

HERITAGE WESTERN CAPE

DRAFT GUIDELINES FOR PUBLIC MONUMENTS AND MEMORIALS

Adapted from the "Public Monuments and Memorials Project by SAHRA for DAC" 2003) and amended following the public consultation meeting held at Freedom Park on 17 April 2015 on the Transformation of the Heritage Landscape in South Africa)

VERSION 5: Dated: 10 June 2015

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"Our heritage celebrates our achievements and contributes to redressing past inequities. It educates, it deepens our understanding of society and encourages us to empathise with the experience of others. It facilitates healing and material and symbolic restitution ... "

The Preamble to the National Heritage Resources Act (NHRA) (para 2) seems to have been written specially for monuments and memorials, which should demonstrate, visibly and publicly, all these qualities.

1. DEFINITIONS

"cultural significance" means aesthetic, architectural, historical, scientific, social, spiritual, linguistic or technological value or significance

"HWC" means Heritage Western Cape, the Western Cape provincial heritage resources authority established in terms of the National Heritage Resources Act, 1999 (Act 25 of 1999)

"local authority" means means a municipality as defined in section 10B of the Local Government Transition Act, 1993 (Act No. 209 of 1993)

"planning authority" means an office of the State, including a province, a local authority or a regional authority, which is invested with a physical planning capacity

"national estate" means the heritage resources of South Africa which are of cultural significance or other special value for the present community and for future generations as set out in section 3 of the NHRA

"NHRA" means the National Heritage Resources Act, Act 1999 (Act 25 of 1999)

"public monuments and memorials" means all monuments and memorials

- (a) Erected on land belonging to any branch of central, provincial or local government, or on land belonging to any organisation funded by or established in terms of the legislation of such a branch of government, or
- (b) Which were paid for by public subscription, government, funds, or a public-spirited or military organisation, and are on land belonging to any private individual

2 PRINCIPLES

Public monuments and memorials have cultural significance or special value and are therefore considered to be part of the national estate. They are protected as heritage resources (section 27 or 37) and managed, generally, through placement on the heritage register.

This guideline recognizes the ability of public monuments and memorials to reflect the whole of South Africa's history and to express the identity of the nation which includes different cultural groups.

Public monuments and memorials have a capacity for redress of past inequities. This guideline aims to provide principles for managing existing and creating new monuments and memorials and to establish processes for identifying, assessing and managing monuments and memorials.

3 IDENTIFICATION

This guideline deals with structures, memorials, statues erected on public or privately owned space (including their plinths) and other immovable objects which commemorate a person, group, organization or event and are situated on public or private open spaces.

Monuments and memorials should be included when an inventory is compiled by the planning authority (see section 30(5) of the NHRA) or at the initiative of HWC if it is of the opinion that such a need exists, taking into account the guidelines for grading of heritage resources in HWC's *A Short Guide to Grading* to propose a grading of each monument or memorial, taking their significance into account. This inventory should be submitted to HWC, which shall list those heritage resources which fulfil the assessment criteria in the heritage register.

The grading of monuments and memorials will determine who the responsible heritage resources authority is, and in many cases this could be the local planning authorities if deemed competent.

As part of the national estate, monuments and memorials throughout the country, in urban and rural areas, are therefore to be identified and recorded.

4 ASSESSMENT OF CULTURAL SIGNIFICANCE

Monuments and memorials may have cultural significance in their own right as structures, and/or their significance may reside in the person(s) or event they commemorate. Cultural significance, as based on the NHRA and applied to monuments and memorials, includes:

- the potential to yield information that will contribute to an understanding of South Africa's cultural heritage (section 3(3)(c)).
- particular aesthetic characteristics valued by a community or cultural group (section 3(3)(d)). strong or special association with the life and work of a person, group or organization of importance in the history of South Africa (s 3(3)(n)).

Perhaps most important, and present in all monuments and memorials, is the intangible aspect which is the basis for the tangible - the actual monument or memorial. The artist should employ symbolism that can communicate over time and across different cultures.

4.1 Individual monuments and memorials

A checklist of information about individual monuments and memorials is necessary to establish their cultural significance. It can be used for various types of monuments and memorials, eg statues, obelisks, plaques.

Further criteria that can be applied to determine the grading of monuments and memorials and consequently protection and responsibility for their management are intrinsic, comparative and contextual significance.

4.1.1 Artistic or aesthetic value

- Artist who made/created/designed it
- Type/style/design
- Quality of materials, workmanship, technical achievement
- Visual characteristics, impact, appropriateness (abstract/representational, scale)
- Artistic symbolism that can be understood
- Ability to communicate across different cultures
- Cultural groups / part(s) of the community by whom the values are shared

4.1.2 Historical, social and political value

- History of the person, group, organization or event that is commemorated
- The message that the monument or memorial was intended to convey at the time; to what extent it succeeded (Queen Victoria = colonial domination; war memorial = honouring the dead, gratitude for *their* sacrifice for their country)
- The current knowledge/understanding/meaning of the monument or memorial; has it changed from the original. Is a different message now being conveyed
- Date when was it put up, at whose suggestion it was erected, who paid for it, unveiled by whom
- Has it been relocated at any time of its existence? Why was it relocated to the present site?
- The part of the community by which the monument or memorial is valued
- Language(s) of the inscription or dedication, and is it inclusive (eg war memorials)

4.1.3 Environmental and spatial qualities

- Relationship (or lack of) between who or what is being commemorated and the place where the monument or memorial stands
- Original site of the monument or memorial, the reasons for the placing of the monument or memorial at that site or its earlier relocation to its current site
- Any significant changes in its environment and its spatial qualities since it were erected?
- Significance or not of orientation
- Spatial or other relationship of the monument or memorial with any other or with features in its vicinity
- Appropriateness of environment/landscape

4.2 Public monuments and memorials as a collection

Taken together as a collection, monuments and memorials can be assessed in much the same way as individual ones. Connections between and repetition of commemoration of person(s) or events in different places must be established and taken into consideration (see 6.1 below). The reasons for

repetition (or duplication) or monuments or memorials should be established; it may be that the person(s) played an important part in or the event affected several parts of the country.

Representivity of monuments and memorials as a collection (locally and across the province) should be assessed and taken into consideration (see 5.1 below). War memorials, particularly for the First and Second World Wars, can be found in most towns and cities. They are memorials to those who died outside the country while fighting for it, whose bodies have not been repatriated. Some of them have rolls of honour which list the names of those who died and others have only a general dedication. Both of these should be inclusive.

5 MANAGEMENT OF MONUMENTS AND MEMORIALS BY VARIOUS AUTHORITIES

5.1 Protection and grading

Protection of monuments and memorials as heritage resources is "in the same manner as places entered in a heritage register" (section 27 or 37), i.e. Grade 2 or 3 (see above under 4). They would therefore be managed by a HWC or the local authority which should make by-laws in terms of the national policy and the NHRA.

Monuments and memorials situated in a national heritage area or a national heritage site will be managed as part of that national area or national heritage site. A monument or memorial that complies with the criteria may be Grade 1 in its own right. In both this case it would be managed in terms of an agreement between Heritage Western Cape and SAHRA.

5.2 Responsibility for maintenance

The condition of the monument or memorial and the place where it stands, the landscaping, and information or interpretation provided at the monument or memorial can influence the perceptions of viewers, that is, add to or detract from their understanding and enjoyment of a monument or memorial.

Maintenance and repair of the monument or memorial and the land on which it stands are the responsibility of the owner of the monument or memorial and of the landowner respectively unless another agreement is in place. Overall management responsibility lies with the heritage resources authority or local authority, which should establish, record and keep up to date the information about ownership and responsibility.

Should a monument or memorial be defaced, or when it requires maintenance, care should be taken when it is cleaned to ensure that the correct cleaning and conservation methods are used.

The owner or, where it is any sphere of government (local, provincial or national) or public body should ensure that a conservation management plan for each monument or memorial is developed. This should include maintenance, repair, cleaning, etc. that is aimed to conserve the cultural significance of the monument or memorial for educational, aesthetic and tourism purposes.

5.3 Consultation

There is a strong requirement in the NHRA for consultation by the responsible authorities with relevant conservation bodies registered with HWC or the local planning authority. In view of the sensitivities concerning the possible removal of monuments and memorials from their current positions and the public's reaction, the widest possible consultation should be undertaken by the applicant where applications for any removal or alteration are considered. The same should apply where proposals for new monuments and memorials are to be considered.

Especially when there is conflict about a monument or memorial it is advisable that current public opinion should be widely canvassed in the media and by means of meetings, etc. Public perceptions and reasons for them, as well as any discrepancies with the cultural significance must be noted by the responsible authority. Stakeholders such as people who have contributed financially to the monument or memorial have a right to be consulted.

5.4 Decision-making

5.4.1 Local planning authorities and local authorities

According to section 30(11) of the NHRA the local authority considers applications for any alteration to a monument or memorial that does not fall within a provincial or national heritage site, and it must consult the owner(s), planning authority, the heritage resources authority and relevant conservation bodies / non-government organizations. It must also act according to this guideline, its own relevant protective provisions and the spirit of the NHRA.

Applications and proposals must be submitted in writing with the necessary information and must be properly motivated. The application should include, as far as possible, supportive research and a statement on the cultural significance of the monument or memorial as well as the outcome of any public consultation processes undertaken by the applicant. Proposals for individual monuments or memorials must be considered on their own merit and in relation to any implications for the representivity of the collection whether relevant at a local, regional or national context.

The cultural significance must be assessed (see 4 above) and must be a determining factor when alterations are being considered. It is vital that intangible values and any symbolic or other connection between the monument or memorial and its site be acknowledged. When an application or proposal is to be considered by a local authority it could consider the appointment of an advisory panel of experts, including qualified specialists from the fields of art/sculpture/public art, town planning, history (including local, social, military), and culture/heritage as well as political and religious leaders.

5.4.2 Heritage Western Cape, the Western Cape provincial heritage resources authority

HWC will consider all applications in terms of section 27(18) of the NHRA for the possible destruction, damage, defacement, excavation, alteration or removal from its position of a monument or memorial situated on a provincial heritage site through its normal application processes. Applications will only be considered if they comply with all the HWC requirements and

public consultation processes have been concluded. Applicants must indicate what the intention is regarding the proposed future position and care of the monument or memorial should the application be for the removal from its current position and who will be responsible for the future care and maintenance of the monument or memorial.

5.5 Presentation and promotion

Heritage resources authorities and local authorities must co-ordinate the presentation and use of places of cultural significance "for public enjoyment, education, research and tourism" (s44).

Information about monuments and memorials should be available both at the site (e.g. story-boards) and at central points such as tourist information offices and libraries or posted on websites or tourism sites. Where there is a local collection of monuments and memorials they may be marketed as a route or urban trail which will take viewers through interesting parts of a town or city to see monuments or memorials which "tell" the story of the place, or are unusual examples of a theme, etc.

In the extreme case where a monument or memorial is removed from its position, a suitable plaque should be placed to mark the position and relevant information pertaining to the monument or memorials position at the site. Care should be taken to ensure that the plaque be manufactured from suitable material and that it is installed in a suitable manner to ensure longevity and possible vandalism.

6 REDRESSING PAST INEQUITIES

It is clear that existing public monuments and memorials do not reflect the whole of South African history, nor do they express the identity of the nation which includes different cultural groups. To redress the balance ("to take action to restore equality in a situation") the first steps for local communities and authorities are to reconsider existing monuments and memorials and to create new ones (see 6.2 below).

6 .1 Review of existing public monuments and memorials

While feelings and emotions play an important part in people's responses to monuments and memorials and must be taken into account, it is equally true that little is generally known about existing monuments and memorials, which are then judged only according to perceptions.

In reviewing monuments and memorials the responsible authorities must establish the cultural significance, consult the public and follow procedure/process (see 5.3 and 5.4 above). Hasty decisions may have far-reaching consequences and are to be avoided. The options described below should be investigated in turn to find the least intrusive and most effective way of redressing the balance. The monetary costs of alteration must be investigated and factored in to decision-making.

While each application must be assessed on its own merits, in general it is better to reinterpret than to relocate and better to relocate than remove.

6.1.1 Reinterpretation, promotion and education

To improve or enhance understanding of monuments and memorials the first option must be to provide supplementary information about the cultural significance at the site of the monument or memorial. This is in line with presentation (see 5.5 above). Historical facts and new interpretation of the significance of the person(s) or event that is commemorated will assist viewers and visitors to understand and make their own judgement about the monument or memorial.

6.1.2 Relocation

When a monument or memorial is thought to be contentious or offensive the nature of and reason for the complaint must be stated. Any proposal that implies an alteration (such as relocation or removal) must be considered by the responsible authority (see 5.3 and 5.4 above) after consultation with the affected communities and parties and the costs associated with the relocation, together with the plinth, should also be established and budgeted for. The necessary authority (permit) should be granted by HWC or the local authority for the proposed relocation. It would be advisable to ensure that suitably qualified persons be employed to oversee the relocation of the monument or memorial.

If a monument or memorial has no inherent connection with the place where it stands or if it has previously been moved from somewhere else, or the environment in which it stands has changed, relocation may be appropriate. The place to which a monument or memorial is to be moved should have some connection with it and should provide a suitable environment for it to be viewed and enjoyed.

6.1.3 Removal

When a monument or memorial is found to be contentious or offensive when assessing the cultural significance thereof, the nature of and reason for the complaint must be stated. Any proposal for removal implies an alteration and must be considered by the responsible authority (see 5.3 and 5.4 above).

Only in exceptional circumstances may removal or demolition be contemplated as a last option. At the place from which a monument or memorial has been removed the reason for the removal and at the place to which it has been relocated should be recorded. Furthermore, removal can only take place after consultation with the affected communities and/or parties have been concluded, and the costs associated with the removal, together with the plinth (where applicable), has been established and budgeted for and the necessary authority has been granted for the removal by HWC or the local authority. . It would be advisable to ensure that suitably qualified persons be employed to oversee the documentation prior to removal and the actual removal of the monument or memorial.

It may be advisable to establish a suitable, safe place(s) to which these controversial monuments or memorials may be moved and where they can be viewed by members of the public who wish to go to see them.

6.1.4 Reinstatement

Careful consideration should be given to what happens at the place from which a monument or memorial is to be (re)moved. Information about the relocation or removal from the place should be provided (e.g. story-board) and the landscaping should be adapted as appropriate. Generally replacement with another monument or memorial is not advisable as it may give offence.

6.2 New public monuments and memorials

Creation of new monuments and memorials to commemorate persons and events that have not yet been honoured publicly in this way may be considered a form of redress and transformation. Nominations of person(s) or events to be commemorated may be submitted by anyone for consideration HWC. Nominations must be in writing and include background information about persons or events and the place proposed for the commemoration. The motivation must include proposed sources of funding for creating the monument or memorial.

In considering nominations and selecting from among them, authorities must refer to criteria for its cultural significance (see 4 above). Practical matters such as funding, management responsibility, sustainability and ownership of potential sites must be taken into consideration. Commemorations of living persons and nominations that are likely to give offence should be avoided. A process of consultation, selection and decision-making as in 5.3 and 5.4 above should be followed.

7. APPLICABILITY OF THIS GUIDELINE

This guideline should apply to decisions made by HWC and should guide local planning authorities in the Western Cape in developing policies and procedures to deal with monuments and memorials at local level.