

CHAPTER THREE: INTERNATIONAL CONSERVATION POLICIES

3.1 Sub-problem two - How are international conservation policies concerned with cultural landscapes?

International legal instruments seldom deal with cultural landscapes as a separate concept, but usually divide the address into two main fields. The first deals with the definition of cultural landscapes or heritage and the second deals with the procedures regarding protection, ownership, or management of cultural heritage and/or cultural property. In an attempt to gain the knowledge from these countries, their legal instruments regarding heritage and cultural issues are reviewed in this chapter. To further understand the theory of heritage conservation, the guidelines, procedures, and workings of international organisations and charters are also reviewed.

The focus of the international literature review is to identify potential strengths in the legislation that can be implemented in support of those instruments, methods, policies, or regulations currently lacking in the administrative systems that deal with the South African laws on heritage and conservation.

3.1.1 International Legislation

A comprehensive assessment of the international conservation policies is included in **Appendix Nine**. The selection of countries to include in the review were based on:

- a. geographical location, i.e. available information from African countries are included,
- b. complexity and completeness of current policy, i.e. countries with a long history of developing cultural policy or
- c. those with comprehensive cultural policies.

The policies are informative as to the terminology used and in those aspects covered under the policies that are found in South African policies on cultural landscapes. The most important and informative aspects are listed in Item 3.2 of this chapter.

3.1.2 International guidelines, procedures, and workings of five countries.

In the past decade international heritage agencies have recognised cultural landscapes within their various cultural resource management programs. The countries of Canada, United States of America, Australia and New Zealand have been especially active in implementation of guidelines and management strategies and have published their efforts

related to the topic. In addition, the State of the Environment report for Finland⁸⁶ provides specific criteria for cultural heritage. These are also reviewed. Apart from the definitions of heritage, cultural landscapes and numerous other related aspects of culture, the systematics that the international communities use to manage their heritage resources are well documented by the active countries. In this section of the chapter, these will be reviewed so as to identify aspects that could inform the South African systematics for cultural landscapes.

3.1.2.1 Canada

Parks Canada deals with cultural landscapes on a national scale. Individual provinces follow the national model and make changes to address specific in the province. Parks Canada splits biophysical (biophysical) from cultural heritage and defines cultural landscapes as:⁸⁷

Any geographical area that has been modified, influenced, or given special cultural meaning by people.

Cultural landscapes have been included in the National Historic Sites System Plan. Designated national historic sites include three types of cultural landscapes:⁸⁸

- a. *parcs and gardens as designed landscapes,*
- b. *urban and rural historic districts as evolved landscapes, and*
- c. *associative cultural landscapes related to the history of Aboriginal peoples.*

Most provinces have developed an approach to cultural landscapes, but both the provinces and the territories have generally used an archaeological rather than a cultural landscape approach to the commemoration of cultural heritage. The documentation prepared for evaluation is thus called a *commemorative integrity statement*.

3.1.2.2 United States of America

The USA has no fewer than eleven Acts and Regulations that address the management and protection of cultural landscapes. **Appendix Ten.** A review of these acts and regulations revealed four documents that specifically address conservation methods, policies or systematics. Relevant topic under each are discussed below. It is clear from these reviews that the USA have in the past predominantly addressed colonial heritage. Through recent legislation - 1978 and 1990, the Native American heritage is now legally recognised. **Appendix Ten.** The documents that were reviewed focus on aspects such as identification, treatment, management and responsibility towards cultural landscapes.

⁸⁶ www.vyh.fi/eng/environ/state/state.htm 5/13/02 5:47:57 PM

⁸⁷ <http://parkscanada.pch.gc.ca/aborig/HSMBC>. 5/25/01 7:09:23 PM

⁸⁸ Canadian Heritage. 1995

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a. **United States of America - National Register Bulletin 38**

In the National Register Bulletin 38⁸⁹, Parker and King (1990) identify steps for determining Traditional Cultural Properties (TCP) eligibility. They suggest the following three steps:

- i. *To begin with, one must ensure that the entity under consideration is a property. While tangible resources are qualified for inclusion on the National Register, intangible resources are significant only to the degree that can be shown to conflate with inscription practices on the land. In addition, the idea of property implies ownership to which various interest groups are demonstrating superior claim. As Euro-American ideas of ownership are usually based on exclusivity, the idea of places as areas to which multiple groups may experience shared or diverse attachments is ignored. Likewise, the designation of places as properties results in the idea of fixed boundaries that may or may not reflect changing conditions.*
- ii. *Further, the integrity of the property must be evaluated. Applicants must demonstrate two forms of integrity: Integrity of Relationship and Integrity of Condition. Establishing the integrity of relationship between a property and the beliefs or practices of American Indians involves proving that continuous relationships between places and people have endured over time. To prove integrity of condition one must demonstrate that the site has maintained its cultural significance. A site that has been physically altered in its location, setting, design, or materials may be disqualified from consideration. It is interesting to note that both assessments of integrity are based on scales of assessment that cannot be quantified. However, while intangible resources are disqualified from nomination to the National Register intangible methods of assessment are fully sanctioned.*
- iii. *The third step of evaluation involves assessing the merits of a place in terms of four National Register criteria. These include:*
 - *Association with events that have made a significant contribution to the broad patterns of our history,*
 - *Association with the lives of persons significant to our past,*
 - *History of yielding, or potential to yield,*
 - *Information important in prehistory or history.*

Carroll⁹⁰ criticises these methods in saying that:

The centrality of Euro-American philosophic and historic perspectives underscores

⁸⁹ Carroll. 2001

⁹⁰ Carroll. 2001 p 1-11

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these criteria. Moreover, the idea, of a singular history and a singular past feeds into the philosophical notion of a homogenous nation untempered by conflict or variation.

Carroll further says that:

Protection of traditional cultural properties is done in the service of "the NATION" first and "the tribes" second

b. United States of America - The Bureau of Land Management⁹¹

The Bureau of Land Management (BML) Manual 8111 defines and describes the requirements for four levels of intensity for cultural resource inventories. These are:

i. Reconnaissance Survey

A reconnaissance survey is a field survey that is less systematic, less intensive, or otherwise does not fully meet inventory standards. These surveys may be used in previously unsurveyed areas for developing recommendations for further inventory or for checking the conclusions from other inventories or predictive models.

ii. Class I Inventory:

A professional study of existing data that includes a compilation, analysis, and interpretation of all available archaeological, historic, and paleo-environmental data. Investigators doing a Class I Inventory use all relevant data sources except extensive field work to gather new data.

The goal of a Class I inventory is to describe human history in relation to environmental changes, or cultural processes, in the area affected by the action and its immediate environs. The inventory report also defines significant research questions and data needs for the area under investigation.

All previously recorded cultural resources must be identified and listed in the inventory report. The data relating to significant properties will be discussed in the narrative and summarised in tabular form as follows: Site No., Legal Description, Ownership, Site Type or Function, Cultural Affiliation(s) or Historical Context(s), Chronology, Site Significance or Evaluation Criteria. Similar information should be listed for properties recognised by State Historic Sites Inventory, the National American Engineering Record, and Historic American Buildings Survey.

⁹¹ Carroll. 2001. p. 12

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iii. *Class II Inventory:*

A professionally conducted statistical sample survey designed to characterise the probable density, diversity, and distribution of cultural resources in the potential area of effect. While normally appropriate in planning and predictive modelling, a Class II Inventory may be used where a lesser degree of coverage than called for by Class III standards may be acceptable. Such cases include, but are not limited to, areas:

- *of very rough or otherwise inhospitable terrain;*
- *which have been previously inventoried;*
- *characterised by sufficient surface disturbance, so as to, preclude locating cultural resources;*
- *where a degree of site prediction is possible; and*
- *extensive actions with temporary or minimal effects where costs, time schedules, or availability of personnel render any other course impractical;*

iv. *Class III Inventory:*

A professionally conducted continuous intensive survey of the entire area of potential effect. The goal of a Class III Inventory is to locate and record all cultural resources having exposed indications in the potential area of effect. To be considered a Class III Inventory, the inventory must:

- *thoroughly cover the area of potential effect on foot, with a series of close interval parallel transects;*
- *have a maximum interval between transects of 30 meters;*
- *have the surface of the area of potential effect available for visual inspection (i.e., snow cover or other surface obscuring materials do not exceed 30% of open ground);*
- *include a data review/records search, relocation and evaluation of previously recorded properties, complete and accurate site records for all new properties, updated site records on all previously recorded properties and a report acceptable to the BLM.*

c. **USA National Park Service - Cultural Landscapes**

Although the word culture is frequently mentioned in most legislation dealing with historical or archaeological heritage, it is the USA National Park Service that has provided the most comprehensive guidelines regarding the topic. The key management guideline of the US National Park Service, Cultural Resource Management Guideline NPS 28⁹² states that a cultural landscape is:

⁹² NPS Management Policies. Chapter 5: 2001

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a geographic area, including both cultural and biophysical resources and the wildlife or domestic animals therein, associated with a historic event, activity, or person or exhibiting other cultural or aesthetic values.

It identifies four types of cultural landscapes:

- i. historic designed landscapes,
- ii. historic vernacular landscapes,
- iii. historic sites, and
- iv. ethnographic landscapes, describing the latter as:
*a landscape containing a variety of biophysical and cultural resources that associated people define as heritage resources*⁹³

The Director of National Park Service Conservation Study Institute⁹⁴, has noted in her examination of the identification, evaluation, and management of cultural landscapes in the United States that the most important quality of cultural landscapes is their unifying perspective. She comments⁹⁵ that they link all the resources - cultural and biophysical - together in a place. Typically, these resources as they now exist are the direct expression of biophysical and cultural processes. She is of the opinion that traditional livelihoods in certain areas maintain significant biological systems, including ecological communities as well as vegetation features. In this way biophysical resources thus become part of the historic fabric of the cultural landscape. Vegetation may thus be considered a living cultural resource, part of the site's material culture, reflecting historical changes of land use and traditional management regimes.

The National Park Service (NPS) recognises the cultural landscapes as distinct traditional cultural properties, and states that:⁹⁶

their association with cultural practices or beliefs of a living community that are rooted in that community's history and are important in maintaining the continuing, cultural identity of the community. A location associated with the traditional beliefs of a Native American group about its origins, its cultural history, or the nature of the world, or a location where Native American religious practitioners have historically gone, and are known or thought to go today, to perform ceremonial activities in accordance with traditional cultural rules of practice are examples of such properties.

⁹³ Birnbaum. 1994.

⁹⁴ <http://www.cr.nps.gov/>. 5/25/01 7:23:18 PM

⁹⁵ <http://www.cr.nps.gov/>. 5/25/01 7:23:18 PM

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The term **culture** is understood by the National park Service⁹⁷ to mean:

the traditions, beliefs, practices, lifeways, arts, crafts, and social institutions of any community, be it an Indian tribe, a local ethnic group, or the people of the nation as a whole

Biotic cultural resources⁹⁸ are discussed as that:

which include plant and animal communities associated with the significance of a cultural landscape.

In the same chapter⁹⁹ it is stated that these:

will be duly considered in treatment and management. The cultural resource and natural resource components of the park's resource management plan will jointly identify acceptable plans for the management and treatment of biotic cultural resources. The treatment and management of biotic cultural resources will anticipate and plan for the natural and human- induced processes of change. The degree to which change contributes to or compromises the historic character of a cultural landscape, and the way in which natural cycles influence the ecological processes within a landscape, will both be understood before any major treatment is undertaken. Treatment and management of a cultural landscape will establish acceptable parameters for change, and manage the biotic resources within those parameters.

Regarding treatment, the USA National Parks Service¹⁰⁰ states that:

Treatment decisions will be based on a cultural landscape's historical significance over time, existing conditions, and use. Treatment decisions will consider both the natural and built characteristics and features of a landscape, the dynamics inherent in natural processes and continued use, and the concerns of traditionally associated peoples.

and

the treatment implemented will be based on sound preservation practices to enable long- term preservation of a resource's historic features, qualities, and materials.

⁹⁶ Fish and Wildlife Management 052(new): 1992.

⁹⁷ Fish and Wildlife Management 052(new): 1992.

⁹⁸ National Park Service Management Policies. 2001 Chapter 5.

⁹⁹ National Park Service Management Policies. 2001 Chapter 5.

¹⁰⁰ National Park Service Management Policies. 2001 Chapter 5.

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The policy document¹⁰¹ lists three types of treatment for extant cultural landscapes: preservation, rehabilitation, and restoration. It states further that:

- i. *A cultural landscape will be preserved in its present condition if:*
 - *That condition allows for satisfactory protection, maintenance, use, and interpretation; or*
 - *Another treatment is warranted but cannot be accomplished until some future time.*
- ii. *A cultural landscape may be rehabilitated for contemporary use if:*
 - *It cannot adequately serve an appropriate use in its present condition; and*
 - *Rehabilitation will retain its essential features, and will not alter its integrity and character or conflict with approved park management objectives.*
- iii. *A cultural landscape may be restored to an earlier appearance if:*
 - *All changes after the proposed restoration period have been professionally evaluated, and the significance of those changes has been fully considered;*
 - *Restoration is essential to public understanding of the park's cultural associations;*
 - *Sufficient data about that landscape's earlier appearance exist to enable its accurate restoration; and the disturbance or loss of significant archaeological resources is minimised and mitigated by data recovery.*
- iv. *Reconstruction of Obliterated Landscapes. No matter how well conceived or executed, reconstruction is contemporary interpretations of the past, rather than authentic survivals from it. The National Park Service will not reconstruct an obliterated cultural landscape unless:*
 - *There is no alternative that would accomplish the park's interpretive mission;*
 - *Sufficient data exist to enable its accurate reconstruction, based on the duplication of historic features substantiated by documentary or physical evidence, rather than on conjectural designs or features from other landscapes;*
 - *Reconstruction will occur in the original location;*
 - *The disturbance or loss of significant archaeological resources is minimised and mitigated by data recovery; and*

¹⁰¹ National Park Service Management Policies. 2001 Chapter 5.

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- *The Director approves Reconstruction.*
- *A landscape will not be reconstructed to appear damaged or ruined. General representations of typical landscapes will not be attempted.*

d. The United States of America Secretary of the Interior. (USASI) Standards for the Treatment of Historic Properties with Guidelines for the Treatment of Cultural Landscapes

The USA National Park Service (USA NPS) publication *Treatment of Cultural Landscapes*¹⁰² provide guidance to landscape owners, managers, landscape architects, preservation planners, architects, contractors, and project reviewers who are planning and implementing project work.

As described in the Preservation Brief 36, Protecting Cultural Landscapes¹⁰³ that forms part of the Treatment for Cultural Landscapes document, it specifically describes what the preservation planning process for cultural landscapes should involve:

- i. *historical research;*
- ii. *inventory and documentation of existing conditions;*
- iii. *site analysis and evaluation of integrity and significance;*
- iv. *development of a cultural landscape preservation approach and treatment plan;*
- v. *development of a cultural landscape management plan and management philosophy;*
- vi. *development of a strategy for ongoing maintenance; and, preparation of a record of treatment and*
- vii. *future research recommendations.*

The document further suggests that:¹⁰⁴

In all treatments for cultural landscapes, the following general recommendations and comments apply:

- i. *Before undertaking project work, research of a cultural landscape is essential. Research findings help to identify a landscape's historic period(s) of ownership, occupancy and development, and bring greater understanding of the associations that make them significant. Research findings also provide a foundation to make educated decisions for project treatment, and can guide management, maintenance, and interpretation. In*

¹⁰² Historic Landscape Initiative NPS. 2001

¹⁰³ Historic Landscape Initiative NPS. 2001

¹⁰⁴ Historic Landscape Initiative NPS. 2001

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addition, research findings may be useful in satisfying compliance reviews (e.g. Section 106 of the National Historic Preservation Act as amended).

- ii. *Although there is no single way to inventory a landscape, the goal of documentation is to provide a record of the landscape as it exists at the present time, thus providing a baseline from which to operate. All component landscapes and features (see definitions below) that contribute to the landscape's historic character should be recorded. The level of documentation needed depends on the nature and the significance of the resource. For example, plant material documentation may ideally include botanical name or species, common name and size. To ensure full representation of existing herbaceous plants, care should be taken to document the landscape in different seasons. This level of research may most often be the ideal goal for smaller properties, but may prove impractical for large, vernacular landscapes.*
- iii. *Assessing a landscape as a continuum through history is critical in assessing cultural and historic value. By analysing the landscape, change over time -the chronological and physical 'layers' of the landscape -can be understood. Based on analysis, individual features may be attributed to a discrete period of introduction, their presence or absence substantiated to a given date and, therefore the landscape's significance and integrity evaluated. In addition, analysis allows the property to be viewed within the context of other cultural landscapes.*
- iv. *In order for the landscape to be considered significant, character-defining features that convey its significance in history must not only be present, but they also must possess historic integrity. Location, setting, design, materials, workmanship, feeling and association should be considered in determining whether a landscape and its character-defining features possess historic integrity.*

3.1.2.3 Australia

Cultural landscapes as heritage is predominantly addressed by the Australian Heritage Council (AHC). Provinces adopt the guidelines and policies set by the AHC and adapt them to appropriate conditions within the provinces. Australia has been a leader in applying the idea of cultural landscapes to lands associated with Aboriginal people in its territory. Once cultural landscapes in general were acknowledged by the World Heritage Convention, the cultural associations of the Anangu people with Uluru-Kata Tjuta¹⁰⁵ along with the

¹⁰⁵ Uluru is commonly known as the Ayer's Rock located near Alice Springs in central Australia.

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biophysical values was quickly motivated for inscription. The co-management regime and management plan for the area encapsulated these cultural associations and biophysical values.

As early as 1984 Australia had already enacted the Aboriginal and Torres Strait Islander Protection Act¹⁰⁶.

to preserve and protect places, areas, and objects of particular significance to Aboriginals and for related purposes'

In the context of the act,

Aboriginal tradition is defined as the body of traditions, observances, customs and beliefs of Aboriginals generally or of a particular community or group of Aboriginals, and includes any such traditions, observances, customs or beliefs relating to particular persons, areas, objects or relationships.

The 1996 plain English introduction to this legislation¹⁰⁷ confirms the original intent of the Act:

The Act is not concerned with historical or archaeological values, but instead recognises heritage values of Aboriginal or Torres Strait Islander people today.

a. The Australian Committee for IUCN

The Australian Committee for IUCN¹⁰⁸ recognises three voluntary standards for heritage identification and management of places with biophysical and cultural values:

- i. Australian Biophysical Heritage Charter: Standards and principles for the conservation of places of biophysical heritage significance. 1996 The Australian committee for IUCN administers and maintained this Charter.
- ii. Draft guidelines for the protection, management and use of aboriginal and Torres Strait Islander cultural heritage places. Department of the Environment and Heritage administers and maintains this guideline.
- iii. Australian International Council on Monuments and Sites (ICOMOS) Charter for the Conservation of Places of Cultural significance. 1992. This is also known as the Burra Charter. Australia ICOMOS administers and maintain this Charter. **(Appendix Eleven)**

¹⁰⁶ Aboriginal and Torres Strait Islander Protection Act. 1984

¹⁰⁷ Aboriginal and Torres Strait Islander Protection Act. 1996

¹⁰⁸ Australian Committee for IUCN 1999. p. 3

b Australian Heritage Commission.

In addition to the Australian Committee for IUCN, which oversees the Australian World Heritage Sites, the Australian Heritage Commission manages and maintains the National Estate of Australia under the Australian Heritage Commission Act 1975. This organisation has produced a wide variety of publications addressing various aspects within the heritage realm of Australia. The documents that are of specific importance to the systematics for the South African cultural landscapes are:

i. *Criteria for the Register of the National Estate*¹⁰⁹. **(Appendix Twelve)**

Eight criteria for consideration are used:

Criteria A: Its importance in the course, or pattern of the natural or cultural history of Australia.

Criteria B: Its possession of uncommon, rare, or endangered aspects of the natural or cultural history of Australia.

Criteria C: Its potential to yield information that will contribute to an understanding of the natural or cultural history of Australia.

Criteria D: Its importance in demonstrating the principal characteristic of a class of the natural or cultural places, or a class of the natural or cultural environments of Australia.

Criteria E: Its importance in exhibiting particular aesthetic characteristics valued by a community or cultural group.

Criteria F: Its importance in demonstrating a high degree of creative or technical achievement at a particular period.

Criteria G: Its strong or special association with a particular community or cultural group for social, cultural or spiritual reasons.

Criteria H: Its special association with the life or works of a person, a group of persons, or importance in the natural or cultural history of Australia.

ii. *Preparing a nomination for the Register*.¹¹⁰ **(Appendix Twelve)**

The Australian Heritage Commission uses this guide to compile basic information about each nominated place, and to present the information in a format suitable for entry into a computer database. The nomination form focuses on elements which are essential if the place is to be entered into the Australian register and include aspects such as:

- Precise identification of what is to be entered;
- Precise location of the place;

¹⁰⁹ Australian Heritage Commission. Obtained 2001.

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- Reasons why the place should be entered in the register supported by evidence; and
 - An accurate and comprehensive description of the place.
- iii. *Register of the National Estate Nomination Form*¹¹¹ (**Appendix Twelve**)
This is a standard form to be used when nominating a place for the national register since the information contained can be entered into the Australian Heritage Commission electronic database.
- iv. *Register of the National Estate Database Place Report.*¹¹² (**Appendix Twelve**)
This is the report that is produced from the completed nomination form and is used as the official information that is available for a specific place on the national register.
- v. *Australian Historic Themes, a framework for use in heritage assessment and management.*

The Australian Themes project is an attempt to compile the information of Australian heritage into recognisable or related groups, in order to provide links between the different regional stories of Australian history and the heritage places that define that history. The themes and sub-themes can be integrated with the assessments for heritage listing. The themes are as follows:

Theme One: Tracing the evolution of the Australian Environment.

Theme Two: Peopling Australia

Theme Three: Developing local, regional and national economies.

Theme Four: Building, settlements, towns and cities.

Theme Five: Working

Theme Six: Educating

Theme Seven: Governing

Theme Eight: Developing Australian cultural life.

Theme Nine: Marking the phases of life.

3.1.2.4 New Zealand

In New Zealand, in addition to initiating the listing of Tongariro National Park as the first cultural landscape on the World Heritage List, the Department of Conservation's Historic Heritage Management Review¹¹³ recognises that:

[t]he ancestral landscapes of iwi, hapu and whanau are inseparable from the

¹¹⁰ Australian Heritage Commission. 1990

¹¹¹ Australian Heritage Commission. 2001

¹¹² Australian Heritage Commission. 2001

¹¹³ New Zealand Department of Conservation, 1998.

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identity and well-being of Maori as tangata whenua and that [t]he maintenance of ancestral relationships with wahi tapu is a major issue for Maori'.

It defines such "landscapes" as

all land where the ancestors lived and sought resources.

They include wahi tapu and sites of significance to Maori. Wahi tapu¹¹⁴ is identified as:

a place sacred to Maori in the traditional, spiritual, religious, ritual or mythological sense. Wahi tapu may be specific sites or may refer to a general location. They may be: urupa (burial sites); sites associated with birth or death; sites associated with ritual, ceremonial worship, or healing practices; places imbued with the mana of chiefs or tupuna; battle sites or other places where blood has been spilled; landforms such as mountains and rivers having traditional or spiritual associations.

ICOMOS New Zealand's new Charter for the Conservation of Places of Cultural Heritage Value¹¹⁵ explicitly endorses recognition of the indigenous heritage of Maori and Moriori as well as principles for its conservation. Definition of "place" in the charter also enlarges the important earlier concept of Australia's Burra Charter, "place" means

any land, including land covered by water, and the airspace forming the spatial context to such land, including any landscape, traditional site or sacred place, and anything fixed to the land including any archaeological site, garden, building or structure, and any body of water, whether fresh or seawater, that forms part of the historical and cultural heritage of New Zealand.'

In New Zealand¹¹⁶, the explicit address to water, sea, and airspace as well as land is particularly useful in focussing attention on the interface of cultural heritage and resources traditionally considered to be natural.

3.1.2.5 Finland State of the Environment Report

Finland is globally regarded as one of the countries with the most progressive National State of the Environment indicator frameworks¹¹⁷. Such an indicator framework includes indicators of sustainability and sets the guidelines and levels for measuring, maintaining and achieving said sustainability.

The basis for development of a new indicator framework for Finland can be traced to the United Nations framework¹¹⁸. This framework was adapted and improved to suit Finland's

¹¹⁴ New Zealand Department of Conservation, 1998

¹¹⁵ <http://icomos.org.au/> 5/26/01 12:06:45 PM

¹¹⁶ http://parkscanada.pch.gc.ca/aborig/HSMBC/hsmbc31_e.htm. 5/25/01 7:23:18 PM

¹¹⁷ Schwabe, Viljoen, O'Donovan, 2001.

¹¹⁸ Schwabe, Viljoen, O'Donovan, 2001

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particular character and needs. A process of wide consultation with ministries, non-government organisations and research institutions took place from 1998 to inform the process of developing Finland's indicator framework. An extensive review of all national and international frameworks was also done to inform the process. Of particular importance is the fact that Finland's indicator framework embraces sustainable development indicators of which a number of themes and issues may be relevant to South Africa. The following social themes and issues were identified in Finland's indicator framework. A significant overlap occurs between social and economic themes.

- a. Community structure and transport (6 indicators)
- b. Production and consumption (9 indicators)
- c. Demographic developments (4 indicators)
- d. Lifestyles and illnesses (5 indicators)
- e. The workforce (4 indicators)
- f. Social problems and equality issues (6 indicators)
- g. Education, research and participation (4 indicators)
- h. Access to information (3 indicators)
- i. Cultural heritage (3 indicators)
- j. Ethnic minorities (2 indicators)

Most of the social themes addressed by Finland have some merit in a South African context. However, the finer detail of the social indicators is largely country specific and needs to be adapted to suit South African conditions and data. It should be noted that cultural heritage and ethnic minorities are on the list of sustainable indicators and although so described are not present on the South African indicator lists.

3.1.3 International Organisations

International relationships between countries regarding heritage are directed by the various institutions and divisions of international organisations concerned with world heritage. More than one hundred heritage organisations operate world wide, providing a variety of functions within the international community. The most widely recognised and active is the United Nations Educational, Scientific and Cultural Organisation (UNESCO), which together with its national and special committees form the backbone of international co-operation on heritage.

The functions of five international organisations concerned with heritage, cultural issues and some other related organisations are described below.

3.1.3.1 United Nations Educational, Scientific and Cultural Organisation. (UNESCO) and UNESCO National Committees.

The main objective of UNESCO¹¹⁹ is to contribute to peace and security in the world by promoting collaboration among nations through education, science, culture and communication in order to further universal respect for justice, for the rule of law and for the human rights and fundamental freedoms which are affirmed for the peoples of the world, without distinction of race, sex, language or religion, by the Charter of the United Nations. Its constitution was adopted by the London Conference in November 1945, and entered into effect on the 4th of November 1946 when 20 states had deposited instruments of acceptance. It currently has 188 Member States (as of 19 October 1999) To fulfil its mandate, UNESCO performs five principal functions :

- a. Prospective Studies: what forms of education, science, culture and communication for tomorrow's world?
- b. The advancement, transfer and sharing of knowledge : relying primarily on research, training and teaching activities.
- c. Standard setting action: the preparation and adoption of international instruments and statutory recommendations.
- d. Expertise : provided to Member States for their development policies and projects in the form of 'technical co-operation'.
- e. Exchange of specialised information.

Under the subject of culture UNESCO has five focus areas:

- a. Culture and Development
- b. Cultural Heritage
- c. Creativity, copyright and cultural industries
- d. Intercultural dialogue and pluralism
- e. World Heritage Sites (natural or cultural)

Criteria for inclusion on the list of World Heritage Sites¹²⁰ the place has to meet the following criteria:

Cultural properties should:

- i. represent a masterpiece of human creative genius; or
- ii. exhibit an important interchange of human values over a span of time or within a cultural area of the world, on developments in architecture or technology, monumental arts, town-planning or landscape design; or

¹¹⁹ <http://www.unesco.org/general/eng/about/what.shtml> 15 May,2001 13h40

¹²⁰ <http://www.unesco.org/> 6/8/02 4:47:58 PM

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- iii. bear a unique or at least exceptional testimony to a cultural tradition or to a civilization which is living or has disappeared; or
- iv. be an outstanding example of a type of building or architectural or technological ensemble, or landscape which illustrates (a) significant stage(s) in human history; or
- v. be an outstanding example of a traditional human settlement or land-use which is representative of a culture (or cultures), especially when it has become vulnerable under the impact of irreversible change; or be directly or tangibly associated with events or living traditions, with ideas or with beliefs, with artistic and literary works of outstanding universal significance (a criterion applied only in exceptional circumstances, and together with other criteria.

Natural properties should:

- i. be outstanding examples representing major stages of earth's history, including the record of life, significant on-going geological processes in the development of land forms, or significant geomorphic or physiographic features; or
- ii. be outstanding examples representing significant on-going ecological and biological processes in the evolution and development of terrestrial, fresh water, coastal and marine ecosystems and communities of plants and animals; or
- iii. contain superlative natural phenomena or areas of exceptional natural beauty and aesthetic importance; or
- iv. contain the most important and significant natural habitats for in-situ conservation of biological diversity, including those containing threatened species of outstanding universal value from the point of view of science or conservation.

The protection, management and integrity of the site are also important considerations

3.1.3.2 International Council of Museums (ICOM)

ICOM is affiliated with UNESCO. ICOM¹²¹ is the international non-governmental organisation of museums and professional museum workers established to advance the interests of museology and other disciplines concerned with museum management and operations. ICOM consists of its members acting co-operatively in National and

¹²¹ <http://www.icom.org/> 15 May, 2991. 12h05

International Committees and Affiliated and Regional Organisations, assisted by its Secretariat. The Registered Office and Secretariat of ICOM shall be at such place as the ICOM General Assembly, with the approval of UNESCO, may decide. ICOM shall take such steps as are necessary and appropriate to obtain such privileges and benefits as may be available under the law of the land where the ICOM registered office and Secretariat are located.

3.1.3.3 International Centre for the Study of the Preservation and Restoration of Cultural Property (ICCROM)

In 1959, the 9th UNESCO General Conference in New Delhi decided to establish ICCROM¹²² at a time of increasing and widespread interest in the protection and preservation of monuments and sites of historical, artistic and archaeological interest. ICCROM is thus directly affiliated with UNESCO. ICCROM is an inter-governmental organisation with its headquarters in Rome. It is the only institution of its kind with a worldwide mandate dealing with the conservation of all types of cultural heritage. Apart from 99 Member States, ICCROM counts 99 of the world's leading conservation institutions as Associate Members. ICCROM does not only aim at increasing the quality of conservation from Albania to Zimbabwe. It seeks to increase the awareness and support of conservation for everyone from school children to decision-makers in every continent. It aspires, through conservation, to make cultural heritage meaningful and useful to the benefit of people in every part of the globe. ICCROM's strategic programmes are ever more a part of sustainable economic, social and cultural development schemes and linked with policies to promote social stability, economic development, mutual understanding and peace.

3.1.3.4 International Council on Monuments and Sites (ICOMOS)

ICOMOS¹²³ is an international non-governmental organisation of professionals, dedicated to the conservation of the world's historic monuments and sites. ICOMOS provides a forum for professional dialogue and a vehicle for the collection, evaluation, and dissemination of information on conservation principles, techniques, and policies. Professionals from across the world gather under the auspices of the ICOMOS in secure places to discuss heritage topics of international concern that may not be politically acceptable to discuss. It also strengthens ties across national boundaries between people from different nations that may politically not be acceptable. Knowledge is shared and exchanged freely and completely for the benefit and protection of heritage, removed from political overtones.

¹²² <http://www.iccrom.org/eng/index.htm> 15 May at 13h26

¹²³ <http://www.icomos.org/> !5 may 13h15

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ICOMOS serves as the review agent on behalf of UNESCO for sites to be evaluated and certified as a World Heritage Site.

3.1.3.5 World Conservation Union (IUCN)

The World Conservation Union¹²⁴ was founded in 1948 and brings together 78 states, 112 government agencies, 735 NGOs, 35 affiliates, and some 10,000 scientists and experts from 181 countries in a unique worldwide partnership. Its mission is to influence, encourage and assist societies throughout the world to conserve the integrity and diversity of nature and to ensure that any use of biophysical resources is equitable and ecologically sustainable.

The intimacy of the relationship between cultural diversity and biological diversity has given new strength to the World Conservation Union (IUCN)'s category V. The protected landscapes, that is defined in Category V¹²⁵ as:

an area of land, with coast and sea as appropriate, where the interaction of people and nature over time has produced an area of distinct character with significant aesthetic, ecological, and/or cultural value, and often with high biological diversity.

This definition has expanded its applicability beyond the traditional identification with European places. The IUCN operates independently and is not affiliated with UNESCO.

3.1.4 International Heritage Charters

Apart from the policies of national governments, the policies of their provinces or countries, and the constitution of international heritage organisations, there are important international heritage charters that are international declarations, or statements of the signatories as to their agreements and commitment to the charter, declaration or document. The first charter to address heritage was the Athens Charter for the Restoration of Historic Monuments in 1931¹²⁶. From this original the Venice Charter, the Burra Charter, and all consecutive charters grew. These documents serve as guidelines, reminders and demonstration of the commitment of the signatories to their national heritage and the heritage of the world.

International charters provide objective sources for the understanding of terminology used to develop systematics for cultural landscapes. A short synopsis for each of the relevant charters is presented chronologically. Two charters and one document are of particular importance, namely the Burra Charter, the San Antonio Charter and the Nara Document on Authenticity. The information regarding systematics for these three charters are presented

¹²⁴ <http://www.iucn.org/> 5/25/01 7:42:54 PM

¹²⁵ http://parkscanada.pch.gc.ca/aborig/HSMBC/hsmbc28_e.htm 5/25/01 7:32 PM

¹²⁶ http://www.islandnet.com/~hsbc/hc_charters.htm 8/05/01 18:28:10

in full.

3.1.4.1 The Athens Charter for the Restoration of Historic Monuments.

This charter was adopted at the First International Congress of Architects and Technicians of Historic Monuments, Athens 1931.¹²⁷ At the Congress in Athens the following seven main resolutions were made and called the 'Carta del Restauro': International organisations for restoration on operational and advisory levels were to be established. The charter calls for:

- a. Proposed restoration projects are to be subjected to knowledgeable criticism to prevent mistakes which will cause loss of character and historical values to the structures.
- b. Problems of preservation of historic sites are to be solved by legislation at national level for all countries.
- c. Excavated sites which are not subject to immediate restoration should be reburied for protection.
- d. Modern techniques and materials may be used in restoration work.
- e. Historical sites are to be given strict custodial protection.
- f. Attention should be given to the protection of areas surrounding historic sites

3.1.4.2 The Venice Charter for the Conservation and Restoration of Monuments and Sites.

The Venice Charter¹²⁸ was established by the International Council of Monuments and Sites (ICOMOS) at a meeting held in Venice from May 25th-31st 1964, as a set of international guidelines for the conservation and restoration of monuments and sites.

Imbued with a message from the past, the historic monuments of generations of people remain to the present day as living witnesses of their age-old traditions. People are becoming more and more conscious of the unity of human values and regard ancient monuments as a common heritage. It is essential that the principles guiding the preservation and restoration of ancient buildings should be agreed and be laid down on an international basis, with each country being responsible for applying the plan within the framework of its own culture and traditions.

3.1.4.3 The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance.

Having regard to the International Charter for the Conservation and Restoration of Monuments and Sites (Venice 1964), the Resolutions of the 5th General Assembly of

¹²⁷ http://www.icomos.org/docs/athens_charter.html 19/05/01 16:29:44 PM

¹²⁸ http://www.icomos.org/docs/athens_charter.html 19/05/01 16:29:44 PM

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ICOMOS (Moscow 1978), this Charter was adopted by Australia ICOMOS on February 23, 1981 and amended in 1999.¹²⁹

The Burra Charter is a restatement of the principles presented in the Venice Charter. Its importance lies in its advocacy of a detailed and comprehensive conservation plan in advance of any project spending and in its use, by government, to supply criteria in awarding grants for work done on historic buildings. Thus any country that is a signatory to the charter or that promotes its use acknowledges the requirement for funding heritage management. The Burra Charter includes conservation policy, principles and processes, and cultural significance. (**Appendix Eleven**)

a. Guidelines to the Burra Charter: Conservation Policy.

The Guidelines to the Burra Charter Conservation Policy¹³⁰ (**Appendix Eleven**) was developed to clarify the nature of professional work done within the terms of the Burra Charter. They recommend a methodical procedure for development of the conservation policy for a place, for the statement of conservation policy and for the strategy for the implementation of that policy. The guidelines refer to Articles 6, 7, 23 and 25 of the charter.

The guidelines apply to any place likely to be of cultural significance regardless of its type or size. The guidelines are thorough in its approach to the systematics, however does not define the criteria for evaluation or the criteria for a mapping method. The establishment of cultural significance embodied in a report, are essential prerequisites to the development of conservation policy.

3.1.4.4 The Appleton Charter for the Protection and Enhancement of the Built Environment.

The Appleton Charter¹³¹ acknowledges The International Charter for the Conservation and Restoration of Monuments and Sites (Venice 1964), the Australia ICOMOS Charter for the Conservation of Places of Cultural Significance (Burra Charter 1981), and the Charter for the Preservation of Quebec's Heritage (Declaration of Deschambault).

It further recognises that the sound management of the built environment is an important cultural activity; and that conservation is an essential component of the management process. The Appleton Charter seeks to dispose of the traditional tenets within an ordered

¹²⁹ http://www.icomos.org/docs/athens_charter.html 19/05/01 16:29:44 PM

¹³⁰ <http://life.csu.edu.au/~dspennem/VIRTPAST/ICOMOS/BURRA3.HTM> 18/05/01 17:20:29

¹³¹ <http://life.csu.edu.au/~dspennem/VIRTPAST/ICOMOS/BURRA3.HTM> 18/05/01 17:20:29

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framework and to place this approach in a wider and socially responsible context.

3.1.4.5 Declaration of Deschambault for the Conservation of a Uniquely Québécois Heritage.

In Canada following the division of ICOMOS Canada into French and English-speaking committees in 1980, the French Committee and the *Conseil des Monuments et Sites du Québec* (The Council for the Monuments and Sites of Quebec) developed a Charter for use in Quebec¹³². The *Charte de Conservation du Patrimoine Québécois*, (The Charter for the Conservation of Quebec Heritage) commonly known as the Declaration of Deschambault, focused primarily on the conservation of a uniquely Québécois heritage. It represents a major step forward from the Venice Charter in its promotion of public participation in decision making and in its efforts to view heritage conservation in a wider social context.

3.1.4.6 The Declaration of San Antonio for Authenticity in the Conservation and Management of Cultural Heritage.

The presidents, delegates and members of the ICOMOS National Committees of the Americas, met in San Antonio, Texas, United States of America, from the 27th to the 30th of March, 1996, at the InterAmerican Symposium on Authenticity in the Conservation and Management of Cultural Heritage¹³³ to discuss the meaning of authenticity in preservation in the Americas. They did so in response to the call issued by the Secretary General of ICOMOS for regional participation in the international debate on the subject. The members of the ICOMOS National Committees of the Americas studied, read and discussed the documents produced in 1994 by the meetings of specialists on authenticity in Bergen, Norway, and Nara, Japan, as well as other pertinent documents.

The Declaration of San Antonio discusses the nature, definition, proofs, and management of authenticity in relation to the architectural, urban, archaeological and cultural landscape heritage of the Americas. Some of the statements as applicable to South Africa are listed:¹³⁴

- a. *The culture and the heritage of... is distinct from those of other continents.*
- b. *All these groups (European colonisers, African slavery, contribution of European and Asian) have contributed to the rich and syncretic pluri-culturalism that makes up our dynamic continental identity.*
- c. *Groups with separate identities co-exist in the same space and time and at times across space and time, sharing cultural manifestations, but often assigning different values to them.*

¹³² <http://life.csu.edu.au/~dspennem/VIRTPAST/ICOMOS/BURRA3.HTM> 18/05/01 17:20:29

¹³³ http://www.icomos.org/docs/san_antonio.html 5/18/01 6:55:35 PM

¹³⁴ http://www.icomos.org/docs/san_antonio.html 5/18/01 6:55:36 PM

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- d. *The authenticity of our cultural resources lies in the identification, evaluation and interpretation of their true values as perceived by our ancestors in the past and by ourselves now as an evolving and diverse community.*
- e. *The (country) must recognise the values of the majorities and the minorities without imposing a hierarchical predominance of any one culture and its values over those of others.*
- f. *The comprehensive cultural value of our heritage can be understood only through an objective study of history, the material elements inherent in the tangible heritage, and a deep understanding of the intangible traditions associated with the tangible patrimony.*
- g. *The understanding of the authenticity of a heritage site depends on a comprehensive assessment of the significance of the site by those who are associated with it or who claim it as part of their history.*
- h. *As emphasised in Article 9 of the Venice Charter, the presence of ancient and original elements is part of the basic nature of a heritage site. The Charter also indicates that the material elements of our tangible cultural heritage are bearers of important information about our past and our identity.*
- i. *Over time, heritage sites have come to possess a testimonial value -- which may be aesthetic, historic or otherwise -- that is readily evident to most of society. In addition to the testimonial value, there are less evident documentary values that require an understanding of the historic fabric in order to identify their meaning and their message.*
- j. *We recognise that in certain types of heritage sites, such as cultural landscapes, the conservation of overall character and traditions, such as patterns, forms and spiritual value, may be more important than the conservation of the physical features of the site, and as such, may take precedence. Therefore, authenticity is a concept much larger than material integrity and the two concepts must not be assumed to be equivalent or co-substantial.*
- k. *Beyond the material evidence, heritage sites can carry a deep spiritual message that sustains communal life, linking it to the ancestral past. This spiritual meaning is manifested through customs and traditions such as settlement patterns, land use practices, and religious beliefs. The role of these intangibles is an inherent part of the cultural heritage, and as such, their link to the meaning of the tangible elements of the sites must be carefully identified, evaluated, protected and interpreted.*

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- l. *In cultural landscapes, including urban areas, the process of identifying and protecting social value is complex because so many separate interest groups may be involved. In some cases, this situation is further complicated because the traditional indigenous groups that once protected and developed the sites are now adopting new and at times conflicting values that spring from the market economy, and from their desire for more social and economic integration in the national life.*
- m. *Dynamic cultural sites, such as historic cities and landscapes, may be considered to be the product of many authors over a long period of time whose process of creation often continues today. This constant adaptation to human need can actively contribute to maintaining the continuum among the past, present and future life of our communities.*
- n. *That further consideration be given to the proofs of authenticity so that indicators may be identified for such a determination in a way that all significant values in the site may be set forth. The following are some examples of indicators:*
 - i. *Reflection of the true value. That is, whether the resource remains in the condition of its creation and reflects all its significant history.*
 - ii. *Integrity. That is, whether the site is fragmented; how much is missing, and what are the recent additions.*
 - iii. *Context. That is, whether the context and/or the environment correspond to the original or other periods of significance; and whether they enhance or diminish the significance.*
 - iv. *Identity. That is, whether the local population identify themselves with the site, and whose identity the site reflects.*
 - v. *Use and function. That is, the traditional patterns of use that have characterised the site.*
- o. *Recommendations of the Cultural Landscape Group.*
 - i. *That processes of negotiation are established to mediate among the different interests and values of the many groups who own or live in cultural landscapes.*
 - ii. *Since cultural landscapes are complex and dynamic, that the process of determining and protecting authenticity be sufficiently flexible to incorporate this dynamic quality.*
 - iii. *That the concept of sustainable development and its relationship to the management of cultural landscapes be defined in order to include economic, social, spiritual and cultural concerns.*
 - iv. *That the conservation of cultural landscapes seek a balance between the*

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significant biophysical and cultural resources.

- v. *That the needs and values of the local communities be taken into consideration when the future of cultural landscapes is being determined.*
- vi. *That further work be done on appropriate legislation and governmental planning methodologies to protect the values associated with cultural landscapes.*
- vii. *Since in conserving the authenticity of cultural landscapes the overall character and traditions, such as patterns, forms, land use and spiritual value of the site may take precedence over material and design aspects, that a clear relationship between values and the proof of authenticity be established.*
- viii. *That expert multi-disciplinary assessment become a requirement for the determination of authenticity in cultural landscapes, and that such expert groups include social scientists who can accurately articulate the values of the local communities.*
- ix. *That the authenticity of cultural landscapes be protected prior to major changes in land use and to the construction of large public and private projects, by requiring responsible authorities and financing organisations to undertake environmental impact studies that will lead to the mitigation of negative impacts upon the landscape and the traditional values associated with these sites.*

3.1.4.7 The Washington Charter for the Conservation of Historic Towns and Urban Areas.

The ICOMOS Charter for the Conservation of Historic Towns and Urban Areas¹³⁵ is the result of 12 years of study and development by international specialists. The document was adopted at the October 1987 meeting of the ICOMOS General Assembly in Washington, DC, and is known commonly as the '*Washington Charter*.' The terms of the Charter are purposefully broad; internationally, there are many methods of planning and protection for historic urban areas, many ways that urban development may impact on the patterns of post-industrial societies, and this diversity is addressed in the Charter.

3.1.4.8 ICOMOS Brazil charter for the Preservation and Revitalisation of Historic Centres.

The first Brazilian seminar organised by the ICOMOS Brazilian Committee, held in Itaipava, July 1987,¹³⁶ addressed the revitalisation of the urban historical sites, and the urban centres

¹³⁵ http://www.icomos.org/docs/towns_charter.html 19/05/01 16:18:44 PM

¹³⁶ <http://www.icomos.org/docs/itaipava.html> 19/05/01 16:24:00 PM

in their use as social centres, their importance as housing centres and in addition the upgrading and conservation of the urban fabric historically important in Brazil.

3.1.4.9 Nara Document on Authenticity

Phuket, Thailand 12-17 December 1994

To prepare for the Nara conference, the Norwegian and Canadian governments, in collaboration with ICOMOS, ICCROM, and the World Heritage Centre, sponsored a preparatory workshop in Bergen, Norway, from 31 January to 2 February 1994. The workshop proceedings were published by Riksantikvaren of Norway under the title Conference on Authenticity in Relation to the World Heritage Convention.

At the Nara Conference on Authenticity, held from 1-6 November 1994, forty five participants from twenty eight countries discussed the many complex issues associated with defining and assessing authenticity. It was noted that in some languages of the world, there is no word to express precisely the concept of authenticity.

The results of the experts' deliberations are contained in the Nara Document on Authenticity.¹³⁷ The World Heritage Committee noted that there was a general consensus that authenticity is an essential element in defining, assessing, and monitoring cultural heritage. The experts gave particular attention to exploring the diversity of cultures in the world and the many expressions of this diversity, ranging from monuments and sites through cultural landscapes to intangible heritage. Of particular importance is the view that the concept and application of authenticity, as it relates in cultural heritage, is rooted in specific cultural contexts and should be considered accordingly.

At the sixteenth meeting of the World Heritage Committee, held at Santa Fe, USA, issues concerning authenticity of cultural heritage were discussed at length in the context of the test of authenticity found in the Operational Guidelines for the Implementation of the World Heritage Convention.¹³⁸ Some of the statements from the document as applicable to South Africa are listed below:¹³⁹

- a. *Cultural heritage diversity exists in time and space, and demands respect for other cultures and all aspects of their belief systems. In cases where cultural values appear to be in conflict, respect for cultural diversity demands acknowledgement of the legitimacy of the cultural values of all*

¹³⁷ <http://www.unesco.org/whc/archive/nara94.htm> 19/05/01 16:20:55 PM

¹³⁸ UNESCO 1994

¹³⁹ UNESCO 1994

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parties.

- b. Conservation of cultural heritage in all its forms and historical periods is rooted in the values attributed to the heritage. Our ability to understand these values depends, in part, on the degree to which information sources about these values may be understood as credible or truthful. Knowledge and understanding of these sources of information, in relation to original and subsequent characteristics of the cultural heritage, and their meaning, is a requisite basis for assessing all aspects of authenticity.*
- c. All judgements about values attributed to cultural properties as well as the credibility of related information sources may differ from culture to culture, and even within the same culture. It is thus not possible to base judgements of values and authenticity within fixed criteria. On the contrary, the respect due to all cultures requires that heritage properties must be considered and judged within the cultural contexts to which they belong.*
- d. Therefore, it is of the highest importance and urgency that, within each culture, recognition be accorded to the specific nature of its heritage values and the credibility and truthfulness of related information sources.*

Depending on the nature of the cultural heritage, and its cultural context, authenticity judgements may be linked to the worth of a great variety of sources of information. Aspects of the sources may include form and design, materials and substance, use and function, traditions and techniques, location and setting, and spirit and feeling, and other internal and external factors. The use of these sources permits elaboration of the specific artistic, historic, social, and scientific dimensions of the cultural heritage being examined

3.1.4.10 Proposed Charter for the Conservation of Mural Paintings - 2001.

The proposals are concerned with the conservation of murals. Paintings created by man constitute an important and impressive component of heritage. These are the creative arts which have been or are always executed on a supporting medium and therefore the preservation of the painted heritage constitute both the conservation of the supported fabric or edifice as well as the pigmented layer.

Cultural preferences, artistic expressions and technical achievements, are considered the three major facets of the painted heritage. In the conservation of paintings, it is necessary to focus attention on all these three factors to achieve the best results. Article 1 definition states that:¹⁴⁰

¹⁴⁰ ICOMOS Secretariat International, e-mail distribution. 6 June 2001

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the heritage of paintings may be considered as that of the full range of painted surfaces, where the cultural property elements fall within the introduction to this charter and are found in situ.

3.1.4.11 The Australian Natural Heritage Charter

The Australian Natural Heritage Charter¹⁴¹ is maintained and managed by Australian Committee for IUCN 1996. The Committee for IUCN states that:

It [the Australian Natural Heritage Charter] encompasses a wide interpretation of natural heritage and is based on respect for this uncertain heritage. It acknowledges the principles of intergenerational equity, existence value, uncertainty and precaution. The Charter defines intergenerational equity to mean that the present generation should ensure that the health, diversity and productivity of the environment is maintained or in hand for the benefit of future generations. The principle of existence value is that living organisms, earth processes and ecosystems may have value beyond the social, economic or cultural values held by humans. The principle of uncertainty accepts that our knowledge of natural heritage and processes affecting it is incomplete, and that the full potential significance or value of natural heritage remains unknown because of this uncertain state of knowledge. Finally the precautionary principle is that where there are threats, or potential threat of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation.

The Charter sets out a series of steps required for a conservation plan¹⁴². These are

- a. *Obtain and study evidence about the place from documents and studies and local knowledge and experience.*
- b. *Identify and contact people or groups who knows about, care for, and have an interest in the place.*
- c. *Determine the natural significance of the place.*
- d. *Assist the physical condition and management realities.*
- e. *Develop a conservation policy to conserve the natural values of the place.*
- f. *Determine the conservation processes that will be used.*
- g. *Decide on responsibilities for decisions, approvals and actions.*
- h. *Formulate the conservation plan.*
- i. *Implement the conservation plan.*
- j. *Monitor the results and consider any new information.*

¹⁴¹ Cairnes. 1999

¹⁴² Cairnes. 1999

A follow-up document¹⁴³ published by the Australian Heritage Commission provided a handbook for applying the Australian Natural Heritage Charter, which explains each of the ten steps to complete a conservation plan that can be incorporated into broader management plans.

3.1.5. Conclusion to Sub-problem Two literature search

The first part of the literature review that dealt with the international legal instruments and definitions of heritage and/or cultural landscapes indicates a clear and comprehensive focus on the systematics of biophysical and cultural heritage as being of international importance and concern. The available legal instruments address traditions, values, and practices as all being part of heritage and also include the physical remnants, evidence and presence of previous cultures. The documents often distinguish between the tangible versus intangible and the movable versus immovable, biophysical versus cultural heritage, but current thinking is leaning towards referring to associative cultural heritage that brings these together as indivisible.¹⁴⁴

The international organisations and charters are informative in the support they provide to countries, research organisations, individuals and others in the management of the world's cultural landscapes. The major common focus of these organisations and charters are strategic programmes that support sustainable economic, social and cultural development schemes and linked with policies to promote social stability, economic development, mutual understanding and peace, while protecting the cultural, historic, scientific, and biophysical heritage. They also provide opportunity for professional dialogue and a vehicle for the collection, evaluation, and dissemination of information on conservation principles, techniques, and policies. The Burra Charter, the San Antonio Charter and the Nara Document on Authenticity are of particular interest and offer substantial informative aspects that can be considered in a South African systematics.

3.2 Addressing Hypothesis Two. The International administrative systems pertaining to significant cultural landscapes can inform a South African systematics for cultural landscapes

The methodology employed to address hypothesis two is one of deductive summary from the literature review and an assessment regarding the applicability of the extractions to inform South African systematics for cultural landscapes. The results of the research are presented in two component lists. First, the aspects of culture that are evident in the reviewed works, and that are valid for South African cultural landscapes area presented.

¹⁴³ Australian Committee for IUCN. 1999

¹⁴⁴ Küsel. 2001

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Secondly, those guidelines, procedures and workings as identified to be useful in a South African systematics for cultural landscapes are presented. These two summations are unique to the field of research and informs this thesis efficaciously.

The review of the legal instruments, guidelines and procedures as presented in **Appendix Nine**, show that there are aspects of culture that are common among countries and institutions and that there are others that are unique to a particular country. These aspects can be distilled into a single list that is representative of those issues deemed to fit either criterion, that of commonality or that of uniqueness.

- a. Heritage has movable and/or immovable qualities,
- b. Heritage studies involve ethnographic studies of autochthonous populations,
- c. Culture is a product of human activity,
- d. Heritage includes an area of land having a distinctive or beautiful scenery or geological formation, that contains rare, beautiful fauna or flora, objects of historical, archaeological, historical, or scientific interest,
- e. Heritage could include an avenue of trees or an old tree,
- f. Heritage could include an old building and any object man-made or biophysical of aesthetic, of historical, archaeological, historical, scientific interest,
- g. Heritage could include folkways, mores, customary laws and various linguistic groups and tribal areas,
- h. Heritage could include anthropological, animal or botanical remains,
- i. Heritage could include traditional African ceremonies,
- j. Cultural heritage is constructed, produced or modified by human agency,
- k. Ancient workings are to include mining purposes,
- l. Strong association with a particular community for social, cultural or spiritual reasons.
- m. Any area that has been modified, influenced, or given special meaning by people.
- n. Parks and gardens, urban and rural historic districts, associative cultural landscapes.
- o. An area that includes both cultural and biophysical resources.
- p. Designed, ethnographic, and vernacular landscapes.
- q. The traditions, beliefs, practices, life ways, arts, crafts, and social institutions of any community .
- r. The ancestral lands are inseparable from the identity and well being of a people.
- s. Place is any land, including land covered by water, and the airspace forming the spatial context to such land.
- t. The idea of place is an area where multiple groups may experience shared or diverse attachment.

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- u. Although potentially contested, the most important quality of cultural landscapes is its unifying perspective.

The second part of the literature review of international guidelines, procedures and workings is well documented by organisations in United States of America and in Australia. The following recommendations are extracted from their documentation. Only general guidelines are indicated because the detailed methods and procedures are specific to conditions in these countries and cannot be copied verbatim for application to South African conditions. The intention is to identify general topics that can be adopted for, and adapted to the South African condition. They are:

- a. The entity under consideration must be established to be a property. The idea of property implies ownership and responsibility.
- b. Tangible resources are qualified for inclusion in the register.
- c. Intangible resources are significant only to the degree that they can be shown to conflate with inscription practices on the land.
- d. Two forms integrity of the property must be evaluated and demonstrated: integrity of relationship and integrity of condition.
- e. Evaluation involves the merit of the place in terms of association with events, people, and history.
- f. A reconnaissance survey is used initially for previously unsurveyed areas.
- g. A professional study must consist of a compilation, analysis, and interpretation of available data.
- h. A complete a description of the human history in relation to environmental change or cultural processes.
- i. A statistical sample survey that is designed to characterise the probable density, diversity and distribution of cultural resources in the potential area.
- j. Locate and record all cultural resources.
- k. Treatment of cultural landscapes will preserve significant physical attributes, biotic systems, and uses when those contribute to historical significance.
- l. Treatment will be based on the historical significance of a cultural landscape over time, existing conditions and use. Treatment decisions will consider both the natural and the built characteristics and features.
- m. Three types of treatment are listed for extant cultural landscapes: preservation, rehabilitation and restoration.
- n. Understand associations that make the cultural landscape significant.
- o. The preservation planning process must include the following:
 - i. Historic research
 - ii. Inventory and documentation of existing conditions.

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- iii. Site analysis and evaluation of integrity and significance,
 - iv. Development of a cultural landscape preservation approach and treatment plan
 - v. Development of a cultural landscape management plan and management philosophy,
 - vi. Development of a strategy for ongoing maintenance, preparation of a record of treatment,
 - vii. Future research recommendations.
- p. To compile an inventory of a landscape, the goal is to provide a record of the landscape as it exists at the present time, thus providing a baseline from which to operate.
- q. In order for a landscape to be considered significant, character-defining features that convey its significance in history must not only be present, but they must possess historic integrity.
- r. Intergenerational equity means that the present generation should ensure that the health, diversity, and productivity of the environment are maintained.
- s. The existence principle states that living organisms, earth processes and ecosystems may have value beyond the social, economic or cultural values of humans.
- t. The uncertainty principle accepts that our knowledge of natural heritage and processes affecting it is incomplete.
- u. The precautionary principle applies where there are threats, or potential threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation.
- v. Steps toward a Conservation Plan include:
- i. Obtain and study evidence about the place from documents and studies and local knowledge and experience.
 - ii. Identify and contact people and groups who know about, care for, and have an interest in the place.
 - iii. Determine the significance of the place.
 - iv. Assist the physical conditions and management realities.
 - v. Develop a conservation policy for the values of the place.
 - vi. Determine the conservation processes to be used.
 - vii. Decide on the responsibility for each decision, approval and action.
 - viii. Formulate the conservation plan,
 - ix. Implement the conservation plan.
 - x. Monitor the results and consider any new information.

3.3 Resolution of Hypothesis Two

The investigation of international legal instruments in Chapter Three indicated that processes and practices not currently found in South Africa were identified elsewhere and reviewed for their relevance in the South African systematics. Chapter Three thus focussed on finding those international policies, workings, procedures or guidelines that could potentially inform a South African systematics for cultural landscapes. A list that includes all the potential opportunities for inclusion was extracted from the various literature sources and compiled into two components. The first component dealt with the definition of heritage and culture and the second component addressed the pragmatics of the systematics.

The hypothesis is substantiated by the research and the conclusions can thus be confidently made that the international administrative systems and procedures do offer information that is not contained in the South African systematics and thus can inform South African systematics for cultural landscapes.

Chapter Four will investigate the possibility of identifying the South African cultural characteristics and those aspects that can be identified as being uniquely South African.