

## Present and Future of Cultural Heritage Policies in Central America

### 中米諸国における文化遺産政策の現状と今後

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#### 1. Introduction

In the contemporary global society, regionalization is becoming an increasingly important managing and trade tool, and cultural heritage is no exception to this tendency. Transnational heritage properties and transnational intangible heritage have become the middle ground between global and national heritage.

The region of Central America is an important passageway with rich and diverse cultural heritage. This heritage tells the story of many important events for mankind, from the pre-Columbian history, going over the colonization of Latin America, until current relevant topics such as the migration to the U.S. that resulted out of civil conflicts.

However, like many developing countries, Central America faces serious gaps in its cultural heritage policies. As changes and threats continue growing quickly, regional strategies can help develop and safeguard these important assets. Latin American cultural policies have been explored by scholars such as Harvey<sup>1</sup> and García Canclini,<sup>2</sup> and through its periodic reporting exercise in Latin America and the Caribbean, the United Nations Organization for Education, Science and Culture (UNESCO) has provided valuable data on the implementation of the World Heritage Convention.<sup>3</sup> However, this information is extremely limited, generalized, and lacks analysis. Furthermore, it addresses Latin America as a whole, while Central America can be regarded as a region with its own characteristics.

The need to have an in-depth understanding of the conditions and reasons for shortcomings in Central American cultural heritage policies has to be addressed, to provide realistic long-term, regional strategies.

For my research, I aimed at filling this gap by analyzing the development and the mechanisms of cultural heritage policies in Central American countries from a regional perspective, in order to provide new and useful information on these issues.

#### 2. Methodology, Structure, and Delimitations

Qualitative research with the case study approach was found to be the most suitable and effective methodology for this research topic.

Chapter 1 of the dissertation contains the introduction, the basic characteristics of the research, and some theoretical considerations. Chapter 2 addresses the regional context, chapters 3-8 are case studies for each individual country, and chapter 9 is a comparative analysis of the selected countries. Conclusions and recommendations are addressed in chapter 10.

For practicality, only the 6 officially Spanish-speaking countries located between Mexico and Colombia are addressed: Guatemala, El Salvador, Honduras, Nicaragua, Costa Rica and Panama. The main timeframe used in chapters 3-8 dates from the republican period (after the independence) until today. The work focuses on constitutions and laws directly regarding tangible heritage (movable and immovable), intangible heritage, and museums. When deemed necessary, more general instruments such as general cultural policies, penal codes, education laws, and so forth are addressed.

This summary will only refer to the regional context, the comparative analysis, the comparison parameters, and general conclusions and proposals

#### 3. Regional Context

Central America is composed of seven countries in the continent and its surrounding islands. Archeologists divide the area at the time of the conquest roughly into two regions: the *Mesoamerican* region and the *Isthmo-Colombian Area*. During the Spanish colonial times, all the countries from Guatemala to Costa Rica were administered as the Captaincy General of Guatemala, while Panama was part of the Viceroyalty of Peru and later New Granada.

After independence from Spain, the Captaincy fragmented into independent republics, and later Panama separated and became independent as well. In the following years, civil

turmoil plagued Central America through dictatorships and military governments. These were followed by long civil wars that were fought in Guatemala (1960-1996), El Salvador (1980-1992), and Nicaragua (1960-1990). Although most of the heavy civil conflicts ended in the 1990s, they still have great influence in the development of Central America and consequently in its cultural heritage policies.



Figure 1: Central America

In the global context, Central American countries are part of several multilateral organizations. SICA, the Central American Integration System, is the strongest regional network. These countries are also part of wider networks such as the ACS, CELAC, ECLAC, and naturally the United Nations and its adjacent organizations. Strong US influence is exerted through the Organization of American States, and Spanish influence through Ibero-American organizations, most notably SEGIB and the OEI.

#### 4. Comparative Analysis

##### (1) Organization

All Central American countries have one or more institutions that handle culture and cultural heritage, but only Guatemala and Costa Rica have a ministry of culture. The other countries have specialized, lower cultural organizations: a secretary, an institute or an executive section.

As Table 1 shows, the years of establishment and number of staff in the cultural institutions vary greatly. It is important to note that these numbers do not represent “better” or “worse” conditions. For example, the low amount of staff in the Nicaraguan Institute of Culture is owed to decentralization strategies that delegate heritage functions to the municipalities and local communities. From my analysis of these institutions, I observed three special characteristics:

(i) Guatemala, El Salvador, Honduras, and Nicaragua’s cultural institutions were created for political reasons.

This is due to the civil wars and revolutions, which created opportunities to use culture to express or oppose ideologies. The cultural institutions of these countries keep these political roles.

(ii) As Central America is a region where diverse groups of people coexist, important events such as the Guatemalan civil war are strongly related to the clash of ethnicities. Guatemala, El Salvador, and Nicaragua have been especially active in trying to assign a social role to their cultural sector. In terms of heritage, social inclusion shifted the focus from tangible heritage protection to intangible and popular heritage.

Table 1: main cultural organizations in Central America

1. COUNTRY	2. MAIN ORGANIZATION	3. YEAR	4. STAFF AMOUNT
<b>GUATEMALA</b>	Ministry of Culture and Sports of Guatemala	1986	3524 (2015)*
<b>EL SALVADOR</b>	Secretary of Culture	2009	1209 (2016)**
<b>HONDURAS</b>	Executive Section for Culture and Arts, Honduran Institute of Anthropology and History	2014, 1952	DECAD: 314 (2017), IHAH: 121 (2017)***
<b>NICARAGUA</b>	Nicaraguan Institute of Culture	1989	363 (2015)****
<b>COSTA RICA</b>	Ministry of Culture and Youth of Costa Rica	1971	622 (2015)*****
<b>PANAMA</b>	National Culture Institute	1974	987 (2017)*****

\*calculated from payrolls of the transparency portal, <http://mcd.gob.gt>; \*\*[http://publica.gobiernoabierto.gob.sv/institution\\_organizational\\_structures/7581](http://publica.gobiernoabierto.gob.sv/institution_organizational_structures/7581); \*\*\*<http://portalunico.iaip.gob.hn/portal/index.php?portal=417> (DECAD), <http://portalunico.iaip.gob.hn/portal/index.php?portal=410> (IHAH); \*\*\*\*permanent positions, [http://legislacion.asamblea.gob.ni/Iniciativas/20148391/CD1PF/INC\\_PEPUA.pdf](http://legislacion.asamblea.gob.ni/Iniciativas/20148391/CD1PF/INC_PEPUA.pdf); \*\*\*\*\* <https://www.contraloria.gob.pa/assets/informe-planilla-del-sector-público--abril--2017.pdf>

(iii) El Salvador and Costa Rica delegated important heritage functions to the national museums. In both countries, the lack of monumental sites and the early importance of museums explain this phenomenon.

(2) Budget

Table 2 shows the budgets for the cultural institutions, for heritage, and the proportion of the budget for culture to the general expense budget of each country.

Because data is from different years and was calculated in different ways, the numbers are only meant as a guideline, but they provide useful information.

Column 2 shows that budgets are very different in each country, ranging from 3 to 84 million dollars. Again, more money does not mean better conditions, as national prices, decentralization, and performance must be considered.

As column 3 shows, Guatemala and Panama spend a large part of their culture budget in heritage.

In general, a 1% has been regarded as the minimum for cultural expenditure in documents such as the Valparaiso Declaration of 2007 and the 2014 Declaration of the

Ibero-American Conference of Culture. Central American countries have not reached this minimum, as column 4 shows. Honduras and Nicaragua are especially far from this target.

(3) Programs

On heritage programs, my analysis led me to the following 5 conclusions:

(i) Specific pre-Columbian sites and colonial cities centralize heritage programs, such as restoration and communication projects. The historical importance and appeal for tourism of these type of sites explain this centralization.

(ii) Heritage programs that were implemented uniformly in the region had different outcomes. This was the case of the “Houses of Culture”, pushed by UNESCO in the 1970s, and the “Culture Information Systems”, launched in the 2000s with Spanish aid.

(iii) Throughout the region, numerous programs supported civic participation, transferring government resources to individuals and private organizations, connecting civilians with their heritage.

Table 2: spending in culture and cultural heritage in Central America

1. COUNTRY	2. BUDGET FOR CULTURE	3. BUDGET FOR HERITAGE	4. % OF THE GENERAL EXPENSE BUDGET
<b>GUATEMALA (2013, MCD MINUS THE BUDGET FOR SPORTS)*</b>	28,564,800 USD (221,006,585 GTQ )	12,437,100 USD or 99717109 GTQ	0.33
<b>EL SALVADOR (2014-2015, SECULTURA)**</b>	18,476,024 USD	80,990 USD (2013)	0.383
<b>HONDURAS (2017, GCC, IHAH, AND DECAD)***</b>	9,540,270 USD 224,482,464 HNL	-	0.172
<b>NICARAGUA (2017, INC)****</b>	3,163,190 USD (96,309,729 NIO)	492,659 USD (15,000,000 NIO)	0.120
<b>COSTA RICA (2017, MCJ)*****</b>	84,206,900 USD (49,325,883,904 CRC)	18,599,900 USD 10,895,292,000 CRC	0.552
<b>PANAMA (2016, INAC)*****</b>	41,379,000 USD	1,681,900 USD and 18,729,000 for investments	0.206
* MCD, <a href="http://mcd.gob.gt/coordinacion-de-presupuesto/">http://mcd.gob.gt/coordinacion-de-presupuesto/</a> , Finances Ministry: <a href="http://www.min.n.gob.gt/index.php/presupuestos-aprobados">http://www.min.n.gob.gt/index.php/presupuestos-aprobados</a> **SECULTURA, <a href="http://publica.gobiernoabierto.gob.sv/instituciones/presidencia-de-la-republica/information_standards/mecanismos-de-participacion-ciudadana-y-rendicion-de-cuentas">http://publica.gobiernoabierto.gob.sv/instituciones/presidencia-de-la-republica/information_standards/mecanismos-de-participacion-ciudadana-y-rendicion-de-cuentas</a> ***Finances Secretary, <a href="http://www.se.n.gob.hn/?page_id=349">http://www.se.n.gob.hn/?page_id=349</a> **** <a href="http://www.hacienda.gob.ni/documentos/presupuesto/presupuesto-gral.-de-la-republica">http://www.hacienda.gob.ni/documentos/presupuesto/presupuesto-gral.-de-la-republica</a> ***** <a href="http://www.hacienda.go.cr/contenido/424-leyes-de-presupuestos">http://www.hacienda.go.cr/contenido/424-leyes-de-presupuestos</a> *****MEF, <a href="http://www.mef.gob.pa/es/direcciones/presupuestonacion/paginas/presupuestos.aspx">http://www.mef.gob.pa/es/direcciones/presupuestonacion/paginas/presupuestos.aspx</a> Exchange rates calculated with the rates from December 31 or July 1 for 2017, OANDA, <a href="https://www.oanda.com/currency/converter/">https://www.oanda.com/currency/converter/</a>			

(iv) Not all Central American countries are following the international trend of developing intangible heritage programs.

(v) With the establishment of peace in the 1990s, tourism has been growing exponentially, so that cultural heritage programs have adopted the role of attracting foreign visitors.

#### (4) Legislation

##### (i) Development

Throughout its development, two types of heritage shaped modern cultural heritage policies in Central America:

-archaeological, or pre-Columbian, because of the necessity of protecting it from looters and explorers, and -colonial, what the Spanish made, because of the symbolic connection that it maintained with Spain, the church, and the civilized, “European” world.

One of the earliest heritage protection laws dates back to 1845, and aimed at protecting Copán, in Honduras, from looters. Heritage laws usually were for specific buildings and sites, but museums also had an important role, as they legitimized the new republics and helped create an official national identity.

Heritage laws were site-specific and scattered, but the “cultural constitutionalism” of the 1930s spread throughout the region and more general, encompassing laws started to appear, sometimes supported by dictators, sometimes by social reforms.

Mexico and Spain were great influences for these policies, as was the presence of foreign archaeologists.

With the internationalization of heritage, Central American institutions saw a “golden age” in the 1970s and 1980, sometimes starting in the 1960s. This is true for

all countries except El Salvador, which developed its institutions until after the civil war ended.

The end of the civil wars and dictatorships led to a re-emergence of heritage in the 1990s and 2000s.

##### (ii) Constitutions

All countries make mention of cultural heritage protection in their current constitutions. Guatemala was the earliest in the region to do so, possibly because it adopted Spain’s 1931 constitutional articles which call for the protection of cultural heritage.

Notably, Guatemala calls for the special protection of three specific sites *because* they are World Heritage Sites, showing the importance that World Heritage can have in the region.

##### (iii) Heritage Laws

As Table 3 shows, all countries of the region address heritage with one general law, except for Costa Rica, which has three. Most of them were drafted in the 1980s and 1990s. and were amended in later years. Because they are relatively contemporary, they reflect recent heritage concepts.

In the six countries, cultural heritage belongs to the state by law, but ownership is granted. The laws also share a mandatory registry, in which all owners must inscribe their cultural assets. The region is a bridge susceptible to illicit trade, which may have inspired these strict precautionary measures.

Intangible heritage is addressed in Guatemala, El Salvador, and Honduras directly in the law. Concrete decentralization measures are only provided in Guatemala and Nicaragua. Strong influence of multilateral conventions was observed

Table 3: main heritage laws in Central America

1. COUNTRY	2. NAME	3. YEAR	4. REGULATIONS
GUATEMALA	Law for the Protection of the Cultural Heritage of the Nation	1997 (amended in 1998)	No
EL SALVADOR	Special Protection Law for the Cultural Heritage of El Salvador	1993	Yes (1996)
HONDURAS	Law for the Protection of the Cultural Heritage of the Nation	1984 (amended in 1997)	No
NICARAGUA	Law for the Protection of the Cultural Heritage of the Nation	1979 (amended in 1982)	No
COSTA RICA	Law 7 and Law 6703 (archeologic heritage), Law 7555 for the Historic-Architectonic Heritage of Costa Rica	1938, 1981, 1995	For the Law 7555 (2005, amended in 2007)
PANAMA	Measures on the Custody, Conservation, and Management of the Historical Heritage of the Nation	1982 (amended in 2003)	No

in all, but less so in Panama.

While all countries provide sanctions, only Guatemala, El Salvador, and Costa Rica provide specific incentives for citizens to participate in heritage protection.

### 5. Comparison Parameters and Sub-Regional Characteristics

Because cultural heritage policies are inherently complex, and the region presented great diversity in its characteristics, comparison parameters were established to locate each country within these parameters and make comparisons easier. The following four parameters were established:

(1) “Politization”, meaning the use of cultural heritage for political purposes or the special vulnerability of the cultural sector to political changes. It was especially strong in the four northern countries.

(2) Social inclusion and intangible heritage development, which were closely related and especially strong in Guatemala and Nicaragua.

(3) Centralization of immovable heritage, which was observed in two forms. Guatemala, Honduras, Nicaragua, and Panama centralized specific immovable sites. El Salvador and Costa Rica centralized their heritage in museums.

(4) Stability and increased spending, which were pronounced in Nicaragua, Costa Rica, and Panama.

Based on these parameters, the region was divided into three sub-regions, shown in Figure 2. The first group shares “politization,” instability, social roles for heritage, stricter protection laws, inclusion of intangible heritage, and a stronger influence from organizations such as UNESCO. Costa Rica stands alone because of its divided heritage legislation, its unique legislative development, and its neutral cultural heritage policies.

Meanwhile, Panama also stands alone because its heritage protection law addresses research, and international cooperation, strong infrastructure development, and relative independence.

These divisions partly match geopolitical divisions of the past. Group 1 is related to the *Mesoamerican* region, in which the Mayans left monumental pyramids and sites, which accounted for many development factors such as the

arrival of archaeologists, centralization, and tourism.

The division between Costa Rica and Panama can be explained by the colonial past, as Panama developed differently because of its later independence and its closeness to South America.



Figure 2: common characteristics of the sub-regions

Placing sub-regional differences apart, the following three common and characteristic challenges of the region were identified:

(1) Securing Autonomy for the cultural sector: gaining autonomy is one of the biggest and most important challenges because weakness to external influence harms long-term planning, cooperation, and management

(2) Going beyond pre-Columbian and colonial heritage: while the concept of heritage is still very much tied to pre-Columbian and Colonial expressions, the evidence of more recent events -notably civil wars and massacres- that are closer to the people is being lost.

(3) Establishing cultural heritage policies that respond to the national realities: international pressure and cooperation have helped develop cultural heritage policies, but they have also standardized legislation to a point that it sometimes does not relate to the national realities. In relation to this, projects must be assessed on whether they will actually help meet national goals or they will overload the cultural sector.

### 6. General Conclusions

The following five general conclusions were drawn:

(1) Central America is a highly diverse and complex region. Many common characteristics are owed to the Spanish colonization, but great differences also exist, so that “one size fits all” strategies should be avoided.

(2) the region can be divided into the three groups shown in Figure 2. These divisions can be traced back to past cultures and limits. Sub-regional programs can be developed taking these divisions into account.

(3) there is a strong presence of pre-Columbian and colonial heritage, which dominates the concept that Central Americans have of their culture. Fostering research and civic participation can help widen the concept of cultural heritage in Central America.

(4) in recent years, rapid political changes, the establishment of peace, and the rise from poor to middle-income countries brought about new opportunities and new challenges to the region. Because of the constant changes in the higher levels of administration, mid-level administrative staff should be targeted for cooperation projects.

(5) despite great differences, all countries share a basic legal framework for heritage protection. Main differences are rather perceived in the levels of consolidation in each country than in the legislation itself. A priority system should be created for the long-term based on a needs assessment, since a basic framework for heritage protection is already laid out. Priorities should match the actual assets found in each country and the interests of the people.

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