in a library”), [in:] H. Ganińska (ed.), *Biblioteki naukowe w kulturze i cywilizacji – działania i codzienność* („Scientific libraries in culture and civilization – activity and everyday life”), Vol. 2. 2005, p. 8-19.

<sup>11</sup> Report of the Central Statistical Office, *Kultura w 2008 r. (Culture in 2008)*, Warszawa 2009, p 55-59.

<sup>12</sup> M. Walczak, *Wiedza o kulturze Polaków w początkach XXI wieku*, Konin 2006, p. 76.

attention, especially if these are children or young visitors. Museums gradually expand their services (e.g., offering albums, catalogues, brochures). In addition, the number of the so called “electronic collections” is rising, using video projections, computer technology, lasers. This allows museum to present their objects and historical facts in an innovative way, using more attractive methods and forms, yet, without abandoning the essence of the statutory tasks assigned to cultural institutions, such as museums. Still, however, the issue of introducing more effective ways of protecting traditional collections, as well as all exhibits, needs to be taken into consideration. In 2008, there were 60 public and 27 private museum-like institutions (e.g., parks, caves, terrariums, botanical gardens, zoological gardens, planetariums), often interdisciplinary, such as various learning centres, displaying objects connected to different branches of science and knowledge. These institutions also play a part in cultural education.

A completely new initiative, not only in Poland but also in Europe, is the creation of the History of the Earth University Park. A leading Polish geologist and palaeontologist prof. Jerzy Fedorowski, former Rector of the Adam Mickiewicz University in Poznań (UAM), presented his concept during a meeting of the University Senate, which was held at the Faculty of Pedagogy and Arts in Kalisz on 29 March 2010. The Park is neither to be a typical museum nor a museum-like institution, but rather an extremely innovative project. It is to be located on 7 hectares area in Poznań Morasko. Nowadays there is already a complex of university buildings there. Visitors will be able to have a direct contact with the exhibits, even animals and plants from different climatic zones. The Park is to include an aquarium and a planetarium. In the buildings there are to be special rooms where one will be able to see the cross-sectional structure of the Earth, as well as various natural environment of our planet (eg, deserts, savannahs, tropical forests, landscapes of the Greater Poland), or even “experience” an earthquake. Outside there is to be located a prehistoric settlement, a tumulus and a river, which will be subject to natural geological and climatic phenomena. Visitors will have the opportunity to learn the history of the Earth from its beginnings until present times, presented in an innovative and interactive way.

Other forms of cultural education – in addition to those already mentioned – are stage performances. In 2008 there were 55 000 stage perfor-

mances (such as theatrical performances, concerts etc.)<sup>13</sup>. The number of viewers and listeners has increased. Unfortunately, there are still not too many classical music enthusiasts and these are usually older people. On the other hand, younger people prefer light and popular artistic programmes. Therefore, more attention should be paid to the artistic and musical education at schools. Young Poles should be prepared to participate in culture from their early age.

Furthermore, more action should be taken in order to support the amateur art and folk artists. It must not be forgotten that the folk culture, in a certain time in history, has become a national culture<sup>14</sup>.

There are more and more Multiplexes and Miniplexes, which causes the number of cinema viewers to increase. In 2008 in Poland there were 244 foreign and 36 national films distributed<sup>15</sup>. Yet, Poland still produces too few films. Previously, the so called 'home cinemas' constituted a competition, but nowadays it is the new generation of HD TV (High Definition), with a panoramic image and high resolution, which allows to pause, repeat, record

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<sup>13</sup> Report of the Central Statistical Office, *Kultura w 2008 r. (Culture in 2008)*, Warszawa 2009, p 69.

<sup>14</sup> J.S. Bystron, *Kultura ludowa*, Warszawa 1947; W.J. Burszta, K. Jaskułowski, J. Nowak, *Naród-tożsamość-kultura. Między koniecznością a wyborem*, Warszawa 2005; J. Chałasiński, *Kultura i naród. Studia i szkice*, Warszawa 1968; J. Gajda, *Antropologia kulturowa*, 2 volumes: *Wprowadzenie do wiedzy o kulturze* and *Kultura obyczajowa początku XXI wieku*, Oficyna Wydawnicza „Impuls”, Kraków 2008; G. Garczarczyk, Grochowski P. (ed.), *Folklor w dobie Internetu*, Toruń 2009; A. Kłoskowska, *Kultury narodowe u korzeni*, Wydawnictwo Naukowe PWN, Warszawa 1966, 2005; O. Kolberg, *Lud – jego zwyczaje, sposób życia, mowa, podania, przysłowia, obrzędy, gusła, zabawy, pieśni, muzyka i tańce*, Kraków 1890; P. Kowalski, *Współczesny folklor i folklorystyka: o przedmiocie poznania w dzisiejszych badaniach folklorystycznych*, Wrocław 1990; V. Krawczyk-Wasilewska, *Wprowadzenie do folklorystyki*, Łódź 1979; V. Krawczyk-Wasilewska, *Współczesna wiedza o folklorze* Warszawa 1986; V. Krawczyk-Wasilewska, *E – folklore in the age of globalization*, „Fabula” 2006, No. 47, p. 2 et seq.; V. Krawczyk-Wasilewska, *Polish folklore*, [in:] E. Bielawska-Batorowicz (ed.), *Poland – history, culture and society*, Łódź 2007, p. 231 et seq.; Z. Rosińska, Michalik J. (ed.), *Co to jest filozofia kultury?*, Wydawnictwo Uniwersytetu Warszawskiego, Warszawa 2007; A.D. Smith, *Etniczne źródła narodów*, Kraków 2009; L. Stomma, *Antropologia kultury wsi polskiej XIX wieku oraz wybrane eseje*, Łódź 2002, B. Suchodolski, *Dzieje kultury polskiej*, Warszawa 1980, p. 5 et seq.

<sup>15</sup> Report of the Central Statistical Office, *Kultura w 2008 r. (Culture in 2008)*, Warszawa 2009, p 70-73.



programmes (PVR – Personal Video Recorder), rent movies (VOD – Video-on-Demand), etc. Instead of going to a traditional cinema, more and more people prefer to see the same movie at home.

Television can teach, but it may also have a destructive influence, especially on children and adolescents. It does not require active involvement in culture, even though it is one of its most powerful distributors. Television has an increasing impact and turns out psychologically addictive. So what is the role of the media in the life of an individual nowadays? Do the media influence us too excessively and distort reality? The media promote the cult of youth and a success-oriented lifestyle which is to be obtained at any cost. People lose their independence and the ability to think critically and rationally. More and more young people lose their ability to distinguish between reality and virtual world, which is followed by intellectual impoverishment. Public and private television stations broadcast entertainment programmes associated with the low-brow culture (including reality shows, contests, telesales). The omnipresent advertising is addressed to younger and younger audiences. Fighting for viewers makes the journalists search for sensationalism instead of thorough and well prepared pieces of information. It often happens that even a serious programme turns into a show which is supposed to be merely attractive for the audience.

Communication technologies used by TV producers and media potentates are becoming more sophisticated in their pursuit of psychological and ideological control and domination over society. It is often a result of mutual cooperation or dependence on politicians<sup>16</sup>.

It also concerns daily news. As Lucjan Miś has stated: *“Television programmes play an important role in the process of creating images of difficult collective life in the social consciousness and affect collective actions (...). One of the most important (reasons – S.K.) is the discrepancy between the assessment of the condition of the society and the meaning attributed to events, processes and issues by the mass media, primarily through television (...). Information services show problems put in different frames. These frames, in a very characteristic way, fit the*

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<sup>16</sup> M. Sokołowski (ed.), *Za kulisami spektaklu. Medialne wizerunki polityki*, Toruń 2009, p. 5 et seq.

*overall system of interests and values present in the society, the division into rich and poor, excluded and exposed, heroes and villains, good and evil*<sup>17</sup>.

Not only media and journalists play a significant part in building the cultural level of society, but also politicians<sup>18</sup>. The way of transmitting information, in practice, depends on many factors, often subjective ones.

Usually cultural institutions offer the so-called “passive culture”, that is they give the opportunity to see a play or listen to a concert. Yet, there is a need of awakening active participation in culture, also with the participation of the disabled who may be both art recipients and creators.

In Poland in 2008 54, 5 % of cultural institutions, 18% of public libraries and 25, 6% of private ones met the technical requirements concerning the disabled<sup>19</sup>. Disability is not limited only to a wheelchair, as the disabled may have also other problems, e.g. with hearing or seeing. Therefore, libraries should possess objects and equipment helping the disabled use various collections, such audio books, written in Braille, etc.

Another issue relates to the fact that most of the cultural institutions are public (e.g. libraries, museums, cinemas, art galleries). However, private cultural institutions have a strong position, especially on the publishing market, in the media (radio, television), and concerning various cinematographic activities. It is, therefore, worth considering what is the best way to use radio, television and other media, in order to effectively promote culture and develop positive social attitudes towards protecting cultural heritage.

In the Internet there are more and more new portals and websites created by local governments. One can find there some general information considering the local culture, historical objects and natural environment. However, this is usually fragmentary and not always followed by visualisations.

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<sup>17</sup> L. Miś, *Telewizyjne programy informacyjne w badaniach problemów społecznych*, [in:] M. Sokołowski (ed.), *Kulturowe kody mediów. Stan obecny i perspektywy rozwoju*, Toruń 2008, p. 43, 57. See also: J. Jastrzębski, *Globalizacja mediów i chaos kulturowy*, [in:] M. Sokołowski (ed.), *Media i społeczeństwo. Nowe strategie komunikacyjne*, Toruń 2008, p. 12-24.

<sup>18</sup> S. Kowalska, *Wolność słowa w kontekście dziennikarzy i polityków*, [in:] M. Sokołowski (ed.), *Za kulisami spektaklu. Medialne wizerunki polityki*, Toruń 2009, p. 229-240.

<sup>19</sup> Report of the Central Statistical Office, *Kultura w 2008 r. (Culture in 2008)*, Warszawa 2009.

It also happens that given photos or texts are, in fact, some scans from published monographs or other volumes, without giving appropriate references. Therefore, the question of executing copyright in the Internet rises<sup>20</sup>.

Various associations, foundations and scientific societies which deal with the issue of culture and heritage, create their own websites and publish them in the cyberspace, They are motivated by a common goal, but are their actions in any way coordinated?

It is reasonable to ask questions about the protection of intangible valuables and imponderables, such as local dialects or legends and stories transmitted orally?

The disappearance of literal borders between countries facilitates migration, and, therefore, the diffusion of cultures. On the one hand, it is a positive phenomenon, but on the other, a serious dilemma concerning the protection of endangered local cultures.

Using market mechanisms is a necessity, however it cannot be done at the price of a loss of authenticity and originality of heritage structures. A lot of subjects aim to transform old buildings of historical value into 'cultural products'. An example could be an original historical mountain guesthouse whose investor converted it thoroughly into a modern hotel instead of retaining its unique features. Many a time, the conversion of old historical buildings depends solely on mundane reasons. In the People's Republic of Poland, a province's conservation officer had some influence on historical reserves, whereas at present it is usually their owner, user or investor who decides on it. Are conservation officer's recommendations still as powerful as they were a few years ago? Currently, the conservation of heritage structures is becoming difficult for many other reasons. Province's conservation officers schedule a building or update a property on a list of historical buildings, however, there is no correlation in the way of keeping records and entering the data between the individual lists. There is also no clarity as to the reasons for in-

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<sup>20</sup> Document, Commission for Counteraction against Infringement of Copyright and Related Rights, *Report on copyright and related rights protection and execution and on other intellectual property rights protection in Poland for the year 2009. Supplement to the special report*. Warszawa 2010, p. 4 et seq. Conf. Document, Commission for Counteraction against Infringement of Copyright and Related Rights, *The programme for protection of copyright and related rights 2008-2010*, Warszawa 2008, p. 3 et seq.

cluding these particular buildings in the heritage register and excluding others. What condition are the buildings in? Was any relevant conservation and restoration work done if required? Were the buildings documented properly?

Also, there is no complex database, either in print or on-line, including cultural-heritage objects which were stolen or taken out of the country illegally.

The potential of natural monuments and objects is not fully used either. Too little significance is attached to such an effective conservation instrument as clever collaboration of the culture sector with marketing, economy and tourism. Management is needed to obtain funds for conservation and restoration work, promotion, conservation regulations and strategies, which should be correlated with schemes carried out within individual administrative units of local government as well as the country as a whole.

The development of tourism could be a great chance for historical regions and towns. However, in the scope of so called industrial tourism, regression has been observed. Nobody knows what kinds of historical engineering and industrial structures ought to be subjected to conservation. One wonders how to attract tourists to historical sites such as old ironworks, old mines, historical industrial plants, etc. There are no ideas aimed at promoting industrial works as places of historical interest and yet industrial heritage plays an important role both in cultural and tourist education.

In addition, there are no clear legal requirements regulating the use of historical objects in advertisements and popular culture. Exclusive rights given to creators of original works in the context of copyright have not been fully clarified. Every day, distorted or trivialized fragments of well-known pieces of music, pictures and literary works are used in advertising. Sometimes the contemporary art affects the sphere of one's outlook on life, as for example the controversial installation 'Passion'<sup>21</sup> by Dorota Nieznalska. The artist was accused of profanation of religious feelings because she had placed a photo showing male genitals on a Greek cross. D. Nieznalska was found innocent in the court of law. However, there arises a question: since art perception is an individual matter, is it possible to make its perception uniform or en-

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<sup>21</sup> Installation 'Passion' was presented by Dorota Nieznalska at 'New works' exhibition. The exhibition lasted from 14 December 2001 to the middle of January 2002. (The Gdańsk gallery 'Island' ["Wyspa"]).

close it within the legal framework? There are countries which are liberal and those which are conservative. It is conceivable that what shocks today, might be recognized as a 'standard' tomorrow. Thus, the scope of rights to freedom of speech, also through art, ought to be considered in the context of moral, ethical and religious values, accepted or rejected in a particular culture<sup>22</sup>. There are more and more means of artistic expression. We live in the age of traditional values decline. In view of that fact, there appears a problem related to the role, forms and aims of contemporary art. Much controversy has been raised over caricatures of historic characters. One can still hear echoes of the act of publishing 12 cartoons of Muhammad in 'Jyllands-Posten' (2005), the best-known journal in Denmark. In that case there arises a question concerning the limits of a satire and criticism.

In the age of migration, the number of issues and dilemmas related to cultural coexistence is dramatically increasing. The process of globalization has contributed to popularization of the English language. This has resulted in forming a blend of the mother tongue and the English language. No one knows how to preserve the native and regional languages in this process. What elements should school curricula contain? Since the native language significantly determines the nation's identity and culture, in the times of multiculturalism and multilingualism, the mother tongue and the regional languages should play a creative role and ought to constitute a key integrative element in education<sup>23</sup>. This task could be made easier though properly oriented and conducted cultural education.

Since the second half of the 20<sup>th</sup> century, scientists have made a great contribution to the process of scientific cognition of man. However, in spite of intensive and laborious research man as well as the whole universe still remains a mystery. Scientific developments and technical inventions undoubt-

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<sup>22</sup> A. Redelbach, *Wolność słowa w orzecznictwie Europejskiego Trybunału Praw Człowieka*, „Ruch Prawniczy, Ekonomiczny i Socjologiczny” 2000, No. 3, p. 1-23. See also, e.g. B. Dobek-Ostrowska (ed.), *Media masowe w demokratyzujących się systemach politycznych w drodze do wolności słowa i mediów* (ed.), Wrocław 2006; M. Urbańczyk, *Liberalna doktryna wolności słowa a swoboda wypowiedzi historycznej*, Poznań 2009; W. Waclawczyk, *Wolność słowa. Wybrane zagadnienia*, Toruń 2009.

<sup>23</sup> Z. Żygulski, *Spojrzenie na edukację kulturalną z perspektywy współczesnych dylematów aksjologicznych i społeczno-kulturalnych*, [in:] D. Jankowski (ed.), *Edukacja kulturalna w życiu człowieka*, op. cit., p. 13.

edly make life easier. Paradoxically, however, instead of leading well-ordered lives, people are more and more stressed and overwhelmed by the excess or lack of information. As a consequence, the skill of making the right choice is not only necessary to select what will be recognized as having historical value or being a cultural heritage component, but also to think critically and choose reliable and verified information in everyday life.

As W. Sedlak aptly expressed it: *Information seems to have all the qualities of foam, so it visually increases its volume and despite being lightweight it makes the impression of a huge mass. Information is easy to scarify. After going dry it becomes informational dust*<sup>24</sup>. Information can also be a manipulation tool in the sphere of culture. Sometimes it is a deliberate action to evoke interpretational chaos or distort well-known facts.

The preservation of cultural heritage should be based on the truth, and not falsehood or hypocrisy.

It is necessary to point out that the world does not solely consist of social and cultural treasures, but it also encompasses the axiological element. The implementation of objective cultural education is one of the priority goals of humanistic education in general. However, it is not known how to beware of cultural expansion in favor of taking an active attitude distinguished by honesty, openness and empathy for others.

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<sup>24</sup> W. Sedlak, *Homo electronicus*, Warszawa 1980, p. 126.

## Elements of Polish cultural heritage receding into the past

Tracing one's own Polish roots in the regional and local dimensions as well as trying to retain some cultural elements in memory encourages one to reflect on Poland that is disappearing in the age of cultural globalization and unification of Polish lifestyle. The conservation of cultural heritage is not only influenced by conservation services but also such factors as politics, economy, social life, culture and media. All of these determinants form a system of cultural heritage conservation in Poland. Since 1989, the conservation of cultural heritage in our country has depended on the predominant type of its ownership; various subjects responsible for it; financing the conservation; the status of the historical object; the formal legal position of conservation services and lastly, the role of conservation services in renovation work.

After 1989, the system of Polish cultural heritage conservation stretched in time. The old mechanisms from the period of the People's Republic of Poland stopped working, whereas the new ones did not even start to fully function. This resulted in the fact that specialists responsible for conservation lost control over that sphere. The market-based economy brought about the dominance of private ownership, and following on from this the responsibility for a historical building was assigned to its owner or user. As a consequence of this status, there came into being the rule which imposed the obligation of financing historical buildings on their owners or users. This evoked a widespread tendency to treat various historical structures as the ones of commer-

cial value. The transfer of the gravity point from the state's responsibility to private owners' obligation led to the situation in which buildings of historic interest are treated as ones that can potentially be used for temporary commercial purposes. The value of historical buildings considered as historical documents was pushed into the background. Due to privatization and commercialization the Polish state is in danger of losing control over the Polish historical buildings.

Cultural heritage comprises industrial heritage, vernacular architecture, cultural landscapes, non-material heritage, underwater heritage and all the others.

The transformation of the conservation system in Poland revealed some serious threats. When dealing with classification of cultural heritage, professional systems of conservation in countries with more advanced economies are supported by factors such as heritage specificity, the cultural policy, homogeneity of the society, respect for traditions, the ethic structure, the level of wealth, law and order, financial priorities as well as the climate and benefits of tourism. However, these and a lot of other determinants have not been fully around in Poland yet. There are no systemic solutions for classifying historical buildings to save them from devastation, liquidation or conversion into buildings used for commercial purposes like hotels, restaurants, private holiday centres, etc.

The systemic economic transformation resulted in replacing the central command-and-distribution system with market mechanisms, and general units of state administration on the regional level gave way to local governments. Cultural heritage is regarded as a significant factor contributing to the development of local authorities. However, the evidence of the past is often a costly burden for tight local budgets that are insufficient for satisfying other, more urgent needs. At this point, there arises a question: is cultural heritage a chance or rather, as in many cases, an impediment to the local development? For example, in order to pull Cracow out of decline, in the second half of the 19<sup>th</sup> century, an attempt to make conscious use of the past was made. Then, it tourists from all over Europe were flocking in their droves. City sightseeing tours, courses for guides, as well as public meetings with lectures on the history and historical buildings of the city were organised. An important role was played by museums. Owing to contributions



and records coming from all over Poland the National Museum in Cracow came into being.

A lot of significance was attached to the promotion of various sites through their historical buildings.

Cultural reserves of local communities are the heritage of their past and are disparate in terms of their matter and nature. These reserves encompass all goods created by the human talent which are distinguished by their objective historic and artistic value. They can have both a material as well as a non-material dimension. Material reserves comprise, in particular, urban structures, road network, historical buildings representing various architectural types developed in different historical periods, areas of green landscapes, archaeological values and movable reserves (collections, archives, library and museum collections). Non-material reserves consist of historically established ties and structures within a community, historical traditions, etc.

Cultural heritage is a market product which can be used in the local development. Preserving a historic place as a museum is a simple but an expensive way. Practice proves that this solution allows maintaining only a small proportion of historic sites in the scale of the entire country. Making good use of historical sites in economy seems to be an optimal means of preserving cultural reserves.

With the intent to take a good advantage of the accumulation of cultural reserves, tourism development seems to be the right solution. The Polish local governments perceive tourism as one of the most significant factors influencing economic development. The concept for the development of tourism should be based on making the best use of cultural heritage values.

The management of tourism development based on cultural heritage encompasses a wide range of issues which are related to spatial planning as well as economic and social costs. Cultural space can provide a basis for modelling and developing tourism, but at the same time it can mean mass littering, noise and road traffic, which might lead to cultural degradation in the long-run. The concentration of tourist movement in some resorts causes a lot of inconvenience in daily and professional lives of their inhabitants. This results in lifestyle changes and the disappearance of traditional values.

The role of cultural heritage in developing local identity and modelling emotional attitudes towards traditions of one's own place of living is under-

estimated. In the transforming world, heritage is a crucial stabilizing element which can also make an impact on local job markets. However, it is usually people responsible for the local development that pose basic obstacles to using heritage in an economic cycle. Low awareness of the values of cultural heritage among local decision makers seems to be an important reason underlying the problem.

Another barrier, namely insufficient or superficial promotion of heritage is counter-productive and sometimes strengthens prevailing prejudices and stereotypes<sup>1</sup>.

There is no better way to build local identity than to base it upon the values of cultural heritage. Cultural heritage is a precious asset in creating an image of a town or village, and a favourable image attracts human and financial capital. Tourism can affect the local socio-cultural environment also in a negative way. On the one hand, it can be a factor increasing independence of people living in the visited areas (their sphere of freedom); on the other hand it can limit this sphere. Psychological overburden caused by the presence of tourists leads to aggression and hostile attitude towards the visitors. Growth of tourism results in financial enrichment of the local community. In consequence, one can witness change in the community's lifestyle: decline of traditional values, change in customs, as well as in moral and religious views.

Heritage can contribute to creating new job opportunities in various fields, namely in tourism and tourism-related free time industry, as well as in protection and conservation of historic resources. They need to be kept in good condition in order to become an object of market offer.

Cultural heritage, in order to be effectively protected and used for growth, needs to be recognisable. Barriers arise also from external factors, such as: the overall global economic situation, political and military events, or the globally growing threat of terrorism, which affects mainly tourism. Limits of utilising heritage are determined by the type of historic resources. Making them a part of market circulation is possible, at times necessary, but above all beneficial for the resources themselves. There is positive feedback between growth and heritage. Including heritage in this relation, however,

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<sup>1</sup> *Stereotypy i stereotypizacja*, „Człowiek i Społeczeństwo”, Vol. 27, Wydawnictwo Naukowe UAM, Poznań 2007, p. 7 et seq.

can neither be arbitrary nor random. The type of heritage determines the way it can be used for economic purposes, as well as the extent to which it can be done. This pertains mostly to tourism. What takes place in such a situation is transformation of cultural resources into a modern market product. This product is unique insofar as its final shape is determined by interpretation of the resources, not the resources themselves. It is because the past has no consistent nature or content, and as such it calls for various interpretations and almost unlimited possibilities, a small fraction of which will only be utilised as heritage. Cultural heritage serves an ancillary role for growth, being a factor reinforcing local identity. It provides the local community with a sense of value and promotes social mobilisation.

Heritage can be also utilised to build supra-ethnic bonds, in the process of overcoming prejudice and stereotypes<sup>2</sup>.

For years, heritage has had a special status; it was treated as documentation of the past. In free market economy cultural heritage is understood in mercenary terms, and choices of protecting certain tangible and intangible goods are clearly of random and occasional nature, and they reflect current political or populist needs.

One can draw a conclusion that cultural heritage protection is dependent upon the general economic situation of the country, and the system of cultural heritage protection is not autonomous. Consequently, actions aimed at reforming this system are limited and determined, mostly by growth strategies of specific local government units, both at the regional and local levels.

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<sup>2</sup> G.J. Ashworth, *Planowanie dziedzictwa*, [in:] K. Broński, J. Purchła, Z. Zuziak (ed.), *Miasto historyczne – potencjał dziedzictwa*, Międzynarodowe Centrum Kultury, Kraków 1997; G.J. Ashworth, *Paradygmaty i paradoksy planowania przeszłości*, [in:] J. Purchła (ed.), *Europa Środkowa – nowy wymiar dziedzictwa*, Międzynarodowe Centrum Kultury, Kraków 2002; W. Gaworecki, *Turystyka*, Warszawa 1994; S. Juchnowicz, *Kraków, Nowa Huta, dziedzictwo niechciane, co dalej?*, Międzynarodowe Centrum Kultury, Kraków 2000; Z. Kobyliński, *Zarządzanie dziedzictwem kulturowym a koncepcje ekorozwoju*, [in:] K. Gutowska (ed.), *Problemy zarządzania dziedzictwem kulturowym*, Res Publica Multiethnica, Warszawa 2000; J. Parysek, *Podstawy gospodarki lokalnej*, Wydawnictwo Naukowe UAM, Poznań 1997; B. Szymgin, *Kształtowanie koncepcji zabytku i doktryny konserwatorskiej w Polsce w XX wieku*, Wydawnictwo Politechniki Lubelskiej, Lublin 2000; A. Tomaszewski, *Dziedzictwo i zarządzanie*, [in:] K. Gutowska (ed.), *Problemy zarządzania dziedzictwem kulturowym*, op. cit.

After 1989, the form of property of historic monuments, as well as responsibility for protection of historic monuments, principles of financing this protection, and the status of different historic monuments have not been absolutely clearly defined. Moreover, the position and role of conservation services is not explicitly defined in legal terms. The transformation of the historic monument protection system in Poland has generated various threats. New technological opportunities in construction are ousting traditional methods of conservation and restoration of historic monuments. Probably only few historic monuments, considered unique, will be restored and protected using traditional methods to maintain their original character. Due to the dominance of mass culture and its tendency to successively oust elements of elite culture, cultural heritage is slowly boiling down to notions shaped by the media<sup>3</sup>. Authenticity of historic monuments' substance and form is losing its importance. Transforming historic monuments for tourist or local practical purposes is becoming common practice. Spatial planning has become the domain of local governments, which often results in randomness and arbitrary decisions regarding building development around unique historic monuments. Even in cases of natural landscape parks, arbitrary decisions are widely used, as long as basic principles of environmental protection are maintained. The consequences are disastrous, since it too often happens that in natural landscape parks modern objects are built, such as hotels, petrol stations and restaurants, along with access roads.

Lack of an approved and executed programme of historic monument protection renders the position of conservation services ambiguous. One can even suggest a leadership crisis seen in historic monument protection services, weakness in management of historic monument protection, as well as a crisis of standard solutions in all areas of cultural heritage protection.

This ineffectiveness of legislation is accompanied by inefficiency of the system of financing protection and conservation of historic monuments. After 1989, scarce financial resources for renovation of historic monuments

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<sup>3</sup> W. Bobrowicz, *Internet. Kultura. Edukacja*, Wydawnictwo „Verba”, Lublin 2006; M. Sokołowski (ed.), *Kulturowe kody mediów. Stan obecny i perspektywy rozwoju*, op. cit., p. 9 et seq.; M. Tanaś, *Kultura i język mediów*. Oficyna Wydawnicza „Impuls”, Kraków 2007; D. Wadowski (ed.), *Kultura. Media. Społeczeństwo*, Wydawnictwo Katolickiego Uniwersytetu Lubelskiego, Lublin 2007.

have almost become the norm, which results in a poor condition and decreasing preservation level of the original historic substance. There is no unambiguous method of determining the condition of historic monuments and estimating financial resources needed for saving historic substance.

As of the end of 2007, the estimated amount needed for reconstruction of historic monuments, as per number of entries in the register of historic monuments, was 171,655 million Polish zloty. This estimate was the amount needed for conservation, restoration, reconstruction and amortisation of historic monuments in Poland. It pertained to: 11,760 churches, 877 monuments of defensive architecture, 3,972 public buildings, 416 castles, 2,014 palaces, 2,755 manor houses, 6,993 parks and gardens, 5,190 manor farms, 2,025 farm buildings, 17,140 tenement houses, 1,993 industrial buildings, 3,909 cemeteries and 2,930 other monuments. This amount included fittings of 139,411 churches, 48,285 collections (excluding museums), 1,004 urban-rural complexes and 14,244 other movable historic objects. Unfortunately, it proved impossible to estimate the value of historic streets, squares, gardens, fences, flora, railways, recreational complexes, etc.<sup>4</sup> In practice, current conservation and repair works, temporary repairs and essential means of preservation of monuments and movable objects belonging to Polish cultural heritage would require at least 10 billion Polish zloty each year.

The estimate omits collections owned by museums, libraries, archives and theatres, as well as private collections requiring appropriate financial resources for their protection and preservation. Presumably the amount needed for their protection would also come to at least 10 billion Polish zloty per year. Financial means from various funding sources suffice only to address 25–33 per cent of the needs<sup>5</sup>.

The Polish system of cultural heritage protection has several serious flaws hampering the effectiveness of preserving cultural goods, which once degraded or destroyed, cannot be restored. The main flaw is lack of a national system of historic monuments protection, as well as lack of correlation between historic monument protection and regulations regarding construction,

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<sup>4</sup> A. Böhm, P. Dobosz, P. Jaskanis, J. Purchla, B. Szmygin, *Raport na temat funkcjonowania systemu ochrony dziedzictwa kulturowego w Polsce po roku 1989*, Kraków 2008, p. 27.

<sup>5</sup> *Ibidem*, p. 27–28.

spatial development and management of cemeteries. Furthermore, there are no systemic solutions stimulating civic participation in financing and management of cultural heritage.

Polish cultural heritage faces plenty of threats. First of all, the level of landscape planning in Poland is continually decreasing. As a matter of fact, this symptom is characteristic of the majority of European countries. This means a decreasing level of protecting cultural heritage, which is replaced by new industrial developments, housing estates, or commercial complexes. The area of complete protection covers only one per cent of the country's territory. This includes 23 national parks and 120 natural landscape parks. Development plans should cover approximately 15 per cent of territories where historic monuments can be found. In practice, this regulation has no direct effect, and as a result only 1.5 per cent of the country's territory is under actual protection. No one registers new cultural parks, which are created at the regional level, since this task is within the competence of local governments. It often so happens that an announcement of cultural park creation accelerates various investments.

There is a clear conflict between cultural heritage and economic and social growth forced by the mechanisms of free-market economy. One side effect of this conflict is the crisis of historical education seen among the youngest generations of Poles. So far it proved impossible to create clear principles of spatial development politics, social education and historical awareness, where national, regional and local cultural heritage would take its rightful place. There is also no clear conception of how to use the potential of culture for growth in sectors of e.g. tourism, construction, or regional education. Decentralisation of management of cultural institutions, including conservation services, is not favourable for cultural heritage protection. Only an efficient legal-financial system, a comprehensive system of education about cultural heritage and, finally, a national programme of cultural heritage protection including a list of instruments enhancing supervision and control by conservation services would allow effective protection of historic monuments and movable historic objects at the national and regional levels.

A programme of repairing the system of cultural heritage protection in Poland should include several crucial strategic moves, the most important of

which include: centralisation of conservation services with uniform rules of activity; development of non-budgetary mechanisms of historic monument protection; implementation of clear regulations regarding historic monument protection and creation of culturally protected areas; development of national standards of education about cultural heritage; development of clear standards of adding new objects to the register of historic monuments; and, lastly, ratification of international conventions on protection of unique cultural goods<sup>6</sup>.

In Poland, there are still numerous historic monuments and movable historic objects, which – with Poland being a part of the European Union – are unique and attractive, both in cultural and tourist terms. Polish rural landscapes are of specific beauty; however, mechanisation of farming has ousted workhorses and wagons. Village and town fairs are becoming a thing of the past. Stacks of grain and hay are disappearing from the fields. Methods used to produce sauerkraut, butter and cheese have changed. Traditional professions of the potter, cooper, stove-fitter, tar maker, bee keeper, blacksmith, carpenter, roofer, hackney cab driver and shoemaker are slowly sinking into oblivion. However, handmade clay pots and roofs covered with straw or shingles are becoming popular again. Therefore, stylisation is an opportunity for rediscovering professions that have been integrally associated with the specificity of Polish culture for centuries. There are numerous remnants of Polish aristocracy in the form of deteriorating manor houses, farm buildings of former landed estates, unique tombstones in old necropolises, or remnants of the bygone greatness of landed gentry exemplified by porcelain items. The opportunity lies in restoring the magnificence of architecture and fittings of the old estates of Polish aristocracy and landed gentry. Open-air ethnographic museums might offer a chance to preserve the vanishing material culture of Polish rural areas, as they can serve as enclaves where this culture is saved from oblivion. Such museums help preserve elements of an irrevocably passing world, and at the same time, allow contemporary people to discover their roots, history and culture, which all is of crucial importance in the era of unification and cultural globalisation.

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<sup>6</sup> Ibidem, p. 71–72.

The old Polish culture means innumerable festivities, ceremonies and rituals relating to the everyday life. Polish Advent and Christmas Eve are a unique combination of preparations, rituals and symbolism. Carnival, Easter and indulgence ceremonies have survived only in rudimentary form. Still present are some domestic ritual and symbols, such as a custom of hanging a decoration of branches or flowers (*wiecha*) on a house during building works, and a number of wedding customs. Stylisation of such customs may be interesting to tourists, but it can also introduce them to the everyday life in Poland of the past.

Polish cultural heritage includes also diminishing culture of religious minorities, which is a remnant of centuries of multicultural Poland. International cultural influence can be seen in dishes, attires, ceremonies, customs and, above all, in sacral and secular architecture. In Poland such visible remains were left by Old Believers, Greek Catholics or the Orthodox. Lemkos, Lithuanians, Kashubians, Romani, Jews, Tatars and Crimean Karaites left a cultural imprint, which fascinates ethnologists. This imprint is fascinating because of unique churches, attires, dishes and necropolises. This is a unique world, which cannot be seen anywhere else in Europe. It can be preserved not only for Poles, but also for other Europeans. Cultural remains of this passing world have been preserved in literature, poetry, language and human interactions.

Polish cultural heritage includes also old towns. Many of them are situated away from the main tourist routes. They await better times when they could be restored and discovered by next generations, curious about their tradition. Moreover, in Poland there are countless forgotten small towns having their own local colour, atmosphere and relics of the past.

Still to be saved are old industrial housing estates with characteristic houses – *familoks* and unique, deteriorating yards. They could be rescued if they were transformed into cultural centres, or new apartments with modern interiors but façades typical of the old times.

Another thing characteristic of Polish cultural heritage are old means of transport, namely narrow gauge railway, commuter trains with wooden benches, old railway carriages and steam locomotives, as well as ferries. Poland is the only place in Europe where these exotic and unique means of transport have survived. Some of them have been included in the collection of Narrow Gauge Railway Museum in Sochaczew and old narrow



gauge steam locomotives can be seen in Narrow Gauge Railway Museum in Wenecja near Biskupin<sup>7</sup>.

The Constitution of the Republic of Poland includes the term “national cultural heritage” and states that the State of Poland “shall help Poles living abroad in maintaining their relationship with national cultural heritage” (Art. 6 sec. 2). These statements suggest that Polish national cultural heritage is considered universal, supranational and European. Therefore, cultural heritage needs to be seen as tangible and intangible legacy not only of Poles living within the borders of Poland after 1945, but also of all nations and national minorities that have, throughout ages, had significant impact on the history of Poland within its historic and modern boundaries.

The European Union agreed that protection of each country’s cultural heritage belongs to important aims and tasks of the European Community<sup>8</sup>. Thus, Polish unique cultural heritage is also part of European heritage. This is an opportunity of supporting Polish system of protecting tangible and intangible cultural goods through funding and organisational help by the EU. It requires Polish law to be adapted in this scope to the EU requirements, as well as Poland to ratify various conventions of international law.

Protection of Polish cultural heritage must not be postponed indefinitely, since – with Poland belonging to the European Union – many elements of Polish tradition and culture may become an important part of cultural and economic activity in Europe. Many efforts in this direction have already been made, including e.g. registration of typically Polish dishes, attires or architectural styles. These actions result in excellent promotion of Polish culture and receptiveness to active economic politics based on tourist exchange and information on the uniqueness of Polish cultural heritage.

This is, however, a long and arduous process, and protection of Polish cultural heritage depends upon Poland’s economic conditions and wise, systematic education about cultural heritage of Poland and Poles in every aspect<sup>9</sup>.

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<sup>7</sup> B. Michalec, *Polska ginąca*, Wydawnictwo „Carta Blanca”, Warszawa 2007, p. 3–240.

<sup>8</sup> S.A. Bąk, *Działania Unii Europejskiej na rzecz kultury i turystyki kulturowej*, Wydawnictwo „Difin”, Warszawa 2007, p. 77 et seq.

<sup>9</sup> M. Walczak, *Rola inteligencji w kształtowaniu świadomości historycznej*, [in:] S. Wróbel (ed.), *Iluzje pamięci*, Uniwersytet im. Adama Mickiewicza w Poznaniu, Poznań-Kalisz 2007, p. 351–361.

This is the only way to be consistent with the basic principles of functioning of the European Union, understood as an association of independent nations and countries, based not only on economic unity, but also on cultural diversity of every nation, every ethnic group and every regional or local community.

# Conclusion

Problematic aspects of the protection of Polish cultural heritage are very complex and varied, and therefore it is not possible to discuss all of them exhaustively. Accordingly, it has become necessary to concentrate on the most essential and important elements of cultural heritage protection at the beginning of the 21st century. As a result of conducted scholarly recognition and the considerations included in the monograph, the following conclusions can be formulated:

1. “Cultural heritage“ is a notion which is defined and understood in a varied and distinct way by different fields of humanities, especially such as history, culture, sociology, ethnography, geography, pedagogy, literature studies and others. Differences in defining the notion result from the fact that various emphasis is given to the elements of national, regional and local cultural heritage, and versatile research methodology is employed for working on cultural heritage. Additionally, the notion lacks explicit legal interpretation to define its range of meaning.
2. World cultural and natural heritage has become a significant point of interest for some international organisations, especially UNESCO.
3. The UNESCO Memory of the World Programme collects unique documentary heritage created by different civilisations in the past. In turn, the UNESCO World Heritage List includes properties

forming part of the cultural and natural heritage which are considered to be of outstanding value for humanity. In both lists there are natural objects and cultural sites situated on the territory of the Polish Republic. However, the criteria for the inscription of a place or property on the Memory of the World and World Heritage List are not perfectly clear due to the complexity of procedures, legislature of individual countries and their recommendations.

4. On account of constitutional and financial changes the system of cultural heritage protection has undergone a crucial change since 1989. Nevertheless, there is still a need for unambiguous legal regulations concerning the ownership of cultural portable and non-portable properties, rules for financial preservation of deteriorating objects, correlation in the area of spatial planning in the surroundings of unique objects. Furthermore, the role of conservatory services has to be precisely defined to enable them to effectively oversee restorations and renovations of cultural properties. In addition, a formal and legal system for selecting objects intended for registration has not been elaborated and there is a lack of legal clarity as far as creating cultural parks is concerned. The system of monument protection is weakened and financial obstacles to preserving unique cultural properties occur due to the shift of responsibility for monument care from central authorities to local governments.
5. The multiculturalism of the Polish society under the systems of the First and Second Republics of Poland and within their historical boundaries was characterized by the fact that Poles, Jews, Germans, Lusatians, Ukrainians, Lithuanians and dozens of other ethnic groups lived in the same territory. In terms of numbers, Jews were the predominant group. In the aftermath of the German occupation of 1939-1940 and the Holocaust many objects of Jewish culture such as synagogues, housing facilities, cemeteries and others became ownerless goods. Since 1989, grassroots initiatives of different forms and inspirations have appeared to save the vanishing traces of Jewish culture in present day Poland. However, the knowledge concerning the existing substance of Jewish culture is not satisfying.

6. Cultural borderlands has become a subject of fascination for scholars from different fields, especially sociologists of culture, ethnography and literary scholars, art historians and philosophers of religion. Fascination with cultural diffusion processes and traces of material and non-material cultural property enables perceiving century-long intercultural communication in its various dimensions and areas.
7. At the beginning of the 21st century preservation and publicity of written cultural properties became possible due to the widespread digitisation of archive and library documents, and as a result of creating digital libraries and full-text databases.
8. Universal protection of cultural heritage is possible if education for cultural heritage, of different forms and levels, is applied. There is also a need for a widespread presence of historical consciousness which is indispensable in shaping national, regional and local identity.
9. Cultural heritage goods comprising natural properties, pieces of architecture, clothing, dishes, religious rites, everyday rituals, feasts, legends, folk-songs etc., cease to exist. They are unique and, as such, require immediate protection and styling, as cultural diversity is as important as economic uniformity for the functioning in the European Union.
10. Protection of Polish national heritage creates an opportunity to promote regions, towns and villages and to create tourism-based labour market.

The above mentioned constataions lead to the conclusion that realities of the free market economy should cause protection of Polish cultural heritage to be dealt with theoretically and practically.



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# Cultural Heritage in Poland – the Background, Opportunities and Dangers

The main subject of the author's considerations is the most important aspects of the preservation of Polish cultural heritage in Poland after 1989. The changes in the political system, as well as financing and administration of portable and non-portable cultural goods created a new situation in terms of protecting national cultural heritage. In her monograph the author defines what it means to conceive cultural heritage through various fields of knowledge, such as sociology, pedagogy, cultural studies, architecture, natural science, literary studies and others. World cultural and natural heritage is an element of protecting unique works of human civilisation from the past.

The author points to the most important heritage considered unique on a global scale and listed in 'The Memory of the World' programme, as well as unique natural areas. Moreover, she ponders the criteria for including extraordinary architectural objects and natural areas from various corners of the world on such lists.

Another important aspect of the author's considerations is an evaluation of the legal status and the gaps in the system for preserving cultural heritage in Poland after 1989 in terms of legal and administrative realities.

A vast section of the monograph is devoted to various ways of protecting Jewish cultural heritage in Poland within its contemporary and historical boundaries. Throughout history Poland had been a multicultural state and as such is home to many monuments of national minorities, such as Jews, Germans, Lithuanians, Lusatians, Tatars, Ukrainians, Lemkos, etc. Jews con-

stituted nearly one third of Polish society in the First and Second Republics of Poland. As a result of the Holocaust during World War II (1939-1945), few portable and non-portable Jewish objects remained in Poland. In her monograph the author considers the status of their preservation.

The author's deliberations on cultural borderlands illustrate the complexity with which the cultures of national minorities and ethnic groups which live in the same territory overlap and permeate one another. This is evident in the surviving historical monuments, rituals, everyday culture, in the nascent signs of understanding for religious and moral individuality, but also in reluctance towards such individuality.

In the next section of the monograph the author ponders the possibilities for the mass popularisation of Polish cultural heritage by means of an extensive digitisation of the written monuments of Polish cultural heritage. She discusses various aspects of the processes of digitising and popularising on the World Wide Web that are currently taking place, as well as the process of creating digital libraries and electronic full-text databases.

The next chapter of the monograph deals with various aspects of educating about cultural heritage and the necessary process of shaping mass historical awareness that in turn determines identification with the nation, region and local community, namely the complex process of shaping national and regional identity.

Another important topic is the various aspects of Polish cultural heritage that are sinking into oblivion as a result of the cultural globalisation that occurs due to the widespread medialisation and computerisation of the lives of groups and individuals.

The considerations end with conclusions that justify the need for the preservation of Polish cultural heritage for the purpose of the realisation of the idea of economic uniformity within the European Union, but also the cultural diversity that comes from history, tradition, unique architecture, customs, rituals, clothing, cuisine, everyday life, disappearing dialects, etc.