

# Preserving. Architectural Heritage within the International Covenants and its Reflection in the Libyan Case

Husein AL derawe<sup>\*</sup>, Ashraf Laswad, Latefa Wafa

<sup>1</sup> architect.of.libya@gmail.com, <sup>2</sup> Ashraflaswad@yahoo.com, <sup>3</sup> Lwafa@yahoo.com

<sup>1</sup> Department of Architecture, College of Engineering, Elmergib University, Libya

<sup>2</sup> Department of Architecture, College of Engineering, Elmergib University, Libya

<sup>3</sup> Department of Architecture, College of Engineering, Tripoli University, Libya

\*Corresponding author:

## ABSTRACT

The architectural and archeological heritage are exposed to many damage factors that differ in terms of origin; act of nature, others because of the human works and the most serious infringements represented in the wrong and not well studied restoration process.

In the case of Libya; despite the historical and artistic diversity of its architectural heritage the preservation of which remains outside the priorities of legislators, which has led to cause various damage factors. In particular, the erroneous and misguided restoration processes, to distort many important architectural monuments which stood witness to many historical periods.

The purpose of this research is to emphasize that the international conventions of conservation are generate constitution of achieving their preservation and the importance of issuing a Libyan Charter that regulates the processes of architectural heritage in Libya according to the specificity of each case. This will be done through of a previous restoration study carried out on a single building at Leptismagna for ensuring its valuation within parameters of international conventions. Furthermore, the same situation should highlight on the distortion due to the miss-performed conservation processes.

To sum up, the study tried to ensure the priority of the conservation operations that were done according to the international conventions, and highlighted the failure of other operations that were done neither scientifically nor well-prepared. Therefore, this problematic issue was reflected negatively on the origins and value of the undertaken case study. In addition, the study highly recommended that the Libyan local authority should establish its own Libyan charter to deal with every individual restoration case with its specialty. The study also insisted that Libyan authority should establish a specific law(s) and penalties that should deal to stop later similar operations.

**Keywords:** Restoration, preservation, charters .

## 1. Introduction

Architectural heritage is of great historical value as a living conveyor of history as well as its artistic value. it has become a major source of income in many countries of the world. But this heritage is like any ancient monuments are exposed to many factors that lead to deterioration and distortion, but the archaeological holdings can be saved in museums that limit of its damage, unlike the archaeological buildings that are difficult to protect.

Accordingly, the specialists and who are interested in the fields related to antiquities on the world level with different opinions and directions to support their efforts to develop laws and regulations to control the processes for the restoration of architectural heritage to give it sustainability, and emerged the international conventions and treaties related to the preservation of the material human heritage as the fruit of their efforts.

## **2. International Conventions Related to the Preservation and Restoration of Monuments:**

Improper and unthought restoration is one of the most serious aspects of damage to any archaeological building, therefore, before any restoration work, it was necessary to study carefully to the legislation items concerning the preservation and restoration of archaeological buildings to get it out of it a summary that enable us to develop a sound and legal methodology to carry out a successful restoration process for the purpose of preserving the original character of archaeological buildings. Likewise, the development of appropriate solutions to treat what can be cured of the previous faulty operations and damages to the archaeological buildings.

The beginning of these covenants began with the beginning of the 20th century, after the destruction of large architectural monuments as a result of the nineteenth centuries.

There have been numerous national efforts to deal with architectural and urban heritage during the 18th and 19th centuries. However, they were aimed at serving local objectives. There were fundamental difference between the approaches to dealing with architectural and urban heritage during the 19th century, which ranged from the rejection of any form of restoration to the preservation of the inherited reality, and interfering with it in the same contemporary thought which it was designed for it to confirm its continuity.

There was also the need to protect the fixed and moveable heritage of destruction due to the different wars in Europe during 18th and 19th century. Perhaps the first ideas developed in this direction are "the law of states" developed by the Swiss judge "Emanerich de Vattel" 1758, who decided that, if any country is destroyed for any reason, care must be taken to preserve those objects that glorify human society and do not add to the enemy's strength, such as temples Cemeteries and public buildings. It was followed by the draft international declaration of laws and customs of war adopted by the conference called by the Russian Emperor "Alexander II after the Russo-French war the main idea of these efforts was that the antique is a general human property, not just the surrounding community, and that it must be protected even during wars and armed conflicts so that the invading forces became responsible for its protection [1].

The second half of the 19th century witnessed a national effort to preserve the urban heritage in different parts of Europe with different concepts between the reconstruction in France, the preservation of whole areas with the permission of new facilities as in Italy and the preservation of heritage in its historical state as in England. And there was a need for an international understanding on how to deal with urban and architectural heritage.

The most important of these efforts was the conference in "The Hague city" in 1899,1907, however these conferences did not place a specific collective responsibility on the international community that their application come be continued [1].

But that was not enough to lay the bases for limiting abuses that often occur unintentionally. The emergence of international conventions appeared in the decisions of the sixth international conference of Architects, held in Madrid in 1904. This was

followed by the international scientific efforts in several conferences, which led to the issuance of a large number of charters. Where the charter of Athens was issued in 1931, which is the beginning of the existence of international conventions and recommendations agreed upon by experts and specialists in dealing with the heritage and the real beginning of the development of the thought of preserving the architectural and urban heritage, because of the great shortness of Athens document and the lack of defaite methodology through which to deal with the heritage and ted to the need for more effort as the charters followed and associations and organization were established that have been concerned with the protection of human heritage of all kinds where the "International center for the study of the preservation and the restoration of cultural property " ICCROM" was established in 1956.

Efforts of UNESCO have continued through its General Assembly and the recommendations emanating from the seminars it calls for the establishment of the "International council on monuments and Archeological sites" ICOMS in 1964, while who shared in the conference considered that many of the problems encountered by the restorer were not addressed in the Athens charter. It was therefore necessary to review the principles of the Athens charter with a view to deepening them and expanding their powers in a new document to solve these problems therefore, the second conference of architects and technicians specialized in archeological sites was held in VENICE 1964 under the auspices of UNESCO and came out with 13 documents most notably the first charter Known as the International document for the restoration and reservation of monuments and historical sites, which constituted a qualitative and important leap forward in establishing clear and specific foundations and rules for any restoration work. Also, it becomes the most important documents related to the preservation of historical and archaeological sites and areas. Also, it becomes the main reference for the restoration and maintenance operations and the basis on which many international conferences and conventions were built, which have woven a clear scientific and technical approach to the restoration process [1].

### **3. The Most Important Issues Covered by International Conventions on the Restoration of the Historic Building**

The international conventions provided a set of specific laws which organize the restoration processes of archeological buildings in order to avoid any damage that may result from faulty and unplanned restoration operations :

- a. The architectural heritage represents a wealth that is a common property of the people, and these peoples must protect it from the dangers that threaten it [7].
- b. Historical sequence must be respected [4].
- c. The role and priority of sciences and techniques for studying and rescuing the antique monuments [5].
- d. Conservation and restoration must only be limited to authorized and specialized architects [3].
- e. Local authority should establish a general policy for the conservation and restoration of cultural and natural heritage [6].
- f. Documentation and proven methods [5].
- g. The decision of what must or must not be removed should not be a single decision, Venice [5].
- h. The selection of proper materials and techniques for later replacement and/or modification restoration operations [8].
- i. The restoration must be carried out strictly according to precise analytical study. In another words, restoration must be carried out away from assumptions and probabilities [5].

From the above mentioned, we conclude that the international conventions have confirmed the importance of heritage and set the specific criteria and control of the conservation process within the stages and priorities of the restoration process in all its aspects, so as to result in a process of preservation as successful as possible with emphasis on the specificity of each case. However, the application of these covenants remains a non-binding literary responsibility, particularly terms of faulty repair operations. This will be evident in the case of study.

#### **4. Articles of the Libyan law Regarding Archaeological Restoration Operations:**

The last updated Law on the Protection of Monuments, Museums, Old Cities and Historical Buildings in Libya is Law No. (3) of the year 1993 AD, which confirmed some of the articles issued in the previous laws. It contains six articles concerning the restoration of ancient cities and historical buildings. nevertheless, these articles are considered gelatinous and insignificant without the existence of technical determinants and criteria that determine and assess restoration processes according to the specificity of each restoration case. The fourth chapter of the same law is related to penalties. Accordingly, the mentioned penalties were not deterrent, and without exaggeration they're not encouraging, since the maximum penalty is not more than twenty thousand dinars, and the maximum sentence of imprisonment not exceeding one year.

#### **5. The Case Study :**

The selection was done of an important historical monument from the archaeological city of Libya as a campaign of restorations were carried out at different periods of time and the result were clearly different, and it was chosen to examine the scope of the commitment to what it contained in international conventions to maintain and reflect on the results of restoration operations.

In summary, all international legislations combine with the need to protect cultural property and lay the foundations and legal principles for implementing this.

The executive authorities should therefore put in their programs how to activate this legislation and enact laws and implement them in cooperation with the security and judicial services.

As a field study, The Augustical theater was chosen from the ancient city of Leptis which mainly support the above mentioned criteria of the case study. Therefore, a number of the restoration operations has been done on different periods of time and the results were clearly different. Accordingly, these restoration operations were chosen to examine the scope of the commitment to what is contained in international convention to maintain and reflect on the results of restoration operations.

##### **5.1. The Augustical theater historical background:**

it was built by one wealthy man from city of Leptis named "Hanbal Rufus " between 1-2 , and presented as a gift to Emperor Augustus. The theater in the imperial era is only a listening room to hear the music, but was using a little for playing drama, (figure 1).

##### **5.2. Its architectural and historical importance:**

The importance of the historical theater is built one of the wealthy Libyans of the time , which confirms that Leptis is not purely Roman city , but Libyans have a great role in its construction. And concerning its architectural importance is the creativity in the

architectural configuration of the building in addition to being one of the largest buildings in the city of Leptis and performing its function until today.



**Figure1:** general view of the Augusti theater(Authors,2018)

### 5.3. Factors of damaged suffered and resulting deterioration:

the Augusti Theater is considered to be one of the building close to the sea, which has been exposed to many destructive factors such as erosion caused by winds and weathering, growing of vegetation and shrubs, as well as seawater filtration, which lead to deterioration of the building and damage its basic structure.

All these factors make it necessary to pay attention to its restoration and maintain it periodically and continuously, making it susceptible to wrong and unskilled restoration.

### 5.4. The restoration works that were carried out on the monument:

The stages of restoration can be divided according as its history to three historical stages starting from 1937 – 2001.

Note: (the most we can talk about in this regard, that there not monitoring ... these monuments for the area of Leptis and the ministry of reports or documents of the restoration operations that have been conducted on the monument whether old or modern and these is only one book in the scientific library in Italian Language detailing the exploration & restoration carried out from 1937 – 1951. As for the modern restoration it has no documents except for some photographs).



**Figure 2:** The part found from the theater during the excavation and exploration [5].

- The first restoration process: began with excavation in 1937 the theater works continued for 14 years until 1951, in which the general shape of the building was substituted according to the materials found. The excavation of the building, which was prepared by the Italian team was commissioned to prepare preliminary studies of the

restoration process. This is because most of the building materials disappeared & were destroyed as a result of the damage factors and thefts that the city exposed to it during different ages (figure 2), which forced these who are responsible for restoration process to make the decision to using building materials from the residential and service buildings in the city. As for the materials found it has Lost large parts of its features and therefore the team specialized in restoration and maintenance of the stones has paid effort to repair them and trying to restore their original form to be returned to their place [2], (figure 3).



**Figure 3:**restoration of the building stores found in the excavations[5].

Despite the preparation of preliminary studies and perception of the architectural form of the theatre, it was not delivered from some of the violations to the restoration although a few in total and do not violate international conventions. The use of cement was warned only in the Venice convention in 1964. We note the use of cement mortars in the rear entrances and their negative effect on the finishing layers and building stones. The chemical reactions that occur in the cement mix change the colors of the building materials and the finish formed over time as well as the erosion of the stones and the deterioration of the stones, (Figures 4).



**Figure 4:**Effect of using cement mortar on building blocks[5].

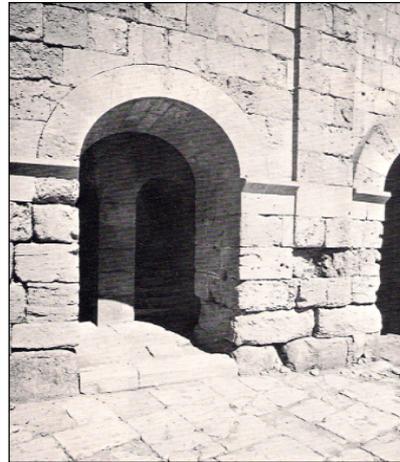
As well as the restoration of the vaults and the collapsed arches. The parts that found materials were rebuilt and the materials lost were replaced with good materials that fit in shape with the original materials. Materials of the same building were used, and white cement with sand was used, therefore these processors still exit so far after more than fifty years (Figure 5, 6).

After the reconstruction of the theater on the situation in (Figure 7), although some of the distortion of the area under the upper columns restored in a way that acquired a modern appearance, work processes were stopped at this point because the building materials are no longer available and continue to work to get the building to the situation as it was put into the study, which will somehow lead to the production of a building that may be a monster for the original building. This is stated in Article 9 of the Venice

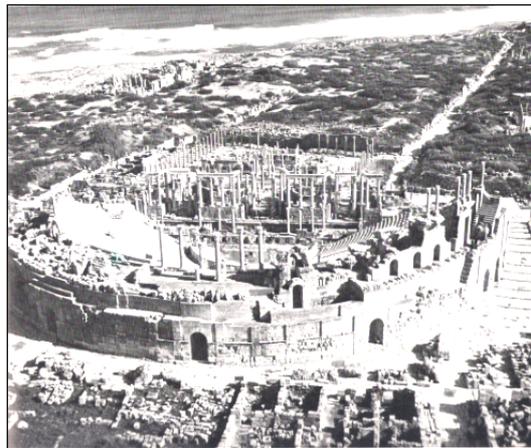
charter of 1972, which stipulates that "the repair should stop when the guesswork begins".



**Figure 6:** The current appearance of the arc with same old treatment, (Author-2018).



**Figure 5:** Treatment of arcs using materials of the same original building material [5].



**Figure 7:** The The situation in which the first restoration process has stopped[5].

- The second restoration process: after the completion of the initial restoration, did not occur any important restoration operations, but were cases of treatment to the existing situation as a result of the factors of degradation that did not stop to this monument. We do not exaggerate if we said that it is sabotage rather than restoration, as it was not in the hands of specialists, no appropriate materials was used and was not documented, mostly using mortars and cement concrete, where many of the walls and stones that suffered from sludge and crumbled were restored by using black cement, which in turn led to worse situation by occurring holes in these stones. This was because of destroying and dispersing the remaining finishing layers over time. The worst was the distortion of the architectural character of the monument by the color of the materials used in the restoration, which appear to be irregular to the building, (Figures 8,9).



**Figure 9:** The use of black cement and paint it with a contemporary paint,(Authors,2012)



**Figure 8:** Using concrete in the floors and surfaces,(Authors,2012)

- The third restoration process: it was the last restoration operations carried out on the theatre and it was in 2001. It was decided by the tourism sector, and the administration decision was not subject to any of the scientific and technical conditions. No preparatory studies were done, and it was carried out by non-specialists or trained staff where the roof of the eastern entrance of the theatre and the vault leading to the orchestra area was restored using concrete block and reinforcing steel, (Figures10,11).

After restoration of the eastern entrance to the theater, there was a great controversy by the interested and specialists in the field of archeology to the extent of submitting complaints to UNESCO, but the process of restoration did not stop, and the restoration of the western entrance continued by using the limestone block and cement mortar as a bond and then poured concrete above it as a different treatment from was carried out on the eastern entrance, but these



**Figure 12:** Using the limestone bricks to roof the western entrance of the theatre [10].



**Figure 11:** Using concrete and reinforcement steel in the roof of the eastern entrance of the theatre[10].



**Figure 10:**Using the cement block in the theater[10].

treatments were the implantation of cancerous tumor within the body of the building, even the attempt to replace it will lead to collapses and smash in the structure of the building, (Figure12), [10].

The wall of the external walls of the theater were reconstructed with cement blocks and was covered with black cement mortar and was decorated with random lines without taking in consideration the old lines of stones and treatments as a kind of an attempt to give the impression that it was a building of stones and then pain



**Figure 14:** *The outer wall of the theater after its restoration (Authors, 2012)*



**Figure 13:** *The outer wall of the theater before its restoration[10].*

ted with colors compared to the stone color and then the crystallized salts appearing on the wall surfaces and the building turned into a monster that had nothing to do with the original form, (Figures 13,14,15 and 16).



**Figure 16:** *That produced by using cement material (Authors, 2018)*



**Figure 15:** *Using the cement blocks in the restoration of outer wall (Authors, 2018)*

## 6. Summary of the case study

Through the previous presentation regarding the restoration process of the Augusti theater in the archaeological city of Leptis, the evidence that the first restoration of the monument after the completion of excavation and exploration, which although it was in an advanced time in 1937 where did not appear except some of the conventions and agreements, but it was according to a scientific approach based on steps and stages predetermined for all aspects that would affect the process of restoration. But later there were no major restoration, where most of the operation that are taking place were restoration for the purpose of prevention, and it was more destructive than restoration and has not been subjected to any scientific and technical basis, although it was at a later period after the emergence of the most international conventions to preserve the relics. The last major restoration operations that the monument subjected to was in 2001, which was not based on any scientific or technical study, but was a decision by the tourism sector which was performed by one of the construction contractors.

## 7. Conclusions

All international legislation agreed to the need to protect cultural properties. Also, it emphasized the importance of the heritage and set criterion to evaluate it.

In addition to establishing the principles and technical bases to protect and preserved it in the form of international charters in order to control the preservation process within the stages and priorities of the restoration process in all its aspects with emphasis of each case. However, the Libyan Antiquities Law, despite the obvious infringements of the architectural monuments due to the erroneous and unthought restoration processes, which has distorted and lost some of its features, is still limited to the development of legal texts that impose deterrent penalties to limit these infringements. International covenants remain a literary responsibility and not mandatory to apply, especially with regard to faulty repair operations. Moreover, the articles of the law relating to antiquities remain loose unless the competent technical authorities referred to in the articles o the Libyan antiquities law in its articles regarding the restoration operations set clean technical parameters and standard which can be invoked according to the specificity of each case.

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