

POLITICS, POLEMICS AND POETICS OF MONUMENT
CONSERVATION IN GHANA: INVESTIGATING THE ADAPTIVE
REUSE OF THE 19TH CENTURY “WEST AFRICAN COURT OF
APPEAL” BUILDING, CAPE COAST

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DECLARATION

I, Natalyn Oye Addo, hereby declare that except for references and quotations of other scholars works duly cited, this dissertation herein presented is the result of my research work carried out at the Department of Archaeology and Heritage Studies of the University of Ghana, and that it has neither in whole nor part been presented elsewhere, I therefore accept full responsibility for the work.

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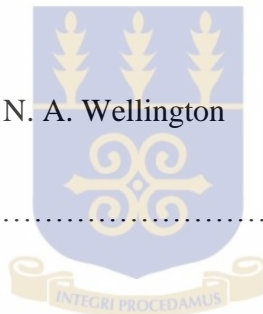
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ABSTRACT

This long essay examines the phenomenon of unused monuments that are found in many parts of Ghana, and analyses the major issues and challenges that underlie their conservation which constitute the associated politics and polemics. The study, on the other hand, with the due consideration of the value of the poetics in monument conservation management, identifies the inherent possibilities and virtues of these monuments which their conservation may engender.

To demonstrate how these considered factors operate in the conservation management of these monuments, the study further investigates the principles of adaptive reuse, based on the Burra Charter, as applied to an identifiable 19th century monument found in the Central Region capital of Cape Coast, popularly known as the “Old West African Court of Appeal Building”, a court facility built by the British administration. Findings from the study present the existing condition of the site, the history of the building in the context of the period of its construction, the significance and use associated to the building as a possible place of convening for different purposes.

The reuse potential of this local monument to compliment the tangible cultural heritage of Cape Coast as a historic place, are discussed to show how the 3 Ps (Politics, Polemics and Poetics) of monument conservation management play a role in the conservation management in Ghana. Inferences made from the findings of the study are used to proffer recommendation for strategic adaptive reuse of the “Old West African Court of Appeal Building” that may serve as a legal museum facility.

DEDICATION

This thesis is dedicated to my family and friends. Thanks for your support!



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TABLE OF CONTENT

Title	
Declaration	ii
Abstract	iii
Dedication	iv
Acknowledgement	v
Table of content	vi
List of Figures	ix
List of Plates	x
List of Tables	xii
List of Appendices	xiii
 CHAPTER ONE: GENERAL INTRODUCTION TO STUDY	
1.0 Introduction	1
1.1 Background to the study area	2
1.2 Research Aims and Objectives	3
1.3 Research Questions	3
1.4 Significance of the Study	4
1.5 Research Methods and Data Source	4
1.6 Organisation of chapters	5
1.7 Conclusion	5

CHAPTER TWO: LITERATURE REVIEW

2.0 Introduction	7
2.1 What Is A Monument?	7
2.2 Monument Conservation	9
2.3 History of Conservation	12
2.3.1 Approaches to Monument Conservation	12
2.3.2 International Conventions and Charters	13
2.4. Burra Approach to Conservation	14
2.5 Adaptive Re-use	18
2.5.1 Benefits of Adaptive reuse	19
2.6 Conservation Practice in Ghana	20
2.7 Legal Framework Guiding Conservation in Ghana	21
2.8 Factors Influencing Conservation of Monuments	22
2.9 Role of Monuments	23
2.10 Chapter Summary	27

CHAPTER THREE: METHODOLOGY

3.0 Introduction	29
3.1 Overview of Information Needed	29
3.2 Research Design	30
3.3 Data Collection	31
3.4 Data Analysis	33
3.5 Limitations of the study	37
3.6 Chapter Summary	38

CHAPTER FOUR: FINDINGS AND DISCUSSIONS

4.0 Introduction	39
4.1 Significance of Site	39
4.1.1 Site location	39
4.1.2 Historical Development	40
4.1.3 Statement of Cultural Significance	42
4.1.3(1) Site Description	42
4.1.3(2) Heritage Values	43
4.2 Building Assessment	47
4.2.1 Spatial configuration of building	47
4.2.2 Interpretation of the building's design	51
4.2.3 Existing condition of building	51
4.3 Management of the Property	59
4.4 SWOT Analysis	60
4.5 Politics of conserving the 19 th century building	62
4.6 Polemics of conserving the 19 th century building	63
4.7 Poetics of conserving 19 th century building	65
4.8 Chapter Summary	66

CHAPTER FIVE: SUMMARY, RECOMMENDATIONS AND CONCLUSIONS

5.1 Summary	67
5.2 Recommendations	68
5.3 Conclusions	70
BIBLIOGRAPHY	72
APPENDICES	77

LIST OF FIGURES

Fig.1Burra Charter Process	17
Fig.2 Organization process of research study	32
Fig.3 Site Map of Old court building	39
Fig.4 Existing ground floor plan	49
Fig.5 Existing first floor plan	50

LIST OF PLATES

Plate 1: Aerial view showing the distance between the Cape Coast Castle and the old court building	40
Plate 2: View of Northern facade of the old court building prior to renovation works undertaken by Pitman's College	41
Plate 3: View of Northern facade of the old court building subsequent to renovation works undertaken by Pitman's College	41
Plate 4: View of Northern façade at present	42
Plate 5: Location Map	42
Plate 6: Soffit of staircase showing the 1838 inscribed in ink	43
Plate 7: Elephant and Tree emblem mould on western façade	44
Plate 8: Columns celebrating main entrance into building on the eastern façade	45
Plate 9: An altered opening showing a capstone which prominently features on door and window openings	45
Plate 10: Wooden floor and partitions on the first floor	46
Plate 11: Masonry block work on the ground floor displaying craftsmanship of that period	46
Plate 12: Northern and Eastern façades of the building showing alterations to the building for use by Pitman's College	52
Plate 13: Southern façade showing damaged roof and with broken doors and windows	52
Plate 14: Compound surrounding the building with "temporary" structures constructed by Pitman's College	53
Plate 15: Effects of the prevailing climate on the building	53
Plate 16: Concrete slabs introduced to support the wooden first floor slab	54

Plate 17: Decay of wooden timber ceiling members	54
Plate 18: Headroom of the spaces within the building in relation to the human height	55
Plate 19: Broken wooden stairs to the upper level	55
Plate 20: Skewed timber partitions and damaged ceiling on the first floor	56
Plate 21: Damaged timber flooring covered with loose plywood boards	56
Plate 22: Collapsed timber partition; concrete slab introduced on top of wooden first floor slab	57
Plate 23: Caved in roof on the first floor	57
Plate 24: View of the collapsed roof at the South-western part of the building	58
Plate 25: View of eastern façade in April, 2012	59
Plate 26: View of eastern façade in September, 2012	59

LIST OF TABLES

Table 1: Age limit of persons interviewed	34
Table 2: Factors Affecting Use of the Building	36
Table 3: Proposed Use of Court Building	36
Table 4: Stake Holder Interests	61

LIST OF APPENDICES

Appendix 1: Questionnaire to guide informal interviews	77
Appendix 2: Interview with Headmaster of Pitmans College Mr. Buckman	82
Appendix 3: Proposed National Museum of Ghana's Legal Heritage	83
Appendix 4: Drawings of Existing Building	85

CHAPTER ONE

GENERAL INTRODUCTION TO STUDY

1.0 INTRODUCTION

Conservation of monuments for the benefit of a society has been utilized by many a society the world over, to undergird the preservation of heritage. The benefit of conserving monuments in particular are not only limited to ensuring that monuments are preserved for posterity but for economic, social and environmental benefits as well. Ghana has a wide range of old buildings and structures of heritage interest some of international, national and community significance. Even though benefits to monument conservation are known in the Ghanaian society, and great effort has consequently gone into conserving Ghana's monuments, a cursory look at monuments today leaves the observer with questions such as: What has been done to conserve monuments? What is being done currently? Are monuments valuable to the society? and Which conservation approach has been suitable or not? It seems underestimation of the values of monuments in the Ghanaian society has resulted in poor management conservation of monuments.

Although the questions seem justifiable, the condition of the monuments should also be viewed from the influences and challenge that heritage professionals and conservationists are faced with in the management of monument conservation as they pursue different approaches to preserve and effectively utilize monuments. Irrespective of the influences and challenges, some monuments have been successfully conserved while conservation of other monuments has not been sustainable, and other monuments of value are yet to be conserved. To attain an appreciable level of monument conservation, it is necessary to improve upon the

current approaches to conservation by comprehensively tackling the confronting issues in the management conservation of monuments. Important decisions concerning for example, which monument should be conserved, to whom does the monument belong and how the monument should be conserved, are some of the issues that influence monument conservation today.

In this regard the architectural dimension in monument conservation should not be limited only to restoration or conservation of the material and structure for solely preserving the monument. The principle of adaptive reuse, which is not a new phenomenon in conserving monuments, should be advocated to encourage effective use of monumental buildings as a means of sustaining conservation of the structures involved. Adaptive reuse of buildings of heritage significance is accepted as a means of conservation for which guidelines have been set forth in the Burra Charter of 1979 that will be a subject of analysis in the subsequent chapters.

1.1 BACKGROUND TO THE STUDY AREA

As asserted by the Conservation and Tourism Development Plan for Cape Coast, Cape Coast in the Central Region of Ghana is an ancient and historic town, and its role in Ghana's history is a long honorable one, despite its evident associations with the slave trade. According to the Cape Coast Metropolitan Assembly, Cape Coast as a coastal settlement is a humid area with mean monthly relative humidity varying between 85% and 99%. The sea breeze has a moderating effect on the micro climate. Cape Coast is home to a number of old buildings which testify to its past colonial and post-colonial era. The site for the study which is the location of the decaying 19th century court building, popularly referred to as the "West African Court of Appeal

building” lies within the historic core of Cape Coast not too far from the Cape Coast Castle. The building being considered as a monument is a two (2) storey structure which has the ground floor space enclosed and partitioned by masonry walls and the first floor space enclosed with masonry walls at the periphery with wooden partitions defining the spatial arrangements within.

1.2 RESEARCH AIM AND OBJECTIVES

The research seeks to use the identifiable 19th century court building as a case study for adaptive reuse to:

- Investigate the determining factors that influence the adaptive reuse of monuments.
- Examine the role played by stakeholders of heritage properties in conserving monuments.
- Investigate how the tangible and intangible aspects of the building’s heritage influence the decision to adapt to a new use.
- Examine the potential to be derived from the adaptive reuse of the old building.

1.3 RESEARCH QUESTIONS

- What factors influence monument conservation in Ghana and how do these factors determine the use of monuments?
- How does the strain of politics, polemics and poetics affect the decision making in adaptive reuse of monuments?
- What are the indices of monument identification in the 19th century court building?

- What are the possibilities and limitations for adaptive reuse of this monument?

1.4 SIGNIFICANCE OF THE STUDY

The relevance of investigating the adaptive reuse of the 19th century court building with respect to politics, polemics and poetics is to:

- Demonstrate how to proactively utilize monuments that need conservation.
- Provide information with respect to the history of the building.
- Demonstrate the possibility of managing politics and polemics to enhance decision making in monument conservation.

1.5 RESEARCH METHODS AND DATA SOURCE

Research methods employed in this study include literature reviews, interviews, and building survey and inventory. Data was collected from both primary and secondary sources.

Primary sources

- Observation, building inventory
- Informal interviews with experts, stakeholders and locals
- Measurement of building components and study of old maps
- Photographs

Secondary sources

- Archival records/documentation
- Internet and multimedia sources

1.6 ORGANISATION OF CHAPTERS

Chapter One

The background information for the study is established in chapter one. This chapter introduces the research work and highlights the main subject matter to present the reader with an overview of what the research seeks to address.

Chapter Two

This chapter reviews the writings and articles in books, journals, reports, newspapers and websites where publications of various authors were used in the study. It deals with the history of monument conservation from the international scene to monument conservation in Ghana and examines the effect of the influencing factors on the conservation status of monuments and also the role of monuments within the Ghanaian society.

Chapter Three

This chapter explains the methodology employed for the research.

Chapter Four

Findings and discussions on information gathered from the research with regard to the 19th century court building is dealt with in this chapter. Issues that pertain to conserving and managing the old court as a monument are also discussed.

Chapter Five

The concluding chapter is a summary of the work undertaken by the researcher. The researcher puts forth conclusions based on the findings and makes recommendations.

1.7 CONCLUSION

The 19th century court building at Cape Coast has the potential for being transformed into a worthy heritage edifice, to serve as tangible evidence of the past in the present.

It is arguably the first structure purposely constructed as a court building by the British administration during the period when Cape Coast served as the capital of the Gold Coast.

CHAPTER TWO

LITERATURE REVIEW

2.0 INTRODUCTION

This chapter examines the concept of conserving monuments and the legal frameworks instituted to guide conservation worldwide from which national policies have been formed. It also examines the concept and benefits of adaptive reuse and the role of monuments in the Ghanaian society.

2.1 WHAT IS A MONUMENT?

In an attempt to explain what a monument is, it is important to understand what the term monument meant for earlier societies. The definition of the term monument has evolved over time. According to Jokilehto (1986:24), “the Greek word for ‘monument’ was related to memory while in Rome the concept contained even political and moralistic issues”. Therefore the Greeks association of monument to memory indicated that monuments in their society were possibly constructed to commemorate events or occurrences. While on the other hand, the Romans’ relation to political and moralistic issues portrayed the use of monuments as representations of an idea and their use as mediums for communication. The perception of what a monument is, from the Greek and Roman perspectives, stemmed from the purpose and use of monuments and therefore explains the rationale for having monuments but falls short in describing the physical attributes of a monument.

Since that period, the definition of monument as evolved over the years to explain what comprises or qualifies to be referred to as a monument. This is evident in the explanation of monument as a composition of a wide range of physical heritage that includes buildings, a group of buildings, sculpture, and sites of archaeological,

historic or ethnographic value by the International Council on Monuments and Sites (ICOMOS) and the United Nations Educational, Scientific and Cultural Organization (UNESCO) as stated by Ahmad (2006:293-294). This definition of what a monument is, describes the attributes of a monument but limits the scope to man-made features, however, man-made objects as well as outstanding natural features of historical importance can both be considered as monuments (Gavua, 2011:2). Whether man-made or natural, to represent an idea or commemorate an event, a monument may be purpose-built, a by-product or a relic of earlier generations.

From their viewpoints (Jokilehto, Ahmad, Gavua), a monument may therefore be described as a purposely built structure, or by-product, or relic of past and present generations comprising of a wide range of physical heritage and outstanding natural features and landscape of historical importance, which communicates ideas or commemorates of the past or present to society, for the benefit of present and future generations.

Although the Athens Charter adopted at the first International Congress of Architects and Technicians of Historic Monuments in 1931, was propagated to safeguard destruction to historic monuments and therefore contained policies relating to the protection of monuments, the Charter per se did not define what could be referred to as a monument until the definition of the concept of a historic monument in the Venice Charter of 1964. The definition embraced single architectural work, together with the urban or rural setting which has proof of a particular society, an important development or a remarkable event (Tevzadze, 2003:43). Several legal documents, have since given the modern definitions of this term.

2.2 MONUMENT CONSERVATION

The general viewpoint that conservation has various components is consistent with the explanation that conservation “as a term has an extremely broad meaning which encompasses almost any action that helps to ensure the survival of something of value” (Taylor, 2008: paragraph 3). This suggests that a number of activities come together in the conservation process and may therefore vary from one monument to the other requiring new ideas and innovations. The activities can therefore be minor or major actions to be taken on a regular basis or periodically. Since different structures require different conservation work to be undertaken, the range of conservation work includes both specialist repair and simple maintenance repair. The definition of conservation as a process for managing change in the most sympathetic way (Taylor, 2001 paragraph 3), suggests a relation between management and the process of change. The word ‘management’ connotes controlling and running for a purpose. The purpose implied here is for survival of a structure for posterity. This assertion explains William Morris’ affirmation that conservation as a process makes certain that old structures handed down to future generations are instructive and venerable (Kent 2011: paragraph 6). The process of conservation includes modifications and preemptive measures which are essential in ensuring the survival of a structure because conservation cuts across different generations and the dynamic nature of society require innovative ideas to bridge different generations in order to safeguard survival (Taylor, 2001: paragraph 3).

Any action taken in order to avert deterioration of monuments and to manage change dynamically in order to project the messages of the monuments to their viewers constitutes conservation (Fielden, 1994: 3). This perception of conservation involving

all acts necessary to manage change is equivalent to Taylor's definition of the term conservation.

The conviction that the conservative action taken "be reversible and not prejudice possible future interventions" (Fielden, 1994:3) infers that conservation repair is a continuous phenomenon and must be considered as such when conserving buildings. Therefore repair of an old building which reduces damage to the structure and fabric based on the philosophy of conservation, extends the life span of the old building and ensures its survival (Kent, 2011: paragraph 6). Although, Kent's assertion about using conservation to ensure survival of the building can aid in the survival of a building by providing guidelines on how the repair work should be carried out and to control the amount of repair done, conservation focused on least alteration alone cannot guarantee the survival of an old building. It has been noted that a number of interventions have to be taken. Amongst them foremost, the basis of historic building conservation should be established by legislation that will include listing and scheduling buildings and ruins. Furthermore conducting regular inspections and documentation, as part of town planning and conservative action will aid in effective conservation of buildings (Fielden, 1994:3).

The objective of conservation of buildings should not be limited to utilitarian activities only. As Hyland states, "buildings are not purely utilitarian objects, for they form the fabric of every society's spiritual or cultural milieu, and embody the history of the generations of people that have occupied them (Hyland, 1995:49-50)". It suggests that the existence and use of buildings influence the activities within the environment and other social factors for both past and present generation. Therefore, the objective for conservation transcends the purpose of sole use or functioning of the building to include the associated intangible values and memories. By reason of their

use or existence in the present, old buildings contribute to the formation, and become part of the *genus loci* of a place, contributing past components to the present and continually draws on the present to enhance the historical essence of the society for posterity. This is reflected in society's use of conserved buildings as reference sources for history, for inspiration, and other things. These benefits drawn from importance of conserved buildings to generations, justifies the need for the presence of old buildings in our communities and the need to conserve them across generations. For that reason no building should be condemned as useless because it is inoperable and may seem not to be of interest or significance to a particular generation, another generation of present or future societies may find a need for it or it may later become of essence to that generation (Hyland, 1995:50).

The concept of conservation has evolved over time, to include a number of activities and gain public interest therefore becoming a complex public activity which considers sustaining cultural values in the historic environment in tandem with conservation of objects (Drury 2012: paragraph 2). As Drury states in his article "Conservation: An Evolving Concept", the recognition of the cultural significance of historic buildings and places by the public has justified the use of law as well as public policy and investment for their protection throughout Europe. This supposes that the use of law to enforce guidelines for safeguarding culturally significant properties and the use of public policy and investment to protect conservation of historic buildings and places is feasible when there is widespread public awareness and recognition of the properties. The explanation that contemporary understanding and approach to conservation, is reflected in good policies and good practices on what is to be conserved and how it is achieved, implies that the absence of good conservation

policies and practices indicate poor understanding and attitudes towards conservation (Drury ,2012:paragraph 3).

2.3 HISTORY OF CONSERVATION

2.3.1 Approaches to Monument Conservation

Inferring from the work of Jokilehto (1986:6), the evolution in conservation of ancient monuments and works of art stemmed from 3 different approaches;

Firstly the traditional approach, where the reason for preservation of historic structures was either for the use value of the structure or by reason that there was no need for their destruction. This approach to conservation was therefore was gradual as well as harmonious, because different generations worked on the structure to continue to contribute to efforts by the previous generation. The mediaeval cathedrals in Europe are cited as an example, of this observation (Jokilehto, 1986: 6).

Secondly, romantic restoration established in the Italian Renaissance is the next approach identified; where ancient monuments were acknowledged as “nostalgic remains of the past, material fragments which documented Rome’s greatness - not only as the capital of an empire and ancient civilization but also as the capital of Christianity” (Jokilehto ,1986:7). The result of this influenced political attitude of the Renaissance toward the management of ancient monuments.

The third approach developed along with the emphasis on aesthetic values focused on conservation and re-evaluation of the authentic object, preserving its historic stratification and original material, aimed at avoiding falsification (Jokilehto, 1986:7). The focus of this approach indicated a conscious attempt to address the issue of using

alternate materials and modifications in conservation which altered the original building style and fabric, threatening to devalue the authenticity of monuments.

From the three approaches identified by Jokilehto, the decision on the approach to conservation of old historic buildings is influenced by, the use value of the structure, appreciation of reflections of the past in the present, and the desire to preserve history based on the aesthetic values and original building material. The power of memory and meaning is fundamental to each of the approaches towards conservation.

As further inferred from the work of Jokilehto, (1986:231), destruction of historic monuments during the French revolution, contributed to understanding of heritage values given that the revolution advanced appreciation, protection and management of cultural heritage which later gradually led to a formal expression in international agreements and conventions. As a result of this, administrative structures and legal protection for historic buildings and ancient monuments was established by various countries in and outside Europe.

2.3.2 INTERNATIONAL CONVENTIONS AND CHARTERS

The development of conservation principles to protect cultural property against diverse threats globally, promulgated as charters, recommendations, resolutions, declarations or statements by international organization such as UNESCO and ICOMOS, was considered by several people internationally, as a notable achievement of conservation activities in the second half of the 20th century (Ahmad,2006:292).

Prior to the establishment of the Venice Charter of 1964, the Athens Charter of 1931 was drafted by the International Council of Museums (ICOM) at a congress in Athens. According to an article on World Heritage from (Open University), the

Athens congress instituted basic standards to regulate the practice of preservation and restoration of ancient buildings internationally; the subsequent Athens Charter revealed, awareness about historic sites was increasing and, it encouraged debate about conservation of international heritage. Subsequently, the Venice Charter which was produced at an international congress of heritage experts in 1964, defined internationally established principles of conservation with regard to buildings and other sites and has become the second most important protocol regarding conservation (<http://www.open.edu/openlearn/history-the-arts/history/heritage/world-heritage/content-section-2.2>)

Inferring from Ahmad's work, the achievement of the International Charter for the Conservation and Restoration of Monuments and Sites, commonly referred to as Venice Charter of 1964, generally established principles for the protection of architectural heritage and sites which included, expansion of the concept of historic buildings, encouraging the use of contemporary technology in conservation works, as well as collaborating conservation ethics internationally. The success of the Charter has resulted in its use as a reference point for the development of other conservation documents worldwide for example, the Burra Charter (Ahmad, 2006:293).

2.4. BURRA APPROACH TO CONSERVATION

The Australia ICOMOS Burra Charter, 1999 which has been effectively used worldwide was created by Australian ICOMOS as guideline to safeguard its heritage. According to the Charter, places of cultural significance provide a connection of community and landscape, to past and lived occurrences which has the capability of improving lives hence, the reason for conservation. Also the recognition of places of

cultural significance as historical records, that are tangible expressions of identity and past developments, as well as the perception that places of cultural significance are extremely rare and valuable, is the justification for the need of conservation for present and future generations which is the essence of the Charter (Burra Charter,199:1).

It is worth noting that the Charter advocates for change in conservation, which involves caring for the old places and making them functional; however, in doing so, the Charter cautions that , retaining the cultural significance of the place must be that taken into consideration (Burra Charter,199:1). It means that although change is advocated for in conservation, and the use of old places of significance is supported; there is a possibility of losing the significance of the place during the process. A balance is therefore required in care and use of significant places to guarantee that conservation measures enhance them to ensure their survival without losing their significance.

In essence, the Burra Charter process captured under article 6 of the Charter has three (3) subsections, each of these respectfully address: Understanding the Cultural significance of a place, Developing a Policy and Management.

The cultural significance of a place which regards factors affecting the future of a place and involves gathering information about the place to understand its significance. This beginning the process and is followed by development of policies to guide conservation of the place and lastly management of the place in accordance with the policy. After preparing a statement of significance based on information gathers about the place of cultural significance, policies providing guidelines on how the place is to be conserved considering, resources, constraints, etc. are developed based on an understanding of the place's significance. The whole process ends with

management of the place in accordance to the policies developed and further monitoring and review of the policies to meet stakeholder requirements. The Burra Charter process, or sequence of investigations, decisions and actions, is illustrated below.

The Burra Charter Process

Sequence of investigations, decisions and actions

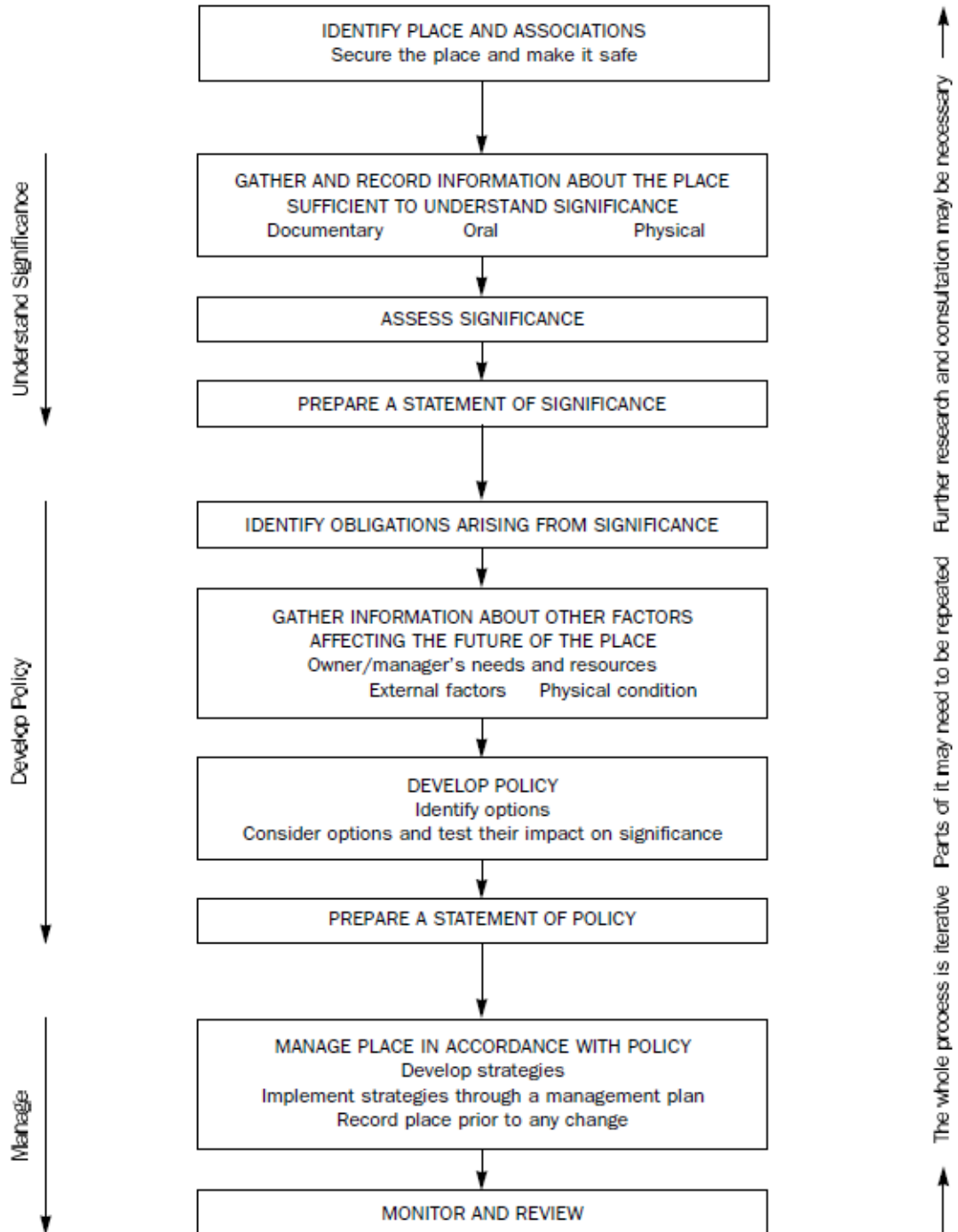


Fig.1 Burra Charter Process (Source: Burra Charter, 1999:10)

2.5 ADAPTIVE RE-USE

The 19th century saw the beginning of a theoretical discourse on the use of adaptive reuse as a means of preserving historic monuments. The prevalent practice of preserving monuments then, was concerned the restoration movement by Eugene Emmanuel Viollet-le-Duc and the anti-restoration movement by John Ruskin and William Morris. Both tenets aimed at preserving monuments and although their methodologies were contrasting, they contribute immensely to the evolution of restoration efforts into the concept of adaptive reuse today (Plevoets & Van Cleempoel 2012:1-2).

The intentions of the restoration and anti-restoration movements of the 19th century is consistent with the definition of adaptive reuse as a process of changing a historic building to suit a new function by renovation and restoration of the building (Ostroverkh, 2003:3). In support of this, the Burra Charter simply defines adaptation as “modification of a place to suit the existing or proposed compatible use” (Burra Charter, 1999:1).

The outcome of the adaptive reuse process may not necessarily be, to use a historic building for its original purpose but rather, to make it suitable for a new use, as is implied by the definition of adaptive reuse as a process that modifies and makes useable a neglected or unproductive item (Adaptive Reuse, Preserving our past, building our future 2004:3). The process of adaptive reuse encompasses alterations and extensions which usually occur when change in a buildings structure is required or when there is a need to expand the width or height of the historic building (Ostroverkh, 2003:3). Introduction of services such as electricity, plumbing, telephone, disabled access, and installation of improved technology into old buildings is also a vital component in adapting them to new uses. Since these services and new

technology transform the old buildings into practicable contemporary spaces it ensures their continued use and appreciation as intended by their creators (Ostroverkh, 2003:3).

Inferring from Ostroverkh, in a bid to extend the life span of historic buildings for posterity, as a means of preserving heritage of historic buildings, it is of great importance that their cultural significance is maintained in present society. In order to do so, the use of historic buildings for facilities such schools, house, meeting places, etc., is advocated for to encourage interaction between daily activities and historic buildings to improve appreciation of the values associated with the historic buildings thereby maintaining their significance and protection in society necessary for their survival. In furtherance of the recognition of the value of old buildings Ostroverkh affirms that aesthetical-value, age-value, use-value and economic-value, which are general attributes of restored buildings indicate the benefits associated with building adaptation (Ostroverkh , 2003:3).

2.5.1 Benefits of Adaptive reuse

Australian Government's Department of Environment and Heritage in the document, "Adaptive reuse; preserving our past, building our future", (2004:4-5) identifies four benefits of adaptive reuse as environmental, social, and economic and promotion of innovation.

Inferring from the document, the contribution of adaptive reuse of historic buildings to the environment can be appreciated in the identity that the community gains due to the location of historic buildings there. In agreement of this benefit, is Ostroverkh's expressive view that, using the principle of minimum intervention can enable the historical and cultural identity of a city is to be maintained successfully (Ostroverkh:

3). Another benefit associated to the environment as identified by the document, is improvement of amenities as well as surroundings in the environment which although is targeted at attracting more visitors also transforms the environment for the benefit of the community.

As indicated in the document, the survival of historic structures, as a result of their use and appreciation not only ensures their survival for the benefit of future generations but also contributes to the functioning and sustainability of communities which clearly demonstrates the social relevance of adaptive reuse. Furthermore, the use of historic buildings, create viable investments which generate financial savings and returns thus they gain economic benefits for their communities as stated in the document. Also the formidable task, which architects and designers face in adapting historic buildings of several years to new uses, in order to satisfy contemporary requirements, while conserving the heritage of the building, demands innovation which is another benefit of adaptive reuse identified (2004:4-5).

2.6 CONSERVATION PRACTICE IN GHANA

In the report, “Forts and Castles of Ghana, Situation Analysis”, the decision of the British government’s formal record on the need to preserve decaying forts along the gold coast indicated the beginnings of conservation in Ghana in 1920 which began work on the Elmina Castle. Inferring from the report, the interest in town development along the coast, resulted in temporal use of the forts, as post offices, prisons, police quarters, etc. and later, their abandonment. It is this shift in the state of affairs that accounted for the decay of the forts and which contributed in influencing the British government’s formal record to remedy the situation as a result of which minor renovations were undertaken at the Elmina Castle (1994:8).

However, seemingly recognition of the historic and architectural significance of the forts and castles was later given in 1947 and resulted in the establishment of the Monuments and Relics Commission of the Gold Coast. This led to the scheduling of forts and castles, and a handful of other historic buildings, as national monuments by the colonial government of the Gold Coast. Under the direction of the archaeologist A.W. Lawrence, the Ancient Monuments and Historic Buildings Division was set up in 1952, to examine and assess the remaining coastal forts, castles and fortified sites which laid the foundation for conserving monuments (Hyland, 1995:46).

The Ghana Museums and Monuments Board has since the 1990s been the sole institution with the mandate to supervise restoration and conservation of mostly public monuments and also monuments classified as World Heritage Sites, (for example the Cape Coast and Elmina Castles and the Yao Tano shrine at Ejisu-Besease), receiving technical and financial assistance from international organizations, such as the UNESCO, the UNDP, ICOMOS, and USAID (Gavua, 2011:4).

2.7 LEGAL FRAMEWORK GUIDING CONSERVATION IN GHANA

Ghana Museums and Monuments Board

In order to manage Ghanaian monuments, most of which are described by Gavua as ‘by-product monuments’, because they resulted from earlier commercial, religious, political, and other cultural activities, the Ghana Museums and Monuments Board (GMMB), by an Ordinance of the Gold Coast colonial administration was first established at the dawn of Ghana’s independence in 1957 (Gavua, 2011:3).

Prior to the establishment of the GMMB, the awareness on the need to conserve the past by the British Colonial government had resulted in the institution of an Interim

Council which was to later facilitate the creation of a national museum. However the Interim Council of the National Museum of the Gold Coast later merged with the Monuments and Relics Commission as a result of which the passing of the Museum and Monuments Board Ordinance (GOLD COAST No. 20 of 1957), which established the GMMB was expedited. Tasked with the responsibility of being the legitimate guardian of Ghana's movable and immovable cultural heritage, the GMMB is governed by the Liberation Council Decree (NLCD) 387 of 1969, now known as Act 387 of 1969 and further strengthened by the Executive Instrument (E.I.) 29 of 1973 to execute its mandate. Its history also takes account of the early beginning of an Ethnographic Museum at Achimota College in 1929, which was later transferred to the Department of Archaeology at the University of the Gold Coast, when the university was created in 1948. Steered by the operational guidelines for the implementation of the World Heritage Convention as a result of Ghana ratifying the World Heritage Convention in 1975, the GMMB is also guided by international guidelines, recommendations and charters issued from UNESCO and ICOMOS (<http://www.ghanamuseums.org/legal-framework.php>).

2.8 FACTORS INFLUENCING CONSERVATION OF MONUMENTS

Conservation of monuments depends on a number of factors mostly based on the value placed on the monument and includes cost of repair work and stakeholder requests which may sometimes differ. The decision regarding the value of a building beyond utilitarian purposes which warrants its protection as well as the value-judgments placed on the building by society's appreciation of the building, significantly determines how a building is conserved (Kent, 2011:paragraph 2).

The influence of stakeholder requirements, which is a needful contribution to monument conservation, is crucial since it can affect the conservation process negatively. Hyland explains that it is possible for the priority of stakeholders (personnel responsible for conservation of the monuments fabric, occupiers of the spaces within monuments and personnel responsible for management of the monuments facilities) to differ resulting in possible disagreements which can stifle conservation efforts and must therefore be kept in balance. As an example, Hyland further explains that the justifiable requests of an architectural conservator that the historical authenticity of a building should not be undermined as a result of introducing alternate constructional elements must be synonymous with statutory requirements (Hyland, 2005:30). In this regard, the outcome and success of monument conservation is a reflection of an efficient management of stakeholder demands. As indicated by Hyland, stakeholder requirements and demands that influence monument conservation are also constrained by the limitations of finance, and tight budgetary control exercised over all aspects of management that in many regard affect monument conservation work (Hyland, 2005:26).

2.9 ROLE OF MONUMENTS

Gavua, in the classification of monuments in Ghana, for example classifies monuments in Ghana as public and private characterized by varied functions and meanings at community, national and international levels. Whether public or private, these monuments commemorate historical events, personalities and deities and also serve as tangible evidences of ideological commitment and reflect national, ethnic, community, organizational characteristics of a particular society (Gavua, 2011:3).

Construction of public monuments, transformation of existing buildings and sites of value into monuments and naming of monuments after important personalities and events, has been undertaken by different governments since Ghana's independence in 1957, not only to gain public empathy and backing in order to maintain political power or to encourage patriotism but also to foster international relations as well (Gavua, 2011:4). This intimates the use of monuments as channels for affirming status and conveying ideals, confirming Hess's assertion of a link between architecture and administration of the nation as she observed in the architecture of Accra during the independence era (Hess, 2000:35-36). In further explanation of her viewpoint, Hess asserted that the use of monuments to inspire a sense of national identity and to enhance the stature of the administration, were main influences that determined Nkrumah's administration's approach to urban development which was revealed in buildings and other structures constructed in Accra following independence (Hess, 2000:42).

In the paper "Negotiations of Power", Gavua categorizes monuments under four (4) headings namely: (a) public monuments with national and international character, (b) public monuments with mainly national character, (c) public monuments with factional character, and (d) community monuments.

Inferring from the paper, it can be stated that "Public Monuments of National and International Character" appeal to both nationalist and internationalist interests for example the Christiansborg, Cape Coast and Elmina Castles whose role in national political and international relations has warranted the facilitation of their conservation and administration by different governments consecutively. The paper asserted that the Christiansborg Castle, originally constructed as a trading lodge by the Swedish Africa Company in 1652, converted into a fort upon acquisition by the Danes in 1661 was

altered to enable expansion of the fort to a castle and later utilized as the seat of the British Governor of the Gold Coast in 1873. After independence, however, the Castle has been continually used as the seat of government from the Nkrumah administration to the Atta- Mills administration, perceived as a power and authority symbol by various governments. Another example of monuments in this category are the Cape Coast and Elmina Castles which Gavua asserted are observed as direct symbols of the slave trade, perceived as sacred sites for spiritual growth and self-awareness besides serving as a channel for rejoining African roots; for those reasons, the castles are visited on pilgrimage by Africans in the diaspora and other peoples of African descent and has resulted in a considerable deepening of Ghana's relations with such stakeholders (Gavua,2011:6-9).

The next category of monuments according to Gavua's classification is Public Monuments of National Character. This category of monuments represents the mutual interests of Ghanaians which explains why they have endured over the years with little political interference in their management unlike other monuments. The Independence Square constructed by the first government of Ghana during the independence era is one of Ghana's largest public monuments; as a leading host of several national celebrations, this monument is cited as a good example under this category. Gavua explains that it is possible that the Independence Square can be perceived as a symbol of Ghana's sovereign status and national unity, because of the unwavering determination of successive governments, to make certain the Square is well maintained to safeguard its survival. Another example cited under this category is the Kwame Nkrumah Memorial Park (Gavua, 2011:9-10).

Another category of monuments identified by Guava's classification system consists of Public Monuments of Factional Character. These monuments include statues, overpasses

(flyovers), and circles (roundabouts), and smaller ceremonial grounds serve the ideals of particular governments and politicians; honoring political personalities, events, ideals and therefore do not appeal to some Ghanaians especially those who do not share the same ideals. The statue of Dr. Kwame Nkrumah which was pulled down and dismantled as an affront to the supposed invincibility of Dr. Nkrumah and his regime because it represented Nkrumah's authority as the absolute ruler of Ghana ever since it was set up in front of the old Parliament House in the early 1960s is mentioned as an example in this category. The act aided in projecting the authority and public image of the National Liberation Council (NLC) regime which was established by the military to replace Nkrumah's apparently invincible authority. In this regard as Gavua observes, the character, meanings and functions of monument can thus be altered in relation to changing political regimes to satisfy the interests and running of a particular administration (Gavua, 2011:11-12).

In Gavua's observation of Community Monuments as another category, some monuments for example shrines and statues are identified in his paper as portraits of power and pride. Gavua affirmed that shrines of monumental value are prominent in the quest for power among ethnic groups. The Yao Tano Shrine of Ejisu-Besease cited as an example, commemorates the role played by the Tano deity in the expansion of the Asante kingdom and for that reason the custodians of the shrine and deity, the Brong –Ahafo people claim autonomy from the Asantes. Another example cited is the constructed statue of Martin Luther King and other African Americans on an archaeological site of the ancient Bono Manso settlement which has become a pride of the locals irrespective of surrounding controversies with the Asantes (Gavua, 2011:11-15). It can therefore be said that community monuments may commemorate

events and people; their presence can also evoke sense of patriotism, unite the locals and enhance the community's status.

The observation that monuments in Ghana either purpose-built or by-product monuments have practical and symbolic functions (Gavua, 2011:2), suggests their roles transcends the general functions of commemorating events and people to include their role as active media through which various entities contest and negotiate authority to rule and influence public behavior. The popularity and sustenance of Ghanaian monuments bearing characteristics is based mostly on the symbolic functions.

In conclusion, Gavua's observation that a designated monument, in Ghana which falls in line with contemporary sociopolitical agenda is more likely to receive active public support because of its role in fostering international relations and its ability to reflect and invoke memories of collective interest to Ghanaians; explains why such monuments do not face neglect and abandonment because they usually fit the political and ideological agenda of particular governments (Gavua,2011:8). This could explain why monuments that are not associated to political ideals face challenges in their survival an indication of why most monuments in Ghana have not been properly conserved amongst other issues.

2.10 CHAPTER SUMMARY

Early approaches to conservation and formation of the charters and international guidelines to aid in monument conservation in the past years accentuated the importance society places on preserving historic structures. It has revealed numerous

benefits to be derived from conserving historic structures especially when the historic structure can be adapted to a new use to make certain of its survival. The consideration of the concept of adaptive reuse, as a method of conservation embraces the historic past and the present period to inform society about the historic structure is associated with other well-known benefits. Regardless of this, it is evident from literature reviewed, that current conservation practices in Ghana are stifled by other factors such as political views and ideologies, and how the monument is perceived irrespective of the monuments attributes and potential. The perception of monuments in the early years of conservation qualified the style in which monuments were conserved and which monuments were conserved in the past; an assertion which is synonymous to monuments of today. These underlying influences in conserving monuments provide the framework to guide this study.

CHAPTER THREE

METHODOLOGY

3.0 INTRODUCTION

The purpose of the research is to use the 19th century old court building at Cape Coast as a case study for adaptive reuse to determine the influences of adapting monuments to new uses, examining the role of stakeholders in conserving monuments and to investigate aspects of the building heritage that can influence the decision to adapt to a new use and resulting benefits. The research questions asked were to enable the realization of this purpose. The chapter describes the research approach and methods employed in undertaking the study. The first part explains the research approach and its application and the second part presents the research methods. This is followed by details of the research procedures and data analysis. The research follows a qualitative approach to acquire in-depth information and views about the topic.

3.1 OVERVIEW OF INFORMATION NEEDED

To address the research questions about factors influencing monument conservation in Ghana and how they determine the use of monuments, requisite information about conservation practice in Ghana and the theoretical framework guiding conservation processes have been collected. The strain of politics, polemics and poetics on decision making in adaptive reuse of monuments are addressed by collecting information about the process of adapting the old court building to a new use and identification of key stakeholders and their views. Establishing the indices of monument identification of the 19th century court building entailed gathering data about the building's history and use over the years as well as an inventory of the building and drawings of the court building to aid in understanding the history and character of the building. Information

on perceptions about the potential of the monument and internal and external influences provided a basis for answering the research question about the possibilities and limitations for the adaptive reuse of the court building.

3.2 RESEARCH DESIGN

In carrying out this research the overall research methodology is outlined as follows:

Pre Site Preparations

- Plan research study
- Library and Archival research
- Reconnaissance survey
- Review of pertinent literature
- Plan logistics needs

Fieldwork

- Site visit and data collection from site
- Collection of Oral accounts

Post Fieldwork Analysis

- Analyze data
- Prepare thesis write up
- Proposal of a management plan for adaptive reuse

The research began with a desktop study of the topic to be examined. Library and archival studies were undertaken prior to a reconnaissance study of the site. Literature pertaining to the research was reviewed and the research methodology planned. A reconnaissance survey of the site was undertaken to enable the author get acquainted with the site and to plan for the research. The information from the desktop study and

reconnaissance survey, equipped the author to prepare a proposal to seek funding from the Ghana Heritage Conservation Trust which requested for a study of the building as a heritage property. Pre-Site preparations;-planning research study, library and archival research, reconnaissance survey, review of pertinent literature and planning logistics needed for the research culminated in information presented to the Department of Archaeology, University of Ghana Legon in the form of a seminar prior to fieldwork studies. Comments and suggestions from the seminar presentation were well noted and have aided in the preparation of this thesis.

Fieldwork studies were carried out within ten (10) days. It involved collecting data from the building by measurements and photographs. This was done with the assistance from two (2) team members and two (2) technicians from the Ghana Museum and Monuments and Board, Cape Coast Regional Office. Informal interviews were conducted with various stakeholders and statutory bodies identified. Archival studies were conducted at the Public Record Department, Cape Coast. Analysis of data gathered from the site and from archival and library research was done and deduction of requisite information made for discussions. The final stage of the entire research process was the preparation of the thesis write up. Information gathered was organized in chapters to enable a comprehensive understanding of the topic. The diagram in Fig. 2 below illustrates the flow of the various steps involved.

3.3 DATA COLLECTION

Literature reviewed on the process of conservation (Burra Charter approach) preceded data collection to inform the study.

Data was collected from both primary and secondary sources.

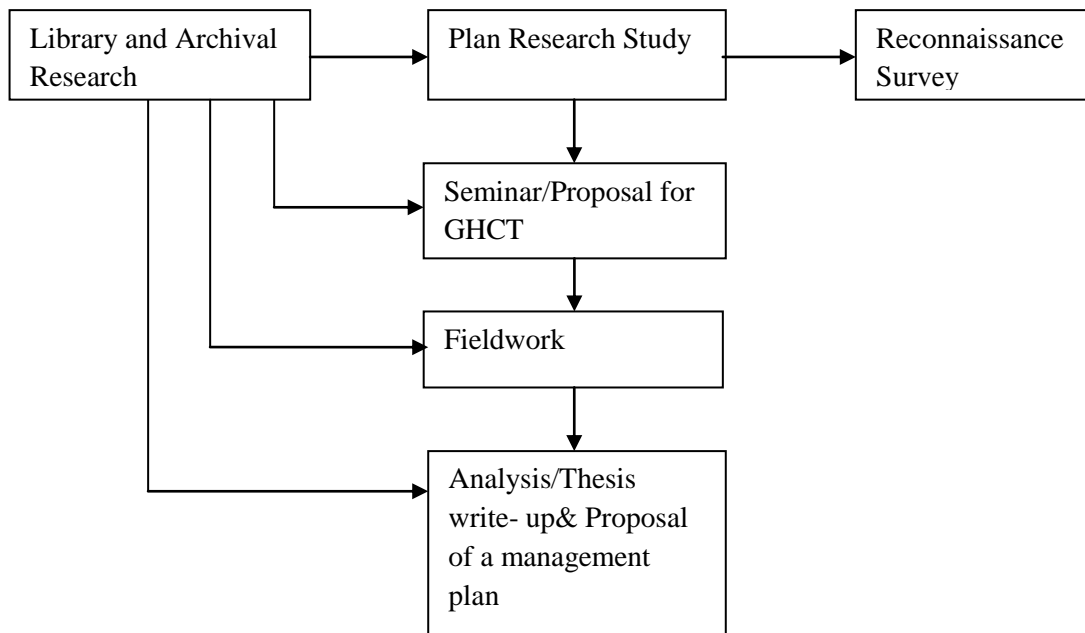


Fig.2 Organization process of research study

Primary sources of data

Interviews

Informal interviews based on a prepared questionnaire (see format in Appendix: 1) were used to collect data. First potential stakeholders were identified and permission sort to undertake interviews. Informal interviews were held with different stakeholders at different times. The use of informal interviews allowed persons being interviewed to interact freely which enabled relevant information to be discussed. The kind of information sought from the interview would not suffice straight forward “yes” or “no” answers and therefore the informal interviews were appropriated to allow for lengthy explanations.

Observation

The initial step taken was a reconnaissance survey of the site and the building to examine the external features of the building and its settings. A careful walk around the building, to examine external features, and surroundings of the building began the

survey. After examining the external features, a walk through the ground floor and first floor spaces taking notes of particular features was next. This was followed by a detailed examination of the building condition and internal attributes and an inventory of building elements. The building being studied was measured and drawn together with its adjoining structure. Photographs were taken as part of the observation process to provide not only pictorial representation of the condition of the building and its setting but to aid in post fieldwork analysis. Field notes were taken of observations made.

Secondary sources of data

Secondary sources of data complimented primary sources of data at every stage of the research. These include information from the following sources:

- Library and Archival sources
- Internet and Multimedia sources

3.4 DATA ANALYSIS

In preparing the write up for this thesis, findings from primary and secondary data collected have been organized to follow the flow of the Burra Charter Conservation process. Presentation of the findings from the research is focused on the first two (2) sections of the process because the third (3) sections require a broader spectrum of stakeholder involvement to develop and implement. The three (3) main components of the topic- politics, polemics and poetics are discussed in relation to the process for conservation and the concluding recommendations are based on the discussions.

In order to draw information needed to understand issues that pertained to this study such as: an account of the building's history, use of the building over the years, significance of the building to society as well as management considerations for the

building and its setting the following category of stakeholders were identified and interviewed:

- Owners of the property who control the use of the property and may possibly have record of the building
- The general public and locals who may have associated with the buildings use and history as well as recollection of memories
- Former users of the building who have recollections of memories associated with the building
- Statutory bodies which are mandated by law for the administration of the building and site
- Institutional stakeholders with a voluntary interest in the building's significance

As a result of the information sought after, a total number of 30 individuals with knowledge about the building, belonging to the categories above were engaged in the informal interviews.

The age group of respondents interviewed is represented in Table 1 below. The age groups were studied to find out if knowledge about the history and importance of the building run through different generations.

Age Group	No. of People	Percentage (%)
0-20 years	4	13.3
20-40 years	6	20
41-60 years	15	50
61-80 years	5	16.7

Table 1: Age limit of persons interviewed.

The study revealed that out of 30 respondents, eight people making 33.3% had no idea of the buildings being used formerly as a court. However the 73.3% of respondents knew the building had been used as a school building in recent times and also knew its use as a former court building. The 33.3% of respondents, who had no idea of the building's use as a court building, were mostly respondents under 25 years of age. More than 60% of the total population sampled agreed that stated that the monument was significant to society due to how long it has been in existence and suggested the that it needed to be conserved .

Over 30% of respondents attributed the lack of conservation of the building to unavailable funds and resources while others blamed decision makers for not taking responsibility of such structures. Others were of the opinion that the significance of the building is not well known to understand its mean and ensure its conservation and blamed statutory institutions for this situation. The deteriorating condition of the building was cited by 16.7% of respondents as the reason why the building may not be useable. Also, the decision concerning the use of the building was thought to be the responsibility of the property owners and the government by 23.3% of respondents. This indicated that funding of conservation work or any work necessary for the use of the building and the role of decision makers were perceived as the foremost influences in determining the use of the building. It also indicated that the conservation of the historic building was not considered as a shared responsibility of the public. Table 2 below shows factors stated by respondents as reasons why the building has not been used or conserved.

	No. of People	Percentage (%)
Decision makers	7	23.3
Funds	10	33.3
Condition of the building	5	16.7
Lack of awareness on significance of building	6	20
Other	2	6.7

Table 2: Factors Affecting Use of the Building

The proposed used of the court building is shown in Table 3. Below

	No. of People	Percentage
Library	7	23.3
Museum	17	56.7
School	4	13.3
Court	0	0
Other	2	6.7

Table 3: Proposed Use of Court Building

Several participants making up 56.7% promptly suggested the use of the building as a museum or heritage related facility since Cape Coast is a vibrant tourist destination but stated that the local community should benefit from the revenue accrued. Some participants suggested use of the building and site as a library and museum and others shared the view that the building should be used as a school. Amongst other suggestions made, was the use of the building for commercial purposes. However, none of the respondents suggested the use of the building as a court; some explained

that the size of the site cannot accommodate the space that a present day court would require to function effectively.

In summary, the informal interviews generally revealed information on the history of the court building and the transformations to the structure and settings over time. Questions asked about present and future plans for the site and the area indicated that, although redevelopment schemes have been planned for the area, the significance of the site had not been taken into consideration. It implies that the importance of the site to different stakeholders is yet to be recognized and also the indication of a possible loss of the building's history was apparent, since most young people did not have information regarding its former uses. It was made known from the interviews that the age group with a better recollection of the building's early history was possibly in the age group beyond 80years most of whom were difficult to find. Aspects of the building's design when it was used as a court building and the condition of the building prior to and after utilization as a school, from the recollections of respondents was helpful in understanding the architecture of the building.

3.5 LIMITATIONS OF THE STUDY

Limitations encountered by the author during the research study are enumerated as follows;

1. Unavailable records on the history associated with the old court building which made it almost impossible to appreciate the activities that took place within the building and its settings and the chronological use of the structure from the 19th century to the 21st century.

2. Unavailable record on the building structure posed a difficulty in ascertaining the actual design and modifications made to the building over the years.
3. Difficulty in taking detailed measurement of the entire structure due to the dilapidated nature of the building which has suffered severe damage of the building fabric especially on the upper floor, making it dangerous to walk on weak timber floor members.
4. Oral information from persons who are directly associated with the building was almost non-existent since such people are over eighty (80) years, many of whom have passed away.

Addressing such limitations will require a longer study period to enable detailed and extensive archival search to ascertain the requisite information which might be available but may be scattered in different sources of literature. The limitation posed by the dilapidated nature of the structure, however, requires a quick action to undertake a detailed study of the building with the necessary equipment before any further deterioration.

3.6 CHAPTER SUMMARY

The research methods employed in collecting data and the procedure followed to collect and analyze data proved to be efficient means which aided in sourcing for information. The methods provided an effective means of deriving relevant information to address issues that the topic sort to interrogate. The use of informal interviews greatly enhanced data collection since it encouraged flexible communication and a better understanding of perceptions and attitudes of stakeholders.

CHAPTER FOUR

FINDINGS AND DISCUSSIONS

4.0 INTRODUCTION

This chapter presents the research findings organized according to the sequence of investigations, decisions and actions in the Burra Charter process and discusses the implications of politics, polemics and poetics of the conservation management of the old court building as a monument.

4.1 SIGNIFICANCE OF SITE

4.1.1 Site location

The 19th century court building is located at Bakaano Road, Cape Coast approximately 1.7km from the Cape Coast Castle, in the Central Region of Ghana. The old court building popularly referred to as the “West African Court of Appeal Building” consists of two storeys and is situated along the coast with the Atlantic Ocean forming its south boundary. The building’s premises has an adjoining structure which was constructed a later period as seen in Fig.3.

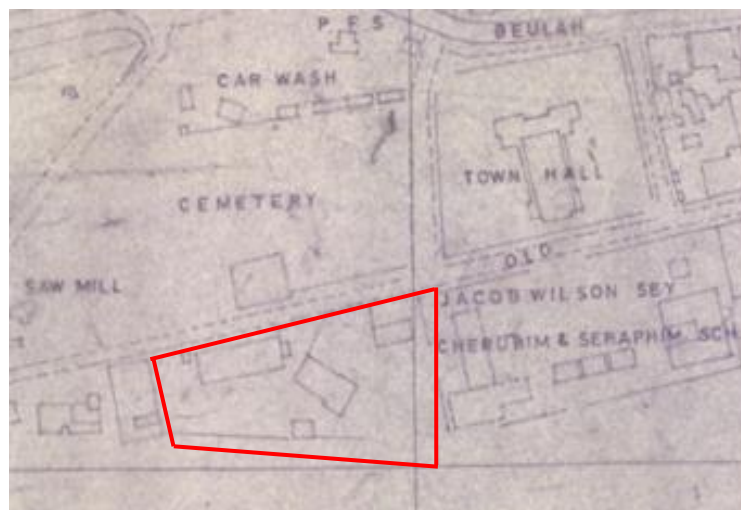


Fig. 3 Site Map of Old court building

(Source: Courtesy Town and Country Department, Cape Coast)



Plate 1: Aerial view showing the distance between the Cape Coast Castle and the old court building

(Source: Courtesy Google Earth)

4.1.2 Historical Development

The 19th century “West African Court of Appeal” structure was thought to have been constructed during the 20th century. However, findings from this research proved that the building in question traces its history from the period when Captain George Maclean was in Ghana “to ensure that British interests were adequately protected” (<http://www.businessghana.com/portal/aboutghana/index.php?op=britishc>), making it a 19th century building. Although the initial purpose of constructing the building is unknown, the building was used as a court building during the 20th century (the actual date not certain). After the Judicial Service moved to its present complex in 1976, the court building stood vacant (refer to Plate 2) until the Judicial Service granted permission to the Pitman’s College to use the property as a school and a hostel for students. In 1989, after renovation works (refer to Plate 3) to modify the spatial configuration of the building to accommodate the new requirement of the property as

a school, Pitman's College took occupancy of the property from 1990 until 28th December 2010. Currently the building is unoccupied.



Plate 2: View of Northern facade of the old court building prior to renovation works undertaken by Pitman's College (*Source: Courtesy Principal of Pitman's College*)

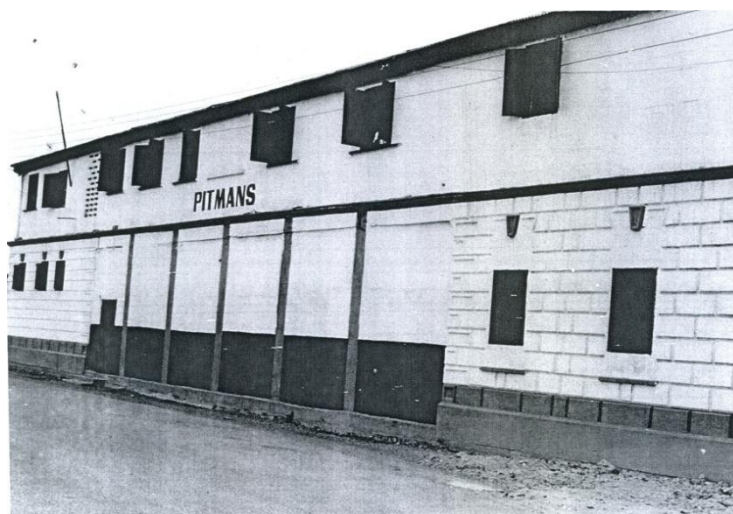


Plate 3: View of Northern facade of the old court building subsequent to renovation works undertaken by Pitman's College (*Source: Courtesy Principal of Pitman's College*)



Plate 4: View of Northern façade at present (*Source: Author*)

4.1.3 Statement of Cultural Significance

4.1.3(1) Site Description

The court building consists of two storeys and an adjoining single storey building as shown in Plate 4 below. The site shares boundaries with Bakaano road to the north, the Atlantic Ocean to the south, a school on the east and a private residence on the west. The site is opposite the War Memorial Museum on the Bakaano road.

The boundary of the site is shown in plate 5 below.



Plate 5: Location Map (*Source: Courtesy Google Earth*)

4.1.3(2) Heritage Values

Historical

The building dates back to the 1800s. Evidence from a date posted at wooden members of the structure proposes 1838 as the possible period of construction (see Plate 6). It therefore bears witness to events in Cape Coast over the past 174 years comprising of both the colonial and post-colonial eras. The moulded emblem of the elephant and the palm tree on the western façade of the building is a testament to the presence of the Fante Confederation and British administrations seen in Plate 7.



Plate 6: Soffit of staircase showing the 1838 inscribed in ink(*Source: Author*)



Plate 7: Elephant and Tree emblem mould on western façade (*Source: Author*)

Included in the legacy of the old building is the history of the possible use of the court by the West African Court of Appeal during the British administration before Ghana gained independence and ceased membership of the West African Court of Appeal.

Architectural

The current condition of the building and the changes effected to adapt it to different uses over the years, create a difficulty in appreciating the character of the building. However, the architectural style of constructing colonial buildings using masonry block walls for the ground floor and wooden members on the first floor and the use of verandahs to provide shading on either side of the buildings is evident. The original style of the building is easily identified by its entrances, openings, building material and craftsmanship.

Entrances

The eastern side displays four columns which undoubtedly celebrate the entrance suggesting that was the main entrance into the court building. The western entrance is also celebrated but not as imposing as the eastern side.



Plate 8: Columns celebrating main entrance into building on the eastern façade
(Source: Author)

Openings

Although most openings have been altered, a significant feature that identifies both door and window openings is the keystone in Plate 9 below.



Plate 9: An altered opening showing a capstone which prominently features on door and window openings (Source: Author)

Building Material and Craftsmanship

The masonry block work for used in constructing the ground floor, and the wooden floor and partitions on the first floor as well as the doors and windows used at different areas of the building, bear witness of the choice of building materials used during the period with accompanying skills.



Plate 10: Wooden floor and partitions on the first floor (*Source: Author*)



Plate 11: Masonry block work on the ground floor displaying craftsmanship of that period (*Source: Author*)

Social

The presence of the old court building in the community attests to possible social and economic activities such trading activities and the possible use of the place as meeting grounds, not forgetting its main use as a place of justice for which the building is popularly known for from the colonial period prior to the establishment of the judicial system for the Gold Coast Judiciary. It symbolizes a historic cultural landmark to the Cape Coast community.

Authenticity

The original building constructed has not remained the same in use since its possible period of construction in 1838 and has also been abandoned to the harsh weather elements for several years with minimum maintenance works and unguided alterations to the building fabric. The ground floor constructed in masonry block walls has a sturdy structure and is intact and the original authentic state can be recovered. The upper floor, constructed of wood has not been able to withstand the prevailing weather conditions and has deteriorated and currently experiencing rapid and accelerated deterioration. This poses a difficulty in retaining the original building fabric. The difficulty is not only limited to the deterioration of the building fabric but also includes damage to the building fabric as a result of works undertaken to change the use of the structure. The setting of the old court building has changed over time and it is difficult to tell the original extent of the site.

4.2 BUILDING ASSESSMENT

4.2.1 Spatial configuration of building

The building is a two - storey structure. Access to its ground floor as seen in Fig. 4 is by two main entrances on the eastern and western parts of the building. The eastern

entrance displays four (4) columns gracing the frontage (refer to Fig.4).The entrance leads into a lobby with rooms on both sides and a wooden staircase leads up to the first floor on the north side. One of the rooms on the north side displays two (2) small high level window openings with bars similar to that of a cell. A door leads from the lobby into the main hall. Flanked by two corridors on the north and south sides, the main hall has three (3) doors leading out of the main hall; two open onto the corridors and one opens into a lobby at the west end of the main hall. The door on the west end of the main hall opens into another lobby similar to the first lobby on the eastern section of the building with a room on each side. A door opens from the lobby onto a small terrace with a wooden staircase on the right (similar to that on the eastern section of the building) and a small room on the left as seen in Fig 4.

The first floor of the building as seen in Fig. 5 is accessible via two (2) wooden staircases on the northern side. The staircase on the north-western side leads to a hall way which extends across the width of the building to the southern side. Two (2) doors lead into the first room from which other doors open into the surrounding rooms and a corridor on the northern part of the first floor. From the hall way on the western side, a long corridor can be accessed to the southern part of the building which has a washroom facility in the middle. A door opens from the long corridor into a big room surrounded by two (2) small rooms and a wooden staircase on the northern side and on the southern side, a small room accessed from the big room acts as a lobby from which a staircase corridor links the 19th century building from the first floor to the adjoining court building. See Fig 5. The general spatial configurations observed from the study are in agreement with information obtained from descriptions of the court

building by Justice V.C.R.A.C Crabbe in an interview on 3rd September 2012, from his recollections of memories during the period he worked in the building.

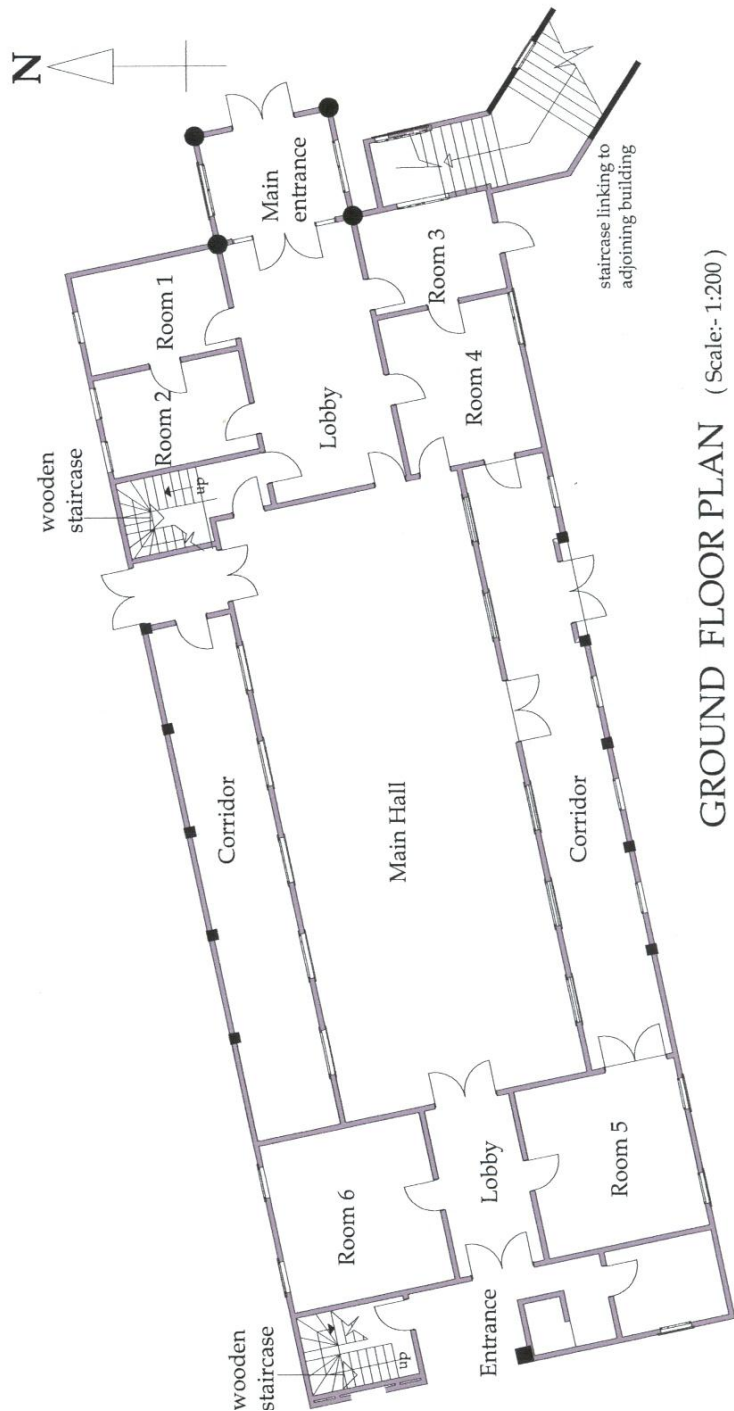


Fig. 4 Existing ground floor plan (Source: Author)

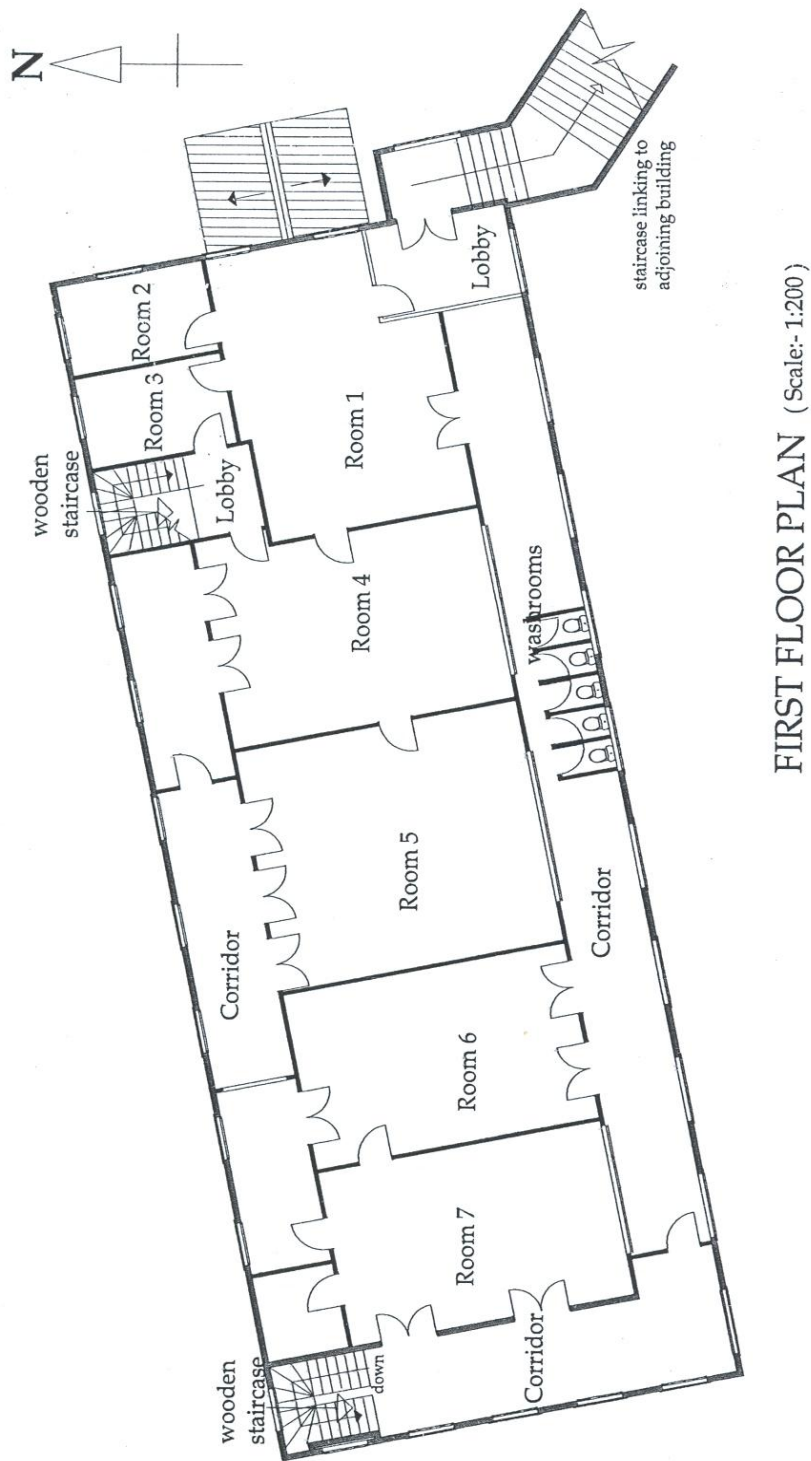


Fig. 5 Existing first floor plan (Source: Author)

4.2.2 Interpretation of the building's design

A study of the building's plan together with the material composition of the various components of the ground floor indicate clearly that the original design of the building had verandahs on either side both at the ground floor and the first floor. The design illustrated suggests the use of the space as a place for gathering. On the first floor however, the main hall of the ground floor was partitioned into a number of rooms and when the adjoining structure was constructed a linking staircase corridor was provided probably to facilitate movement between the two court buildings as seen in Fig.5. The design of the masonry wall and the windows gives the building its unique character which is mimicked in the adjoining structure.

4.2 .3 Existing condition of building

Presently, the building is in a damaged condition and the building fabric is in a state of decay. The decay and damage are not very evident from the north- eastern section of the building, which only portrays the building as an old structure in dire need of regular maintenance works such as painting of the external walls (see plate:12). Evidence of damage and decay is well appreciated on the south -western section of the building (see plate: 24) where the roof has collapsed. The ground floor structure is sturdy except for the decay of the ceiling members (see plate: 17), however, the first floor reveals the uttermost damage to the building, with broken windows and doors, damaged wall partitions and caved - in roof (see plate: 20 and plate: 23). The compound, hosting the building is littered with supposed "temporary" structures, which were constructed to satisfy the requirements of the Pitman's College during its occupancy of the building.



Plate 12: Northern and Eastern façades of the building showing alterations to the building for use by Pitman's College (*Source: Author*)



Plate 13: Southern façade showing damaged roof and with broken doors and windows (*Source: Author*)



Plate 14: Compound surrounding the building with “temporary” structures constructed by Pitman’s College (*Source: Author*)



Plate 15: Effects of the prevailing climate on the building (*Source: Author*)



Plate 16: Concrete slabs introduced to support the wooden first floor slab

(Source: Author)



Plate 17: Decay of wooden timber ceiling members *(Source: Author)*



Plate 18: Headroom of the spaces within the building in relation to the human height
(*Source: Author*)



Plate 19: Broken wooden stairs to the upper level (*Source: Author*)



Plate 20: Skewed timber partitions and damaged ceiling on the first floor
(Source: Author)



Plate 21: Damaged timber flooring covered with loose plywood boards (Source:
Author)



Plate 22: Collapsed timber partition; concrete slab introduced on top of wooden first floor slab (*Source: Author*)



Plate 23: Caved in roof on the first floor (*Source: Author*)



Plate 24: View of the collapsed roof at the South-western part of the building

(Source: Author)

Role of Decay

The coastal location of the site is influenced by the prevailing maritime climate which is high in salinity and characterized by high humidity and rain fall levels as well as strong winds. The physical effect of the climate is detrimental to the physical fabric of the building as can be seen from the blown off and collapsed roof portion, the moulded wooden members as well as moulded masonry walls. This threatens a loss of the authenticity of the building fabric and calls for rapid intervention to expedite plans necessary for conservation of the building in the hope to salvage original material.

The rapid rate of destruction of the building fabric observed during the research can be seen in a comparison between two pictures below taken five (5) months apart.



Plate 25: View of eastern façade in April, 2012 (*Source: Author*)



Plate 26: View of eastern façade in September, 2012 (*Source: Author*)

4.3 MANGEMENT OF THE PROPERTY

Ownership

The old court building is owned by Ghana's Judicial Service. The estate development section of the Judicial Service is responsible for the property which was handed back to the Judicial Service this year. Maintenance works are yet to be undertaken however the site is under the present care of a court official. Management of the property is not shared with any other organizations or statutory bodies currently. It is necessary for the Ghana Museums and Monuments Board (GMMB) to be involved in the management of the property because of the building's association with the history of Ghana which is of public interest. In addition, GMMB has the requisite mandate and expertise needed for conservation of such monuments according to standard guidelines.

4.4 SWOT ANALYSIS

Strengths

- The simple spatial organization of the court building design enables a good appreciation of the various spaces and allows flexibility in modifying the spaces to suit desired needs.
- A testament of the original building fabric is appreciated in the masonry block walls used to construct the ground floor. Although the building fabric of the first floor mainly constructed in wood is badly deteriorated, the sturdy structure of the ground floor to be utilized in conserving the court building authenticates the originality of the building fabric.
- The presence of another court building (adjoining structure) which may compliment the history of the entire setting of the site

Weakness

- Continuous rapid deterioration of the first floor and the ad-hoc modification of the structure have resulted in the loss of the originality in the building fabric.

Opportunities

- The location of the site within the historic core of Cape Coast and the nearness of the site to the Cape Coast Castle favour the prospects of using the property for a facility that generates interest to attract visitors to the site.

Threats

- The climatic condition of Cape Coast which has high humidity levels coupled with the nearness of the site to the sea has a negative effect on the building fabric rapidly increasing the rate of deterioration.
- Pollution of the surrounding environment threatens the protection of the site.

To understand the potential issues to be encountered in adaptive reuse of the court building, it is important to identify all key stakeholders of the site in order to address their needs which cannot be overlooked if the adaptive reuse plans for the court building is to be successful.

Key Stakeholders identified from the study include:

No.	Stakeholder	Interests
1.	Ghana Judicial Service	Current owners of the historic property
2.	Cape Coast Traditional Council	Associated, with the history of the building, possibly as the original owners and users
3.	Ghana Museums and Monuments Board	Statutory body for all conservation and management of all public monuments in Ghana
4.	Cape Coast Municipal Assembly-	Regulatory Body for development planning for Cape Coast jurisdiction
5.	Town and Country Planning Department	Statutory body for planning and zoning areas within Cape Coast
6.	Ghana Heritage and Conservation Trust	Non-governmental agency interested in preservation and conservation of Ghana's Historic Monuments and Sites
7.	Regional Administration	Political authority in the Central Region
8.	General Public	Contribute to upkeep of property

Table 4: Stake Holder Interests

4.5 POLITICS OF CONSERVING THE 19th CENTURY BUILDING

The definition of politics as ‘an authority held by a group within a society that allows for the administration of public resources and implement policies for society’ (Business Dictionary) is implied in this context.

Poetics and Polemics are both important considerations in the conservation of the 19th century building; however, the politics of conserving the building is vital to achieving the goal. The building transcends ownership by any group of shareholders as a result of its significance and therefore the Ghana Museums and Monuments Board (GMMB), the main custodians of the country’s heritage should be in full ownership of the building with all other interest-groups, as stakeholders. Although Ghana Museums and Monuments Board (GMMB) is the main authority responsible for managing the conservation public monuments, its mandate does not extend to privately owned monuments which may be of public interest comparable to the 19th century court building. GMMB provides technical assistance to conserve private monument upon request from owners. This however does not suffice efforts by the GMMB in conserving the nation’s monuments.

The decision on how the building should be preserved lies solely with Ghana Judicial Service which presently has no intent of use for the building in the immediate future. The implication is that heritage of the 19th century court building faces the possibility of being lost. Although other agencies and stakeholders may be interested in the history of the 19th century building, for example the Ghana Heritage Conservation Trust which is a non-governmental, non-for-profit preservation and conservation of Ghana’s Historic Monuments and sites and biodiversity of national and global importance (Ghana Heritage Conservation Trust), the onus of whether or not to

conserve the building irrespective of public opinion lies solely with the Judicial Service.

As the building continues its progressive state of deterioration, the area stretching from the Fosu lagoon in the west all the way to the Cape Castle is being considered in a redevelopment scheme demarcated for leisure activities. It is uncertain whether the presence of the historic building has been considered in the redevelopment scheme or not since the 19th century court building can be of benefit to the redevelopment plans and vice versa. The underlying issues with regard to the politics of conserving the building, mainly has to do with ownership and management of the property.

4.6 POLEMICS OF CONSERVING THE 19th CENTURY BUILDING

The history and age of the old building undoubtedly qualifies the building as a heritage structure worth preserving. The discourse is on how to preserve and present the heritage the building represents. The significance of the court building warrants a change in its status from simply being regarded as an old building to a monument of national/international repute. This is asserted because the history it represents from the period of its construction (possibly 1838) till date is a shared one belonging to the locals and the Gold Coast and therefore Ghana as a nation. The construction of the building possibly in 1838, associates the building with Captain George Maclean's tenure in the Gold Coast and therefore relates closely to British colonial history.

Chosen to preside over a local council of merchants, Captain MacLean was responsible for affairs along the Gold Coast between 1830 and 1843, a period of significant increase in trade and was also responsible for informing the British government's decision appoint Commander H. W. Hill as governor of the Gold Coast

to administer settlements and negotiate treaties with the coastal chiefs as a result of his effective supervision of the coastal people by his holding of regular court (<http://www.country-data.com/cgi-bin/query/r-5199.html>).

Captain George Maclean's effective supervision of the coastal people and the holding of regular courts may perhaps be the *raison d'être* for construction of the 19th century building. The Fante, as intermediaries in Asante-European trade, debased Asante gold before selling it to the British and Dutch and controlled the flow of European firearms to the Asante (Britannica Encyclopedia), may possibly have constructed the building to aid in their activities. The significance of the building has diminished over the decades and forfeited as a result of the inability of key stakeholders to project the meaning of the building to society. Together with its historic past and age, the building in question could be regarded as a monument, bearing a tangible evidence of British interactions with the Fante Confederacy prior to the establishment of colonial rule.

Improper modification of the structure as a result of unguided changes and additions to satisfy users has robbed the building of most of its originality. This however does not diminish its significance and the realization of the need to enlist the building as a monument of national and international interest is appropriate. The challenges encountered by the Ghana Museums and Monuments Board in enlisting historic buildings in Ghana due to inadequate funds and resources, could explain the reason why this 19th century building has not been enlisted to safeguard the site.

Although it has been adaptively reused over the years, the extremely deplorable condition of the 19th century building is indicative of a failed method in conserving the building even though adaptive reuse has been a sustainable approach for

conserving buildings of similar nature. The polemics of conserving the 19th century building should therefore be sympathetic to preserving the history of the building and not for using the building to serve any other purpose.

4.7 POETICS OF CONSERVING THE 19thCENTURY BUILDING

For the purpose of this discussion poetics is referred to as the “meanings ascribed to the monument and its associated benefits”. The building being discussed is popularly referred to as the Pitman’s building (because its most recent occupant was the Pitman’s College) but most people are acquainted with the former use of the building as a court although the original use for which the building was constructed and its original and subsequent use in the early years of the building is unknown. The building has also been referred to as the West African Court of Appeal building in some circles (although the building’s association with the West African Court of Appeal is yet to be well established). Fundamental to the varying references to the building, is the shared sense of appreciation of the building as a focal point for convening for different purposes such as trade interactions and administration of some form of justice. The collective memories of the events and activities that took place within and around the building are of significance to the evolution of the history of the building and its location within the community.

The history of the building associated with its use as a court and the age of the building, possibly 174 years, are indices that qualify it as a historic building. The shared memories of the building include the use of the building by the Fante Confederation for which reason the building could be of interest to the Traditional Council and therefore has the potential of projecting the importance of the traditional Council in society. The Judiciary appreciates the relevance of the contribution of the

building to its history since the building was formerly a sitting place for the courts attesting to the evolution of the Judiciary over the decades, particularly at Cape Coast. The poetics of the building as symbol of the rule of law of a particular period is mutual and when properly exploited can assist in conserving the building and its history. This view is synonymous to the intentions of the Ghana Heritage Conservation Trust to get the building renovated and adapted to a new use as a National Museum of Ghana's Legal Heritage.

4.8 CHAPTER SUMMARY

The research findings provided relevant information about the condition of the building and the character and significance of building to necessitate attention to the 19th century building, as a monument. The influences of politics, polemics and poetics addressed in the discussions delivered an insight into their role in the management conservation of the building.

CHAPTER FIVE

SUMMARY, RECOMMENDATIONS AND CONCLUSIONS

5.1 SUMMARY

The study dealt with the topic, ‘Politics, Polemics and Poetics of Monument Conservation in Ghana: Investigating the Adaptive reuse of the 19th century “West African Court of Appeal” building with the main objective of determining factors that influence adaptive reuse of monuments, the role of stakeholders, the influence of the tangibles and intangibles in the decision to adapt to a new use and the potential to be derived from the building.

The study mainly employed informal interviews, observation and site measurements to collect data. A summary of the research findings is enumerated as follows:

1. The perception that the building was constructed during the 20th century proved to be erroneous since the findings indicated the possibility of the building dating back to the 19th century giving it merit as a monument of historic national interest.
2. The discovery that the existence of the building, before British colonization of the Gold Coast indicates the history of the building transcends its known use during the period after independence.
3. The old ‘court’ building shares its significance with a wider spectrum of stakeholders, and its ownership therefore transcends the boundaries of its present owner.
4. The significance and value of the 19th century building has been under threat as a result of unguided alterations to the existing design in the past. Presently, the building fabric is threatened by the rapid rate of deterioration

caused by climatic condition of the environment and other contributing factors which continue to erode the tangible evidence of the past.

5. The potential of the building to attract tourists visiting other historic structures within the historic core of Cape Coast, where it is situated, when used as a facility of heritage interest when conserved.
6. The design of the building alludes to the interpretation of the 19th century building as a place of gathering.

5.2 RECOMMENDATIONS

ADAPTIVE REUSE

Based on the study, the recommendation is for the use of the building as a museum facility to interpret the heritage value of the site for appreciation of the public. Such a facility will foster the sense of the place as a site of convening which the building portrays through its spatial configuration. Conservation and consequent adaptive reuse of this monument to a new use as a museum facility, compatible to the purpose as a place of convening, will revitalize its historic past.

OWNERSHIP

The property by virtue of its historical significance and heritage value is of national interest, although it does not fall within the jurisdiction of the Ghana Museums and Monuments Board (GMMB) whose mandate is limited to public monuments. It is necessary to expand the authority of the Board to enable protection of the 19th century building and other buildings of similar repute by valorization and listing. Active support should be solicited from agencies and organization interested in preserving historic buildings especially agencies such as the Ghana Heritage Conservation Trust

concerned in preserving historic monuments and sites in the Central Region in particular and Ghana on the whole.

STAKEHOLDERS

All stakeholder participation should be encouraged at each stage of conserving the building, to ensure stakeholder satisfaction is duly met to mitigate any negative response from stakeholders.

MANAGEMENT PLAN

Proposed steps to developing a suitable Conservation Management Plan, for the 19th century “court” building, include:

1. Collaboration of GMMB with the Judicial Service to assess the significance of the building as a monument and to develop an agreeable management plan.
2. Commissioning of experts by GMMB to conduct further research on the building to provide a comprehensive study to identify conservation needs of the site, especially to authenticate the structural stability of the substructure.
3. Identification of local stakeholders such as Ghana Heritage Conservation Trust (GHCT) to form partnerships with GMMB.
4. Preparation of a detailed architectural conservation document of the building and the site. The transformation of the old court building into a museum of Ghana’s legal history at Cape Coast will certainly project the Ghana’s legal history and also the history of court buildings from the pre-colonial period until post-independence adding to the historic buildings of interest to visit within the historic core of and Cape Coast. The architectural transformation

will be achieved mainly through conservation-oriented architectural adaptations and enhancements proposed as:

- Adaptation of 19th century court building into an exhibition galleries which will also showcase the architectural style of the period
- Adaptation of the adjoining court building into lecture room and also to serves as a hall for mock court room performances
- Enhancement of the surrounding landscape to accommodate a sculpture garden and car park
- Introduction of an additional structure to accommodate ancillary facilities for example a library, snack bar, gift shop.

(Refer to Proposal for the Proposed National Museum of Ghana's Legal Heritage in Appendix 3)

5.3 CONCLUSIONS

The 19th century “court” building as it stands presently, is a shadow of its past, which is gradually fading away. The establishment of the building as a monument from the study presents the argument for its preservation. Adaptive reuse following the Burra Charter Conservation Process allows the significance of the building to be central in all conservation plans in its site context. Also the politics, polemics and poetics of monument conservation management are inter-related and the solution to problems posed, by the “3Ps” lies within their interplay and must be of significance to all stakeholders in the effort to execute the proposed management plan. Conservation management must therefore consider politics involved in managing the monuments together with the significance and meanings associated to the monument there by

embracing and balancing, politics, polemics and poetics together, for the efficient organization of sustainable monument conservation.

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APPENDIX 1: Questionnaire to guide informal interviews

DEPARTMENT OF ARCHAEOLOGY AND HERITAGE STUDIES, UNIVERSITY OF GHANA

RESEARCH TOPIC: POLITICS, POLEMICS AND POETICS OF MONUMENT CONSERVATION IN GHANA: INVESTIGATING THE ADAPTIVEREUSE OF THE 19TH CENTURY “WEST AFRICAN COURT OF APPEAL” BUILDING, CAPE COAST

a. Place of interview..... b. date.....

A. Age: a. [0-20] b. [20-30] c. [40-50] d. [60-70]

B. Sex: a. Male b. Female

C. Occupation

SECTION A

1. Do you know the old court building? a. Yes b. No

2. How long has it been since it was used as a court building?

.....

3. When was the building constructed?

.....

4. Who constructed the building?

.....

5. What was the building used for originally?

.....

.....

6. Do you have any record of the building?

.....

6(a) Any photographs of the building?

.....

7. Do you remember how the building looked like originally?

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.....
.....

8. How different is it now from before?

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.....
.....

9. Did you ever attend any court session there?

.....

9(a) If Yes, describe what took place?

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.....

10. Can you recollect any memories related to the court?

.....
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.....
.....
.....
.....

11. Do you think the building should be conserved? a. Yes b. No

11(a) Explain Why?

.....
.....
.....

12. Who decides what the building should be used for?

.....

13. What do you propose the building should be used for?

.....
.....

14. What benefit will it be to society?

.....
.....

SECTION B

15. Is the old court building listed as a historic building? a. Yes b. No

16. If Yes, what is being done to protect the site?

.....

17. If No, Why is not listed?

.....
.....

18. Do you consider the site to be under threat? a. Yes b. No

18(a) Explain.....

.....
.....

19. What can be done to protect the site?

.....
.....
.....

20. Would you consider the building as a monument? a. Yes b. No

20(a) Explain, why?

.....
.....
.....

21. What is the significance of the building?

.....
.....
.....
.....
.....

22. What factors can influence the adaptive reuse of the court building?

.....
.....
.....
.....
.....

23. Is your organization a stakeholder of this building? a. Yes b. No

24. What role will your organization play in conservation of the court building?

.....
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.....
.....

25. Who are the other possible stakeholders?

.....
.....
.....

26. Are there any current plans for the building?

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.....
.....

27. What potentials can be derived from the adaptive reuse of the old court building?

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.....

28. What use can the old court building be put to?

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29. What are the possible external factors that can influence the use of the old court building?

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.....
.....

30. What factors influence monument conservation in Ghana?

.....
.....
.....
.....

APPENDIX 2: Interview with Headmaster of Pitmans College Mr. Buckman

Question: What year did you occupy the building?

Answer: 1990

Question: When your occupancy cease?

Answer: 2010

Question: How did you come by the property?

Answer: I wrote to the government and the building was leased to me during the PNDC era

Question: Describe the condition of the building when you took occupancy

Answer: - Thick slate roof

- No ceilings upstairs

Question: Do you have any records/documents about the building?

Answer: No records

Question: Any photographs?

Answer: Yes. I took a photograph before I renovated the building and after I renovated the building.

Question: What modifications did you make to the structure? Additions? Demolitions?

Answer: - Partitioned the main halls into smaller spaces for offices and classrooms with plywood boards.

- Constructed temporary structures on the compound for use as classrooms and dormitories.

Question: Were there any guidelines for you to follow in modifying the place?

Answer: No I modified the place myself. I spent a lot of money on it.

Question: Describe exactly how the structure was used during your occupancy?

Answer: It was a school with classrooms and dormitories. With a few office spaces

Question: What maintenance measures did you undertake?

Answer: Painting and repair of minor damage. It was costly.

APPENDIX 3: Proposed National Museum of Ghana's Legal Heritage



Conceptual layout of the proposed museum facility (Source: Author)

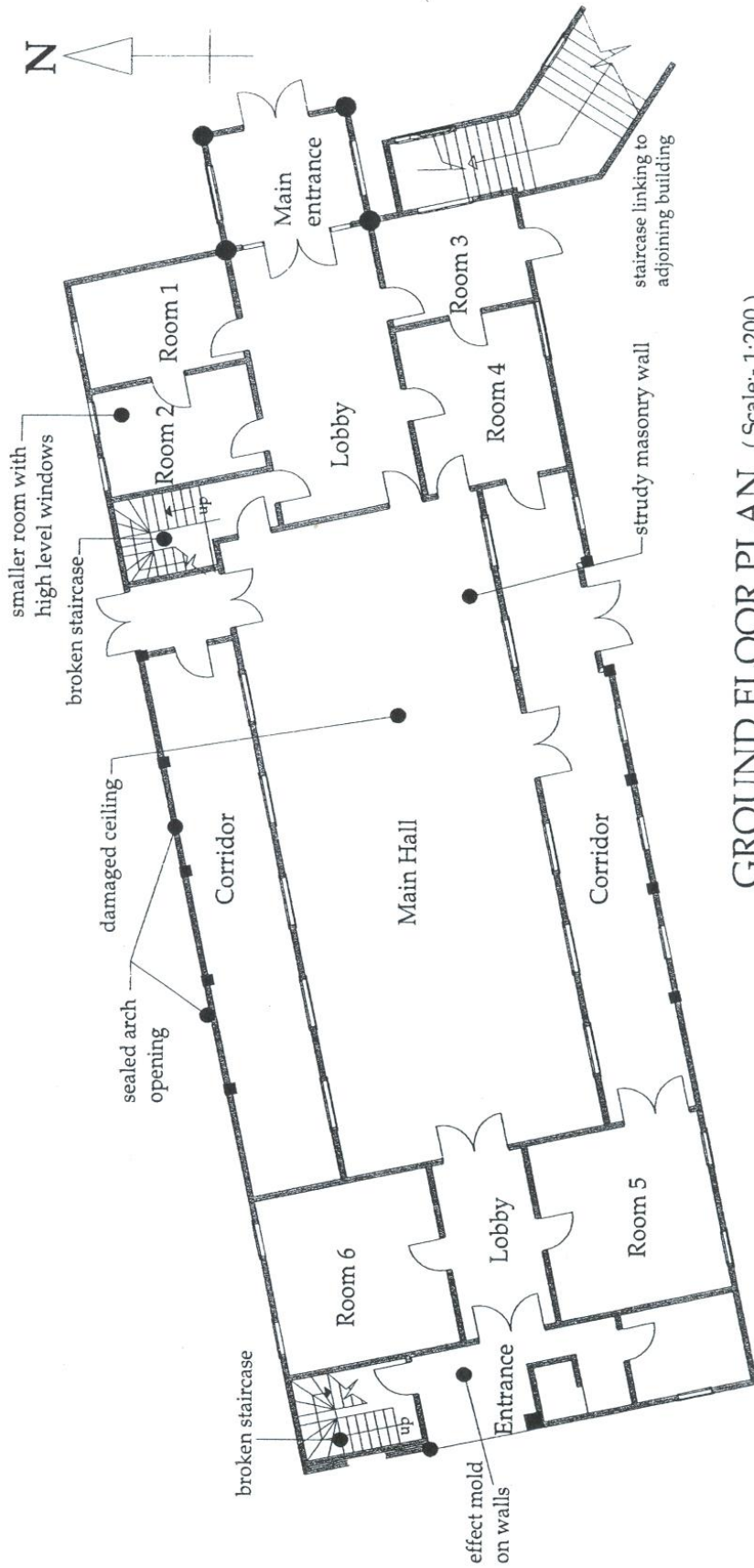


Artistic impressions of the proposed museum displaying the eastern and northern facades (*Source: Author*)

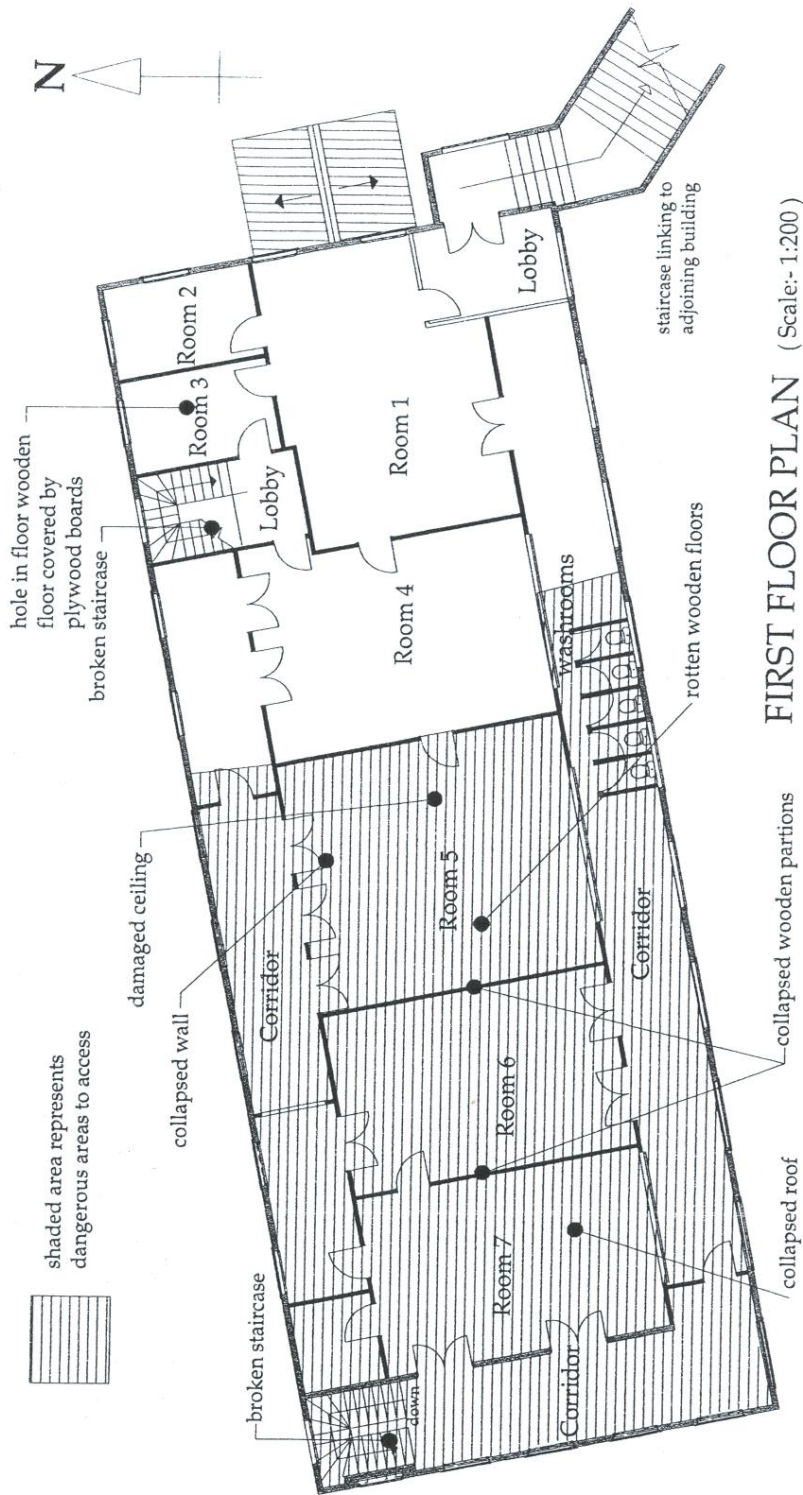


Artistic impressions of the proposed museum, showing northern façade facing the Bakaano road (*Source: Author*)

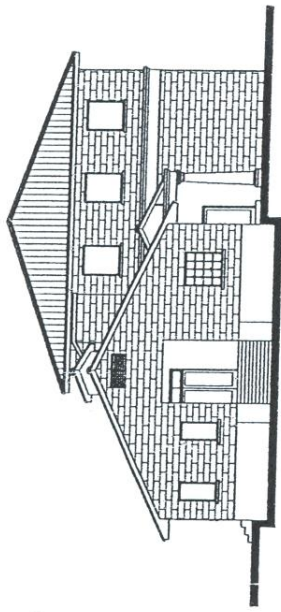
APPENDIX 4: DRAWINGS OF EXISTING BUILDING



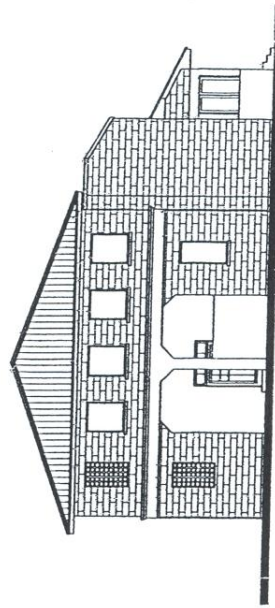
GROUND FLOOR PLAN (Scale:- 1:200)



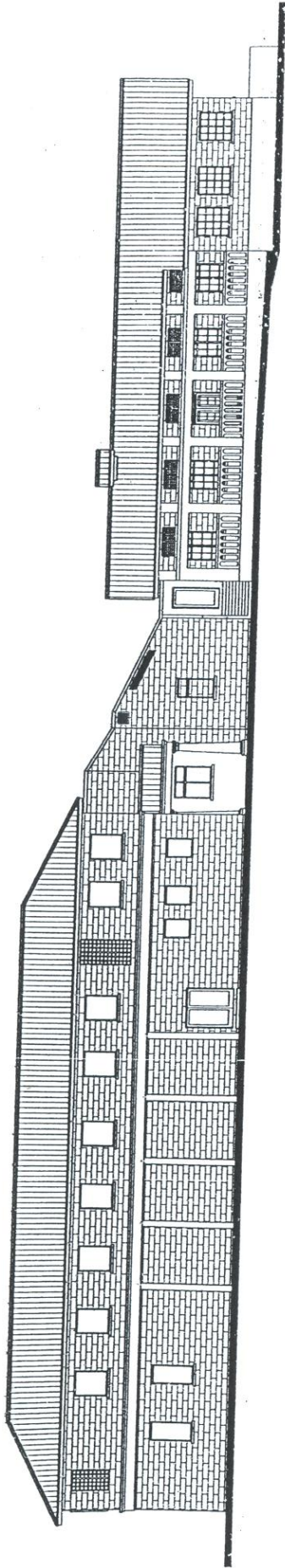
FIRST FLOOR PLAN (Scale:- 1:200)



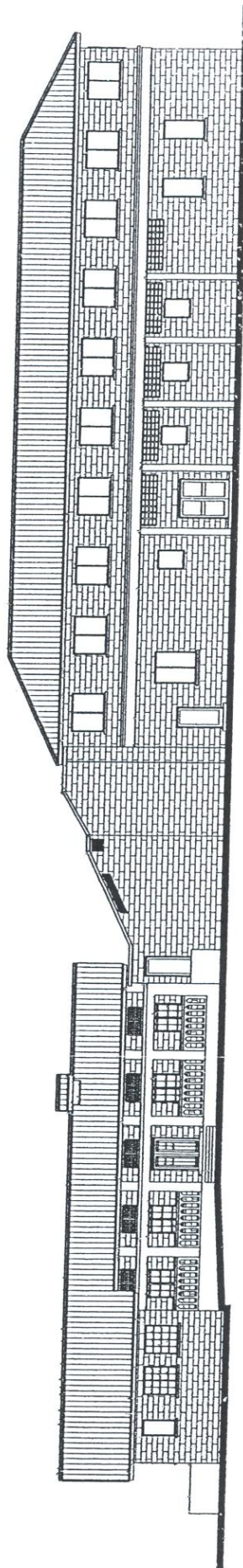
EAST ELEVATION (Scale:- 1:300)



WEST ELEVATION (Scale:- 1:300)



NORTH ELEVATION (Scale: 1:300)



SOUTH ELEVATION (Scale: 1:300)