

HISTORIC GARDENS AND PARKS: CHALLENGES OF DEVELOPMENT IN THE CONTEXT OF RELEVANT REGULATIONS, DEFINITIONS AND TERMINOLOGY

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Abstract. The title and contents of this article have emerged after trying to summarize international scientific knowledge and theory, regulations by relevant international organizations, as well as several national legislative provisions issued in the area of development of historical landscapes, environment and sites. Various definitions related to the subject, changing and newly introduced terminology have originally caused some embarrassment and provoked a series of questions, such as: who is who and what is the difference? In this respect, a historical garden or park as a significant area is defined as a 'Living Monument', 'Tangible Heritage' or even 'Intangible Heritage', because there is no doubt that the garden is a dynamic and ever changing environment. The applied terminology and definitions on historical gardens and parks are also undoubtedly related to the issues of heritage awareness. Differences in the national legislations are significant too, whereas historical gardens and parks are classified both, as architecture and natural monuments and heritage immovable property. An analysis at the theoretical level of the legislation and scientific statements provided in conclusion gives a certain insight into the significance of each projective aspect in the planning development of the historical gardens and parks and forms the base for further relevant issue researches.

Keywords: historical garden and park, legislation, definitions, terminology.

Introduction

Protection, preservation and restoration of historical gardens and parks are related to the series of regulations, which are defined by ratified world conventions and charters, developed recommendations, guidelines and handbooks in the given area, definitions and terminology used, as well as the legislation of each country concerned. The aim of the research is to summarize and analyze the mentioned aspects, in the context of development of historical gardens and parks, based on the scientific statements and proposed international regulations. Within the framework of this article, the following issues have been summarized and analyzed: What regulations have suggested the promotion of insight and development of historical gardens and parks in the world and separate countries? What definitions have been applied to classify historical gardens and parks? What kind of terminology has been used regarding the development of historical garden and park planning? Systematized answers and proposed questions may serve as a theoretical base for further research in the area of development of planning opportunities for historical gardens and parks.

Historical Garden and Park in the Context of International Regulations

Knowledge in the area of monument protection is traceable back to the time of Renaissance (Kosmala 2007). A desire

to document and indirectly protect ancient monuments may be dated as early as the 16th century, when English antiquary John Leyland was sent to search for preserved antiques and monuments in England and Wales (Clark 2001). By the end of the 18th and beginning of the 19th century, the landscape transformation caused by industrial development was considered destructive and dangerous for environment and landscape. It was also in the period of Romanticism, when nature scientists offered new revolutionary views to nature and landscapes and their evolution. At the time, the first legislation related to nature and landscape conservation appeared (Kosmala 2007; Antrop 2005; Jokilehto 1986). The majority of countries had developed and founded special institutions and adapted legislation for various categories natural and cultural heritage. Different private societies were formed for protection of natural places and beautiful sceneries (Antrop 2005). Recently, in the last decades, scientific publications on historical landscape, including garden and park issues, cover researchers from different sectors, and are expanding in countless disciplines, for example, in culture, history, ecology, economy, sociology, contemporary arts (Mason 2010). The subject is quite complicated, because historical landscape as a heritage site combines aesthetic, historical, scientific and social aspects, and the moment it also usually covers its use in the future, which characterizes

the multidisciplinary context in the sphere (Sa Carneiro *et al.* 2004). Such multidisciplinary context appears in the researches and development planning of historical gardens and parks attracting all kinds of required specialists, who since 1970-ies and 80-ies especially include new scientific groups, professionals and practicing conservation experts from diverse background of disciplines (Halbrooks 2005; Birnbaum, Barrett 2000). In spite of various related sectors, historical gardens and parks basically may be treated as a result of combination of the nature and culture. It also explains why their conservation must be concentrated on the three system standards: natural and cultural heritage protection, biodiversity and cultural diversity valuable according to the (UNESCO) heritage preservation standards (Conan 2009).

Initially, historical gardens were included as a specific group under the definition of historical monuments and presented in the UNESCO *Venice Charter* (1964). It meant their protection was based on neutral expertise and respect to the whole historical layer. Originally only buildings were defined as monuments and their conservation was taken care of in a given community, mostly by architects and architecture historians. It took quite a long time before a garden was considered as important design structure as a building (Fatsar 2010). Almost in two decades after the *Venice Charter*, the *Florence Charter* (1982) – the basic document in the field of preservation of historical gardens – appeared by the order of the International Council of Monuments and Sites (ICOMOS). It focuses on the need for a list of historical gardens, as well as gives philosophical instructions for their management, conservation, restoration and reconstruction. It also refers to many principles of the *Venice Charter*.

The *Burra Charter* (*The Australian ICOMOS Charter for Conservation of Places of Cultural Significance* 1981) is also developed on the principles of the *Venice Charter*, although adapted to the local Australian demands. The *Burra Charter* includes a comprehensive definition list of the object, fabric, conservation, management, preservation, restoration, reconstruction, adaptation and compatible use of the site. It also establishes the concept of cultural heritage importance in a sense of ‘its aesthetic, historical, scientific or social value for the past, present and future generations’, and foresees that prior to any intervention its definition for each particular site and conservation plan must be determined and applied. It continues with a description of conservation principles and processes identified as a good practice. The *Burra Charter* is well established in Australia. The next significant Charter was adopted in New Zealand in 1992; it was the *Charter for the Conservation of Places*

of Cultural Heritage Values and provided a comprehensive definition of processes related to conservation, as well as principles to manage the conservation of sites valuable as cultural heritage in New Zealand. Its aim was also to fix the guidelines for appropriate professionals’ activity. Although its principles are valid in New Zealand, the basic principles are generally applied from the *Venice Charter*. It is interesting that the definition of the Charter is generally related to the reality of the Baltic region, since it associates the basic elements view with the Baltic cultural heritage sites. The similar Charter was adopted in 1992 in the United States – *the Preservation Charter for the Historic Towns and Areas of the United States of America* – which associated a wide scale comprehensive report of historical cities and territories. The *Charter on Cultural Tourism*, adopted in Brussels in 1976, is also noteworthy here as it deals with the positive and negative sides of the impact of cultural tourism impact on historical monuments and sites. This Charter is important for the restoration and development planning of historical gardens and parks with the aim to obtain financial benefits through the tourism industry. In the different wordings of this Charter, conventions and published recommendations consecutively followed, which were related to protection and preservation of historical gardens and parks.

In Paris, 1954, the *European Cultural Convention* was signed with the aim to develop mutual understanding among the peoples of Europe and reciprocal appreciation of their cultural diversity, to safeguard European culture and promote national contributions to Europe’s common cultural heritage. In 1972 *the Convention Concerning the Protection of the World Cultural and Natural Heritage* was adopted that served as an introduction for the world heritage site convention. It was followed by *the Convention for the Protection of the Architectural Heritage of Europe* adopted in 1985, which, according to the definition, included historical gardens and parks as architecture monuments. In 1992 *the Convention of Biological Diversity* was adopted, then, in Florence, 2000, the *European Landscape Convention* was ratified, which contributed mostly to the European landscape protection, management and planning, as well as organized cooperation across Europe on the issues connected with landscape. In 2005 *the Convention on the Protection and Promotion of the Diversity of Cultural Expressions* was adopted. The protection, promotion and maintenance of cultural diversity, being an essential requirement for sustainable development for the benefit of present and future generations, is one of the eight guiding principles, which highlights the future significance of cultural heritage.

Essential recommendations concerning protection and preservation of historical gardens and parks are those issued by the UNESCO. First of all, *the Recommendations Concerning the Safeguarding of the Beauty and Character of landscapes and sites*, adopted in Paris, 1962, should be mentioned. These Recommendations define preventive measures with the aim to protect the natural, rural and urban spaces as well as the natural or man-made landscape, which have the cultural or aesthetic values. In 1968 followed the *Recommendations Concerning the Preservation of Cultural Property Endangered by Public or Private Works*. The recommendations define the preventive and correction activities, which should be made to protect and preserve cultural properties from damaging or destructive operations, for example, unconsidered development planning, infrastructural works, agriculture activities, constructional and industrial development. In 1972 the *Recommendations Concerning the Protection at National Level of the Cultural and Natural Heritage* were issued clearly defining the terms of cultural and natural heritage and providing continued observation of the general principles, service organizations and protection activities in accordance with financial, administrative, scientific and technical principles. In 1976 the UNESCO adopted *the Recommendations Concerning the Safeguarding and Contemporary Role of Historic Areas*, which is substantially wide and detailed document providing for comprehensive conservation standards and principles of historical environment. However, one of the essential guidelines related to landscape development of historical gardens and parks – *the Guidelines for Education and Training in the Conservation of Monuments, Ensembles and Sites* – were adopted 1993. The aim of this document was to contribute to the establishment of the common European standards and guidelines for historical buildings, territories and cities, archaeological places and cultural landscape conservation, especially focusing on the sphere of education and training.

The cultural and natural heritage charter, conventions, recommendations and other standards are considered the main guideline principles defining a relevant response to the conservation issues rather than being the immediate and comprehensive orders. The most of aforementioned documents have the following factors in common: a comprehensive place analysis, minimal interference in the historical fabrics, precise documentation, respect to the contribution of all past times, management of the authenticity and requirement to develop comprehensive information on historical environment.

Despite the UNESCO issued recommendations concerning protection of cultural and natural heritage at the

national level (1972), as well as the fact that the conservation criteria are very different, they fail to protect fully the world cultural and natural heritage. For example, in Germany, the cultural heritage protection regulations are different, in Latvia, Lithuania and Poland protection system is unanimous for the whole country, or in Finland the manner of ‘protection of nature’ doesn’t exist at all. Historical gardens and parks in European countries are also ranked according and, at the same time, by a number of different types: cultural, natural and immovable, which respectively define the principles and priorities for their protection and development. The development effectiveness is not connected to strong and centralized institution systems, while the national cultural heritage protection system is strong in all countries. For example, the German cultural heritage protection is under the supervision of the Ministry of Culture at national level. The country ministries closely cooperate with the higher and lower authorities in the area of protection and management. While in Latvia, Lithuania, Finland and Poland, the general institutions function at the national level, ministries and some lower institutions are at the national level, thus causing some uncertainty, who is responsible for some of the less significant issues? Interestingly, the Finnish cultural and natural heritage management is based on the Antiquities Act (1963), and according to the diagram you can reconstruct the ancient monuments and protect them against degradation, as well as apply other protection measures. The tasks and methods are very close to the international ones, but financing and multidisciplinary cooperation options are strongly limited (Maarenen 2003; Feilden, Jokilehto 1993). Landscape of the historical gardens and parks is clearly an important cultural and nature heritage component, but probably its multidisciplinary characteristic permits or rather defines varied heritage type and accordingly consequent attitude.

Historical Garden and Park in the Context of the Convention Definitions

Various definitions are associated to historical gardens and parks, which refers to cultural and nature heritage. The UNESCO’s World Heritage Convention of 1972 provides a definition for the cultural and nature heritage divided into several groups, each characterized by three subparagraphs. The cultural heritage is divided into monuments, groups of building and sites, thereby the historical gardens and parks comply with both cultural monuments and cultural sites, or differently stating, a man and nature interaction acts in the status of landscape. In later years, on the basis of these definitions of culture and nature heritage, new definitions

were proposed and specified. The most controversial of them were the definitions of living monument, tangible and intangible heritage and cultural landscapes, particularly in the last half of the century associated with substantial changes in the conservation and management issues of historical gardens and parks. The Florence Charter (1982) devoted to historical gardens and parks introduced a new term for historical gardens and parks defining them as ‘living monuments’ and thereby moving away from the referable regulations of the architectural monuments. Historical gardens and parks could be referred to as the living monuments, firstly, because of vegetation as their general compositional element, which manifests in the dynamism of forms, colours, structures affected by time and human-beings, and, secondly, because of expression of human and nature, which, in its turn, reflects through some philosophical and art aspects in combination creating variable and procedural nature. However as a separate monument type definition of historical gardens and parks, the ‘living monuments’ has failed to gain popularity in the scientific community or in the nongovernmental recommendations and legislation. The question if it affects the overall landscape quality of historical gardens and parks is complicated, because, on the one hand, the regulations involving architecture clearly impose both the assessment and development criteria, but on the other hand, they are rarely enforceable, since the architectural design in its expression is static and technical repetition. It poses thousands of conflict situations, which are either solved strictly sticking to basic principles of the regulations, or referring to a generality and uncertainty by adapting to advantageous solutions.

By the end of the 20th century, new definitions on the cultural heritage appeared with the purpose to classify historical gardens and parks, which in most cases were divided into tangible and intangible heritage, sharing physical and emotional values and pointing to the significance of their identity. Accordingly, with such increasing interest in the intangible heritage issues on the international scale, many questions and discussions in this sector have appeared (e.g. Conan 2009; Ahmad 2006; David 2010). The heritage conservation issues mostly provoke discussions in the broadest sense (tangible, as well as the intangible material) thus affecting the social political identity on the local, regional or national level or in the ethnic or religious communities. This situation, as other scientists note, often gives rise to conflicts (Grenville 2007). Explanations of the material heritage values are reflected in the UNESCO documents (1999): *The cultural properties to include monuments, groups of buildings and site and the scope of environments as natural properties*, and in *the Convention for*

the Safeguarding of the Intangible Cultural Heritage adopted in 2003, which defines ‘the intangible cultural heritage’ as: *The practices, representations, expressions, knowledge, skills—as well as the instruments, objects, artefacts and cultural spaces associated therewith—that communities, groups and, in some cases, individuals recognize as part of their cultural heritage. This intangible cultural heritage, transmitted from generation to generation, is constantly recreated by communities and groups in response to their environments, their interaction with nature and their history, and provides them with a sense of identity and continuity, thus promoting respect for cultural diversity and human creativity.* This includes oral traditions and expressions, language, performing arts, social practices, rituals, festive events and traditional craftsmanship. Based on such definitions, historical gardens and parks are placed both, with the tangible and intangible heritage, which, unfortunately, raises more questions and confusion, because whereas the content of the material heritage is clear, the keywords of the intangible heritage is the combination of human activities, perception and feelings that are characterized by subjective points of view to identity. Such divided nature of the heritage appears also in the conservation and reconstruction practices of the garden fabrics, and it doesn’t at all mean being in agreement with Finish scientist Maunu Hayrynen’s perspective that intangible values have been preserved there also (Hayrynen 2010a, b). Tangible and intangible identity phenomenon complex is declared by several scientists (e.g. Inan 2010; Ingerson 2003; O’Donnell 1999; Droste 1995; Plachter, Rössler 1995), but through a wider concept – cultural landscape.

The concept of the cultural landscape and reports of its usage are presented in the UNESCO documentation (1992) and by several scientists (e.g. Droste 1995; Jones, Daugstad 1997; Jones 2003). They show that the definition of the cultural landscape is not simple, and it cannot be used in unchangeable forms in different landscape disciplines. One set of opinions on cultural landscape views such landscapes that are evaluative and cherished, as well as understandable and readable as known and logical text (Herlin 2010; Selman 2010). This approach is related also to the new and future cultural landscapes. But, on the other hand, there can appear argumentation that such cultural landscape definition is repetitive, because the European Landscape Convention has defined the cultural landscape from the anthropological point of view, characterizing it as human changed theory and therefore not able to be anything more than cultural landscape (Herlin 2010). But, at the same time, it is widely acknowledged that all landscapes are human made and therefore distinguishing the cultural

landscape is an excessive concept (Fatsar 2010; Prieur 2003). Several researchers in their publications note that the landscape itself has a very cultural meaning and it seems verbose to talk about cultural landscape separately (Hanachi *et al.* 2011; Mitchell *et al.* 2009), but probably with this definition it is possible to characterize specific landscapes, which should be more protective than others. In 1992, a meeting of the World Heritage Committee was held, where experts defined three types of cultural landscape: the designed landscapes, organically evolved landscapes and associative landscapes (Fatsar 2010). In the final World Heritage Handbook, the cultural landscape is defined as a human and nature interaction process in the longer period of time designing varied landscape (Mitchell *et al.* 2009). According to the aforementioned definition, art researcher and historical garden expert Kristof Fatsar asks the question “What is this long period of time?” A garden can be created in completely short period of time and even more than a hundred years of its maintenance doesn’t change the fact that formation of the garden is not a long process; therefore it seems that historical gardens don’t fit with this last definition of the cultural landscape. Discovering the answers to the proposed questions, the author defines in conclusion that the historical garden and park should be treated as a monument in such cases, when the historical garden belongs to people, who use, maintain and manage it for their needs, enjoyment, delight, but when the historical garden is used with the aim to derive profit, is opened for a wide range of society, it is cultural landscape and its access is based on the social context (Fatsar 2010). However, regardless of any deep analysis, the cultural landscape and historical garden or park are inseparable concepts, because in any case, it is impossible to separate ‘cultural landscape’ and ‘natural landscape’ concepts, because they are tightly interconnected (Lebeau 2002).

The definition of nature heritage that refers to the historical gardens and parks is discussed less than culture heritage. According to the UNESCO World Heritage Convention adapted in 1972, the nature heritage definition includes all compositional elements, which are formative for the historical gardens and parks. The nature heritage is based on aesthetical and ecological principles and qualities, which are investigated by several researchers (e.g., Nassauer 1995, 1992; Chenoweth, Gobster 1999; Bell 2003; Mason 2010). The heritage diversity and values increases proportionally in the gardens and parks reducing human activity, therefore, even if it is observed the border cross between natural heritage and cultural heritage, it is very logical to discuss historical gardens and parks, and landscapes in the context of both heritages. The issues of

protection, conservation and management of natural and cultural heritage are divided by various institutions and laws and regulations, which sometimes create problems for protection of monuments – mainly because some of the categories of monuments are omitted fully or deliberately and protected inadequately. Therefore it is essential to identify the historical parks and gardens both, as a cultural and natural heritage element.

Historical Garden and Park in the Context of the Terminologies

Use of correct terminology is rather important, whether in relation to compositional description, or the renovation process in garden and park projects. Collecting and analyzing laws and regulations, recommendations and guidelines, as well as theoretical and practical knowledge of research publications related to historical gardens and parks have marked quite broad terms, which are also used while speaking about the development of historical gardens and parks. The most common terms are: protection, conservation, renovation, restoration, rehabilitation, re-creation, repair, regeneration, restitution, stabilization, creative conservation, maintenance, and management. The formation of new terms is normal globalization process, which contributes to development of new methodologies, technologies and research innovations.

Gardens have been destroyed, rebuilt, removed and reconstructed since their first appearance (Groening, Wolschke-Bulman 1989). Preservation of gardens considering them historical begun with the revival of building conservation in the late 19th century. Initially, the main idea was the reconstruction of the past reputation using stylistic restoration typical to the national revival movements. To start from the 1970-ies, the politics in most European countries has changed and become more complicated, partly because such changes were inevitable. Since late 1970-ies and early 1980-ies, the sphere of conservation of historical landscapes revealed more and more well-defined and linked groups of scientists, professionals and practicing preservation professionals from diverse background of disciplines, including horticulture (Halbrooks 2005; Birnbaum, Barrett 2000). Such change in politics was also linked to the terminology change: from preservation to conservation and, in the context of the landscape restoration, from reconstruction to renovation. Therefore the term ‘to conserve’ means the ability to handle both, the existing strategy qualities and variability, and to decide what to do with newly identified qualities or potentials (Gustavsson, Peterson 2003). The researcher Randolph Starn noted that the term ‘conserva-

tion' has become an international term replacing such words as 'maintenance', 'repairing' and even 'rehabilitation', or 'restoration' (Starn 2002). Although, back in 1985, John Sale in one of his publications notes the significance of the maintenance, which is clearly a requisite for daily garden appearance guaranteeing existing results (Sales 1985). Up to nowadays there are myriad publications by researchers, which are made directly in reference of the landscape maintenance (e.g. Krosigk 1987; Brown, Bellavia 1998; Thake 2009; Watkins, Wright 2009). Therefore, with the term 'conservation' all replacements seem inconsiderate and unreasonable. At the same time, in spite of such more advanced definition, the aforementioned scientist Randolph Starn advises to use the term 'historical preservation', which in his point of view is more suitable for both English and American terminology, since it applies to narrower interpretation than 'conservation'. Especially when the search concerns the authenticity, as in this case it is quite elusive in concepts 'conservation' and 'restoration' (Starn 2002).

On the other hand, the term 'authenticity' never was an exclusive criterion, even in the keyword of history in the beginning of the conservation movement. Authenticity is something that we cannot avoid in talking about the cultural heritage and landscape conservation management. In wider perception, the term 'authenticity' includes ethics, emotional feelings, chances to keep and take the initiative in the future as well as creative aspects, including both education and aesthetics. It is a term that we can give not only an absolute definition, but much more important: it is one of the key words for planning and management processes of communication oriented to action, linking the past to the future. Deeper understanding of authenticity leads to its various dimensions and more possibilities to act in multiform conservation, landscape and social context. The authenticity is tightly connected to aspects of history, correctness, clarity of perception, dynamics, time flows, creativity, scale, strategy based on idea, which are very important when talking about the authenticity in the local context (Gustavsson, Peterson 2003). Consequently, authentication is not only an intangible heritage characterized component, but also a planning tool for historic landscape conservation.

The conservation practice includes various types of intervention among which there is also a restoration (Sa Carneiro *et al.* 2004). On the basis of the Burra Charter, the term 'restoration' is: *returning the EXISTING fabric to a known earlier state by removing accretions or by reassembling existing components without the introduction of new material.* The term 'restoration' has relatively clear meaning in construction, relating it to the structural material reconstruction. Only an existing rehabilitation of the object

could be clearly seen in this case. In practice, the restoration of gardens almost always includes reconstruction, generally realizing it as reverting everything back to the original form as far as is still possible (Sales 1995). But in publication *Conservation Principles: Policies and Guidance for the Sustainable Management of the Historic Environment* by the English Heritage, the 'restoration' is explained as interference, which has been carried with the intentional purpose to disclose or recover certain elemental historical values, which have been degraded, illegible or removed from previous times, not just to preserve the status quo (Drury *et al.* 2008). Although the restoration differs from the conservation and aims to restore the historic landscape only partly, both solutions have an independent policy and require for a long-term plan. Either a management plan or comprehensive conservation policy for radical restoration or further conservation is compulsory.

Pioneering in the area of conservation planning is an organization 'the English Heritage', which is a cornerstone of examination of values and historical environment. The guideline philosophy of a conservation plan is that all elements of the existing landscape are preservable features and the landscape history is fully investigated and documented. Landscape management plan is the act, thinking about its sustainable development, providing regular maintenance to the landscape, ensuring proper management and reconciliation of changes resulted from different social, economic and environmental impact processes (Lebeau 2002). These guidelines are applied for the management planning of all types of culture landscapes and have been widely adopted among conservation professionals in their private practices, also research managers and owners of specific properties (Halbrooks 2005; Birnbaum 1994). In recent years, the summary term of the conservation and management has appeared, which groups in the concept of 'conservation management plan' and is explained as: *a tool to help pull together an understanding of what matters and why, and how to conserve and manage it From this informed basis, plan to develop the then used to repair the program of restoration or to draw up proposals for change.* Kate Clark, the Head of the Historic Environment Management at the English Heritage asks several questions about conservation plans that have caused the revolution of historic landscape planning in the 21st century indicating that the product of the conservation plan is either just another piece of biography (which makes it even more difficult to care for the historic site), or simply reflects a return to the old good understanding of the principles of the site before they have been preserved, but who will gain the benefit from it – the owner of the object, or both? In any case, the preparation

of the effective conservation plan requires time and professional expertise. The main thing to remember is that the conservation plan is never ready, but in the process of thinking (Clark 1999).

The achieved verities and explanations of the development terms of historical gardens and parks, summarizes four optimal development possibilities of historical gardens and parks:

- Conservation – sometimes it is better to conserve the historical fabrics in their current status. With structures (static objects) it is possible, but with plants as material it is much more difficult. In conservation of an avenue, for example, you should make a choice between replanting each tree separately, which is not always possible, taking into account the shading of the ancient avenues or change completely all trees of the avenue with the new ones;
- Restoration – sometimes it is right to ‘replace in time’ the garden directly restoring the feelings and place as it was before. It can be done using archaeological research, paintings, place notes, illustrations, tourist experience and other information. But you should be careful: many gardens in the course of time have been exposed to many different changes. The accepted decision must have a clear purpose according to which period of time the garden or the layer of it will be restored;
- Re-creation – the term, which creates something completely new, based on the close precedent of history, often used when there is no evidence of the garden elements and in the time when it is necessary to display the style of planning and plantation (Sales 1995);
- Creative conservation – well-known English landscape architect and author Geoffrey Jellicoe (1900-96) used this term in his work on gardens with many historical layers. He advised the approaches how to achieve creative synthesis simultaneously saving the best part of each layer, and, if needed, adding a new layer (Jellicoe, G. A., Jellicoe, S. 1995).

In places where the gardens have completely disappeared, except any possible evidence of them, any further development or formation of a historical garden is not accepted (Marcke 2000).

Conclusions

1. Internationally adopted and approved charters, conventions, recommendations and guidelines are developed with one aim: to protect cultural and natural

heritage, discover the awareness and understanding of its values and importance in the social, economic and political context promoting education, aesthetic and ecological quality and cultural diversity. National laws and legislation are based on global rules, which are interpreted in the interest of each country. Historical protection and conservation systems for gardens and parks depend on the type of the heritage they represent, where they are placed in each country accordingly preparing their appropriate regulations. In most cases, a historic garden or park is classified as a different type of heritage, which imposes various conditions for its planning development, while pointing at the fundamental values at all levels. The international laws and regulations, recommendations and guidelines are adopted and supplemented on the basis of the multidisciplinary context of historical gardens and parks, especially in the last decades expanding into various background disciplines. This explains the fact that in planning the reconstruction and development of historical gardens and parks it is essential to identify all background disciplines, thus ensuring optimum conservation of the heritage for future generations.

2. Historical gardens and parks relate to definitions and their understanding is nuanced. Changing the composition of the words changes the meaning, automatically putting in or discarding out the landscape of historic garden and park from the defined group. The key words are essential in forming definitions related to historical gardens and parks, clearly indicating their presence or absence in the concrete group. The definition viability and the use of certain terms in it are essential for the definition. Ambiguity, the lack of support and lack of detail point to non-fulfillment of the definition. The development planning of historical gardens and parks is essential in respect of its definitions and consequential detailed explanation adapted in each local laws and regulations. In the final result, the most important is the objective of the development planning and its place realization, which automatically range under the definitions at the global and national level. The definitions partly determine the course of restoration and planning of historical gardens and parks.
3. The formation and change of new terms is a normal evolutionary process, which is proved by all aspects of globalization. The terminology related to historical gardens and parks may be defined in short as being verbiage, which is explained by various another sector adaptation attempts of the term, particularly relating to the re-creation processes. An essential aspect in the

explanation and use of terms is linguistics. Translated scientific and popular science publications are not always accurate in selection and explanation of terms and their meaning is not always equivalent to the original language. For example, the Latvian language term ‘to restore’ has at least seven equivalent English terms and if one is not well-aware of its subject matter and cannot explain each term, the resulting text could be understood in quite different ways. The realization examples are essentially related to term comprehension of historical garden re-creation and development, with clearly read differences between conservation and restoration of garden. The nature of the term is very significant in restoration and development planning of historical gardens and parks, but exact adaptation of the terms depends on the laws and legislation on the global and national levels, and location realization.

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ISTORINIAI SODAI IR PARKAI: VYSTYMOŠI IŠŠŪKIAI REGLAMENTAVIMO, APIBRĖŽČIŲ IR TERMINIJOS KONTEKSTE

K. Dreija

Santrauka

Straipsnio pavadinimas ir turinys susiformavo apibendrinant mokslines žinias ir teoriją tarptautiniu mastu, tarptautinių organizacijų teisinį reglamentavimą, taip pat kelis nacionalinius teisės aktus, reguliuojančius istorinio kraštovaizdžio, aplinkos ar vietovės kaitą. Įvairūs susiję apibrėžimai, besikeičianti ir atnaujinama terminologija iš pradžių kelia sumišimą ir nemažai klausimų: kas yra kas ir kokie skirtumai? Šiuo atžvilgiu istorinis sodas ar parkas, kaip reikšminga teritorija, apibrėžiama kaip gyvas paminklas, materialusis paveldas ar net kaip nematerialusis paveldas, nes nėra abejonių, kad sodas yra dinamiška ir nuolat kintanti aplinka. Probleminė yra istoriniams sodams ir parkams taikoma terminija ir paveldo sampratos apibrėžimai. Akivaizdžių skirtumų esama valstybių teisės aktuose, kur istoriniai sodai ir parkai klasifikuojami kaip architektūros ar gamtos paminklai ar nekilojama kultūros vertybė, atitinkamai skirtingai reglamentuojant. Teorinio teisės aktų ir mokslinės minties tyrimo apibendrinimas leidžia suvokti kiekvieno projektavimo aspekto svarbą istorinių sodų ir parkų plėtrai ir yra tolesnių aktualių tyrimų atspirtis.

Reikšminiai žodžiai: istorinis parkas ir sodas, teisės aktai, apibrėžimai, terminologija.