PRESERVING ARCHAEOLOGICAL SITES AND MONUMENTS

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Contents

Summary

The historical development of the study and protection of the archaeological heritage is described, starting in Renaissance Rome. The work of sixteenth and seventeenth century antiquaries in northern Europe led to the first law to protect the heritage, in Sweden in 1666. With the development of systematic scientific studies during the Age of Enlightenment in the eighteenth century, the scene was set for the expansion of heritage survey and legislative protection in the nineteenth century.

Professional agencies were set up to implement this legislation. The situation at the end of the second millennium is described. International and national statutory instruments are described, as are the agencies responsible for their application, and these are classified according to their specific national remits.

Acute and chronic threats to the archaeological heritage are detailed, with examples. Finally, the situation regarding the archaeological heritage and its protection in the future is analyzed. Economic and political changes are intensifying the threats to the heritage, but there are grounds for cautious optimism. However, looting of archaeological sites, both terrestrial and underwater, shows little signs of decreasing because of the strength of the international market in illicit antiquities.

1. Historical Introduction

1.1 The Pioneers

Archaeology, sites, monuments, and heritage are relatively recent concepts. Recognition of the cultural value of structures and artifacts produced by earlier peoples and generations was slow to develop; it did so in several parts of the world. During the Han Dynasty, in the first century BCE, Chinese rulers began to amass collections of ancient artifacts, and certain Roman Emperors, notably Hadrian (117–38 CE), deliberately set out to protect and preserve monumental structures from past epochs, such as Pharaonic Egypt and classical Greece. However, these actions need not necessarily be interpreted as conscious attempts at heritage management: in both cases they may well have been motivated by a mixture of religious, philosophical, political, and aesthetic objectives.

The systematic study of the material remains of the past and deliberate actions designed to ensure their conservation began in Europe with the Renaissance, when the revival of learning led to a better appreciation and reintroduction of the values of classical antiquity. In Rome the artist Raphael (Raffaello Santi: 1483–1520) was given the title of Prefect of Marbles and Stones by Pope Leo X in 1515 and instructed to initiate a survey of the monuments of the city. His report four years later set out in meticulous detail the requirements of such a survey, which was later carried out by other Papal functionaries. From this time onwards the buildings of Imperial Rome and the marble statuary and facings that decorated them were no longer treated as no more than quarries for ornamenting the palaces and churches of the Papacy and its Curia or as sources of material for their lime-kilns or foundations.

At around the same time a second movement was developing in northern Europe, which also made a significant contribution to the growth of the modern heritage preservation movement. Knowledge of the work in Italy in studying and recording antiquities slowly filtered northwards: one of the most outstanding figures was French scholar Nicolas Fabri de Peiresc (1580–1637). However, those lands that had not been influenced by Roman culture offered little scope for such studies. Emphasis was therefore directed towards the landscape and in particular to the many field monuments from earlier periods, such as earthworks and stone settings, that were still widely visible at that time. Early buildings such as castles, monasteries, and churches, the origins of which owed nothing to classical models, also became objects of intensive study and recording. John Leland (1506–52), appointed King's Antiquary by Henry VIII in 1533, traveled ceaselessly around England, and his meticulous records provided the model for his successors, such as William Camden (1551–1623), whose monumental work *Britannia,* published in 1586, was the first general guide to the antiquities of a single country. Its subjects ranged from prehistoric stone circles (notably Stonehenge) through Roman

ruins to Saxon work preserved in later churches. Others working diligently in the seventeenth and eighteenth centuries included Robert Plot (1640–96) and Edward Lhwyd (1660–1708) in Wales and John Aubrey (1626–1697) and William Stukeley (1687–1765) in England.

Similar studies were carried out by peripatetic scholars in other northern European countries. Ole Worm, or *Olaus Wormius* (1588–1654), published several works on the antiquities of Denmark, in which he identified direct links between monuments and history. As a result of his efforts a Royal Decree was issued in 1626 to all the Danish clergy, requiring them to provide reports on all the historical remains in their parishes. In Sweden, Johan Bure, or *Johannes Bureus* (1568–1652), spent much of his long life touring that country studying antiquities and in particular runic inscriptions. He was to become the first holder of the post of Royal Antiquary (*Riksantikvar*), the oldest post of its kind in the world. Olof Verelius was appointed to the first university chair of antiquities in the world, at the University of Uppsala, in 1662.
The title of "antiquary" was adopted around this time by those carrying this type of survey and recording work. In France the Benedictine monk Bernard de Montfaucon (1655–1741) was the leading figure; early paleographic and philological studies led him on to the study of antiquities, culminating in his seminal *L'antiquité expliquée et représentée en figures* (1719). Other French antiquaries were encouraged by de Montfaucon's work to undertake the systematic survey of the historic landscape. The towering figure was Anne Claude Philippe de Turbières, Comte de Caylus (1692–1765), the final volume of whose monumental *Recueil d'antiquités égyptiennes, étrusques, grecques et gauloises*, published in 1767, contained the first comprehensive survey of prehistoric and Gallo-Roman field monuments in France.

The Age of the Enlightenment in the eighteenth century saw scholars in many European countries attempting to analyze and classify the whole of nature and human life. The work of the *Encyclopédistes* and of the Swedish naturalist Carl von Linné (1707–78), better known as Linnaeus, profoundly influenced the antiquarians. One of those who adopted their approach was Christian Jürgensen Thomsen (1788–1865), the first curator of the Danish National Museum (formerly the Royal Cabinet of Curiosities). When he was appointed to this post in 1816, he found it necessary to adopt a logical system of presentation for the many thousands of ancient artifacts in this somewhat haphazard collection. Using the methodological approach of Linnaeus he displayed these according to the material from which they were made, which he correctly identified as having chronological significance. The result was the "Three Ages" system of Stone, Bronze, and Iron Ages, which form the basis of modern prehistoric studies.

1.2 The Growth of Legislation

Olof Verelius was appointed Swedish Royal Antiquary in 1666, and he was instrumental in promoting the promulgation of a Royal Proclamation in the same year. This was the first formal legal instrument in the world relating to the preservation of the archaeological heritage. It decreed that all the field monuments in the Swedish Kingdom (which at that time included Finland) were the property of the Crown, which undertook to protect and preserve them in the name of the Swedish people, as part of their heritage. It conferred strict controls—over all forms of intervention—on such monuments. A

second Royal Proclamation followed three years later, which extended this protection and control to all "portable" antiquities, that is, artifacts of all kinds. It is interesting to note that under this legislation *all* antiquities, whether monumental or portable, were included even before they had been discovered; thus, from the moment of their discovery they were protected and became Crown property.

The next European state to introduce heritage protection legislation was the Kingdom of Naples, in 1738. The discovery of the buried cities of Herculanaeum and Pompeii led Charles IV, the Bourbon King of Naples, to assert Royal ownership of all buried materials and sites in his kingdom, as was already the case for some seventy years in Sweden. This statute provided the basis of protection legislation in the whole of Italy after unification in 1860, along with a Papal law of 1802 relating to the preservation of monuments and of works of art.

These pioneer academic and legislative activities spread progressively in various parts of the world in the course of the nineteenth century. Systematic field survey and recording developed in countries such as Britain, Denmark, Germany, and India. At the same time awareness of the adverse impact of late eighteenth century agrarian improvements and reforms on the remains of the past resulted in the enactment of preservation legislation. A Danish Chancellery Declaration in 1807 adopted the Swedish model, and a number of German states enacted similar legislation in the first half of the nineteenth century. These include Mecklenburg in 1804, Bavaria in 1812, Prussia (which was to serve as the basis for German legislation after 1870) in 1815, Hesse-Darmstadt in 1818, Württemberg in 1828, and Baden in 1837. The Austro-Hungarian Empire had its first law in 1850. Legislation outside Scandinavia was considerably less comprehensive, but nonetheless it laid the foundations for more effective preservation and protection.

Greece enacted its first monument protection legislation (1834) four years after winning its independence from Turkey. The cultural significance of such an action is clear from its fundamental premise, namely that "all objects of antiquity in Greece, being the productions of the ancestors of the Hellenic people, are regarded as the common national possession of all Hellenes." The United Kingdom had to wait until 1882 for its first Ancient Monuments Protection Act, although somewhat paradoxically protective legislation was introduced into British India as early as 1863. There was no preservation legislation for archaeological monuments in France until 1913 (although the protection of historic buildings had begun in the mid nineteenth century). The earliest Japanese legislation, the Law for the Preservation of Ancient Temples and Shrines, was enacted in 1897 and the United States waited until 1906 before its Federal Antiquities Act came into force.

Their pre-hispanic civilizations were highly symbolic for the cultural identities of the countries that emerged after the independence struggles in Latin America during the first half of the nineteenth century, just as its Hellenic past grandeur was the material expression of Greek national identity. It is therefore not surprising that preservation of the remains of these cultures was given a high priority by the new nations. Four years after Mexico achieved independence in 1821 the first law to preserve and protect the country's archaeological heritage was passed. In the same year that Peru shook itself

free from Spanish rule (1822) a Supreme Degree was published, forbidding any trade in ancient relics.

By the outbreak of World War I in 1914 almost every European country (with the notable exception of Belgium) and most of the major countries around the world had some form of antiquities protection and preservation legislation. Legislation had also been introduced by European colonial powers in many of their overseas territories; in some cases, such as France, the metropolitan statutes were enforced in their colonies.

The Treaty of Versailles saw more new nations being created in Europe, and here once again preservation legislation was introduced soon after their constitutions had been approved, usually based on the systems of the major countries such as Austria-Hungary from which they had been formed.

The inter-war period saw legislative protection being progressively amended and expanded in many parts of the world. New antiquities laws were enacted in Denmark, Greece, and the United Kingdom in the 1930s. Two major statutes, covering the protection of the cultural and natural heritage respectively, were promulgated in Italy by the Fascist regime just before the outbreak of World War II; interestingly, both are still force in 2001.

The 1897 Japanese law was extended to all "national treasures" in 1929. The current legislation relating to the cultural heritage in Peru stems from a basic law passed in 1929, and a 1927 law covers the cultural heritage of Bolivia.

The creation of the USSR and the introduction of a socialist constitution led to state ownership of all cultural property being declared in a fundamental law of October 1918. (Unlike the laws of countries emerging from colonial domination, this was motivated for ideological reasons rather than in the interests of cultural identity.) The antiquities legislation of all the countries of the post-World War II socialist bloc of central and eastern Europe, as well as that of other socialist countries such as the People's Republic of China, North Korea, Vietnam, and Cuba, were modeled on the basic Soviet legislation.
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The former colonial territories of Africa and Asia introduced protective legislation, often modeled on that of their former overlords, as soon as they achieved independence. The former British colonies in particular adopted similar laws, based on what became known as the "Westminster Model" constitution. The legislation of the British Raj was retained until improved legislative protection of the cultural heritage of India was introduced.

The second half of the twentieth century witnessed a continuous process of extending and improving heritage legislation across the globe. New or amended laws have been adopted by national legislatures in at least one country each year. At the international level work begun between the two World Wars by the League of Nations resulted in the 1970s in the promulgation by UNESCO of two important international conventions designed to protect and preserve the cultural heritage, whether cultural, natural, or portable. Regional bodies such as the Council of Europe prepared similar conventions.

1.3 The Growth of Institutions

If legislation is to achieve its objectives, there must be resources, both human and material, to ensure that it is properly implemented. The earliest "heritage managers," to use the current terminology, were appointed by Renaissance Popes, as in the case of Raphael cited above. Rome witnessed the execution of projects for the restoration and conservation of its monuments continuously from the sixteenth century onwards, overseen by different commissions and carried out by artists and architects such as Antonio Canova (1757–1822). Other cities and states in pre-unification Italy, such as Naples, saw similar programs being carried out.

Variations of this model were adopted by a number of European countries in the late eighteenth and early nineteenth centuries. Commissions of experts were set up, drawn from the academic world, the work being executed by architects and conservators for specific contracts. Before long it became clear that full-time professional officials would be required as concern for antiquities grew and the workload of the commissions expanded. From the beginning architects played a crucial role in the development of what is now known as heritage management. The distinguished German architect Karl-Friedrich Schinkel (1781–1841) was instrumental in setting up a full-time organization for protecting and conserving monuments in the scattered territories of the Kingdom of Prussia. It was not until two years after his death in 1841, however, that the first professional Conservator of Artistic Monuments (*Konservator der Kunstdenkmäler*) was appointed. The post of *Inspecteur général des monuments historiques de la France* was created by Louis-Philippe shortly after his accession in 1830. The second *Inspecteur*, appointed in 1834, was Prosper Mérimée (1803–1870), better known as the author of *Carmen* but memorable for having saved the Roman and medieval defenses of Carcassonne from demolition.

German conservators provided the first professional advice to the new Greek state after 1830. The first General Conservator to be appointed was a Greek, Kiriakos Pittakis (1798–1863), but he was supported by Danish and German architects. An Imperial Archaeological Commission with its first full-time inspector was established in Russia in 1859.

The appointment of Verelius as Swedish *Riksantikvar* in 1666 saw the beginning of the distinguished Scandinavian professional tradition. During the nineteenth century the Swedish and Danish heritage protection institutions made effective use of the talents and interests of the leisured educated middle classes (clergymen, teachers, retired army officers) for surveying and recording activities. Denmark witnessed not only the evolution of museology but also the application of field survey on a systematic national scale. After Jens Jakob Asmussen Worsaae (1821–1885), who had worked with Thomsen (whom he succeeded in 1865) at the National Museum, was appointed Inspector-General of Antiquities in Denmark in 1847, he traveled over the entire country in the years that followed, ceaselessly recording monuments of all kinds. Appointments to a professional staff began in 1865 onwards, and the systematic survey of all the field monuments in Denmark, using both professional and voluntary assistants, began in 1873. The field reports resulting from this remarkable project, which went on for some fifty years, are now in the archives of the National Museum in Copenhagen.

They are an unparalleled record of the cultural heritage of Denmark at a time when before so much of it had been destroyed by modern agricultural techniques and population expansion in the second half of the tenth century.

The United Kingdom's Ancient Monuments Protection Act came into force in 1883, and in that year the first Inspector of Ancient Monuments was appointed. Major-General Augustus Henry Lane Fox Pitt-Rivers (1827–1900), generally acknowledged as the founder of modern scientific excavation techniques, traveled the length and breadth of Britain, recording and designating protected monuments. Although he had no staff and no more than a nominal salary, he was able to deploy his own large financial resources to employ a small team of surveyors and excavators. No successor as Inspector of Ancient Monuments was appointed for a decade after Pitt-Rivers died in 1900. Nonetheless, some part of his work continued with the establishment in 1908 of three new bodies, for England, Scotland, and Wales, which were given the task of surveying their respective countries and preparing detailed inventories. The three Royal Commissions for Ancient and Historical Monuments had been expected to complete their work within no more than twenty-five years. Those for Scotland and Wales, however, are continuing their work, whilst the English Royal Commission was merged in 1999 with English Heritage, the state agency responsible for monument protection in England; its survey and inventory work are still little more than half completed.

In 1900 the Government of India appointed John Marshall (1876–1958) as Director General of its newly created Archaeological Survey of India. Fully professionalized in 1906, the Survey undertook responsibility for all aspects of heritage management, including conservation, excavation, epigraphy, museums, and publishing. The regionalized structure created by Marshall largely survives intact at the present time in the independent state of India.

A General Directorate of Excavations and Museums (*Direzione generale degli scavi e musei*) was set up in Italy in 1872. In 1891 this became the General Directorate of Antiquities and Fine Arts (*Direzione generale degli antichità e belle arti*), with regional *Soprintendenze* for archaeology, architecture, museums, and fine arts, a system that has lasted to the present day. The *Soprintendenti* are responsible for the protection of all monuments within their specialties situated in their areas.

Separate agencies for museums and monuments were established in Mexico, to be merged in 1939 as the National Institute for Anthropology and History (*Instituto Nacional de Antropología e Historia* – INAH). This body has the task of ensuring the application of the strong Mexican federal heritage legislation, and it has served as the model for comparable organizations in most of the other Latin-American countries.

Services of this kind, responsible for archaeological and historical heritage management, were set up or expanded in many parts of the world throughout the first half of the twentieth century. "Heritage management" is a relatively recent coinage, but it generally covers survey and inventory, excavation, implementation of the relevant legislation, interaction with land-use planning, management of protected sites and monuments, and general promotion and presentation. In some countries these services also control the national museums. By the beginning of World War II, most of the

agencies in existence at that time were engaged in activities of this kind, with varying degrees of effectiveness. The 1970s saw the invention in the United States of the concept of "cultural resource management," with a dynamic element implicit in its final word that tended to be lacking in the traditional monuments or antiquities services. In recent years the preferred term is "archaeological heritage management," which preserves the notion of a dynamic rather than a reactive approach.

The end of World War II witnessed an urgent need for activities of this kind to undergo a major revitalization. Massive post-war reconstruction and the social and economic development that followed, not least in the developing countries, demanded this. Five acute and nine chronic threats to the archaeological heritage have been identified by Reichstein (see above), including *inter alia* urban renewal, pipeline projects, opencast mineral working, deep plowing, illegal excavations, drainage of wetlands, military training, and uncontrolled tree growth. The late 1950s saw the response of the archaeological profession in the form of "rescue archaeology," a term with dramatic overtones.

The traditional services were not equipped to respond to the tasks that confronted them and so different strategies emerged, consonant with the political and economic structures of the countries concerned. In some countries the professional bodies underwent massive expansion in terms of human and financial resources, as in Japan and Sweden, in order to cope with the increased workload. Other state services were expanded on a more modest scale, but they made extensive use of external archaeological contracting groups, such as universities, museums, and private professional units and consultancies, as in the United Kingdom, Germany, and, more recently, Italy and Sweden. Systems of this kind are becoming increasingly common, not only for rescue excavations but also for inventory and physical conservation, as a result of revised attitudes to state intervention on a global scale. The United States has never had a centralized monuments service, whether at federal or state level, and so this work has been undertaken almost entirely by private agencies. Following the passage of the 1974 Archeological and Historic Preservation Act, which required funds to be allocated for archaeological mitigation in all projects on Federally owned land or financed by the Federal Government, many private archaeological consultancies were established; however, their number has declined considerably in the past two decades.

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Biographical Sketch

Dr Henry Cleere studied at University College London and worked in the iron and steel industry from 1952 to 1971 before joining the UN Industrial Development Organization in Vienna. During this time he studied archaeology at the London University Institute of Archaeology, obtaining a Ph.D. for a thesis on the iron industry of Roman Britain. In 1974 he changed career completely on being appointed Director of the Council for British Archaeology, a post that he occupied until his retirement in 1991. This led to an interest in archaeological heritage management, and a Winston Churchill Fellowship in 1979 enabled him to study the systems in a number of European countries. As a member of the Executive Committee of the International Council on Monuments and Sites (ICOMOS) between 1981 and 1990 he was the prime mover in the establishment of that organization's International Committee on Archaeological Heritage Management and in the drafting of the 1990 ICOMOS Charter on Archaeological Heritage Management. He edited *Approaches to the Archaeological Heritage* (Cambridge, 1984) and *Archaeological Heritage Management in the Modern World* (London, 1989). Dr Cleere was appointed Visiting Professor in Archaeological Heritage Management at the London Institute of Archaeology in September 1998. He serves on the selection panel for the World Monuments Watch. He has been a consultant to ICOMOS, coordinating its work as adviser to the UNESCO World Heritage Committee, since 1992.