





# INTRODUCTION

Research framework

1.



Figure 1\_1 #RhodesMustFall [image online] available at: <http://static.seattletimes.com/wp-content/uploads/2015/12/5a921d74-ab67-11e5-ab38-b885439e01fd-1560x1025.jpg> access on: 2016-10-10

Recent social and political movements, beginning with #RhodesMustFall and the following numerous #MustFall campaigns, have shone the light on deep lying sentiments. It is believed that these sentiments have been covered by the multi-coloured paint of the rainbow-nation discourse and yet old tensions seem to flare up. The tensions range from historic privilege to disinheritance from current discourse, to racial discrimination and a perceived threat to identity.

So it is clear that the reconciliation and nation building process that started in 1994 is far from finished and thus, as a pivotal element to this discourse, a renewed look at our approach to heritage is warranted. Looking back on the process started in

1994, Bakker & Muller (2010:48) describe it as an 'iconoclastic reaction'. Artwork and statues were removed from public places and street names were replaced with new African names as a sign of the new political discourse and inclusion of the larger population. Herwitz (2011:238) goes on in describing this reaction as a reconceptualisation in a process of redress.

Sites and memorials that could not be removed were kept as records of past transgressions, while being set in dialogue with newly-created sites of inclusion. This can clearly be seen at the Ncome-Blood River heritage site and the relationship between the Voortrekker Monument and Freedom Park, to only name a few examples.

But deeper than political and ideological conflict over heritage, is an inherited conflict in cultural understanding of heritage representation and value.

Marschall (2012:192) describes this dissonance in the following manner. In western society, heritage and memory are closely linked to physical markers. Thus the value of the heritage is measured against the level of preservation of that fabric. In African culture there is no precedent for physical heritage markers. Instead the African tradition relies on ritual, narrative and performance to transfer memory from one generation to another. Although wide-scale westernisation is undeniable, Marschall (2012:192) argues that the value of this western heritage approach has not been instilled in the westernised generations.

Although the discourse dealt with above is focused on memorials, it is my firm belief that the political, ideological and cultural discord can also be traced back to the engagement with heritage buildings in general. This condition, although in a unique form in South Africa, is a general occurrence in many other parts of the world that is in a post-colonial state, and thus further study is needed.

Following this observation a theoretical basis for engaging heritage theory was found in dissonant heritage, a term coined

by Tunbridge & Ashworth (1996:6). Their approach is best defined by the following quote:

*'the present selects an inheritance from an imagined past for current use and decides what should be passed on to an imagined future.'*

Clearly illustrated is their approach that heritage doesn't come into existence spontaneously, but is instead a product at the end of a meticulous and well-crafted process. Thus all heritage is value laden with messages invented by their creators, in a process that inevitably leads to disinheritance of others (Tunbridge & Ashworth 1997:21). Dissonant heritage theory is a general approach to heritage and covers subjects from memorials to archaeological artefacts and tourism, and thus a more focused translation to architecture is necessary.

The vehicle for this dissertation, to be used both in applied heritage approaches and design responses, will be the Pretoria Magistrate's Court. The court, constructed in 1941 on the corner of Pretorius and



Figure 1\_2 Pretoria Magistrates Court on fire [image online] available at: <http://cdn.24.co.za/files/Cms/General/d/932/811dcb33930343dabf4fdae01f2c11c1.jpg> access on: 2016-10-22



Figure 1\_3 Old court and new addition.

Shubart Streets, served its intended purpose until it burned down in 2010 (News24 2010; IOL 2010). Currently a renovation project is underway to restore it to its previous form and function.

Since the extension of the court towards the south, the function of the Pretoria Magistrate's Court is that of a civil court, with the criminal courts housed in the new extension. Thus the function of the civil magistrate's court will be reintroduced through the endeavour of this dissertation. This inevitably qualifies the Department of Justice and Constitutional Development as a client, but to meet developmental challenges, the incorporation of a private stakeholder is considered. Functioning as a court, the overarching theme of discordance and conflict will be continued, not only in intangible value of the built

fabric, but also in human engagement in the spaces.

The aim of this dissertation will be the investigation into the inherent discordance in our heritage engagement. Firstly, this dissertation will look at the dissonance inherent in the judicial system and the spaces that developed around it. Secondly, the inherent dissonance of the Pretoria Magistrate's Court as well as its classical nature will be investigated.

This dissertation will attempt to apply and test the theory of dissonant heritage against architectural and judicial heritage. It is the opinion of this dissertation that imbedded heritage values and messages are almost inseparable from memorials or relics, while architectural design allows the selective draining of the inherited heritage value from buildings and instil new messages and meaning to them. The argument of this dissertation is that the current engagement strategies are inadequate and contributing to conflict in our post-colonial society, leading to the degradation of our heritage environment.

## GENERAL ISSUE

The post-colonial condition resulted in a multi-layered heritage landscape, with many feeling disinherited from the national discourse, while others feel threatened by removal from that discourse. As Tunbridge and Ashworth (1996:21) state:

*'All heritage is someone's heritage and therefore logically not someone else's:...'*

The recent debate around heritage objects and decolonised education is its extreme manifestation, but it is the opinion of this study that we as society can change our heritage approach and therefore arbitrate and mitigate the inherent dissonance.

## URBAN ISSUE

The neo-liberal development patterns of our cities robbed us from public spaces, while our heritage approach has caused the underutilisation of our heritage buildings, leading to their neglect. The continual development sprawl towards the east, together with this, has drained the city of energy and development capital. This leaves the inner city as the forgotten birthplace of the city and the western part of Pretoria fragmented and underdeveloped.

Our cities have also developed without any relationship between public buildings and public spaces. Thus the opportunity arose to redefine the purpose of public spaces as democratic spaces that contribute to the urban condition and compliment the surrounding buildings.

By implementing these principles we can restore developmental balance and redirect development towards the west.

## ARCHITECTURAL ISSUE

The development of judicial spaces, which took place in a European context, had a clear dissonant heritage component. During this development the spatial relationship between the judiciary and the public has changed greatly. This study will therefore attempt to identify the dissonant elements in legal spaces and to address them by mitigating intervention.

Furthermore, this study will investigate the classicistic nature of the Pretoria Magistrate Court, its purpose, and the part it plays in the dissonant nature of the building and the perception of the legal system. Through intervention, it will be attempted to mitigate or undermine the dissonant elements and by doing so give the building new contemporary meaning.

## RESEARCH QUESTION

Can architecture be used to address the conflict, which is inherently present in all heritage buildings and their spaces, by mitigating its effects?

Can intervention in heritage buildings be used to extract negative meaning and to re-instil new contemporary and relevant meaning?

What is the spatial relationship between the public and the judiciary and can we create an alternative model?

### **LIMITATIONS**

There are considerable limitations on access to the Pretoria Magistrate's Court due to biological hazard and fire damage. There is also a limitation of access to information on the court building because of security concerns. Thus several assumptions had to be made regarding the nature of the spaces and the layout of the court, as well as the structural and material composition of the court.

These assumptions were made on the basis of visual access to the exterior of the building, aerial photographs of before and after the fire, as well as information found in the national archives and other historical sources.

### **ASSUMPTIONS**

Based on the above mentioned, this study makes the following assumptions:

The layout and spatial arrangement of the court could not be confirmed by official plans and therefore the internal layout had to be determined by aerial photos and written records.

In the same way, the structural nature of the building and material use had to be deduced from buildings from the similar time period.

The last assumption is that the legal system would rely on new technologies and procedure as discussed in this study.

### **DELIMITATIONS**

Because of the size of the existing building, the design interventions will be suggested broadly and the technical resolutions only focused on the new structural editions.

Parking will be accommodated in the surrounding buildings which have existing capacity, and new capacity will be developed across from the site, north of Pretorius Street. The focus of the program revolves around the courtroom itself and the spatial interaction between the public and the judiciary.

Before the fire the function of the court was divided between civil cases in the old building and criminal cases in the new extension. This design will aim to restore the division and thus this study will focus on civil cases alone.



RESEARCH METHODOLOGY

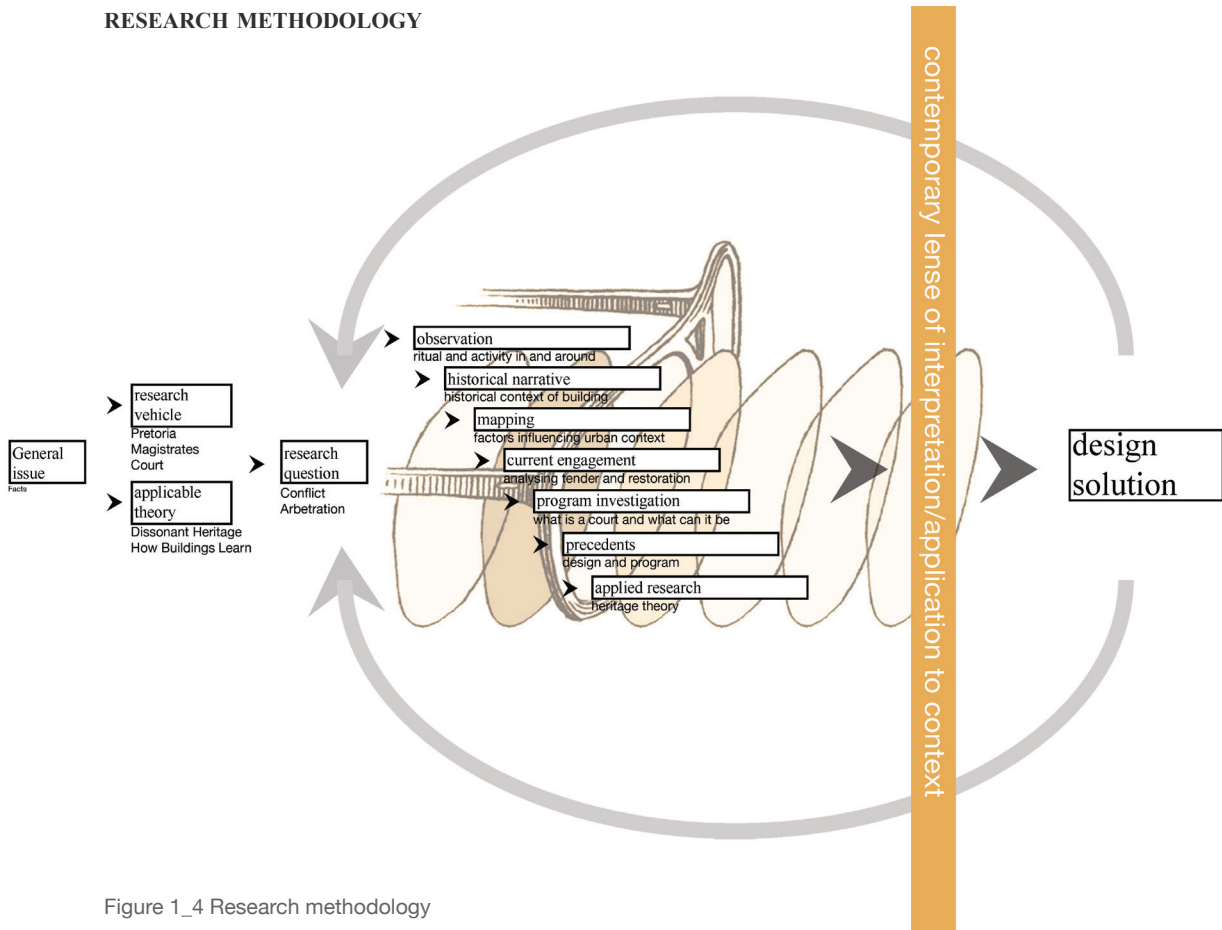


Figure 1\_4 Research methodology