

The Inventory and the Protection of the Heritage in France

by

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It was during the Revolution, in what seems at first sight to be a paradox but was in fact a very logical step, that the earliest signs of a national awareness of an historical and artistic heritage to be protected in France became manifest. By the Decree of 24th October 1793, the Convention, aiming to preserve “treasures of art, of history and of education”, set up a *Commission des Monuments* with a two-fold task, their preservation and the compilation of an inventory.¹ One can rightly see in this, the application of ideas directly inherited from the Lumières; the wave of depredations, that at this period accompanied the expropriation of the possessions of both the clergy and political exiles and the systematic destruction of royal insignia, would naturally not be alien to this sudden attack of conscience.

This grand idea, like so many others, was quickly swept away in the turbulence of the day, and the *Commission des Monuments*, renamed the *Commission temporaire des arts*, was swiftly reduced to powerlessness before disappearing in 1795.²

The question of heritage was not totally forgotten during the Empire and the Restoration,³ but it was not given any serious consideration until the July Monarchy. Influenced by the Romantic movement and the revival of interest in medieval art,⁴ Guizot, the *Ministre de l'Instruction publique* and a distinguished historian, signed in 1830 an important report about the necessity of compiling a heritage inventory and of ensuring preservation. For this double task he created the post of *Inspecteur général des Monuments historiques*, who was to “travel in succession round all the départements in France [and] to ascertain for himself on the spot the monument’s historical importance and artistic merit ... so that no building of incontestable merit should perish through ignorance or hasty action”. For “the drawing up of lists of buildings in order of their importance”, the Inspector benefited from the co-operation of departmental *Préfets* who were assisted by learned societies then in

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full expansion. The first *Inspecteur*, Ludovic Vitet, nominated on November 29th 1830, was replaced in 1834 by the writer Prosper Mérimée. Eventually, in order to supervise listing and the decisions to be made on restoration, a *Comité des arts et des monuments*, the forebear of the *Commission supérieure des Monuments historiques*, was created on 18th December 1837. The most notable of its seven members were the *Inspecteur général* and the two architects in charge of work commissioned by the State.⁵ These architects were rapidly to acquire a very important influence in the Commission, in particular the young Eugène Viollet-le-Duc whose theories on restoration were, for better or for worse, to reign for nearly half a century over the policy of restoration in France.

The deep involvement of architects in the policy of preservation, that was manifest from the middle of the nineteenth century, was translated at the beginning of the following century into the creation of the *corps des architectes en chef des Monuments historiques*,⁶ with the consequence that greater preference was given to spectacular restorations than to rescue operations.⁷ Traces of this tendency are still apparent to this day, despite periodically renewed declarations of intent to the contrary.⁸ Another consequence of the importance given to the restoration of a type of historic buildings elite was that the inventory was given only minor consideration.

The idea of an inventory, that had been associated with the concept of heritage from the time of its institution, had its true origins in the lists drawn up from as early as the eighteenth century by the provincial Academies. It is specifically referred to in the 1792 Instruction “on the ways of compiling an inventory and the methods of preservation of all artefacts which could serve the arts, the sciences and education throughout the whole of the Republic”. It is mentioned again in Montalivet’s circular of 1810, in Guizot’s report of 1830 and in the text of the constitution of the *Comité des arts* of 1837 which proposed to establish “a list of monuments classified by order of importance ... depending on the time of their foundation, the character of their architecture, [and] the historical associations that they bring”.

However, faced by the extreme situation caused by the critical state of the heritage that had been placed in peril by half a century of political and social upheavals, the accomplishment of an *inventaire général* soon seemed like a Utopian dream, and in 1858 the *Inventaire* was separated from the *Commission des monuments*. Entrusted to the *Comité des Travaux historiques*, the *Inventaire* was transformed into a *Répertoire archéologique des départements* (1859), but this came to naught as did the short-lived *Inventaire général des richesses d’art de la France*, launched immediately after the 1870 war. Indeed, the most important operations were conducted on a departmental or regional level under the influence of the very active antiquarian societies.⁹

As for the *Comité des Monuments*, it devoted its energies more pragmatically to the overseeing of shorter lists; 880 historic monuments in 1840, 1534 in 1862, 1702 in 1900. Thus the concept of heritage remained specific to large buildings—medieval or Renaissance for preference—whose preservation was guaranteed to a certain extent by the State. It was the law of March 1887 which gave to *Monument historique*

its special meaning and its official status: the only works to be *classés*, that is to say protected from destruction, were those “whose conservation would be in the national interest from the historical or artistic point of view”, which implies a strict qualitative limitation. As all *classement* of a private property was only possible with the owner’s consent, protection remained in principle a contractual measure, the counterpart of the grants accorded by the State. The law of 1887, which gave to a certain degree an official status to the administrative practice for buildings, introduced a completely new element for another category of heritage. The status of historic monument, up to that period restricted to buildings, was from then onwards extended to moveable objects “belonging to the State, the Départements, the Communes and to Public and Church institutions, that presented, from the historical or artistic point of view, a national interest”. Equal status (or nearly equal as the law does not apply to privately owned moveable objects) was thus accorded in the French legislation to artefacts and buildings. This specific qualification, which explains the particular importance given in France to the public heritage of artefacts, was taken up again in the great fundamental law of 31st December 1913 and continues to the present day.

THE LAW OF 1913 AND ITS RAMIFICATIONS

It was an event quite outside the concern for the conservation of the heritage—the divorce declared on 9th December 1905 between the French Republic and the Catholic hierarchy—that prompted the most profound development of the policy of protection. The Law of 1905 on the separation of Church and State had, in effect, extensive consequences on a heritage composed very largely of parish churches and their artistic contents. These were suddenly left to the care of often impecunious Communes who came to see, in the protection of historic treasures, a substitute for the subsidies that a short time previously had been granted by the *Administration des Cultes*. So, from the year 1906 onwards, a radical change may be noted in the number of annual requests for protection arriving from municipalities or from private individuals; the *classements* rose from about twenty per year up to 1905 to more than two hundred in the following years.¹⁰ As the lists lengthened, the consistently high standard of listed treasures, that had up to then been maintained, naturally was upset; a phenomenon that was intensified by the legislation of 1913.

The law of 31st December 1913, which still regulates historic monuments despite numerous amendments in the detail, owes its exceptional longevity to the flexibility of its conception.

Its first originality and its strength, with reference to the law of 1887, was to link the historic monument with the idea of ‘public interest’, which in principle released the State from a close contractual connection and gave it the power to impose on the private owner, as on the public, the constraint of *classement*. This constraint, in addition to forbidding demolitions, made it obligatory, in the case of restoration, to call in an architect designated by the authorities together with the right of financial participation from the State for the work and a reduction in taxes.

The second originality related to the object being listed—the building or

artefact—that was defined in very broad terms as work “whose preservation is in the public interest from the historical or artistic point of view”. The discarding of the idea of 1887 of a ‘national’ interest opened up a much wider field of application for the law since Parliament handed the power of specifying the historical and artistic criteria of the ‘public interest’, to the government, in effect to the Minister in charge of protection. In order to avoid the high-handedness that could arise from such an arrangement, the law made detailed regulations over and above the ruling, an unwieldy procedure which presupposes in each case consultation with the owner, obtaining the opinion of the *Commission supérieure des Monuments historiques* and, in the case of a refusal by the owner, getting the opinion of the *Conseil d’Etat*.

As Paul Léon wrote as early as 1917, the many requests for *classement* made by private owners were, from the beginning, the cause of a certain disparity:

whatever conscientiousness was brought by the *Commission des Monuments historiques* to the examination of innumerable applications that have been presented over nine years [from 1905], the absence of any guiding principle has decidedly complicated its task. The carrying out of its investigations was limited not only to art treasures that had an exemplary value, but attention was paid also to edifices of lesser importance, the majority of which nevertheless possessed a degree of interest. Instead of being the result of regular investigations conducted by the technical services, proposals often emanated from municipal corporations, tourist associations and societies of antiquarians, archaeologists and art connoisseurs. The list records an abundance of buildings of mediocre interest and, at the same time, the absence of any buildings of importance.¹¹

This unequal state of affairs was not relieved by the law of 23rd July 1927 which established a grading of two levels of protection. Added to the *classement* was a supplementary list of *monuments inscrits* for the buildings (private or public) and artefacts (public), “which, without warranting a request for immediate *classement* were of sufficient historical and artistic interest to render preservation desirable”. The term ‘preservation’ (rather than ‘conservation’) implies that, for this type of heritage of ‘sufficient interest’ (and not of ‘public interest’), the Administration was granted a simple ‘droit de regard’, for which the owner’s consent was not required; otherwise it had no authority over the owner’s rights, in spite of state-aided grants and tax deductions.

This measure, which demonstrated a recognition of a lesser heritage which was also in need of conservation, had, for the sake of its own interests, to avoid the rule of all or nothing and had radically to enlarge the protectable corpus. In this respect, the law fully played its part and from the point of view of quantity protection was extended progressively over a far greater part of the heritage associated with art historical treasures: today nearly 40,000 buildings are protected, two thirds of which are *inscrits*.¹²

In the mind of its creators, the grading at two levels had a further objective of re-establishing a qualitative distinction in the corpus of the protected heritage. But here, because of the intentional lack of precision in the texts (‘public interest’ on one side, ‘sufficient interest’ on the other) and because of the disparate character of the proposals emanating to a large degree from the owners, the law did not work

in favour of clarification. *Inscription* was in fact applied to two quite different things: not only to works of secondary interest to which the texts directly refer, but also to major treasures for which the authorities, having not received the owner's agreement and judging that the work was not under immediate threat, preferred to take the step of *inscription* rather than having recourse to the weightier procedure of official *classement*. Inversely, the urgency of a costly restoration caused works of secondary interest to be *classé* on account of the existence of more important grants intended for listed monuments. From whence comes the remark made by Dussaule in 1974:

the final outcome ... is curious. A panoramic view of the range of historic monuments gives in fact an impression of diversity that has little to satisfy the mind. So much so that at certain periods, when historic buildings were fewer in number, the authorities looked to re-establish a certain rationalisation of the lists of *classements* and *inscriptions*. A new revision of the lists is to be desired, but it is proving very difficult at this moment. ... Indeed the authorities themselves continue to define their role in the light of numerous criteria, certain of which moreover, are due to passing circumstances (threats of destruction or transformations). As the causes of this heterogeneity were not removed, the effects rapidly reappeared.¹³

Dussaule thought that the regionalisation of protection would have a beneficial effect. Today however, after ten years of experience in this domain, it can be said that if the decentralisation of responsibility for *inscription* to the regions has contributed very effectively to enlarging the range of protected buildings, the desired rationalisation has indeed not been followed up, neither between *classement* and *inscription*, nor, which is more serious, between protection and its absence. Still today, major edifices and representatives of categories on their way to disappearing are escaping all surveillance.¹⁴ Decentralization has even, on occasions, had the opposite effect, certain regional *Préfets* being little inclined to grant protection without the agreement of the private owner (even in the case of an *inscription* where this agreement is not required).

THE CREATION OF THE *INVENTAIRE* AND THE BROADENING OF THE IDEA OF *PATRIMOINE*

The creation of the *Inventaire général* in 1964 is another factor that could have brought more clarity to the understanding of the heritage.

Established at a time when even the idea of the heritage was being completely renewed in France under the influence of several brilliant members of the universities, the *Inventaire général* was charged "to survey, to study and to make known" the entire heritage of historic buildings and artefacts of the country" (Fig. 1). This huge enterprise started from grand enough foundations during the wave of *gaullien* enthusiasm in the 1960s, but the measures, without being negligible, have never come up to the ambitions of the founders, André Malraux, Julien Cain and André Chastel, with the result that it took twenty years to introduce a *Service d'Inventaire* in each of the twenty-two administrative regions.¹⁵ After thirty years of existence, the *Inventaire* covers less than 20% of the nation's territory. The formula for the survey, that was too cumbersome at the beginning, has become more realistic, but the fundamental inadequacy between the means put at the disposition of the service

**Notre mission :
recenser, étudier, faire connaître.**

L'Inventaire général se présente comme la plus vaste entreprise d'information fondamentale jamais réalisée dans le domaine artistique français. Dès l'origine, il s'est appliqué à restituer aux habitants des terroirs ou des zones urbaines étudiées, le savoir accumulé; aussi bien au travers de ses publications qu'à l'occasion de centaines d'expositions. Du monde rural à l'architecture industrielle, il est le révélateur de l'identité culturelle de chaque région et permet d'en apprécier toute la diversité, qu'il s'agisse des bâtiments, des objets d'art ou d'artisanat, des œuvres uniques ou en série, ou encore des machines et des équipements industriels. Notre mission est de procéder, loin de tout jugement de valeur, à un recensement systématique, à une sélection raisonnée et à une étude des monuments et des objets, en lesquels se révèle le "génie" d'une nation. Depuis vingt-cinq ans, en liaison étroite avec les collectivités locales, nous exerçons ainsi avec rigueur et passion notre métier de généralistes du Patrimoine.

CET HOMME A PARCOURU 15 000 KM DE MOULIN EN MOULIN.
IL EN A FAIT L'INVENTAIRE.



TOUT, TOUT, TOUT SUR LE PATRIMOINE

Fig. 1

Tout, Tout, Tout Sur Le Patrimoine —
publicity material produced by the *Inventaire général*

and the scale of the task to be accomplished at a time when even the idea of 'heritage' is expanding at a giddy pace, does not allow much hope for a rapid achievement of the enterprise. Nevertheless the *Inventaire* undeniably represents a dynamic force through its accumulation of the most important collection of documents existing today on the French heritage, with 2,000,000 photographs and with more than 250,000 items registered in two databases.¹⁶ Its contribution towards the recognition of heritage in the broadest sense of the word—rural and urban, twentieth century and industrial—is incontestable, as is its role in the diffusion of knowledge to a wide public by means of its important collection of publications.¹⁷

The 'heritage' which was listed in the *Inventaire* and the 'heritage' which was protected by the *Monuments historiques* were developed quite independently for far too long, and today serious disagreements are apparent. No doubt this is due essentially to the financial pressures, which the addition of the most vernacular categories of heritage and the grants that they involve, would represent for the State, and also to a lesser degree to the cumbersome administrative procedures. Whence comes the idea, evoked a few years ago, of a third type of protection—the supervision of minor works. Certain parochial rivalries are also involved, and the organising, by the *Inventaire*, as would be logical, of campaigns on measures of protection are still too rare, although a change of attitude is beginning to emerge.

It is a fact that neither of the two services, each since 1984 possessing twenty-two regional branches,¹⁸ has a fully comprehensive view, either synthetic or hierarchical, concerning heritage matters; the one too often treating works one by one depending on the request, the other forced by the demands of research to take the limited view of district by district. A global vision would be indispensable for a more rational treatment of protection. It would be desirable if the *Direction du Patrimoine*, which has under its wing the *Inventaire*, the *Monuments historiques* and the *Archéologie*, could develop a bolder policy in this direction and bring together in each region those involved in research in all three services around one common aim. Failing this, the centrifugal forces which, as a result of decentralization, are beginning to appear, run the risk of becoming more accentuated.

THE 'SURROUNDINGS' AND THE 'ENSEMBLES'

French legislation took into account very early the idea of the 'ensemble' of the historic building.

Since 1913, the law has accorded a certain importance to the immediate surroundings of a historic monument, and as a result some of the buildings, though presenting no special interest in themselves, are seen as "necessary for isolating, detaching or improving the setting" of a historic building, so have become liable for *classement*. It appears obvious in practice that the main preoccupation is in fact not to protect the historic surroundings but rather, negating context, to remove, in the pure tradition of the nineteenth century, the 'warts' from the work of art. However the fundamental decision taken in this regard by the law of 23rd February 1943 was quite different: it included in the *classement* and *inscription* of an historic building, all "structures, bare or built, situated within [its] field of vision", that is

“in a perimeter not exceeding 500 metres”. In other words, protection was in fact extended to cover all constructions surrounding the building, to which no important modification could be made without consulting the authorities. This drastic measure, too drastic to please the municipalities concerned with the urban environment,¹⁹ encounters numerous difficulties in its application because of the continual pressures imposed on the people responsible for it. Nevertheless it remains a powerful tool to safeguard the surroundings of historic buildings, when the State agrees to make use of it.

A quite different item is the protection afforded to *sites*, which, since the 1930 law, benefit from measures of *classement* and *inscription* just like the buildings themselves. These arrangements, which largely affect the natural environment, are outside the scope of this discussion. On the other hand, *secteurs sauvegardés*, that can be classed as architectural features, were created by the law of 4th August 1962, by which the urban layouts of ancient centres of big towns were analysed and wholly protected. ‘Plans de sauvegarde et de mise en valeur’ established in this connection define, building by building, the degree of protection to be applied, the restoration of buildings being within the remit of the civil service architects who were originally attached to the *Ministère de la Culture*. The reallocation of these civil servants to the *Ministère de l’Équipement* from 1978 has however not helped towards a consistent management of urban localities.

A number of strengths and weaknesses are revealed in the above outline. One strength is the ambitious legislation and cultural policies which the old centralised system has allowed to be applied fairly equally over the whole of France; a second strength is the qualified conservation personnel maintaining relatively close relations with research.²⁰ On the other hand a weakness can be seen in the unwieldy procedures and the wide dispersal of administrative power, which has resulted notably in too narrow a vision when protection is requested. Recognition of the situation by the general public is another weakness, evident in particular in associated and at times unregulated activity. This is not helped by the general attitude of suspicion found not only among the local councillors, but also, less comprehensibly, within the administration which could surely find in these private defenders of heritage, a considerable support for its operations.

But to be precise, restoration is today the most pressing aspect of heritage conservation. Although it falls outside the scope of this analysis, it is essential in conclusion to raise the subject. Despite the Venice Charter, the doctrine of restoration, as some recent articles have courageously exposed,²¹ seems for some time to have been heading towards a Viollet-le-Duc revival. Several related factors have contributed to the development of this alarming tendency. Among these can be cited in no particular order: the defects of a fundamental architectural education that does not favour the development of a genuine sensibility for historic heritage and the built environment; the influence of the current post modern trend which predisposes towards playing games with the ancient heritage; the lack of dialogue between architects and historians especially in the process of administrative decision-making; and finally the perverse effects of a belated and hastily made

decentralisation which gave the power of decision-making and the financial means to the area authorities without providing the indispensable intellectual infrastructure. It remains to be hoped that the stirring of opinion in favour of our heritage, that can be observed today, will be converted into a deeper sensitivity to the archaeological value of historic buildings and will allow the present state of affairs to be remedied.

NOTES AND REFERENCES

- * Translation by Mary Whiteley. I express here my warm gratitude to my judicious translator.
1. Rucker, F., *Les origines de la conservation des monuments historiques (1790-1830)* (Paris, 1913).
 2. One must point out nevertheless several rescues, that were timely and important: the cathedrals of Chartres and Amiens, the château of Chantilly, the basilica of Saint Denis, the church of Saint Maclou at Rouen, etc., see Tuetey, L., *Procès verbaux de la Commission des Monuments, 1790-1794* (Paris, 1902).
 3. Léon, P., *Les Monuments historiques. Conservation, restauration* (Paris, 1917). The Convention's programme for an inventory was taken up again in 1810 by the minister Montalivet, accompanied by a circular written by Alexandre de Laborde.
 4. This is illustrated by the success encountered from 1826 onwards by the publication of *Voyages romantiques pittoresques* by Taylor, Cailleurs & Nodier (20 vols, and 4000 engraved plates).
 5. Léon, P., *op. cit.*: from 1831 funds were associated with protection: 80,000 F. in 1831, 120,000 in 1833, 200,000 in 1838.
 6. Dussaule, P., *La loi et le service des Monuments historiques français*, ii (Paris, 1974), 13. The *corps des Architectes en chef des Monuments historiques* was created by the Decrees of 29th April 1907 and 19th March 1913.
 7. *Ibid.*
 8. As Dussaule remarked in 1974 (p.62): "sans vouloir en faire une règle absolue, on peut avancer que lorsque le service des Monuments historiques est sous l'influence des archéologues, il y a recrudescence de classements. Lorsque le service subit l'influence des architectes, on assiste à un fléchissement des protections" ("Without wishing to make an absolute rule, one could put forward the view that when the Service des Monuments historiques is under the influence of art historians, there is renewed activity in listing. When the Service comes under the influence of architects there is a falling off in the number of protections".)
 9. *L'Inventaire général des monuments et des richesses artistiques de la France* (Paris, 1969), 11. The most important publications were *Statistique monumentale du Calvados* (5 vols., 1847-1862), *Répertoire archéologique de l'Anjou*, *Statistique monumentale du Cher*.
 10. Léon, P., *op. cit.*: 167 historic monuments in 1906, 283 in 1907, 236 in 1908, 199 in 1909, 274 in 1910.
 11. *Ibid.*
 12. Figures on 1st January 1993: around 39,000 buildings (*classés* and *inscrits*) and 90,000 artefacts (*classés*). The number of artefacts (*inscrits*) is estimated at 150,000.
 13. Dussaule *op. cit.*, p.62.
 14. Since 1984 (Decree of 15th November), the measures of *inscription* have been decentralised to regional *Préfets*, following the opinion held by COREPHAE (commission régionales du patrimoine historique, archéologique et ethnologique).
 15. The last *Services régionaux d'Inventaire* (Corse, Champagne-Ardenne and Picardie) were created in 1982 and 1983.
 16. Base MERIMEE (architecture): 117,000, of which 39,000 are buildings (*classés* and *inscrits*). Base PALISSY (objets mobiliers): 165,000, of which 90,000 are artefacts (*classés*).
 17. More than 350 works published up to date in 6 main collections: Principes d'analyse, Répertoires des Inventaires, Cahiers du Patrimoine, Images du Patrimoine, Itinéraires du Patrimoine,

Documents et méthodes.

18. The Services régionaux de l'Inventaire and the Conservations régionales des Monuments historiques, brought together in 22 Directions régionales des Affaires culturelles (DRAC).
19. Architectes des Bâtiments de France, civil servants dispersed round 95 departments (Services départementaux de l'architecture).
20. Sections of the two services, which are chosen by competitive examination and which benefit, as do their colleagues in the Musées and the Archives, from the status of Conservateurs du patrimoine, have been formed for several years into a specialised establishment, l'Ecole nationale du Patrimoine.
21. One article in particular can be quoted: Lecoq, A-M., "Le patrimoine dénaturé", in *Revue de l'art*, 101, 1993, 41-51, who, starting with a particularly symptomatic instance, has analysed the causes of the phenomenon.