

CUT / FILL



Architecture as Mitigating Mediator in Dissonance an architectural dissertation by Johannes J. Hattingh

*The accomodation of inovative justice mechanisms
through adaptive reuse of the Pretoria Magistrates Court.*

CUT FILL

Architecture as Mitigating Mediator in Dissonance

by Johannes J. Hattingh

Submitted as part of the requirements for a
Masters Degree in Architecture (Professional)

Department of Architecture
Faculty of Engineering, Built-Environment and
Information Technology.
University of Pretoria

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Pretoria 2016

Project Summery

PROGRAM:

Civil Magistrates court

SITE DESCRIPTION:

Pretoria Magistrates court on the corner of Pretorius- and Sophie De Bruyn street.

SITE LOCATION:

Pretoria Dorp 351-JR, erf R/449

ADDRESS:

101 Pretorius Str, Pretoria, 0002

GPS COORDINATES:

25°44'55.6"S; 28°11'02.1"E

RESEARCH FIELD:

Heritage studies

THEORETICAL DEPARTURE POINT:

The application of Dissonant Heritage theory to mitigate the inherent conflict in heretage and judicial spaces.

ARCHITECTURAL APPROACH:

The careful application of adaptive reuse in heritage buildings, to redefine inappropriate spaces with contemporary value and use.

Acknowledgements

All glory to God my father and Jesus Christ my saviour, in whose undeserved mercy I received the ability, energy and opportunity to complete this year.
(Eccl. 9:11)

Thanks to Nico Botes, an ever positive and motivating force. He saw potential in me from the beginning of my studies and it is an honour to finish with him. Your enthusiasm sustained me this year.

Thanks to Prof. Arthur Barker who never allowed me to be satisfied with an average project. Your leadership throughout this year inspired me.

Thanks to Carin Geerds-Wiid for the language editing of this document.

Thanks to my family and faith community that supported me through the pressure and stress with patience and love.

Thanks to every friend for their input, comments or just interest throughout this year.

Finally I want to thank GWA Studio, Gary White and Justin Mellis whose mentorship and support has enabled me to complete my postgraduate studies.

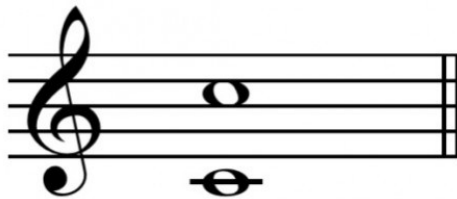
Thesis declaration

In accordance with Regulation 4[e] of the General Regulations [G.57] for dissertations and theses, I declare that this thesis, which is hereby submitted for the degree Master of Architecture [Professional] at the University of Pretoria, is my own work and has not previously been submitted by me for a degree at this or any other tertiary institution.

I further state that no part of my thesis has already been, or is currently being, submitted for any such degree, diploma or any other qualification.

I further declare that this thesis is substantially my own work. Where reference is made to the work of others, the extent to which that work has been used is indicated and fully acknowledged in the text and list of references.

Johannes J. Hattingh



DISSONANCE

dis(ə)nəns

noun - music

lack of harmony among musical notes.
lack of agreement or harmony between
people or things.

late Middle English: from Old French,
from late Latin *dissonantia*, from Latin
dissonant- 'disagreeing in sound',
from the verb *dissonare* .

Abstract

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 the nation-building process that started in 1994 is far from finished and thus a renewed look at our approach to heritage is warranted.

The vehicle of this study will be the Pretoria Magistrate's Court, which was constructed in 1941 and in 2010 suffered heavy damage during a fire. This dissertation investigation is specifically focused on the inherent dissonance in the heritage of the court, which is identified firstly in the classical nature of the building, but also the creation and functioning of judicial spaces. These heritage elements are identified and engaged with according to dissonant heritage principles (Tunbridge & Ashworth 1997).

Furthermore, this study investigated current heritage engagement strategies and how those engagements can be redefined. This was not only done in order to mitigate the negative effects of dissonant heritage

elements, but also to instil contemporary significance.

Finally, this study applies the heritage and adaptive reuse principles identified and formulated, to engage the existing building in removing built fabric, redefining spaces and adding new spaces. This will be done in order to re-establish the existing function of a civil magistrate's court. Through this engagement, dissonant heritage elements are extracted or mitigated, while new contemporary value and meaning is instilled in order to re-establish significance for future generations.

Ekserp

Onlangse sosiale en politiese bewegings, wat begin het met #RhodesMustFall, en die opvolgende verskeie #MustFall veldtogte, het onderliggende gevoelens na tevore gebring. Dit was geglo dat hierdie onderliggende sentimente suksesvol gedek is met die veelkleurige verf van die reënboognasie en tog bly ou spanning opvlam. Die spanning strek van historiese bevoorregting en ontferenis van die huidige diskoers tot rassediskriminasie en die gevoel van bedreiging van identiteit. Dit is duidelik dat versoening en die nasiebouproses wat in 1994 begin is, vër van klaar is, en dus hersiening op ons erfenisbenaderinge vereis.

Die middel vir hierdie studie is die Pretoria Landroshof wat gebou is in 1941 en sleg beskadig is deur 'n brand in 2010. Die ondersoek van hierdie verhandeling fokus op die inherente dissonante in die erfenis van die hof, wat eerstens geïdentifiseer is in die klassieke aard van die gebou, maar ook in die skepping en werking van regsruimtes. Hierdie erfeniselemente word geïdentifiseer en benader volgens die Dissonante Erfenis beginsels (Tunbridge & Ashworth 1997).

Verder ondersoek hierdie studie die huidige erfenisbenaderingsstrategieë en hoe daardie benaderinge herdefinieer kan word. Dit word nie net gedoen om dissonansie in erfenis te versag nie, maar ook om eietydse betekenis by te voeg.

Laastens pas hierdie studie erfenis en aanpassende hergebruik beginsels, wat geïdentifiseer en geformuleer is, toe om boumateriaal van die bestaande gebou te verwyder, ruimtes te herdefinieer en nuwe ruimtes by te voeg. Dit word gedoen met die doel om die bestaande funksie van die siviele landdroshof weer te vestig. Met hierdie benadering word dissonante erfeniselemente ontgin of versag, terwyl nuwe eietydse waardes en betekenis bygevoeg word. Sodoende word nuwe waardes vir toekomstige generasies geskep.

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INTRODUCTION

Research framework

1.



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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

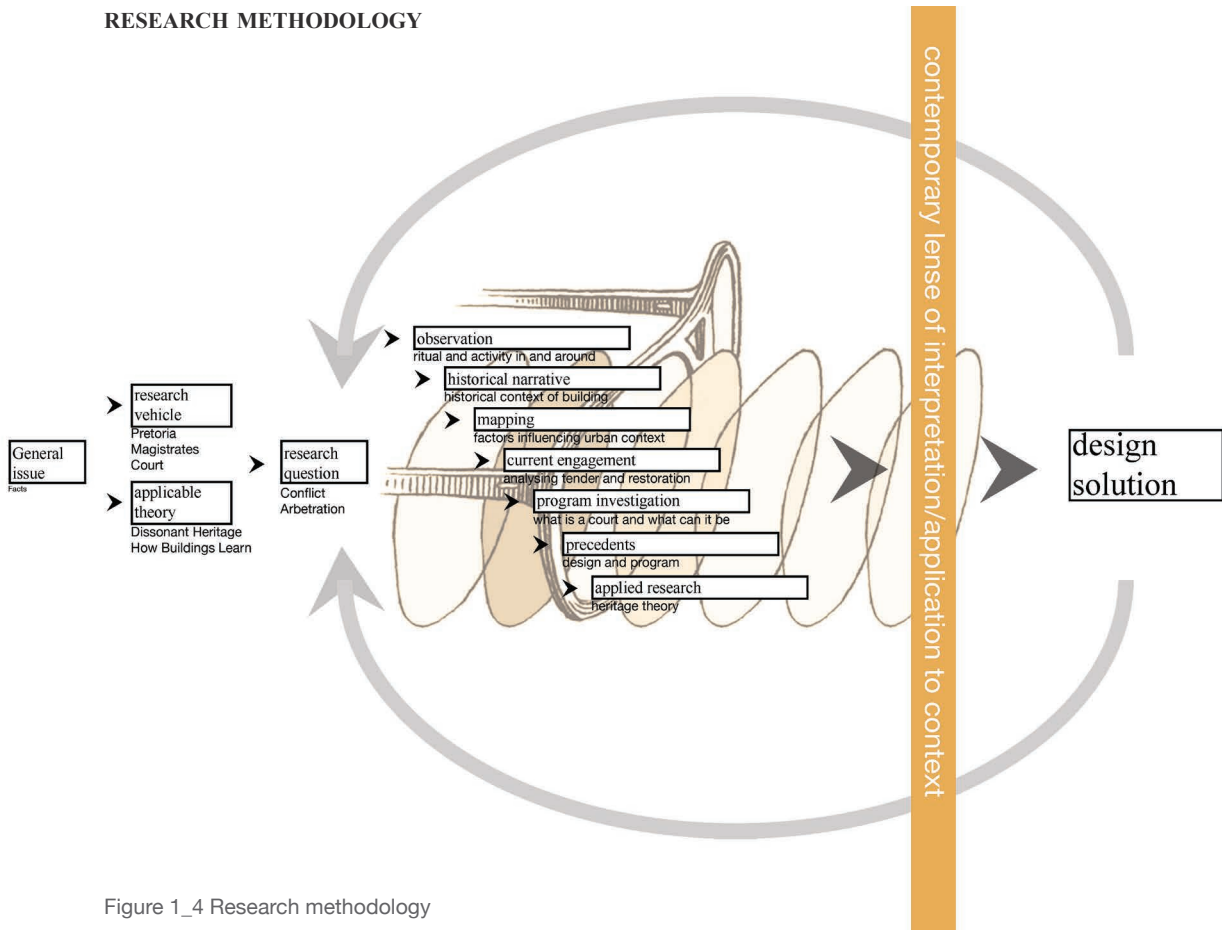


Figure 1_4 Research methodology



This chapter contains the urban group vision that focus on the west of Pretoria.

CHAPTER

Urban Vision

2.

West Fort

ATTERIDGEVILLE

cemetery

industrial



THE
DISCARDED LANDSCAPE OF THE WEST

Figure 2_5 Group vision



Figure 2_6 Combined group vision map

The perception of the west of Pretoria is that it is a landscape fit for discarding. The west is treated like Pretoria's backyard. The west is where one of the first leprosy hospitals were built and the memories of leprosy in South Africa now lay discarded.

The west is where our predecessors decided to build a mental institution and locate the prison. The west is littered with old age homes, homes for the disabled and burial places for the dead. The west is where people were relocated to. The west is divided by a highway that goes nowhere. The west is the graveyard of past industrial dreams. The west is the home of poverty. The west is a discarded landscape.

If you look at the historical development of Pretoria, it is clear that from the beginning there has been a strong emphasis on development of the city to the east. In time this has resulted in an unbalanced city, unable to control its own growth. The ever increasing eastern urban sprawl has made Tshwane the largest metropole in the world and in addition one of the most unsustainable. In new development, the CBD of Pretoria has been side-lined,, discarded as historical birthplace with no role to play in the future of the city and as a consequence the west of Pretoria has been continually isolated from the life force of the city, discarding with it the thousands of residents who call it home.

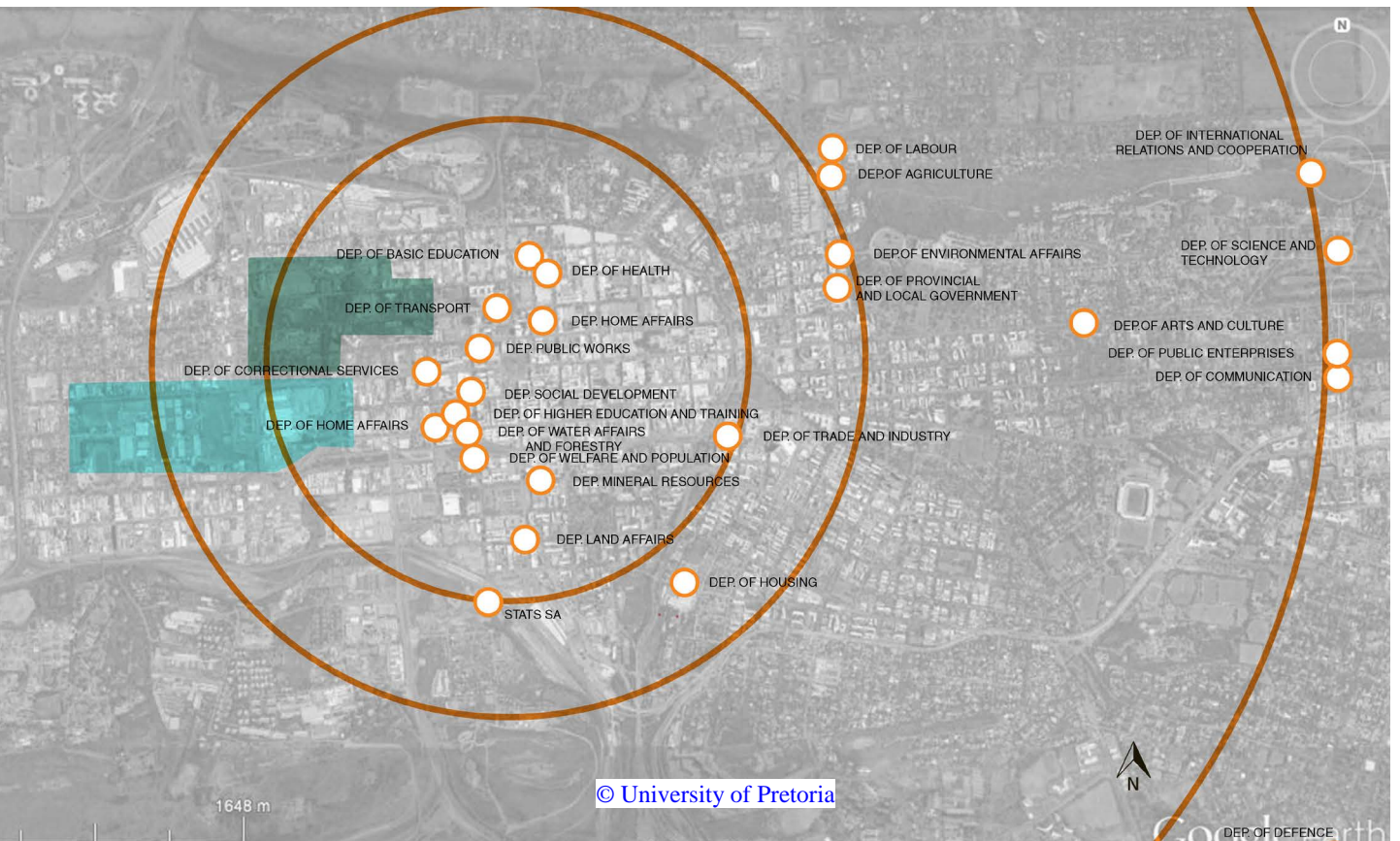
From our internal approach to rediscover the west of Pretoria, we defined the study area within the borders, as everything west

of Paul Kruger Street reaching the western borders of Atteridgeville between the ridges north and south. We have used four lenses to analyse the latent potential of this area, namely: ecology, heritage, public and economy.

The west of Pretoria is the backyard of our city, filled with discarded space, people and memories. And yet . . .

The west encapsulates immense cultural diversity and public energy which can be utilised to the regeneration of their context. Vast tracks of land close to the CBD lay open for potential development. The west is rich in cultural and historical narrative which can be harnessed in the celebration of this unique and significant environment. The development of the west will re-establish the developmental balance to the city at large, ensuring its sustainable continuation. It will enable the people of the west equality in access to the city and enforce their claim to its opportunities.

This urban vision does not attempt to create a compact and closely integrated urban framework. Instead the attempt is to create a theoretical link and a general hope for the city's future. This urban vision will be implemented on different scales and on various parts of the west of Pretoria.



The purpose of the following maps are to illustrate general observations concerning the development pattern of Pretoria.

The figure top left focus on the development of the bank head offices and represent the private development of the Pretoria inner-city.

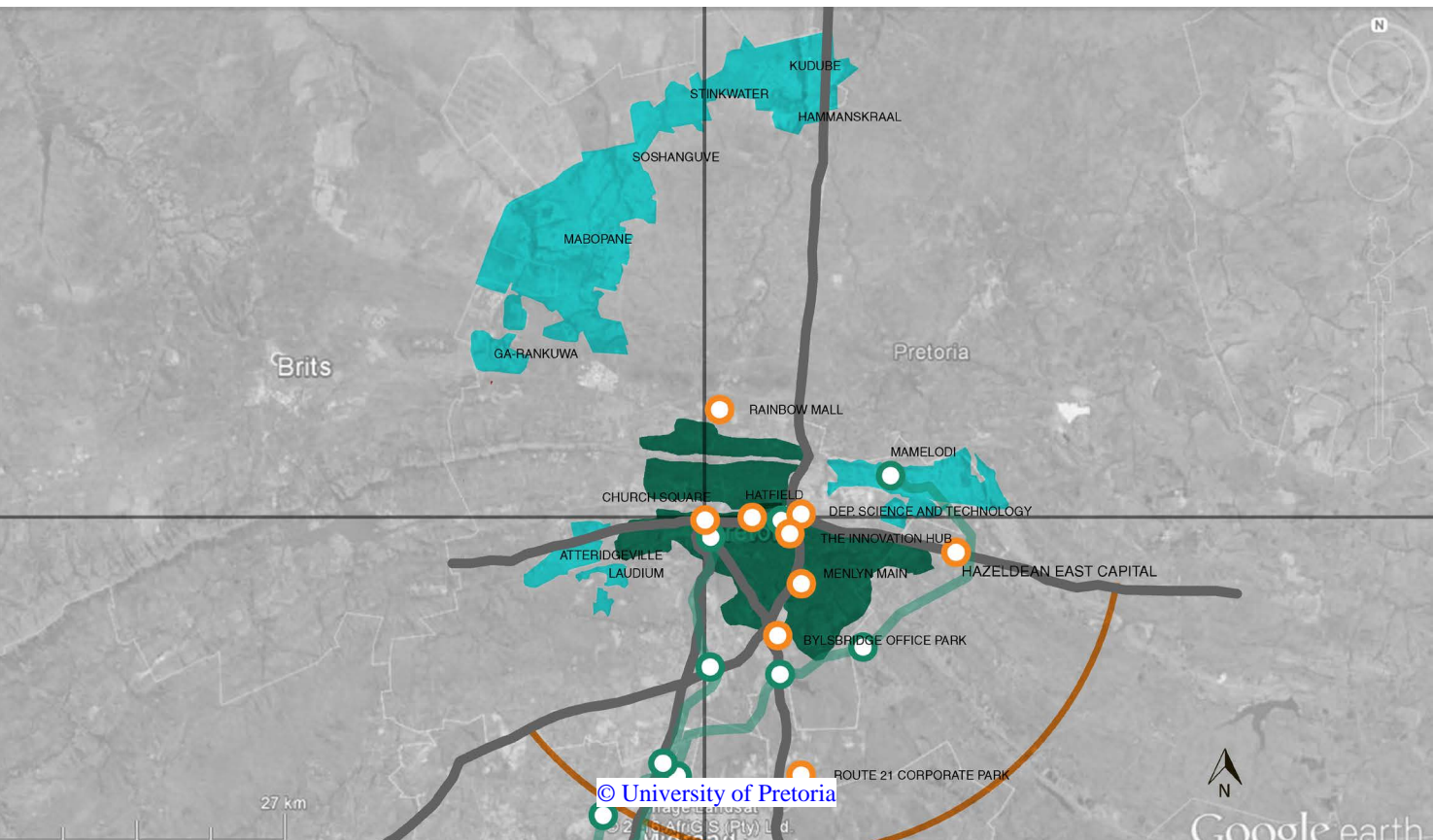
The figure bottom left illustrates the spreading of public government departments and how the new additions are developed increasingly to the east.

Finally the bottom figure shows the development of new economic nodes that moves increasingly east and south, while underdeveloped regions like Soshanguve outside this development patten remain.

Figure 2_7 Top left: Bank offices

Figure 2_8 Bottom left: Government departments

Figure 2_9 Bottom: General development patterns



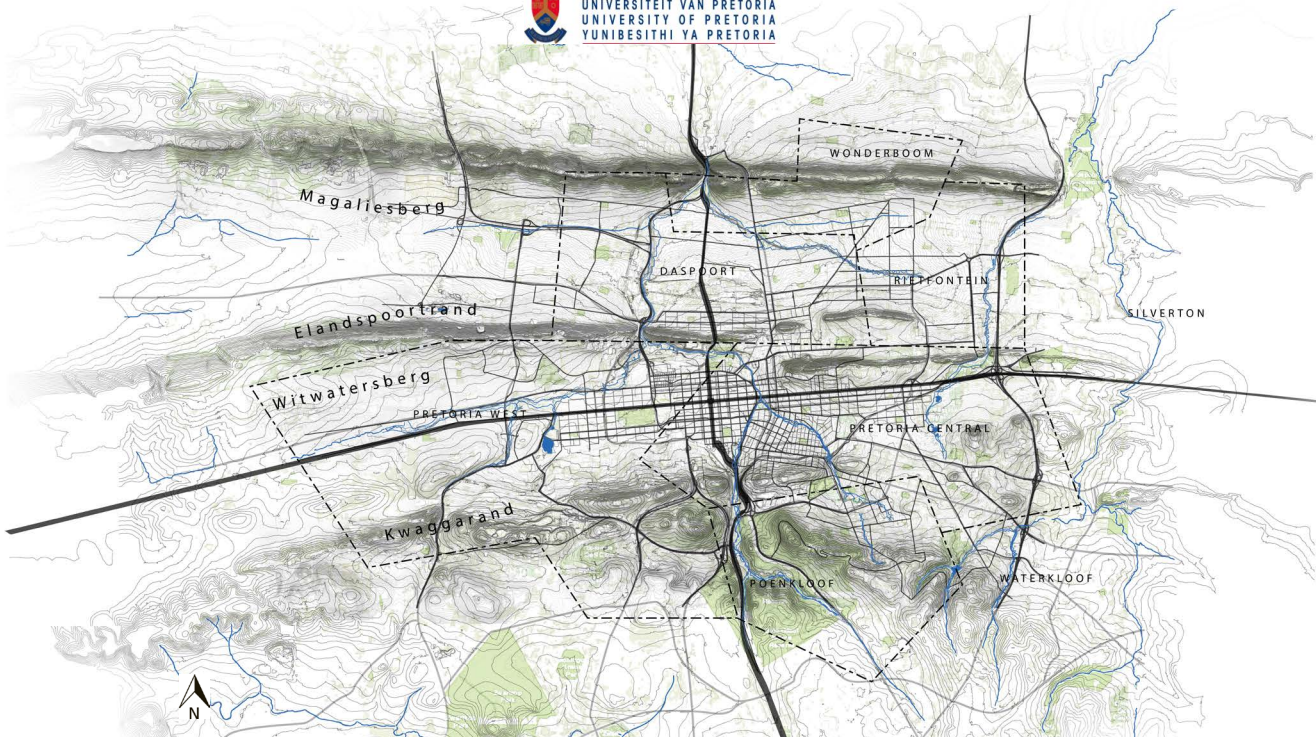


Figure 2_10 Topographical structure of Pretoria

The top map shows the general topographical structure of Pretoria. Firstly the borders of the city are defined by the ridges that run north and south of it. Secondly the layout of city is greatly influenced by the Apies river that runs through it.

The bottom map shows the focus area where the ridges are disrupted by gateways and so the hydraulic nature of the landscape is influence. There are also specific ecological systems hat are observed at these points.

Figure 2_11 Gateways and ridges

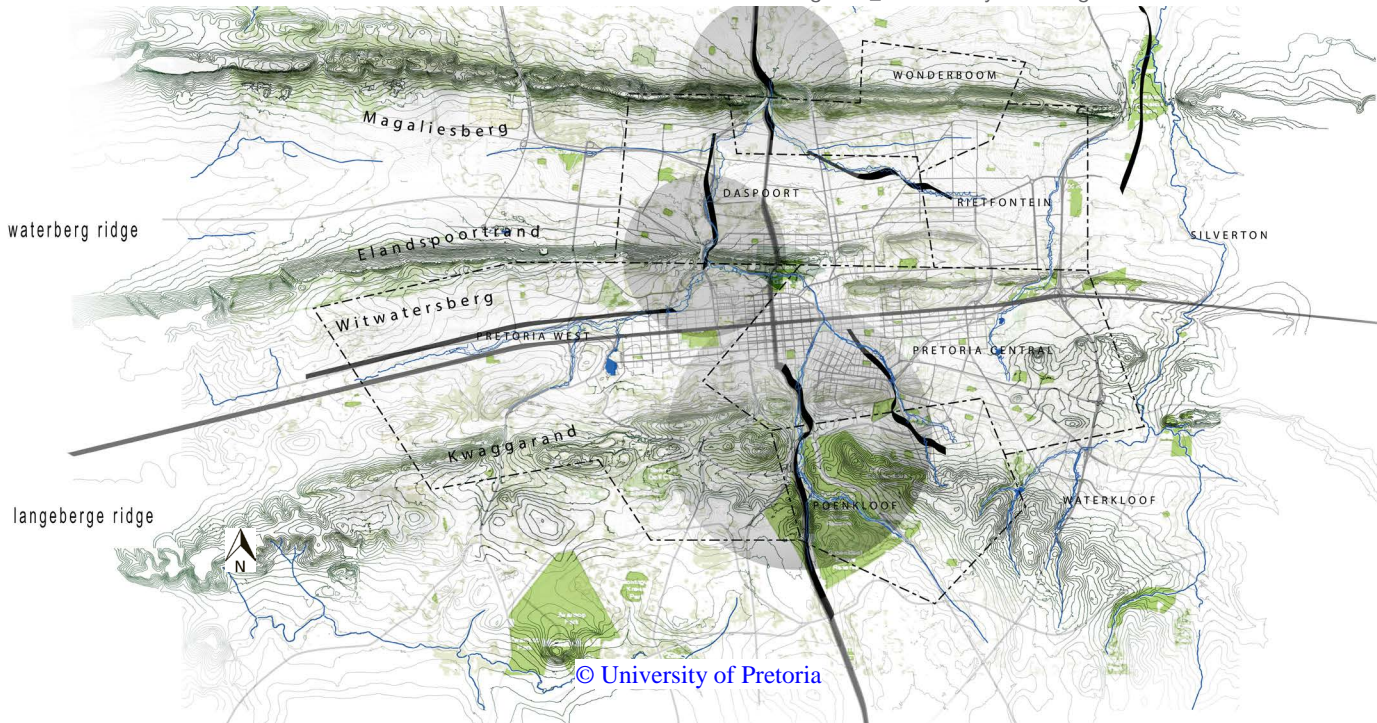




Figure 2_12 Open green spaces
The top map shows all the open and green spaces in Pretoria. This includes underdeveloped land sports-fields and parks.

The bottom map shows the various public transport routes, specifically focused on local bus routes. This also shows the surrounding areas that are linked by these transport routes to the inner-city.

Figure 2_13 Public transport

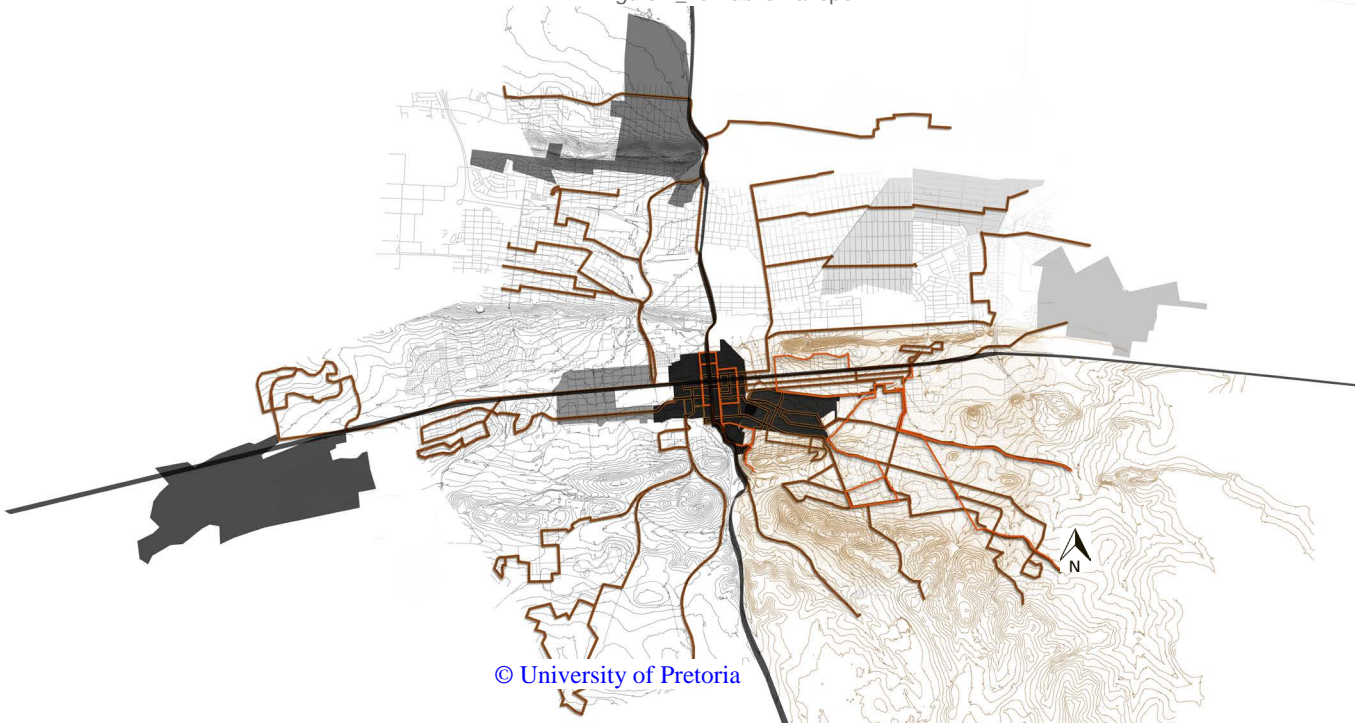
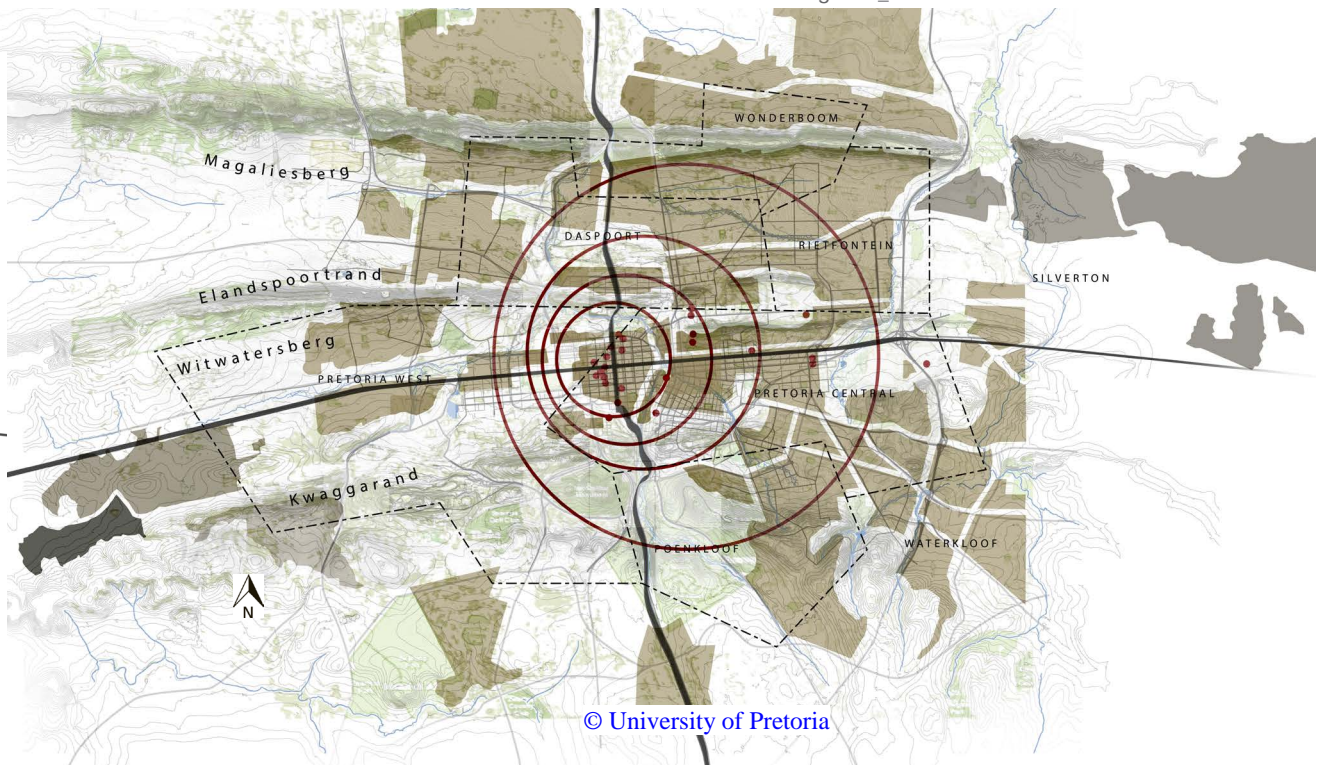




Figure 2_14 Development pattern of Pretoria
The top map shows the development pattern of public investment, specifically focused on government departments.

The bottom map shows the relative income of the surrounding areas, based on census data. The darker the colour, the less household income is available in the area.

Figure 2_15 General income



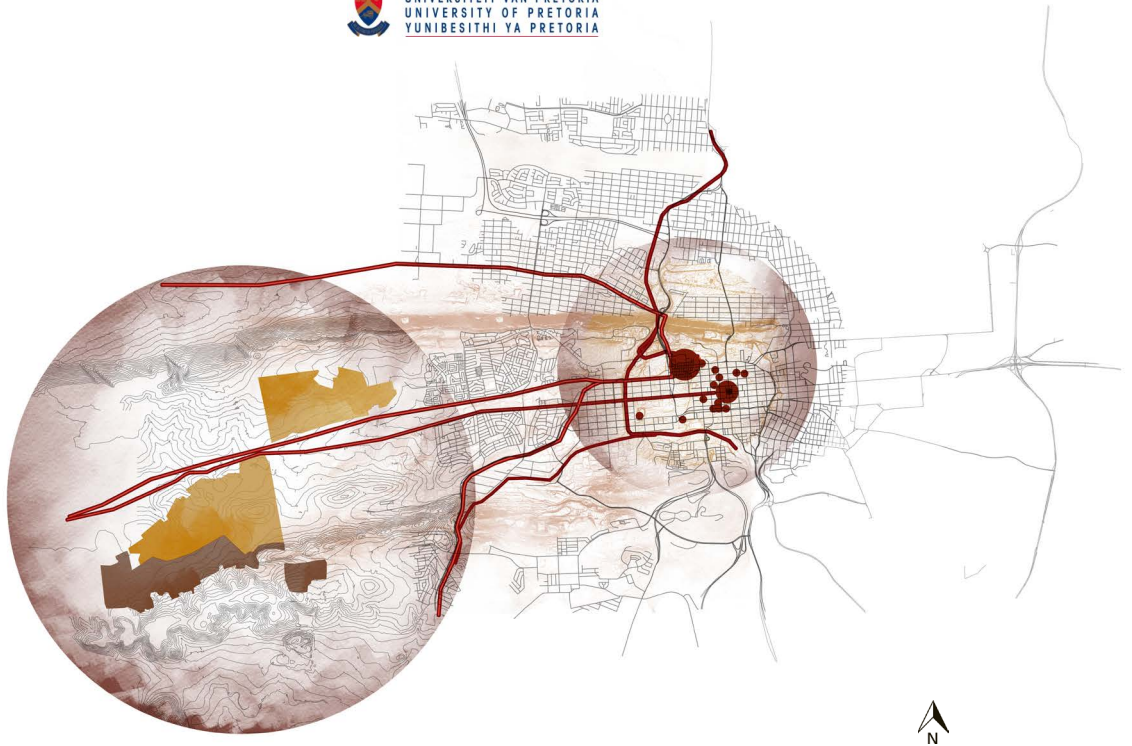


Figure 2_16 Economic routes
The top map shows the economic routes in the city, specifically focused on the informal trade and the consumers thereof. This also shows the economic nodes and the linking thereof.

The bottom map is an analysis concerning cultural groups in specific areas. The conclusion is based on household language. The data is obtained from general census.



Figure 2_17 Cultural groups



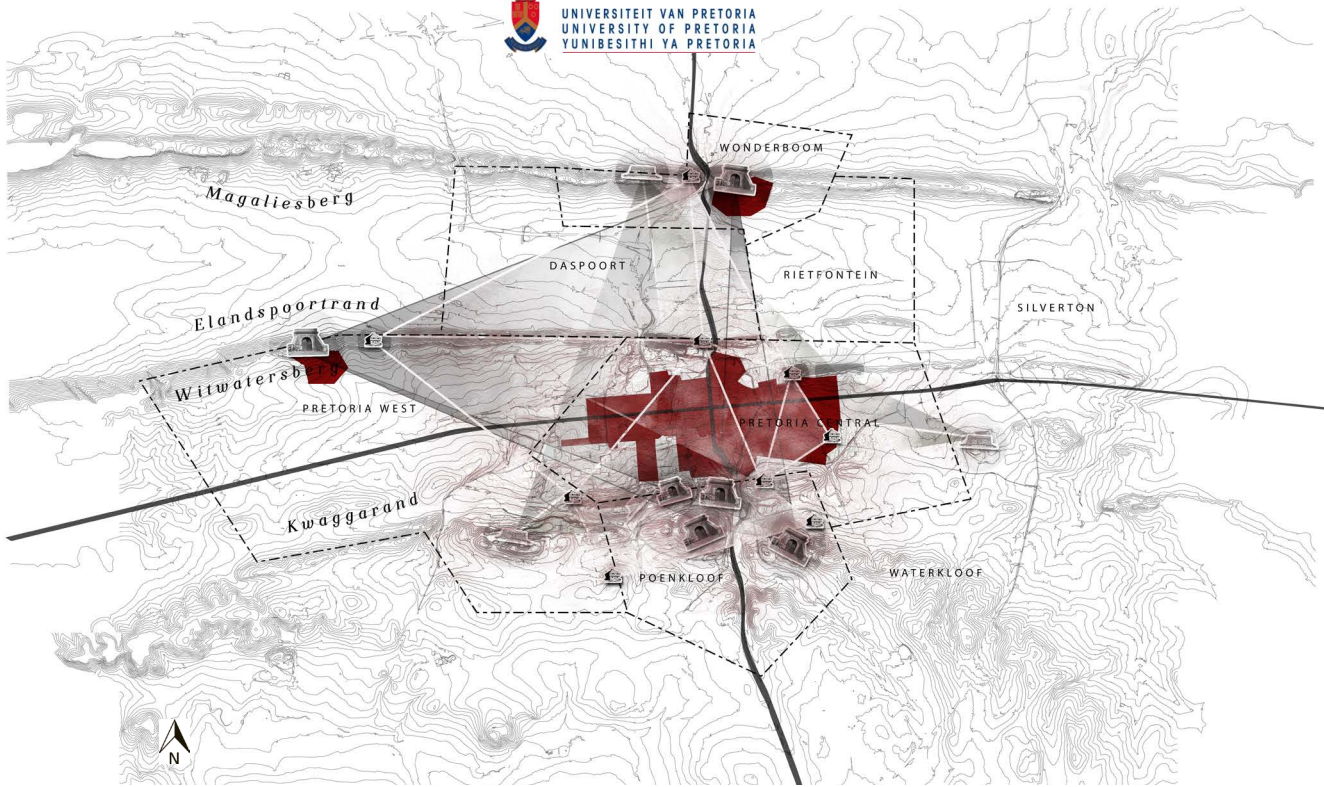
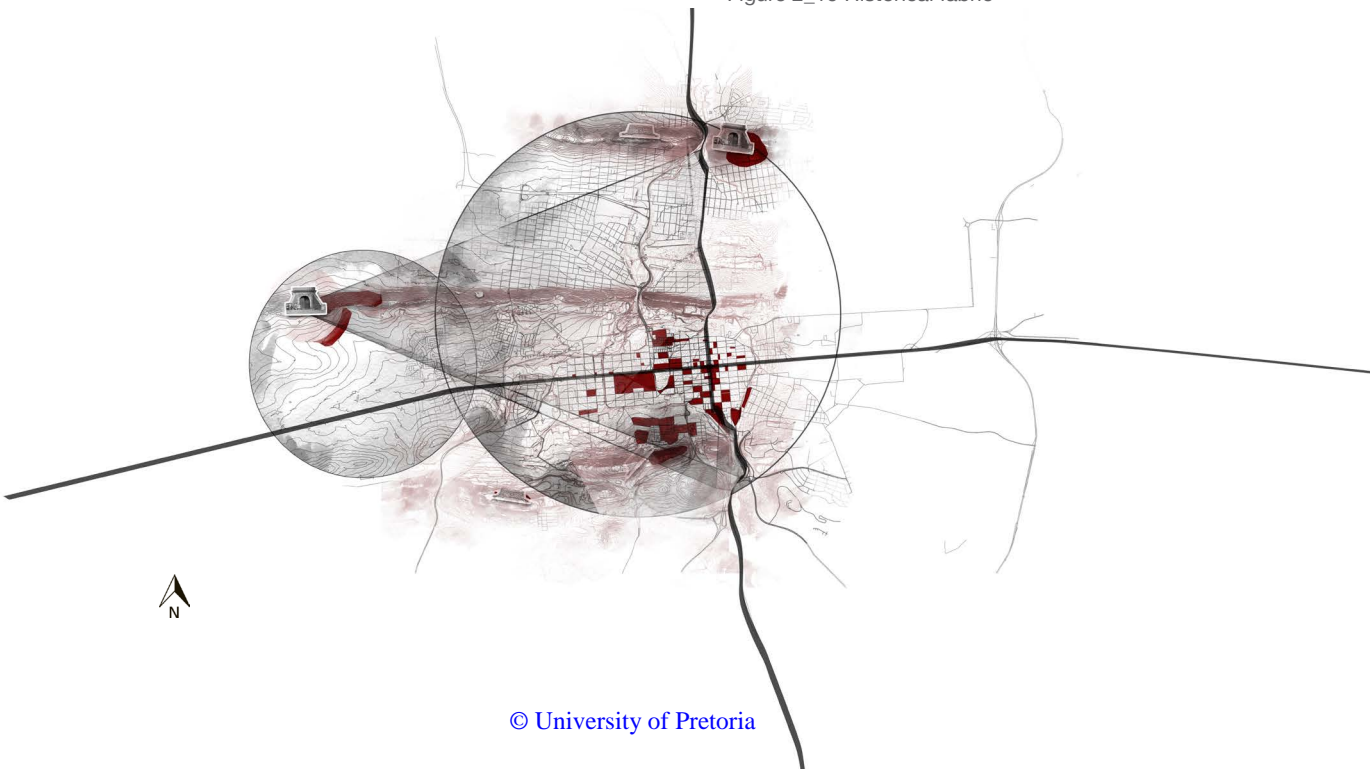


Figure 2_18 Historical development
The top map shows the historical development borders of Pretoria at the turn of the century as well as the positions of the historical forts in relationship to the origin of the city.

The bottom map shows the remnants of the historical fabric of the city.

Figure 2_19 Historical fabric



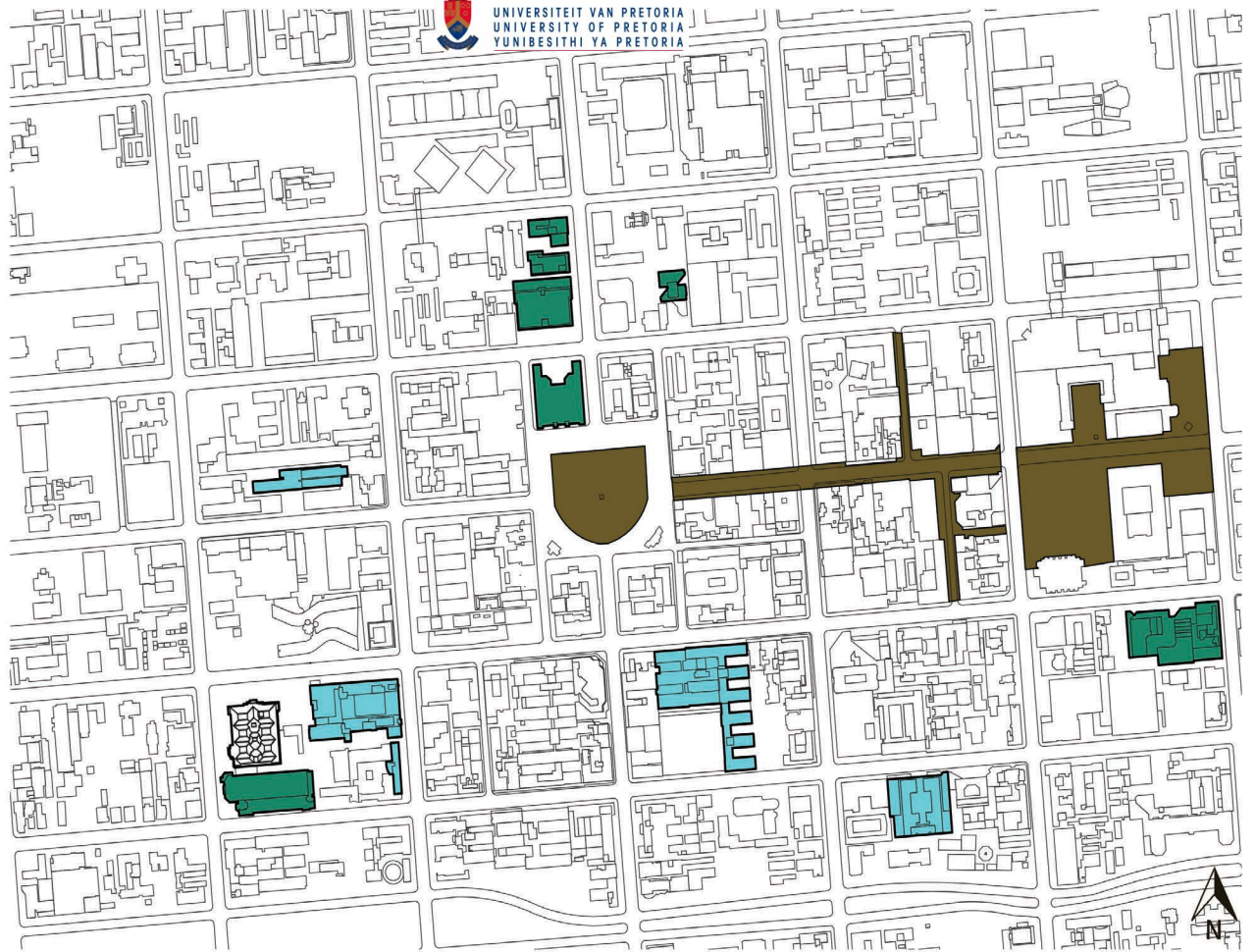


Figure 2_20 Status quo

Status quo

-  existing public spaces
-  police institutions
-  judicial institutions

Existing public spaces in the inner-city, that stretches from Church square to the State Theatre. Included is a network of state institutes that forms part of the legal system of South Africa.

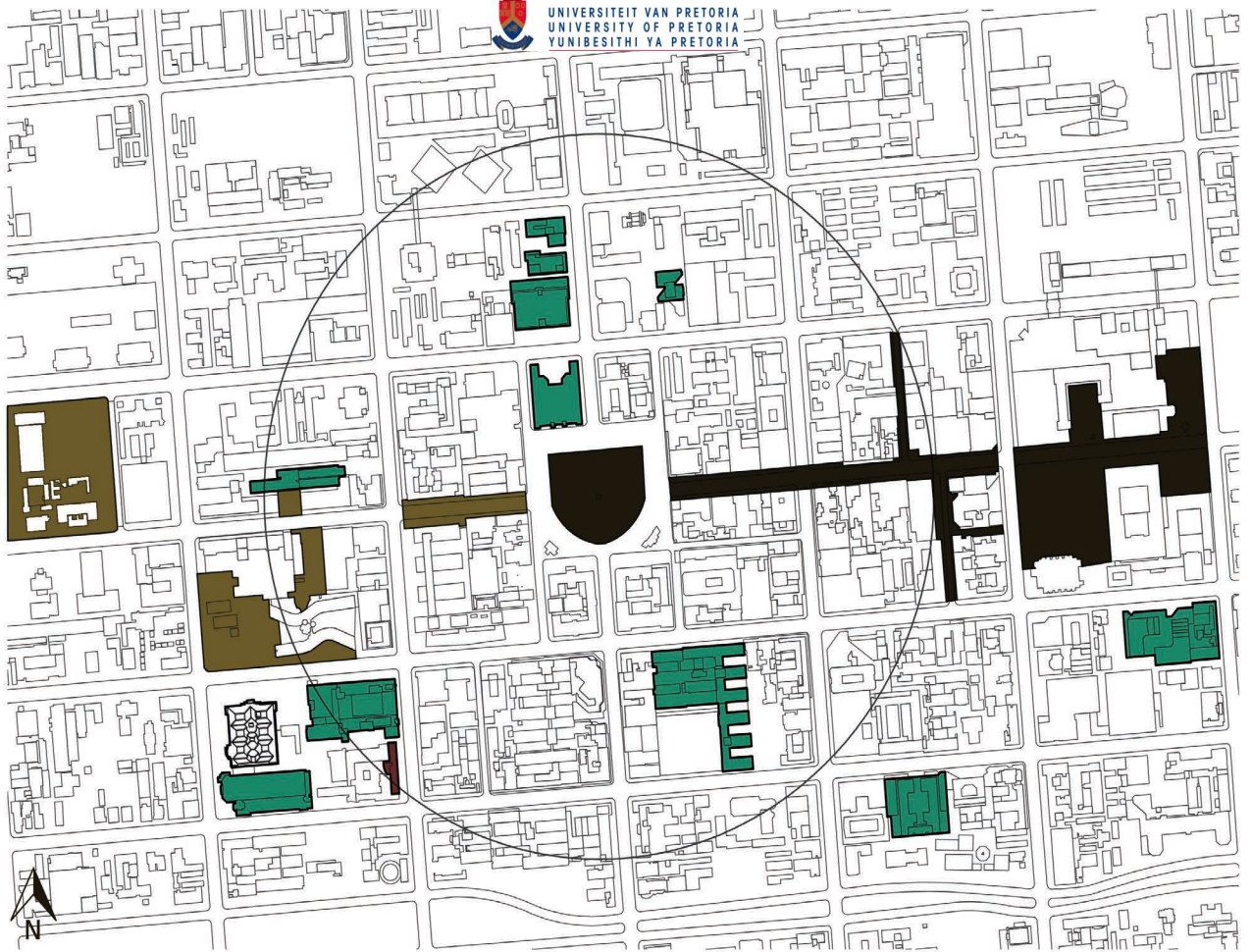





Figure 2_21 Potential

Potential

-  existing public spaces
-  institutions
-  potential spaces for public development

The predominant spatial development to the east threatens the balance of development in the inner-city and the draining of its energy.

This diagram shows the potential spaces to the west that could be developed for public use and also the potential integration of judicial institutions and their networks.

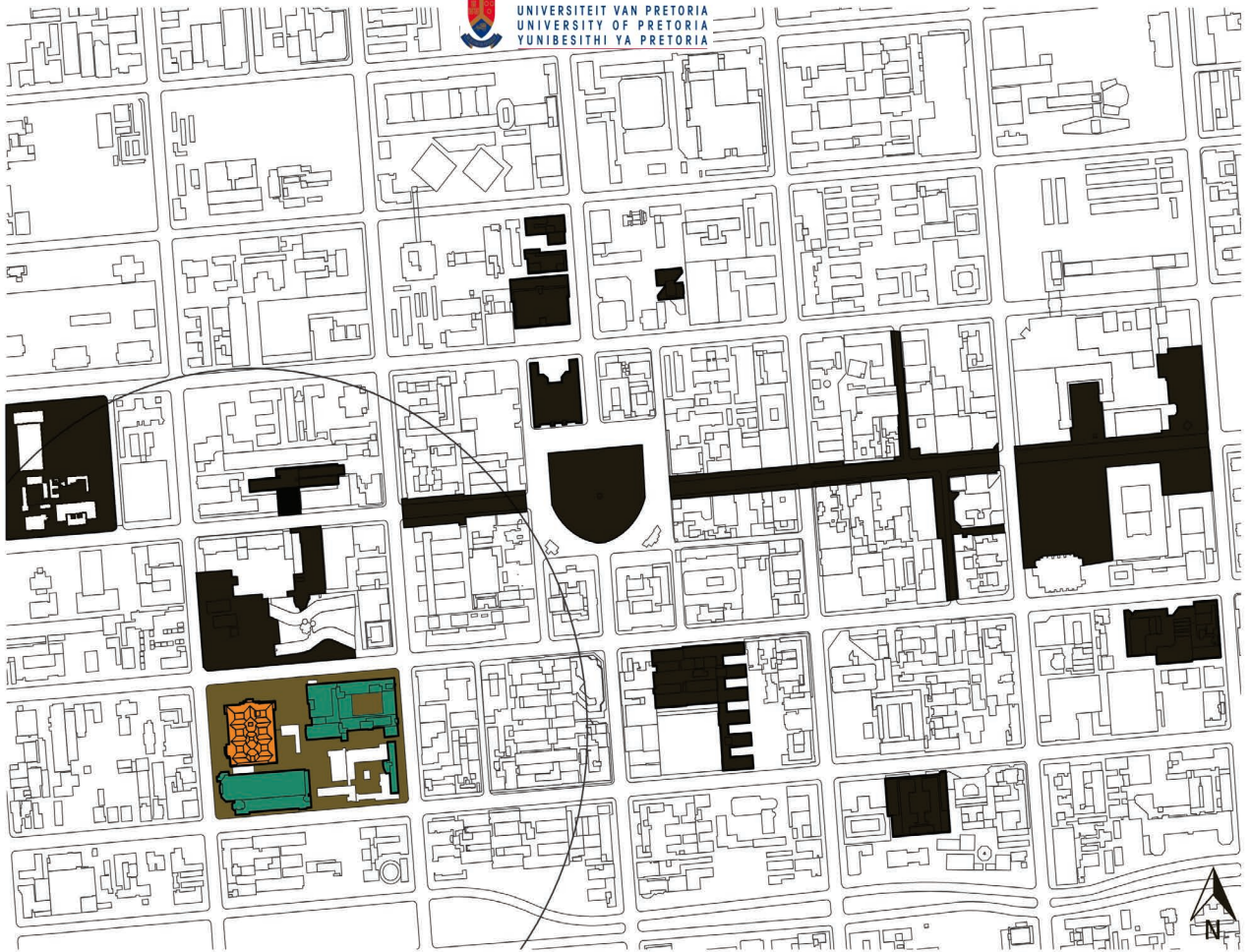



Figure 2_22 Focus on site

Focus on site

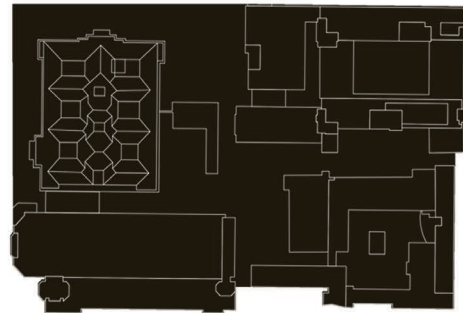
-  existing public spaces and institutes
-  institutions that could be integrated
-  site of development

The purpose of this approach to the city block is the integration of the block into one functional entity, that is permeable to the city through public spaces. A coherent city block that can lead to a compact and functional inner-city.

Figure 2_23 Status Quo 2



Pretorius Str

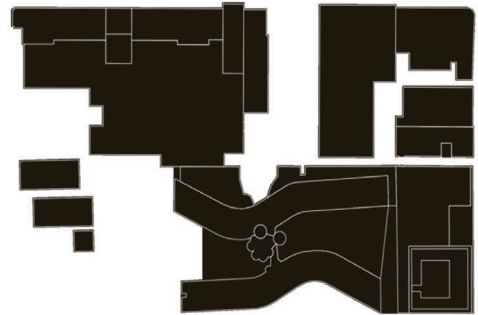


Status Quo

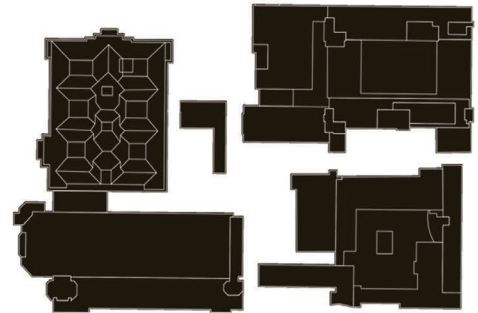


The block is inaccessible and cut off from any unsecured public access.

Figure 2_24 Remove fences



Pretorius Str

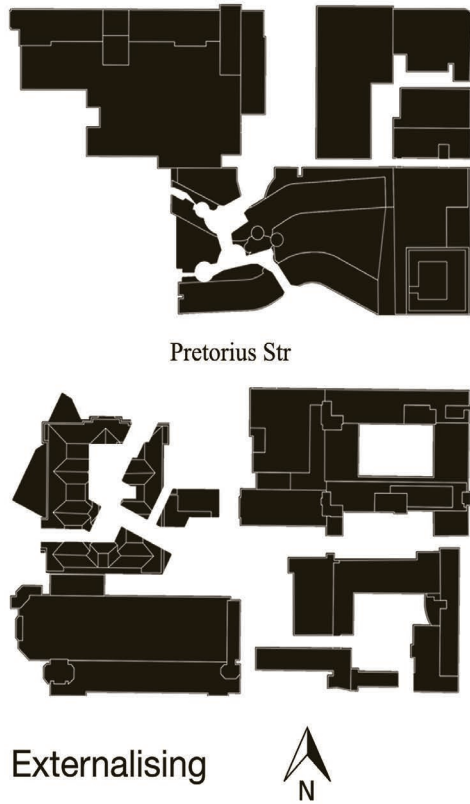


Fences removed



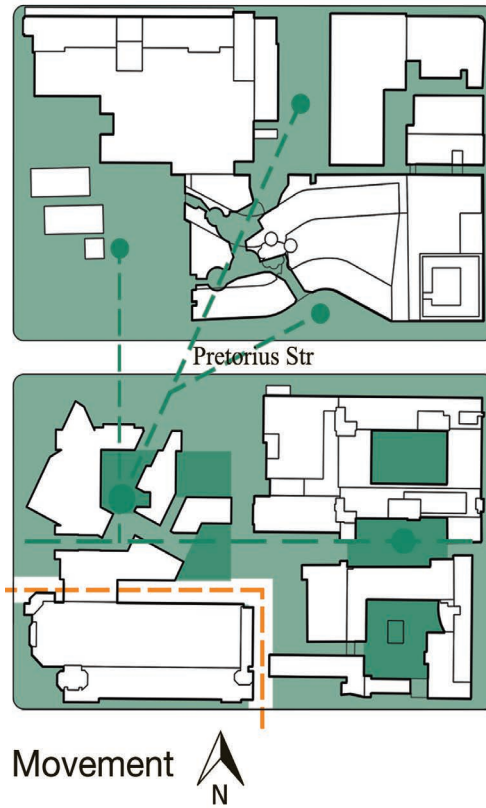
The removal of gates and fences starts to demonstrate the extent of public access possible.

Figure 2_25 Externalisation



The opening up of internalised spaces and the integration thereof with the public sphere. This will enable the public to move through the city block.

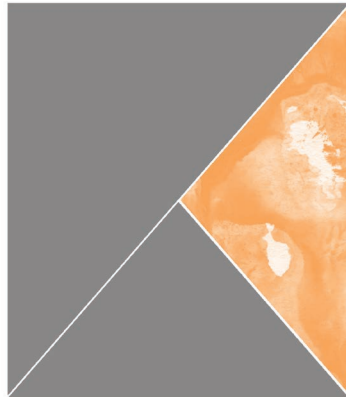
Figure 2_26 Movement



The linking of public spaces in one coherent network, that facilitates movement through the city and enables public access.

APPLICATION

With the redevelopment of the Pretoria Magistrate's Court and the considerable investment in this area, this study will attempt to stimulate the local economy of the western part of the inner city. The effect of this development stimulation will then progress along Pretorius Street towards the west. Well-placed interventions will redress the development pattern of Pretoria and restore balance to the city. The urban condition will also be improved through this development, by fragmenting the big city blocks for pedestrian access, creating new open public spaces and linking complementing inner block functions.



This chapter discusses the theoretical foundation of the dissertation and the approach to heritage.

CHAPTER

Dissonant Heritage

3.

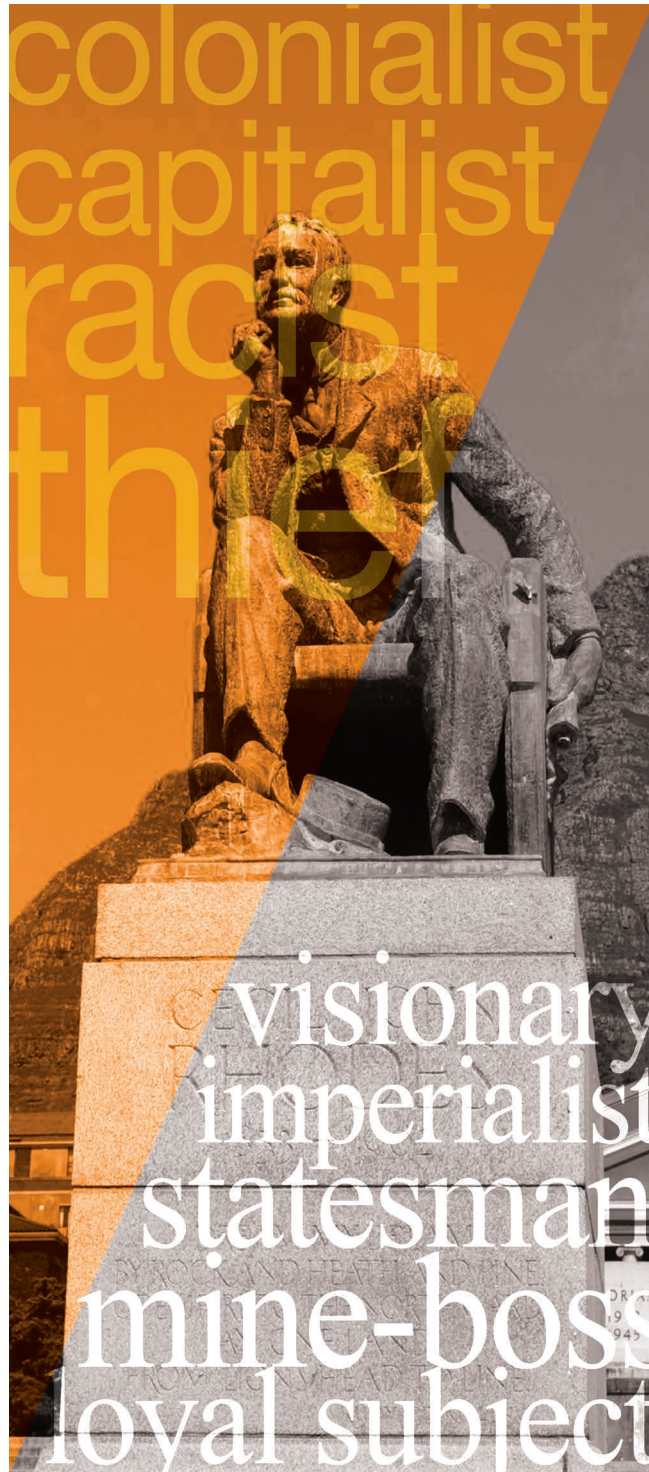


Figure 3_1 Statue of Cecil John Rhodes at the University of Cape Town, adapted [image online] available at: https://upload.wikimedia.org/wikipedia/commons/7/7f/UCT_Cape_Town_-_Statue_of_Rhodes.jpg access on: 2016-10-22

The aim of the following chapter will be to give this dissertation a theoretical foundation from which to start the general investigation. The theoretical discourse that will be used is that of dissonant heritage, a term defined by Tunbridge & Ashworth (1996). It is chosen as it forms the basis of all discourses thereafter dealing with heritage that is contested or in disharmony with its contemporary context, and covers a broad spectrum of subject matter ranging from archaeological artefacts to monuments, from culture to tourism.

Dissonant heritage will only be discussed as far as it applies to the specific context of the Pretoria Magistrate's Court.

Since heritage is a broad term which has been defined in various ways in the past, Tunbridge & Ashworth (1996:6) aim to define heritage so as to cross the divide between the various opposing views. Their definition is that:

'It (heritage) is thus a product of the present, purposefully developed in response to current needs or demands for it, and shaped by those requirements. It makes two sorts of intergenerational links, both of which are determined by the present. The present selects an inheritance from an imagined past for current use and decides what should be passed on to an imagined future.'

According to Tunbridge & Ashworth (1996), heritage is more reliant on a

subjective interpretation of the past as on objective factual history. They go on to state that place making and heritage communication in that place, is reliant on coding. Dissonance occurs when the encoders, usually government agencies, are far removed from the decoders, the general public. Furthermore, this code is usually embedded in heritage objects that are designed to be robust and last for long periods of time, further removing the encoder from the decoder through time.

Dissonance in turn is defined by Tunbridge & Ashworth (1996:20) in the following manner:

'Dissonance in heritage involves discordance or a lack of agreement and consistency.'

The term also holds close to musical theory where it describes the disharmony between notes and thus in cognitive theory it will point to:

'a state of psychic tension caused by the simultaneous holding of mutually inconsistent attitudes or the coexistence of a lack of consonance between attitudes and behaviours.'

Thus, two factors becomes apparent and implicit in the application of this theory:

Firstly, that heritage is not a passive by-product of history but a deliberate product



Facts



Selective attempt to describe and to record.



Product of contemporary use or the enforcement of ideology.



Intentional choice in a systematic process.



'all heritage is someone's heritage and therefore logically not someone else's...'

Tunbridge & Ashworth (1996:21)

Figure 3_1 1652 in the Cape, adapted [image online] https://usercontent1.hubstatic.com/535668_f1024.jpg access on: 2016-10-22

Figure 3_2 Riebeeck bill, adapted [image online] <http://www.andrewcusack.com/net/wp-content/uploads/nwrand1.jpg> access on: 2016-10-22

Figure 3_3 Riebeeck statue, adapted [image online] http://www.rdm.co.za/incoming/2015/04/01/jan-van-riebeeck.jpg/ALTERNATES/crop_607x325/Jan+van+Riebeeck.jpg access on: 2016-10-22

created. This creation process inevitably leads to a selection process in which some are included and others excluded. Thus simply stated:

'All heritage is someone's heritage and therefore logically not someone else's:...'
(Tunbridge & Ashworth (1996:21))

Therefore, inevitably disinheritance occur with inheritance and although the creation of a universal inheritance is illogical and the solution far from simple, the theory guards against inactivity and advocates a deliberate approach.

Secondly, dissonant heritage is a universal phenomenon and either actively or latently present. Thus this approach cannot just be relegated to the obvious contexts but needs to be present in all heritage engagements.

Concerning architecture, which Tunbridge & Ashworth (1996) group with place products or place heritage, both physical (relic) and metaphysical (memory) the following tensions might arise:

1. The diversity of heritage elements assembled might contain non-heritage components and is meant to serve a wide variety of consumers.
2. Because of this diversity of components, the place product might be multi-sold as some parts appeal to some while other parts appeal to others.

3. This might lead to multiple interpretations of the same place product.

4. Lastly, the place product is usually placed within a spatial hierarchy that creates confusion as to which scale meaning is marketed and at which scale it is sold. This scale may refer to a local context as well as a global setting.

DISSONANT MESSAGES

'all heritage contains implicitly or explicitly value-laden messages'
(Tunbridge & Ashworth (1996:27))

These inherent messages can be conveyed in several different ways that will lead to dissonance. These are:

1. Contradictions, where there might be conflicting messages within a single artefact.
2. Failure to transmit may lead to the understating or complete silence on the inherent messaging, thus leaving the consumer to deduce their own interpretation or drawing on unintended interpretations.
3. Obsolete transmissions of messages happen in context where the artefact no longer relates to the values and objectives of the current society, and thus becomes irrelevant.



Figure 3_4 Statue of Nelson Mandela at Union Buildings, adapted [image online] <https://lillyloompacom.files.wordpress.com/2015/02/mandela-scale.jpg> access on: 2016-10-22

4. The undesirability of the message might represent history that hurts and thus cause dissonance by its mere presence. This might cause dissonance between perpetrators and victims of the same heritage.

As previously discussed, this process of heritage creation inevitably leads to disinheritance of those who are excluded. According to Tunbridge and Ashworth (1996) this disinheritance can manifest itself in the following ways:

1. In the case of mutual indifference, the heritage aspect can be celebrated by one group separate from another, while posing no threat and in many cases remaining totally unnoticed.

2. With tolerant acceptance two distinct groups remain completely separate with their own social organisation and versions of history, while mutually contributing to the larger state or society. This concept is based on mutual understanding but not mutual participation.

3. With mutual association and participation all spheres of society participate in the celebration of the others' heritage without threatening or being threatened by the heritage expression.

Tunbridge & Ashworth (1996) concedes that addressing disinheritance in a context where unequal political or economic structures existed or still survives, complicates the mitigation process but states that mitigation is none the less possible.

DISSONANCE IN THE COURT

Concerning the Pretoria Magistrate's Court, the apparent dissonance exists firstly and most apparently in the classical nature of the building. This classical stylistic expression is universally associated with the west and in a post-colonial context with colonialisation. Since the 19th century this particular style has also universally been associated with civic buildings and particularly the law. Therefore on mere appearance the first points of dissonance are formed and are clear undesirable messages that are transmitted.

Secondly, a less apparent dissonant element exists in the layout and functioning of the old court. While the contemporary judicial system advocates the principles of transparency, accessibility, democracy and restorative justice, the spaces and layout of the Pretoria Magistrate's Court has become obsolete in its current context and therefore communicates another point of clear dissonance.

Although these aspects of the heritage are present, not all of it is negative. The classical ordering of elements symbolises the order that is needed in the judicial system in order for it to function. The stylistic expression of the building also affirms it in its civic presence and position within the city, and adds the necessary gravitas to the court and its function.

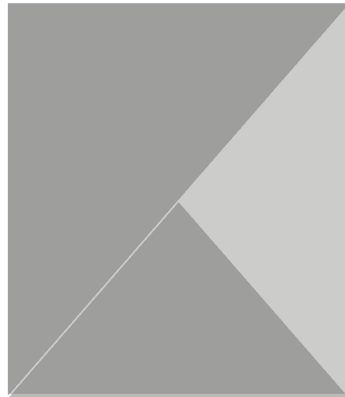
Thus although it is not the position of this dissertation to take an absolute restoration approach to the existing building, it is also



Figure 3_5 Pretoria
Magistrates Court

not an option to completely eradicate the existing fabric. This dissertation recognises the opportunity that exists to engage the building in order to extract the negatively-instilled message and attempt to instil and add in its place a contemporary expression of what the justice system could be and how it should develop into the future.

Furthermore, it is the opinion of this dissertation that heritage needs to be engaged in order to re-instil contemporary value and meaning in order to make it relevant in its current contexts and to its current users.



The following chapter deals with the context of the project site, both historical and stylistic.

CHAPTER

Classicist context of the Pretoria Magistrates Court.

4.

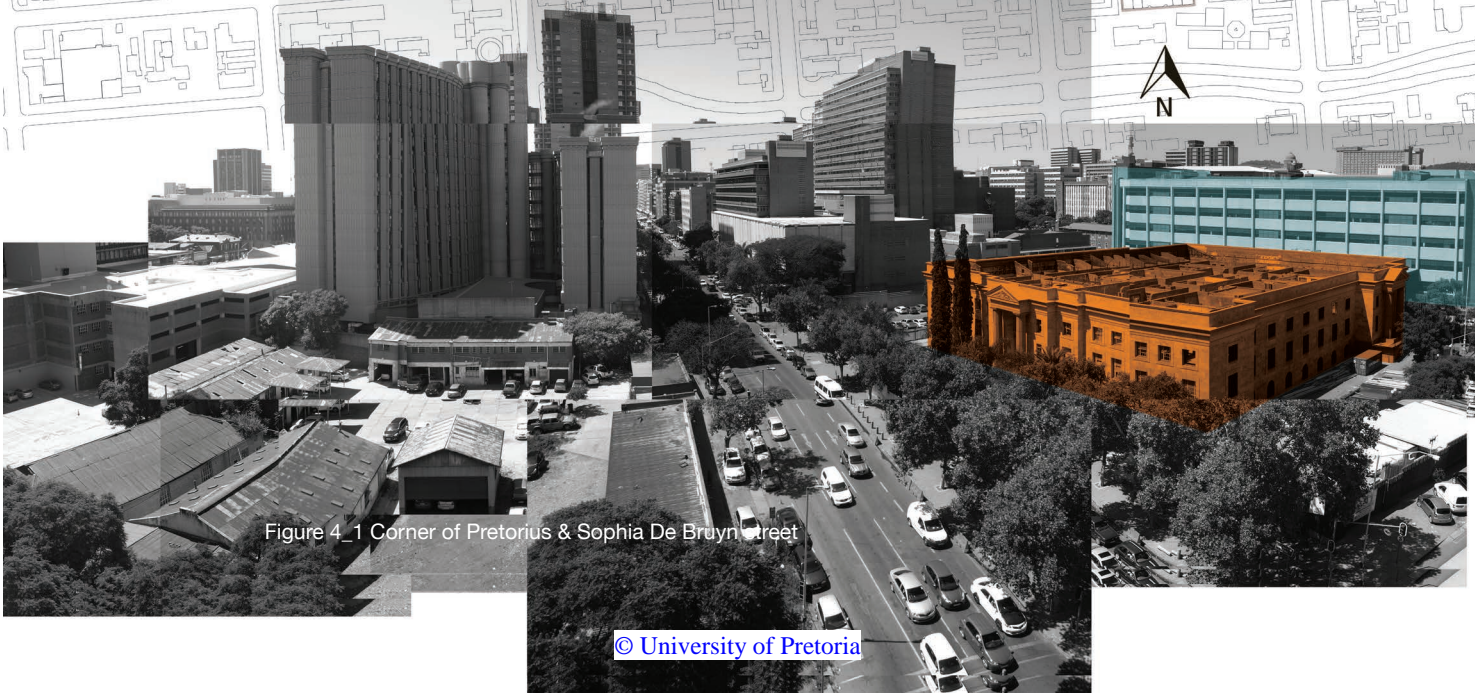


Figure 4_1 Corner of Pretorius & Sophia De Bruyn street

Context of the Pretoria Magistrates Court

The Pretoria Magistrate's Court, designed by F.W. Mullins from the Public works Department, was completed in 1942 (Le Roux & Botes 1993:12). It is plausible to assume that the Magistrate's Court, as it stands today, shared the same space in the city as its predecessor or more likely completely replaced it on the exact same site.

A historical context of the court to be considered is the rise of Afrikaner Nationalism in 1948 and with them the rise of modernist architecture in South Africa. That will make the Pretoria Magistrate's Court (1942) one of the last revivalist buildings in Pretoria and the symbol of a passing era in South African politics.

In a final value judgement, Le Roux & Botes (1993:12) states that the value of the building is in its official status as a court. This opinion is also reflected by Engelbrecht et al (1955) when reflecting on the stylistic preference of the Department of Public Works of that time. In recognition of the predominantly Classical-Renaissance preference, they hold up examples such as the Main Post Office and Central Government Building constructed during that era while concluding:

'Die Magistraatsgebou is minder geslaagd.'

CLASSICIST ARCHITECTURE

As the study by Mulcahy (2011) demonstrates, the height of court design was during the 19th century and it is the position of this dissertation that many of the principles established during that time still remain in place. Furthermore, it is clear that the aesthetical considerations of the 19th century development had a profound influence on the design of the Pretoria Magistrate's Court.

Therefore, the purpose of this brief discussion of classical principles in architecture will aim to adequately equip this dissertation with the language to analyse the elements of the Pretoria Magistrate's Court in order to develop a design response.

Classical comes from the latin word *'classici'*, a term which distinguishes the highest social order as opposed to *'proletarii'* which is the lowest. Thus the classical strives for ultimate order in the cult of purity and rejects any element which would be deemed as polluted or unworthy. Classical architecture in its essence is acontextual, preoccupied with creating a perfect world within a world. This endeavour is not purely an academical practice, but consciously striving to influence. As Tzonis & Lefaivre (1986:5) states :

'The work should affect the minds of the audience for the sake of public good. It should edify wisely, consult and comment judiciously, defend and praise, rouse consciousness, and criticize.'

This act of worldmaking can thus be seen as highly political and intentionally influential.

This separate world, a representation of perfection and order, communicates through a set of elements which forms the basis of its language. According to Tzonis & Lefaivre (1986:6) this language comprises of three elements: *taxis*, *genera* and *symmetry*.

The *taxis* relate to the division and orderly arrangement of parts, either in a grid or in a tripartite division. *Taxis* establish a rhythm between elements and establish hierarchy in the perception of these elements. Through *taxis* the classical principle to establish the hierarchy of parts

within parts is achieved, always relating to one another no matter the scale (Tzonis & Lefaivre 1986; Chitham 1985).

The next element is the *genera*. *Genera* refer to the column orders of which the Doric, Ionic and Corinthian are the most common. The *genera* thus signify the individual parts that populate the *taxis*. They are symbols of divine order and relate to the proportions of the human body. Each type of *genera* communicates a different symbolic notion, for example the Doric order represents the masculine strength and power, while the Corinthian relates to the feminine (Adam 1990; Tzonis & Lefaivre 1986; Chitham 1985).



Figure 4_1 Western facade

The last principle in the order of classical architecture is *symmetry*. Where *taxis* refer to the arrangement of parts and genera to the parts themselves, *symmetry* becomes the relation between those parts. *Symmetry* can be established either through rhythm or figure, overt or subtle, in the use of various methods (Adam 1990; Tzonis & Lefaivre 1986; Chitham 1985).

ANALYSIS

Having discussed the basic poetic principles of classical architecture, the following analysis aims to inform intervention in the Pretoria Magistrate's Court. The analysis will be conducted on a purely visual basis since the site was inaccessible for measurement. The intervention will aim to address the inherent dissonance that was instilled by past discourses and attempt to re-instil contemporary values.

Le Roux & Botes (1993) describe it as a three-story building with courtrooms arranged around internal courtyards. The façade is designed in a neo-classical style, comprising of a raised plinth, defined by rounded windows, and a cornice defining the gable wall. The windows on the northern façade are symmetrically arranged around the portico, keeping to a simple *taxis* and rhythm. This creates a strongly balanced façade towards Pretorius Street.

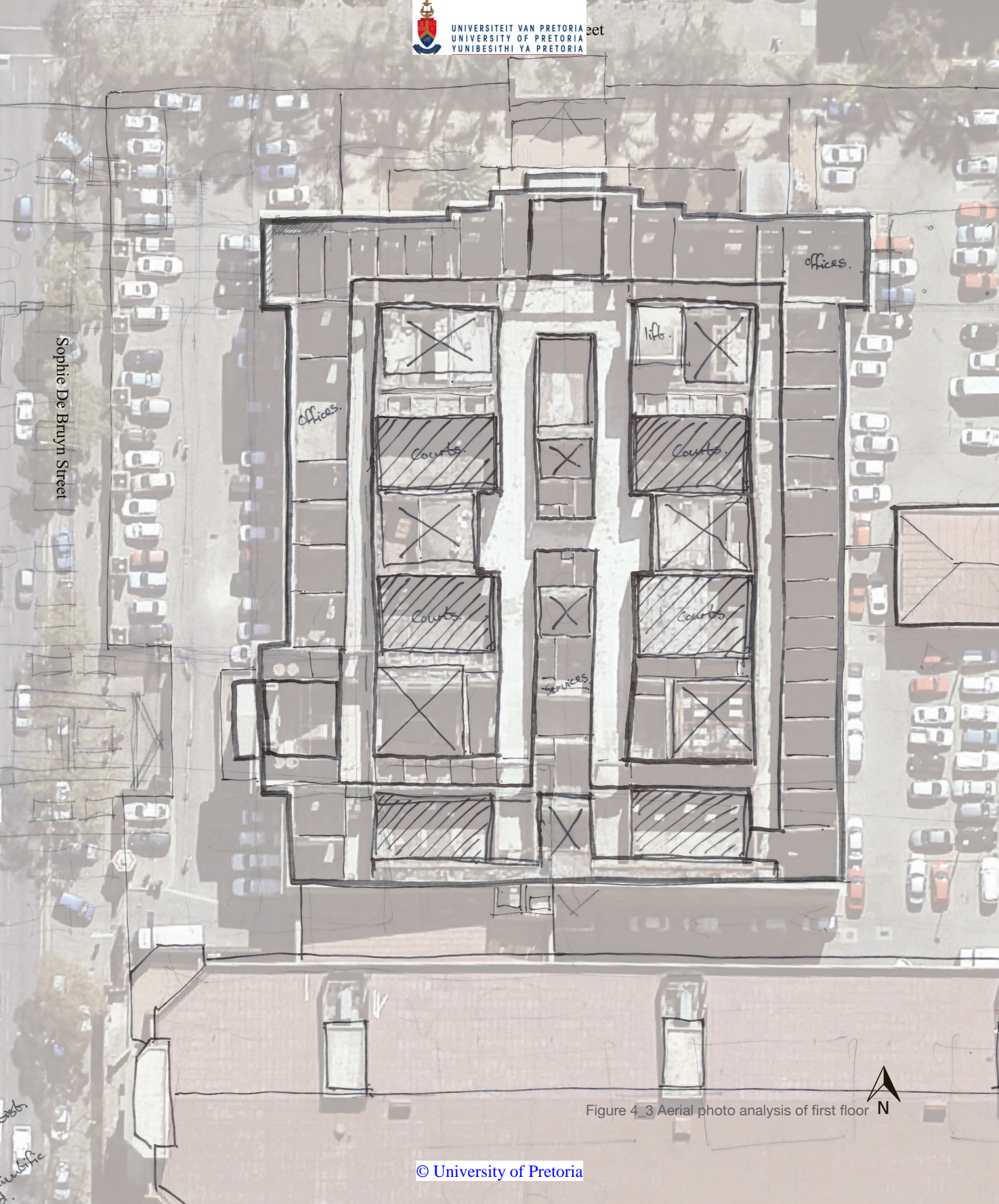
The western façade echoes this design, keeping to the already established rhythm of the windows, but without the *symmetry*. The portico here is moved further south due to pragmatic considerations. These

two façades are clad in marble. At a later stage, the windows on this façade were covered with a steel louvre system in order to mitigate the effects of the western sun on the corresponding spaces (Le Roux & Botes 1993:12).

The eastern façade has always been considered with less importance. It was constructed with facebrick and left



Figure 4_2 North-western corner



Sophie De Bruyn Street

offices.

offices.

lift.

Courts.

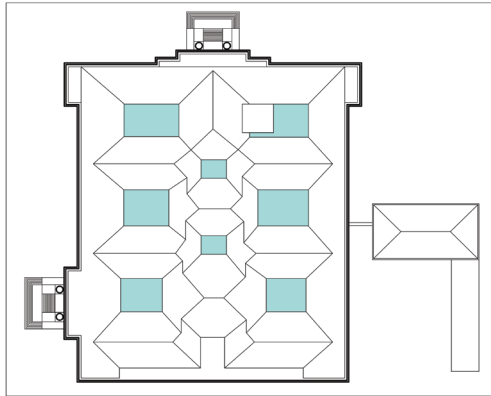
Courts.

Courts.

Courts.

SERVICES.

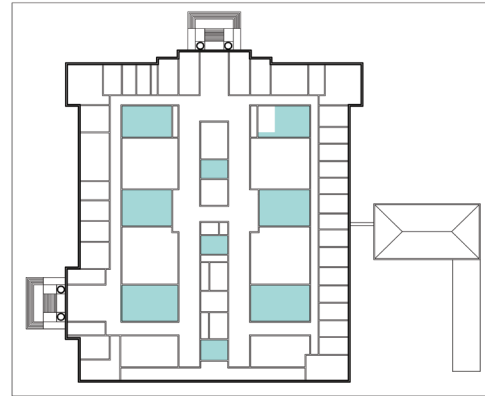
Figure 4_3 Aerial photo analysis of first floor N



roof plan before 2010

Figure 4_4 Roofplan and courtyards

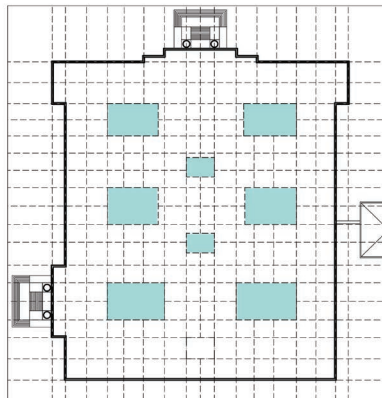
This figure shows the original roof plan of the Pretoria Magistrates Court as well as the existing courtyards.



second floor plan

Figure 4_5 First floor plan

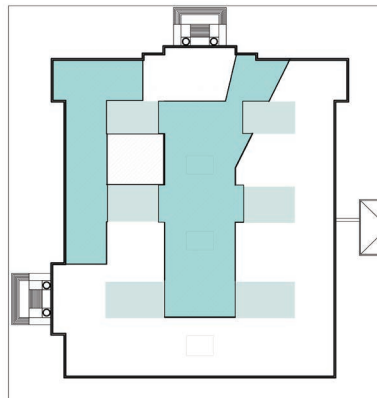
The top figure shows the assumed floor plan, after analysis of the aerial photos.



assumed structural grid

Figure 4_6 Structural grid

Here the assumed structural grid of the existing building, based on window and wall positions as well as the internal courtyards.



demolition plan

Figure 4_7 Areas of intervention

The top diagram shows the area's of intervention and the preservation of built fabric. This approach is discussed more thoroughly in the design chapter.

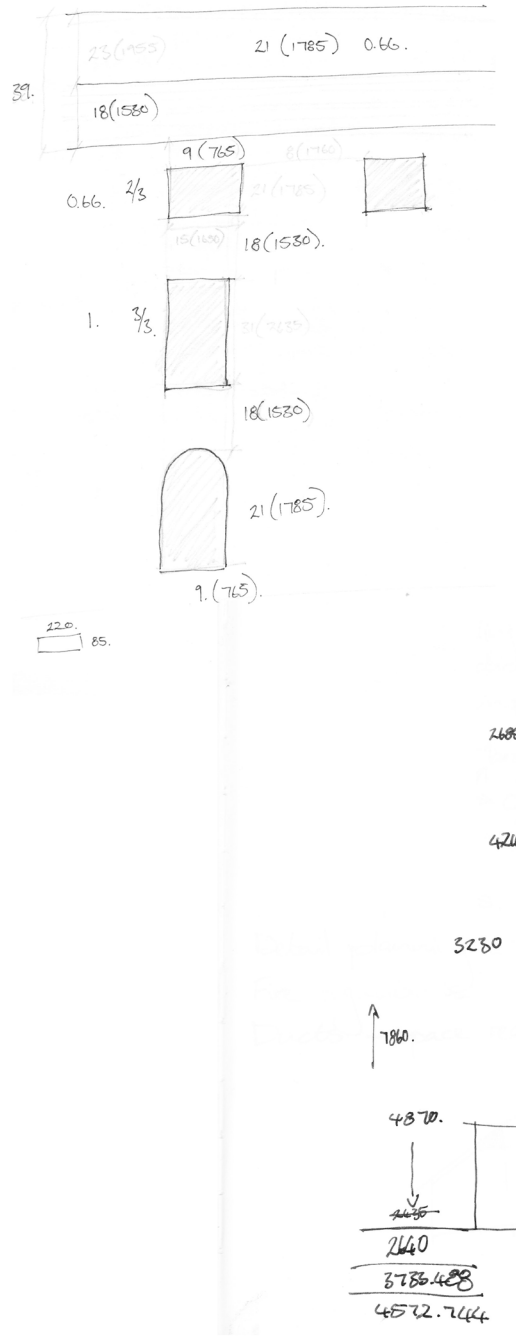
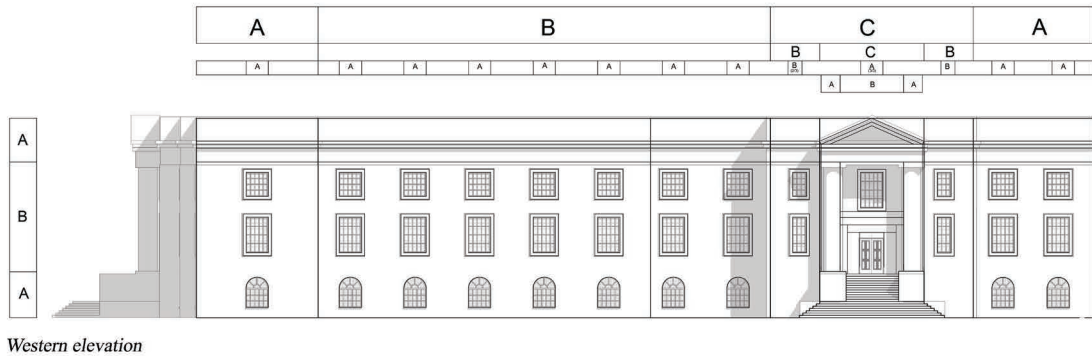
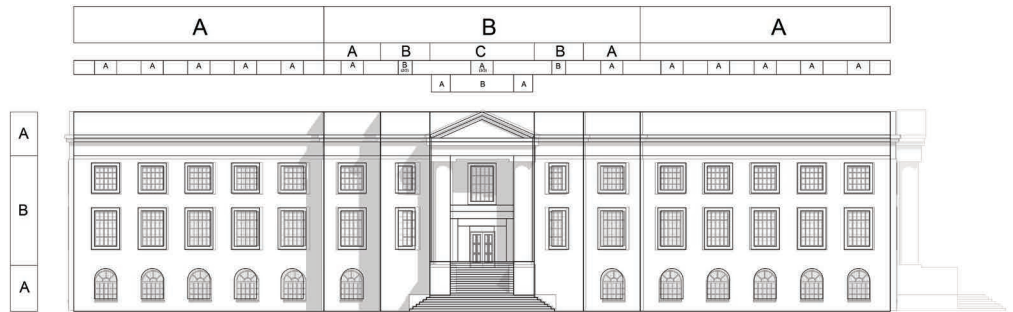


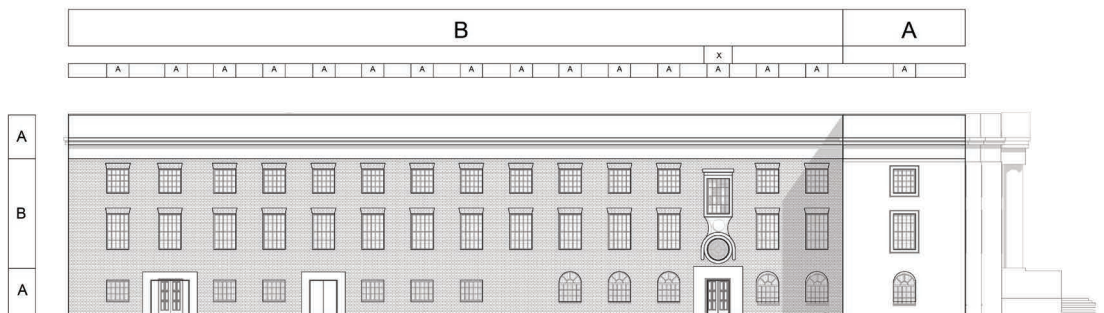
Figure 4_8 Facade analysis sketch



Western elevation

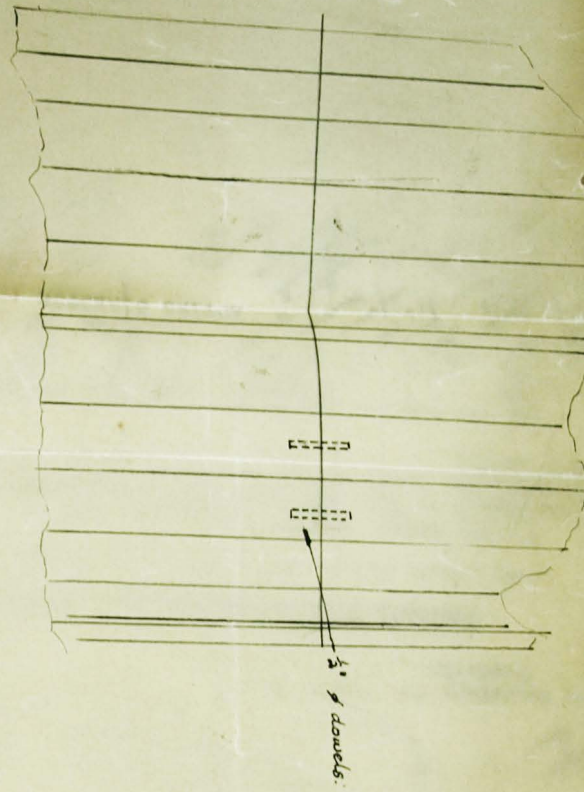
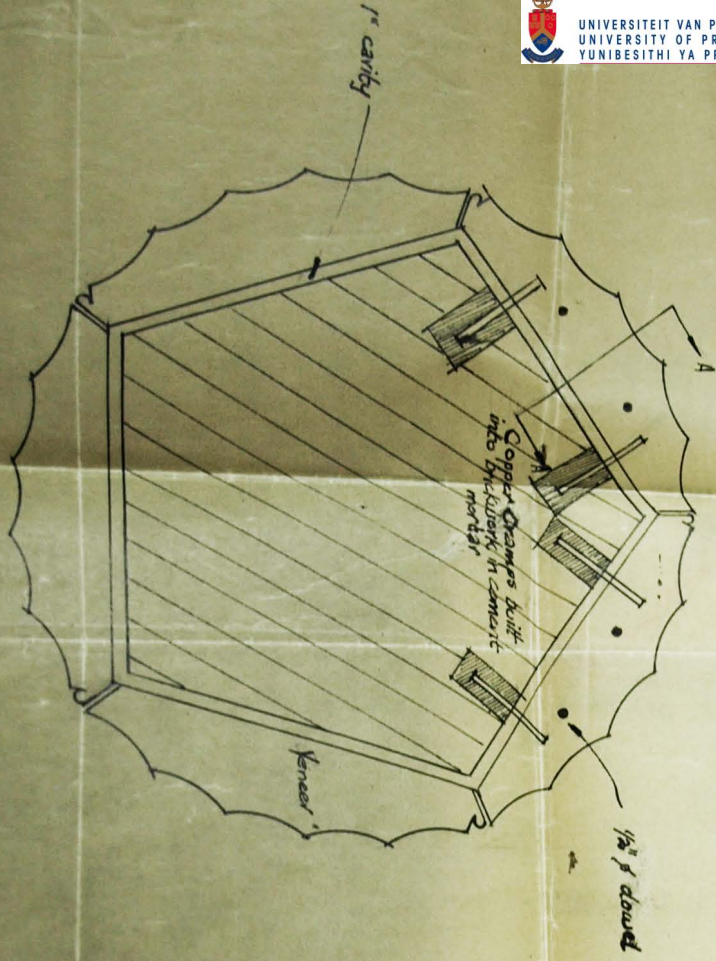


Northern elevation



Eastern elevation

Figure 4_9 Facade analysis



P. 4/57
 PRETORIA MAGISTRATES
 COURT...
 COLUMNS

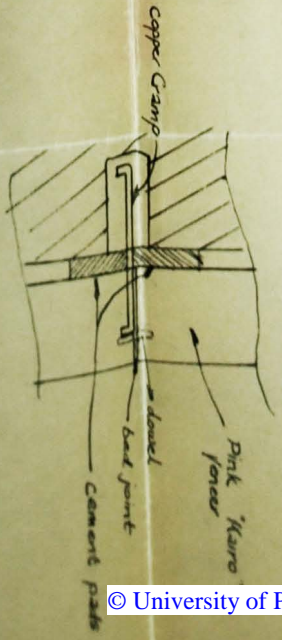


FIGURE 10
 DISTRICT ENGINEERING OFFICE
 PRETORIA

unfinished in order to save on construction cost. Regardless, a unique feature is to be found here in the decoration of the main doorway. The window proportions and composition remain constant in all façades, where the ground floor window is 1.4142 of the size of the top window. This corresponds to the popular 18th century window proportions as stated by Chitham (1985:134).

The portico comprises of a plinth, which is traversed by a flight of stairs and is communicated throughout the rest of the building by rounded windows. The plinth defines the basement which is used to lift

Figure 4_10 Column Detail, South African National Archives, D.P.W 5/448, Part 4

Figure 4_11 Portico on the northern facade

ground floor above ground level (Chitham 1985:124).

The *genera* used are Doric and have a simple rounded and understated capital and base. The column construction is brickwork in structure with Pink Cairo marble fixed with copper cramps, with a fluted surface. The decorated pediment is set upon a cornice stepping down to a frieze and architrave, that flows into one another with subtle distinction. This arrangement is wrapped around the building, defining the gable wall.

The detail that defines the entrance on the eastern façade comprises of a window that is stepped up in position with relation to the



similar windows in its rhythm. It is adorned by a cornice raised above the window by a frieze, and the detail continues downwards with moulding surrounding a crest bearing the date of completion. This entrance detail is terminated encircling a rounded window directly over the door.

Although the Pretoria Magistrate's Court is a very simple example of the revivalist style of its period, it still holds dear to its neo-classical routes and to the judicial discourse that shaped it. The way it relates to the urban condition around it enforces the acontextual nature of the classical discourse and isolates the courts not only in interior spaces but also within its site.

Therefore it is the opinion of this dissertation that the court spaces and the building itself have become irrelevant in the 21st century and its changing engagement with the legal system and punitive justice. The building in its essence does not allow for a democratic appropriation of public space or civil engagement and instead enforces a perception of intimidation and exclusion. This is inappropriate for a civil court which in its essence exists to give fair justice in a quick, affordable and accessible manner.

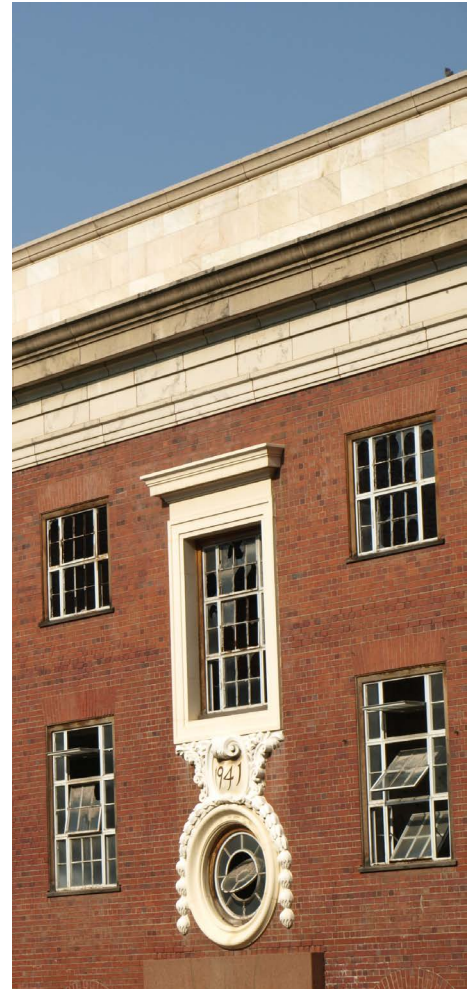


Figure 4_12 Marble detail on the eastern facade



The following chapter deals with the historical development of judicial spaces and the direct influences thereof on the Pretoria Magistrates Court.

CHAPTER

Development of judicial spaces

5.

The following chapter of this study will focus on the historical context and discourse that gave shape to the spaces of the legal system and influenced the typology of the court of law.

THE EARLY COURT

According to Mulcahy (2011) the judicial typology is a very recent invention and the culmination of progress in social practices and customs surrounding the litigation of society. The early examples of judicial practices observed in history amongst societies like the Athenians, Celts and Teutons, suggest that the practice of law was done in the open and with the community as witness.

Sacred spaces like a circle of stones, moot hills or a prominent tree were used to gather a community and deliberate matters of social importance. The description of these spaces can be found in ancient writings like

Homer's Iliad and the Jewish Talmud. The fact that sacred ritual and judicial practices share the same space, points to the fact that law and the execution of it has always enjoyed importance in society (Mulcahy 2011, Resnik & Curtis 2011).

This form of judicial practice and spaces are still present in many rural African societies. One such example is of the Ambo Wareda communities in Ethiopia. Here the Oromo people elect elders from the community to adjudicate judgement over civil matters in a traditional legal system called a Jaarsumma, while sitting under a tree called a Dhaddacha. Although Ethiopia's formal court system is established, this form of traditional law is still highly respected and courts often refer cases back to these less informal systems (Bayeh et al 2015; Muchie & Bayeh 2015).

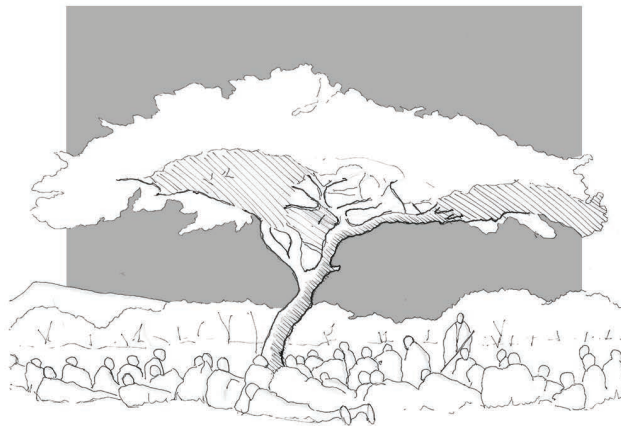


Figure 5_1 Justice underneath a tree.

THE COURT IN THE MIDDLE AGES

As time progressed it seems that judicial spaces and practices moved into the centre of the community. Prior to the fifteenth century, judicial practices were held in public spaces like markets, gatehouses, castles and churches and were seen as great generators for commercial activity.

In these public spaces there seemed to be no particular demarcation for the court except for a series of columns or the hanging of canvas. So movement in and out of the court happened frequently and without control, even in the middle of trial proceedings (Mulcahy 2011; Resnik & Curtis 2011).

From the 15th century onwards, with the increased importance of the written word over oral tradition, the legal process and judicial ritual moved ever increasingly into enclosed spaces and dedicated

facilities. Although the movement towards specialised spaces made practical sense, it also contributed to the authority of the legal system and increased control over the process. The establishment of courthouses was used as a symbolic extension of the local ruler's authority and contributed to the increased isolation and elevation of the judiciary (Resnik & Curtis 2011).

The processes culminated into what Mulcahy (2011) termed as the 'height in court design' in the 19th century where specialised courthouses were developed with specialised layouts and increased separation of participants.

Through this development, the following key principles in the development and manifestation of judicial spaces can be recognised.



Figure 5_2 Middle ages market.

SEPARATION AND SEGREGATION

Hierarchy of participants has always been a theme in the judicial system, but as time progressed this hierarchy increasingly took form in spatial manifestation. The first manifestation thereof was subterranean access for prisoners into the courtroom.

The next manifestation came with the advent of the adversarial trial in the 16th century. This meant that lawyers claimed more space in the trial and courtroom, while the judge moved to the position of mere umpire and the public ever closer to the door (Mulcahy 2011, Resnik & Curtis 2011).

Another factor was the increased consideration for the purity of testimony and the protection of vulnerable witnesses, which led to the increased control and segregation of the public. Finally the courtroom became a prominent political space where judges and lawyers moved up the social ladder.

Segregation enhanced the drama and theatrics of the judicial ritual and helped to elevate the judiciary to new elite social standing. This ushered in the development of private spaces for the judiciary in the court, which in time grew to lavish retreats (Mulcahy 2011, Resnik & Curtis 2011).

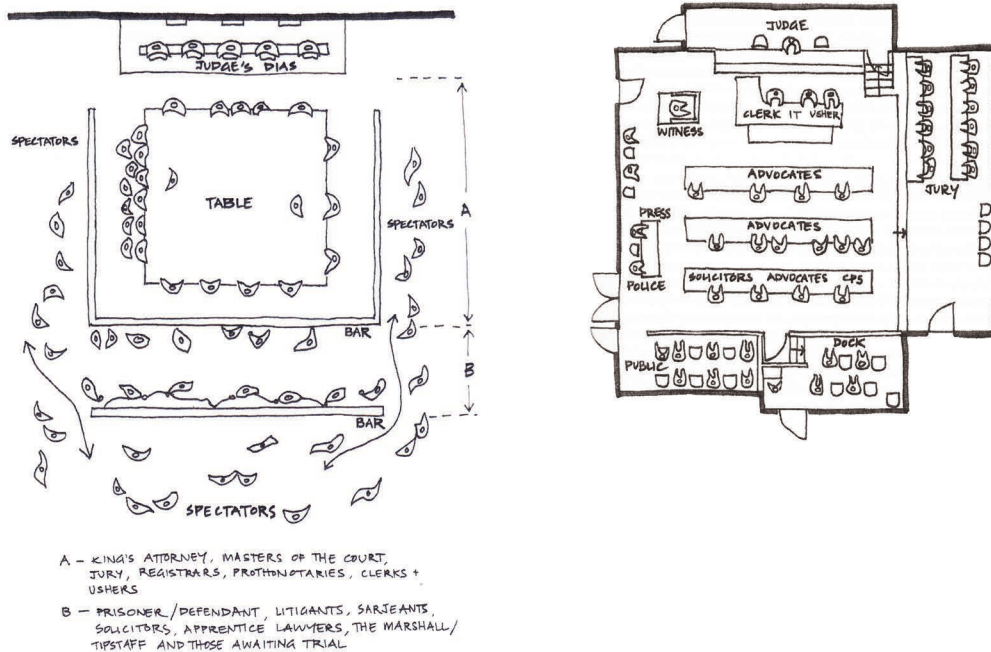


Figure 5_3 Development of the court through the ages. Left: Court in seventeenth century (Mulcahy 2011:4) Right: Contemporary Royal Court (Mulcahy 2011:47)

PRESUMPTION OF INNOCENCE

As segregation and separation progressed in the spaces of the legal system, two key principles in the judicial ritual became eroded. That was the presumption of innocence and the right to representation. Separation of the judge and accused progressively increased as the attorney became more prominent.

The lawyer became the mediator between judge and accused, in time rendering direct contact rare and deluded. Increased specialisation meant that testimonies needed expert opinion and representation.

This meant that very personal testimonies which would in normal circumstances be discussed in intimate settings, now needed to be communicated over long distances

and with many mediators to interpret. In this setting Mulcahy (2011:75) refers to the notion that:

‘space can be seen as contributing to a ceremonial stripping of dignity’

PUBLIC AND THE MEDIA

As the courtroom progressed into an ever-increasing closed and controlled environment segregating and separating the participants from one another, the same marginalisation of the accused also manifested in the spatial considerations for the public. Mulcahy attributes it to the

‘fear of uncharted or unscripted performances and physical and mental “contamination” (2011:83)’.

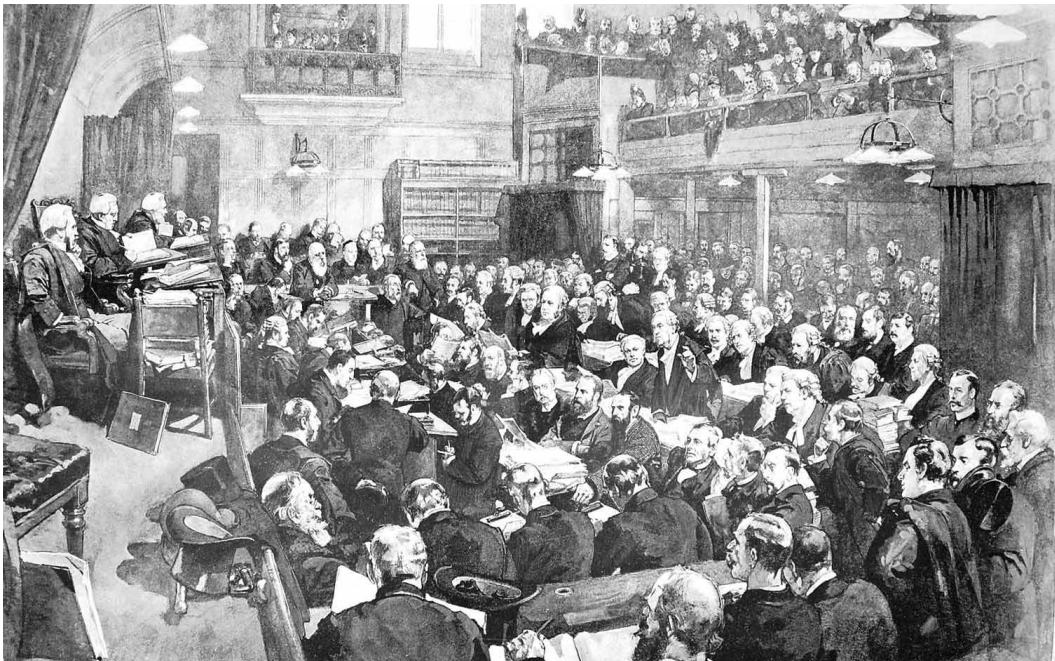


Figure 5_4 The Parnell inquiry, [image online] available at: http://www.old-print.com/mas_assets/full3/J3421841/J3421841119.jpg access on: 2016-10-20

So as space for the public was reduced and continually restricted, the prominence of the press grew as public representatives. In part this development was encouraged as it presented the judiciary with greater control over smaller crowds. And yet it became a direct contradiction of the principles of public participation, which gave the courts legitimacy. It undermined the concept of the open trial as the symbol of crimes not only against victims, but society at large.

It robbed the public of the role of auditors and the opportunity to be educated in matters of the law. It sanitised the court, creating elitist spaces and diminishing the status of the court as the social gathering space it enjoyed in pre-Victorian times (Mulcahy 2011; Resnik & Curtis 2011).

Thus the press rose in prominence in the trial ritual and with them rose their spatial claim within the courtroom. This meant that the press become mediators between the judiciary and the public, acting as interpreters of the law and educators in legal matters. This discourse is clearly manifested in the spatial considerations as the space allowed for public fell from 200 in the 19th century to 25 currently (Mulcahy 2011).

Mulcahy (2011:84) conclude these observations well by stating:

‘Just as the defendant in the modern trial could be said to have been silenced by their lawyer, so too it could be argued that the participation of the press in the trial has in turn justified the sidelining of the public they claim to represent’



Figure 5_5 Media outside Palace of Justice [image online] available at: http://cdn.mg.co.za/crop/content/images/2014/09/11/mediaoscartrial_landscape.jpg/1280x720/ access on: 2016-10-17

THE HEIGHT OF COURT DESIGN

According to Mulcahy (2011) the height of court design was seen during the 19th century, which was greatly influenced by the Enlightenment and the industrial revolution. During this time there was great emphasis on the development of specific typologies for public functions of which the law court was one.

These law courts were publicly funded by wealthy benefactors and so their monumentality and scale became symbols of the status of the judiciary and the position of the middle class. This reflected a society based on individualism and personal improvement (Adam 1990:62; Tzonis & Lefaivre 1986:1; Resnik & Curtis 2011).

A great battle of the styles ensued between the neo-gothic and neo-classical revivalists to find an appropriate language for the

authority and dignity of the law. The attraction to the Greek neo-classical was the perfect mathematical and symmetrical order, symbolising the birth place of democracy and representing purity. Roman classicism was also very popular as it signified the romantic association with the active and serious civic sphere of ancient Rome (Mulcahy 2011; Tzonis & Lefaivre 1986).

This discourse is best reflected by Mulcahy (2011:117) who states that

'...from the 18th century there was a growing acceptance that a sober and solemn Doric order or chaste Ionic was more suited to courthouse design than the frivolous Corinthian.'



Figure 5_6 Neo-classical court

The 19th century saw these newly-developed public building typologies as the first challengers to the church as a primary public meeting space. The scale and mass of the new monumental court signified the challenge by the law as a new secular religion. Architects who had been developing ecclesiastical devices found a new expression in these secular typologies.

'The most important point to be grasped here is not just that legal architecture aped religious architecture in this era but that law became a type of religion and its temples sometimes considered more worthy of attention than the churches they sometimes dwarfed' (Mulcahy 2011:130).

The most important development in the judicial typology observed by Mulcahy (2011) during this period was the increased

reactions to fear. The courthouse of the 19th century was as much about the celebration of the violence of law as it was of civic pride. This fear of the working class stemmed from the violence of the French Revolution (1789) and thus there was an increased need of the middle class to be separated from those they deemed dangerous and dirty. During this period many of the newly constructed courts displaced slums as a symbolic cleansing of society by the law.

Thus the law court became spaces of self-contained privacy, enforcing societal hierarchy in its halls. It became spaces in which the public was educated in the fear of the law and where the achievements of the industrialists could be celebrated (Mulcahy 2011; Resnik & Curtis 2011).



Figure 5_7 Protesting women at Marikana [image online] available at: http://natoassociation.ca/wp-content/uploads/2013/06/2012_southafrica_miners.jpg access on: 2016-10-17

It is the opinion of this study that the principles of the 19th century court design, its inherent symbolism and the discourse it represented, had a direct influence on the design of the Pretoria Magistrate's Court. The first obvious evidence thereof is the neo-classical façade.

This stylistic application and its simplified yet strictly ordered facade communicates a direct link to the discourse developed and refined in England and exported to South Africa. The various thresholds and strict internal circulation order enforces the ideals and hierarchies developed during the 19th century based on fear, control and exclusion.



An investigation into the current
development and discourse
concerning the legal system.

CHAPTER

Future of the legal system

6.

THE LEGAL SYSTEM

In my investigation into the historical discourse of the legal system and the formation of judicial spaces, it became clear that the spaces are formed and informed by the rituals they contain and the contemporary position of the people that navigate them. As society progresses, the expectations on the legal system and understanding of the role of the judiciary will progress as well. This progression is ultimately expressed in brick and mortar, forming the legal spaces of the future in an ever-changing continuum.

'Courts are undoubtedly a complex building type in which expectations of progress and stability, power and independence, equality and segregation, security and accessibility must all be played out in the mind of the contemporary architect' (Mulcahy 2011:151).

Thus the aim of this chapter is to look towards the future of the legal system. The study focused broadly on the international discourse as to try and identify trends and developments that will have a radical impact on the spatial configuration of the court. Through this process the study will aim to anticipate local developments and speculate on the future design of judicial spaces locally.

A FUTURE

'The law, then, is of primary significance to society because it establishes, to a great extent, the "rules" by which people live and the circumstances under which they will be punished for wrongdoing (as well as defining "wrongdoing" itself).
(Nolan & Westervelt 2000:624).'

Judicial processes and legal systems only change with societal reform and as with any paradigm shift these movements happen slowly and are only recognised in retrospect by historians or theorists. Regardless of these limitations one term kept on presenting itself as a possible alternative to the current course of the legal system as we know it. That is the concept of *restorative justice*.

Restorative justice has become a term with much vested meaning and hope. In many corners of society it has been seen as the much needed reformation of the justice system in order to deal with mass incarcerations and apparent racial bias. *Restorative justice* has been perceived to be the opposite of penal or retributive justice, an inevitable successor in an ever-evolving society.

Kathleen Daly (2016:21), who has been researching restorative justice since the early 1990s has formulated a comprehensive understanding of the subject matter. She defines *restorative justice* as follows:

'Restorative justice is a contemporary justice mechanism to address crime, disputes, and bounded community conflict. The mechanism is a meeting (or several meetings) of affected individuals, facilitated by one or more impartial people. Meetings can take place at all phases of the criminal process, pre-arrest, diversion from court, pre-sentence, and post-sentence as well as for offending or conflicts not reported to the police.'

Because of the numerous understandings of *restorative justice* in the contemporary legal discourse, it is important to expound on what *restorative justice* is and articulate what it is not.

Restorative justice is not an umbrella term that incorporates a comprehensive and all-inclusive response to the legal system. Instead it is merely a '*justice mechanism*' (Daly 2016) which can be utilised in the conventional justice system.

Thus *restorative justice* does not stand in opposition to the conventional justice system, but should rather be seen as a contemporary addition. That being said it is important to understand that *restorative justice* does predominantly fall under the term *innovative justice*, which can be seen

as a counterbalance to the established conventional justice system.

In order to demonstrate the above mentioned point it is important to draw the distinctions in justice mechanisms and thereby clarify the term.

The conventional justice system utilises justice mechanisms such as criminal prosecution, adjudications, trials, sentencings and investigations. These are familiar to our society as it has been developed throughout the centuries in Europe and subsequently exported to the colonised 'new world'. The *innovative justice* system is not limited to the standard legal practices of the day and instead aims to create a more interactive and participatory process.

These processes are often more informal and draw from a greater pool of academic support. The mechanism utilised includes repatriations, investigations, memory projects, immunity and societal dialogue. In our context the Truth and Reconciliation Commission which was established in 1995 offers a good example of such an *innovative justice* mechanism. As in the Truth and Reconciliation project, the limitations of restorative justice are demonstrated, as it is only effective after the confession of the offender and requires willing participation from both sides of the conflict (Daly 2016).

A further argument to the appropriate definition and application of *restorative*

Figure 6_1 Restorative justice manual
[image online] available at: <http://www.justice.gov.za/rj/2011rj-booklet-a5-eng.pdf> access on: 2016-10-13

RESTORATIVE JUSTICE

the road to healing



the doj & cd

Department:
Justice and Constitutional Development
REPUBLIC OF SOUTH AFRICA



justice comes from the feminist critique thereof. The question arises when the restoration of a relationship is not necessarily the aim of the process and not in the best interest of the victim. This becomes apparent in the case of domestic violence and child abuse. Thus it is made clear that restorative justice should build on the foundation of the conventional justice system instead of attempting to replace it.

In many circles there is confusion between *restorative justice* and the concept of *therapeutic justice*. This study deems it necessary to draw a clear distinction between the two terms in order to clarify the concept of *restorative justice*.

Therapeutic justice as discussed by Nolan & Westervelt (2000) is a broad definition that can be applied to many practises and in many contexts. In essence the concept therapeutic justice takes into consideration the expanding discourse of the therapeutic ethos and the expanding influence of psychology in society. As the legal system stands, this new development is best illustrated by the '*victimisation defence strategy*'.

This strategy draws from the therapeutic ethos in five distinctive ways. Firstly it sets up the individual as principal authority on self, elevated over any external authority, thus the person becomes his own moral standard. Secondly it elevates the emotive over the rational, positioning feelings as an authoritative judge on truth and morality.

Thirdly it elevates the psychologist and psychiatrist as authoritative figures in matters of humanity and morality. Fourthly, the therapeutic discourse increasingly defines human behaviour with disease, disorder and pathology, removing human behaviour from the spiritual to the physical. Lastly, the perpetrator is redefined as victim, making his behaviour subject to past abuse, prejudice and disadvantages (Nolan & Westervelt 2000).

Thus it becomes clear that *therapeutic justice* is a subjective tool in which a world view is expressed rather than an objective justice mechanism of procedure and practice. It becomes a model for moral judgements. Not to be misunderstood, the study recognises the influence that such tools have on society and the societal perception of justice. It is the opinion of this study that this particular discourse will be served by the spatial requirements of restorative justice and may become part of one of the practises within the *restorative justice* mechanism.

Despite the potential and proven successes of *restorative justice* in the legal system it is important to recognise inherent limitations of this mechanism. Wood & Suzuki (2016) see four distinct challenges with *restorative justice* and its future growth within the established legal system worldwide.

Firstly, challenges exist with regards to the definition of restorative. As a concept restorative justice has been exhausted in

adding to definitions of a broad spectrum of practices and in various contexts. Many of these applications have resulted in an increasingly offender-orientated process and the integration of that offender back into a conceptual community. This goes against the initial intent of *restorative justice*.

It is the opinion of Wood & Suzuki (2016) that *restorative justice* is in essence the dialogue between victim and offender and that no restoration is possible if either of the parties are absent or unwilling to participate. If this is not the primary aim of the mechanism being applied, they agree with Daly (2016) that such a practice should rather be classified under the term *innovative justice*.

The second challenge that Wood & Suzuki (2016:154) foresee in the future of *restorative justice* is the increasing institutionalisation. *Restorative justice* in its conception in the 1970s was seen as a:

'critique of justice practices as "retributive"; as lacking meaningful redress for victims; and as being "offender focused" without a meaningful way for allowing offenders to admit harms, make amends, and successfully reintegrate into their communities.'

Thus increased institutionalisation has threatened its initial intentions. One of these threats is the disregarding of best practice principles for systemic goals and outcomes. This can take forms like inadequate victim preparation and expectations of behaviour as well as the rushing of processes. Gatekeepers like police or judges can also influence the dialogue unduly and can break down the process if intended outcomes and principles are misunderstood.

The third challenge Wood & Suzuki (2016) note is the displacement of established processes and procedures. Here there is once again agreement with Daly (2016) that *restorative justice* offers no alternative to any existing structure or procedure, but should instead be seen as

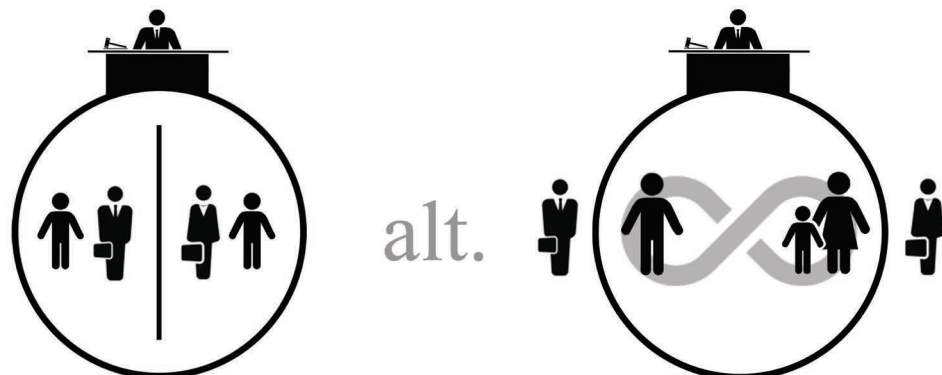


Figure 6_2 Conventional legal system in relation to restorative justice.

an alternative justice mechanism which may be appropriately applied in the right circumstances.

The last challenge Wood & Suzuki (2016:159) identifies is that of continued relevance. Even after 40 years of existence it does not seem that *restorative justice* has made enough progress on the elimination of prejudice and social inequality especially concerning race, gender, poverty and the lack of social capital.

The conclusion is that:

‘in term of social reform criminal justice policies are generally poor vehicles of social transformation.’

The next logical step in this study would then be to demonstrate the current and possible future impacts of *restorative justice* on the legal system.

IMPACT ON LEGAL SYSTEM

One of these impacts on the legal system is that of the Family Court Services (FCS) in the United States of America. Fieldstone (2014:628) presents a vision for the legal system surrounding civil domestic cases as a dematerialisation of the traditional court. The result will be a well-linked network of services which can react uniquely to every family’s social situation. The aim is :

‘...identifying services and crafting solutions that are appropriate for long-term stability and that minimizes the need for subsequent court action.’

Therefore the vision for the future of domestic civil court is to use it only as a last resort, after all other avenues of conflict resolution and family restoration has been exhausted. In order to achieve this goal, alternative approaches are proposed.

One of these would be counselling towards turning an adversarial proceeding into a collaborative process, aiming to restore the relationship instead of terminating it. In turn it is hoped that this approach will reduce the time of official involvement and mitigate the cost associated with the legal process.

It is the vision of this system to become the nucleus of a network that links families with education, social, economic and healthcare services in order to facilitate conflict resolution and family coherence for the upliftment of all involved. In order to achieve the vision, this process would utilise technology more efficiently in order

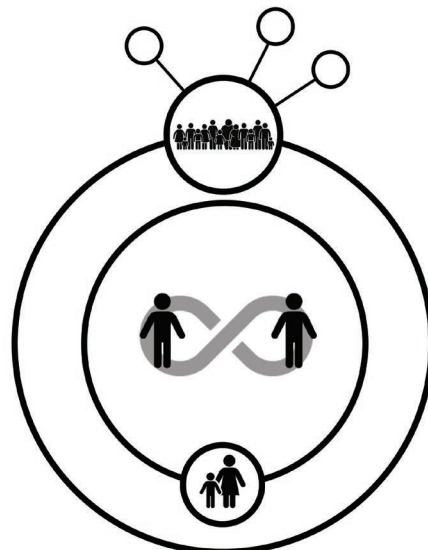


Figure 6_3 Community networks

to serve those who do not have access to the system and to establish collaborative networks for facilitation outside the system.

It is Fieldstone's (2014) hope that a structure like this would allow for a less adversarial family court model, which aims to preserve essential relationships and can react to social discord in a respectful and sensitive way. This alternative structure would allow for adaption and innovation in order to meet future needs resiliently. Another demonstration of how restorative justice might impact the legal system is provided by Rossner & Bruce (2016) who explores the potential and limitations to community involvement in the judicial process.

The inclusion of lay persons in the justice ritual symbolically refers back to the time when justice was presided over and applied by the community directly. It enforces the ideals of a democratic and open judiciary and an accessible justice system. The involvement of a larger community creates an opportunity for greater emotional support for both victims and offenders and affords the opportunity for the reintegration of the offender back into the community after justice has been served (Rossner & Bruce 2016; Mulcahy 2011).

Rossner and Bruce (2016) aim at defining community in two categories: Firstly the micro-community which usually relates

to friend and family of the victims and offenders. These are persons with invested personal interest in the outcome of proceedings. Secondly there is the macro-community, which refers to the broader community with which the victim or offender relates and have a vested interest. These might include community leaders, prominent professionals or organisation volunteers.

This community, both micro and macro, can fulfil a number of roles in the *restorative justice* process ranging from neutral third parties which can facilitate reconciliation, to active participants in the carrying out of mediating sentences. The aim of this process is the:

'incorporation of the offender into a normative moral order of prosocial values and practices'

(Rossner & Bruce 2016:110)

The problem with community participation in this restorative process needs to be stated in order to anticipate the shortcomings of this approach. In western societies communities often lack social cohesion and capital, while being diverse and therefore making it difficult to represent as a whole. Furthermore there exists the potential of vigilantism and the tyranny of the majority. It is therefore difficult to get community buy-in and to maintain enthusiasm for the system, while maintaining an effective and representative participation.

It is important to see the community involvement in this process as a mitigation element of the legal system and not a replacement thereof. The participation of the community in this process aims to enrich the existing process and to enable it for a greater chance of restoration of the society as a whole, clearly in keeping with restorative justice principles set out by Daly (2016) and Wood & Suzuki (2016).

SPATIAL REACTION

The spaces of our contemporary courts should be seen as a continuum in the evolution of the legal system, but it is clear that they are also a result of processes and perceptions that might be out of date and no longer relevant in our current society. Mulcahy (2011:59) defines it well when asking:

'is it appropriate that historical precedents developed in different eras and reflecting different conceptions of due process continue to influence court design and render the courtroom a frozen site of nostalgia?'

While the preservation of historical courts as important examples of past discourses is necessary, it is as important that they change to reflect contemporary approaches to the legal system if they wish to function as active judicial spaces. Therefore court buildings in particular, if active and still serving, must be able and willing to adapt resiliently to the current and future society they aim to serve (Mulcahy 2011).



ACCESSIBILITY

One of the most prominent commentaries on judicial space in our current discourse is the democratisation of legal spaces and the reintegration of the public into proceedings. The attitude towards this movement is reflected by Mulcahy (2011:152) when stating:

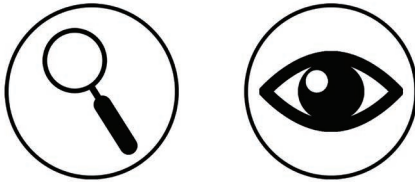
'Rather than assuming that their purpose is to interfere with proceedings or to threaten other members of the court it should be remembered that it is the attendance of the public which supposed to legitimate the trial'

In the quote both the aspiration and the resistance to that aspiration is reflected in the continued fear of the judiciary towards the perception of the public. Security concerns outside and inside the court has caused another level of barriers and exclusion to be erected, but is it worth it if we see the public's unhindered access to the judicial proceedings as the legitimising factor?

Greene (2006:72) illustrates this problem further by pointing out that weapon screening technology has placed another barrier by narrowing public entrances, creating a bottleneck were public flow should be encouraged. Finally the change

in national building standards and the increased focus on inclusivity has meant that the classical device of a grand staircase surpassing the ground floor has become obsolete and new public entrances have to be defined.

Although the discourse on accessibility is a necessary one, we should recognise that the development of movement patterns throughout the courthouse has developed for a reason. As stated by Resnik & Curtis (2011:173) the development of the '*public, restricted and secure*' circulation route has its origin in the concerns for security and efficiency. Yet it is the opinion of this dissertation that the relationship between these routes needs to be redefined in order to allow for accessibility and transparency.

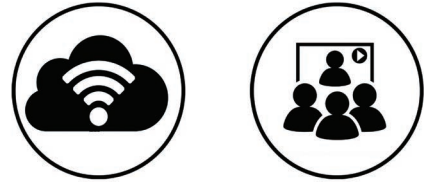


TRANSPARENCY

With grandeur often overshadowing humanism, there has been a renewed need to democratise the courthouse and its associated spaces. Therefore there has been an increased use of glass in courthouse design to create literal transparency, which in turn instil a symbolic sense of openness (Greene 2006:64).

While the use of glass has been incorporated into court design symbolising

transparency and openness, the symbolic gesture is meaningless if not translated into practise. Its application in public areas is insufficient if it doesn't translate to the entire building.



TECHNOLOGY

The incorporation of information technology has presented the legal system with another set of opportunities and concerns.

The dawn of the internet and the *cloud* has made it possible to separate the administrative functions with legal spaces, no longer requiring it to dominate the public sphere. This simplifies the process and facilitates improved communication. Real-time transcription has influenced the pace of the trial as advocates no longer need to pause for the transcriber to catch up to proceedings, while the judge has immediate access to the transcription as the proceedings progress (Reiling 2006; Mulcahy 2011; Kaur Bhatt 2005).

Yet the most controversial disruption of the traditional judicial process is that of live video link testimonies. Since its gradual acceptance in courts around the world this technology has incurred many opportunities as well as ethical questions.



Figure 6_4 Constitutional court room

In a positive light, a live video testimony gives an opportunity of the exclusionary nature of the courtroom walls to be circumnavigated. By allowing these types of testimonies judges can include a wide range of people that would be excluded by circumstance, and be able to protect and shield vulnerable witnesses. It can prove to make the court more efficient and accessible (Mulcahy 2011; Kaur Bhatt 2005).

Yet Mulcahy (2011:168) is quick to point out that this development threatens the courthouse with dematerialisation. If all have access to the court, either in video uplinks for testimonies or on television

screens for witnessing in a type of virtual court, what will be the role of the judicial space? The screen has the ability to separate and remove the participants from reality, creating the possibility of sanitising and scripting evidence. Further it removes participants emotionally from proceedings by the ability of observing without being observed. Won't this very development inauthenticate the entire legal system and contribute to the diminishing of the human condition?

'Pawley predicts the end of architecture as anything other than a heritage or tourist industry and has argued that the importance of buildings today is not as monuments but as terminals for information.'

Mulcahy (2011:170) defends physical presence of people in the legal system and ritual by stating that it still contains considerable cultural resonance. Face-to-face encounters and the orality of the ritual enforce the civic nature of the societal gathering, as well as allowing the judge to observe demeanour and emotion.

'the physical space in which evidence is given plays a critical role in reinforcing the importance of the trial and the role of state-sanctioned adjudication in our society.'

The weight of judgement and the seriousness of the occasion are undermined by the incognito nature of the video link and denies the participants the ritual experience of societal justice.



Figure 6_5 Police counter in Elysium (2013) [image online] available at: http://s1.dmcnd.net/CJxOU/1280x720-T0_.jpg Access on: 2016-10-13

Yet Mulcahy (2011) does not completely dismiss the potential uses of this technology in the court and suggests it be applied considerably. Sufficient reason should be given for departing from the norm of testifying in person, only allowing video testimonies in exceptional circumstances.

The sense of gravity and importance should be impressed on the process, even over video testimonies, and spaces where the testimonies are given should be seen as extensions of the court itself, designed with the same intensity. Finally, video link testimony should never become a matter of mere convenience or efficiency.



An investigation into relevant examples of court buildings and heritage approaches.

CHAPTER

Precedent studies

7.



Figure 7_1 Bordeaux Court [image online] available at: <http://www.dpalighting.com/wp-content/uploads/2014/08/Bordeaux-Law-Courts.jpg> access on: 2016-10-04



Figure 7_2 Bordeaux courtrooms [image online] available at: https://www.mimoa.eu/images/9649_1.jpg access on: 2016-10-04



Figure 7_3 Bordeaux courtrooms interior [image online] available at: <https://lostonsite.files.wordpress.com/2010/03/14-tribunal-de-burdeos-04.jpg> access on: 2016-10-04

Bordeaux Court, Bordeaux, France [1998]

Richard Rodgers

In this project Richard Rodgers re-engages in the formation of judicial spaces and the notion of a democratic judiciary. The response is simple and visually enticing. The courts are housed in isolated timber pods, emulating the wine vats the region is known for. Access is allowed directly from street level and many of the traditional thresholds into the court are done away with. The access of the judiciary into the courts is exposed on suspended walkways which cross the public access route (Davey 1993; Ryan 1999).

Through this court Rodgers clearly addresses the tradition of judicial spaces where courts have been perceived as big, monolithic and intimidating structures that have become exclusive and inaccessible. The fragmentation of the spaces allows for visual access of the courts and processes at an urban scale (Davey 1993; Ryan 1999).

Although the architecture allows for a visual access of the process, a method applied in the name of democracy, it risks creating a collection of black boxes which hides the proceedings and rituals that happen behind closed doors. In a true democratic judicial system these proceedings should be physically as well as visually accessible while access is controlled but not restricted. While the access allowed for, from and to, the courtrooms are a clear

challenge to the status quo; it stops short of changing the court spaces itself. In the greater complex the judiciary is still placed behind the court, leaving the courtroom as a type of buffer between the public and the judiciary. This spatial configuration has been in place since the 19th century.

Finally, while the pod-like court spaces go far in fragmenting the court building as a whole, it still results in large monolithic objects which are far removed from the human scale. There are no thresholds to bring the scale down to the human level or elevate the public to the scale of the court. This results in a maintained intimidation and alienation of those who might choose to approach the court without being compelled or accompanied.

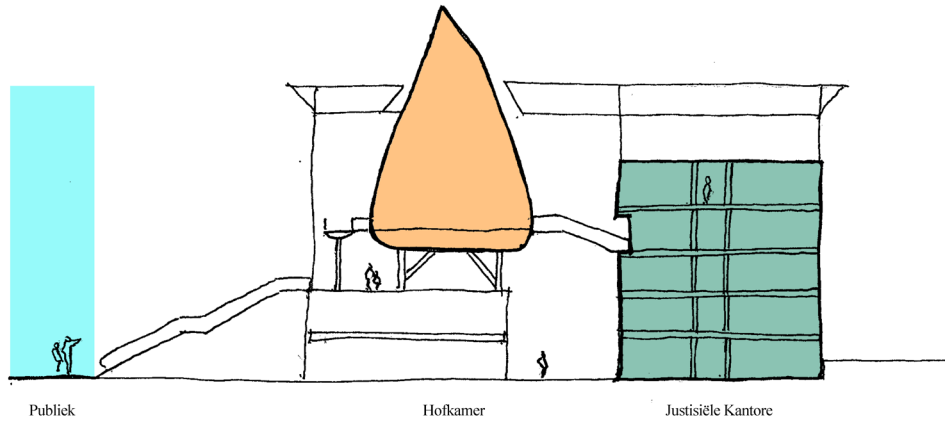


Figure 7_4 Spatial relationship



Figure 7_5 Bordeaux court in relationship to administration wing. [image online] available at: <http://larryspeck.com/wp-content/uploads/2010/05/2009-0115.jpg> access on: 2016-10-04

APPLICATION:

The Bordeaux Court goes far in challenging the spatial identity of judicial spaces, but in the opinion of this dissertation it does not go far enough. Outdated spatial organisation remains while it is formalistically reinterpreted.

This dissertation aims to address these concerns in the new design. Nonetheless this precedent demonstrates the potential for a shift in how judicial spaces are created and perceived by the public. It also demonstrates how security and public access can be facilitated by a very informal and unrestrictive threshold, a concept pivotal to this dissertation.



Figure 7_6 Entrance to centre [image online] available at: <http://mak.at/jart/prj3/mak/images/img-db/1342454604094.jpg> access on: 2016-10-04

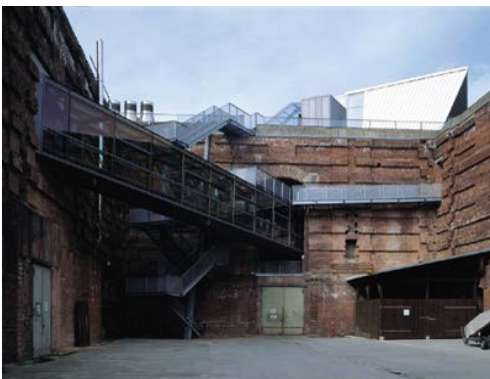


Figure 7_7 Courtyard [image online] available at: <https://aumuangudom.files.wordpress.com/2011/12/nuernberg03.jpg> access on: 2016-10-04

Centre for Documentation, Nuremberg, Germany [1933 - 2001] Gunther Domenig

Kongresshalle is the largest Nazi building to have survived the Second World War. It was designed to host the spectacles that the Nazi regime displayed every year in Nuremberg, and was intended to seat 50 000 spectators under a single roof. Its controversial past has meant that this precinct has neither been completed nor fully utilised in its history. Throughout the years the proposals have ranged from complete demolition to sport stadiums and even a shopping mall. In 1973 it was declared a national monument but has remained underutilised (Capezzuto 2002; Kugel 2002; Van der Hoorn 2002).

The intervention by Gunther Domenig is stark and brutal. Piercing the granite façade with an aluminium and glass arrow, the stairs supersede the classical plinth and lead straight into the interior of the building, through to the other side. This new intervention creates new routes through the building, opening up spaces so visitors may experience Nazi architecture from without and within, without obstruction. The brashness of the design almost prepares one to confront the collection of Nazi documents and artefacts that survived the Second World War and represents a reminder of the conflicting past (Capezzuto 2002; Kugel 2002; Van der Hoorn 2002).

Domenig left most historic walls intact, carving new spaces out of the old existing ones, contrasting the heavy brick and granite work with light aluminium and glass. With this intervention he managed to create a completely new building within the carcass of the old without adding much floor space and achieved new horizontal and vertical circulation, undermining the old order (Capezzuto 2002; Kugel 2002; Van der Hoorn 2002).

APPLICATION:

The intervention by Domenig illustrates a severe approach to dealing with contested heritage, challenging past ideals while making bold contemporary statements. This design approach can be clearly seen in the architectural language applied to the intervention at the Pretoria Magistrate's Court.

This precedent also supplies this dissertation with a disruptive response to revivalist architecture and classical principles while creating new spaces within old boundaries. Finally, the materiality of the intervention provides the dissertation with a possible architectural language.

Figure 7_8 Approach to the Constitutional Court



Constitutional Court, Johannesburg, South Africa [2004] OMM Architects

The Constitutional Court designed by OMM Architects and completed in 2004 is a building which had to fulfil great expectations. This work had to express the principles and values of a young constitution, while showcasing the hopes of a new national discourse in architecture, as well as contribute to a vibrant urban fabric. The site for this new court is situated in the old Johannesburg Fort which acted as a prison complex until the 1980s. A number of important political prisoners were incarcerated here from the time of the South African War until the closing years of Apartheid (Darrol 2003; Makin & Masoiada 2004; Lipman 2004; Nobel 2004; Le Roux & Du Toit 2004).

In order to create a cohesive urban precinct, connections along an east-west and north-south axis had to be established. Furthermore the need of a public square to complement the court building was considered imperative. To facilitate these two considerations the Awaiting Trial Block had to be partially demolished in order to establish this circulation and spaces. The vertical circulation spaces of the Awaiting Trial Block were preserved and treated in different ways. One of these stairwells was incorporated into the new court structure and metaphorically forms a cornerstone of the room in which judgements are delivered. The other stairwells situated

in the courtyard itself have been fitted with lanterns on top, in order to make a contribution to the Johannesburg skyline and define the square (Darrol 2003; Makin & Masoiada 2004).

The court building itself, although filled with symbolism and meaning, is a surprisingly simple building and legible. The public spaces are separated from the restricted judicial spaces by the administration centre and yet a feeling of openness and accessibility is established. The entrance foyer is visually accessible from the square. Once entering through the four metre high timber doors the space resembles that of shade under a tree. From here circulation moves effortlessly into the main courtroom. The transition is unrestricted and almost natural. In the foyer one can also turn to the left and move down the staircase that runs parallel to the great African steps which are outside. This circulation route is adorned by artwork, leading down to the library and public reading room (Nobel 2004; Le Roux & Du Toit 2004).

In the Constitutional Court the thresholds between interior and landscape are radically reduced, just as the thresholds between Constitution Hill and the rest of Johannesburg have been minimalised. This gives the impression of openness, access



Figure 7_9 Entrance to Constitutional Court

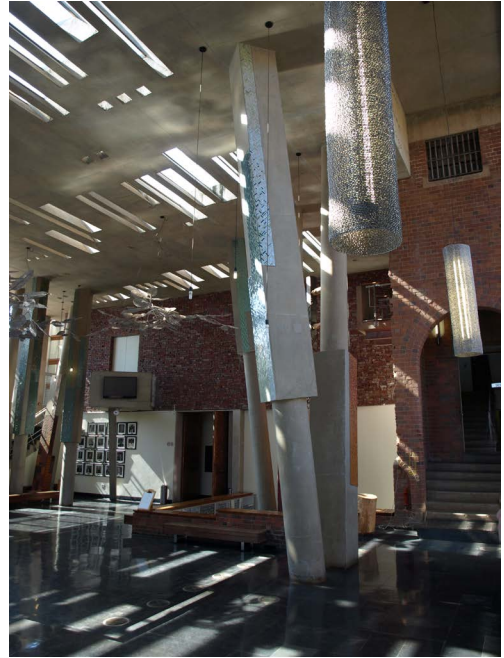


Figure 7_10 Entrance foyer



Figure 7_11 Courtroom

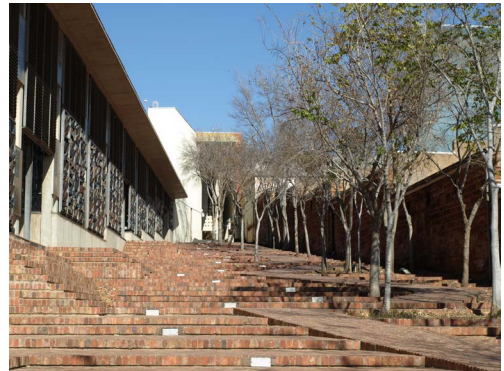


Figure 7_12 Great African steps

and transparency. Considerable effort was made to keep the climatic control inside the court as natural as possible, with heating and cooling relying on rock stores and lighting on large open windows, controlled by louvre systems (Darrol 2003; Le Roux & Du Toit 2004)

APPLICATION:

The Constitutional Court, although different in function from the much lower Magistrate's Court, does offer a precedent on the symbolic and practical accessibility and transparency that a court can achieve. The ease of access to the courtroom and its direct link to main public spaces demonstrate the successful removal of hindrances to the judicial system. This dissertation hopes to achieve this same openness. Additionally, the thresholds between inside and outside spaces are well defined and easily traversed, lifting the customary solemnness and isolation of judicial spaces.

The selective demolition of heritage fabric in order to create relevant and functional spaces serves as a guiding precedent to this dissertation's engagement of the Pretoria Magistrate's Court. Furthermore the reuse of old building elements and materials in the new structure affords guidance in the development of an architectural language.



Figure 7_13 Roof addition [image online] available at: <http://www.noeroarchitects.com/devilliers-hulme-office/> access on: 2016-10-04



Figure 7_14 Original building [image online] available at: <http://www.noeroarchitects.com/devilliers-hulme-office/> access on: 2016-10-04



Figure 7_15 Building after addition [image online] available on: <http://www.noeroarchitects.com/devilliers-hulme-office/> access on: 2016-10-04

24 Alfred Street, Cape Town, South Africa [1901-2001] Noero Wolff Architects

24 Alfred Street is the conversion of a historic warehouse into an office building. The building was constructed in 1901 by Ernest Seeliger for a shipping company close to the harbour. Due to the constant reclamations and interior alterations the building became ever increasingly obsolete for its intended purpose and no longer complied with modern standards and regulations (Architect & Builder, 2006; 24 Alfred Street, 2001).

In their engagement Noero Wolff Architects cleared the interior of dysfunctional stairs and elevators and removed the roof. Their new intervention acts as a hat on top of the new structure, aiming to complement instead of challenging the old, thereby maintaining a balance between old and new. The window layout in the new structure repeats the pattern of the windows in the old building, while the added balcony in turn disrupts the pattern, creating contrast in the composition. The architects managed to create an architecture that is representative of its time, not copying the old but reinterpreting the roof in order to create new space and re-instil its relevance to the city (Architect & Builder, 2006; 24 Alfred Street, 2001).

APPLICATION:

Just as the warehouse, the Pretoria Magistrate's Court has become increasingly obsolete in its function as well as public engagement and yet adds an important historical layer to that part of the city. Thus new intervention is warranted in enabling the building to fulfil a continuous contemporary role as well contributing to its immediate urban context. Just as with 24 Alfred Street any addition needs to be in balance with the existing building, aiming to respect the heritage layers while unashamedly contributing to its continuous relevance.

The setting of the court is in the historic centre of Bordeaux where the urban fabric is defined by city walls and moats. It is here that the extension to the Bordeaux Court was designed and built, overlooking the cathedral and redefining a city block. The court was part of a national rebuilding of the French judicial system and forms part of a greater national discourse (Davey 1993; Ryan 1999).



Figure 7_16 Reichstag [image online] available at: https://upload.wikimedia.org/wikipedia/commons/thumb/0/0d/Berlin_reichstag_west_panorama_2.jpg access on: 2016-10-04



Figure 7_17 Added dome [image online] available at: http://images.adsttc.com/media/images/5624/7602/e58e/ce6d/4400/034b/large_jpg/Reichstag_Dome_at_night.jpg?1445230067 access on: 2016-10-04

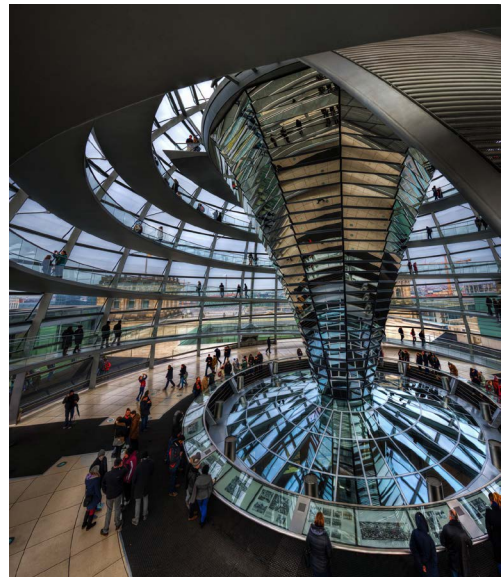


Figure 7_18 Dome interior [image online] available at: http://img13.deviantart.net/ba28/i/2014/080/8/4/inside_reichstag_dome_by_roman_gp-d792lum.jpg access on: 2016-10-04

Reichstag,

Berlin, Germany
[1894-1999]
Norman Foster

The Reichstag designed by Paul Wallot in 1894 serves as a symbol of a tumultuous past that formed the German state as it exists today. During its early years it rarely served the purpose it was constructed for. In 1933 it was burned down, an event Adolf Hitler used to solidify his hold on power. It was further damaged by bombing raids during the Second World War. In the political climate that followed the Second World War, its reconstruction by the west would be seen as provocation by the eastern communist powers. Thus only minimal interior restoration was done during the 1960s (Davey 1999; Russel 1999).

It is in this context that the competition was launched to rebuild the Reichstag after the unification of Germany in the early 1990s. Firstly, through much controversy, one third of the original built fabric was removed and almost all the restoration did in the 1960s. It was decided to leave certain historic elements, amongst which was Soviet graffiti, and stabilise damaged areas in order to preserve selected historical layers. Because of the far-reaching changes made in the interior of the building, the decision was made to express the renewal towards the exterior (Davey 1999; Russel 1999).

The request to replace the dome came from the German Bundestag. Initially resisted by

Foster, he finally recognised the potential for a functional and symbolic intervention that would transcend the inherent imperial symbolism the dome would otherwise communicate (Davey 1999; Russel 1999).

The dome functions as a public interface between the parliament proceedings below and the visiting public. Its transparency symbolises the transparency that all governments should have towards their people and the hierarchy that should exist in a democracy. Unfortunately the intention did not translate into practice and access is not allowed during parliamentary sessions (Davey 1999; Russel 1999).

Secondly, the dome plays an integral role in the energy system of the building. The mirror pillar in the dome directs light into the main parliamentary chamber, reducing the need for artificial lighting. Furthermore, the dome also acts as heat sink in order to release excess heat in the summer. This has resulted in radically reduced energy usage of the building. (Davey 1999; Russel 1999).

The reconstruction and adaptation not only serves to enable efficient use of the building again, but also serves as a symbolic reaction to a contested past and the expression of future hopes and ideals (Davey 1999; Russel 1999).



Figure 7_19 Parliamentary hall [image online]
available at: <http://www.fosterandpartners.com/media/Projects/9013/img0.jpg> access on: 2016-10-04

APPLICATION:

The Reichstag demonstrates that new interventions not only contribute to the spatial experience of the heritage building but can also contribute to the energy efficiency of the contemporary use. Likewise this dissertation will aim to incorporate systems in the new interventions in order to contribute to its operational requirements.

Furthermore it illustrates the value of contemporary element interwoven with the heritage fabric in order to allow for the reinterpretation of the old, instilling it with new meaning. Similarly the dissertation will aim to demonstrate the balance that can be achieved between old and new, while redefining the entire heritage object in a new contemporary discourse.



Figure 7_20 Soviet graffiti [image online]
available at: <http://www.fosterandpartners.com/design-services/interiors/reichstag-new-german-parliament-interiors/> access on: 2016-10-04



The following chapter shows the development of the program and the influences that shaped it.

CHAPTER

Program

8.

The separation of the functions of the Pretoria Magistrate's Court were implemented with the new addition to the south. Thus criminal cases are dealt with in the southern extension while civil matters are dealt within the existing historical building. Since the fire in 2010 all matters have been accommodated in the new extension.

The purpose of this dissertation is to reinstate the function of the civil court in the existing building, while spaces and functions are being expanded to accommodate new developments and standards within the legal system.

Configuration will take place in order to question the order of existing legal spaces and to test new spatial reactions to developments in the legal system. It is therefore the hope of this study that the judiciary can be moved from behind the courts to grant the public greater access to them. The courtrooms are placed back into the public sphere in order to have greater exposure to the public and to remove thresholds before entering.

The existing area schedule of the building is reused, while new spatial requirements will be incorporated in order to bring the court in line with contemporary standards. Finally the study will revisit the way the courts were used in order to revise it, as well as revisit visual and spatial hierarchies of the magistrate, participating legal counsel and the general public.



Figure 8_1 Old and new court

The program is divided into five distinct parts. In the middle of the building the design aims to create a courtyard that link all the different components of the program to the surrounding urban condition. Left thereof are the civil society offices, where all the role-players in the process of the legal system can serve the public on site. In the middle above is the judicial offices where the magistrates have

their offices and where the process of the court case takes place.

This building are secured and the public does not have direct access to it, although there are visual access from the courtyard. This part is directly linked to the court spaces and the circulation is separated.

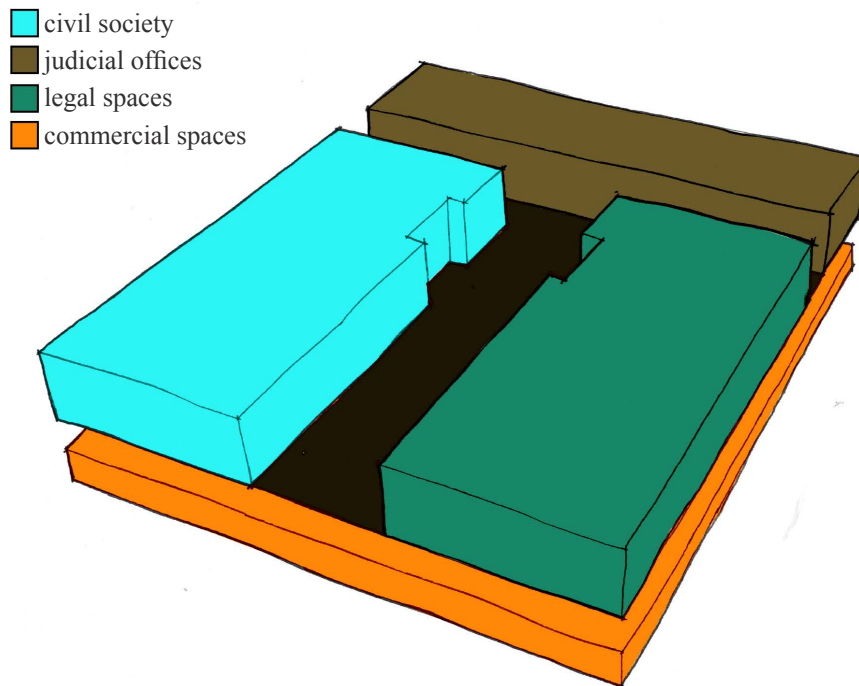


Figure 8_2 Program division diagram

On the right hand side are the court spaces. Here all the participants of the legal system have equal access to the procedures and rituals. There is also unhindered flow from the courtyard into these spaces. The program here consists of both the traditional legal system as well as innovative justice mechanisms as discussed previously.

Finally the ground floor consists out of unrestricted commercial spaces, where general retail spaces and supporting services can be accommodated. This part of the building is in isolation from the legal spaces, but has access to the inner courtyard. Here the administrative and logistical functions of the court is also located.



22/1/35.

UNIE VAN SUID-AFRIKA.—UNION OF SOUTH AFRICA.

MAGISTRATSKANTOOR
MAGISTRATES OFFICE

PRETORIA

PRETORIA.

20th. Oct. 1935

The Secretary for Public Works,
Pretoria.

CP [Signature]
24/10/35

ESTIMATE OFFICE ACCOMMODATION.

I beg to inform you that the Office requirements for this establishment should be as follows:-

COURTS.

Civil Courts	...	...	...	...	2.
Criminal Courts	...	...	...	...	4.
Conference Room (Small Court)	...	...	...	...	1.

OFFICES.

Magistrates. (One of these must be a large office in order that same can be used as a Juvenile Court.) 8.

Clerk of Civil Court (This must be a large room) 1.

Clerks of Criminal Courts (One of these must be a large size as it must also serve as a Criminal Record Room). 3.

Record Room ... 1.

Typist (fair size) ... 1.

Accounts Office ... 1.

Personal Clerk to the Chief Magistrate ... 1.

Marriage Clerk ... 1.

(Waiting Room for Bridal Couples ... 4.

Public Prosecutors ... 1.

Probation Officer ... 1.

Cleaners ... 1.

Tearoom ... 1.

Arrear Record Room (very large) ... 1.

European Interpreters ... 1.

Waiting Room for female witnesses ... 1.

Court Sergeant (to adjoin Cells) ... 1.

Exhibit Room (Very large) ... 1.

MISCELLANEOUS.

Cells ... 4.

Road Inspector ... 2.

District Surgeons ... 4.

I think we should make special provision

Sketch Map informally to def Magistrate's office 22/10/35

Supers [Signature]

EXISTING AREA SCHEDULE

The image left is a copy of the original area schedule of the Pretoria Magistrates Court as issued in 1933 and is available in the national archives.

On the list there are specific spaces shown but not the size of the spaces and thus certain assumptions had to be made as to the exact areas. The assumptions are contained in the table below.

Figure 8_3 Existing area schedule, South African National Archives, D.P.W 4/448, Part 1

Original Court Area Schedule			
	No. of spaces	m ²	Floor area
Civil Courts	2	120	240
Criminal Courts	4	120	480
Small Courts	1	90	90
Magistrates Office	8	24	192
Clerk of Civil Court	3	15	45
Clerks of Criminal Court	1	15	15
Record room	1	20	20
Typist	1	10	10
Accounts office	1	20	20
Personal clerk to chief magistrate	1	10	10
Marriage Clerk	1	15	15
Waiting room for couples	1	50	50
Public prosecutors	4	15	60
Probation officer	1	15	15
Cleaners	1	6	6
Tearoom	1	20	20
Arrear Record Room	1	20	20
Interpreters	1	15	15
Waiting room for female witnesses	1	50	50
Court sergeant	1	15	15
Exhibit room	1	12	12
Cells	4	6	24
Road Inspector	2	10	20
District Surgeons	4	10	40
TOTAL AREA			1484

New Peoposed Area Schedule			
	No. of spaces	m ²	Floor area
Mediation & Pre-trial			
Mediation Conference Room	7	35	245
Meeting Room	14	9	126
Support			
Remote witness room	3	8	24
Volunteers Office	3	9	27
Child witness preparation	3	12	36
Interview rooms	7	8	56
Judiciary			
Associates	3	12	36
Library	1	24	24
Tea room	1	4	4
Utility	1	2	2
Storage	1	6	6
Custody provision			
Custody Control room	1	24	24
Duty Room	1	12	12
Property Alcove	1	4	4
Search Room	1	6	6
Non Contact Interview	2	2	4
Bail Holding Room	1	8	8
Medium Cells	2	10	20
Meal Preps	1	7	7
Staff Shower	1	6	6
Detainee Shower	1	3	3
Staff Amenities			
Lunchroom	1	20	20
Shower	1	6	6
Toilets	1	30	30
Admin			
Registree Counter	1	50	50
Service Counter	1	25	25
Strongroom	1	25	25
TOTAL AREA			836
GRAND TOTAL			2320

NEW AREA SCHEDULE

The table left is compiled out of various sources among which are the: *Western Australia Courts Standard Design Brief* (2010), *U.S. Courts Design Guide* (2007) and the *Metric Handbook: Planning and Design Data* (Adler 1999).

Even though the Australian, American and British court systems are represented by these standards, was it valuable to derive the basic spatial principles and sizes.

Thus the table on the left gives this study a broadly defined requirements for the new facilities.

The diagram below is from the ‘Metric Handbook: Planning and Design Data’ and demonstrates general principles on circulation and spatial relationships within the courthouse.

Because South Africa does not have the jury system, the facilities indicated for it will be ignored.

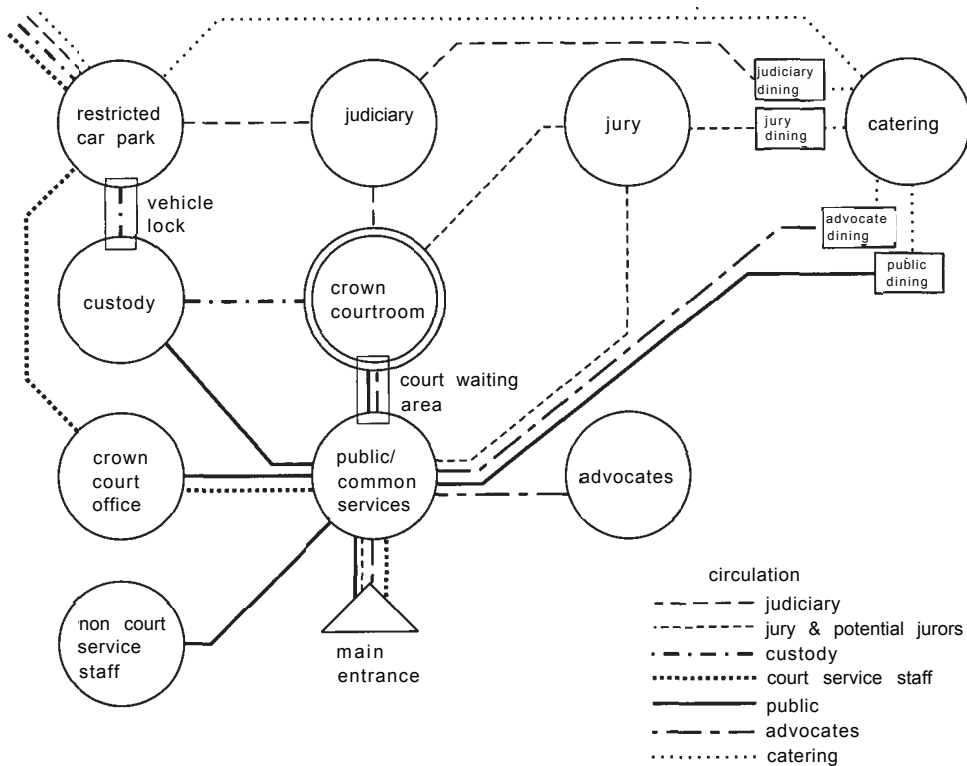
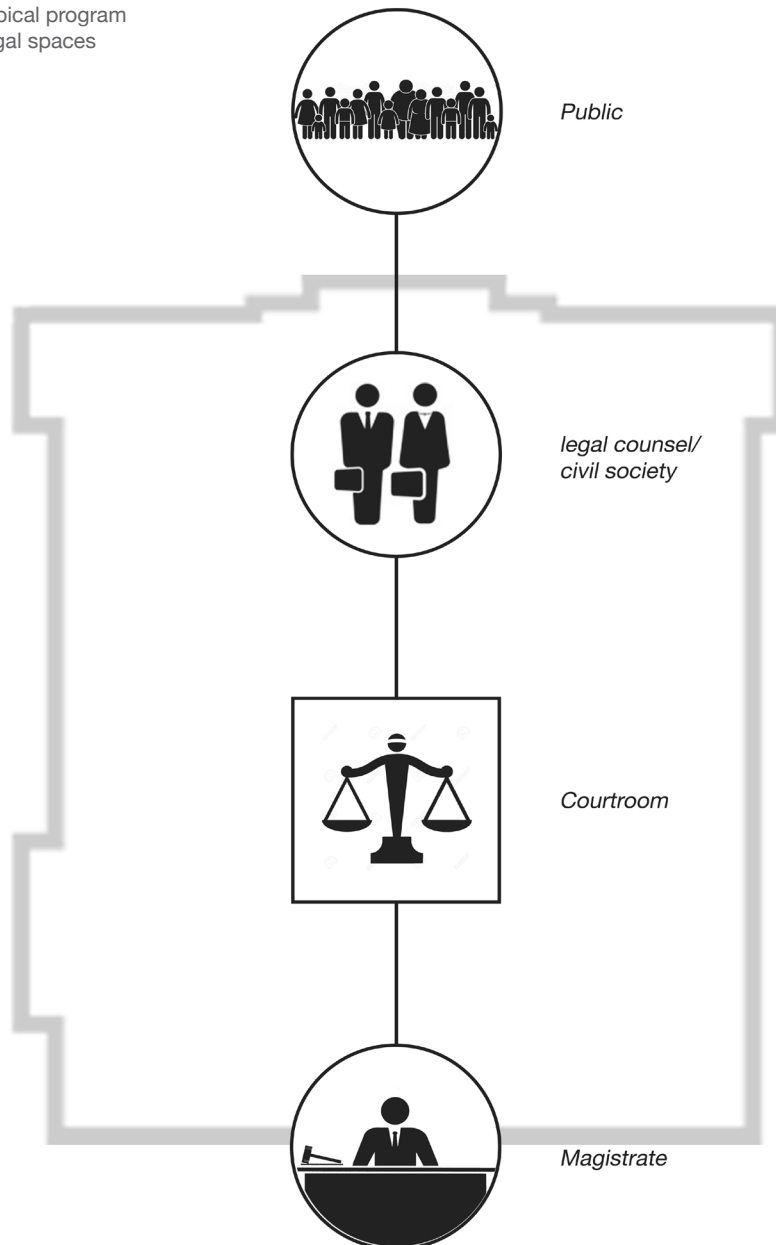


Figure 8_4 Court organisational diagram, ‘The functional relationship diagram for a Courthouse’
 In: (Adler 1999:12-3)

The following diagram shows the general diagrammatic spatial and programmatic relationship between the spaces in the legal system. On the one side is the general public and on the other the judiciary. Between the public and the judiciary is civil society, the

legal fraternity and the courtroom which means that the public is always separated from the judiciary and must always use mediators to gain access. This separates the public from justice.

Figure 8_5 Typical program diagram of legal spaces

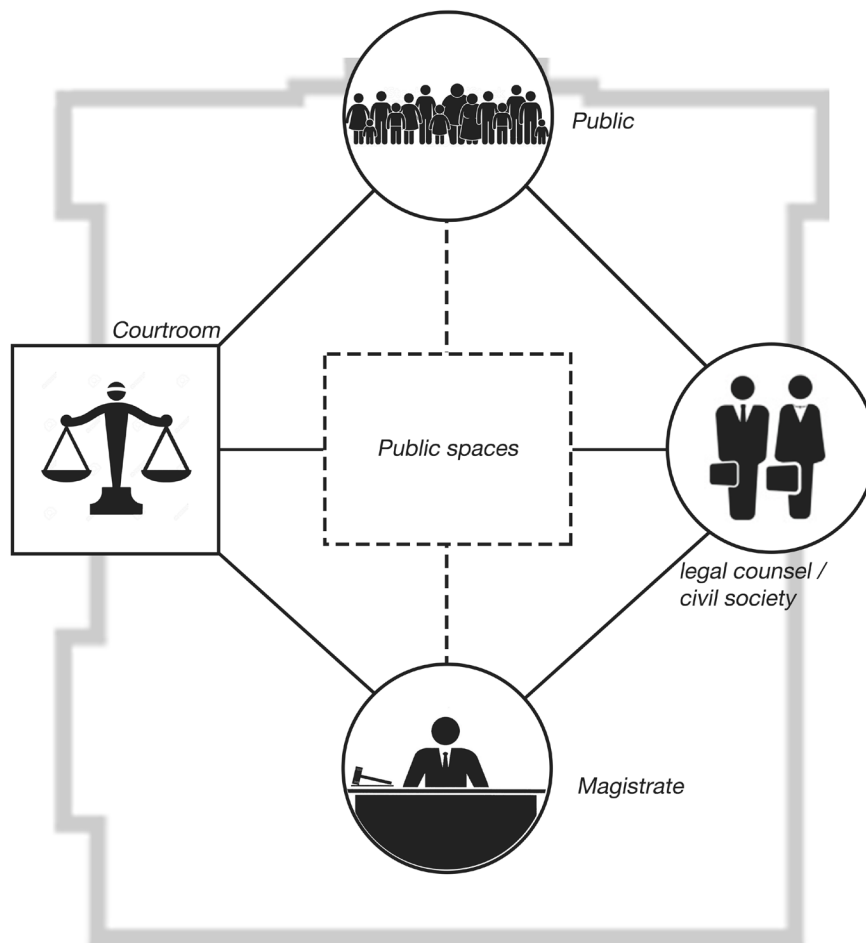


The following diagram shows the proposed spatial and programmatic relationship between the public and the judiciary.

together with the judiciary are placed on equal footing and is given equal access to the court. The public has also increased access to the judiciary, even if its just visual.

Here the courtroom are decentralised and the public, civil society and legal fraternity,

Figure 8_6 Suggested program diagram for the Pretoria Magistrates Court.





This chapter deals with heritage theory and good practise principles.

CHAPTER

Burra charter

9.

The following section aims to engage with the Pretoria Magistrate's Court and the dissertation design approach through the lenses of the Burra Charter (ICOMOS 1979).

The Burra Charter, building upon the Venice Charter that preceded it, was first published in 1979. Its main focus was to expand the definitions of cultural significance, recognising the association between places and people and the importance of community participation in heritage conservation. Since then it has been revised several times with the most significant revision done in 1999.

The scope of the charter as stated by Marquis-Kyle & Walker (2004:7) is:

'the basic principles and procedures to be observed in the conservation of important places.'

The Burra Charter (1999) is discussed over a series of 34 articles, dealing with principles, processes and practice. For the purpose of this dissertation the predominant focus will be on conservation principles and the application of appropriate conservation practice. The principle articles will be dealt with individually, while the process articles may be added in as appropriate to the principles discussed.

ARTICLE 1: DEFINITIONS

This section provides definitions which should be used to describe the heritage approach adequately. The most important of these are the definitions that describe the approaches themselves.



Figure 9_1 North-west corner

- Conservation** - is the act of retaining the contribution that a setting is making to the sense of place.
- Preservation** - is the attempt to slow down the rate of change.
- Restoration** - aims to restore existing fabric to its original state, without adding new material.
- Reconstruction** - has the same focus as restoration, but allows the use of new materials.
- Adaptation** - is the modification of a place to suit existing or proposed new use.

The following articles all fall under the broad term conservation principles. At this stage it is imperative that a value judgement be made on the contribution of the Pretoria Magistrate's Court to the larger urban environment.

ARTICLE 2: CONSERVATION AND MANAGEMENT

As supported by Le Roux & Botes (1993) and Engelbrecht et al (1955) it becomes clear that the predominant heritage value of the building lies in its status as court building and its historic position within the city. It is the opinion of this dissertation that the value in representation of historical style, building practice and building fabric are not enough to warrant restoration or reconstruction.

Adaption is therefore is justified in order for the building to serve the needs of current and future legal and judicial developments. As discussed in articles 15 and 21 it is recognised that :

'Change may be necessary to retain cultural significance'
(Marquis-Kyle & Walker 2004:54)

'there are times when a small loss in one part brings a larger benefit overall. However, the best outcome is no loss of significance at all'
(Marquis-Kyle & Walker 2004:64).

Despite the adaptation approach, preservation (Article 17) of elements like the portico, sections of the façades and the reconstruction (Article 18) of the inner courtyards will be selectively applied in order to conserve heritage layers representing past discourses in legal practice and national development. As per Article 18 reconstruction serves an interpretive purpose and should be retained selectively as informants for the new design intervention (Marquis-Kyle & Walker 2004:60).

Through this engagement it is the aim of this dissertation to create a legal facility that is adequately equipped to meet the needs of future legal practice, while celebrating the heritage and origin of those practices.

The practice of new work captured in Article 22 should be considered. Proposed principles:

- Clear recognition of old and new
 - Significant elements should retain distinctive structure without being imitated or mimicked by the new edition.
 - Scale should be considered as not to overwhelm the significant existing.
 - New work is appropriate when allowing existing rituals to continue and aid interpretation of the heritage.
 - New work should allow for the continuation of the narrative of place and become part of it
- (Marquis-Kyle & Walker 2004:66).

ARTICLE 3: CAUTIOUS APPROACH

Cautious approach in the context of this engagement must take on a different meaning. Caution will be applied in the way the past discourses are contrasted to the new intervention. Instead of diminishing the presence and influences of past discourses, it should be celebrated and accentuated, continuing and adding to the narrative as was discussed in Article 22 (Burra Charter 1999; Marquis-Kyle & Walker 2004:66).

ARTICLE 5: VALUES

The heritage values of the Pretoria Magistrate's Court lies in the realms of the aesthetic and historic. Aesthetically the building communicates the principles

of revivalist architecture and the extensive use of marble in construction, a rarity in contemporary architecture. Its historic value is in its position within the city, which has been the site of the magistrate's court function since the founding of the city. Its representation of a period in court design and neo-classical architecture is its main features.

ARTICLE 7: USE

As previously stated the site of the current Magistrate's Court has always been the site of the court and its function within the city. Therefore it is deemed appropriate to retain and enforce the civic position and nature of the court. It is further supported to create a network of judicial spaces on an urban level, connecting the Palace of Justice, Pretoria High Court and the Magistrate's Court into a cohesive framework.

This relates strongly to the points discussed above, relating to the conservation of use as described in Article 23 becomes important, continuing to state that

'significant use may require changes to significant fabric'

(Marquis-Kyle & Walker 2004:68)

ARTICLE 8: SETTING

The setting concerns views and vistas in the historic urban environment creating relationships far beyond the boundaries of the site. As has been stated the Magistrate's Court is placed within a historic setting and has been a constant presence throughout the area's development.



Figure 9_2 New Pretoria Magistrates Court, Google Earth, 2016

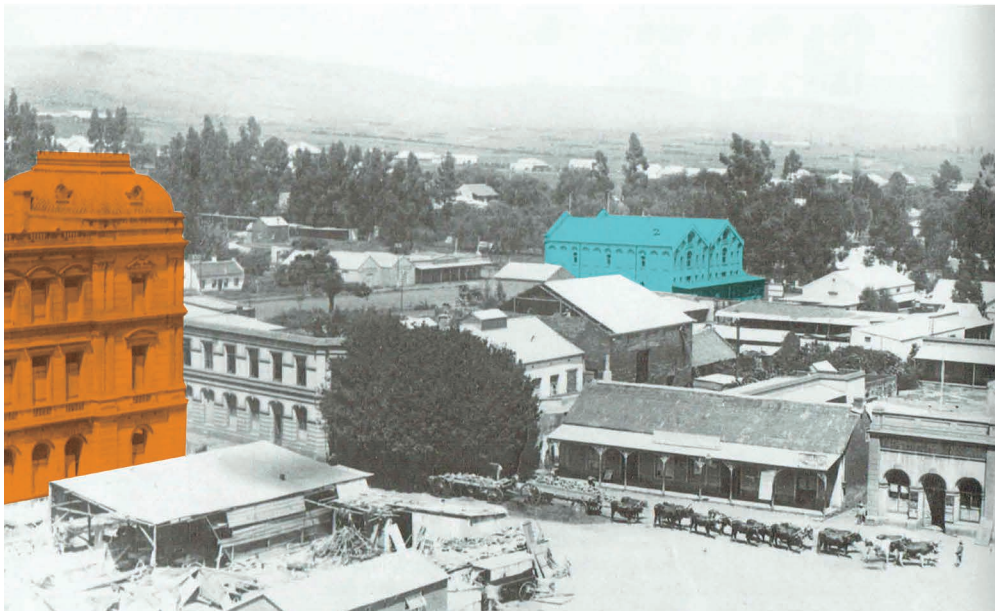


Figure 9_3 Old Pretoria Magistrates Court, image based on: (Allen 2007:62)

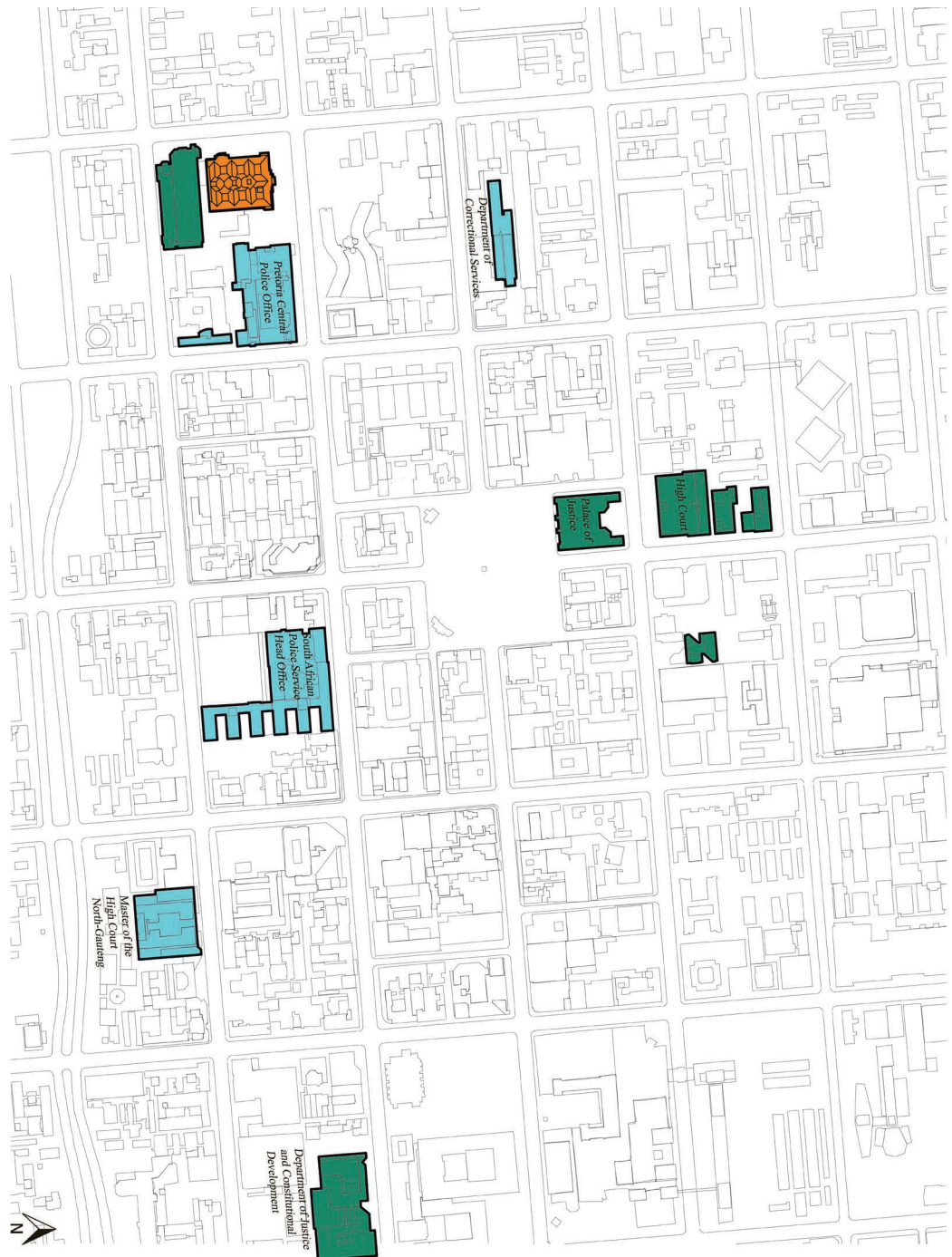


Figure 9_4 Judicial and legal networks of the Pretoria inner-city

The one way streets Pretorius and Schubart create defined routes of viewing the court from an urban perspective.

The aim of this dissertation is to highlight significant features of the original design through new intervention. Framing views as it is experienced in the daily movement through the city. The attempt will be to aid in the architectural interpretation as stated in Article 25.

Another intervention will be the development of the car park across from Pretorius Street into a public facility and park in order to enforce the position of the Magistrate's Court and its civic setting. This ties closely into the arguments captured in Article 9 which is about location.

ARTICLE 10: CONTENT

The roof of the Pretoria Magistrate's Court burned down in 2010. Since then the building has been exposed to the elements and flooded due to a burst water main. Current reconstruction efforts warranted a full biohazard operation in order to remove asbestos and lead-filled paint used in original construction, as well as black mould that formed on account of the flooding. Original construction that no longer adheres to our contemporary standards needs to be strengthened or replaced. This includes floor slabs which have been constructed with only an 80 mm thickness, according to contractors.

As a result the content of the building is severely compromised and restoration or reconstruction deemed inappropriate. Yet it is the aim of this dissertation to retain as much of the current building fabric in order to represent and enforce the heritage on site. This includes, but is not limited to, the reuse of brick, marble cladding and usable timber frames.

ARTICLE 12: PARTICIPATION

In the case of the Magistrate's Court the community network is on the macro scale. This includes the citizens of Pretoria, the judicial and legal communities, as well as local and national government and civil society. Their input and participation will be required in order to ensure that past problems and future requirements are met.

ARTICLE 13: CO-EXISTENCE OF CULTURAL VALUES

This article refers to the common occurrence where cultural value may not be universal to all communities involved around a single site. This is definitely the case with the Magistrate's Court in Pretoria. Constructed by European descendants for a western system and reflecting western discourse, constructed in an African context to be used by a majority African population.

The building in its very nature instigates conflict around its heritage value and appropriate use. Therefore it is the aim of this dissertation to appropriate the site

through adaptation in order to reimagine it for a different context than in which it was constructed while still maintaining and celebrating the historical discourse that lead to its construction.

Article 13 of the Burra Charter relates closely to the concept of Dissonant Heritage as discussed by Tunbridge & Ashworth (1997) and forms an integral consideration and informant for the engagement of this dissertation.

As this dissertation will engage with the heritage fabric in an adaptive way, it is important to discuss the definition of adaption and the strategies it proposes. Machado (1976) in his article Old buildings as palimpsest, starts engaging with the theory of remodelling. He metaphorically discusses various engagements, relating it back to the tradition of manuscript writing and rewriting. These engagements are to write over, to underline, to partially erase or to interstitially writing between the lines.

Since Machado (1976) deliberately leaves these concepts open for interpretation, this dissertation will define them in the following manner:

Writing over: Regarding existing built fabric as intangible informant, demolishing in order to create a completely new object.

Underlining: Using the new intervention to accentuate significant built fabric and existing conditions.

Partially Erasing: Deconstructing parts of the existing built fabric in order to remodel and reinvent the structure as a whole, facilitating contemporary use.

Interstitial Writing: Insertion of new intervention in between existing built fabric in order to revitalise the use of the old fabric.

Another source to be used in the definition of adaption is Rereadings by Brooker & Stone (2004). In this publication three strategies for engagement is proposed: Intervention, insertion and installation. The following definitions are given for each:

Intervention is a process that transforms building, the new and the old become intertwined and completely dependent upon each other.

The **insertion** a new functioning element not only provides a use for an often redundant or neglected space but also serves to enhance and intensify the building itself.

Installation is a process where the elements of remodelling exist independently from the building; the two simply touch each other (Brooker & Stone 2004).



Figure 9_5 North-east corner

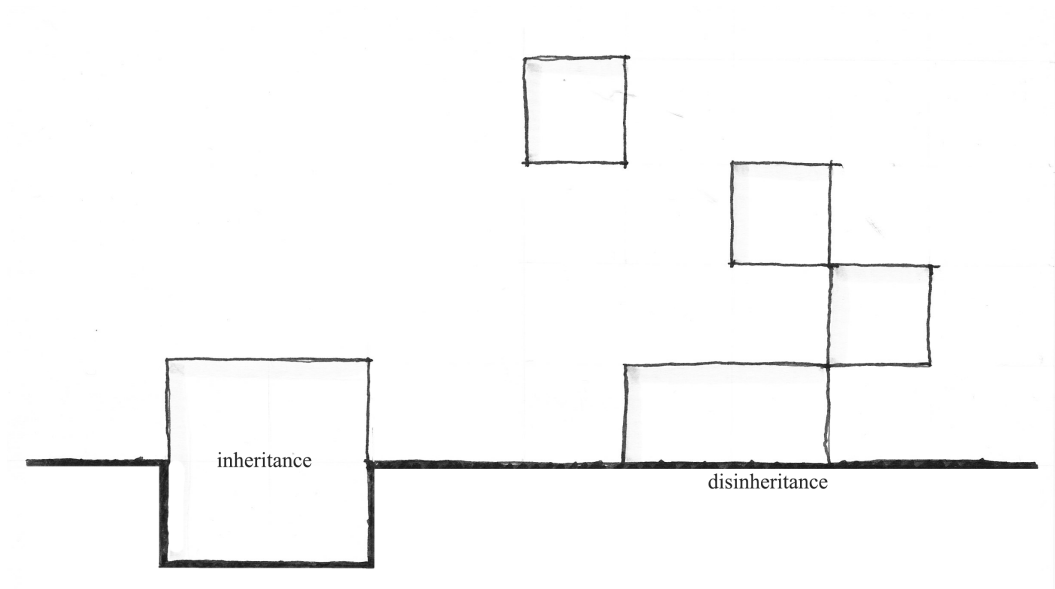


The conceptual considerations
and considerable influences on
the design of this dissertation.

CHAPTER

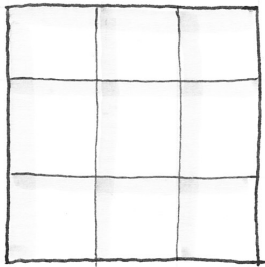
Concept

10.



Figuur 10_1 Heritage concept

As shown by the theory of Dissonant Heritage, all heritage objects contain elements of inheritance and disinheritance. This polarisation requires mitigating mediation as to include both elements in the broader narrative.



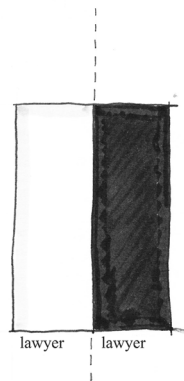
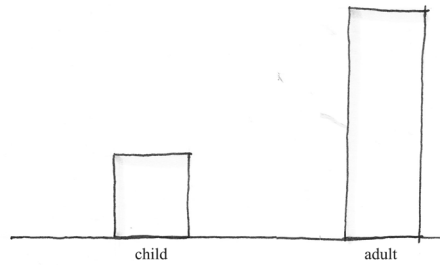
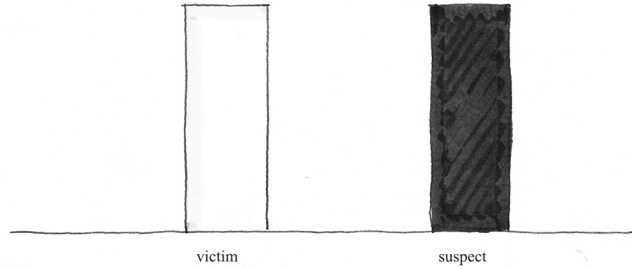
classical



contemporary

Figuur 10_2 Design concept

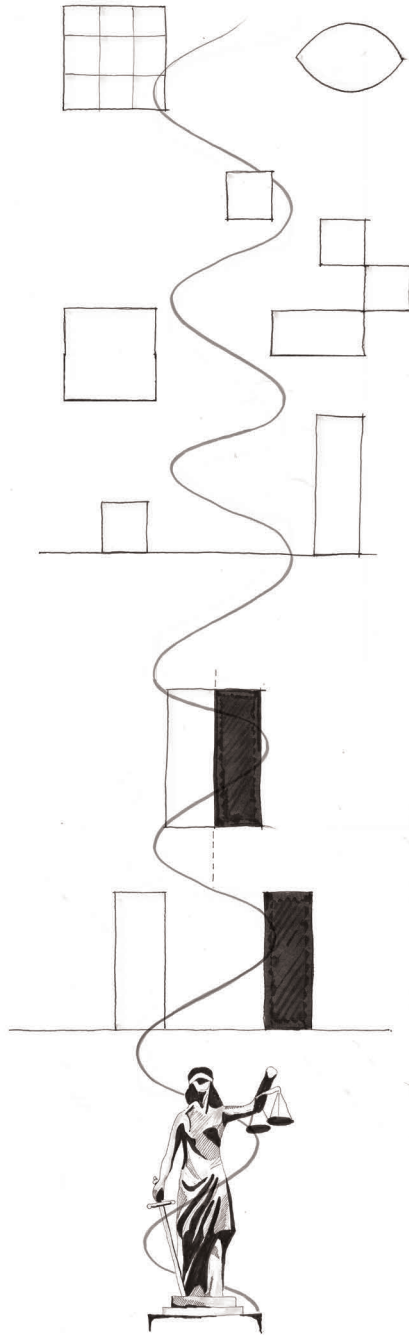
As discussed in the analysis, there exists conflict between the classical and the contemporary. This manifests in the attempt to contextualise the classical which is inherently acontextual.



Figuur 10_3 Program concept

The development of the legal system and the spaces associated to it has resulted in dissonance between the public and legal spaces. Consequently the conflict between participants in the legal process is unavoidable. This is made clear by the relationship between

victims and suspects, children and adults and the conflict between legal counsel. Thus mediation is necessary in legal spaces so conflict can be managed and mitigated.



Figuur 10_4 Concept diagram

**ARCHITECTURE AS MEDIATING
MITIGATOR IN DISSONANCE**



Design development and
approach to the Pretoria
Magistrates Court.

CHAPTER

Design

11.

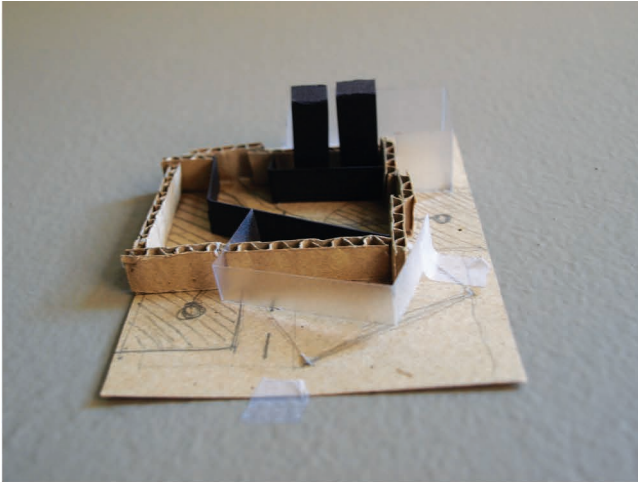


Figure 11_1 Concept model #1
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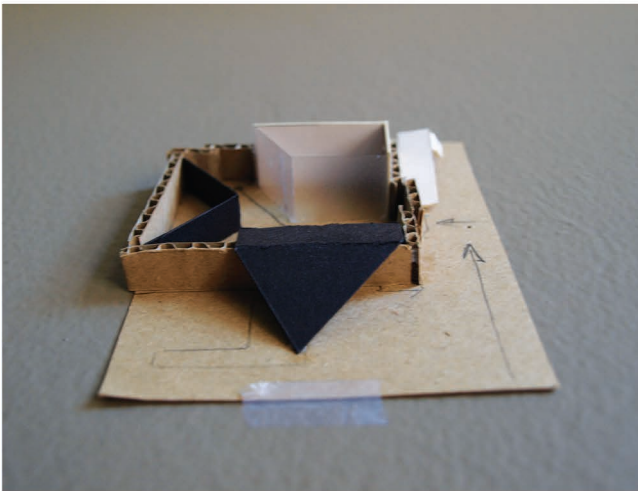


Figure 11_2 Concept model #2
(February 2016)

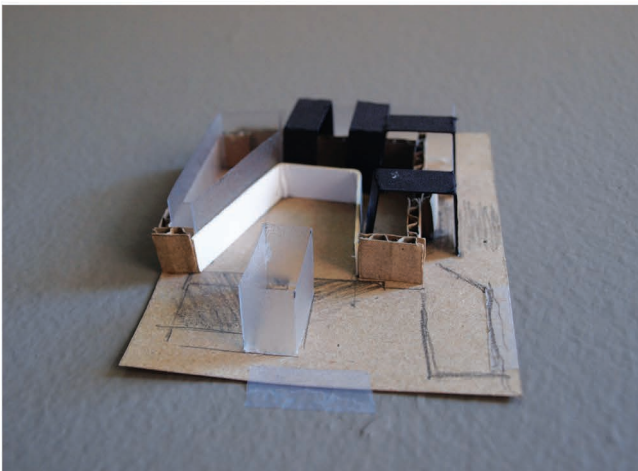


Figure 11_3 Concept model #3
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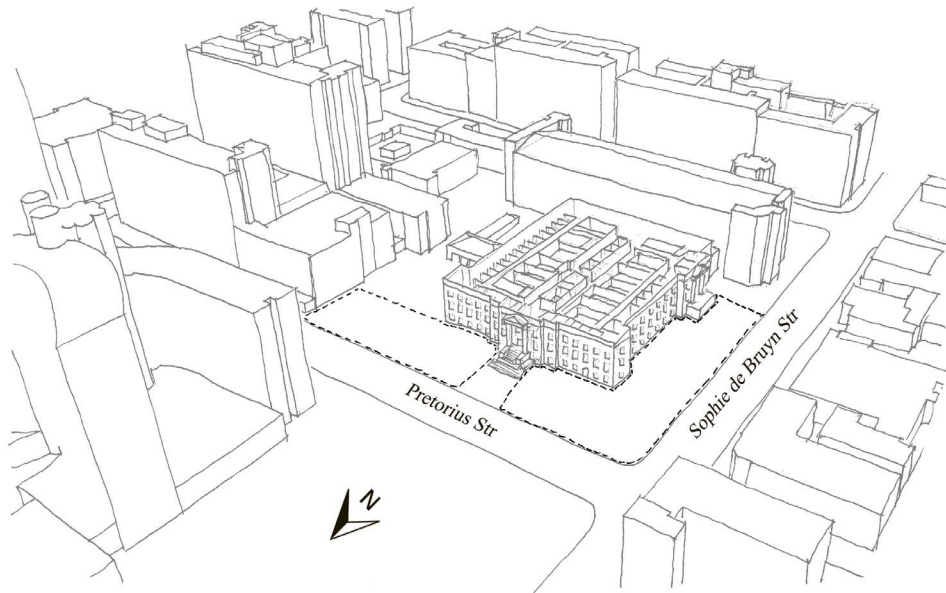


Figure 11_4 Area development

1. The first clear, and intuitively apparent, opportunity for intervention was the immediate space surrounding the building. Because of the classical nature of the design, the building was set back into the site; removed from the street and the surrounding context. This meant that the building made no contribution to the street edge or to the urban condition.

The space was later turned into a parking lot and a fence added all around the perimeter (dates unknown) which only exacerbated the problem.

Therefore the resolve of this designed moved to address these evidential problems by resolving to develop the parking space surrounding the building. Through this there is an opportunity to contribute to the street edge and the urban fabric, while bringing the building out of its classical isolation and adding needed floor space. The parking space lost during this development can be accommodated either in the Pretoria Central Police Station which is east of the site or directly across the road to the north which is currently an underutilised government parking space

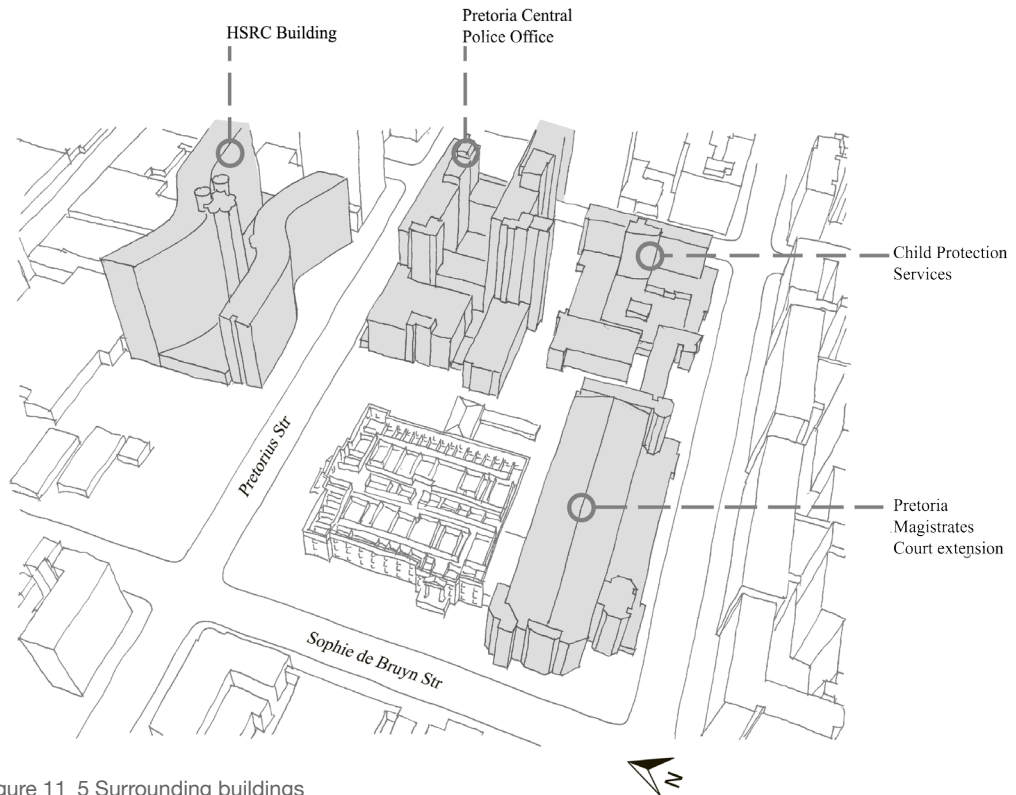


Figure 11_5 Surrounding buildings

2. Next the precinct was look at as a whole. To the south of the project site was the new magistrate's court which would accommodate criminal cases. To the east of the site is the Pretoria Central Police Station and south-east is Child Protection Services, also a police unit.

Thus this whole city block could operate as a coherent functioning precinct that promotes collaboration and public movement through the block. So as the court was extended outwards towards the street, there was an

opportunity to open it up inwards to facilitate access. This meant the removal of boundary walls and the rerouting of some vehicular access as well as parking.

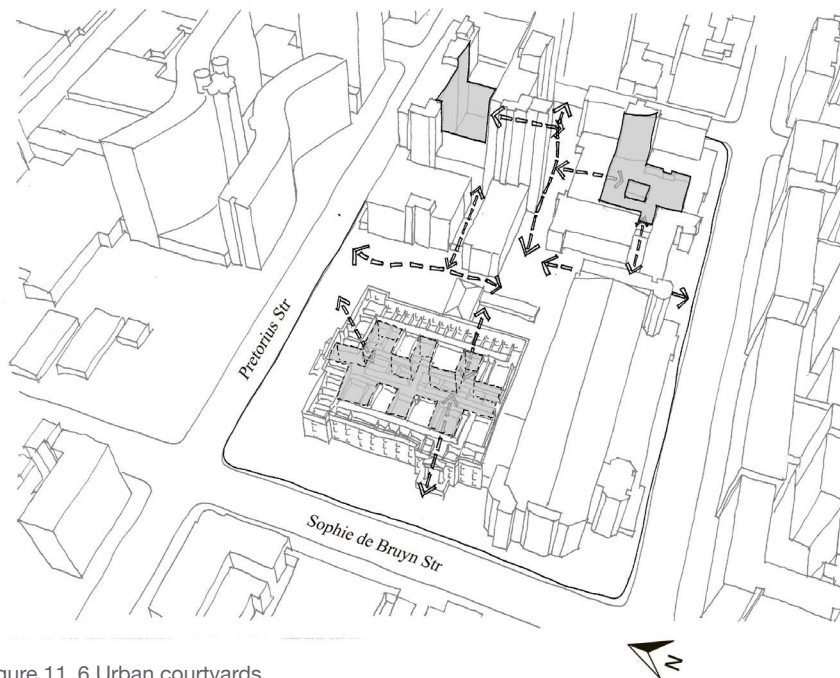


Figure 11_6 Urban courtyards

3. The next consideration was the repetition of inner building courtyards. As observed from above, the Pretoria Central Police Station is arranged around an internal courtyard and the buildings west of the Child Protection Services also formed a well-defined courtyard.

Thus the dissertation design aimed to create a inner building courtyard for the Pretoria Magistrate's Court. Through this intervention the design approach hoped to open up the building, undermine its solitary nature and

instil a new spatial quality which could be accessed by the entire precinct. This would also help in connecting the urban spaces the dissertation is aiming to create.

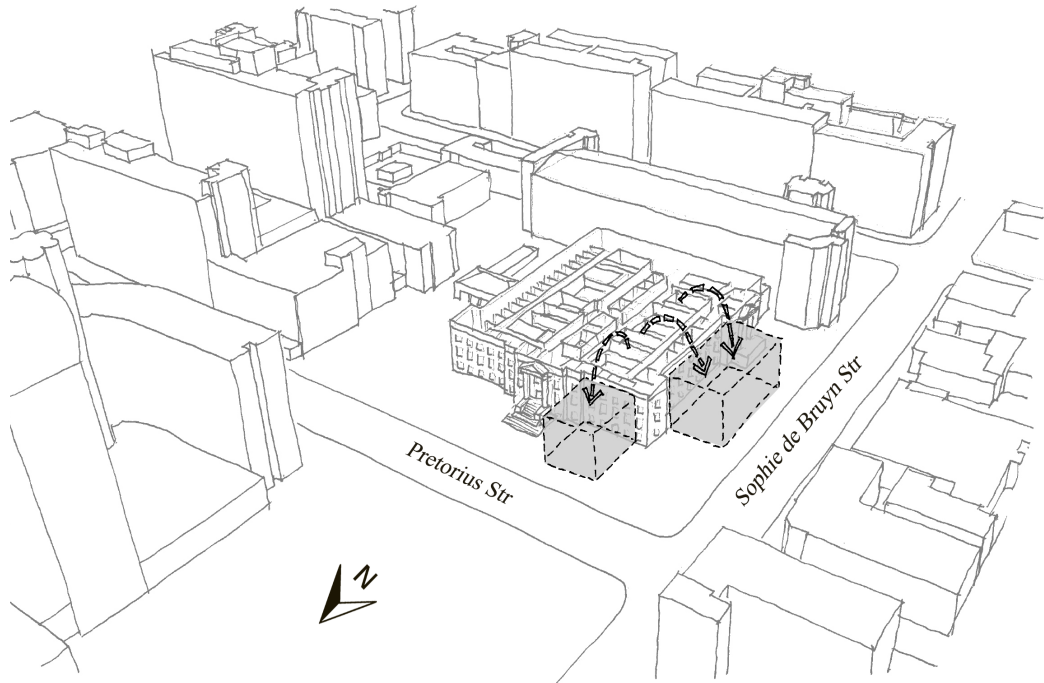


Figure 11_7 Public courts

4. Therefore, in order to facilitate the edge development of the parking lot and creating an inner building courtyard, the design opted to reorganise the spatial relations of the existing court building. The severe disruption came with the fire in 2010 and then the subsequent development of blackmold. As renovation is underway, there is an extensive intervention to remove the blackmold and all lead based paint and asbestos used in the original construction. Thus the existing structure can truly be seen as a ruin.

The design response is to move the current court spaces to the northern and western periphery. In doing so space is added, the wasted space currently used by parking is utilised and an opportunity is created to re- envision how the court functions and what it may become in future.

By displacing the courts to the outside of the current building, there is an attempt to democratise the spaces and open up the judicial process to the larger public.

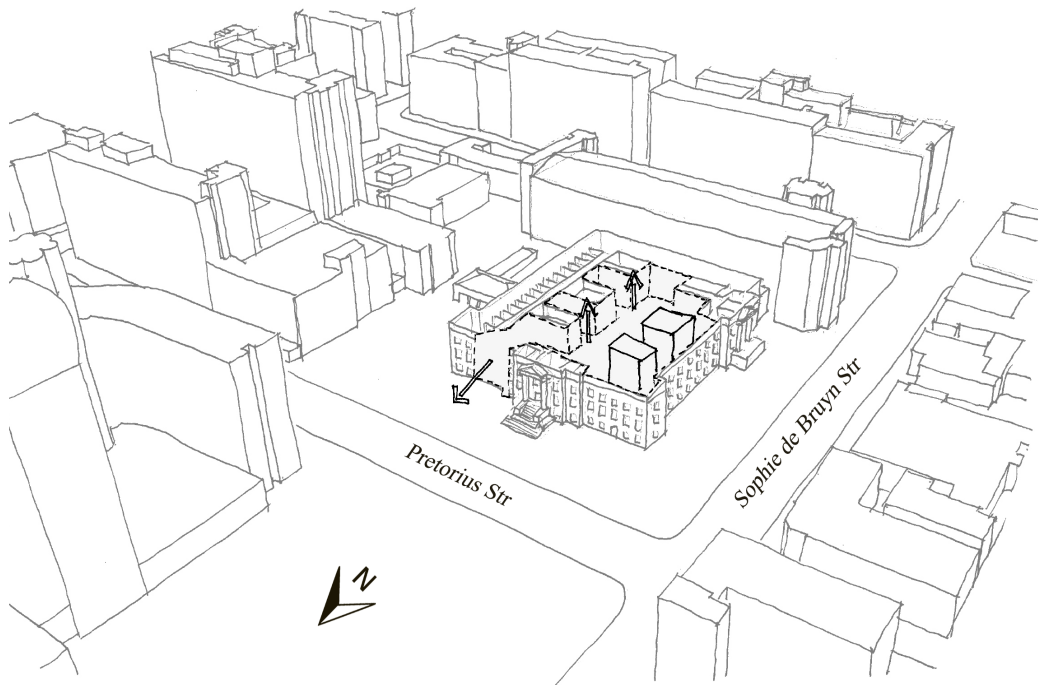


Figure 11_8 Building cut

5. In support of this spatial reorganisation and the creation of inner building courtyards, the floors supporting the circulation space on the second floor, as well as the service spaces in the middle of that circulation on the first and second floor will be removed.

This will create an open double volume circulation space which will start towards opening up the building and reorganising its functioning.

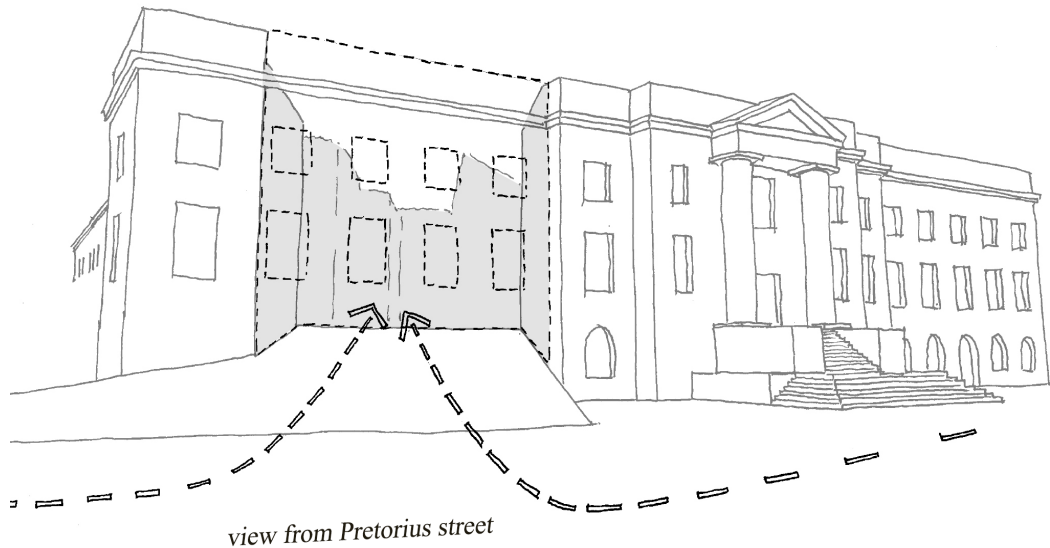


Figure 11_9 Facade cut

6. One of the main classical principals is the creation of a perfect world within a world, thereby isolating it from the surrounding context as not to be contaminated. Furthermore the ascending staircase is used to enter the building, ascending the plinth which forms the ground floor level and effectively treats it as a basement level. This device is used to create a sense of gravitas, but also to intimidate those who would wish to enter the building.

By subverting the staircase and creating a new broad entrance through the façade, accessibility is created in a natural flowing way without restrictions or intimidation. At the same time undermining the idea of a perfect symmetry on the northern façade and thereby drawing the building into its context and its context into the building.

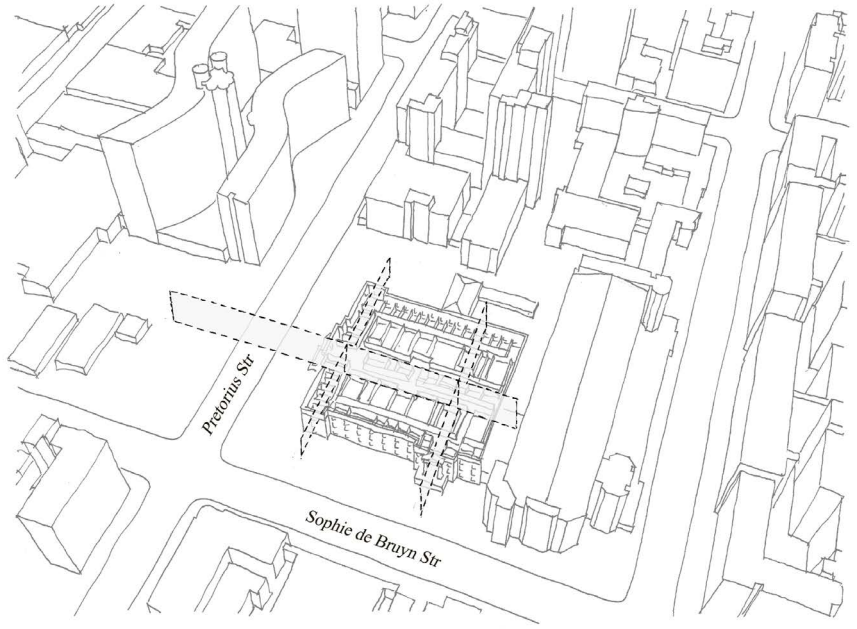


Figure 11_10 classical axis

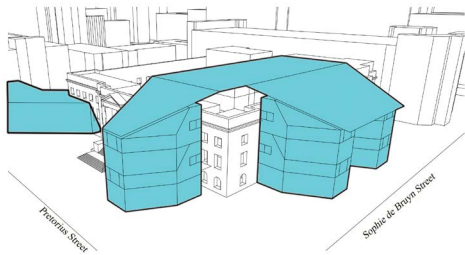


Figure 11_11 Iteration #1 (March 2016)

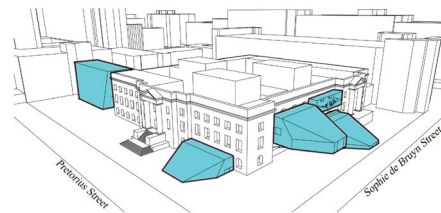
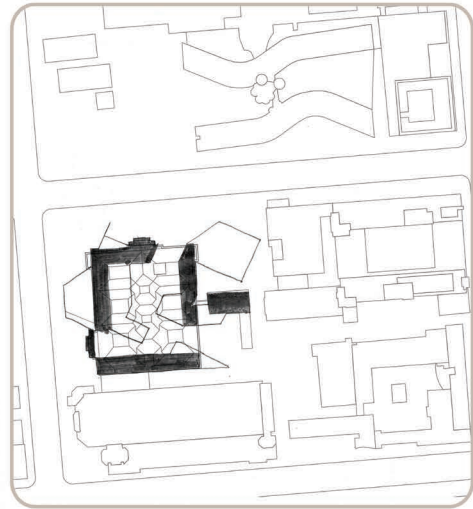
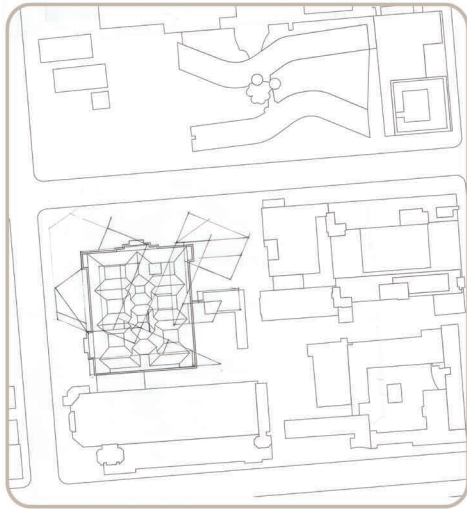
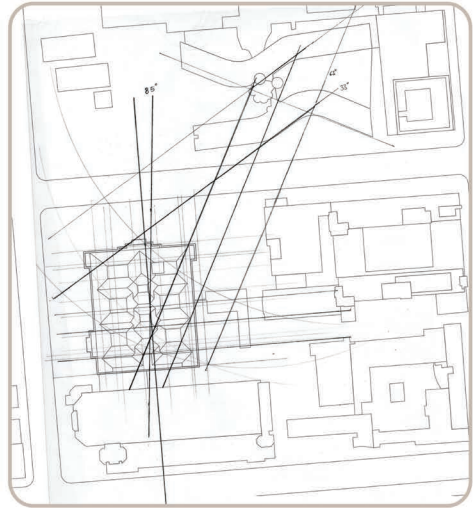
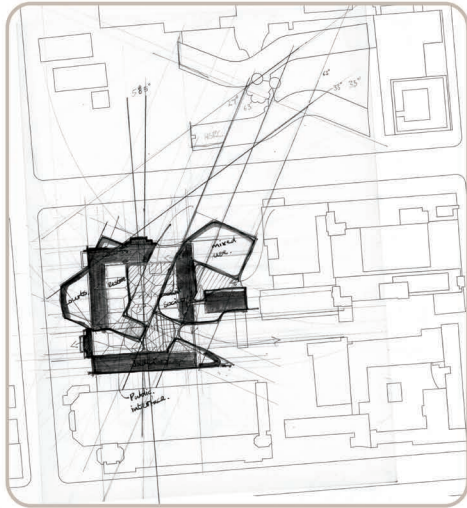


Figure 11_12 Iteration #2 (April 2016)

7. The original building was designed with a clear classical axis running east to west and north to south which dictated the spatial organisation and layout of the building. Because this formed an integral part of the classical nature of the building it warranted a direct response either to strengthen or undermine the principle.



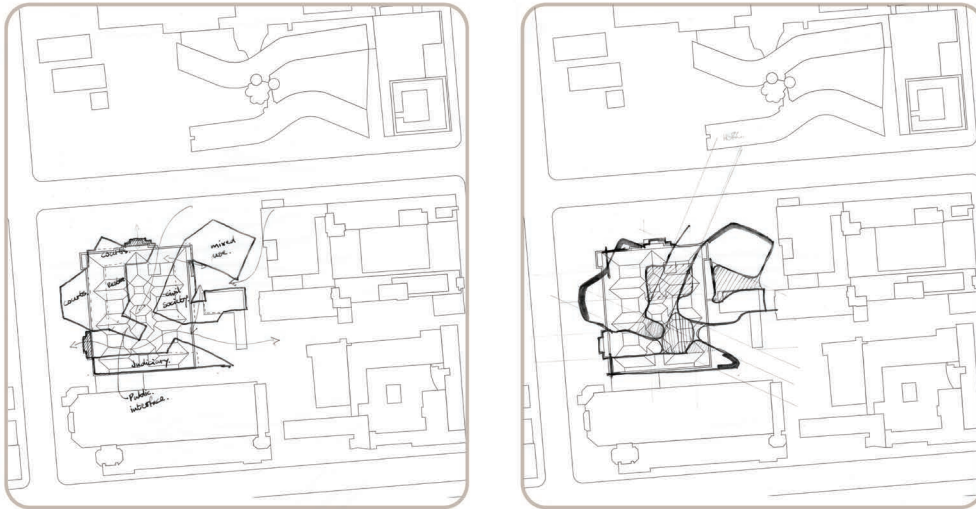


Figure 11_13 Development of cutting geometry (May 2016)

8. The cutting of the façade and the new access route created needed a guiding geometry to control and contain the intervention.

For this the larger context was taken into consideration and it was decided to use the geometry of the HSRC building across the road to give the contextual geometry. This was appropriate for the following reasons:

1. The HSRC building in its own right is a Post-Modern response to the classical style and the drawing from its geometry would link

the two expressions in a continuation of that expression.

2. The use of the 64° or 26° derived from the HSRC building will orientate the newly defined entrance towards that building and re-establish a link with the city, which starts to define space, not only at a building level but also on an urban level.

3. This geometry can then be used to disrupt the current classical grid and redefine the additions and extensions without adhering to the old grid.

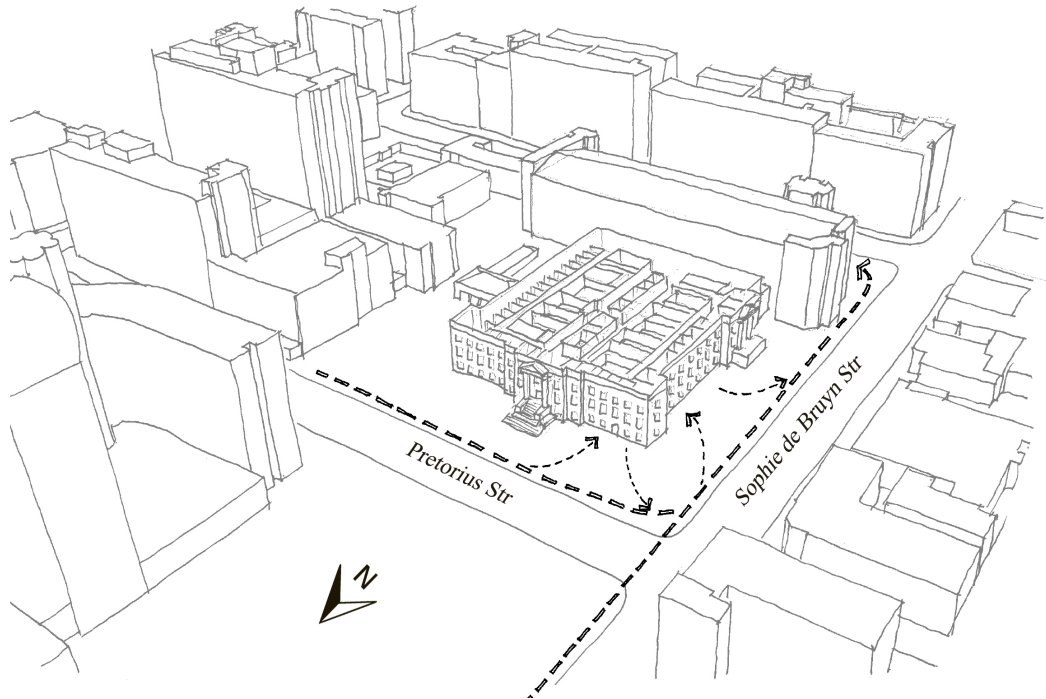
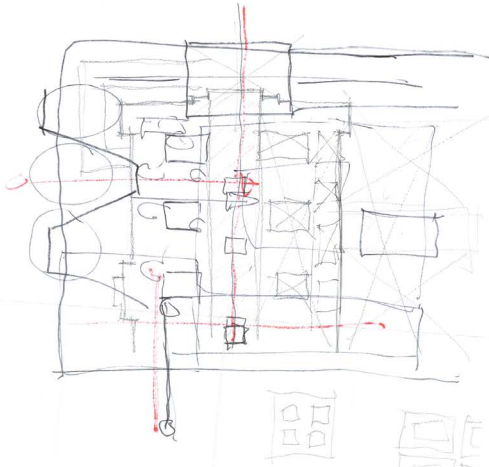


Figure 11_14 movement patterns around the site

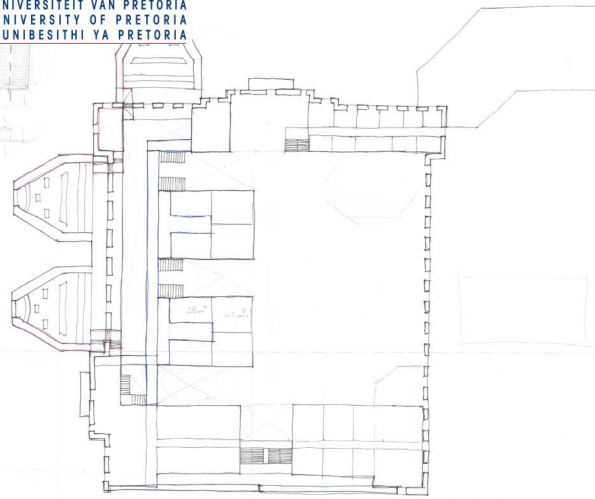
9. A ritual observed is that of lawyers and advocates walking along Sophie De Bruyn Street towards the new addition of the magistrates court to the south. This has created a very busy street edge and has resulted in some informal trading forming along this route.

With the additions of the courts to the west, the ground floor of the existing building will be transformed into commercial spaces, which can function independently from the court

rituals above but also support it if necessary. This intervention will aim to draw from the energy already present on the street and to create a multifunctional building which is reminiscent of the earlier manifestations of the courthouse typology.

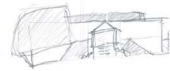


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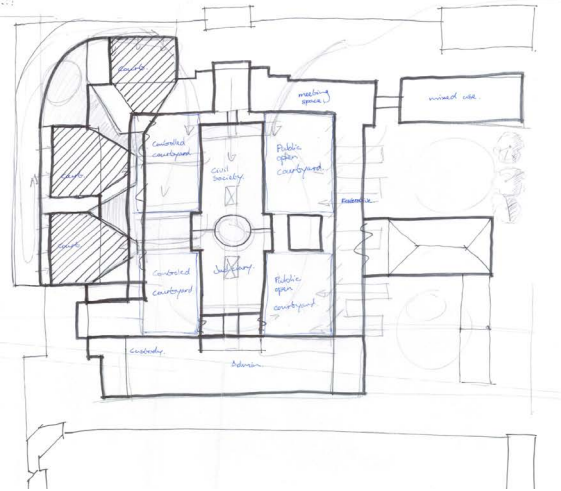
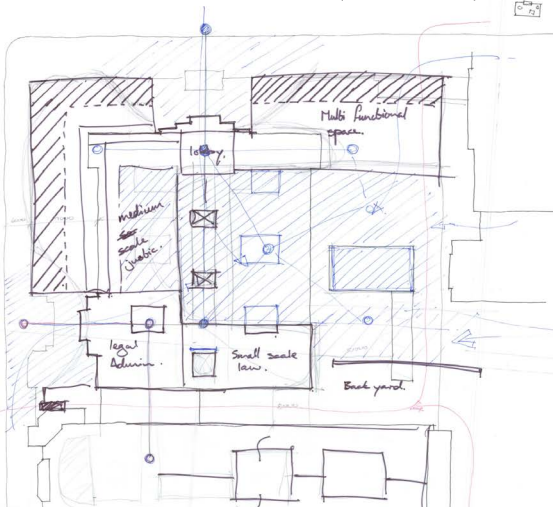


Figure 11_15 Design development #1

10. After the disruptive device was used to undermine the classical axis and determine the intervention, iteration needed to go through in order to find the right balance between intervention and preservation. The points of cutting was reduced and existing courtyards was used to guide intervention.

removed. In the facilitation of new circulation space and waiting areas the offices adjacent to the western façade was partially removed in order to create a spacious and well ventilated waiting area before the courts are approached, but enough fabric was retained in order not to destabilise the western facade.

It was decided that only old circulation and services was to be removed in order to create a newly defined circulation route. Thus as little as possible of the usable spaces was

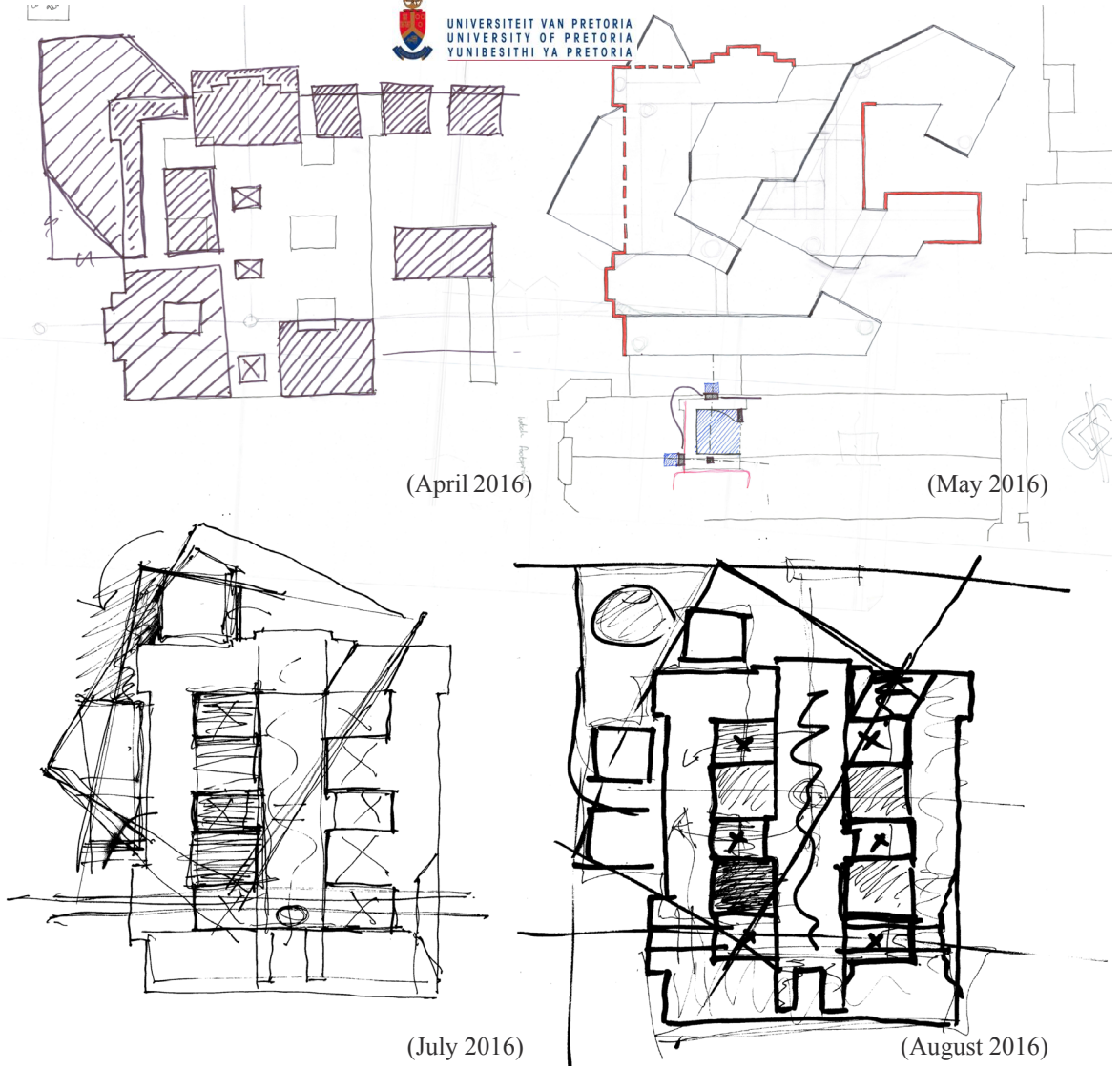


Figure 11_16 Design development #2

11. As the dissertation conserved most of the usable floor space, new opportunity was looked for to add new spaces for new processes. Thus two opportunities were identified.

Adding spaces onto the existing fabric but behind the high parapet would mean that more area is added without overpowering the façade. Secondly new spaces would be added into the existing courtyards, without disrupting the flow towards the courts.

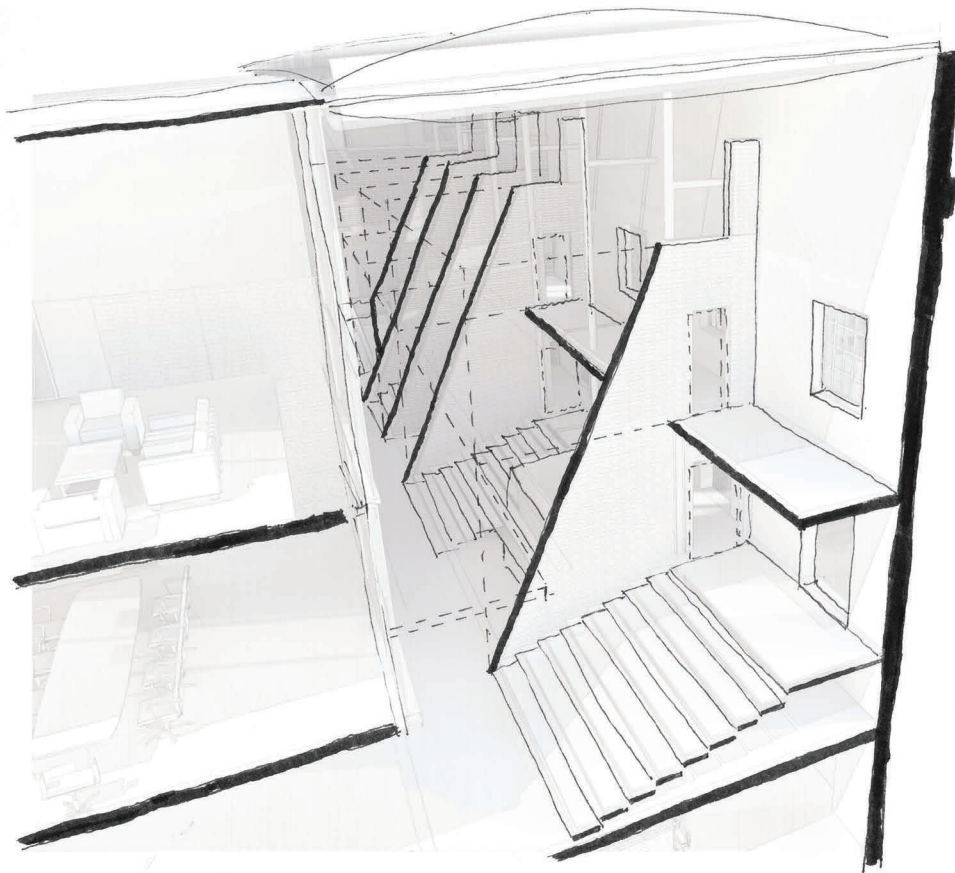


Figure 11_17 Removal of built fabric

12. Although the built fabric behind the western façade is cleared, the façade itself is kept as a spatial mediator between old and new, between the public and the courts, and will facilitate the spatial organisation of the new addition towards the west.

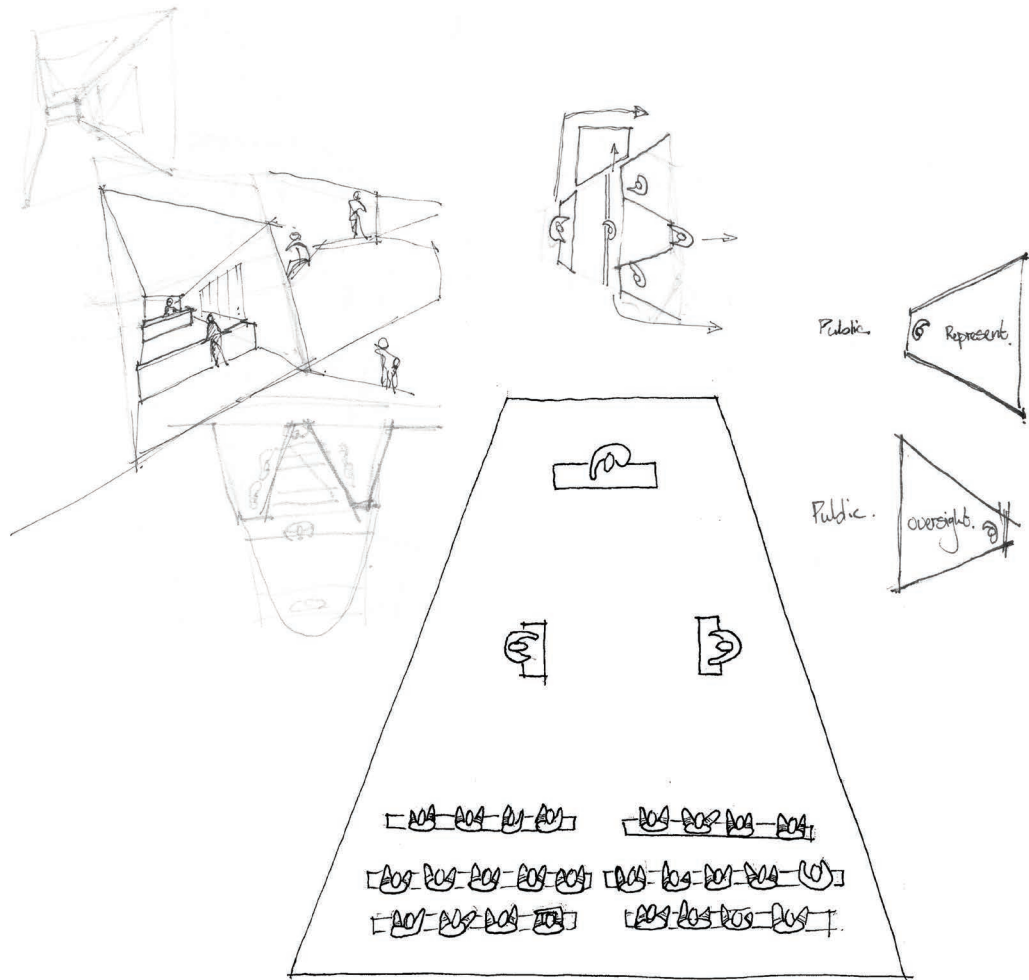


Figure 11_18 Trapezium form court

13. New court spaces are added towards the west and north. This is in order for the spaces surrounding the building to be used effectively and to remove the courts from their central enclosed position inside the court building and to place it on the sidewalk within the public domain.

1. One is a visual hierarchy in the front of the court space, afforded to the magistrate.
2. The other is a spatial hierarchy in the back of the court, which is occupied by the public.

Thus two requirements of the court would be appeased.

The court spaces are laid out in a trapezium form. This allows for two hierarchies to develop:

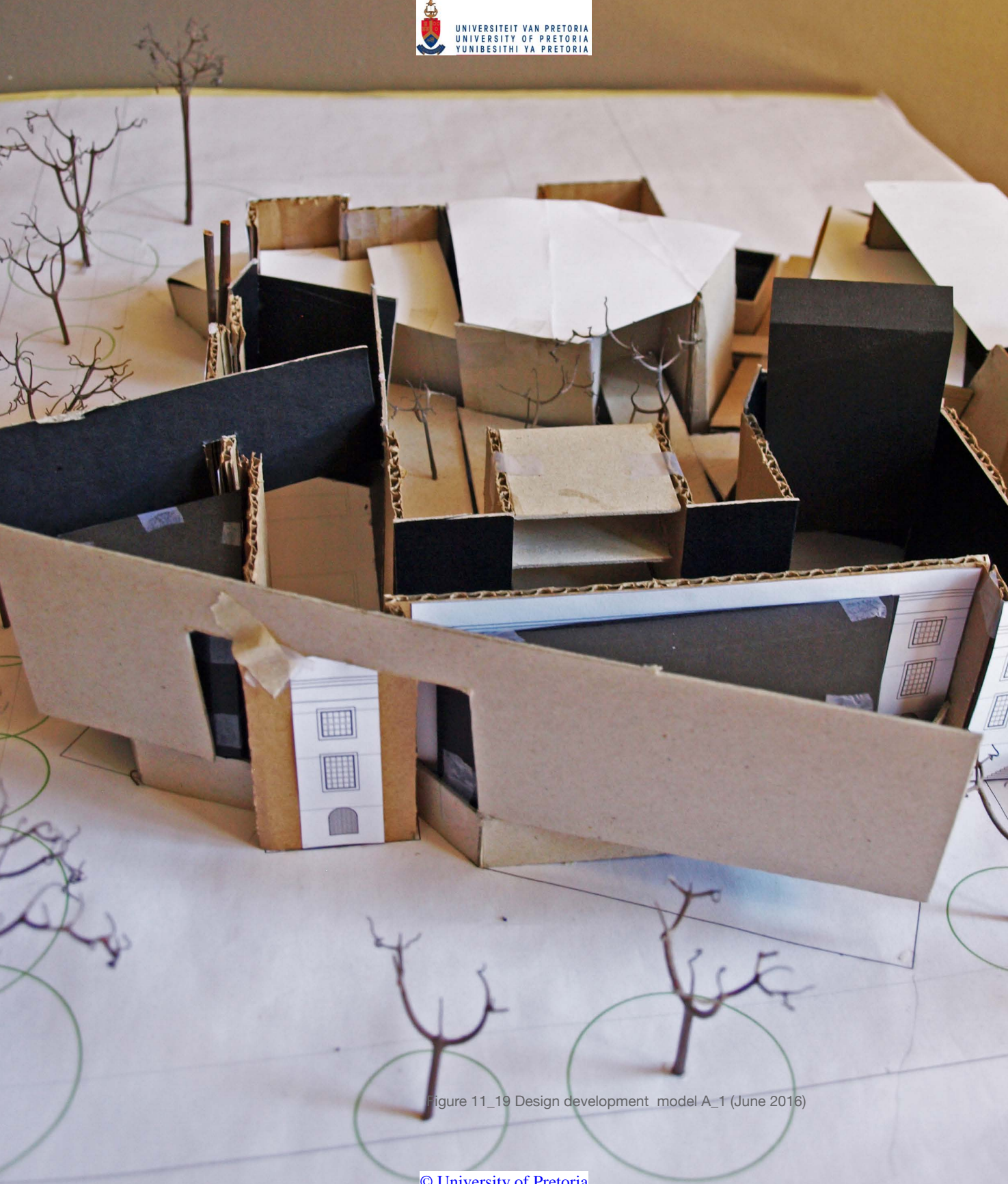


Figure 11_19 Design development model A_1 (June 2016)

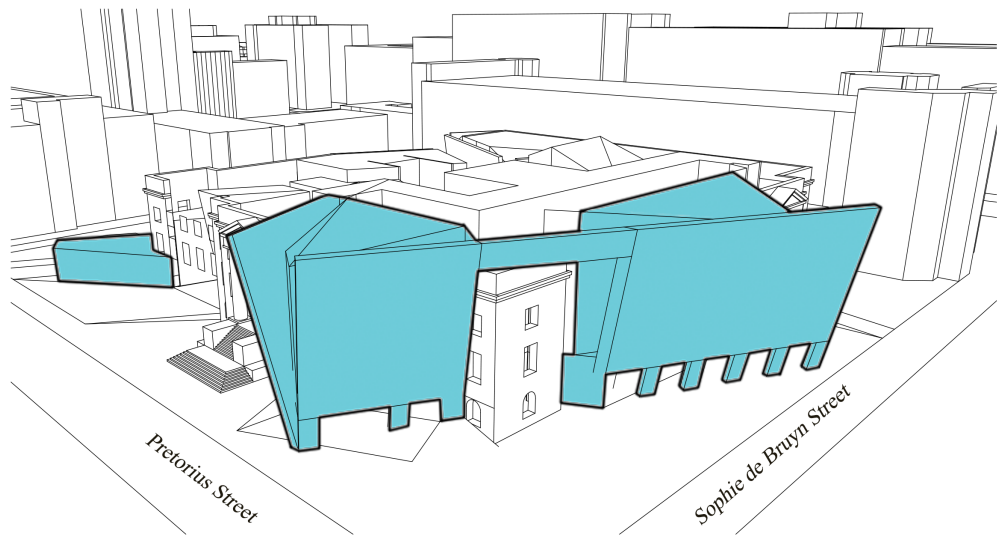


Figure 11_20 Iteration #3 (May 2016)

14. On the continuation of the cutting geometry used on the interior of the building a new screen is placed on the western façade. This is done in order to contain the new spaces created on the western side of the building as well as screening those spaces from the western sun. It also facilitates the movement of the judiciary into the building.



Figure 11_21 Design development model A_2 (June 2016)



Figure 11_22 Design development model A_3 (June 2016)

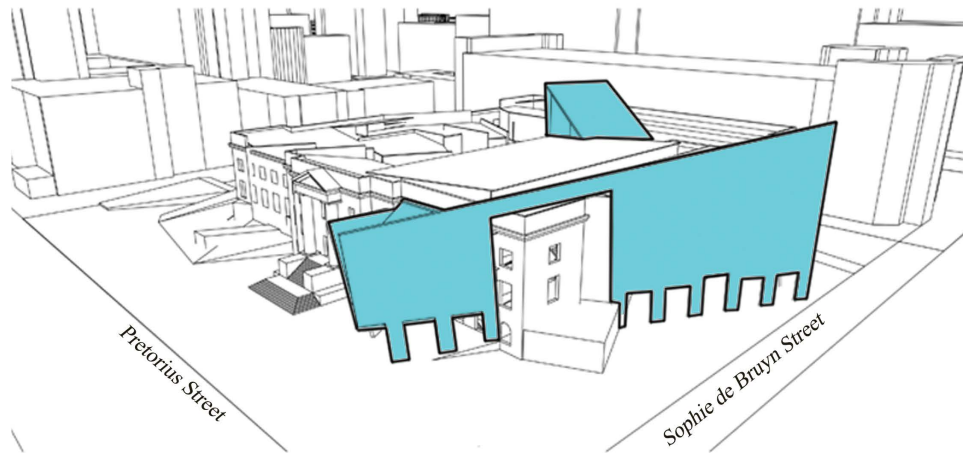


Figure 11_23 Iteration #4 (June 2016)

15. This new screen on the western façade, although conceptually well founded, became an overpowering element towards the old building. Thus it was decided to deduce the scale of the intervention and to submit all additions to the parapet of the old building, defined by the marble cornice running around the building. This became a design principle which was applied to all design interventions.

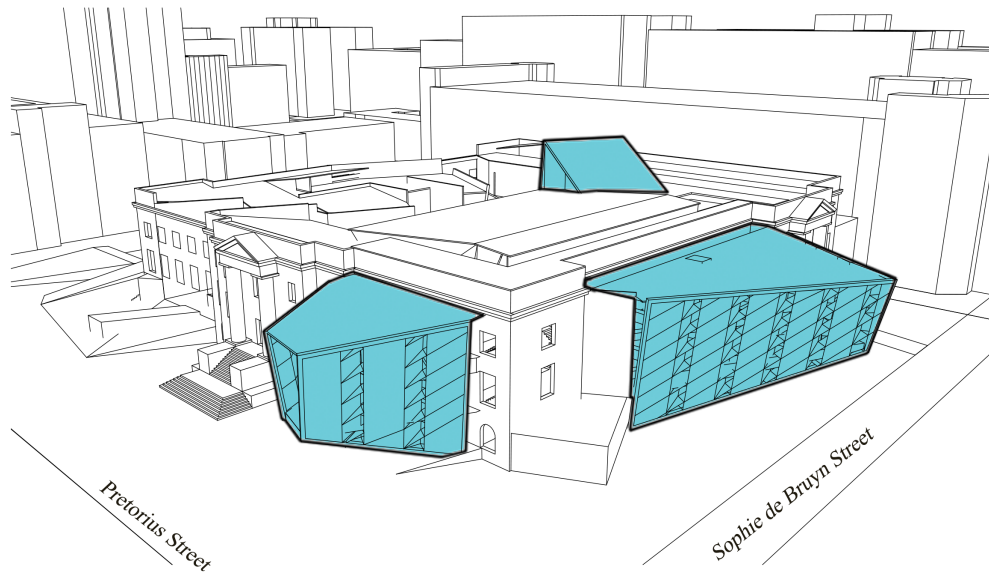


Figure 11_24 Iteration #5 (August 2016)

16. In the following iteration the screen was made permeable in order for the public to gain visual access to the spaces of the court and in order for the participants in the court process to have a visual link to the outside city. Furthermore because of the material removal from the existing building the option was explored to construct this western edition out of brick in order to reuse removed material.

17. In addition to lowering the scale of the intervention on the western and northern sides it was also decided to reduce the angle of the disruptive geometry to half of its original angle. Thus the new intervention will be ordered around the building at 13° instead of 26° off of the classical grid. This was in order to be more sensitive towards the overall grid of the city and to better relate to the surrounding urban context.



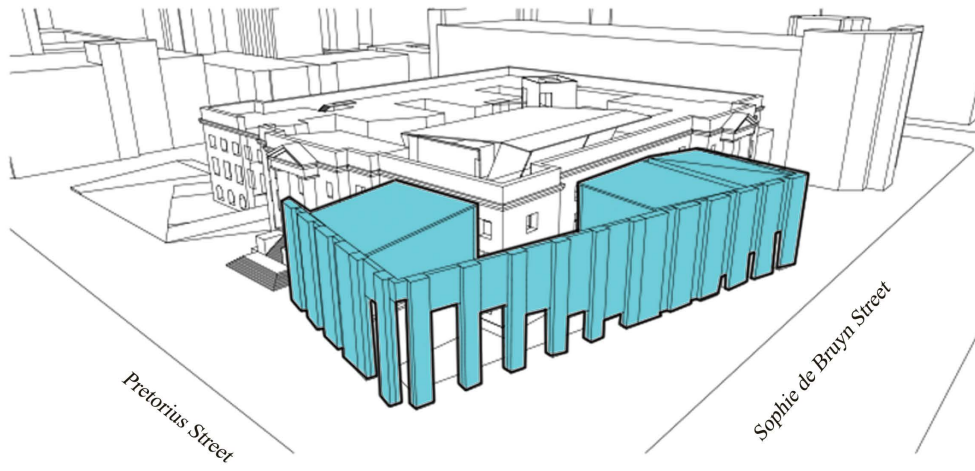


Figure 11_27 Iteration #6 (September 2016)

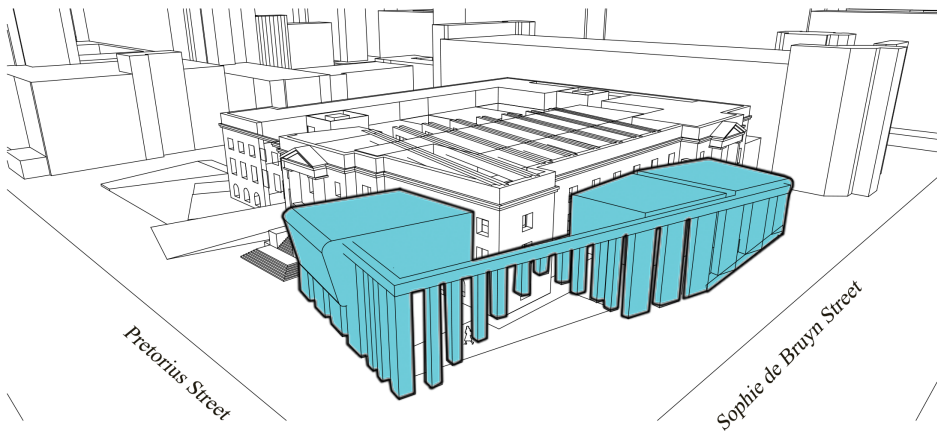


Figure 11_28 Iteration #7 (September 2016)

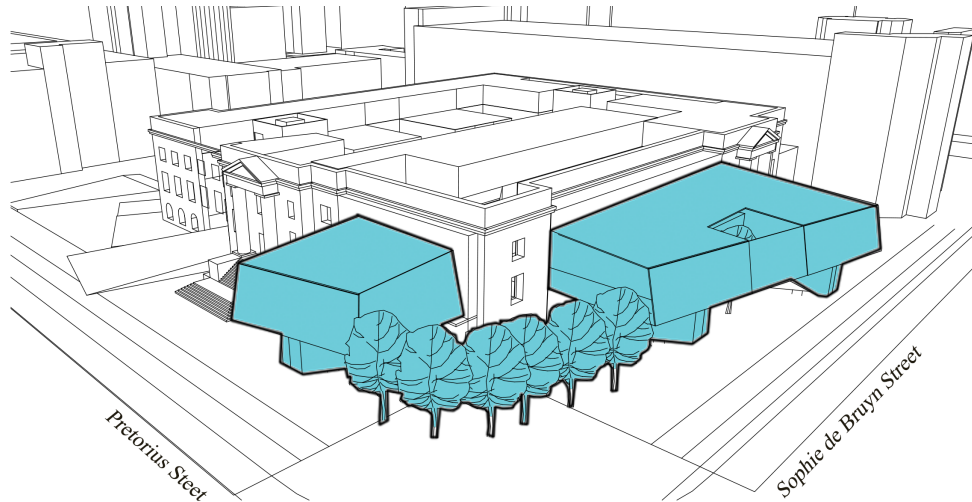


Figure 11_29 Iteration #8 (September 2016)

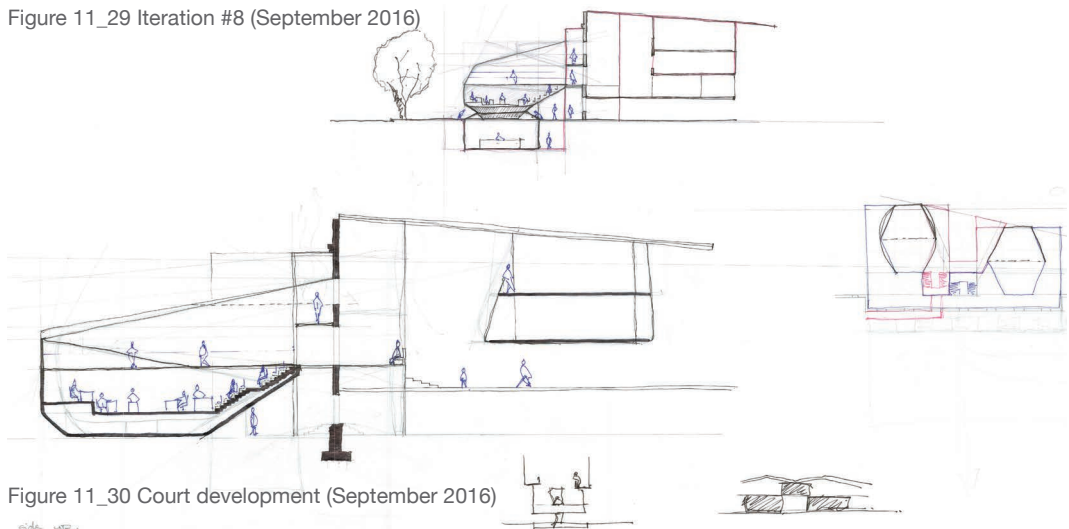


Figure 11_30 Court development (September 2016)

18. Although the initial intention of the project was to place the courts outside the building and into the public domain, this concept has not yet physically impacted on the design as the courts was suspended above the sidewalk circulation.

would be dropped down below the gallery space but into the sidewalk circulation. In doing so the court would become the mediation between an observant public, removed from the process and the participatory public which was directly part of the process.

Thus it was decided that the movement through the façade will still dictate the public circulation pattern and result in the entrance onto a public gallery before moving into the procedural court. Then the official court space

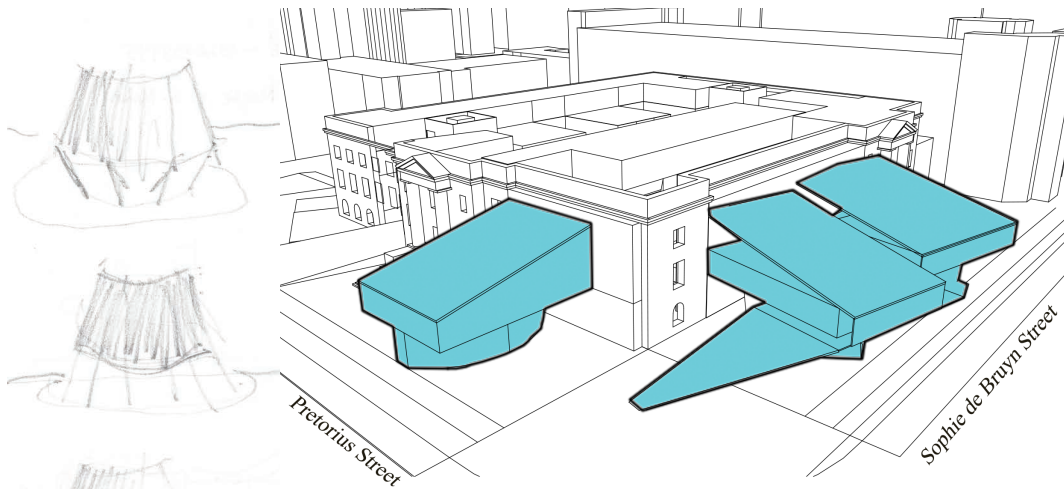


Figure 11_31 Iteration #9 (September 2016)

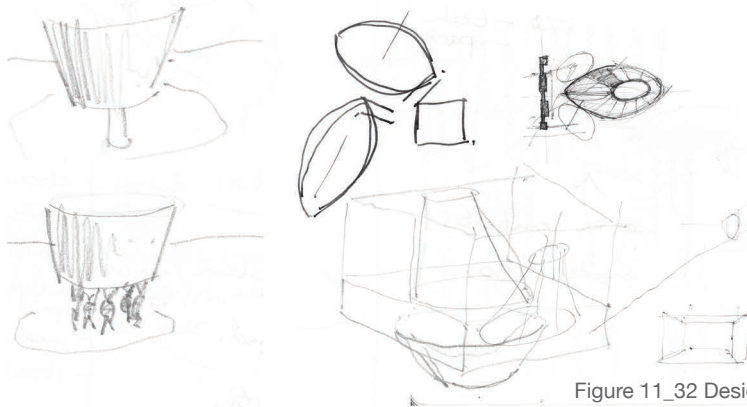


Figure 11_32 Design form (September 2016)

19. The original trapezium shape of the court would be retained but its edges would be rounded in order to appropriately soften its impact on the sidewalk circulation as well as avoiding to edition of competing angles which would challenge the classical grid and the disruptive geometry.

Furthermore the organic shape will allow the court edition to pull away from the existing court geometry and allow for the least amount of visual obstruction of the existing façade.

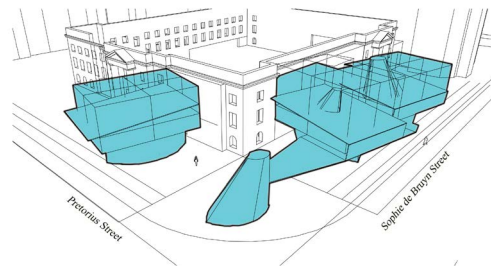


Figure 11_33 Iteration #10 (September 2016)

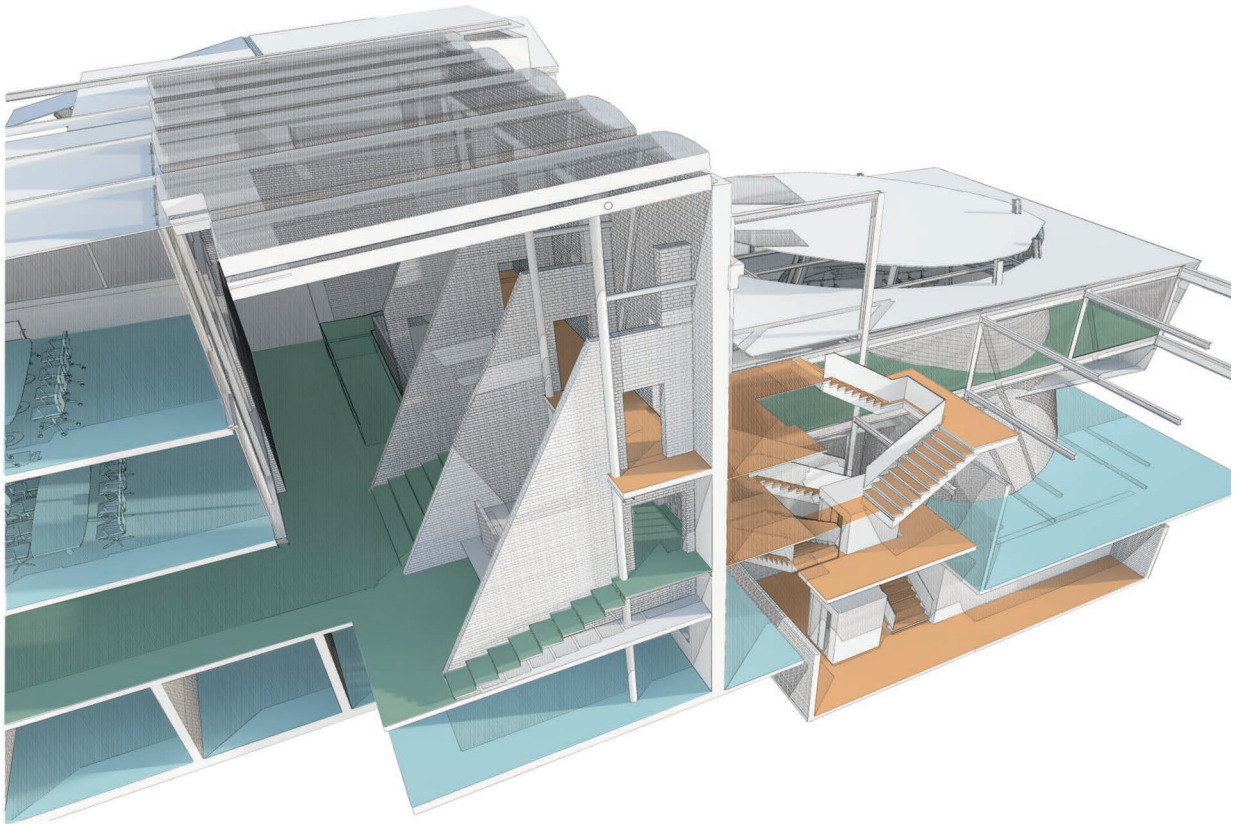


Figure 11_34 Public and judicial circulation.

20. Up until this point circulation of the magistrates has been facilitated in the junction between the northern and western façade.

This has meant that the judges had to move around the periphery of the courts to gain access to them and not cross public circulation.

In order to simplify the design the circulation was moved to the centre of the western façade on the exterior where construction would be less impactful on the existing building and so

that the circulation route of the magistrates could be reduced.

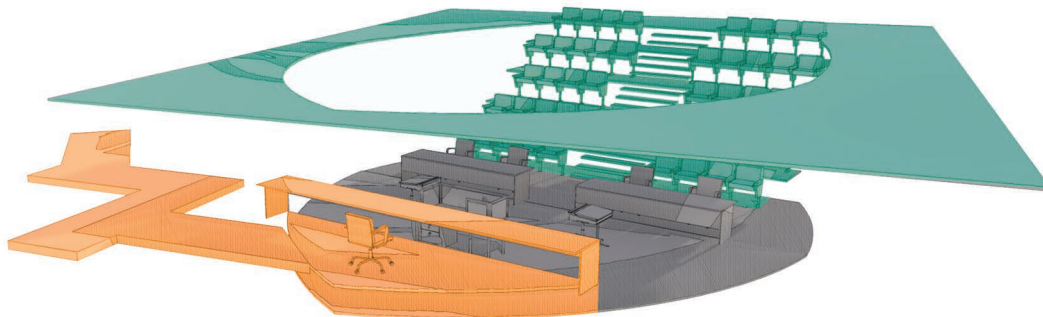
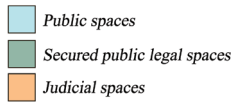


Figure 11_35 Court circulation

21. The above mentioned iteration also meant that the magistrate's position could be rotated so that they no longer face the existing building with their backs to the city, but now face the city with their backs to the existing court.

This allowed for the minimal visual disruption as the public moves in and out of the court as well as improves the acoustic solution of a doorless court.

Finally it allowed the public participating in the procedures to face the existing building and experience the full extent of the design intervention.

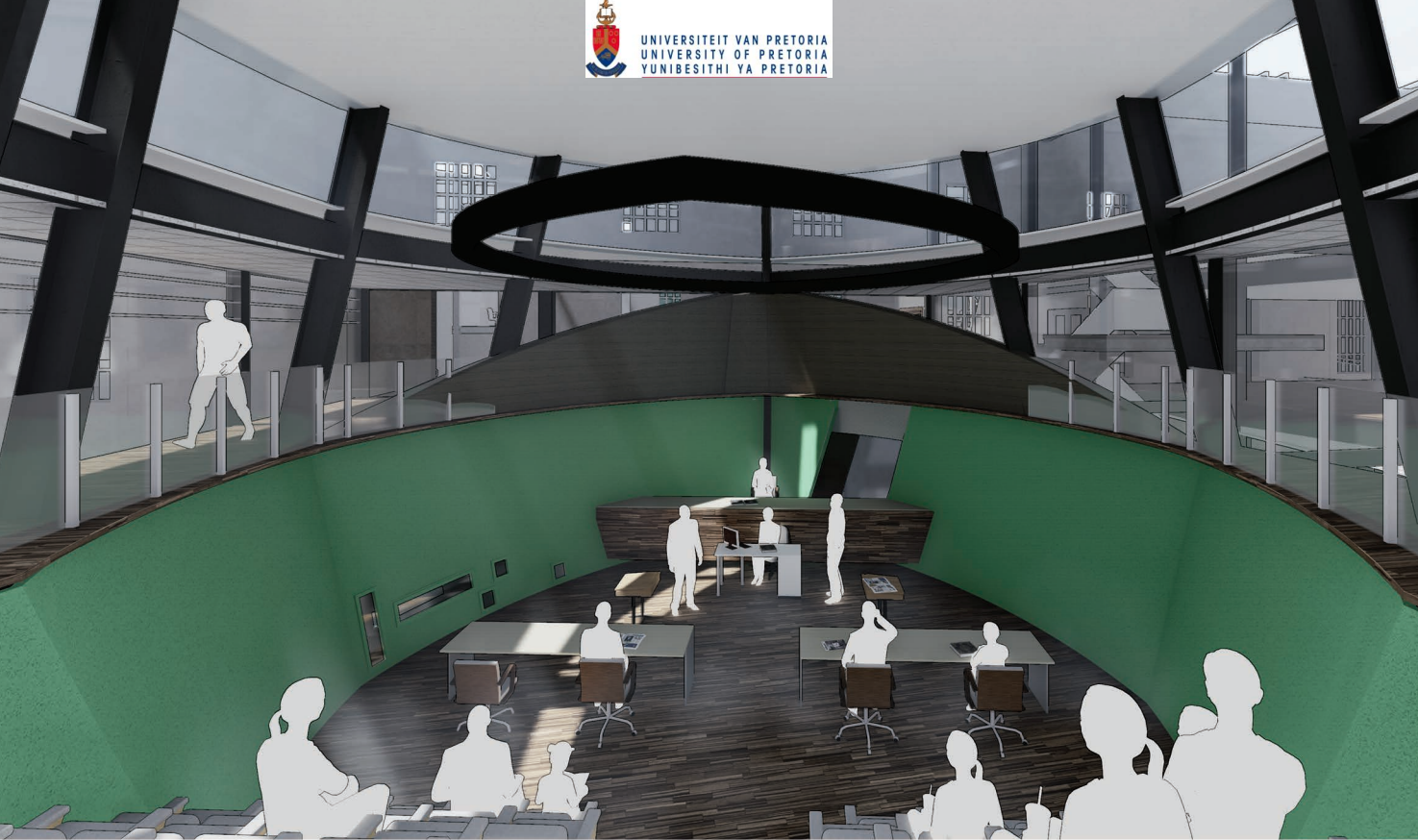


Figure 11_36 Court interior

22. In the final facilitation of this experience of the old and the new, the roof is slanted towards the west and opens up towards the existing building.

This assists in the shading of the northern and western sun while facilitating the view towards the heritage of the building.

The roof strategically frames specific elements while the translucent roof starts disintegrating towards the existing fabric.



Figure 11_37 perspective 1

Figure 11_38 perspective 2



CIRCULATION DIAGRAM

The following diagrams illustrates the various distinct spaces in the building. The spaces can be identified as:

Public spaces where the public can move freely without restrictions or limitations.

Secured public spaces where the public can move freely but has to submit themselves to a security check first. These spaces are directly related to the judicial spaces.

Judicial spaces is only accessible by the magistrates and supporting staff. Only people with appointments or special needs will be allowed access. This includes women and children that needs to testify via video link.

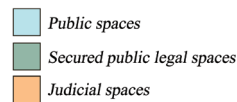
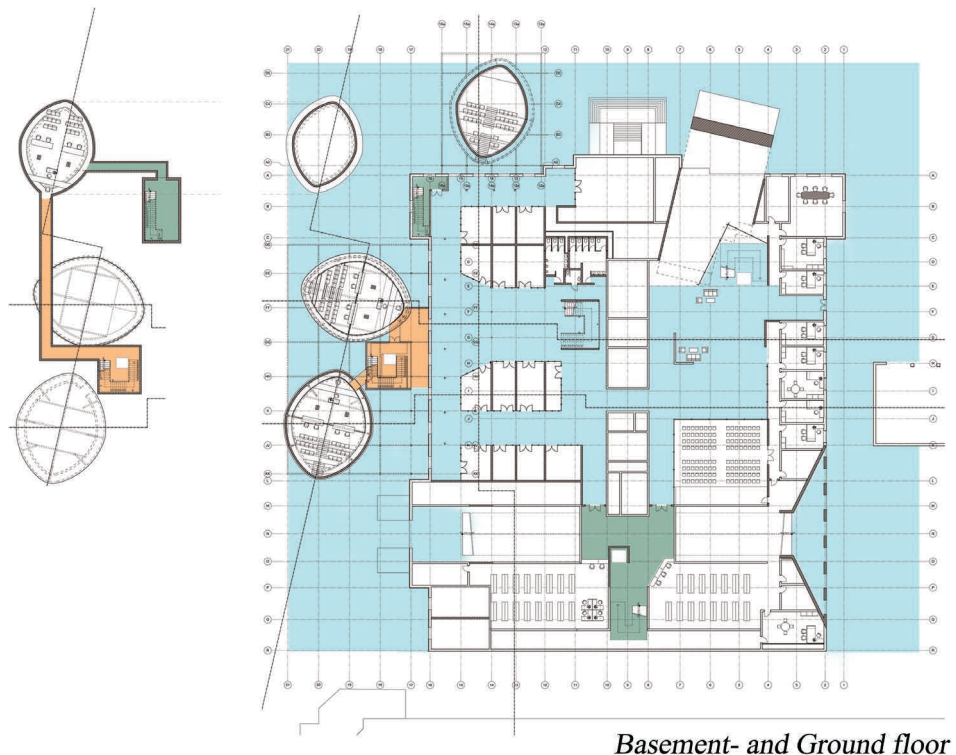
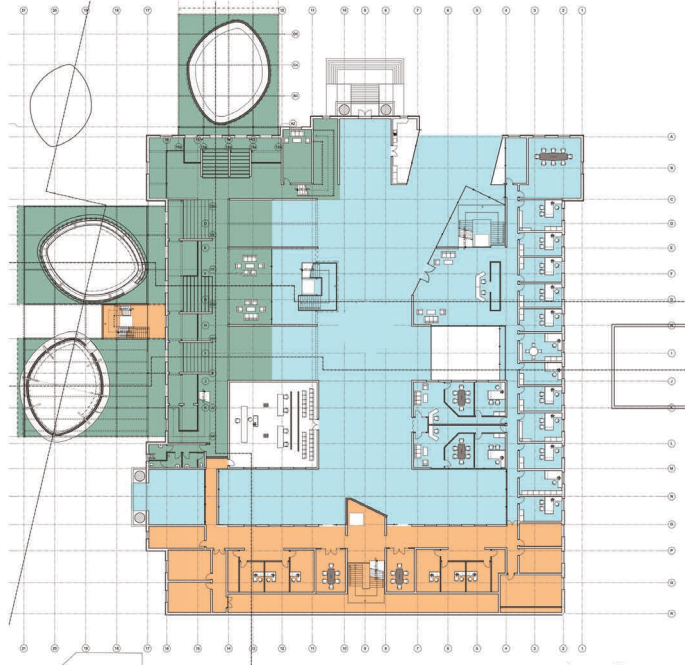
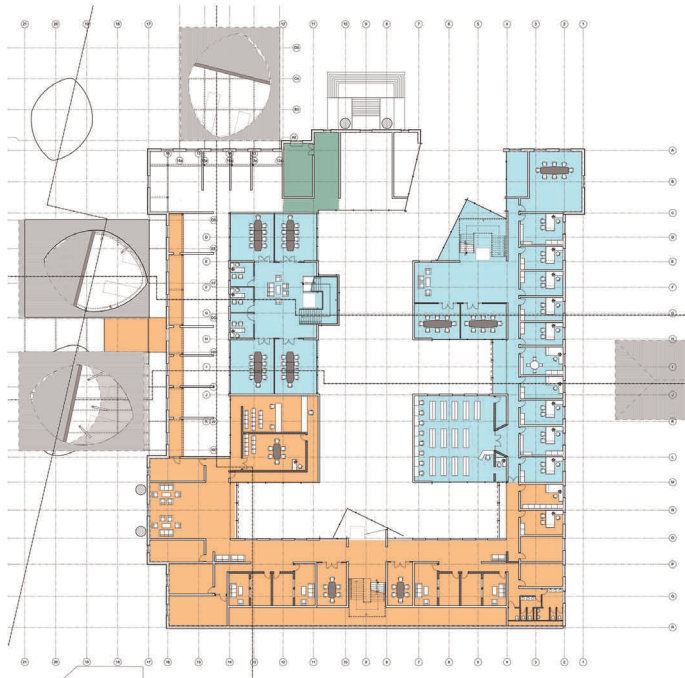


Figure 11_39 Building circulation





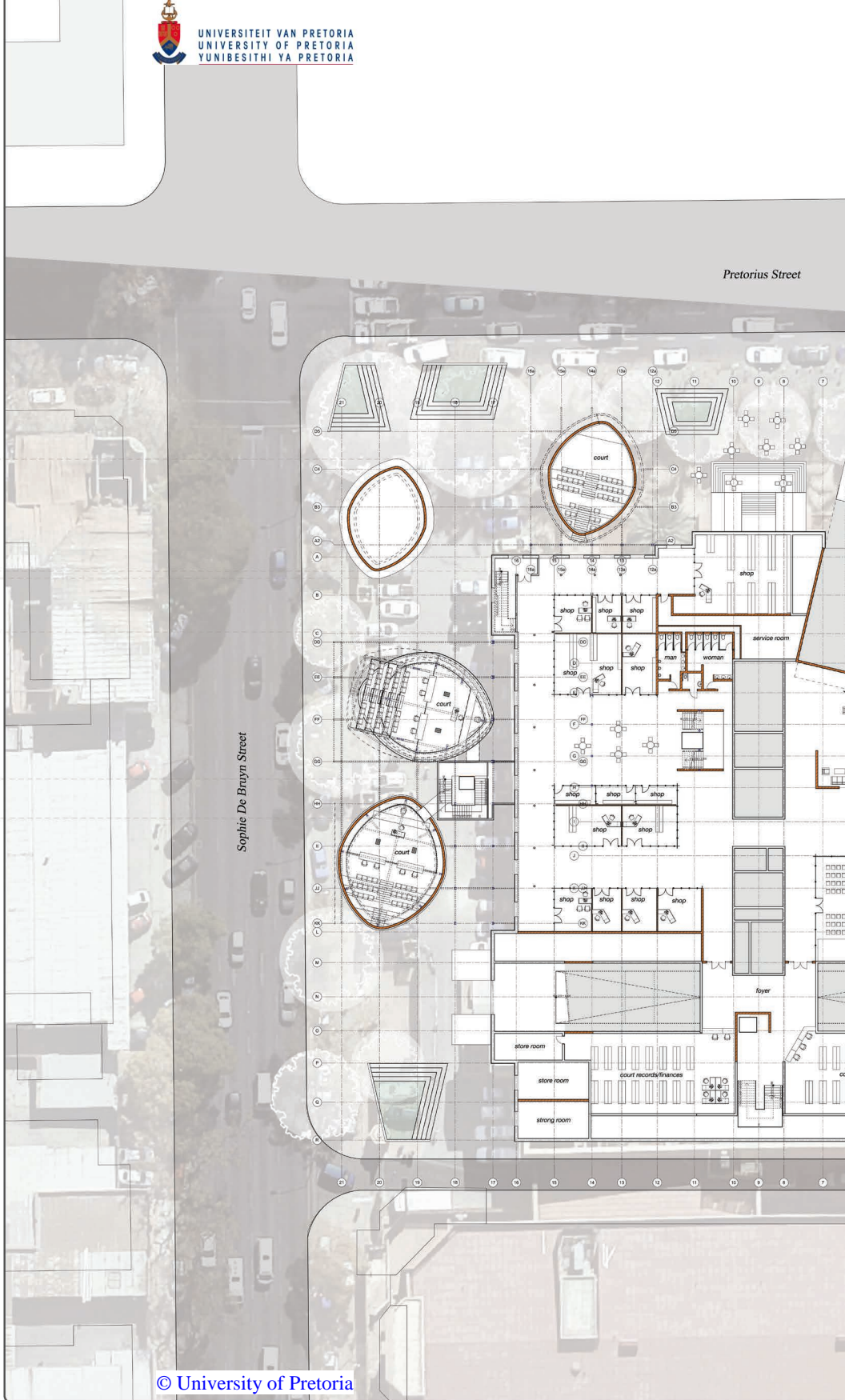
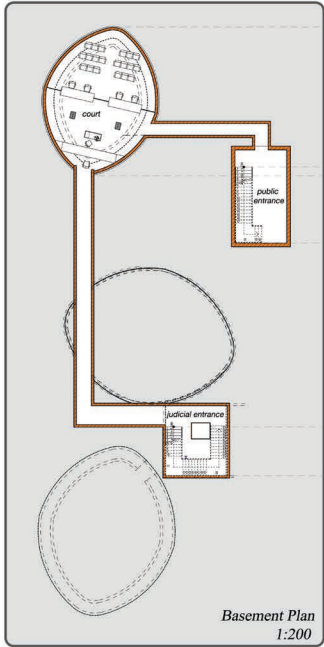
First floor



Second floor

Pretorius Street

Sophie De Bryn Street



Ground floor plan
1:200

This plans shows the court layouts on the western side of the building as well as the commercial ground floor and public ablution facilities.

The administrative wing is located on the southern side and east the public spaces for use by civil society is located.

The spaces are linked and circulation between them are unrestricted.

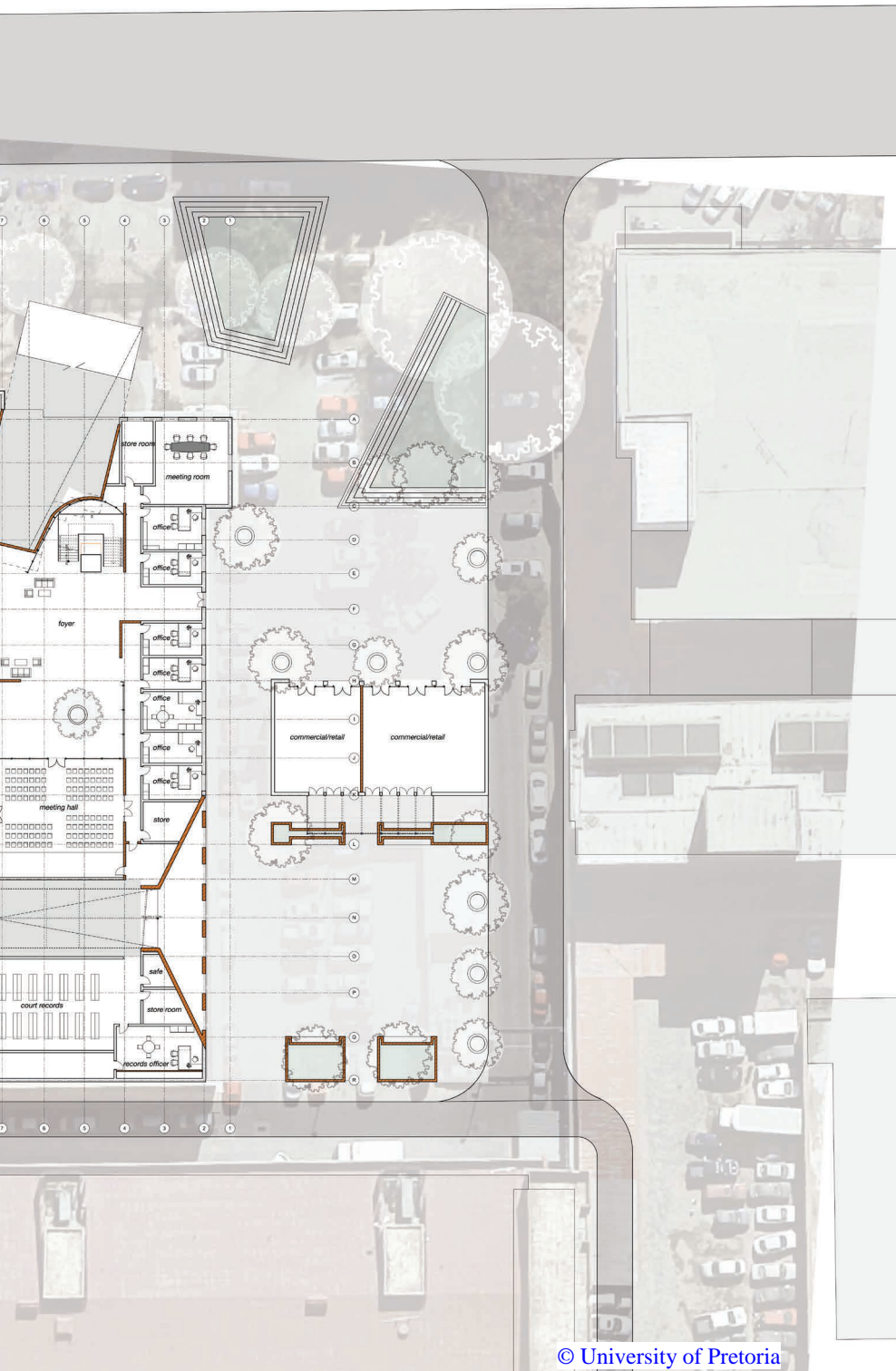
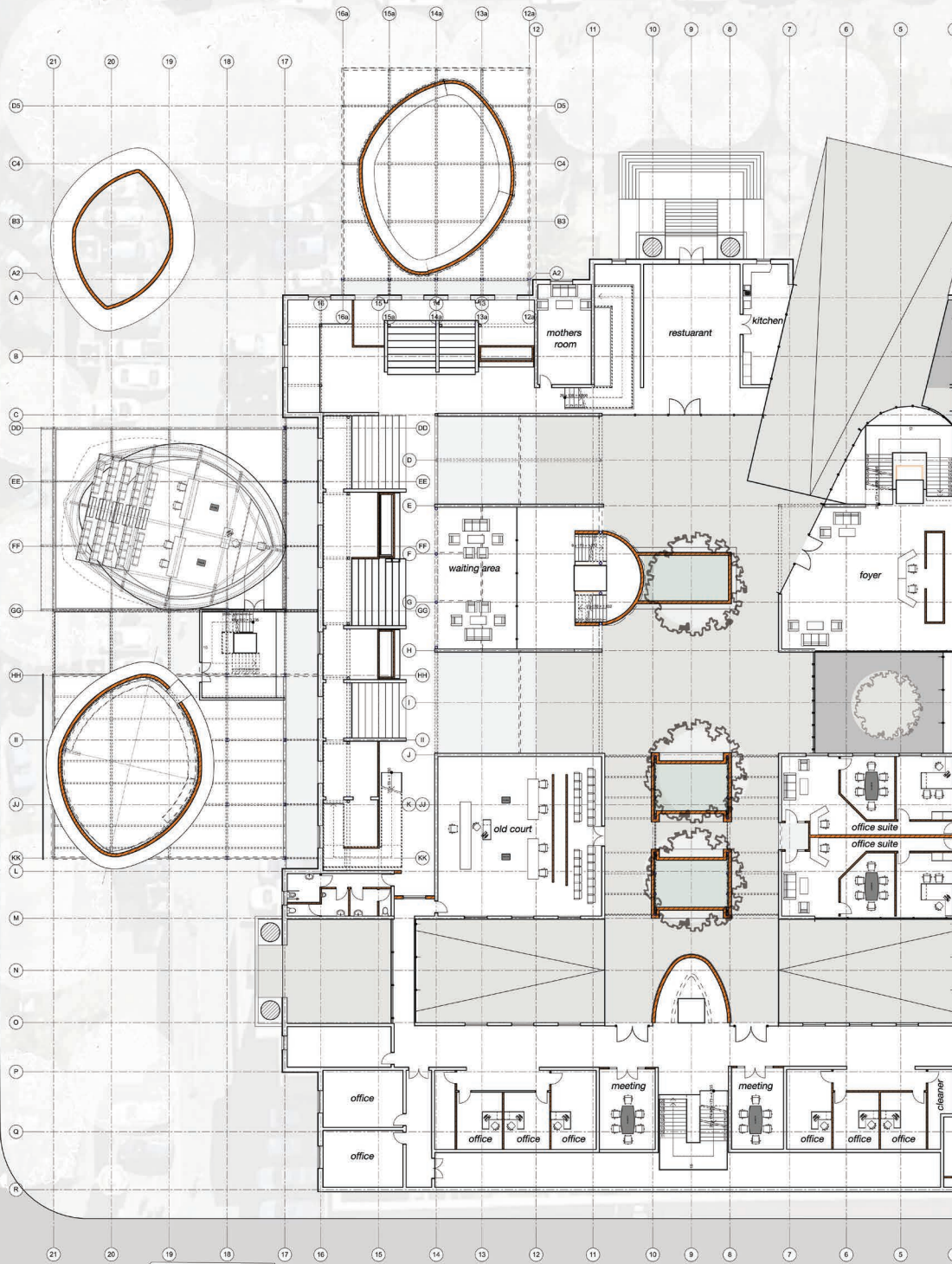


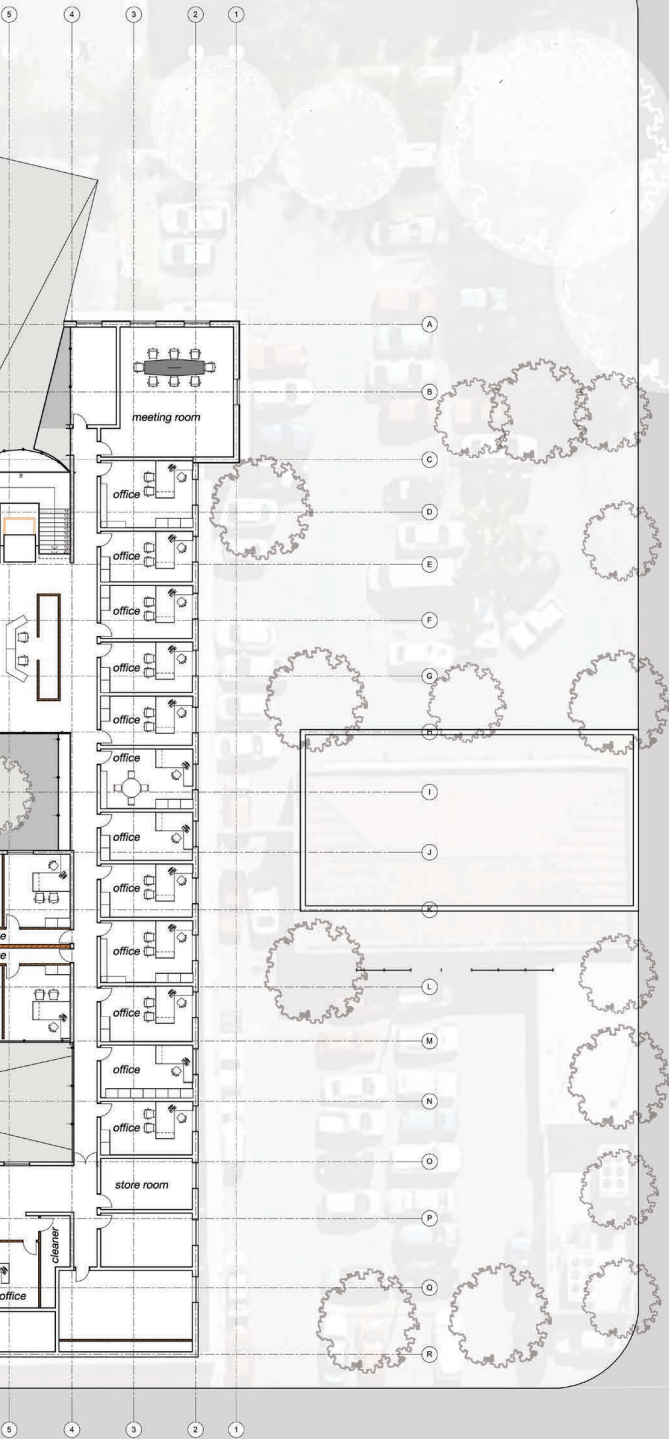
Figure 11_40 Ground floor plan



Sophie De Bruyn Street



First floor plan



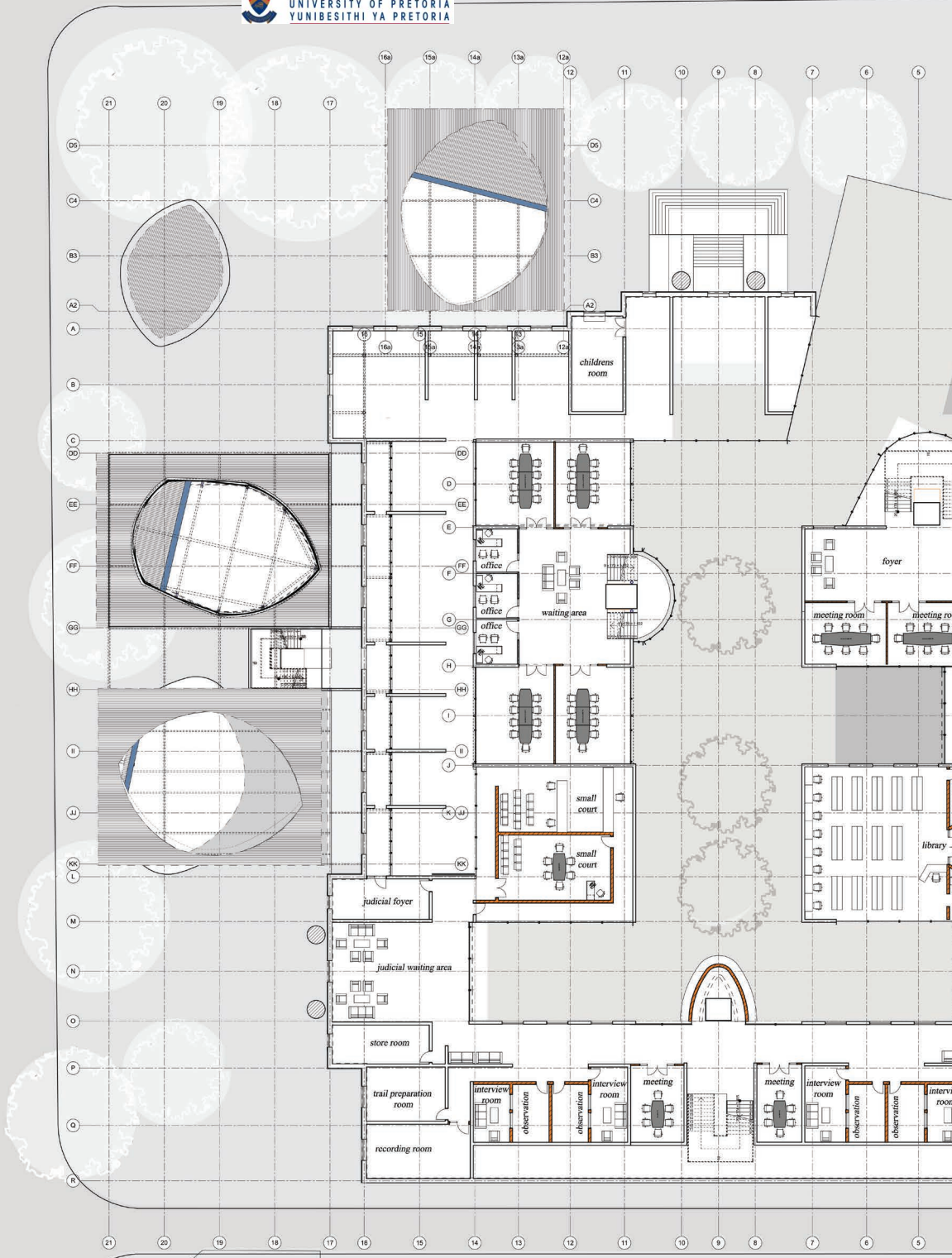
This plan shows the public courtyard in the middle of the building and the ramp that leads towards it. A staircase that leads to the innovative justice spaces is located in the courtyard.

To the eastern side is the main entrance to the legal centre and west the public starts to approach the foyer of the courtrooms.

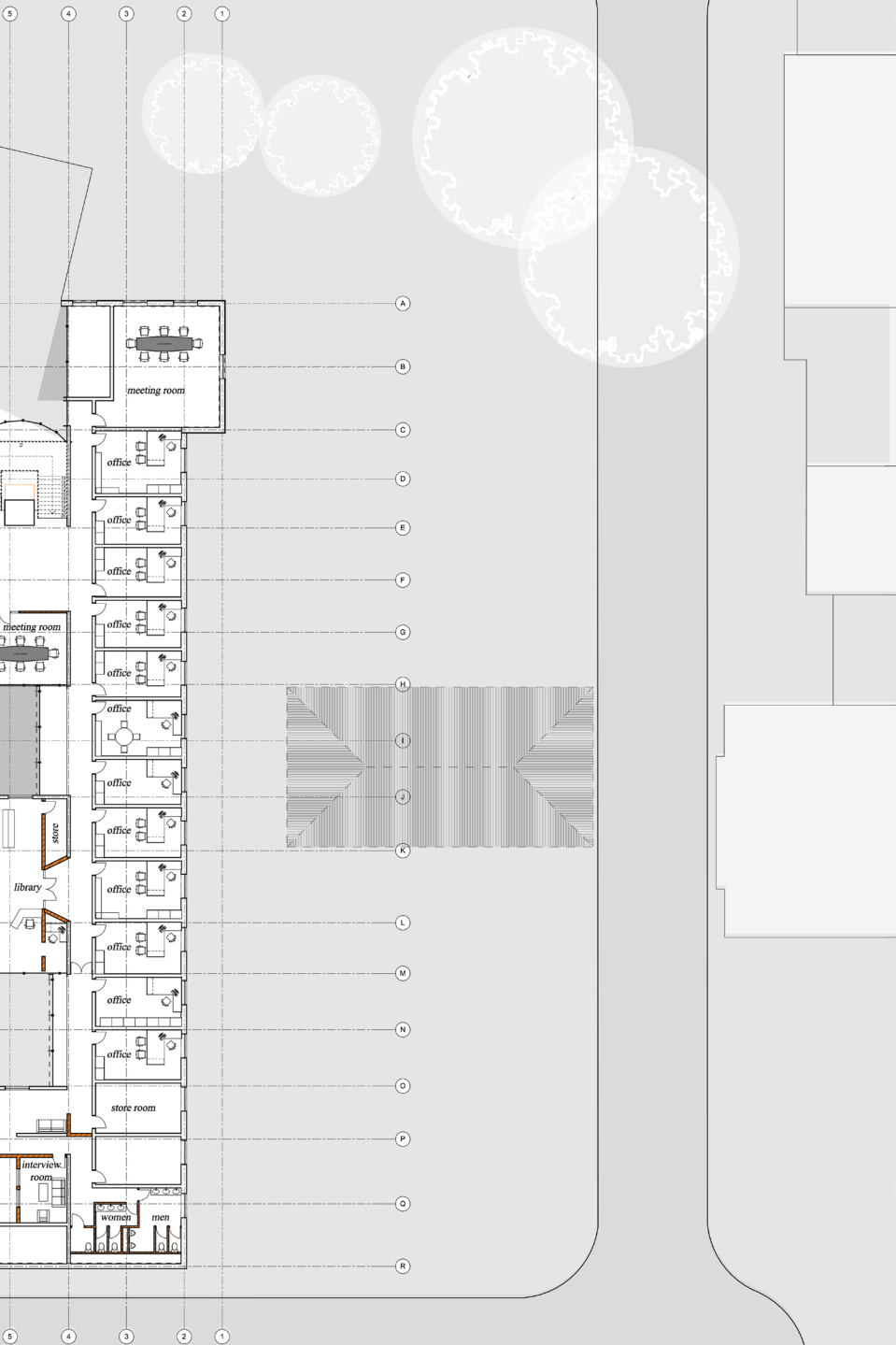
South is the main entrance to the magistrates offices for the public.

Figure 11_41 First floor plan

Sophie De Bruyn Street



Second floor plan



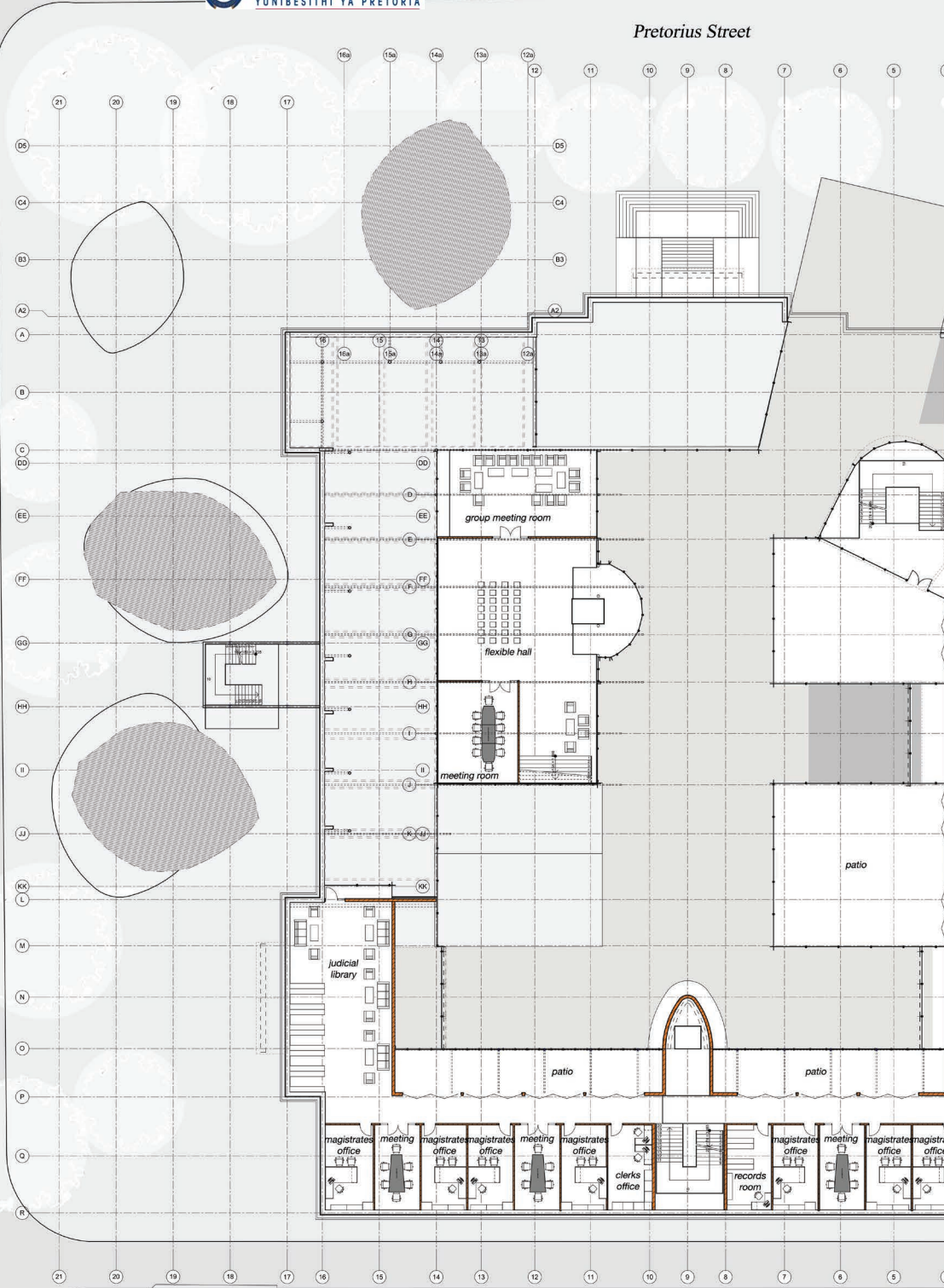
This plan shows the top floors of the innovative justice spaces that is situated on the western side, the judicial spaces south and the legal centre to the east.

This plan also shows the magistrates access from their offices to the courtrooms.

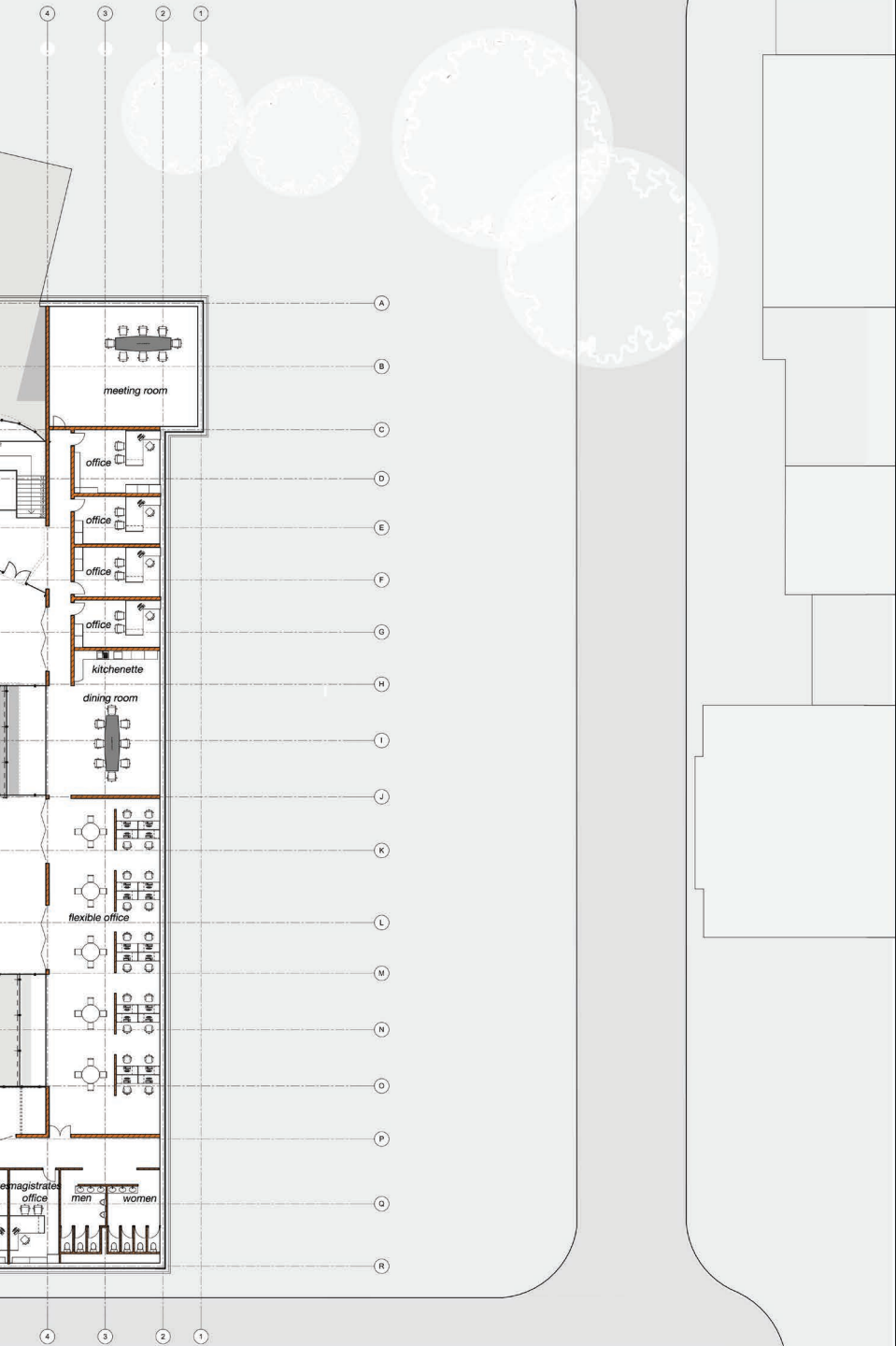
Figure 11_42 Second floor plan

Pretorius Street

Sophie De Bruyn Street



Third floor plan



Finally this plans shows the top floors of the legal centre to the east, the magistrates offices to the south and the innovative legal spaces to the west.

Figure 11_43 Third floor plan

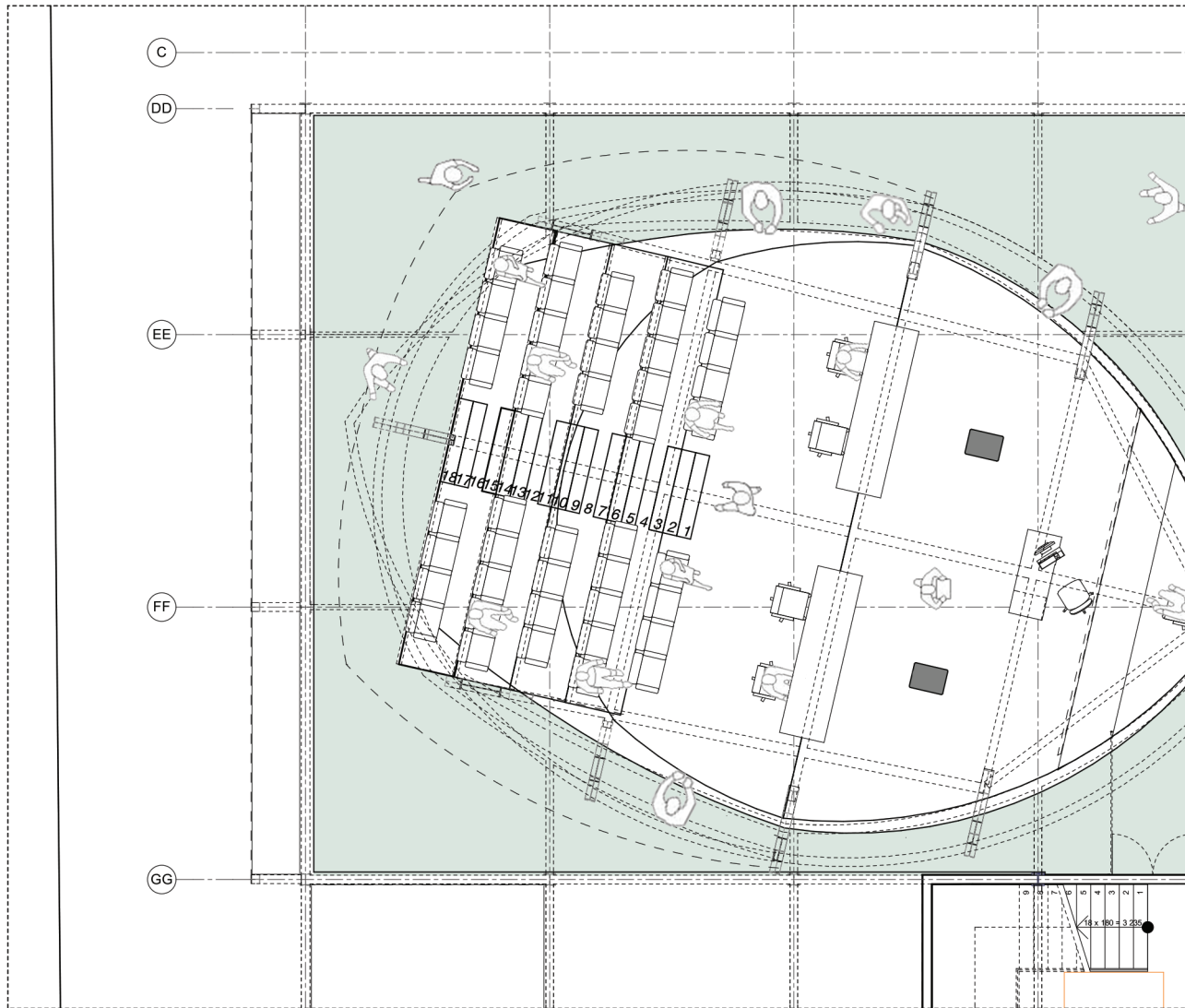
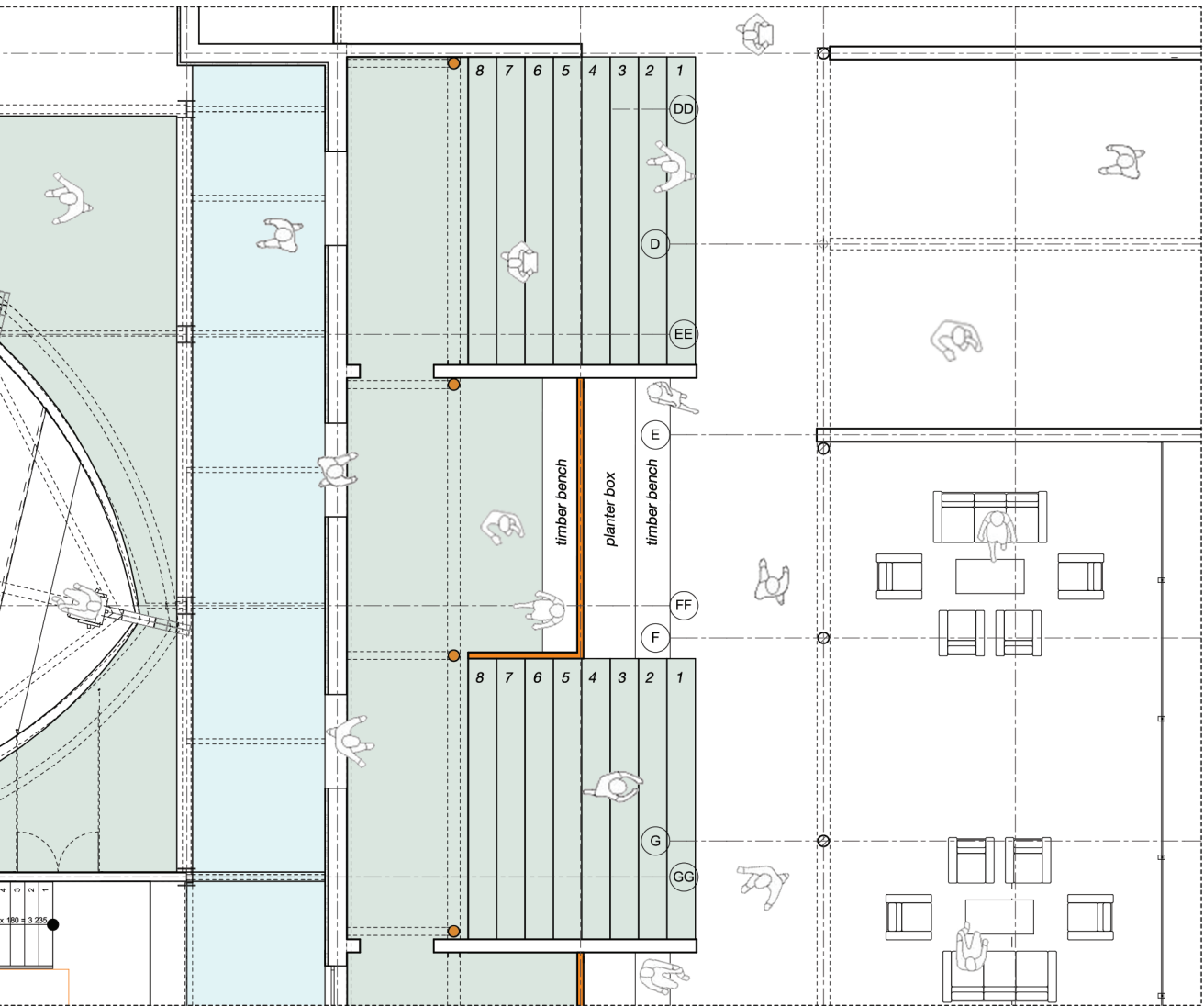


Figure 11_44 Court plan





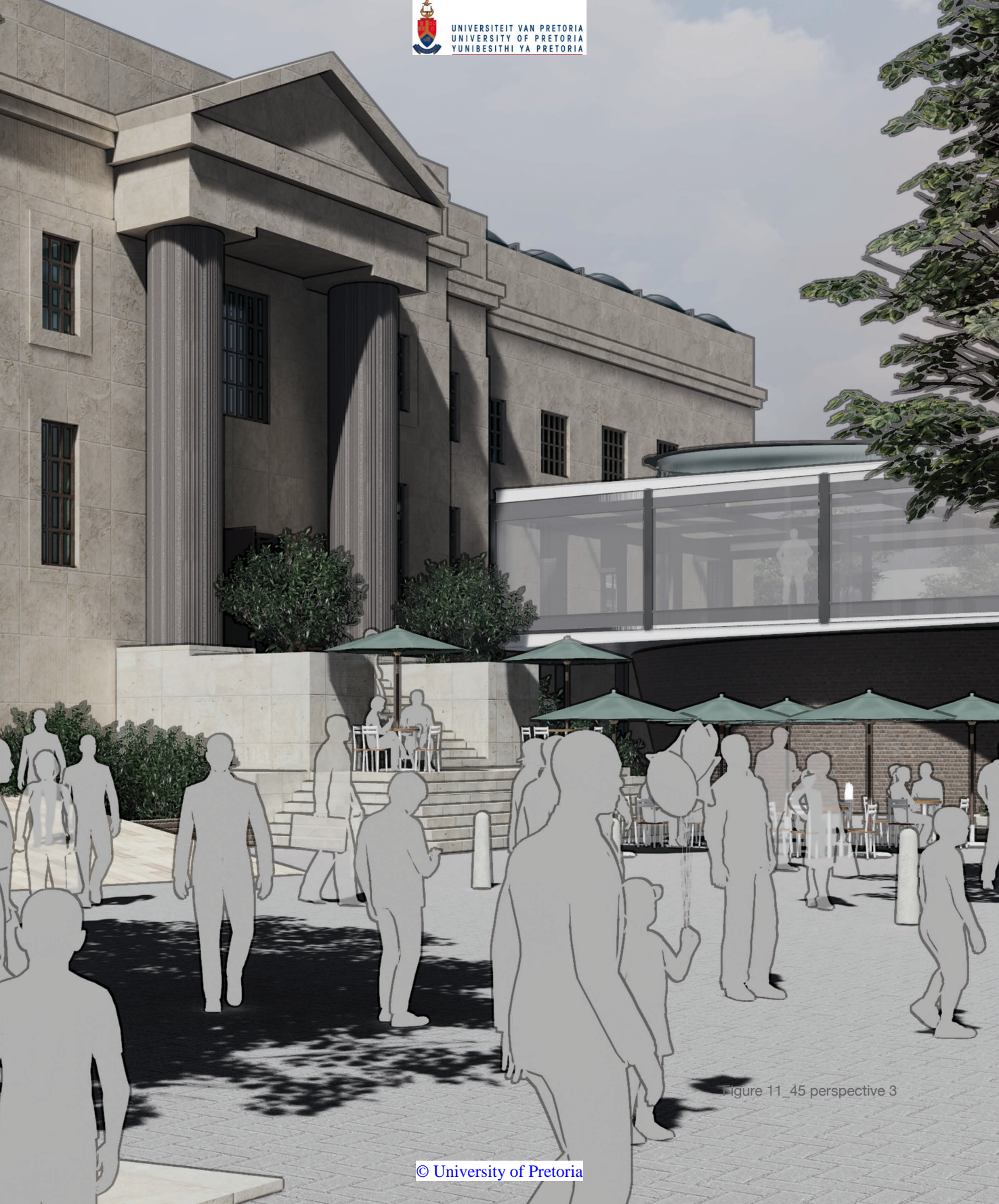


Figure 11_45 perspective 3





Figure 1.1_46 perspective 4



Technical approach and
solution of the intervention at
the Pretoria Magistrates Court

CHAPTER

Technical development

12.

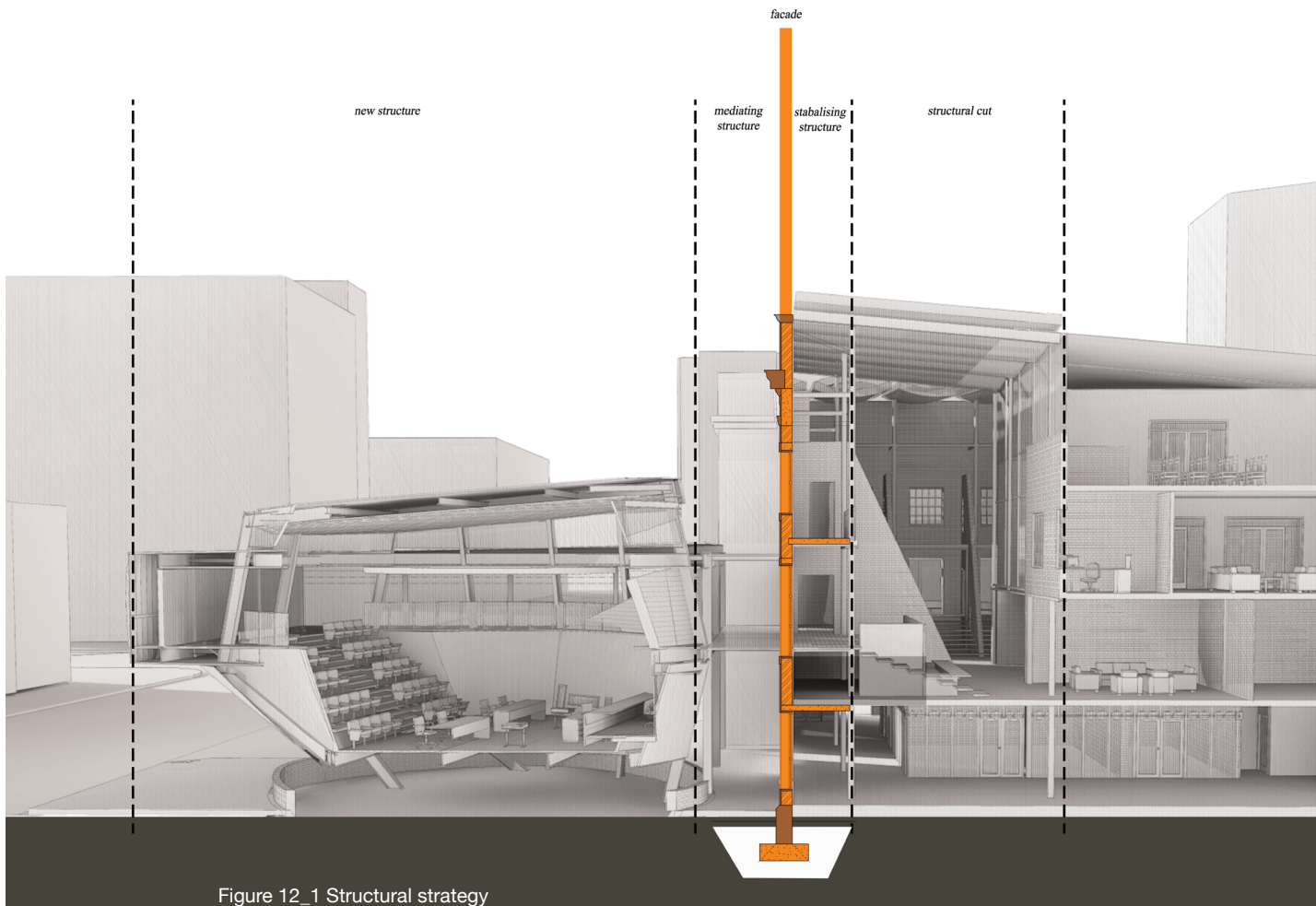


Figure 12_1 Structural strategy

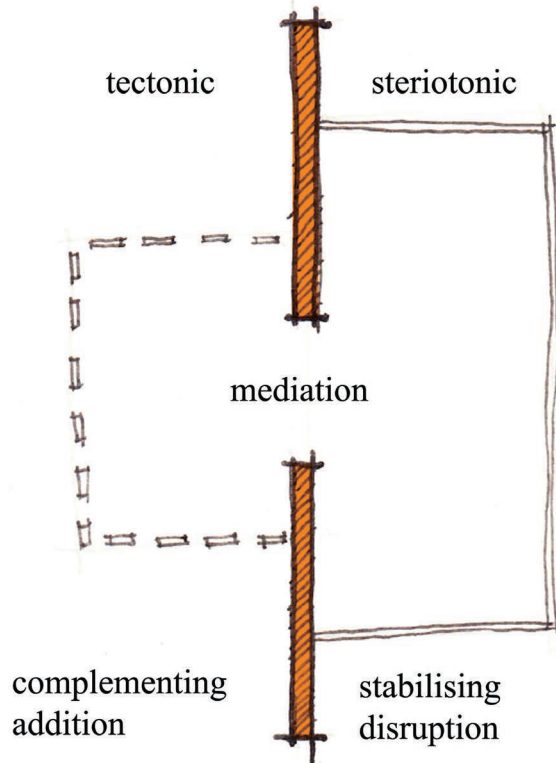


Figure 12_2 Structure concept diagram

The technical development of this project focused on the area around the western façade. This are stretches from the newly created circulation and waiting space where the existing fabric was strategically demolished, moving through the façade which becomes the mediator between the old spaces and new editions towards the newly added courts.

The main concept of this engagement remains with the mediation between dissonant elements. In the physical built fabric this is the

mediation between old and new, the structural and material tension between what is existing and what is new.

In this engagement there is structured in the following way:

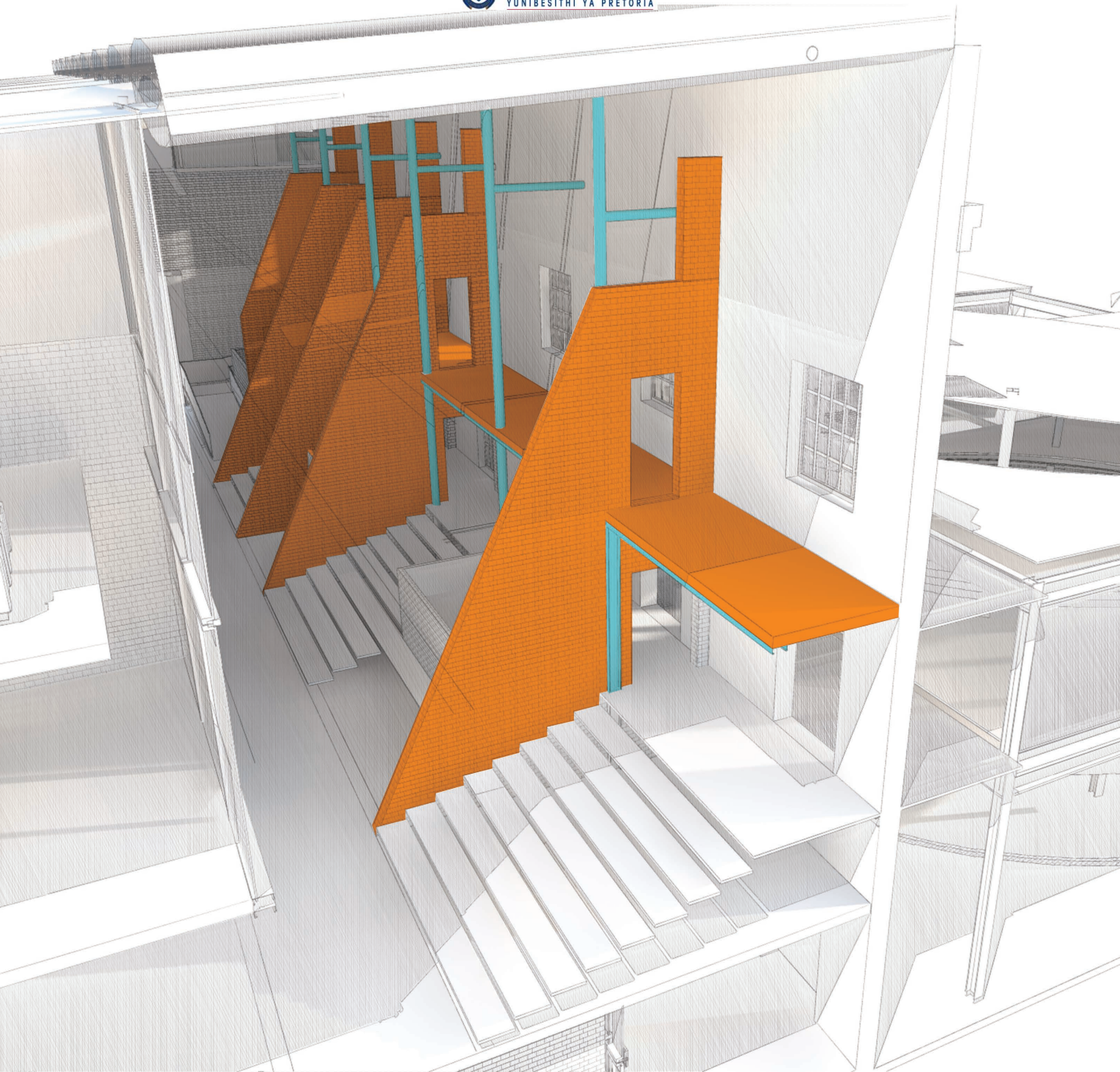


Figure 12_3 Existing and supporting steel structure

THE EXISTING BUILDING

The first, which deals with the interior, is one of adaptive reuse intervention with the aim of facilitating new use and relevance. Since the interior of the building is so severely disrupted, the approach is not one of material sensitivity but firm engagement. Connections are bold and visible and yet they pull away from the material they connect to, in order to celebrate the connection.

The steel members are painted gloss black in order to communicate visible structure without becoming the focus and relate back to the burned fabric of the existing building. Disruption brought about resilient new intervention. This structure erected here is to aid in the stabilisation of the existing façade, facilitate movement and to support the newly installed transparent ETFE-roof.

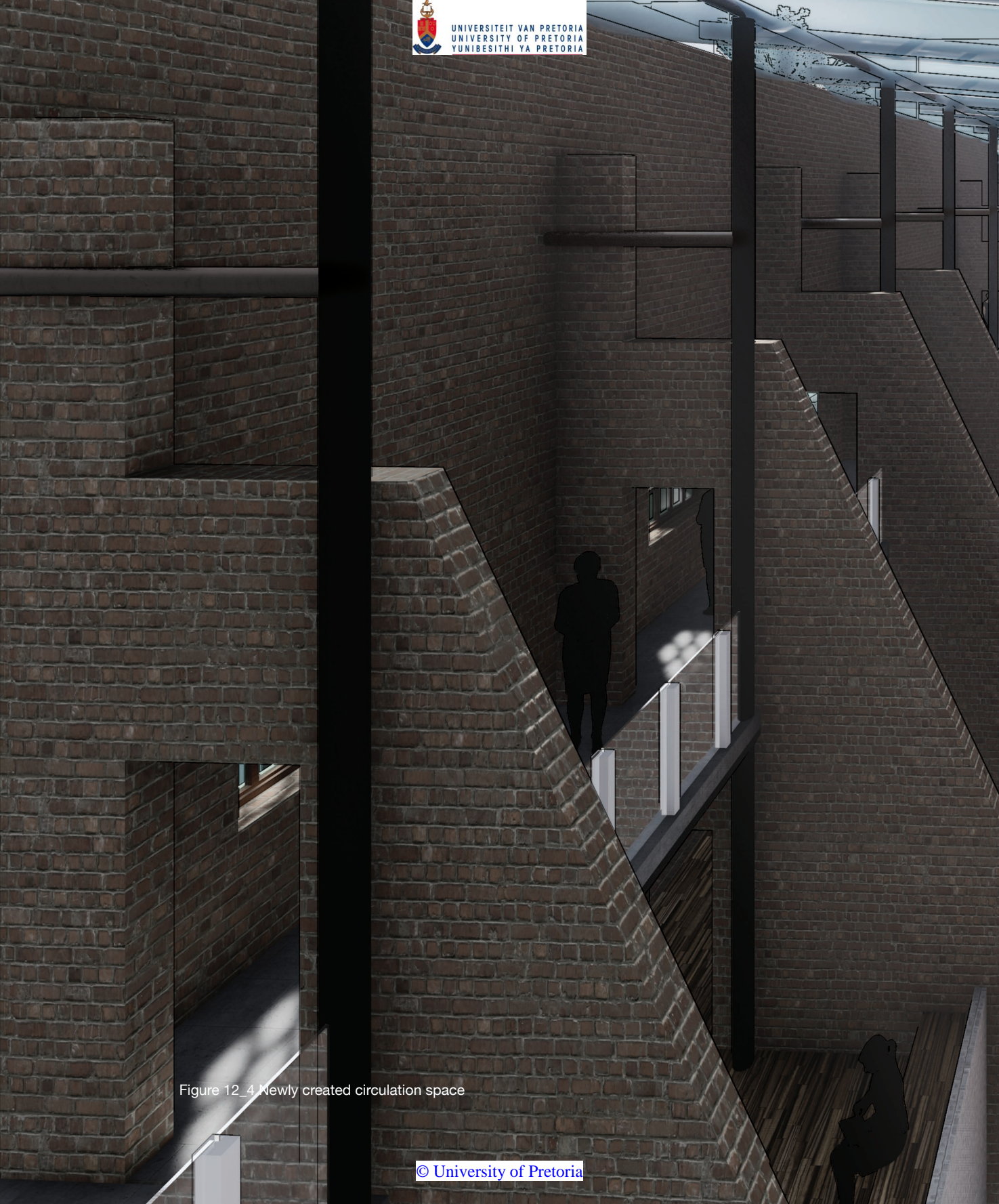


Figure 12_4 Newly created circulation space



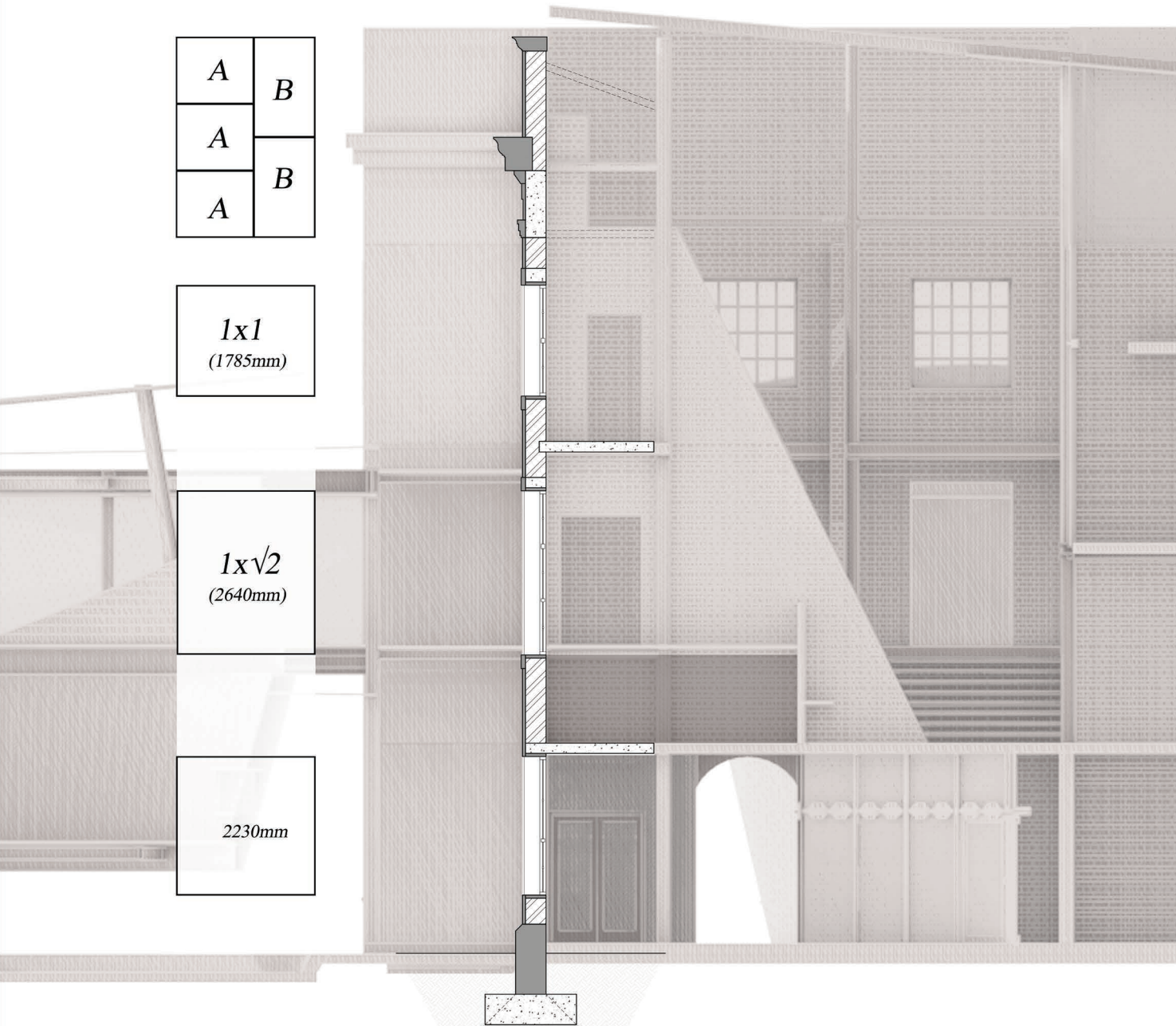


Figure 12_5 Original facade analysis

Structural system

The main structure here remains the existing building as it has met the structural requirements for 75 years. It is made up of a concrete beam structure and structural brick, clad with marble.

The steel substructure then becomes secondary structure to support the existing as well as elevating the pressure of the new interventions on the existing structure. The tertiary structure then consists of the connections between old and new and the surfaces that accommodates circulation.

Materiality

Because of the extensive disruption in the interior and the removal of the plaster, the materiality is that of exposed brick with many imperfections and stains. Together with this, many burn marks remain.

The newly installed structure will be painted gloss black and the flooring material will consist of laminated timber, treated for wearing. The glazing of the added spaces adjacent to the façade will be reflective, so that this condition be reflected unto itself and to increase the feeling of spaciousness.

THE EXISTING FACADE

In this engagement the façade is used as mediating spatial element through which movement is facilitated. The built fabric left intact acts as stabilising buttresses while the secondary structure compensates for any shortfalls. Both public and magistrate moves through

the façade towards the new courts. In order to accomplish this movement the first floor windows are transformed into door openings, without doors, since their dimensions (1650x2650mm) allow for this. Only one window opening is enlarged, in order to facilitate magistrate movement on the second floor.

Materiality

The façade on one side is made up of exposed bricks with imperfections and burn marks, but as you pass through this condition the cladding on the exteriors starts to become apparent. Here it is clad with sunlit beige marble, fixed with copper clamps to the brick structure.



Figure 12_6 Mediating steel structure

MEDIATING STRUCTURE

The exterior of this façade constitutes a second heritage approach. Here the marble cladding is intact and untouched by the disruptions that happened on the interior. Thus the approach here is to touch the façade as lightly as possible and avoid any connections that might damage the cladding. In order to facilitate the movement between the old façade and the new structure, a mediating structure is cantilevered from the new structure. This glass and steel structure doesn't touch the existing façade and aims to obscure as little of the view of this façade.

Structural system

The primary structure is the square hollow sections that span the cantilever and carries the rest of the structure. The secondary structure consists of the steel angle irons that forms a grid and support the structural glass in order to achieve its spans and the Z-lipped cold-rolled sections that supports the secondary glass leaf. Lastly the tertiary structure is the 45mm laminated structural glazing that carries the foot traffic towards the court.

Materiality

Here the steel is painted gloss white in order to relate to the marble façade and yet be differentiated from it. The glass is left naturally transparent as to simplify the colour addition to the exterior.

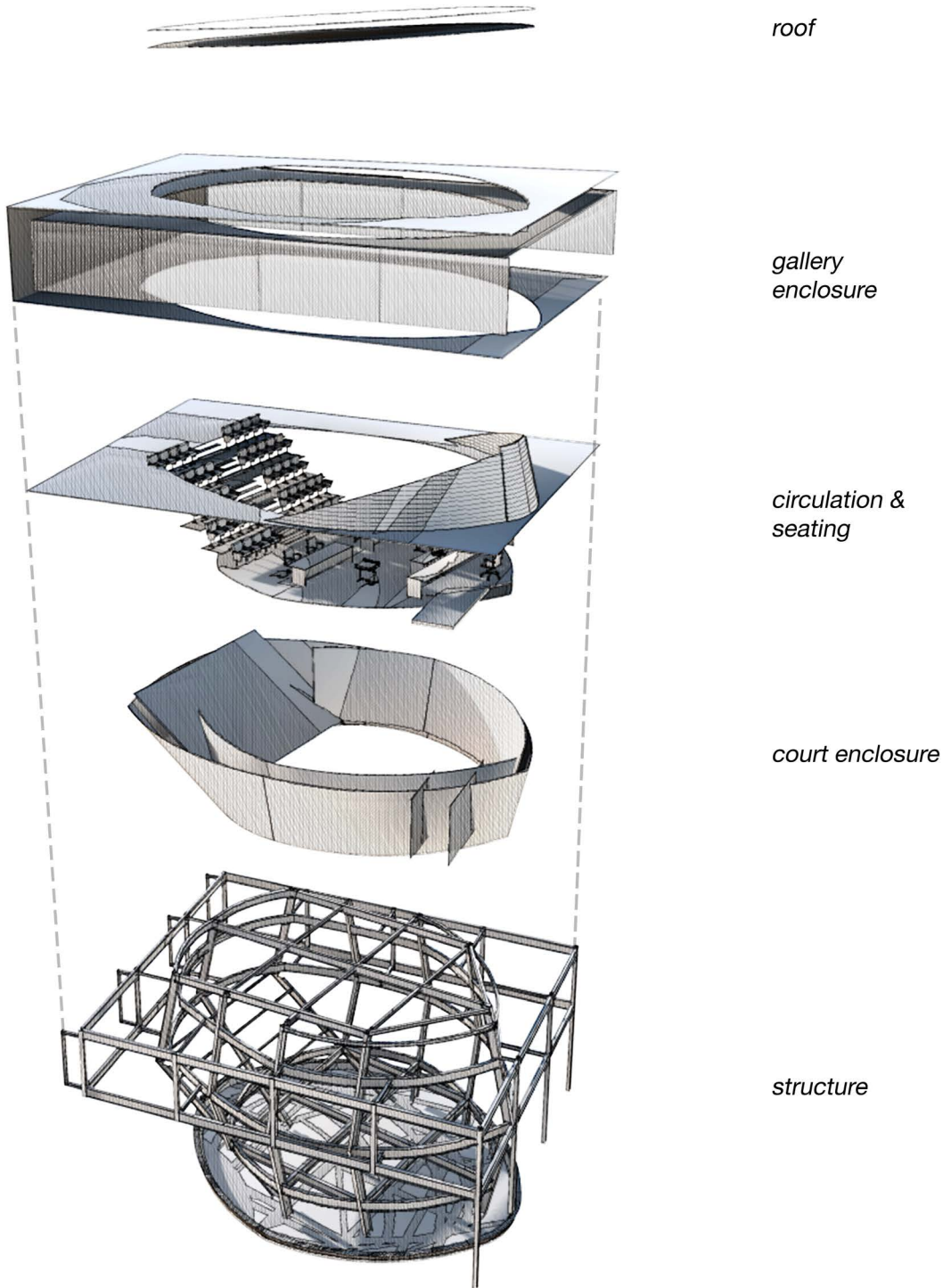


Figure 12_7 Courtroom construction

THE NEW COURT

The new structure not only facilitates the added court spaces but also house the supporting systems and circulation. This structure is made up off three distinct parts which form the coherent whole.

GALLERY

Firstly there is the steel and glass box which extends from the façade and adheres to the classical grid which is derived from the existing. This structure defines the public circulation area as well as the public gallery.

Structural system

The primary structure is the I-sections that make up the beams and columns that is bolted together and forms the structure of the box. The secondary structure is then the cold-formed lipped channels that acts as purlins and the steel angle irons that facilitates the glazing system.

Materiality

The steel of the gallery structure will be painted gloss white, as all the steel on the exterior. In the interior of the building the flooring will be laminated timber and the ceilings finished matt white. The glazing remains natural transparent. On the exterior this box is clad in the recycled marble from the intervention on the northern façade. This is mounted on a slanted steel substructure.

COURTS

Secondly the procedural court space drops below the box structure. This rounded organic shaped space facilitates the court procedure and is largely closed off from the existing environment. Its connection to the box is independent from its grid.

Conceptually this refers to the law that gives guidance and structure to society, but also the freedom we have within it to hold the judiciary to account. The design allows for diversity in the design, where on the other court this space is not suspended from the box but grounds it in the sidewalk.

Structural system

The primary structure consists of the continuation of the portal structure, made up out of I-beams. The secondary structure consists of timber beams which are curved to the shape of the court. This structure facilitates the tertiary structure which is made up from plywood boards on the exterior, carrying the copper sheeting, and the interior dry walling.

Materiality

While these spaces will have laminated timber flooring and white finished dry walling on the interior, it will be finished with copper sheeting on the outside, or constructed out of the recycled brick. This is determined by the position of the particular court.

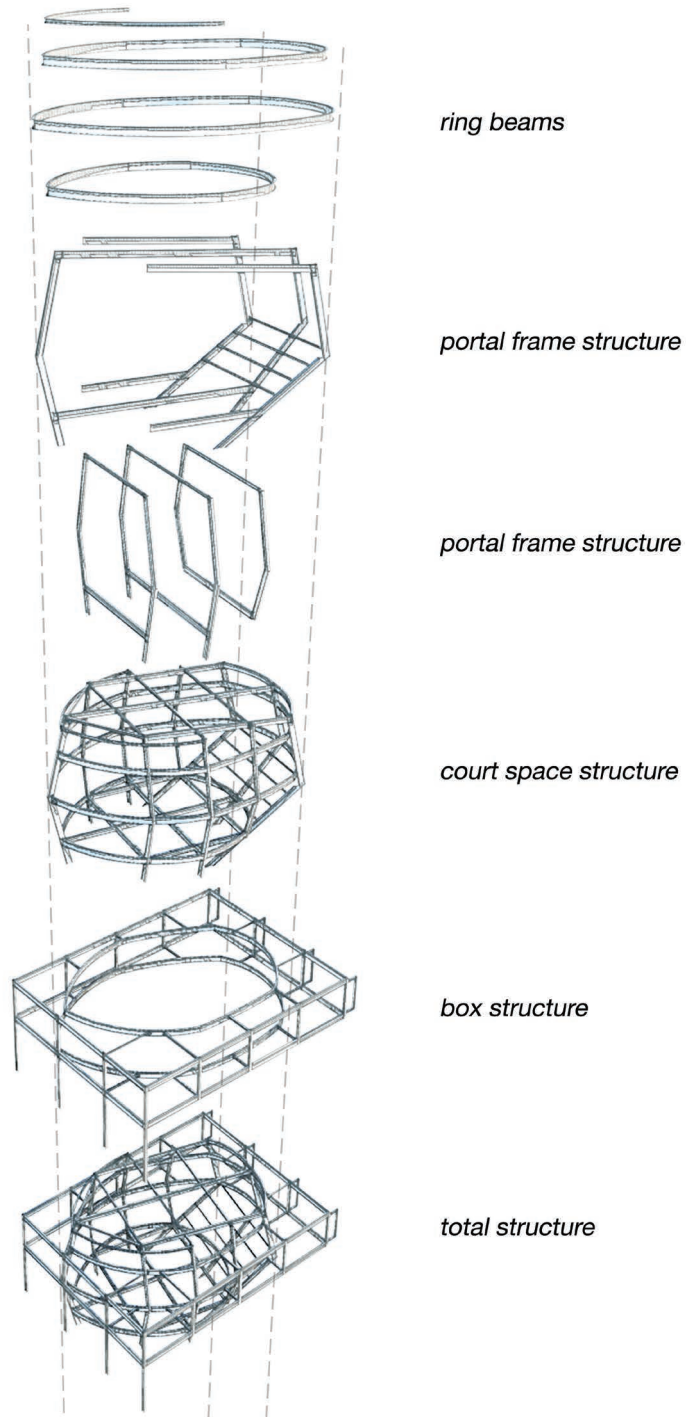


Figure 12_8 Courtroom structure

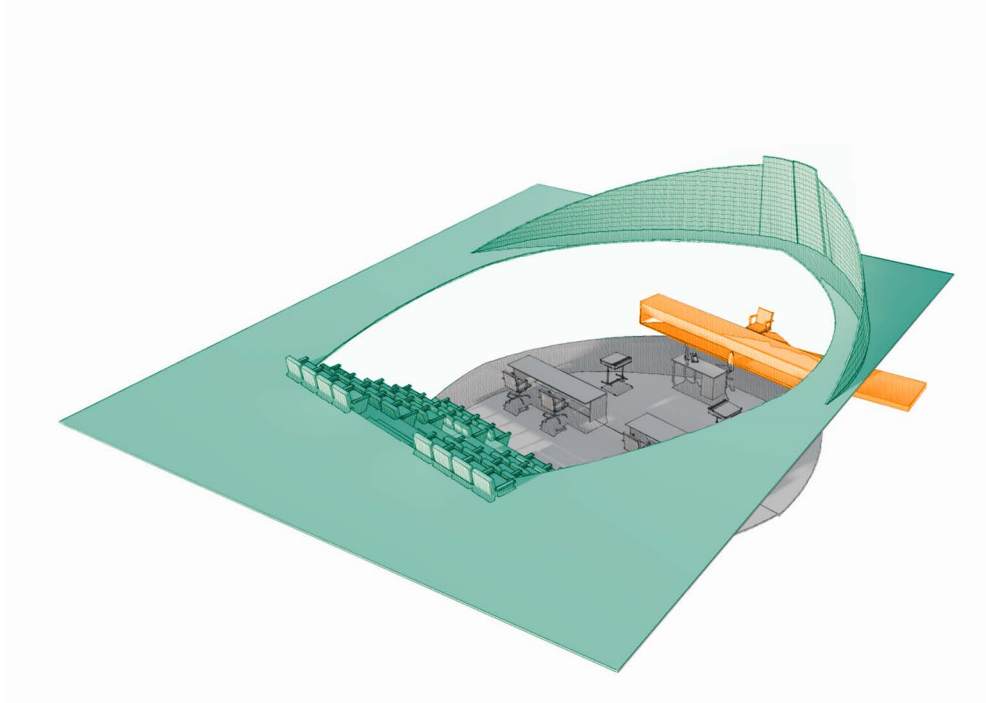


Figure 12_9 Courtroom circulation

- Public spaces*
- Secured public legal spaces*
- Judicial spaces*

ROOF

Lastly the roof extends upwards from the box structure, slanting towards the west and opening up towards the existing building. The shape of the roof emulates the shape of the court and starts to disintegrate the space towards existing building, representing the completion of the spatial intervention.

Structural system

The roof structure is made of I-beams primarily, secondly the cold-rolled lipped channels and lastly from the Kliplok 700 sheeting.

Materiality

The roof sheeting will be simply finished in white, as to match the steel structure and to minimise heat gain. The acoustic ceiling below will be finished in matt white.

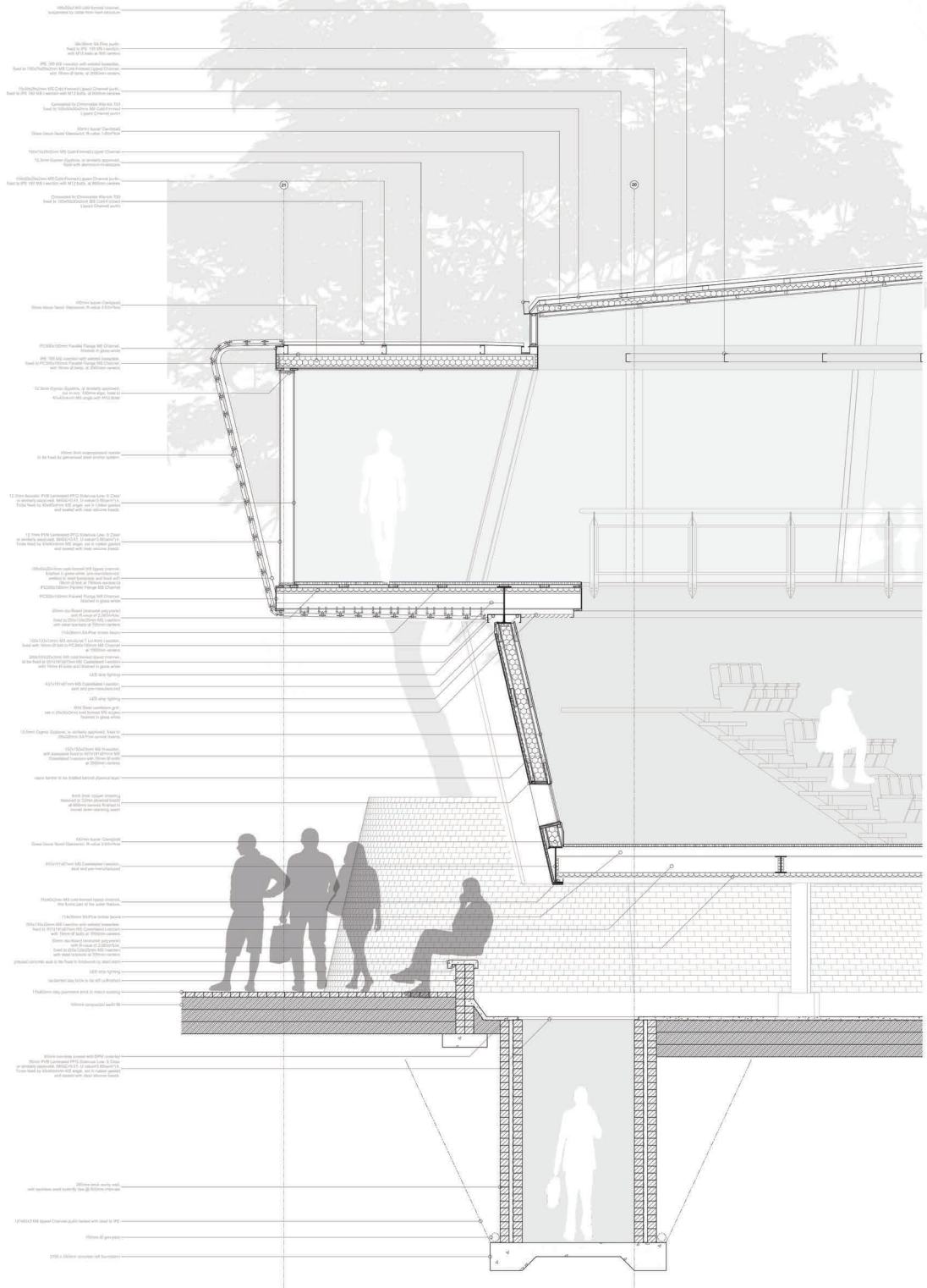


Figure 12_10 1:20 Detail section A-A Iteration 1

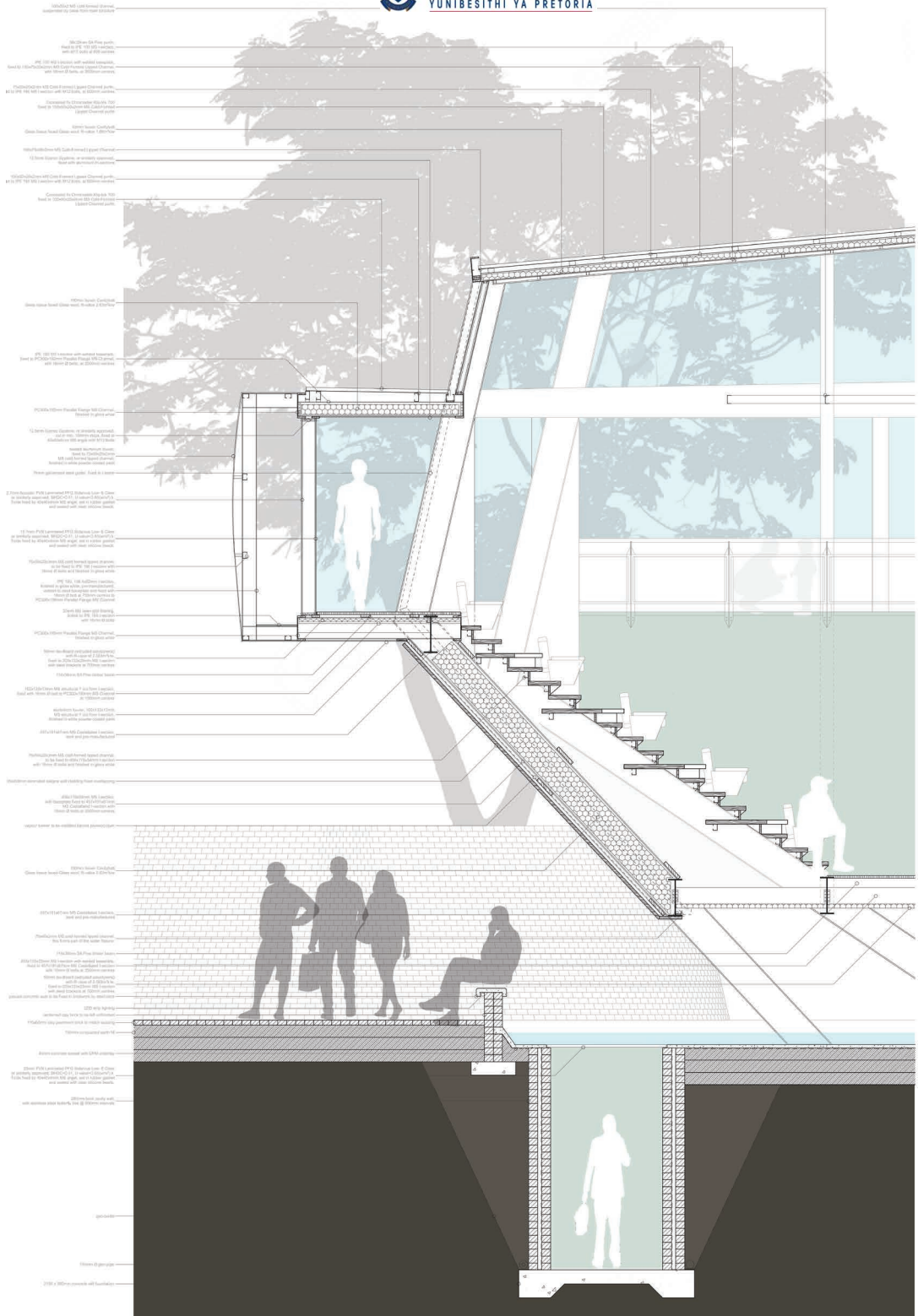
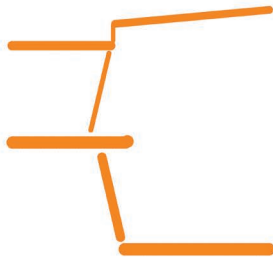
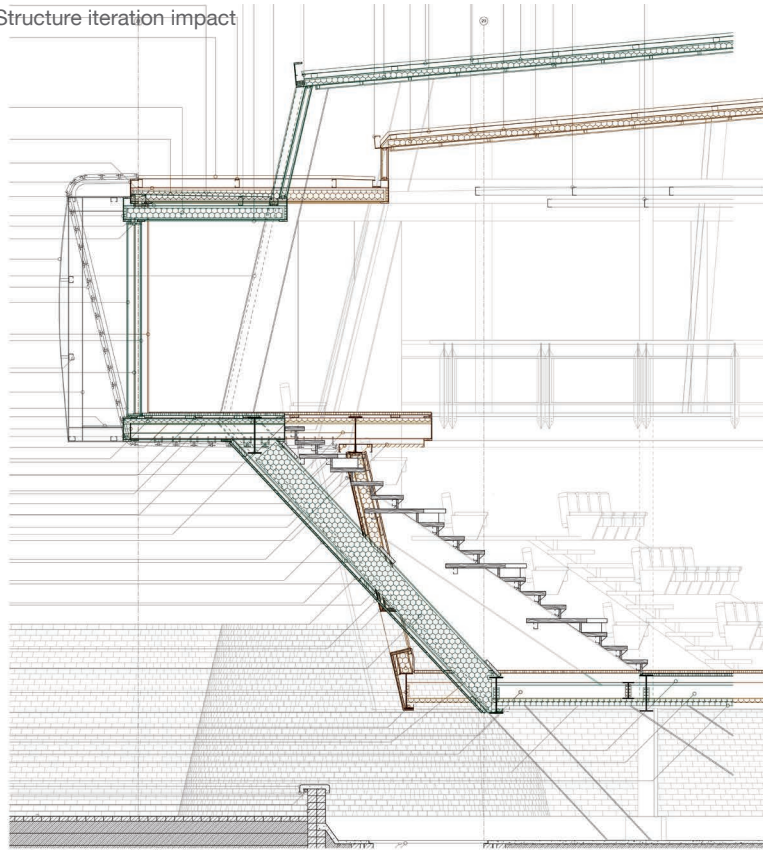


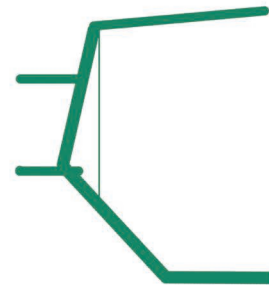
Figure 12_11 1:20 Detail section A-A Iteration 2

Figure 12_12 Structure iteration impact



COURT STRUCTURE

The previous structure was compiled out of various individual steel sections from different sizes. Thereby the structure was made unnecessarily complicated and the form fragmented and irregular.



ITERATION

After input on the original structure, various changes were made. The primary structure was adapted to be constructed out of continuous steel portal frames and flanges were implemented to strengthen the structure.

RESISTANCE CALCULATIONS

The following diagram illustrates the calculations that was done to determine the material composition of the building envelope and so also the insulation material specification.

The floor, wall and roof resistance values was measured against the requirements set out in SANS 204.

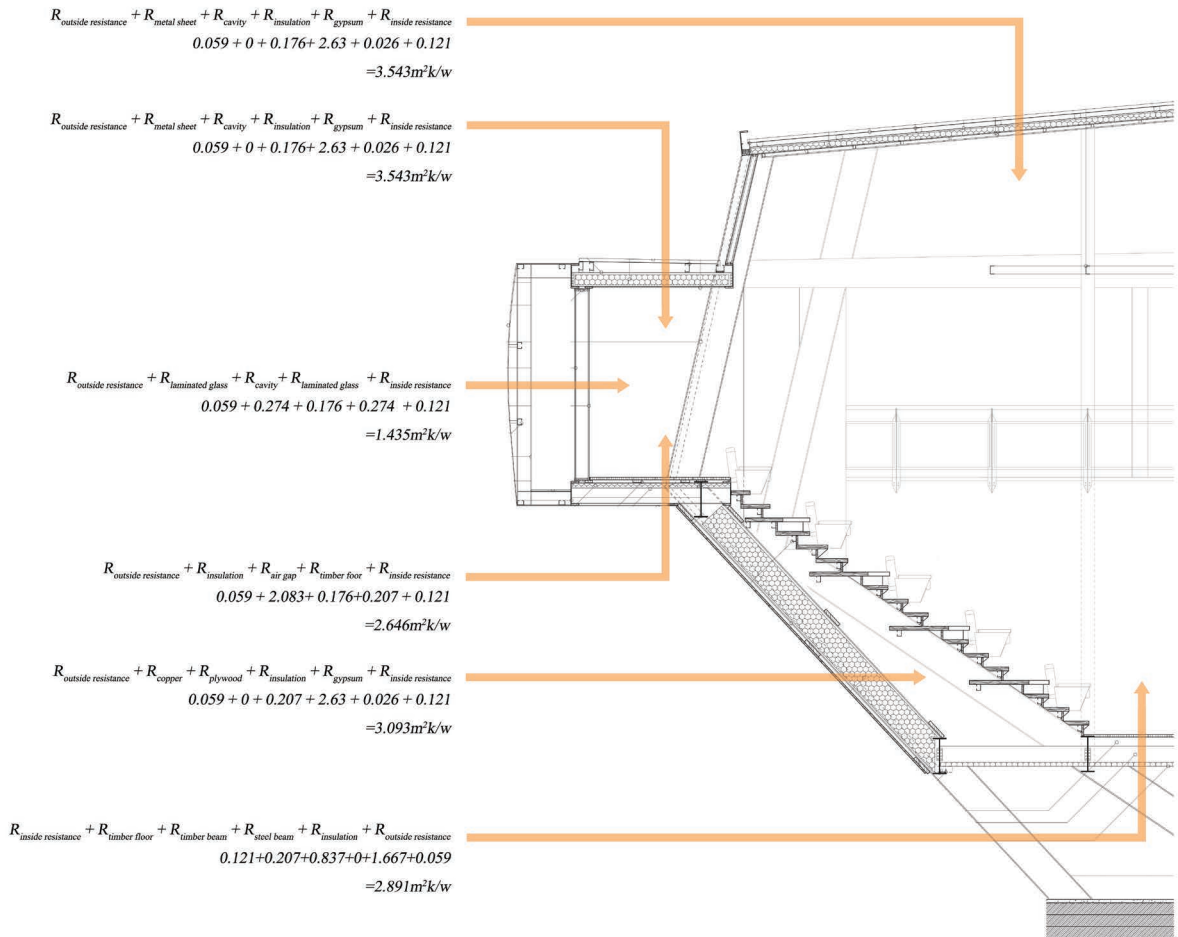


Figure 12_13 resistance calculations

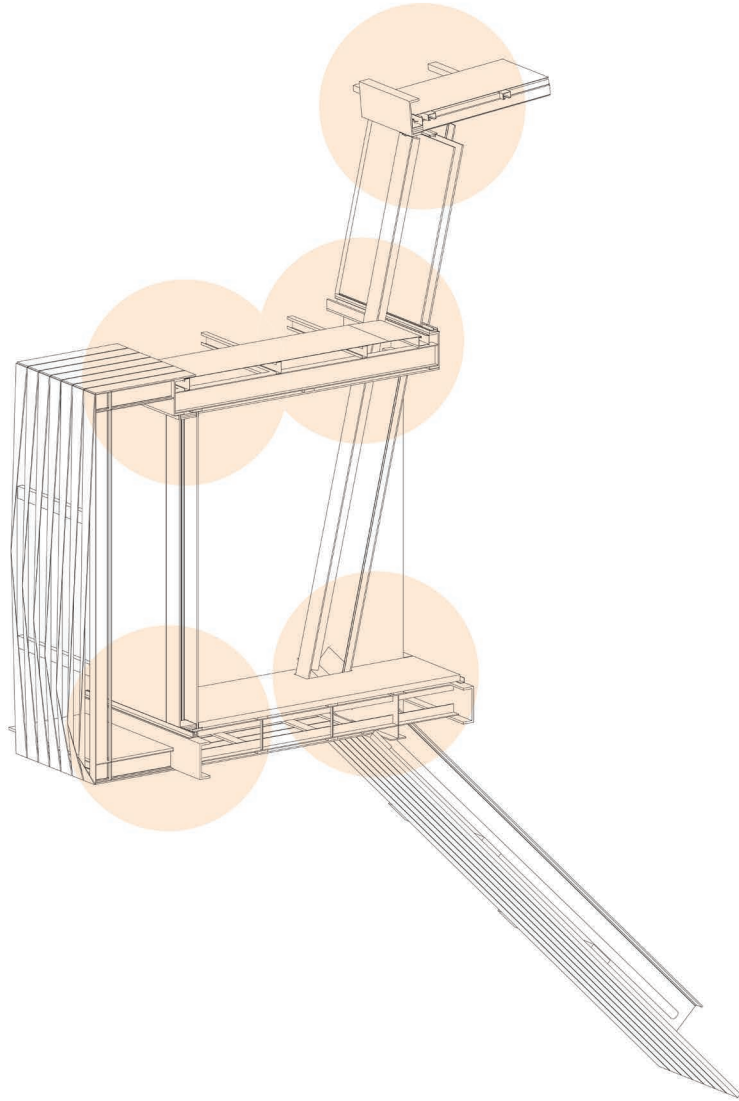
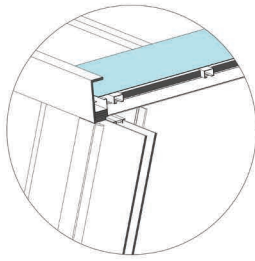
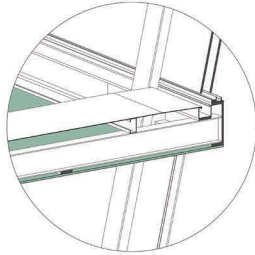
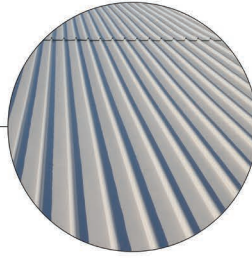


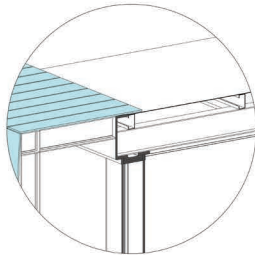
Figure 12_14 Structure detail and materiality



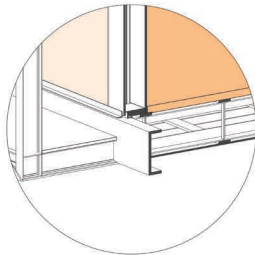
Kliplok 700 roof sheeting



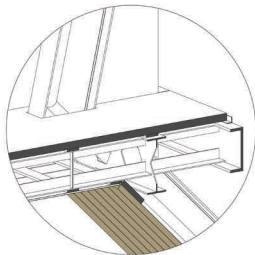
OWA Trapeze acoustic ceiling



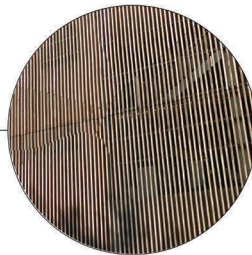
airfoil aluminium sunshades



radiata pine flooring



laminated saigna cladding



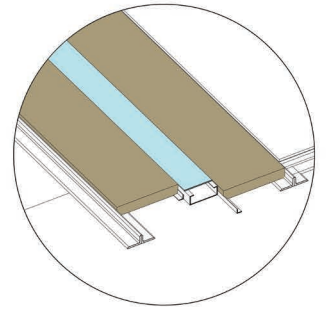
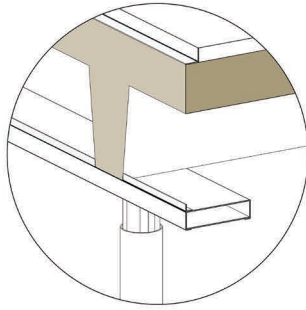
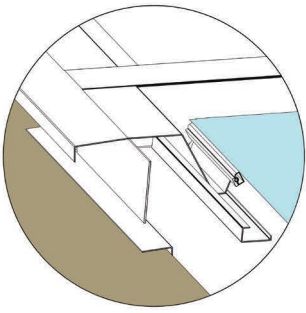
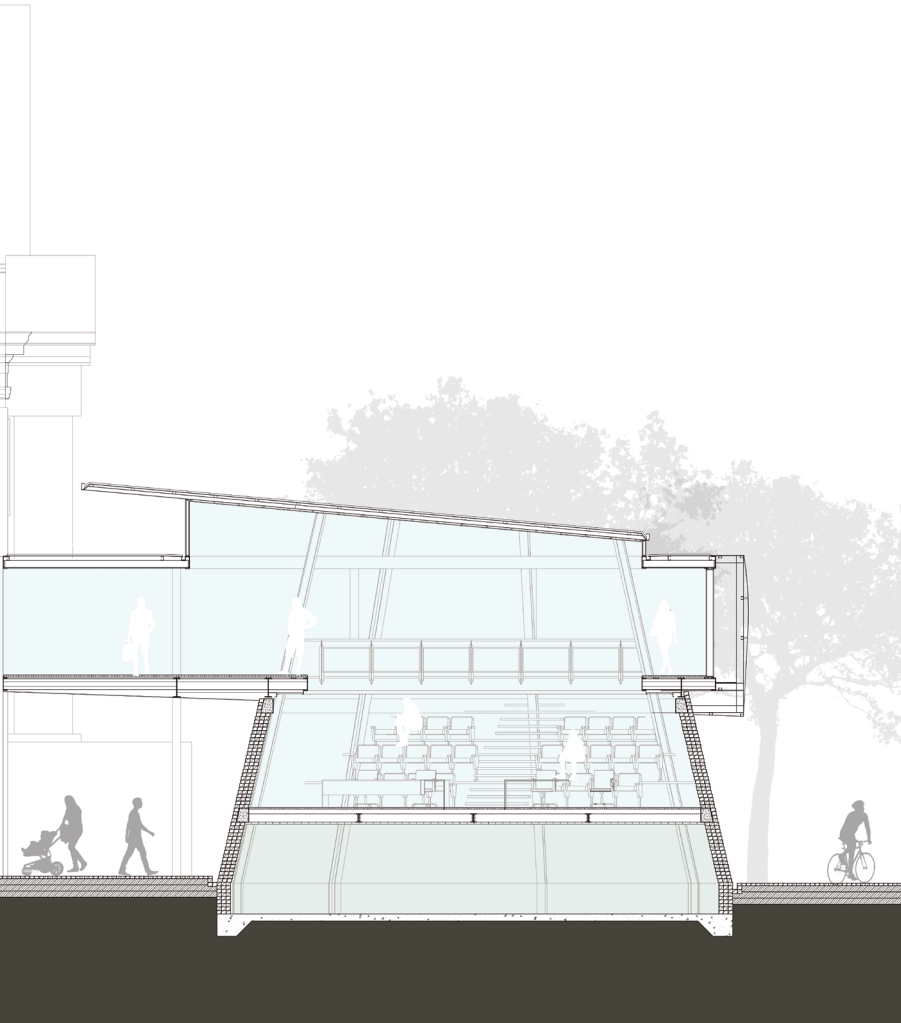
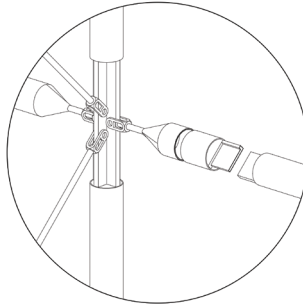
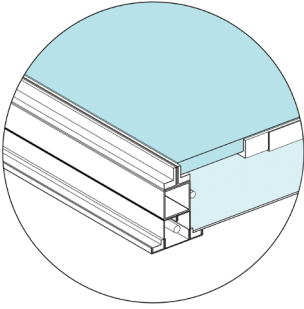
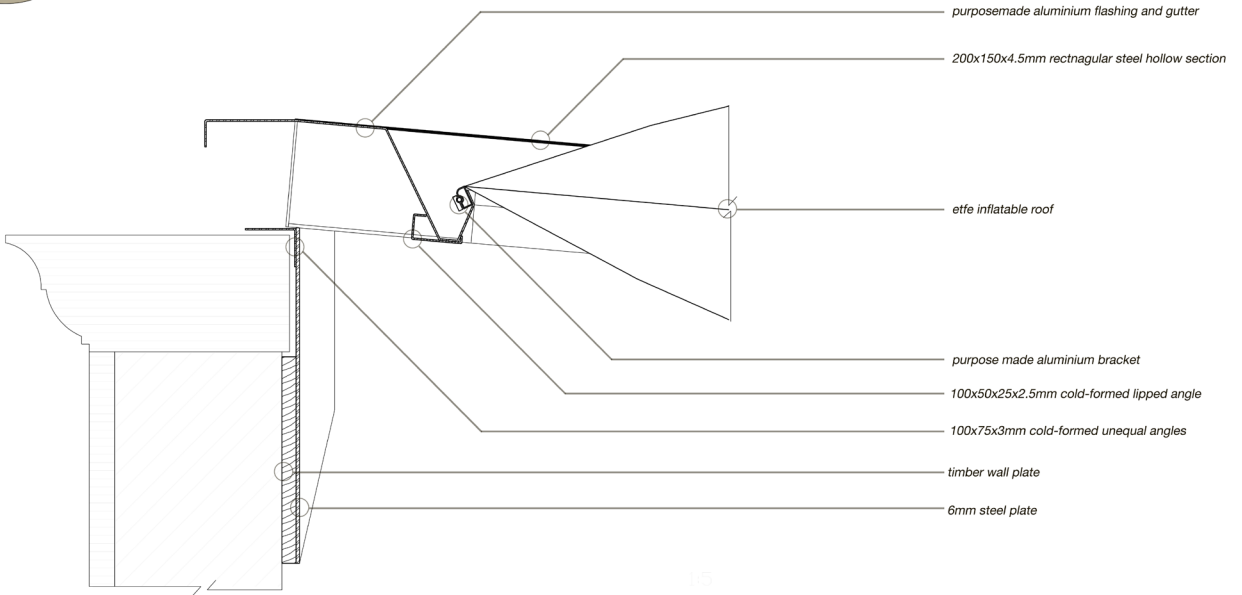
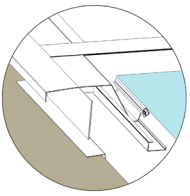
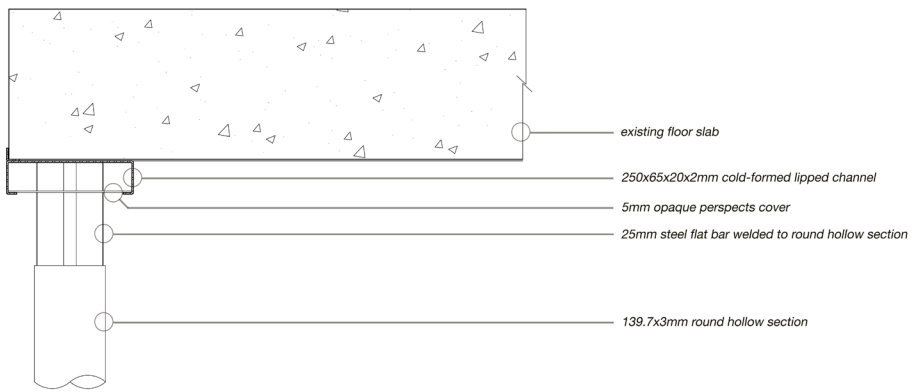
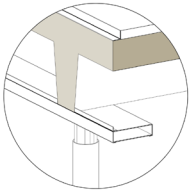


Figure 12_15 1:50 Section B-B

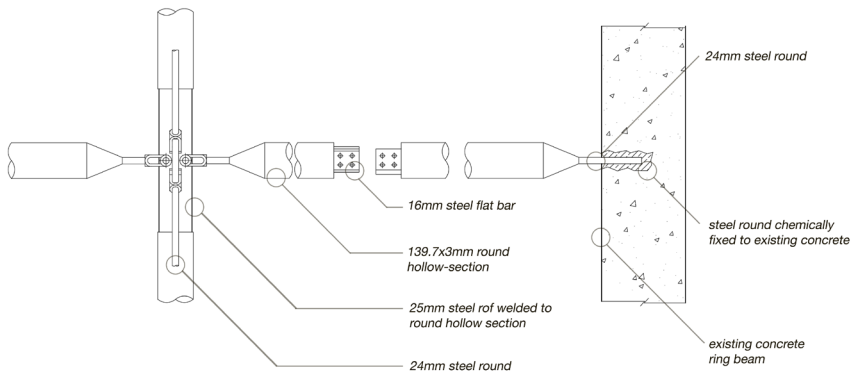
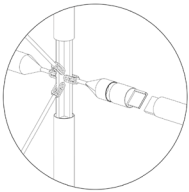
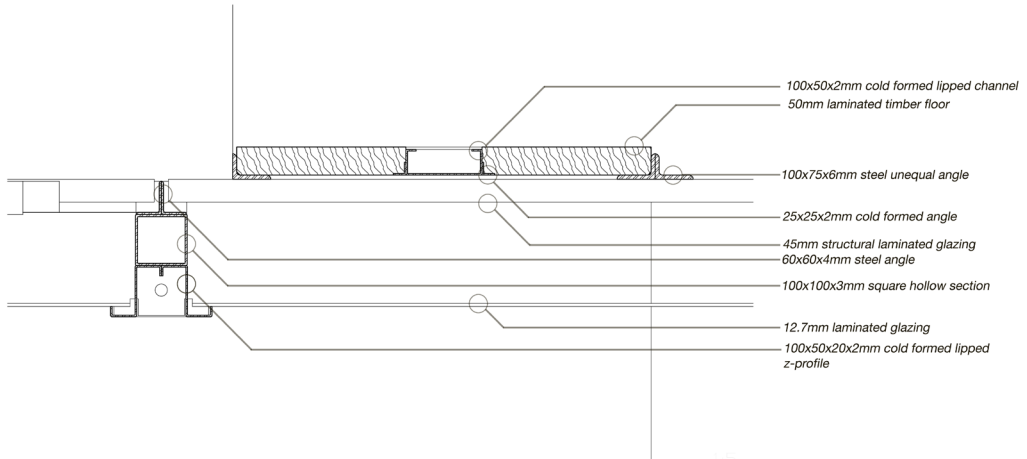
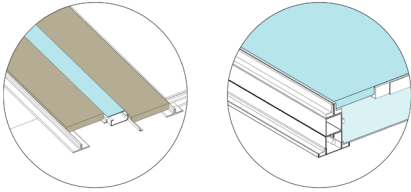




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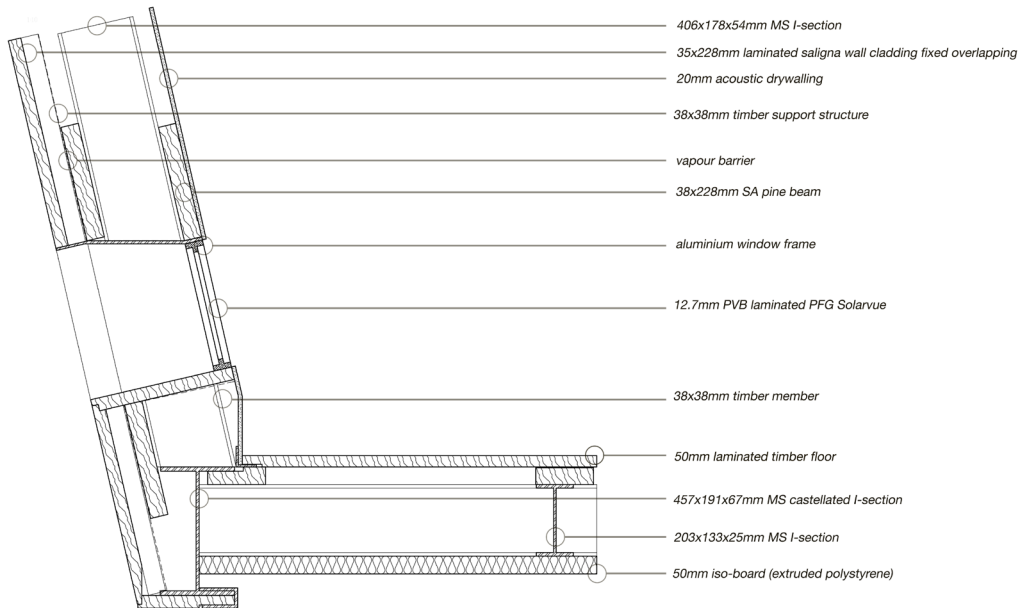
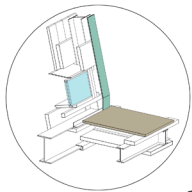




Figure 12_16 North elevation

SBAT

Analysis was done on the building performance before the fire, as it was originally. It is important to note that it was done hypothetically and that certain operational assumptions had to be made based on observations.

Thereafter another SBAT analysis was done with the dissertation interventions in

mind. Thereby some social, economical and operational aspects were anticipated which could not be illustrated in the dissertation.

Two important factors could be proven in this dissertation and carried considerable impact on the SBAT rating. This was the energy generation and water harvesting and will be discussed briefly.

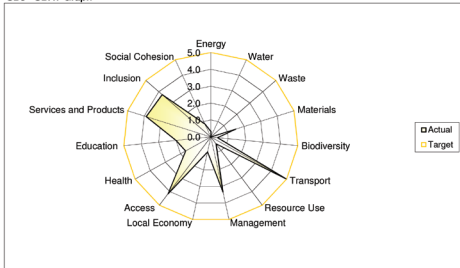
SUSTAINABLE BUILDING ASSESSMENT TOOL RESIDENTIAL

1.04

BI Building Information		Target	Achieved
BI 1 Building Targets		5.0	1.9
EN	Energy	5.0	0.0
WA	Water	5.0	0.0
WE	Waste	5.0	0.0
MA	Materials	5.0	1.5
BI	Biodiversity	5.0	0.4
TR	Transport	5.0	5.0
LE	Local Economy	5.0	0.5
MN	Management	5.0	3.3
RE	Resources	5.0	0.9
SP	Services and Products	5.0	4.2
AC	Access	5.0	0.7
HE	Health	5.0	2.0
ED	Education	5.0	3.9
IN	Inclusion	5.0	3.8
SC	Social Cohesion	5.0	0.8
BI 2 Priority Key (Not Performance Key)			
VH	Very High	5.0	
HI	High	4.0	
ME	Medium	3.0	
LO	Low	2.0	
VL	Very Low	1.0	
NA	None / Not Applicable	0.0	
BI 3 Project Name			
Pretoria Magistraatshof			
BI 4 Address			
Hoek van Pretorius & Sophia De Bruyn straat			
BI 5 Site Area			
		10271.68	m ²
BI 6 Gross Floor Area (GFA)			
			m ²
BI 7 Gross Internal Area (GIA)			
		10017.35	m ²
BI 8 Number of Usable Rooms			
BI 9 Number of Bedrooms			

SUSTAINABLE BUILDING ASSESSMENT TOOL RESIDENTIAL

1.04

SB SBAT REPORT		Achieved
		1.9
SB1 Project		
Pretoria Magistraatshof		
SB2 Address		
Hoek van Pretorius & Sophia De Bruyn straat		
SB3 SBAT Graph		
		
SB4 Environmental, Social and Economic Performance		
		Score
Environmental	0.4	
Economic	2.8	
Social	2.4	
SBAT Rating	1.9	
SBS EF and HDI Factors		
		Score
EF Factor	1.7	
HDI Factor	2.1	
SB6 Targets		
		Percentage
Environmental	9	
Economic	56	
Social	49	

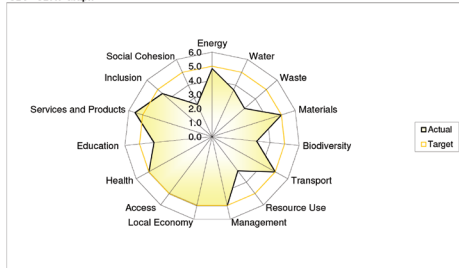
SUSTAINABLE BUILDING ASSESSMENT TOOL RESIDENTIAL

1.04

BI Building Information		Target	Achieved
BI 1 Building Targets		5.0	4.3
EN	Energy	5.0	4.8
WA	Water	5.0	3.6
WE	Waste	5.0	3.0
MA	Materials	5.0	5.0
BI	Biodiversity	5.0	3.1
TR	Transport	5.0	5.0
LE	Local Economy	5.0	3.0
MN	Management	5.0	5.0
RE	Resources	5.0	5.0
SP	Services and Products	5.0	5.0
AC	Access	5.0	5.0
HE	Health	5.0	4.0
ED	Education	5.0	5.6
IN	Inclusion	5.0	4.6
SC	Social Cohesion	5.0	2.5
BI 2 Priority Key (Not Performance Key)			
VH	Very High	5.0	
HI	High	4.0	
ME	Medium	3.0	
LO	Low	2.0	
VL	Very Low	1.0	
NA	None / Not Applicable	0.0	
BI 3 Project Name			
Pretoria Magistraatshof			
BI 4 Address			
Hoek van Pretorius & Sophia De Bruyn straat			
BI 5 Site Area			
		10271.68	m ²
BI 6 Gross Floor Area (GFA)			
			m ²
BI 7 Gross Internal Area (GIA)			
		9972.2	m ²
BI 8 Number of Usable Rooms			
BI 9 Number of Bedrooms			

SUSTAINABLE BUILDING ASSESSMENT TOOL RESIDENTIAL

1.04

SB SBAT REPORT		Achieved
		4.3
SB1 Project		
Pretoria Magistraatshof		
SB2 Address		
Hoek van Pretorius & Sophia De Bruyn straat		
SB3 SBAT Graph		
		
SB4 Environmental, Social and Economic Performance		
		Score
Environmental	3.9	
Economic	4.6	
Social	4.3	
SBAT Rating	4.3	
SBS EF and HDI Factors		
		Score
EF Factor	4.2	
HDI Factor	4.6	
SB6 Targets		
		Percentage
Environmental	78	
Economic	92	
Social	87	

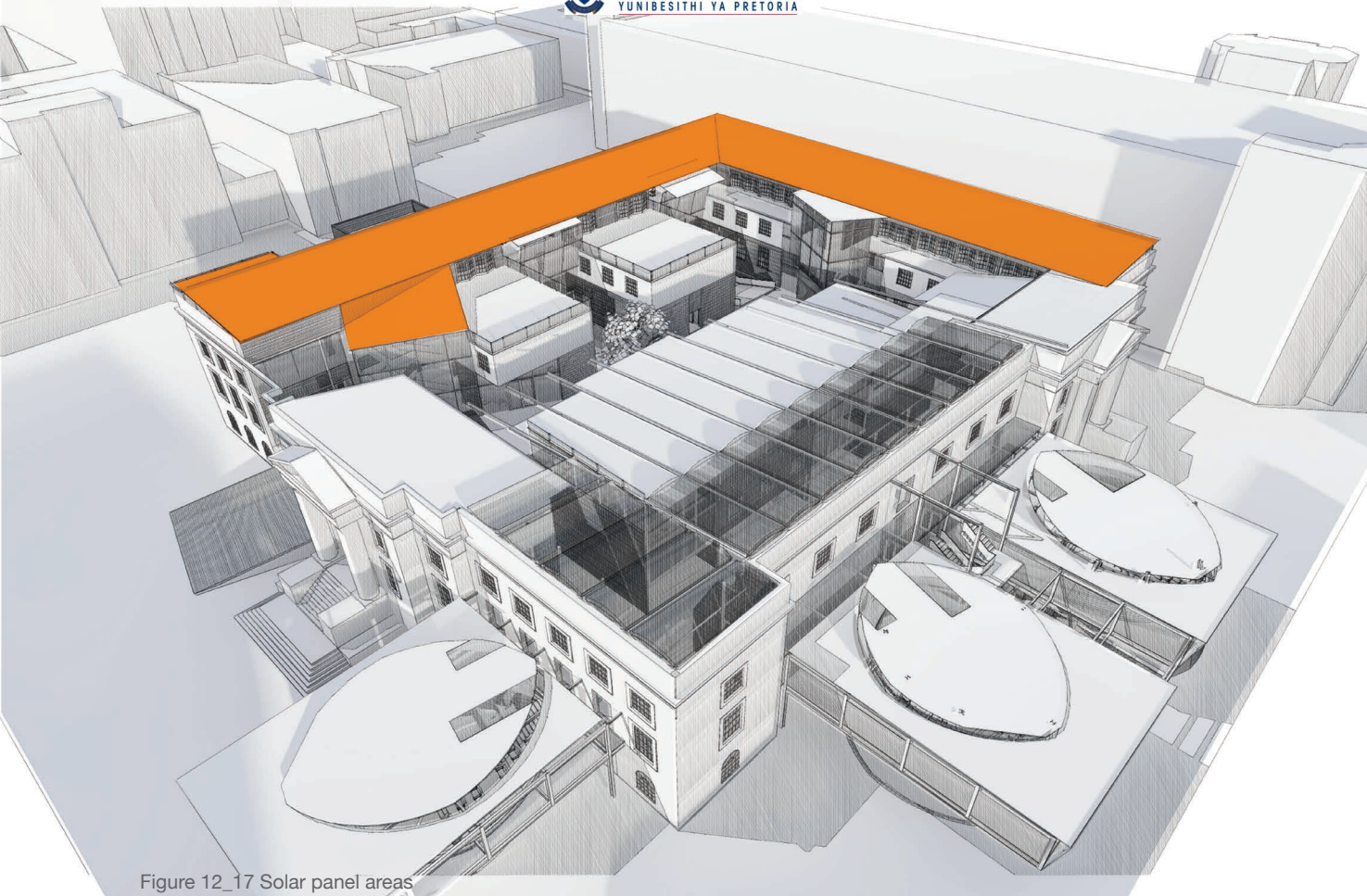


Figure 12_17 Solar panel areas

SOLAR PANEL INSTALLATION

The top diagram shows the possible position of the locally manufactured solar panels. These roof surfaces were chosen because they face predominantly north. The positions also allow the panels to be easily hidden as not to detract from the historical aesthetics.

According to the calculations the following amount of energy can be generated:

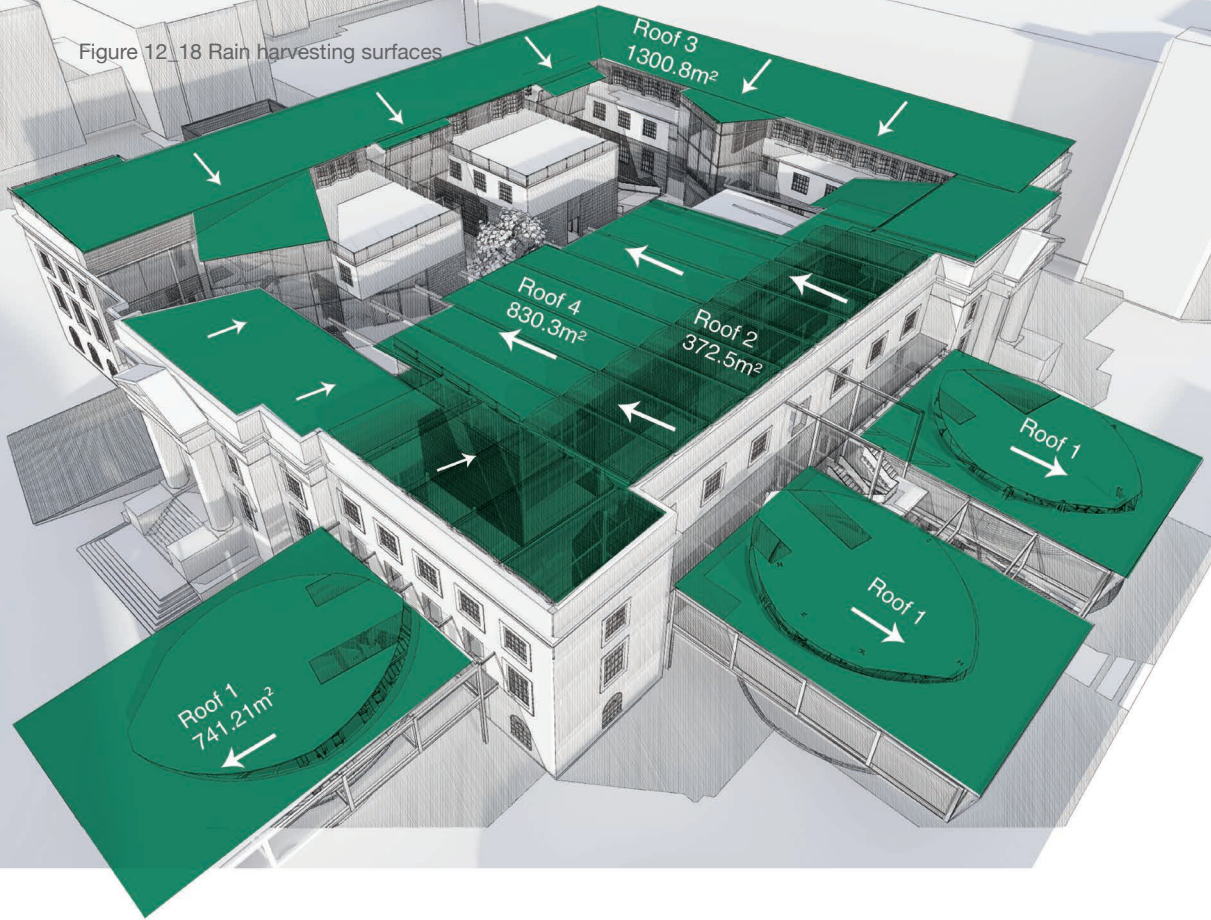
Available roof surface:	1750.3m ²
Panel area:	1.94m ²
(992x1956mm)	

Thus it is possible to install:
900 (72 cell module) panels.

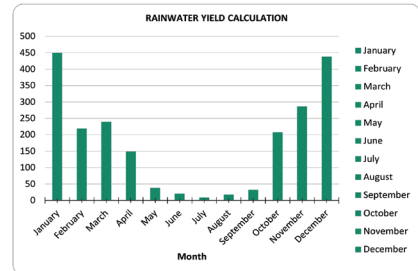
The 72 cell module panels can generate 300-320 Wp (maximum power) and thus the entire installation can deliver 270 000Wp.

270 000/9972.2m² (internal floor area of design)
= 27 Wp/m²

Figure 12.18 Rain harvesting surfaces



Month	Temperature (°C)			Precipitation			
	Highest Recorded	Average Daily Maximum	Average Daily Minimum	Lowest Recorded	Average Monthly (mm)	Average Number of Days with >=1mm	Highest 24 hour rainfall (mm)
January	36	29	18	8	154	21	160
February	7	13	5	82	75	11	95
March	35	27	16	6	82	10	84
April	33	24	12	3	51	7	72
May	29	22	8	-1	13	3	40
June	25	19	5	-6	7	1	32
July	26	20	5	-4	3	1	18
August	31	22	8	-1	6	2	15
September	34	26	12	2	22	3	43
October	36	27	14	4	71	9	108
November	36	27	16	7	98	12	67
December	35	28	17	7	150	15	50
ANNUAL AVE.	36	25	12	-6	674	87	160



Month	Ave. monthly precipitation, P (m)	Area of catchment roof 1 (m ²)	Runoff coefficient	Yield (m ³)	Area of catchment roof 2 (m ²)	Runoff coefficient	Yield (m ³)	Area of catchment roof 3 (m ²)	Runoff coefficient	Yield (m ³)	Area of catchment roof 4 (m ²)	Runoff coefficient	Yield (m ³)	Area of catchment roof 5 (m ²)	Runoff coefficient	Yield (m ³)	Yield (m ³) TOTAL
January	0.154	741.21	0.9	103	372.5	0.9	52	1300.8	0.9	180	830.3	0.9	116	0	0.9	0	450
February	0.075	741.21	0.9	50	372.5	0.9	25	1300.8	0.9	88	830.3	0.9	56	0	0.9	0	219
March	0.082	741.21	0.9	55	372.5	0.9	27	1300.8	0.9	98	830.3	0.9	61	0	0.9	0	239
April	0.051	741.21	0.9	34	372.5	0.9	17	1300.8	0.9	60	830.3	0.9	38	0	0.9	0	149
May	0.019	741.21	0.9	9	372.5	0.9	4	1300.8	0.9	15	830.3	0.9	10	0	0.9	0	38
June	0.007	741.21	0.9	5	372.5	0.9	2	1300.8	0.9	8	830.3	0.9	5	0	0.9	0	20
July	0.003	741.21	0.9	2	372.5	0.9	1	1300.8	0.9	4	830.3	0.9	2	0	0.9	0	9
August	0.006	741.21	0.9	4	372.5	0.9	2	1300.8	0.9	7	830.3	0.9	4	0	0.9	0	18
September	0.022	741.21	0.9	3	372.5	0.9	15	1300.8	0.9	12	830.3	0.9	2	0	0.9	0	32
October	0.071	741.21	0.9	47	372.5	0.9	24	1300.8	0.9	83	830.3	0.9	53	0	0.9	0	207
November	0.088	741.21	0.9	65	372.5	0.9	33	1300.8	0.9	115	830.3	0.9	73	0	0.9	0	286
December	0.15	741.21	0.9	100	372.5	0.9	50	1300.8	0.9	178	830.3	0.9	112	0	0.9	0	438
ANNUAL AVE.	0.074			40			21			70			44				2105

RAIN WATER HARVESTING

The water harvesting calculations are done in order to determine the maximum yield of water from the available roof surfaces of the Pretoria Magistrates Court

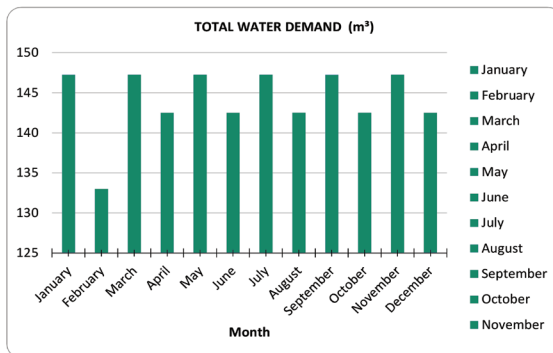
Water harvested from the roof is not only used in the building itself, the demand of which is very low, but will also aim to supply the surrounding buildings. Which does not have

the capacity to harvest their own rain water runoff.

This is done in order to supplement normal municipal supply, not only of the building itself but the entire area.

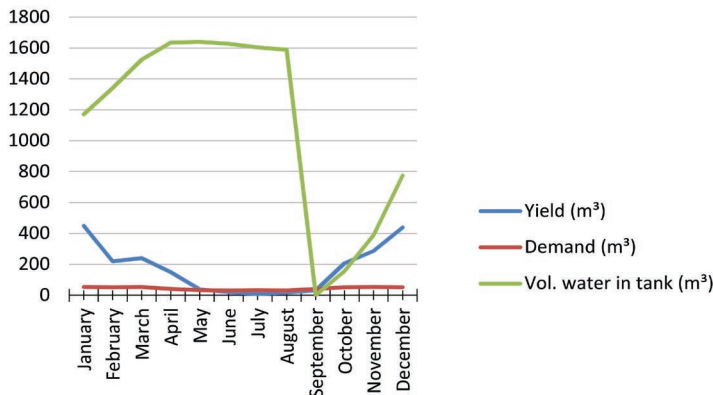
USER DEMAND								
Month	Persons (staff)	Water/capita /day (L)	Water/capita /month (L)	Staff Demand (L/month)	Persons	Water/capita /day (L)	Water/capita /month (L)	Visitors Demand (L/month)
January	100	40	1240	124000	250	3	93	23250
February	100	40	1120	112000	250	3	84	21000
March	100	40	1240	124000	250	3	93	23250
April	100	40	1200	120000	250	3	90	22500
May	100	40	1240	124000	250	3	93	23250
June	100	40	1200	120000	250	3	90	22500
July	100	40	1240	124000	250	3	93	23250
August	100	40	1200	120000	250	3	90	22500
September	100	40	1240	124000	250	3	93	23250
October	100	40	1200	120000	250	3	90	22500
November	100	40	1240	124000	250	3	93	23250
December	100	40	1200	120000	250	3	90	22500

TOTAL WATER DEMAND CALCULATION				
Month	Irrigation Demand (m³)	Domestic Demand (m³)	Visitors Demand (L/month)	Total water Demand (m³)
January	0	124.00	23.25	147
February	0	112.00	21	133
March	0	124.00	23.25	147
April	0	120.00	22.5	143
May	0	124.00	23.25	147
June	0	120.00	22.5	143
July	0	124.00	23.25	147
August	0	120.00	22.5	143
September	0	124.00	23.25	147
October	0	120.00	22.5	143
November	0	124.00	23.25	147
December	0	120.00	22.5	143
TOTAL	0	0.00	0	1729



WATER BUDGET with tank				
Month	Yield (m³)	Demand (m³)	Monthly balance	Vol. water in tank (m³)
January	450	53	397	1171
February	219	51	168	1339
March	239	53	186	1526
April	149	40	109	1635
May	38	33	5	1640
June	20	32	-12	1628
July	9	33	-24	1604
August	18	32	-14	1589
September	32	41	-9	0
October	207	52	155	155
November	286	53	233	389
December	438	52	386	775

TANK SIZE (m³)	1640
SAFETY FACTOR	1.5
FINAL TANK (m³)	2460



SYSTEMS

The following diagram illustrates the ventilation system of the courtroom addition. The system proposed is a hybrid system between a conventional air conditioning unit and a passive soil-pipe system.

A passive ventilation system is applied to the foyer spaces. Here cold air from the soil-pipe system are brought in from ground floor area. The thermal difference between the ground floor level and the transparent roof will be enough to create a stack ventilation effect. This will be aided by the mechanical extraction from the top.

Conventional air conditioning are applied in order to create a constant climatic environment

in the courtroom. The soil-pipe in turn assists by supplying cooled air which is circulated underneath the soil and obtains a constant temperature of 18° throughout the year into the conventional system.

This means that the air conditioning unit will use less energy to cool the air which is fed into the court space, in turn making the process more sustainable.

The system remains closed and has no openings, so that energy isn't lost through the circulation process.

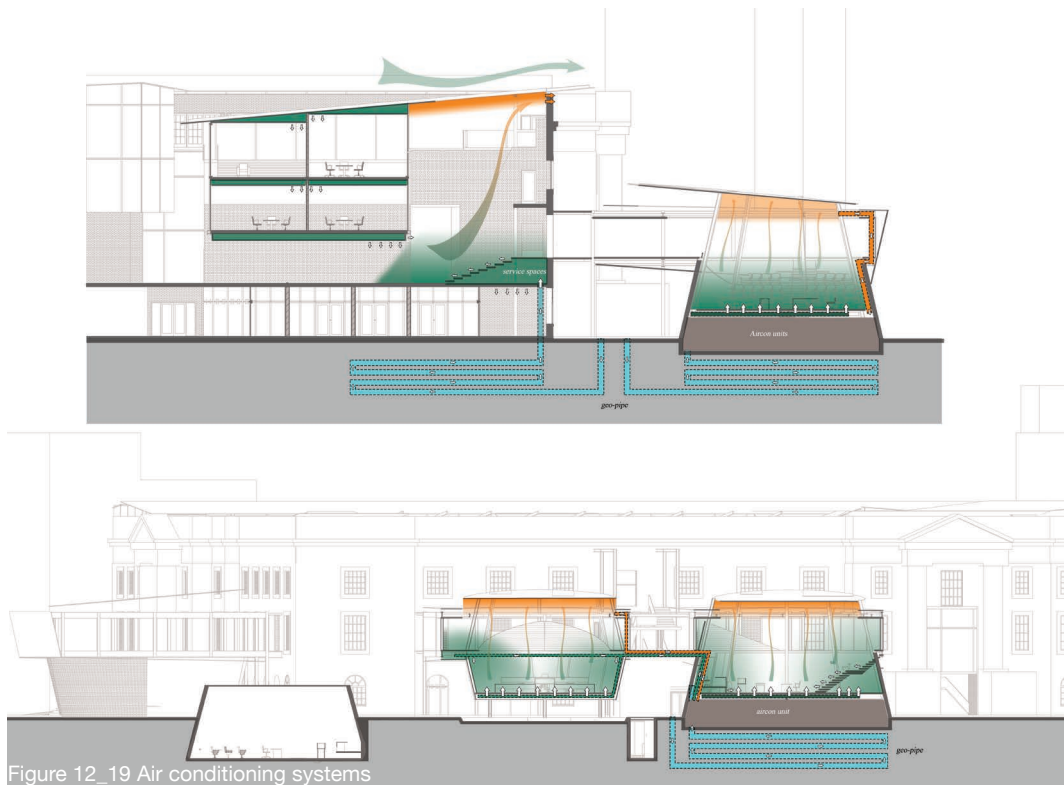
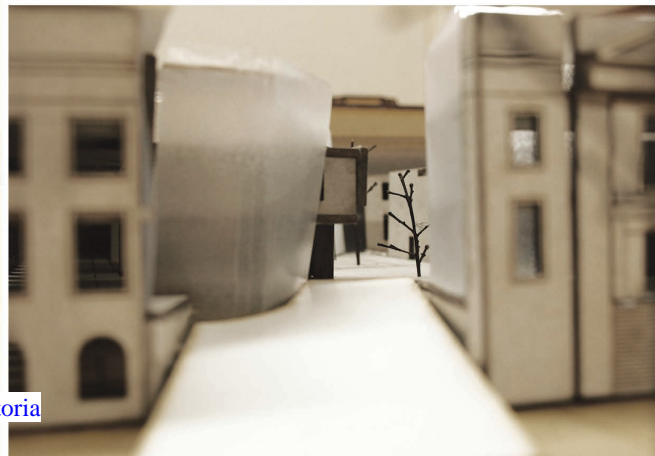




Figure 12_20 West elevation



CONCLUSION

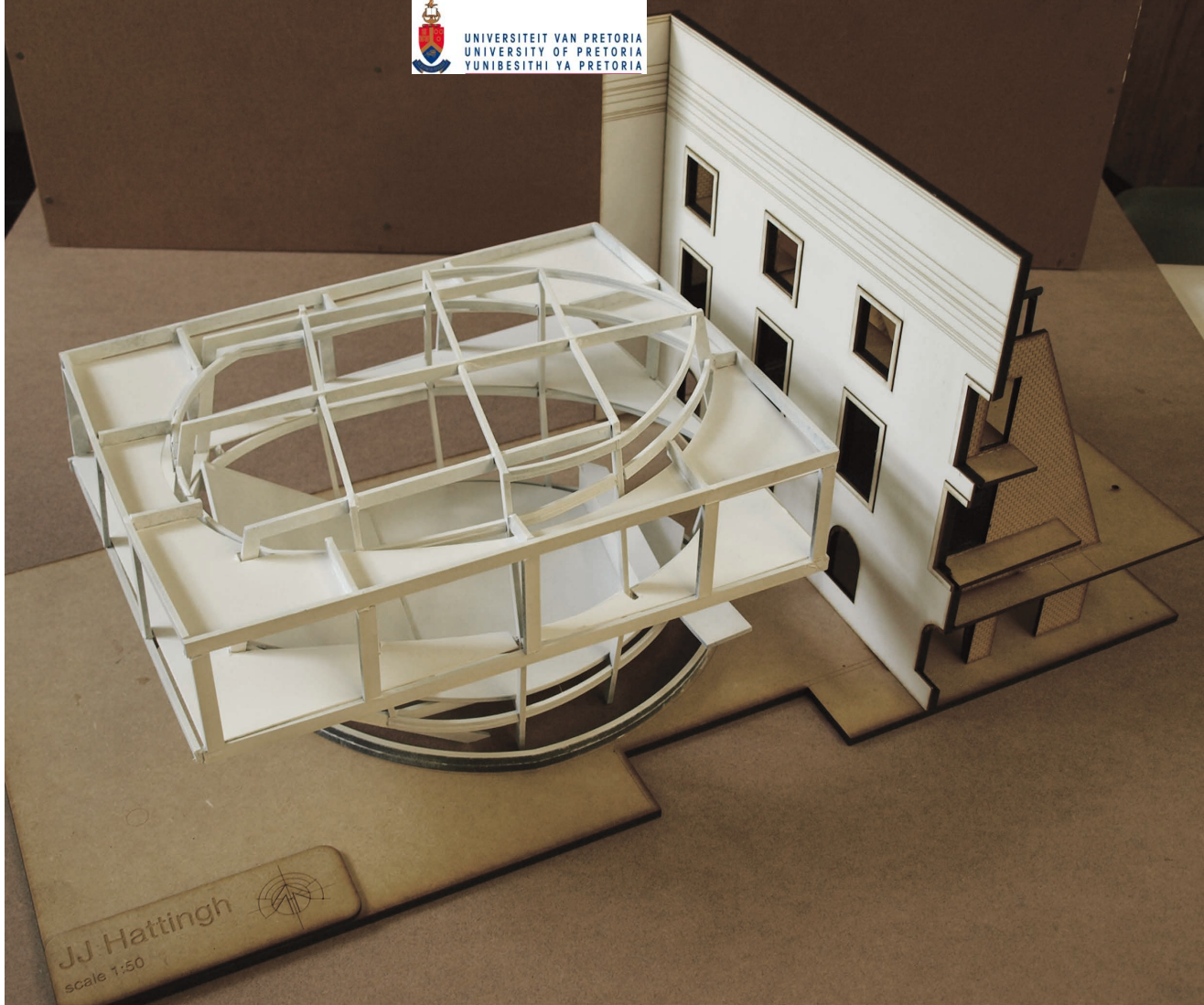


The aim of this dissertation is to address the inherent conflict that is present in our general heritage. Current political and social discourse, even though we live in a free and democratic society, clearly show that disinheritance and exclusion are still present and therefore should still be addressed thoroughly.

By applying the dissonance heritage theory of Tunbridge & Ashworth (1997) this study has identified the dissonant elements in the Pretoria Magistrate's Court as the relationship between judicial and public spaces as well as the classicistic nature of the building. The disruption caused by the fire in 2010 has provided the design with the perfect opportunity to intervene with the existing built fabric in order to engage with the dissonance and extract any negative elements.

The strategic section through the northern façade of the building was done in order to undermine the position of the portico and the intimidation it imposed. This intervention allows for the public to move into the building without many restrictions. The courtyard created allows the building to open up to the surrounding urban environment and to mitigate the approach to the legal system.

The newly added spaces allows for flexibility and adaption that facilitate changes in the legal system in order to accommodate innovative justice mechanisms in the future. The newly created foyer circulation space towards the



new courts are lit and ventilated naturally, which creates an open and humane waiting area. The sum total works towards mitigating a process which inherently contains conflict and stress. The court itself is opened and made accessible through removing or mitigating all elements that might intimidate those who would like to approach.

The design considers the existing building, which is representative of an old discourse, and redefines it with contemporary meaning for a current community. The heritage of the past is celebrated while negative messages are mitigated. In doing so, an court accessible and democratic court is created, a court for people and their future.

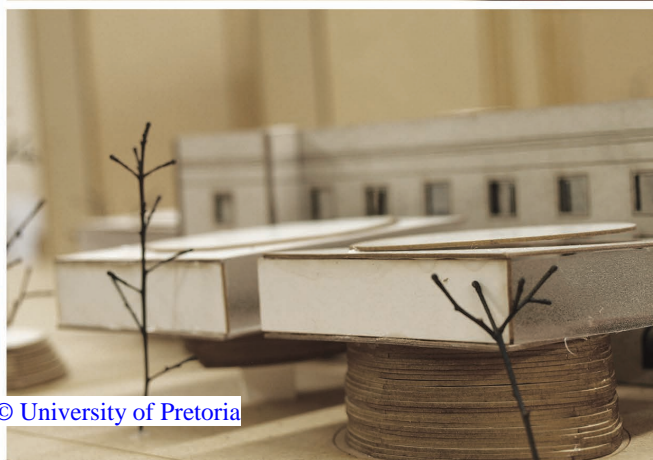
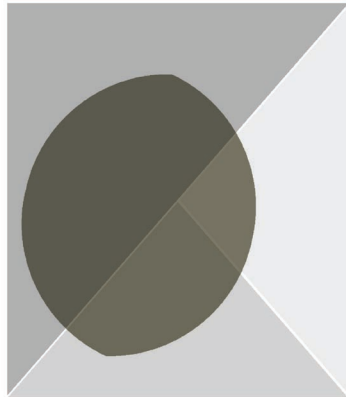




Figure 13_21 Perspective 5 & 6





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