

# Arbresha Ibrahimimi, Tadeja Zupančič, Ljubo Lah: ZAKON O MUZEJIH KOT PRISPEVEK K DEGRADACIJI MUZEJEV V REPUBLIKI SEVERNI MAKEDONIJI

## THE LAW ON MUSEUMS AS A CONTRIBUTOR TO DEGRADATION OF MUSEUMS IN THE REPUBLIC OF NORTH MACEDONIA

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1.02 Pregledni znanstveni članek / Review Article

### IZVLEČEK

Republika Severna Makedonija se sooča s problemi identitete. Država želi ustvariti državno identiteto, ki bi temeljila na makedonski nacionalni identiteti. Da bi dokazala makedonsko nacionalno identiteto, je Vlada (2006–2017) delovala v smeri ustvarjanja jasno opredeljene zgodovine makedonske nacionalnosti. Iskanje in dokazovanje zgodovine Makedoncev in državnih »korenin« kot čiste, etnične makedonske države predstavlja nacionalno patologijo. Muzeji delujejo kot varuhi nacionalne identitete in s tem podpirajo državno ideologijo. Toda Republika Severna Makedonija je v resnici večetnična država z mešano zgodovino, ki je za seboj pustila različne družbene in kulturne sledi. Navkljub temu pa je bil Zakon o muzejih v Republiki Severni Makedoniji spremenjen v skladu z nacionalistično ideologijo, in to v škodo primarne vrednosti in vloge muzejev. ICOM-ov kodeks muzejske etike je mednarodni kodeks, ki muzeje in kulturo umešča v regionalni in globalni kontekst, pri čemer ne daje prednosti kateremu koli elementu muzejske kompleksnosti, v pomoč pa je tudi pri opredelitvi področij, ki jih je treba izboljšati. Analiza ustreznih makedonskih pravnih dokumentov in njihovih sprememb skozi prizmo ICOM-ovega kodeksa muzejske etike pokaže vzroke za izgubo tradicionalne vloge muzejev v Severni Makedoniji. V sklepnem delu članka opredelimo izhodišča za pravne spremembe ter potrebo po ponovni vzpostavitvi vrednosti muzejev v Republiki Severna Makedonija in po vzpostavitvi družbeno-prostorske trajnosti prek muzejev.

### KLJUČNE BESEDE

ICOM-ov kodeks muzejske etike, muzeji, zakon o muzejih Republike Severne Makedonije, družbeno-prostorska trajnost

### ABSTRACT

The North Republic of Macedonia faces state identity problems. The state's concern is to create a state identity based on the Macedonian national identity. To prove the Macedonian national identity as a state identity, the government (2006-2017) works to create a clear cut history of the Macedonian nationality. The search for and proving of the history of the Macedonians and state "roots" as a clean, ethnically Macedonian state, presents a national pathology. Museums are used as curators of national identity in order to prove this state ideology. But the truth is that the Republic of North Macedonia is a multi-ethnic state with a mixed history that has left social and cultural traces. Despite this, the Law on Museums in the Republic of North Macedonia has been changed to conform to the nationalistic ideology, which has damaged the first value and role of museums. The ICOM Code of Ethics for Museums is an international code for integrating any museum and culture into the regional and global context, without discriminating against any element of the museum's complexity, and it can be used to find areas for improvement. Through the optics of the ICOM Code of Ethics for Museums, an analysis of the relevant Macedonian legal documents and their changes indicates the reasons for the loss of the traditional role of museums in North Macedonia. In the article's conclusion, we define the starting points for legal changes, the need to restore the value of museums in the Republic of North Macedonia, and to create socio-spatial-sustainability through museums.

### KEY-WORDS

ICOM Code of Ethics, museums, the Law on Museums of the Republic of North Macedonia, museum socio-spatial-sustainability

UVODNIK  
EDITORIAL  
ČLANEK  
ARTICLE

RAZPRAVA  
DISCUSSION  
RECENZIJA  
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## 1. INTRODUCTION

Museums as cultural buildings intertwine theory and practice into space, emotion, and experience, they combine architecture and other media to bring the past into the present and thus improve the future. For this reason, interpretations and definitions of museums can be identified in different contexts and levels. According to the International Council of Museums (ICOM) in 1974 "a museum is a non-profit making, permanent institution in the service of society and of its development, open to the public, which acquires, conserves, researches, communicates and exhibits the tangible and intangible heritage of humanity and its environment, for the purposes of education, study and enjoyment" (Sandahl 2018). The Museum Service Act of 1977 likewise defined a museum as: "a public or private non-profit agency or institution organized on a permanent basis for essentially educational or aesthetic purposes which, utilizing a professional staff, owns or utilizes tangible objects, cares for them, and exhibits them to the public on a regular basis" (Hein 2000, p. 3).

"Museums are at once very antique and very new" (Hein 2000, p. 3), and the development of museums goes along in mutual relation with the political, economic, social, cultural, educational and technological events of the country they are located in. Depending on the museums choice of priorities, this builds up their purpose, function and behaviours as an institution. The economic, political and social crisis in the Republic of North Macedonia from 2001 to 2017 has degraded the functioning of social institutions and the livelihood of the population. This crisis most seriously affected the education, medical and cultural systems. More specifically, the lack of government investment significantly reduced the number of museum activities and research projects. Funding was also lacking for the maintenance of museum buildings, which were constructed in the period from 1942 to 1970. The primary issue facing the population of the Republic of North Macedonia from 2006 to 2017 was having to survive on an average monthly salary of €150. However, the government's neglect of this primary need was evidenced by the realization of the "Skopje 2014" project. Over €684 million were spent on this, where, among other things, museum buildings, memorial houses, and galleries were built. The construction of museums (from 2014-2017) further deepened the political and social crisis, primarily because:

- It was not the right time to give money for the construction of cultural buildings,
- The money could have been invested in renovating existing museum buildings,
- New museums were built in inappropriate places and those prohibited by law,
- The museums did not meet the standards for museum design,
- Some of the museums' buildings were in the style of "post-modern classicism" (Vasilievski 2012) and made of Styrofoam,
- Some museums were built illegally.

Breaking the law to build museum institutions, getting building permits that should not have been issued, not registering museum buildings as national institutions undertaking museum activities, and using unregistered museum funds all helped to reduce the value of such museums as institutions. The failure to meet museum design standards was met with criticism by professionals within the state, who argued over what should be the criteria and conditions for an institution to be called a museum. The way in which exhibits were treated and presented

upset the constituent communities of the Republic of North Macedonia (Albanians, Turks, and Roma), due to misinterpreting the origins of the items. Meanwhile, misrepresentation of origin of the architectural elements appears on the façades of buildings built during the "Skopje 2014" (Скопје 2014 под луна 2018) project, including those of museums, further aggravated relations with Greece. The conflict with Greece was due to using the name "Macedonia", which is also used by a northern Greek region. The two countries share parts of the territory of Alexander the Great's legendary kingdom, and a number of conflicts have arisen over this ancient heritage, including the name. The ancient Macedonian heritage is treated as "Macedonian" heritage, and this forces museums to be curators of Macedonian identity, and ignore the multicultural values of the Republic of North Macedonia.

## 2. RESEARCH PROBLEM

The data obtained from the State Statistical Office of the Republic of North Macedonia (Office 2018) show that the law and standards for museums have created problems for how museums function. The total number of exhibits at the level of the Republic of North Macedonia, registered until 2018, is 598,887. Of these, 428,447 are non-inventoried, while 170,440 are inventoried, of which only 26,615 (1.6%) are on display. Looking at the total number of exhibitions organized within the Republic of North Macedonia, it turns out that an exhibition is made up of an average of 125 exhibits. The total area of exhibition space in North Macedonia is 29,570 m<sup>2</sup>, from the total number of exhibition halls is 107. From this information we can conclude that, on average, 125 exhibits are presented in an area of 280 m<sup>2</sup> and visited by 292 people (0.9 m<sup>2</sup> / person). Another major problem is the small site of storage depots, at just 6,815 m<sup>2</sup> at the state level, and this holds 42,8447 non-inventoried exhibits, or 4,819 items in just 76m<sup>2</sup>.

One of the major causes of the decline of such institutions in North Macedonia is the Law on Museums. The legal framework dealt with in this paper consists of that set out by ICOM and the North Macedonian documents: The Law on Museums (LM), the Law on Amending and Supplementing the Law on Museums (LASLM), the Law on Culture (LC), the Law on Protection of Cultural Heritage (LPCH), the Regulations on Nature Protection (RNP) and the Rulebook on the standards for determining the types of museums, their work, accommodation and storage of museum objects and museum documentation (RSM).

## 3. REASON FOR COMPILING ETHICAL CODES OF MUSEUMS

Museums as cultural buildings have a mission, policy, and duty to their employees, along with the heavy responsibilities of the board of directors. Respect is essential at several levels due to the complexity inherent in museums as institutions.

The staff and managers' aims and missions are to carry out research and collect information with regard to various elements that are processed in the museum at the same level and at the same time, such as analysis made of the collections, visitors, visitor attractions, exhibit care, care for the employees and visitors, social philosophy, space, architecture, interior installations, and so on. "The western philosophical tradition, for the most part, ascribes ethical behaviour, its prescription, meaning, and judgment, only to human beings. The object has no direct moral status. Moral obligation is a human institution predominantly owed by persons to one another" (Hein 2000, p. 89). Professional ethics represents a moral obligation in the institutional context, which "prescribes behaviour to the individual practitioners of

specific professions. The codes of ethics are drawn appropriately to fit particular circumstances, allow access to confidential or sensitive information, provide security, the opportunity to cause injury or to give and withhold care, control over valuable property or the means of expression and the ability to regulate certain types of activity” (Hein 2000, p. 91).

The code of ethics adopts and updates the obligations based on social changes, whether due to demographic, technological, cultural, economic, or catastrophic events, such as warfare. Ethical codes for museums have changed significantly, especially after the 20th century, and museums have gained a new audience with a new lifestyle. Internationally accepted and practiced codes for museum functionality include a code of ethics for curators, a code of ethics of practice for conservators, a code of

ethics for registers, a code of ethics for museum stores, a code of ethics for public relations, and a code of ethics for museum education. A museum is thus defined as having a moral role in preserving social life.

#### 4. THE AIM OF THE LAW ON MUSEUMS IN THE REPUBLIC OF NORTH MACEDONIA

The Republic of North Macedonia is a parliamentary democracy with an executive government composed of a coalition of parties from the unicameral legislature (Собрание, Sobranie) and an independent judicial branch with a Constitutional Court. The Government of the Republic of North Macedonia consists of sixteen ministries, one of which is the Ministry of Culture. This performs activities related to:

Museums in the Republic of North Macedonia, 2018							
	Type of museum						
	Total	by establisher			Total	by subject	
		public national	public local	private		general	specialized
	Museums						
<b>Total</b>	26	18	8	-	26	15	11
<b>Visitors</b>	427,493	394,228	33,265	-	427,493	215,898	211,595
	Exhibits by types of collections						
<b>Inventoried exhibits - total</b>	170,440	129,529	40,911	-	170,440	106,199	64,241
Archaeological	51,693	32,256	19,437	-	51,693	33,002	18,691
Ethnological	44,184	30,915	13,269	-	44,184	34,949	9,235
Historical	23,075	16,612	6,463	-	23,075	18,241	4,834
Artistic	14,067	12,694	1,373	-	14,067	5,345	8,722
Technical	11	-	11	-	11	11	-
Palaeontological	40	40	-	-	40	-	40
Geological	1,762	1,762	-	-	1,762	-	1,762
Zoological	29,476	29,476	-	-	29,476	12,043	17,433
Botanical	2,881	2,881	-	-	2,881	380	2,501
Other	3,251	2,893	358	-	3,251	2,228	1,023
<b>Exhibits on display</b>	26,615	21,300	5,315	-	26,615	20,593	6,022
<b>Non-inventoried exhibits</b>	428,447	421,849	6,598	-	428,447	87,220	341,227
	Exhibitions and visitors at the exhibitions						
In the museums:							
museums' own exhibitions	117	77	40	-	117	39	78
visitors	49,937	32,179	17,758	-	49,937	17,241	32,696
quest appearances in the museums	96	55	41	-	96	56	40
visitors	31,932	23,770	8,162	-	31,932	9,464	22,468
Outside the museums:							
in the Republic of North Macedonia	17	8	9	-	17	3	14
visitors	18,680	16,760	1,920	-	18,680	1,160	17,520
	Halls						
<b>Total</b>	559	436	123	-	559	290	269
Exhibition halls	107	84	23	-	107	48	59
Storage depots	89	53	36	-	89	48	41
Conservation and restoration laboratories	32	28	4	-	32	12	20
Other halls	331	271	60	-	331	182	149
	Surface in m <sup>2</sup>						
<b>Total</b>	57,425	48,373	9,052	-	57,425	26,287	31,138
Exhibition halls	29,570	25,651	3,919	-	29,570	12,567	17,003
Storage depots	6,815	5,700	1,115	-	6,815	2,885	3,930
Conservation and restoration laboratories	1,023	902	121	-	1,023	351	672
Other halls	20,017	16,120	3,897	-	20,017	10,484	9,533
	Number of museums that contain:						
Photography library	15	10	5	-	15	10	5
Archives	18	11	7	-	18	13	5
Libraries	21	14	7	-	21	13	8
Books in the libraries - number	141,834	124,555	17,279	-	141,834	62,083	79,751

Table 1. Statistical data for museums in the Republic of North Macedonia.

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- Monitoring, analysing and proposing acts and measures for development and promotion of culture;
- Organization, financing, and the development of the network of national institutions and the financing of programs and projects of national interest in this field;
- Protection of cultural wealth;
- Publishing, music, scenic-artistic, film, gallery, library, archival, museum and cinema activities, the activities of cultural centres and of mediation in culture;
- Protection of copyright and related rights;
- Monumental celebrations of events and prominent figures of national interest;
- Supervision of its own competence and doing other activities determined by law.

The regulations that serve the organization and functioning of museums in the Republic of North Macedonia are the Law on Museums, Law on Museum Activity (which ceased to be valid in 2004), Law on Amending and Supplementing the Law on Museums, Law on Culture, Law on Protection of Cultural Heritage, Regulations on Nature Protection and Rulebook on the standards for determining the types of museums, their work, accommodation and storage of museum objects and museum documentation. The above-mentioned laws derive from the active laws of the former Yugoslavia.

After the statehood of the Republic of Macedonia in 1991, the government adopted the Law on Museums in 2004 as part of the Law on Culture established in 1998 (LC, no 31/ 1998). The Law on Museum consists of 11 chapters, which are undergoing changes according to the Law on Amending and Supplementing the Law on Museums, which was passed in 2017.

The Law on Museums is a combination of the ethical code of museums and standards of museums. This law, in general, complicates the rules with regard to the establishment of museums, does not detail the functions of museums and creates the possibility for manipulation. Starting from the first part of the Law on Museums, which is the General Order, the conditions and the way of operation of museums are noted (performing the activity, establishment, types of museums, organization, coordination, competences, supervision and other issues) (LM, s1). The museum materials and the museum items constitute the museum fund, as defined in Article 2 paragraph 3 of the Law on Museums. In the same article, paragraphs 1 and 2 provide details of what a museum material is and what is the definition of a museum object:

*(1) The museum material is an archaeological, ethnological, historical, artistic and technical object, as well as the paleontological, geological, zoological and botanical samples acquired by the museum for their research, arrangement, expert and scientific processing, study and presentation, until they (the samples) are recorded in the inventory book of the museum.*

*(2) A museum object is the museum material referred to in paragraph (1) of this Article, which due to its value, properties, contents or functions is an item of cultural, scientific, historical and natural significance, and it is recorded in the inventory book of the museum, because its use and protection is under the legal regime in accordance with the law.*

In the second chapter of the Law on Museums, the conditions for the types of museums, their establishment, and the termination of work are determined. According to Article 3, a

museum is a non-profit institution in the field of culture (LM, s 3 (1)). The purpose of a museum is to acquire, arrange, research, protect, store, publish and present museum objects (LM, s 3 (2)). The registered museums and independent museum collections, galleries and independent gallery collections, and other legal entities have the right to do museum activities (LM, s 4 (2)). It follows that observance of the manuals of museum design is not a legal requirement for a museum to function. This legal flexibility allows enacting of museums in any space and within each institution. In the Republic of North Macedonia, museums can be public (national and local) and private (LM, s 6 (1)). The act determines the type of the museum based on its foundation, where under paragraph 5 of Article 6 it is established that museums are general and specialized according to the type of the museum objects they have. A museum can begin to work if it meets the conditions for providing the primary funds, has financial resources, provides details for the museum's arrangement, including suitable premises and equipment for storing and presenting the museum's collection, as well as the right professional staff (LM, s 7 (1)). A museum can be closed if it does not meet the special conditions set out by the Law on Museums, or if the founder decides on the termination of the museum activity (LM, s 8 (1) (2)).

The third chapter of the Law on Museums specifies and publishes the policy of establishing, managing and funding local and private museums. A proposal for the creation of local museums, for their management and funding, is made by the related municipality (LM, s 10). The Republic of North Macedonia is a multi-party state, and the governing structure of each municipality is decided by the winning political party. Meanwhile, the leaders of the Ministry of Culture are elected by the governing parties. There are often clashes between the parties and institutional leaders with regard to abusing the allocation of funds to museums. For example, financial investments are often only given to museums with directors belonging to the same political party as the Minister of Culture. As such, private museums are directly subordinated to the political party which governs the Ministry of Culture. A private museum has the right to set up a domestic and foreign legal entity (LM, s 14 (1)). The museum fund of a private museum may join a foreign legal entity only with regard to museum material (LM, s 14 (2)); the same fund takes the status of a protected fund if it meets the conditions of the Law on Protection of Cultural Heritage (LM, s 14 (3)). The primary tasks of museums are as follows (LM, s 15):

*(1) To explore, collect, organize, professionally and scientifically process and study, protect, publish and present the museum materials and the museum objects;*

*(2) Through permanent exhibitions, occasional and movable exhibitions, lectures, seminars, workshops, presenting films and other forms of activity, citizens can familiarize themselves with the museum objects and the objects' educational potential with regard to the significance of the cultural heritage and the nature of the Republic of Macedonia;*

*(3) To provide conditions for the scientific and professional study of the museum objects;*

*(4) To make initiatives for the adoption of regulations and measures for the promotion of the museum activity and professional development of museum staff;*

*(5) To publish scientific and professional publications, catalogues, guides and other promotional materials;*

(6) *To keep an entry book, an inventory book, an outlet book, a library of museum objects, a catalogue of museum objects and other types of museum records and documentation, and*

(7) *To perform other activities in the field of museum activity based on the law.*

The Law on Museums provides for the formation of a “state museum” (museums that have legitimate rights to give building licenses for new museums with the same aim), to promote and coordinate the work of museums on the territory of the Republic of North Macedonia (LM, s 16(1)). In 2004 the Museum of Macedonia and the Natural-Scientific Museum of Macedonia, both in Skopje, were named as state museums (LM, s 16 (2)). Apart from the primary tasks of the institutions, national museums have to organize and coordinate cooperation among museums, to help with professional teamwork, to participate in the procedures for restitution of the movable cultural heritage managed by the Republic of North Macedonia, and to give an opinion to the Minister of Culture for fulfilling the conditions referred to in Articles 7 and 9 of this law (LM, s 17).

The activities of the museums (the fifth chapter) include: acquisition of museum materials and objects, preservation of museum objects, keeping museum records and documentation (written in the Macedonian language and an official language spoken by 20% of the citizens in the Republic of North Macedonia (Albanians, Turks, Roma)), presentations, revision and un-registration of museum objects and materials from the records (LM, s 20).

The purpose of museums for scientific research and education is clarified in Articles 23 to 30. Over history, the territory of Macedonia has been under the rule of the Dardanians, Romans, Byzantines, Bulgarians, Serbs, Ottomans, the Kingdom of Serbia, and Yugoslavia until the formation of the Republic of Macedonia in 1991 (Gazevic & Maudus 1974, p. 653). The generalization of these provisions creates space for unprofessional unilateral access to the research, documentation, and presentation of the museums’ collections. However, a disrespect for museums and their work means that they have become “curators of national Macedonian identity”. In order to improve marketing efforts, it is allowed by law to make copies of museum objects, including the production of commercial copies and reproduction of museum objects, as well as the usage of museum expenses for commercial purposes by paying for the insurance of the same objects (LM, s 26, s 27, s 28, and s 29). Neglect of the multi-faceted nature of museum objects and materials, and allowing the copying of such items, creates a risk with regard to the involvement of organized crime in cultural heritage.

The insurance of exhibits is a guarantee by the state that there will be compensation if any damage or loss occurs, and that exhibitions will be organized on the territory of the Republic of North Macedonia by public museums (LM, s 31). This is relevant for exhibitions from abroad that have a unique scientific, cultural, natural, artistic and historical value (LM, s 32 (1)). The exhibitions organized for commercial purposes do not have the right for such insurance (LM, s 32 (2)). An insurance decision, based on the sixth chapter of the Law on Museums, is adopted by the government of the Republic of North Macedonia based upon a proposal by the Ministry of Culture. In order to analyse the situation and determine measures for the promotion and long-term development of the activity of museums, the State Council for Museums was established as an advisory and expert unit under the Minister of Culture (LM, s 34, s 35, s36). The conditions for obtaining the titles of “senior curator” and “curatorial advisor”, and the method of monitoring by the Ministry of Culture, are explained in the eighth (expert report) and the ninth chapters (supervision). From the chapter about the penal provisions (chapter ten) we can understand that a legal entity is punished with a fine if it does not obey the orders written in the Law on Museums, the Law on Culture and the Law on Cultural Heritage. The assessment of the work of the existing museums is done every third year by the Ministry of Culture, in cooperation with the competent state museum, following the conditions stipulated in the eleventh chapter. Having the same legal institute (the Ministry of Culture) responsible for permitting museum establishment, controlling their function from the design, administrative, financial and developmental aspects, as well as defining their punishment in cases of disobedience, has caused a loss of value and seriousness with regard to museums in North Macedonia.

4.1 The purpose of the changes of the Law on Museums from 2008 to 2016 in the Republic of North Macedonia

The 11-year political crisis in the Republic of North Macedonia, from 2006 until 2017, resulted from the dictatorial rule of the state through both legal constraints and private institutional control by the VMRO political party, which held a parliamentary majority during this period.

The Law for the Change and Supplement of the Law on Museums (LASLM), from 2008 to 2016, resulted in a number of changes, mostly to these chapters:

- Chapter 2: Types of museums, establishment, and termination of work
- Chapter 5: The activities of museums
- Chapter 7: National Council for Museums
- Chapter 10: Punitive provisions

In July 2008 the decision was made to increase the monetary fines for criminal offenses undertaken by legal, binding, physical entities or businesses (LASLM, 2008, s 2). The same article was changed in September 2010, reducing the value of the fines set (LASLM, 2010, s 1, s 2), with August 2015 (LASLM, 2015, s 1, s 2, and s 3) seeing further changes and 90% reduction in the penalties levied. The additional Article 45a (offense body) and Article 45b (domicile) specify who leads and who decides on the sanctions for any offenses (LASLM, 2008, s 3). According to the decision made in September 2010, Article 45b was changed so that it set out a reminder for the defendant (for a criminal procedure) with a set of educational lessons (LASLM, 2010, s 45 b). The same decision set out that the competence for deciding on any misdemeanours in the field of culture shall be granted to the cultural inspector, the Ministry of Culture and the state administration in the field of culture in Articles 45b, 45d and 45g.

Chapter two is on the “Types of museums, establishment, and termination of work”, and this was changed on 13 April 2011. In Article 7, 18 paragraphs were added after the second paragraph (LASLM, 2011, s 1). The new parts say that the Minister of Culture will approve the opening of a new museum with the consent of the State Museum’s expert opinion (LASLM, 2011, s 1 (3)). If the Ministry delays its response to the approval of the museum’s opening, the applicant is also allowed to receive consent through the archives of the Ministry (LASLM, 2011, s 1 (4)), the archives of the state administration body responsible for the affairs of the area of culture (LASLM, 2011, s 1 (6)), the state central inspectorate or the state court (LASLM, 2011, s 1 (8)). Paragraphs 4 to 21

of Article 7 (LM, 2004) were not used after 29 February 2016 after the enactment of the Law on Amending and Supplementing the Law on Museums. In the fifth chapter both the titles and articles are changed, allowing the Minister of Culture to be a signatory and to decide on the type of objects, materials, and conditions for museum fund protection, records and documentation, audit and expert assessment (LASLM, 2015, s 4, s 5, s 6, s 7, and s 8). The State Council for Museums (the seventh chapter), with Articles 34 (National Council of Museums), 35 (competence of the Council) and 36 (administrative affairs of the Council), was removed from the Law on Museums on 28 May 2015 (LASLM, 2015, s 10). By easing the punishment for entities that misuse items from a museum's collection (copying them, selling them, removing them and so on), the level of protection for exhibits was reduced. These changes together with the economic crisis in the country and the political ideology that calls for the creation of a Macedonian national culture, risk the disappearance of cultural heritage that is not of Macedonian origin.

## 4.2 Simplification of museum standards in the Republic of North Macedonia

The compilation of museum standards in the Republic of North Macedonia focuses mainly on the numbers, such as the number of exhibits and employees, the surface areas and number and overall scope of spaces available.

The National Museum, General National Museum, Special Museum, General Local Museum, Specialized Local Museum and Private Museum are the six types of museums established by the standards (RSM, s 1). The National Museum has three museum collections designated as cultural heritage under the Cultural Heritage Protection Act (RSM, s 2 (1)). If the National Museum has three museum collections of paleontological, geological, zoological and botanical samples, it must have the status of natural heritage according to the Law on Nature Protection (RSM, s 2 (2)). The professional staff of the National Museum consists of three curators, three conservators, and three documentarians (RSM, s 2 (3)). The facilities of the National Museum should have the proper conditions for conducting research, arranging expert and scientific processing as well as studying, preserving, protecting, and presenting museum objects (RSM, s 3 (1)). The architectural space of the museum consists of a minimum of 30 m<sup>2</sup> for the storage depot (first depository depot, central depots for each collection and safes for precious objects), a minimum of 20 m<sup>2</sup> for conservation laboratory preparations, and a total exhibition space with a minimum of 200 m<sup>2</sup> (RSM, s 3 (2)). Appropriate premises for education, documentation, administration, sanitation, access to the museum and for people with special needs, as well as security services, are all mandatory elements of a museum's facilities (RSM, s 3). According to Article 4 of the Rulebook on the standards of museums, the National Museum must provide adequate microclimate conditions, alarms for protection against fire and theft, and the technical devices needed for exhibitions on the premises. The adequate microclimate conditions for the storage depots and exhibition spaces are a temperature of 18°C to 20°C, humidity of 50% to 60% and light of 60 lux. The General National Museum and Specialized National Museum need to meet the same criteria, although in comparison with the National Museum the number of museum collections and professional staff can be reduced (RSM, s 5, s 6).

The provisions on space and equipment are as defined in Article 3, paragraphs 1 to 3 and Article 4, shall apply to the General Local Museum, Specialized Local Museum and Private Museums. The General Local Museum needs at least two museum collecti-

ons declared as meaningful cultural heritage under the Law on Protection of Cultural Heritage, and professional staff formed by one curator, one conservator, and one documentarian (RSM, s 7). The regulations for the General Local Museum also apply to the Specialized Local Museum, although they can have only one museum collection (RSM, s 8). The Private Museums must have museum items or materials systematized in a museum collection (RSM, s 9), with one curator employed. Museum collectors carry out museum activities with various or only a specific type of museum objects (RSM, s 10 (1)). Independent museum collections are organizational units within another legal entity in which museum activities are carried out with various or a particular kind of museum objects (RSM, s 10 (2)). Galleries and independent gallery collections offer museum activities with art objects (RSM, s 10 (3)). Article 11 regulates the conditions for declaring a national museum collection, an independent museum collection, a gallery and an autonomous gallery collection; they should have at least one museum collection declared as cultural heritage under the Law on Protection of Cultural Heritage. These organizational units have one curator and one conservator and a total space of at least 50 m<sup>2</sup>. The same conditions apply to the proclamation and functioning of local museum collections, independent museum collections, galleries and personal gallery collections, either general or specialized (RSM, s 12). Local self-contained museum collections and independent gallery collections meet the status of national collections, upon the decision of the competent state body, if the collection they hold is declared cultural heritage of particular importance according to the Law on Protection of Cultural Heritage (RSM, s 13).

The museum documentation is kept on the ground floor premises with an adequate microclimate, security, and technical conditions (RSM, s 14). The museum premises are accessible to the public, through the organization of permanent and occasional exhibitions, with various thematic goals in Macedonia and abroad (RSM, s 15 (1) (2)). The museum objects can be made available to the public through ethnic-museums, eco-museums, the settings of the sites 'in situ' and archaeological parks (RSM, s 15 (3)). Museums must give at least 40 hours of weekly access to exhibitions to the public, and six hours a week they should provide public access to materials that are not on display (RSM, s 17).

The generalization of standards to all types of museum (The National Museum, General National Museum, Special Museum, General Local Museum, the Specialized Local Museum and Private Museum) has meant that there is inadequate space for accommodation, research and display of the museum's collections.

## 5. POTENTIAL BENEFITS OF IMPLEMENTATION OF "ICOM CODE OF ETHICS FOR MUSEUMS IN THE REPUBLIC OF NORTH MACEDONIA"

An essential condition for restoring trust in and the value of museums in the Republic of North Macedonia is to respect and not-discriminate against the multi-ethnic history of this state. The Law on Museums must be fundamentally based on equality and international standards. The ICOM code offers new opportunities for the integration and internationalization of museums, it cares about the value of each exhibit, the importance of the museum as a building, and for the institution itself and its purpose.

The International Council of Museums established the ICOM Code of Ethics, which presents a minimal standard of professional practice and performance for museums. Following the international acceptance of the code in 2006, they were revised

in, 2013 and 2017. The ICOM Code of Ethics from 2017 consists of eight chapters that set rules for collection, preservation, and research, as well as offering opportunities for the appreciation of museum collections; they also set out standards for the management of natural and cultural heritage, in terms of the required resources, cooperation, legal and professional functioning.

According to the first chapter of the Code of Ethics (ICOM, 2017), "Museums preserve, interpret and promote the natural and cultural inheritance of humanity"; the governing body of the museum has a constitution, status, and documents which define its legal status, mission, sustainability and non-profit nature. By publishing a mission statement, goals, policies, roles, and composition of the constituent body, the regulations governing a museum are legally established. The governing body gives the space needed, along with a suitable environment to apply the principles of architectural design to the museum and provide accessibility for people with special needs. The protection of the public and staff, along with the security of the exhibits from theft, damage and natural disasters, should be the guiding moral principles of the institution. The task of the governing body is also to create a strategy to provide financial resources from both domestic activities and capital investment funds. The institutions' directors or managers should have the professional skills, professional knowledge, work experience, and abilities needed to do their work, as well as the professionalism, morals, ethics, and respect needed to be an effective leader. The chapter "A museum that maintains collections holds them in trust for the benefit of society, and its development" lists the basic principles for the operation and written approval of the process of purchasing, caring for, collecting and using the museum funds. The collections should be accompanied by detailed information on their history, discovery, presentation, and so on. For any material that is part of a museum collection there should be enough information about the place where it should or should not be catalogued, and the conditions for storage or exhibition should be clarified. Museums must not obtain funds for use without a work permit, and must be able to show details of how biological or geological specimens have been collected, sold or transferred and if they have complied with local, national, regional and international laws for the protection of cultural items. Human remains or materials of particular spiritual importance should be taken only if the museum can respect the origin of the objects, and safely house them based on professional standards along with the interests and beliefs of the group that the objects originated from. Buying, selling, or donating items requires special attention. First, the geo-atmospheric conditions of the purchased item must be met, the full story of the item according to scientific-cultural research rules must be given, and any legislation in force for the sale of the item must be respected. Items can be accepted or sent as a gift only on behalf of the institution. Employees, directors, close associates, and family members of museum staff should not be involved in the sales process in relation to the museum collection, either directly or indirectly. The purchase of objects or samples outside the stated policy of the museum should be made only in extraordinary conditions. The ethics code for museums does not prevent the museum from being an authorized depositor for cultural objects. Removal of an object from the collection should be based on facts that support its removal. The method used for removing an item from the collection should be determined according to the policy of each museum. All information on the status of items in the collection should be secured, corrected, and detailed, used by employees and researchers (with permission), and left to future generations in the best condition possible. The responsibility for this process falls on the authorized person. The

museum management body should pay particular attention to political developments with regard to the collection and protection of items during armed conflicts, natural or human disasters. According to Articles 2.24 and 2.25 (ICOM, 2017):

*The museum should carefully monitor the condition of collections to determine when an object or specimen may require conservation-restoration work and the services of a qualified conservator-restorer. The main goal should be the stabilization of the object or specimen. All conservation procedures should be documented and as reversible as possible, and all alterations should be clearly distinguishable from the original object or specimen.*

*A museum that maintains living animals should assume full responsibility for their health and well-being. It should prepare and implement a safety code for the protection of its personnel and visitors, as well as of the animals, which has been approved by an expert in the veterinary field. Any genetic modification should be clearly identifiable.*

According to the third chapter of the ICOM (2017) Code of Ethics, the leading body has the responsibility for the care of, access to, and interpretation of the primary evidence that is collected and kept in their collections. The museums have exclusive responsibility for the unfettered access to relevant collection information, based on the academic standards and the applicability of national and international law and treaty obligations. In the absence of a framework or to establish a more professional approach to the collection, museums should collaborate with academic, research institutions or relevant other institutions with the adequate profile and objectivity. Fieldwork should only be undertaken with respect and consideration for the views of the local communities, their environmental resources, and cultural practices, as well as efforts to keep the cultural and natural heritage. The museum's duty to develop its educational role and attract a broad audience from local communities is laid out in the chapter of ICOM (2017) "Museums for the appreciation, understanding, and management of the natural and cultural heritage" and in the section "Museums work in close collaboration with the communities from which their collections originate as well as those they serve". Collaboration with communities and the promotion of their heritage is a part of the museums' educational role. The use of certain items, human remains, and sensitive materials should comply with the museum standards, taking into account the interests and beliefs of the community members, ethnic or religious groups from which the objects originate. The information disclosed about these exhibits should be the result of honest and transparent research by individuals from appropriate academic, social, or religious disciplines. The reliability of the information presented in an exhibition expresses the seriousness of the museum as an institute, and the use of materials of dubious origin or any lack of data on the source of an object are not tolerated, as such things contribute to the illicit trafficking of cultural property. Museums must respect the original identity of an item when making copies of an object, and the copies must be identified as such. The character of exhibits that have strong links to national, regional, local, ethnic, religious or political identities must be accepted by the museum's policies, which is bound to be general in this situation. The exchange of knowledge, documentation, and information about museum collections with relevant academic, cultural and religious institutions should be part of the museum's development strategy to protect the cultural values of minorities. In this regard, in order to promote the preservation of the cultural values of minorities the inter-institutional cooperation that occurs among national or international museums should be rea-

dy to engage in dialogue on the return of cultural property to its country or people of origin, respecting all legal, institutional and international rules for the exchange of cultural property. Creating a favourable environment for community support, and contributing to the promotion of harmonious relationships that promote human well-being, social development, institutional, transnational, and multi-lingual respect, requires human dignity, and if not carefully done can easily change an entire culture.

According to the principles of chapter five from the ICOM (2017) Code of Ethics:

*Museums utilize a wide variety of specialisms, skills and physical resources that have a far broader application than in the museum. This may lead to shared resources or the provision of services as an extension of the museum's activities. These should be organized in such a way that they do not compromise the museum's stated mission.*

The monetary valuation or museum identification service should not be used in such a way as to be regarded as benefiting from such activity in a related or indirect means. All such museum services must be in full compliance with international, national, regional, local legislations. The last chapter of the ICOM Code for Ethics outlines a professional approach to museum operation. Museum employees, in addition to knowing and adhering to the standards, laws, and conventions that are in force, must also bear moral and ethical responsibility for the dissemination, preservation, and use of information about the museum's activities and collections. Data can be used to tell the public about the purpose and aspirations of the museum profession in order to develop a better understanding of the museum's contribution to society, always based on the related regulations. It is also the responsibility of employees to work both directly and indirectly against the trafficking and illegal possession of natural and cultural property. According to Article 8.18 (ICOM, 2017):

*In any conflict of interest develops between an individual and the museum, the interests of the museum should prevail.*

## 6. CONCLUSION

In a multi-ethnic state, documenting, displaying and presenting objects only in relation to a Macedonian identity, whether by a museum worker or academic research institution, and without the incorporation of researchers or academic-cultural institutions of Albanians, Turks, Vlachs and so on, or without representatives of religious groups such as Muslims, Christians, and Eastern Orthodox, cannot be accepted. Due to the actions of recent years, museums in the Republic of North Macedonia have no social credibility. While the law and standards on museums within the Republic of North Macedonia do not require museums to incorporate multiculturalism into their research and display of their collections, museums in the Republic of North Macedonia will always act as headquarters for the creation of a Macedonian national identity. Considering the delicate situation of North Macedonia with regard to the acceptance of the multi-ethnic character of the state, the Law on Museums should be elaborated as a development strategy including the following three phases:

1. Strategic planning
2. Museum master planning
3. Architectural and exhibition master planning

For this reason, we suggest that the development of museums be based on the ICOM Code of Ethics (2017).

In these, the primary aims are the democratization of museums as an institution, universal integration, respect for cultural heritages, respect for the principles of collection presentation, and moral and ethical leadership. Working towards transparency, free access, responsibility for the museum itself as an institution, and respect for national and international laws and codes, all help gain public trust and integrate professional qualifications with the aim of social sustainability. To restore trust, value, and the primary principles of museums, the Republic of North Macedonia should:

- Denationalize and depoliticize museum institutes;
- Democratize museums as institutions;
- Accept the ICOM Code of Ethics as a primary code, and then adapt the entire law and standards of museums in the Republic of North Macedonia, as needed;
- Oblige museums in North Macedonia to draft documentation and operating conditions based on the ICOM Code of Ethics;
- Reorganize and reallocate cultural funds based on multicultural research expertise;
- Support the main social-sustainability principle, forcing museums to work for the improvement of inter-ethnic relations; and
- Respect the principles of museum architecture and environmental design.

The next research step is to uncover these relevant practices and to demonstrate the potential of their translation into a different socio-cultural context. Thus the problem of an artificially created architectural identity, that literally reflects the degradation of museums in the Republic of North Macedonia, will be addressed.

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