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*Aleksander Pyrzyk*

## **HISTORIC GARDENS MANAGING DURING AN ARMED CONFLICT WITH PLANNING FOR A PEACEFUL FUTURE**

*Keywords: historic gardens, cultural heritage, managing of cultural heritage during armed conflict, protection of cultural heritage during an armed conflict, managing of cultural heritage during peacetime.*

Historic gardens recognized as a cultural heritage are a monument's, unlike any other. Parks, gardens and other forms of designed greenery are true living heritage. What it's necessarily for the composition of historic gardens, it's their natural change with the seasons as philosophical cycles of dying and being reborn again. Historic gardens often create a space in composition with a historical building as a castle, palace or other kind of historic mansion. This kind of composition makes a natural frame's for the beauty and monumental of the historic residences.

The preservation of historical gardens is an important issue for the currently and future identity of the local community and the nation as well. The historic garden is a manifestation of bygone times. The era in which it was created and the knowledge about the art of creation and maintenance of "green heritage".

Historic gardens as monuments, even in peacetime, are often marginalized. In the social perception, it's mostly focused on the importance of historic buildings located inside a historic garden's. Throughout the history, of armed conflicts with focused on devastation of cultural heritage, historic gardens wasn't directly a military purpose. Optic of destruction was focused mostly on historic buildings located inside historic greenery. Historic gardens could be a field of armed clashes, but usually they themselves were not completely destroyed. Small landscape architecture, such as gazebos, bridges and sculptures, mostly was devastated by gunfire. On the other hand, plants such as trees and shrubs or the spatial arrangement of roads and park alleys were usually destroyed but not completely lost. In the worst case, a historic building such as palaces or castles was blurred, but its designed surroundings, such as a historic garden, kept the memory of a place for future population.

The crucial question that we should answer for, is: are we able to effectively protect historic gardens during an armed conflict? The Hague Convention

indicates in article 10, that during an armed conflict, cultural property under special protection shall be marked with the distinctive emblem described in Article 16 (Convention for the Protection of Cultural Property in the Event of Armed Conflict), and shall be open to international control as provided for the Regulations for the execution of the Convention. Such a distinctive emblem was proposed by Jan Zachwatowicz during The Hague Conference, now days know as a Blue Shield. Parties to the Convention, during an armed conflict, should respect international protection of cultural property which they are able to easily recognize during military operations. The information distinctive emblem should be placed in a visible manner at the entrance to the park complex or on the rooftop of historic buildings located in the historic garden. Violation of the provisions of the Convention is treated as an international crime and is subject to the jurisdiction of the International Criminal Court.

Unfortunately, as the war in Ukraine shows, cultural heritage become victims of a Russian invasion. Russia's military operations are aimed at plundering and destroying the historical heritage that belongs to Ukraine's identity as a part of European culture. The distinctive emblem referred to The Hague Convention, instead of protecting the monument, may turn out to be a target for a potential military attack. An armed conflict participant whose aim is focused on destruction of cultural property and which does not obey the international law, especial The Hague Convention from 1954, may follow by the distinctive emblem for more precise destruction of cultural heritage.

Therefore, analyzing the protection of cultural property during an armed conflict, practical operation should be used in advance to international law to minimize danger measured to cultural heritage. The current conflict shows that the placement of distinctive emblems, contributes to devastation of cultural heritage – in this situation the distinctive emblems should not be placed for better, possible protection of cultural heritage. Of course, in such a case, the question of attributing responsibility for cultural heritage destruction to the party of armed conflict remains a problematic issue. The party of armed conflict may claim destruction of cultural heritage by lack of knowledge caused by lack of distinctive emblems on the protected object.

Besides, it should be considered, that the participant of armed conflict should have appropriate knowledge of the area, especial should be possessing of a cultural heritage register, from the territory of conflicts. As an example - directing attacks, by long-range rockets, will not be preceded by checking in advance on site that the distinctive emblems were correctly placed on the protected object. Attacking party should recognize territory by existing registers, even in the dynamics of an armed conflict. Such an object should be recognized by the appropriate military leadership, which is obliged by the international law to not attack a cultural heritage.

Managing historic gardens during the times of peace involves their constant renewal. A plant material, which is one of the most important elements of historic gardens, is not permanent as a whole of nature. Depending on the types of plants, they have certain durability. The preservation of the historic gardens consists in its constant care and spot replacement of plants that have died over the years. The key document for the conservation of historic gardens is the IFLA-ICOMOS International Charter of Historic Gardens from 1981, often known as the Florence Charter (The Florence Charter). This document gives us direction which should be followed by a public conservation services and restorers of historic gardens. The Florence Charter shows us the contemporary conservation doctrine for historic gardens directly. The Florence Charter completes the Venice Charter, which is an older document, concerns the conservation of cultural property in general. The Florence Charter should be read together with the The Venice Charter, then it gives us a full overview of the contemporary conservation doctrine assumptions.

Managing historic gardens in times of peace is completely different from managing them in times of an armed conflict. In view of the brutality of the war, it is impossible to transfer public funds for the full renovation processes of historic gardens. The managing of cultural heritage such as historic gardens during an armed conflict should be limited to: 1. Preservation, 2. Possibilities of revalorization and reconstruction in times of peace. Public conservation services during an armed conflict should be focused on protection of the archival documentation of cultural heritage. The historic garden's documentation should not only be concentrating on past documentation, with is important for renovation. Illustrating the contemporary state of preservation of the historic garden is also important from a renovation point of view and for future potential international trial against aggressor. It seems important to prepare 3D scans of historic gardens, but also to collect actual satellite photos of the protected area. This kind of documentation should be made on digital carriers and deposited on secure servers. Traditional documentation, made on material such as paper or celluloid, should be relocated to neighboring countries under The Hague Convention provisions and returned after the end of the armed conflict on call of the owner. The activities of public conservation services should lead to the protection of small architecture elements that cannot be relocated - such as garden gazebos, fountains or big sculptures. On the other hand, small architecture objects that can be relocated should be inventoried and transferred to a safe place. In relocation of objects should be considered to neighboring countries by The Hague Convention rules. The work that public conservation services should perform during an armed conflict in relation to historic gardens should only be concentrated on protection of them against progressive degradation, limited to reaction to emerging problems. It is difficult to discuss here all the potential problems that may

threaten the historic garden. As an example, there may be a situation where a tree has withered in the park; the tree will threaten another valuable tree or park architecture. Then, cutting down a tree should be taken emergence to protect another tree or composition element. Another example could be the increased amount of rainwater that may threaten the structure of the park. In such as situation, digging ad hoc drainage ditches could also protect the historic gardens. So, when we are talking about preventive actions - not regular conservation of the cultural heritage. Problems that may arise during armed conflict against cultural heritage may also have a social aspect. Trees in historic gardens, during an armed conflict, can be treated as a fuel for ovens during winter time. In such a case, remedial steps should also be taken, and the protected area should be isolated as much as it possible during of the armed conflict time. Actions that public conservation services should take during an armed conflict towards historic gardens should boil down to prolonging their state of preservation, the object in the most original condition until peacetime.

The end of armed conflict brings us to a time of peace. Activities of public conservation services that should take place in the first years of peace towards the historic gardens will not differ significantly from those during the war. During the process to rebuild the state, historical gardens will not be a priority. The first years after the end of the armed conflict should focus on the restitution of documentation and elements of garden equipment, relocated during the war. Works carried out in historic gardens should, be aimed at preserving them in the best condition until their proper conservation is undertaken. In these times, preventive measures should still be taken that will to prolong their state of preservation, the historic garden in optimal condition. Public conservation services should manage basic works, such as deforestation self-seeded plants, controlling groundwater and rainwater, or cleaning the internal road system - to preserve the spatial layout of the historic garden as much authentic as possible. Times of peace and economic stability of country are appropriate for conservation and reconstruction works of historic gardens. In the first years of peace, public conservation services should also take care of the aspect of preserving the cultural landscape. Most of the historic gardens and all the parks have landscape connections (Majdecki L., Majdecka-Strzeżek A.). The first years of peace, will be time to rebuild the country. The unbalanced spatial development could easily destroy all historical landscape. The emergence of uncontrolled buildings in the place of historical scenery of park complexes may lead to an irreversible loss of the context of the historic gardens, which is very important for its authentic reception.

In the aspect of return of historic gardens to their original state, all conservation processes from research, through analyzing material, making project to realization should be made by the Florence Charter guidelines. Article 15 is focused on restoration and restitution, which is a key aspect of the post-war period

for historic gardens (Historic Gardens, The Florence Charter). One of the crucial problems of restitution of historic gardens is the issue of their restoration after a war era. The Florence Charter clearly differentiates between the partial destruction and total loss of historic garden. Armed conflicts can lead to both - complete destruction and loss of part of historic garden – as an example in the area of destroyed historical building. The Florence Charter in article 17 indicates:

“Where a garden has completely disappeared or there exist no more than conjectural evidence of its successive stages a reconstruction could not be considered a historic garden” (The Florence Charter).

However, the provisions of the soft law with Florence Charter is, are too strict for present times. Destruction of a historic garden which was important for the nation and which has been completely lost during war - restitution of it would be important for the history of a nation. As an example, we should call to mind the restitution issue of cultural heritage important to the Polish nation after World War II. The reconstruction of the Warsaw Old Town, which was appreciated by the UNESCO World Heritage List as a Historic Center of Warsaw, seems to be a key example for issues with are analyzing. UNESCO describes:

“During the Warsaw Uprising in August 1944, more than 85% of Warsaw's historic center was destroyed by Nazi troops. After the war, a five-year reconstruction campaign by its citizens resulted in today's meticulous restoration of the Old Town, with its churches, palaces and market-place. It is an outstanding example of a near-total reconstruction of a span of history covering the 13th to the 20th century” (UNESCO World Heritage List).

The restitution of the historic garden in the Warsaw Old Town area at the Royal Castle Garden in Warsaw, carried on from 1991 to these times, also seems to be crucial in this aspect. For the preservation of historic gardens, the most important issue is to preserve the spatial arrangement (not only physical, but also plans). All greenery as plants, are constantly replaced over the years. Therefore, analyzing aspect of managing gardens in times of peace, in justified cases, complete reconstruction is legitimized. However, the fact of reconstruction should be clearly described at the entrance to the historic garden, to not falsify the history and it will carry an additional educational value of the place in future.

### **Conclusion**

1. Managing of historic gardens during an armed conflict should primarily involve securing the archival documentation of the historic garden and its obligatory relocation.
2. During an armed conflict, currently, photographic documentation of the historic garden should be made. 3D scanning or satellite photos may be crucial for future renovation or even restitution of part of the historic gardens. Documentation is also important for future international trial against destructor.

3. Buildings belonging to the historic garden should be secured, and movable elements should be relocated as possible.

4. Works that should be undertaken in the historic garden during the armed conflict and immediately after its end should be described as a preventive. High greenery and groundwater flow should be controlled. Ad hoc actions related to seasonal natural disasters should be taken immediately to preserve the spatial layout of the historic garden.

5. The historic garden during and after armed conflict should be protected against risk of theft of historic elements or trees that can be used as a firewood or as a building material.

6. Proper conservation, restoration and restitution will take place in times of prosperity. Until then, in the first post-war years, the Public Conservation Services should protect the historic gardens against further degradation and prepare project documentation for taking restoration steps.

7. A destroyed garden which was culturally significant for the nation should be restituted. However, at the entrance to such a place, should be information describing the history of the object and reasons for reconstruction. Preserved elements of original historic garden should be described in situ, to not falsify a history of reconstructed garden.

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