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Conservation of Tangible Cultural Heritage in Indonesia: A Review Current National Criteria for Assessing Heritage Value

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Abstract

National criteria for assessing Indonesian cultural heritage properties are mentioned in Article five under the Law 11/2010 on Cultural Property. In general, the four criteria are not much different from the previous legislation, the Law 5/1992. National criteria serve as a guide in determining the criteria for provincial and municipal level. This paper aims to review the national criteria based on opinions of 33 respondents (local people from various professions), who have an interest in heritage conservation, through semi-structured interviews and nominal group technique (NGT). The results of the study highlighted the crucial need of involving community in reviewing current national criteria, to improve assessment criteria for cultural heritage values. Besides, it would support national, provincial and municipal governments in drafting new regulations as a guideline for practice of heritage conservation regarding the Law 11/2010, which until today most have not been published.

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1. Introduction

Legal jurisdiction aspects of the heritage protection movement first appeared in Europe in the late 18th century. This movement continues to spread to all parts of the world until World War II. Meanwhile, heritage legislation in Indonesia was started by publishing Monumenten Ordinantie (MO) Stbl 238 in 1931. Four months after the issuance

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of this MO, Athen Charter, first international charter on heritage that is a milestone of international collaboration in the protection and preservation of heritage, established. Since World War II, the conservation movement has spread to almost all regions of the world. The establishment of several international organizations such as Council of Europe (1949), UNESCO (1950), ICOM (1952), ICCROM (1956) and the last ICOMOS (1965) have played a significant role in promoting international collaboration and policies guideline to the development of heritage conservation movement. The organizations mentioned above have published dozens of charters, conventions, resolutions and recommendations to provide guidance in developing policies for different cultural and realities to date. One of the significant charters is the Venice Charter initiated by ICOMOS. The charter raised the issue on the authenticity and recommended the attitude to make a clear distinction between the original, the addition and the replica in restoration work of monuments and sites. Since then, the spirit of authenticity in the heritage conservation became extended rapidly to all parts of the world and got more clearly in Nara Document (1994). Then, in 1972 UNESCO have issued the most significant convention in heritage protection namely Convention for a Protection of Cultural and Natural Heritage. According to J. Jokilehto (1998), this convention is successful because almost all countries in the world have adopted it. At the same time, there has been a significant evolution in the policies and practices of heritage conservation, increased awareness of the community, environmental stewardship, awareness of growth limits, and the need for sustainable resource management. The convention later becomes a platform for debating the concepts and policies related to heritage conservation.

This paper aims to review the national criteria in article five, the Law of Cultural Properties No.11/2010 based on the views of local people in Medan. This paper is part of the studies aiming to develop local assessment criteria for values of Medan built cultural heritage. The issue arises in line with the application of decentralization concept in heritage management in Indonesia that is divided into three hierarchies: the national, provincial and municipal. Thus, each level of administration should prepare and establish heritage registers, including the municipal government of Medan.

2. International contemporary trend in heritage conservation

Many authors state that since mid-1990s, there has been a dramatic change in the field of heritage conservation in terms of both theory and ways of protection. Among them are the issue of scope and categories of heritage, ranging from single monument to groups and region, tangible to the intangible, and movable to immovable objects. Besides, the issue of cultural significance or cultural heritage value, that have been discussed first by Alois Riegl in the early 20th century, became flourish and quickly extended almost to other countries since Burra Charter (1999) described it in detail. Until now, many authors discuss the cultural heritage value, included the definition and theory, as well as, methods to evaluate cultural heritage value in practice. Next, in mid-1970's the Council of Europe have raised an issue of integrated conservation, as stated in Amsterdam Declaration (1975). A year later, UNESCO restated this issue further in Nairobi Recommendation (UNESCO, 1976). Now, it has become a trend everywhere that heritage conservation work is not relying on a single individual or a profession anymore. The responsibilities start linking with the preservation of other specialties, so it becomes multidisciplinary. However, it is increasingly recognized that the preservation is neither the responsibility nor the domain of experts alone, but also linked to the local public as owners of the heritage itself. Public is to be responsible and to participate in decision-making (Cheung, 2011; Macdonald, 2011; Christina Aas et al., 2005; S.Chirikure. et al., 2008). The need for sharing in decision-making among community stakeholders has become a popular topic in the field of protection and management of cultural heritage until today.

3. Community involvement in heritage conservation

The concept of public involvement in conservation efforts were initiated in Europe in the mid-1970s, as stated in the Declaration of Amsterdam (1975) "the architectural heritage will survive only if it would be valued by the public, especially the younger generation." Nairobi UNESCO Recommendation (1976) a year later concluded the contribution of individual or collective, residents and users, separately or together, which should be encouraged to provide suggestions, play an active role. Next, most of conventions, charters, declarations, resolutions and recommendations on the protection and preservation of the heritage published after the mid-1970s stated that

community involvement in the protection and conservation of cultural heritage should be encouraged and enhanced.

The word “public or community” has a broad meaning and complex. A simple understanding of this word refers to what is stated by Davidoff in 1965 quoted from AM Dian et al (2013): “communities as local people who either individuals or organizations who have an interest in or likely to be affected, either positively or negative, with a decision to be made on any particular issues by the authorities.” Then Apiah (2006) and Johnson (2000) in S. Chirikure et al. (2008) explained “A community is a body of people inhabiting the locality.” In addition, he described in his paper that the community, which is based on interests, is called stakeholders.

“information adapted to the types of persons concerned; surveys adapted to the persons questioned; establishment of advisory groups attached to the planning teams; representations of the owners, occupants and users of advisory function on bodies responsible for decision-making, management and organization of operations associated with a plan to protect, or the creation of public corporations to play a role in the implementation of the plan.”

According to the World Bank (1994), the level of community involvement is divided into two levels: low and high. Low-level participation still applies a one-way communication such as sharing information or consultation. However, the high-level participation would be achieved by collaboration and empowerment in the transfer of control over decisions/resources. The role of communities in Indonesia began steadily increase since it was encouraged by cultural activists who work in NGOs, in the field of heritage conservation. Wutcher G. et.al (1993) described an active role of Bandung Heritage Society, an NGO established in Bandung in 1987, to protect and manage heritage in Bandung city, which has gained the respect of architects, planners, cultural activists, and historians. It has motivated the establishment of similar NGOs in many cities in Indonesia, including Medan city with establishing an NGO engaged in the field of heritage conservation named Sumatra Heritage Trust locally known as Badan Warisan Sumatra (BWS) in 1998. The efforts of BWS in enhancing public awareness of heritage protection are considered successful. It is evidently seen by the increasing number of similar organizations in Medan to the present day. Nevertheless, a dramatic improvement of community involvement in the protection and preservation is not followed by the increasing of roles and responsibilities of local government; consequently this often emerges a gap and finally leads to a conflict with local communities. It has affected to skeptical and apathetic attitude of the community in participating towards conservation of the cultural heritage. Even more, demolition of historic buildings in some cities in Indonesia, including in the city of Medan is often performed by or with the approval of the local governments. As a result, widespread protests from public occur against the demolition of historic buildings in some Indonesian cities.

According to Tanudirjo (2003), the role of the community in Indonesia for the preservation and protection of heritage should be improved by providing a higher role to them to participate in determining the significance of cultural heritage, as well as, decision-making for its utilization. Thus, the government is no longer the main actors in the process of preservation of cultural heritage. The nomination process of cultural resources in the public domain to become a cultural heritage should be involving the community. He added that the nomination process so far, was only conducted by the government. By applying the bottom-up nominations, the public is not merely passive but actively motivated to participate in the preservation of cultural heritage.

4. Methodology

The study involved 33 local people to gain valuable input to improve the protection and conservation of the cultural heritage of Indonesia in the near future. The main criterion for the selection of participants was the interest in a protection of heritage conservation. Thirty-three participants had a variety in profession, education, age, gender and so forth. They came from various community organizations, educational institutions, and government, as well as, individuals who were owners of historic buildings, cultural activists, and private sector. The educational backgrounds of 33 participants were diverse such as management, history, architecture, sociology, anthropology, archeology, urban planning, construction, and engineer. Similarly, the level of their education was ranging from Diploma to Doctorate degrees, and they were from different age groups as well, which were ranging from 29-55 years old. In term of gender and ethnic, they consisted of 38 % women and 62 % men who were from local

ethnically diverse in Medan varied from Batak, Mandailing, Karo, Javanese, and Minang, including Chinese and Indian ethnic.

The research preferred to involve the community aiming to increase the role of community more than only sharing an opinion or consultation. Thus, their view would be a valuable input for the improvement of the national criteria for assessing heritage value in the future. The process of getting the findings in this study was divided into two stages where the first stage was to interview the participants. The reason to choose this research method are considering a prompt and serious response from the participants, controlling answers from respondents to avoid misunderstanding, offering the flexibility to explore the uniqueness of the position and role of each participant, and gaining views and values from their personal views (Gubrium, 2002, Hobson 2004, Gillham, 2007, Hennink et al., 2011). Thus, the interview aims to find personal views of the heritage value and formulation of national criteria to explore the cultural significance of cultural assets categorized as heritage. The next stage was a discussion group where participants were all invited to solve the issue by using Nominal Group Technique. As the aforementioned on the participant criteria, O'Connor (2011) argued that the key outcome would be nominal group consensus with respect to the identification of values type considered being culturally significant according to a range of different group cultural, sub-cultural and expert.

Group discussion is held after finishing the interview analysis to obtain a consensus of all participants objectively. This research applies variation of implementation techniques. Facilitators explained the problem simply in the interview, and then asked for clarification from all participants on the interview results. Participants appointed one moderator to lead the discussion and six volunteers from the participants sitting in front as the panelists to give their views. Moderators could directly ask the panelists to explore the views/ opinions. On discussion, participants were given the opportunity to ask questions or respond to the opinions of the panelists. Moderator then presented the main ideas of discussion results at the end of the discussion.

5. Discussions and Findings

The history of the protection and preservation of heritage in Indonesia has started since the beginning of the 18th century. At first, this was initiated by the interest of antique collectors, and then developed with the interests of scientists in identifying and investigating the findings of these antiques. Since then, various heritage organizations have established to accommodate the activities of exploration, inventory and documentation of ancient objects in the archipelago until the late 19th century. In sum, heritage conservation movement in Indonesia at that time was much influenced by the situations and events occurring at the global level, especially in Europe. There were several events occurred almost simultaneously, for example, in 1882 the UK published a law on protection of its heritage called the British Ancient Monument Act. In the same year, the protection of cultural heritage in Indonesia began to cover the categories of buildings and the site which is marked with establishing a special commission named *Comisie tot het Opsporen Verzamelen en Bewaen van Oudheidkundige Voorwerpen* (the Archaeological Commission). At this point, it can be said that the first time the preservation efforts became the affairs of the Dutch East Indies Government. However, the commission's work is not sufficiently effective (Tanudirjo, 2003). Commission is then replaced with an official government called '*Oudheidkundige Dienst in Netherlandsch – Indie* (The Archaeological Service) led by Dr. N. J. Chrome in 1913 (Soekmono, 1992). The protection of cultural heritage was insufficient because it only relies on documentation and investigation; however, they must also be supported by adequate legislation. In 1931, the Dutch Government published a cultural heritage law called *Monumenten Ordonantie Stbl 238/1931* (MO 1931). The term of Monument was used firstly by France around the late 18th century. In line with the development of the issue in heritage conservation, the meaning of monument has fluctuated, and in the early 19th century, the monument is more defined as buildings and sites that stimulated the commemoration of the nation's glorious in the past (Zwegers, 2010). As described in Article 1 of the MO 1931, there are three categories of the monument as concluded below:

“first, immovable or movable made by human hand; parts or group of properties or their remains, which are mainly older than 50 years of age, or belong to a period of style of at least 50 years old, and which are considered of significant importance for the prehistory, history or art; second, objects considered of great importance from the point of view of palaeoanthropology; the last, sites contained both of objects under point of 1 and 2.”

In addition, this law has yet discussed on community involvement. In Indonesia previously, the heritage conservation is merely the responsibility of the government. Like those mentioned above, the people are often considered as a threat to heritage conservation program itself. Therefore, when the Government designates a site as heritage or monument frequently, followed by relocating the local people to the other place, later, the site was converted into a museum and the public should no longer inhabit the site. Until now, the concept of relocation the people is still often occurs in Indonesia.

By the early 1990's, Government of Indonesia enacted the MO stbl 238 of 1931 as heritage legislation. Finally, in early 1990 Indonesian government issued a new law on the cultural heritage to amend the MO Stbl 238 1931 called the Law No. 5 of 1992 on Cultural Properties (Benda Cagar Budaya). According to the content of the Law, Benda Cagar Budaya means "tangible heritage". A year later, the government issued regulations locally called Peraturan Pemerintah (PP) No.10 on the implementation guideline of the law No.5/1992. Several points are addressed to criticize the law no.5/1992 mainly on its content to adopt most of the content of MO stbl 238/1931. Consequently, there was no significant change in term of the cultural heritage category. Meanwhile, at that time the Government of Indonesia has ratified the UNESCO Convention 1972. Indeed, in this law definition of heritage has included a single object or group and then appended to the phrase "must have at least 50 years of age." However, there was a little confusion about categorization or classification in this law whether natural objects can be classified as cultural heritage objects or not. UNESCO convention mentioned two main classifications; cultural heritage and natural heritage. Unfortunately, there was no information to clarify the definition of a natural object, so its meaning remained a question. Formerly, objects of cultural heritage sites were called part of the definition of the monument. In sum, definition and classification of heritage in this law were ambiguous and confusing. In addition, this law had no definitions and categories of cultural heritage in the context of the region both in the urban and rural context. Indeed, there is a statement about the group, but its meaning is more to the group instead of in the context of the area or region. Later, a statement in explanation of the article that the area around the site should be protected; however, the explanation concerns more about the safety of the artifacts or sites, not relies upon the awareness of the relationship between the artifacts or the site environment (Tanudirjo, 2007). While, at that time this category has become hot issues in global. A lot of charters, resolutions, and recommendations mentioned about protecting areas, regions and small historic town were published by UNESCO and ICOMOS ranging from 1960 to 1992. It seems that in this period, the conservation still oriented to the object that was antique or archeological objects. Several hot issues that have been much discussed in the global world like decentralization of the heritage management and criteria for evaluation of cultural heritage value, as if it had no influence on this legislation. Nevertheless, Article 18 of the law and Article 42 of PP No.10/1993 have stated the concept of community involvement, despite the fact that it still showed on the level of sharing information or consultation.

Similar to the previous law, the law No.5/1992 had no clear statement of the criteria for determining heritage; however, it can be concluded from the definition and category of heritage in Article 1 and 3 of PP No.10/1993. An object is designated as a heritage because of reaching 50 years minimum age, having distinctive style, significant values to the history, science, and culture of Indonesia, and the number or the variety was decidedly limited and rare. Eighteen years later, in October 2010 the Indonesian government amended Law No.5/1992 with Law of Cultural Properties No.11/2010. Some part of the content is somewhat different from previous legislation in terms of the definition and classification of cultural heritage aligned with the UNESCO Convention 1972. The law has also included classification of cultural heritage on historical district or region. However, the definition and concept of cultural significance or cultural heritage value have not been described as a crucial issue at the global level to the present. Consequently, the concept of assessment criteria for evaluation of cultural properties as a heritage becomes blur. For this reason, this appears as the first issue addressed to participants in this study. In the development of its theory at the global level, Alois Riegl, 1902 (Forster et al., 1982) first explained that there were several categories of values in monuments, those were historical value, age value, use value, commemorative value and art value. Later, this theory continues to develop, and there is currently a tendency to move away from the conventional value judgment based on the value of architecture rather than individual assessments for a variety of new types of values, including the monetary value and the contextual value of maintaining the meaning of history and social structure of the city (Zanchetti and J. Jokilehto, 1997). Today, literature study summarized that there is a range of cultural value

for the evaluation of heritage that will be shown to the participants as an introduction at the interview session with the participants.

There are four main questions during the interview section as follows: first, the range of cultural values defined in the national criteria; second, the value of education to be included in the national criteria and third, the review of the national criteria stated in the law. The last is the terms of minimum criteria to be included in Heritage list. Here is a summary of input from the 33 participants of the four issues raised in this study that was accomplished in two stages.

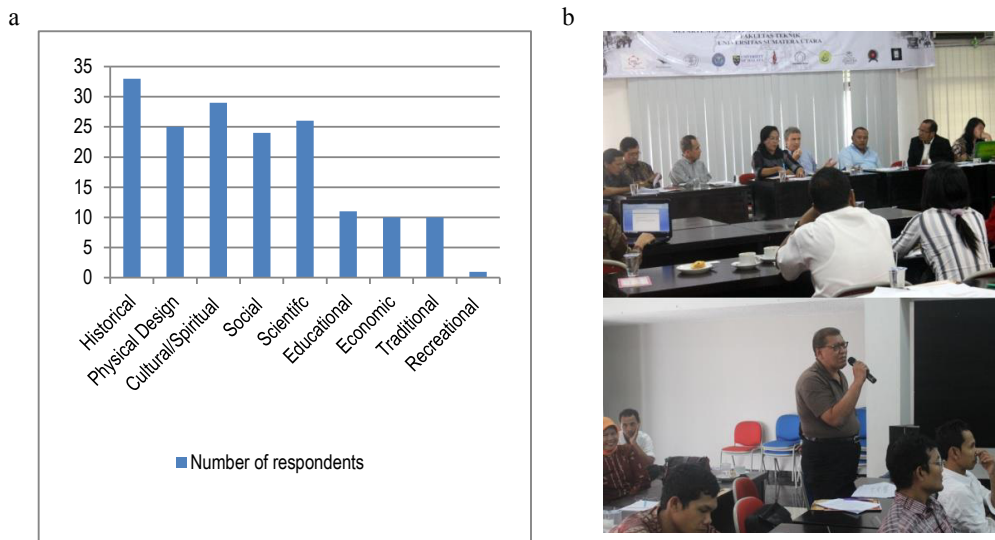


Fig.1. (a) A range of heritage value based on interview section; (b) Discussion Forum.

Figure 1(a) shows that there are nine critical values of the interview. These values are then reduced to eight after a discussion forum as participants agreed to combine traditional values with the cultural values. Finally, it concludes there are five main values based on its rank that are historical value, cultural and spiritual value, scientific value, physical design value and social values.

One-third of the participants said educational value needs to be stated separately following the economic and recreational value. Then, more than half of the participants said educational value is consistently attached within each of value, such as historical, architectural/esthetic, scientific, cultural and spiritual value. Educational value, economic value, and recreational value are considered as one of the purposes when we conserve a cultural heritage. That is the reason these values do not need to be stated independently and specifically because it is suggested to be applied after designation process.

Three-quarters of participants view the current age criterion of 50 years is not appropriate anymore being the main criteria. They argued that the age value, is part of historical value where included archeological value and informational value, so it does not need to declare it explicitly as one criterion. Need to consider a case of floating electric generator ship as one of historical evidences of the tsunami in Aceh in 2004, if it is evaluated by the age value, it will be unable to categorize it as a heritage. It means that we have to wait for many years more to designate it as a heritage while based on its historical value is exceptionally high. Another case that was debatable is Kuala Namu International Airport, which was considered as the most advanced airport concept in Indonesia at the present. However, it should wait for 50 years more to be a heritage. It means that the participants discussed the possibility to designate the results of modern or post-modern culture illustrating one crucial part of the history of Indonesia, which is being considered as a heritage. Meanwhile, almost all participants agreed that the design or architectural or esthetic value state explicitly from age value. However, this criterion remains closely associated with historical value. According to some participants, the use of the word 'distinctive style' in this second criterion is inapplicable

and difficult in assessment of other cultural heritage categories excluded building. It is, for this reason, proposed to be replaced with words that accommodate virtually any classification of heritage, such as 'particular or specific esthetic'. Later, participants proposed that the physical design value will cover the uniqueness and rarity value. According to the participants, all values have been included in the third criterion without a clear statement to achieve the values. As the function of criteria is a tool to explore the significance within a cultural asset, therefore, most of the participants suggested that it needs to elaborate editorial of this third criterion more specific to avoid overlapping with other criteria. Then, the last criterion, according to almost half participants, needs for maintaining and elaborating more clearly. While, other participants state that this criterion was redundant to the third one that said 'having significant meaning to the value of culture.' In addition, they argued the parameter for this criterion in an assessment is abstract so that it is potentially making the assessment more subjective. This criterion is rather being a goal than a criterion because conservation of cultural heritage can be beneficial for strengthening national identity.

Meanwhile, as the results of the fourth question, more than half of the participants stated that the designation as cultural heritage if it meets at least one criterion, but within this law there is no explanation of this provision. Some participants viewed that the designation as cultural heritage if it meets all the criteria. Therefore, all participants agreed that it will be better if there is a clear statement regarding the principle in the designation whether an object must meet at least one or two or all criteria so as, not to be mistaken in its implementation. Based on the two phases of the study, it highlighted that the national criteria stated in Article 5 of Law of Cultural Properties No.11/2010 still vague and overlapped. It needs to improve both concept and editorial. Again, it is noteworthy that those criteria are the tool to assess the values of the cultural asset.

6. Conclusion

There are so many kinds of values, and interaction among them are rather complex. This research concludes there are five considered values in the assessment process of the cultural heritage of Medan designated as heritage. Those cultural values are historical value, cultural and spiritual value, scientific value, physical design value and social values. Other values such as educational, economic and recreational value are considered as a group of values beneficial for a development the cultural heritage after designation process.

A critical review of the community would be a valuable input for future improvements of the national criteria for assessing heritage value. Community involvement in this study purposes to increase participation of local people in Medan in the protection and preservation of heritage in Indonesia.

The combination method between interview and NGT in this study makes the results of the evaluation of the national criteria are more comprehensive and objective. Interview method purposes to gain critical views, which are more personal and subjective; this method is appropriate for criteria of participants who tend to be passive. While, discussion forums by using NGT aims to achieve the views and consensus of all participants collectively and objectively.

Learning from researcher experience during involvement at BWS, the key success to increase participation of the community particularly in Medan city is needed for maintaining three main points that are openness, honesty and public interest-oriented. This means that the researcher or facilitator is willing to be open and honest in giving the explanation to the public of the activities that are being carried out regarding its goals, plan and benefits for society directly or indirectly, spiritually and economically. While many things can be learned from this study, in general, the government should provide a higher role to public not merely as a complement with sharing information but rather to establish collaboration with a two-way communication and thus can be counterproductive in the protection and preservation of heritage.

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