Sergiu Musteaţă, *Protecţia patrimoniului arheologic. Studiu comparativ: Legislaţia Republicii Moldova şi Statelor Unite ale Americii (Preservation of the Archaeological Heritage. Comparative Study: The Legal Framework in the Republic of Moldova and the United States of America),*
Chişinău, Editura Pontos, 2008, 215 pp.

Whereas Sergiu Musteaţă's *The Population of the Territory Between Rivers Prut and Nistru in the Eighth and Ninth Centuries* (2005) was a conventional synthesis of published archaeological research, this book represents a step change by dealing with heritage rather than culture history *per se*. Musteaţă sets out in considerable detail the legal framework relating to preservation of the archaeological heritage in the Republic of Moldova, together with the European and global conventions to which the Republic is party, and then reviews the legislative framework in the USA as a comparator with the Moldovan situation.

A survey of US heritage legislation might seem to be an inappropriate companion for the nascent, unsatisfactory legal framework in the Republic of Moldova, but Musteaţă's study is the result of a Fulbright Scholarship held during the Spring Semester of 2007 at the University of Maryland and forms part of a joint project with the Center for Heritage Resource Studies there. This collaboration has presented Musteaţă with an opportunity to expose the failings in the Republic's laws, and in their enforcement, by holding up the example of the mature, "viable" framework in the USA as one to which Moldovan legislators should aspire.

Like its predecessor, the book is published under the auspices of The National Association of Young Historians of Moldova and the "Ion Creanga" State Pedagogical University in Chişinău. Although the book is written in Romanian, a 30-page English summary and English-language table of contents mean that the central themes are readily accessible to an English speaker and the work can be navigated with ease.

At one level, the book serves as a commentary on the range of national laws and international agreements that pertain to archaeological investigations and the protection of archaeological monuments in Moldova. In this respect, it is a reference work, for in addition to citing legislation in detail, Musteaţă also publishes several laws and conventions as annexes. The extensive bibliography focuses on cultural heritage issues in Southeastern Europe but also directs the reader to online sources for heritage matters in the USA.

More broadly, this is a book that seeks to answer questions about the nature of heritage and the purpose of heritage protection measures, in particular within the transition societies of Central and Eastern Europe that are developing as capitalist democracies in the post-Communist era. While the USA provides the exemplar against which to judge the progress of Moldova's lawmakers in this field – or rather, their lack of progress – Musteaţă is well aware of developments in Western Europe too, citing a management programme in arable zones put together by the Oxford Archaeological Unit, Oxford University, the Council of British Archaeology and Department for Environment, Food and Rural Affairs.

Moldova is an exceptionally poor country in European terms and it is inevitable that the funding of archaeological research, and the protection of sites, monuments and portable antiquities, has been a low priority for a succession of post-Soviet governments in the Republic. Musteaţă and his colleagues work in a very challenging political environment and there is a hard-nosed realism to his assessment of Moldova's needs regarding reform of the legal system and the maintenance of the rule of law. The book includes the author's own proposals for new laws, on the protection of archaeological heritage and the addition of sanctions to the criminal code, to back up heritage legislation with punishments that might deter organized lawbreakers (Annexes D and E).

This contribution from a legal perspective is complemented by philosophical appeals to the common good. Musteaţă sees heritage as a means of building civil society. In Moldova – a nation which has struggled to forge an identity that is both independent of historic Russian overlordship and free from the ethnic and linguistic ties which the majority of the population

share with Romania to the west of the River Prut – concepts of a civil society are framed in the language of ethnogenesis:

The active participation of citizens must be integrated into the state policy for the protection of the national heritage; such participation becomes essential each time when we speak about the heritage of an autochthonous population... The protection of heritage is not just a moral obligation of every human being, but it is also a public and collective responsibility. (118)

The founding principles of the United States are also referenced, having clearly made an impact on the author. The dust jacket bears a photograph of the tomb of the unknown soldier of the American Revolution in Washington Square, Philadelphia, with its legend "Freedom is a light for which many men have died in darkness" (ironically, the tomb is a relatively recent feature, raised in the 1950s, and the legend was coined by a local copywriter rather than by George Washington).

Musteață does a good job of describing the American system, which is complicated because of the different types of jurisdiction – federal, state, tribal, local. He matter-of-factly recognises Native American tribal jurisdiction, which is almost always omitted from American archaeology textbooks. It is important to note that Musteață is selective in the elements that Moldova could profitably borrow from the USA (allowing for a rather dry humour in his description of Moldova's legislative requirements):

Elaboration of a long-term coherent national strategy which would include the protection of cultural and historical heritage on the whole and of the archaeological in particular among national priorities. National strategy should comprise the formation of:

1. an adequate legal system
2. a viable and efficient infrastructure
3. some lasting programs on protection, research, preservation, evaluation, etc. (112)

He does not use the term stakeholders, which is admittedly jargon, but usefully implies that a number of persons and institutions have interests at stake in a cultural heritage resource. Overall, Musteață sees the legal package in the cultural context: planning, education, etc.

All cultural heritage management systems rest on deep-rooted cultural ideas, opinions, and approaches embedded in national systems of practice, which have their own individual histories. Although there have been attempts to standardise the management of monuments, for instance in the European Union, each nation has its own ideas and its own historical trajectory. This is quite evident in the volume edited by Bozóki-Ernyey (2007), covering Belgium, the Czech Republic, England, Estonia, Finland, France, Greece, Hungary, Iceland, Ireland, Italy, Luxembourg, Poland, Romania, Slovenia, and Spain. This volume serves as an interesting comparison with Sergiu Musteață's book: while Moldova may have much to learn from systems in mature jurisdictions around the world, the Republic's laws and practices will develop in response to local needs.

Reference:

Bozóki-Ernyey, Katalin (ed.), *European Preventive Archaeology; Papers of the EPAC* [European Preventive Archaeology Project] *Meeting, 2004, Vilnius*, Budapest, National Office of Cultural Heritage, Hungary and the Council of Europe, 2007, also available on the Council of Europe web page at [http://www.coe.int/t/dg4/cultureheritage/Source/Conventions/Heritage/EPreventiveArchwebversion.pdf] [Accessed 25 February 2009]

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