

# THE POLITICS OF CULTURAL HERITAGE MANAGEMENT IN TUNISIA

by

YOLDEZ HALLEB

(Under the Direction of James K. Reap)

## ABSTRACT

This thesis examines the development and evolution of cultural heritage management in Tunisia by presenting the legal, political and social overview of National Heritage concept from the colonial period into the years of after the Tunisian revolution of 2011.

The analysis considers the development of legislation and policies for the management of Heritage in Tunisia. It also examines the efficiency of institutions in charge of it. The ultimate goal of this thesis is to show how restricting cultural heritage management to political interests and views affects the preservation of a complex and diverse National Heritage. To fully understand how Tunisian Heritage policy is currently sanctioning one type of Heritage at the expense of others, the thesis focuses on two different, but somehow both neglected, types of heritage; colonial heritage and Berber heritage.

INDEX WORDS: Berber, Cultural Heritage, Management, Protectorate, Colonial cities, Turath, Legislation, INP, Decree, Indigenous, Patrimoine, Tunisia.

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## DEDICATION

To my mother, Lamia Ladhari, who has always supported me and showed me the power of strong women. Whether by teaching me perseverance and hard work, or by giving me the confidence and the encouragement to believe in myself, you have influenced my knowledge and helped create the person I am today. Also, thanks for proof reading my drafts!!! Having an English teacher mum couldn't have been more beneficial. I would also like to thank the women in my family and my sister, Yosra, for all the love and support she was sending me between continents. I am grateful to her for giving me the most adorable nephew, whose video calls helped me get thru some depressive moments.

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## CHAPTER 1

### INTRODUCTION

Heritage representation and inclusiveness on a global scale are increasingly important issues and topics. However, on the national scale it tends to be overshadowed by what states decide should be a presentation of the country's history.

In some countries, heritage management is closely tied to political history and religious beliefs and it is not always about fact or authenticity. It can also be about politics and uses of the past, where both authorities and communities make conscious decisions about what to protect and what to remember. Anything that the State deems worthy of saving eventually enters an arena where its meaning is discussed, debated, and sometimes modified. Robert Hewison suggests that heritage is largely imposed from above to create a nostalgic past, especially during times of economic decline.<sup>1</sup>

#### Historic Context:

In the last decades, there have been numerous examples of a phenomenon related to the use of cultural differences to serve national political interests. For example, Mbunwe-Samba describes how the dominant French speaking politicians of Cameroon have deliberately looted, destroyed or allowed colonial monuments in the English speaking part of the country to decay; Greek nationals were unwilling to accept the mixed history of Thessaloniki and that the ancestors of many inhabitants spoke Slavic language.

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<sup>1</sup> Phyllis Mauch Messenger and George S. Smith Eds., Cultural Heritage Management, A Global Perspective (University of Florida: 2010) , serious forward Viii.

Hindu nationalists continue to deny the artistic and architectural contribution of the Muslim Mughals to Indian culture. In 1992, in Ayodhya, India, the Babri masjid, 450 years old, was destroyed by Hindus.<sup>2</sup> In 2017, The Taj Mahal was left out of a regional tourism brochure "Uttar Pradesh Tourism – Limitless Possibilities", produced by the government of Uttar Pradesh after Yogi Adityanath, the radical Hindu cleric who runs the northern state, said that the white-marbled mausoleum at Agra "did not reflect Indian culture". As a response, Dunu Roy, social activist and architect, in an interview told Deutsche Welle ( DW website ) : "In the idea of a Hindu state, anything purported to have been created by Muslims, including language, culture, music and lifestyle must be eliminated from social and civic memory. The Bharatiya Janata Party (BJP) want it replaced with Brahmin religious symbolism".<sup>3</sup>

In Tunisia, this phenomenon has been practiced since the beginning of its history. Every civilization has erased the traces of the one before it. In 146 B.C., when Romans and their Berber allies destroyed Carthage, they razed it to the ground and allegedly scattered salt on the ruins to ensure that it wouldn't rise again<sup>4</sup>. Roman historians gleefully described how they demolished the city. During the razing, its libraries were burned, hence, all we know of Carthage was written by its conquerors. A new city of Carthage was built on the same land by Julius Caesar in the period from 49 to 44 BC. Later on, when Hasan ibn al-Nu'man took over Carthage in 698, Roman Carthage was destroyed, its walls torn down, its water supply cut off, and its harbours made unusable.<sup>5</sup>

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<sup>2</sup> Ibid, Introduction.

<sup>3</sup> Murali Krishnan (New Delhi), "Why was Taj Mahal excluded from Indian tourism brochure ?" *DW*. Published April 10,2017. Accessed June 10,2018. <https://www.dw.com/en/why-was-taj-mahal-excluded-from-indian-tourism-brochure/a-40803522>

<sup>4</sup> Ridley R.T, "To Be Taken with a Pinch of Salt: The Destruction of Carthage," *Classical Philology* vol. 81, no. 2, (The University of Chicago Press:1986).

<sup>5</sup> Edmund C. Bosworth, *Historic Cities of the Islamic World*. (Brill Academic Press: 2008), p 436.

This practice is also visible in the Great Mosque of Kairouan, where Roman and Byzantine columns and capitals were taken from sites like Carthage and reused in the construction of the mosque.<sup>6</sup>

If heritage is the physical embodiment of a nation's story, then Tunisia can boast one of the richest narratives in the world. Our landscape, built environment and archaeological spaces tell a story that encompasses not only the history of those who populated this land, but of the many millions across the globe with whom we share a past. However, heritage could, if it is not critically grasped, distort our vision on history because it presents itself to us in the present time; thus, the most visible parts of the history are those that are monumental and resisted time. The Roman monumental heritage, which was built on Punic foundations, imposed itself independently of colonial strategies, yet overvaluation at the expense of the Berber Heritage, which for example was built in fragile materials and therefore less resistant.

The emphasis on a certain heritage at the expense of others suppresses the evidence of a culturally diverse and hybrid past in favor of some parts of the history that are seen as “the golden age”. Intentional sanctioning of Berber heritage as history of mankind, still represents an aspect of colonialism, a suppression of non-western knowledge.

On the other hand, when it comes to disputed memory and the socio-politics of the past, heritage can be abused during a conflict and in the aftermath and used to divide, manipulate, and control. In the case of colonial heritage, authorities opted to eradicate and exclude the physical legacies of that era from the Heritage concerns. This resulted in the abandonment, destruction and vandalism of this heritage. In 2018, a group of political activists tagged political slogans on the national municipal theater in Tunis that was built in 1902 (Figure 1).

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<sup>6</sup> Henri Saladin, Tunis et Kairouan, coll. *Les Villes d'art célèbres*, éd. Henri Laurens, (Paris: 1908), p 120.



If one goes through comments on Facebook, where news of destruction of colonial buildings are shared, he would be surprised by what many people say : “Why should we care about some old buildings that the French oppressors left behind? We should actually destroy these reminders of our ancestors’ sufferings’ memory”. This act portrays the vision of Tunisians of the colonial architecture that is not considered our heritage or part of our history.



Figure 1: The Municipal Theater of Tunis. Source: Buisnessnews.tn. Published January 15, 2018 Accessed July 08, 2018. <http://www.businessnews.com.tn/Leila-Toubel-s%E2%80%99indigne-des-tags-sur-les-murs-du-the%C3%A9%C3%A2tre-municipal.520,77322.3>

Politics also played an important part in the assessment of the intangible cultural heritage since the beginning of the French Protectorate in 1881 to the modernization visions implemented by Habib Bourguiba after the independence in 1956. As a result, today, there is a superiority complex towards everything native and denial of the vernacular and indigenous heritage. In Tunisia, we call everything that is Berber, Arabic. Traditional Berber food like the “Harissa” is called “Harissa 3arbi = Arabic Harissa” (Figure 2) . Traditional Berber clothes are called “Labsa 3arbi = Arabic outfits”. In the Sahel Region, women who are getting married have to perform a traditional custom “Jelwa” during the “Henna day” (referred to as Arabic Henna). She turns around 7 times wearing a golden costume and hiding her face with a scarf (Figure 3). This tradition goes back to the Phoenician and Carthaginian era, where women about to get married

had to go to the temple of the goddess Ashtart (Tanit for the Carthaginians) dressed in gold (color of the sun) before the wedding night and turn around seven times. This gesture must be accompanied by raised hands symbol of Tanit (Figure 4).

By this act, she invokes the goddess so that she can be fruitful. Most people do not know that our Jelwa is a pagan custom and more specifically Punic. Nowadays, we reproduce this ancestral rite but ignore that we are invoking a Phoenician goddess.<sup>7</sup> And unfortunately if this fact is recognized among Muslims, it will mostly be prohibited as a form of Polytheism. When the article on Weposte was published, it faced some outrage among people who called this tradition “Shirk”, a non-believers’ act. “This is shirk band of ignorant, NOT to REPRODUCE IF YOU ARE REALLY MUSLIMS” responds Ilhem Benhoggui on the article<sup>8</sup>.



Figure 2: Publicity for a Harissa "Arbi". Source: AzizaMhiri <http://azizamhiri-holding.com/>

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<sup>7</sup> Dorra Khelifi, “ La Jelwa de la mariée : une coutume qui invoquerait la déesse Tanit, ” *WePoste Magazine*. Accessed July 07, 2018. <http://www.wepostmag.com/la-jelwa-de-la-mariee-une-coutume-qui-invoquerait-la-deesse-tanit/>

<sup>8</sup> Tunis Book Club, Facebook page. Published May 25, 2018. <https://www.facebook.com/TunisBK/posts/1908937615989271>



Figure 3: Tradition costume for the "Jelwa". Source : Zaher Kammoun, « les-costumes-traditionnels-de-la-tunisie ». Accessed July 2, 2018. <http://zaherkammoun.com/2016/01/17/les-costumes-traditionnels-de-la-tunisie/>



Figure 4: The Tanit Symbol, Karkouane . Source : Le blog de hammamet.soleil.over-blog.com . Published March 25, 2011.

The focus of this thesis is on management policies of sites that embody evidence of the complex ethnic, political and religious history of a region and that might stand in the way of politicians and advocates of ethnic purity and Nationalism.

## Research Questions

This thesis raises questions that are currently discussed on a global scale. *How history and politics can affect the conservation of a national Heritage? How can a conflicting relationship between history, heritage and identity lead to the destruction of Heritage? How to approach the conservation of a heritage that is a reminder of a complex past? Is there a need to redefine what a National Heritage is ?*

To answer these questions, it is first necessary to fully understand the concept of Heritage in Tunisia. Chapter 2 examines the development of legislation, policy, and principles and practice of the historic preservation field in Tunisia since the 19<sup>th</sup> C in the context of the formative political and societal influences that act to shape it.

It is also crucial to present the current threats and general issues in the heritage sector while examining the efficiency of the heritage institutions and legislations. This analysis, in Chapter 3, raises questions about the links and coordination between these institutions, which are in charge of archaeological sites, their inventory, study, classification and promotion. It also highlights the weakness of the legislative framework and questions if the heritage code needs updating.

In Chapter 4, the thesis tackles how preserving monuments and artifacts, simply because we maintain different relationships with different eras of our past, could lead to the neglect and damage of heritage that could be employed as a valuable economic resource. In this context, the case study of the European colonial cities of Tunisia seems the most relevant. This chapter raises more specific questions like: *Why colonial downtowns are not recognized and not considered valuable by the public authorities as a national heritage along with the Islamic Heritage of the Medinas? What should be preserved and who should decide on this subject?*

For anyone trying to understand how heritage policies, in aiming to construct a homogenous national identity, could be seen to exclude the history of “minority” groups in a society. Chapter 5, focuses on the case study of the Berber heritage which shows the Tunisian State’s management of the minority heritage that demonstrates the prioritization of Tunisia’s Roman and Islamic roots over its Berber heritage, thereby provoking ethnic and identity confusion. In this chapter, I started by providing a context for the reasons that led to the way Berber heritage is perceived and presented today and concluded with an attempt to answer the questions of: *How does the denial of the Berber heritage, as a national heritage, affects its interpretation and management?*

This thesis does not discuss the intentional destruction of cultural heritage, a war crime that has been around since ancient times especially in the 19th century and targeting countries rich in history and diversity or at the beginning of the century, where colonial powers took advantage of this wealth for the development of their own nations. Nor does it discuss the management of the Islamic and Roman heritage.

## CHAPTER 2

### THE EVOLUTION OF THE NOTION OF HERITAGE IN TUNISIA FROM THE 19THC

The history of heritage is “largely the story of how a society builds its heritage. In particular, in the French case, it merges with an administrative history, or at best a socio-administrative one”<sup>9</sup>. In the case of Tunisia in the 1880s as a French Protectorate, the study of its administrative and legal history makes it possible to apprehend the relationship between the administrator and the local heritage and, above all, to determine the process of official recognition of the Tunisian heritage.

In the regency of Tunisia, looting encouraged the project of French scholars to organize and think of an administration in order to preserve the material elements of antiquity like the administration that France set up, due to the revolutionary vandalism, to use and protect the testimonies of the past for pedagogical purposes.<sup>10</sup>

In the early days of colonization, the concept of Heritage was introduced in Tunisia initially by the community of settlers, to preserve the remains of antiquity mainly Roman Archeology. This concept developed with the first attempts to inventory ancient remains, undertaken by French architects. It is in the beginning of the 20th century under the leadership of

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<sup>9</sup> Poulot Dominique, *Une histoire du patrimoine en Occident, XVIIIe-XXIe siècle, Du monument aux valeurs*, (Paris, PUF, 2006), p 196.

<sup>10</sup> Leila Ammar, “Les Enjeux du Patrimoine Ancien et Récent à Tunis aux XIX<sup>e</sup> et XX<sup>e</sup> siècles, entre Volontés de sauvegarde et Périls, ” *Al-Sabil : Revue d'Histoire, d'Archéologie et d'Architecture Maghrébines*. (2017). <http://www.al-sabil.tn/?p=2877>

European scholars, that the first monuments of the Islamic era would be included in the heritage protection efforts by the administration.

Therefore, in Tunisia , the architectural heritage is largely the result of European scholars' view on the North African culture.

This Chapter questions the notion and use of heritage in Tunisia according to different temporalities: the period of the protectorate, independent Tunisia and the recent decades. In Tunisia, heritage management is closely tied to political history or land ownership practices. I will draw a chronological study of the evolution of the heritage concept in Tunisia and discuss how the study and management of heritage developed and how heritage work was organized under the 21<sup>st</sup> century political upheavals and regime changes that have greatly affected the policies: Colonialism, Nationalism, Economic conditions on the development and sustainability of heritage studies and management.

The actors, Protectorate administration, Service of Antiquities and Arts, elites and local population, played a decisive role in the apprehension and fabrication of a certain idea of heritage. In Tunisia, the arrival of the Military engineering changed the ancestral constructive techniques. The Central Administration adopted different attitudes marked by the development of solicitude and consideration of Tunisian local heritage in the years 1905-1930 during the “Arabization” movement and the use of the decree of 1886, during the 1910s, to ensure the safeguarding of Islamic religious buildings, echoing the interest in Islamic culture that animated the European scientific community.

Finally, the focus will be on the independence period when heritage is relegated to the rank of archaism because it was the time of the construction of the modern nation and progress in all areas. Nowadays as in previous times, heritage is unfortunately exploited for identity, economic

and tourist purposes. The notion of heritage has endured since the 19th century a series of political and cultural shifts that have reduced it to an ideological and propaganda instrument.

#### The Notion of “Turath” and Heritage:

To start this chapter, I find it very important to examine the difference between heritage as a western word and the world Heritage that is used in the Arabic language in all the heritage laws in Tunisia.

The concept of heritage was imported into the Maghreb countries<sup>11</sup> by colonial societies, which differs significantly from the Arab concept of “Turath”, which prevails today in the Arab world. According to André Chastel,<sup>12</sup> the concept of heritage is the term *patrimonium*, which refers to a heritage property that is passed from fathers and mothers to children. This Western notion expands in the 19th century to include historical monuments<sup>13</sup>.<sup>14</sup> However, the word “Turath”, which is the translation of Heritage in Arabic, defines an inheritance, that “presents a much more abstract than concrete aspect based on the essence of objects, knowledge, modes and rhythms of life”<sup>15</sup>. This word is essentially distinguished by a historical and cultural evolution. In Tunisia, since the 20th C, this term evokes the heritage of the Arabo-Islamic civilization.<sup>16</sup> The word “Turath” is related to tradition, modernity and history. In fact, according to Yassine Karamti, “The Arabic term Turath is imbued with cultural and historical burdens”<sup>17</sup>. In the 1950s, the word “Turath” was described by ALESCO (the Arab Organization for Education,

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<sup>11</sup> Maghreb includes : Algeria, Libya, Morocco, Tunisia, Mauritania (equivilant to North Africa).

<sup>12</sup> André Chastel, “La Notion de Patrimoine”, in *Pierre Nora (dir.): Les lieux de mémoire, Gallimard*, ( Paris, t. 1, 1433-1469:1997).

<sup>13</sup> Françoise Choay, *Le Patrimoine en questions, Anthologie pour un Combat* (Paris: Le Seuil ,2009).

<sup>14</sup> Françoise Choay, *L’allégorie du Patrimoine* (Paris: Le Seuil ,1992), p 288.

<sup>15</sup> Nabila Oulebsi, *Les Usages du Patrimoine. Monuments, Musées et Politique Coloniale en Algérie (1830-1930)*, (Paris: Éditions de la Maison des sciences de l’homme, 2004), p 418.

<sup>16</sup> Yassine Karamti, Yves Girault and Paul Rasse, *Patrimoine, Economie et Altérité : Essai sur la Muséologie des Mémoires entre deux rives* (Tunis: éditions Regroupement Latrach du livre spécialisé, 2009), p 281.

<sup>17</sup> Ibid, p. 25.



Culture and Science) as the association between "the scientific heritage including manuscripts and Libraries, Arabic calligraphy, sites and monuments, lifestyles, Islamic arts and traditions ... that is why we take into our analysis a particular interest in the heritage and the cult of monuments " <sup>18</sup>. For Yassine Karamti <sup>19</sup>, this term evokes the ancient subjects that have disappeared. He concludes that the word "turath" is synonymous with material, spiritual and intangible heritage. Taher Bekir proposes another definition to "Turath": it is about all the literary and cultural heritage furthest in time that goes up until the pre-Islamic period" <sup>20</sup>.

The keywords "Turath" and "Heritage" are open to new interpretations. In fact, just as the world Heritage that keeps on expanding to include broader concepts, the word "Turath" differs from one era to another and from area to another. It evokes multiple definitions as well as various descriptions. This term is distinguished by the authenticity, the identity and the perspective of the remains of the past. The Arabic term gives rise to other cultural references. The current meaning of "Turath", in Tunisia, is everything that is inherited from the Arab past and what can be created in the present but inspired by the past. For example, the word "traditional" in Tunisia can be used to describe "Turath" and vice versa. A traditional piece of clothing made in the 21<sup>st</sup> C but inspired by a 19<sup>th</sup> C dress can be described as from the "Turath". Turath in Tunisia is slightly different from the word "Heritage": it represents an evolution of the heritage compared to the concept of the preservation aspect in the western view of heritage.

It constitutes a knowledge of the past and can be inscribed in a historical and cultural dimension in the Arab Muslim societies. Finally, it is important to remember that "Turath" is synonymous with the Arabo-Islamic civilization's continuity, evolution and heritage.

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<sup>18</sup> Ibid, p 223.

<sup>19</sup> Ibid.

<sup>20</sup>T. Bekir, Écrire, "Lire le Patrimoine au Maghreb," *Le Maghreb littéraire*, n°2, 1.vol (1997), p17.

## Principles of Heritage preservation In Tunisia:

### The notion of heritage in Tunisia in the nineteenth and twentieth centuries:

The history of preservation in Tunisia and the patrimonization of the monuments took place well before the colonization but it was at the beginning of the protectorate that were founded the modern institutions that are at the origin of the current National Institute of Heritage of Tunisia.

Before the protectorate, the European community living on the territory had first introduced this notion. By the establishment of the protectorate, the French authorities and through the Service of Antiquities and Art were only concerned with the ruins and remains of Antiquity, mostly Roman.

The first act of debate on the heritage issue, in Tunisia, arose in Tunis in 1859, during the restoration project of the Ancient Roman aqueducts of Zaghuan, restored successively in the Hafsids and Ottoman periods. The new site, entrusted to the engineer Pierre Colin, had to accommodate pipelines necessary for the supply of drinking water to the city of Tunis. A debate took place between the Society in charge of the restoration project and the workers over the necessity of maintaining or demolishing certain parts of the aqueducts. The two sides finally agreed on a compromise: maintaining certain sections of the aqueduct and renovating other elements. In Algeria as in Tunisia, the years 1880-1900 saw the creation of state structures heritage protection imported by the French state.<sup>21</sup>

Under the impulse of J. Ferry<sup>22</sup>, the French state created the Service of Antiquities by decree in 1882: it was controlled by the CTHS<sup>23</sup>, linking the service to the “Académie des

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<sup>21</sup> Nabila Oulebsi, , 2004, p 19-20.

<sup>22</sup> Jules Ferry ( 1832-1893), a lawyer holding the office of Minister of Public Instruction in the 1880s.

<sup>23</sup> CTHS : Comité des travaux historiques et scientifique (France).

Inscriptions et Belles Lettres” and to the French Ministry of Public Instruction (the French Ministry of Education). Therefore, the oldest structures in charge of the Tunisian archaeological heritage are French institutions.

M. Bacha<sup>24</sup>, a researcher at the IRMC, refers to the "personalities of civil servants", who in the last quarter of the 19th century played a preponderant role in the orientation of heritage policies in Tunisia. In 1882, a Commission for North Africa was established within the AIBL<sup>25</sup>, with main actors like L. Renier, C. Tissot, and H. de Villefosse. As a result of this impetus, the travel reports were published<sup>26</sup>. The Ministry of Public Instruction<sup>27</sup> created a "travel service and scientific missions» which X. Charmes encouraged. It is to this person that the development of research projects driven by the AIBL and the CTHS were confined and this is how the "Tunisian Mission" was born.<sup>28</sup>

X. Charmes followed the advice of Ch.-J. Tissot to guide the Tunisian research.<sup>29</sup> It was the latter that suggested the establishment of a comprehensive inventory of archaeological sites in Tunisia.

The institutional opposition between the service of the MH and the CTHS impelled the creation of the commission of publication of the archaeological discoveries of Tunisia:

X.Charmes thus intended to keep the scientific control on Tunisia by excluding the representatives of the MH who occupied the ground in Algeria.<sup>30</sup>

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<sup>24</sup> Mariam Bacha., "La Création des Institutions Patrimoniales de Tunisie : Oeuvre des Savants de l'Académie des Inscriptions et des Belles Lettres et des Fonctionnaires du Ministère de l'Instruction Publique et des Beaux Arts ,” *Livraisons d'Histoire de l'Architecture*, n° 12, 2<sup>e</sup> sem. (2006), p.132.

<sup>25</sup> L'Académie des Inscriptions et Belles Lettres.

<sup>26</sup> Oulebsir, 2004, p180.

<sup>27</sup> The name given to the current Ministry of National Education, from the Revolution to 1932 in France.

<sup>28</sup> Bacha, 2006, p 124.

<sup>29</sup> Ibid, p 125.

<sup>30</sup> Ibid, p 126.

### The Role of travelers and scientific explorations:

The stories and the descriptions made by travelers, who visited Tunisia from the 16th century until the first third of the 19th century (1830), have contributed massively in the studies of archaeological remains on the Tunisian soils. Sometimes, they represented the only evidence and testimonies on these remains. Muslim travelers like El Bekri in the 11th century and El Idrissi in the 12th century<sup>31</sup> and the exhaustive list of European travelers who visited Tunisia from the 18<sup>th</sup> century<sup>32</sup> prepared the ground for the scientific explorations later on.

During the 1830-1880, archaeological research and missions were multiplied for expansionist reasons. All the western powers were racing to pioneer in the knowledge and studying of the countries to be conquered.

The studies of the Roman province of Africa that started by C.Tissot and completed by S. Reinach in 1888, brought together all the data collected by travelers from the two previous centuries (Picard G.-Ch<sup>33</sup>, February P.A<sup>34</sup>). P. Gauckler, second director of the Antiquities Department, gave a scientific dimension to archaeological work in Tunisia. The scientific production that marked the new technological contribution of that period was characterized by the interest in the collection of documents and information through prospecting, the practice of large-scale excavations and especially the work of research, topography and cartography. It was ultimately the most productive period of scientific production at all levels.<sup>35</sup>

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<sup>31</sup> Houcine Jaidi , *Les Sites Antiques de l'Ifriquiya et les Voyageurs Arabes* (Tunis: TER, 1977).

<sup>32</sup> Denise Brahimi, *Voyageurs Français du XVIII<sup>e</sup> siècle en Barbarie*, Published Thesis (University of Paris III: 1976).

<sup>33</sup> Gilbert Charles-Picard , "La Recherche Archéologique en Tunisie des Origines à l'indépendance," *Le Cahier des Études anciennes*, XVI, Carthage VI (1983), p. 16.

<sup>34</sup> Paul-Albert Février, *Approches du Maghreb Romain. Pouvoirs, Différences et Conflits* ( Aix-en provance : EDISUD,1989), p 53-53

<sup>35</sup> Sadok Ben Baaziz, "Historique de la Recherche Archéologique en Tunisie ," *Hommes, Cultures et Paysages de l'Antiquité à la Période moderne : Mélanges offerts à Jean Peyras* (Rennes : Presses Universitaires de Rennes, 2013). Accessed July 2, 2018.

<https://books.openedition.org/pur/34346?lang=fr#bodyftn14>

The search for beautiful objects was abandoned in favor of the historical understanding of buried remains. Subsequently, the excavations were multiplied and major documents on Roman history were prepared especially on the standing monumental architecture in Dougga, Bulla Regia, or Carthage.<sup>36</sup>

The multiplication of French stays on Tunisian soil led to the publication of a booklet in 1890, "Recherches des antiquités" in North Africa. The booklet provides advice to archaeologists and travelers, basic historical knowledge and encourages travelers to provide information to the authorities<sup>37</sup>. The book is introduced by a series of practical tips called "processes" or "notions" (graphic and photographic technique, topography) which precede historical syntheses by period and subdivided by themes. The level of precision of the instructions is high and fits into a pragmatic perspective in addressing a wide public:

" The advice that we provide in this book to the men traveling to explore the country or living there and who would like to deal in one way or another with African antiquities must, for this work to be useful, address all indistinctly, both those who would only travel and explore the country and those who live there"<sup>38</sup>.<sup>39</sup>

This period of archaeological inventories in Tunisia is also marked by the work of the scientific missions in North Africa, precisely the work of R.Cagnat<sup>40</sup>, which resulted in three

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<sup>36</sup> Perrine Ournac, *Archéologie et Inventaire du Patrimoine National: Recherches sur les Systèmes d'Inventaire en Europe et Méditerranée Occidentale (France, Espagne, Grande-Bretagne, Tunisie) : comparaisons et perspectives. Archéologie et Préhistoire* ( Université Toulouse le Mirail - Toulouse II, 2011), p 67.

<sup>37</sup> CTHS, *Recherche des Antiquités dans le Nord de l'Afrique : Conseils aux Archéologues et aux Voyageurs*. (Angers : Burdin, 1890), p 253.

<sup>38</sup> Ibid, p 217.

<sup>39</sup> Perrine Ournac, 2011, p 68.

<sup>40</sup> 1852-1937, Epigraphist, Latinist and specialist in the history of the Roman world, chosen by the Ministry of Education to accomplish a mission in Tunisia. The result of his epigraphic and archaeological research is published in the Archives of Scientific Missions. Collaborated in 1893 in the Geographical Atlas of Tunisia in collaboration with E. Babelon and Salomon Reinach, member of the Academy of Inscriptions and Beautiful Letters.

publications: “Le voyage en Tunisie”<sup>41</sup>, “Explorations Épigraphiques et archéologiques en Tunisie”<sup>42</sup> and “L'Atlas archéologique de Tunisie”<sup>43</sup>. These three publications opened the way to the first inventory systems of archaeological sites when it comes to the descriptions and adding the precise location.

The “Le voyage en Tunisie” book contains detailed descriptions of the monuments and sites that the two authors encountered during their travels. It is important to note that they also recorded the traditions of local people. R. Cagnat’s publications’ data was gathered during official scientific and literary missions rather than during the previous exploratory work. These missions gave birth, one century later, to the first Tunisian Archaeology Map in the 1980s. This type of publications would also be found in Algeria and Morocco during the same period.<sup>44</sup>

#### The role of the military:

The French Army played a major role in the inventory of the Tunisian Archaeology all over the territory. The first contribution by the “Topographic Brigades” provided topographical covers and multiple reports written on the territory as part of their control over the territory and their military activities. The reports of the Topographic Brigades, dating from the 1880s, were published in the bulletin of the Committee on Historical and Scientific Works. The Bulletin became the most important collection on Roman Africa.<sup>45</sup>

Moreover, several officers of the occupation army were very active in the archaeological discoveries and revealed to be great archaeologists at that time. A certain Lieutenant M.

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<sup>41</sup> René Cagnat and Hubert Saladin, *Voyage en Tunisie* (Paris: Paris Hachette, 1894). Reissued in 2005.

<sup>42</sup> René Cagnat, *Explorations épigraphiques et Archéologiques en Tunisie* (Paris : Imprimerie Nationale, 1er fascicule 1883, 2e fascicule 1884, 3e fascicule 1886).

<sup>43</sup> E. Babelon, René Cagnat and S. Reinach, *Archaeological Atlas of Tunisia; Special edition of the topographic maps* (Paris: the Ministry of War, 2 volumes, 1892-1940).

<sup>44</sup> Perrine Ournac, 2011, p 69.

<sup>45</sup> R. Saint-Arroman, *Les Recherches Archéologiques dans la Régence de Tunis, Les Missions Françaises : Causeries Géographiques, Considérations générales, en Tunisie, Afrique australe et équatoriale, au Sahara, chez les Persans, dans les Guyanes, sous les Mers*, coll ( Paris: Journal des voyages, 1894-1896) , p 58.

Esperandieu<sup>46</sup> in particular, explored the ruins, drew plans and copied the inscriptions from the ruins<sup>47</sup> or Louis Carton who made a considerable effort on many sites (Thuburnica, Dougga, etc.) and who left more than a hundred titles<sup>48</sup>.

The information collected by the “Brigades Topographique” played a big part in the production of the Archaeological Atlas of Tunisia (AAT).<sup>49</sup> R. Cagnat, during his multiple missions, partially obtained the topographic maps provided by the Topographic Brigades and their notes<sup>50</sup>, with the purpose to publish an archaeological survey of the whole territory.

The role of the military in the recognition of the south had also made it possible to understand the Roman expansion in southern Tunisia.<sup>51</sup>

#### The Archaeological Atlas of Tunisia (AAT)

The Archaeological Atlas of Tunisia is the first major mapping done on Tunisian Archaeological sites. It is presented as follows: a folio of maps at the scale of 1 / 50,000 accompanied with notebooks where the sites are described in detail. The first one dates from 1892-1913<sup>52</sup>. Its compliments was published between 1914 and 1932 by R. Cagnat and A. Merlin (Cagnat R. and Merlin A. 1914-1932), in a series of 16 cards on a scale of 1/100 000.<sup>53</sup> On the map, there are three types of remains: Roman ruins "RR", megalithic ruins "RM", Arab ruins "RA".<sup>54</sup>

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<sup>46</sup> Esperandieu L, “Notes sur quelques Ruines,” *Comptes Rendus de l’Académie d’Hippone*, n<sup>os</sup> 2 et 4 = *CIL VIII*, 11774 (1883), p 14.

<sup>47</sup> R.Saint-Arroman, p 51

<sup>48</sup> Louis B. Carton, *Découvertes épigraphiques et Archéologiques faites en Tunisie (Région de Dougga)* (Paris, 1985, Ruines de Dougga, Thvgga, Tunis, 1911).

<sup>49</sup> H.Mager, *Atlas d’Algérie et de Tunisie* (Paris : Flammarion, 1901), p 33.

<sup>50</sup> Paul-Albert Février, 1989, p 18 and p 60.

<sup>51</sup> Sadok Ben Baaziz, “Historique de la recherche archéologique en Tunisie,” *Hommes, Cultures et Paysages de l’Antiquité à la Période Moderne : Mélanges offerts à Jean Peyras* (Rennes : Presses Universitaires de Rennes, 2013), p 57-78. Accessed July 2, 2018. <http://books.openedition.org/pur/34346>

<sup>52</sup> E. Babelon, R. Cagnat and S. Reinach, *Atlas Archéologique de la Tunisie au 1/50 000, BCTH, 1938-1940* (Paris : 1892-1913), p 709.

<sup>53</sup> R Cagnat and A Merlin, *Atlas Archéologique de la Tunisie au 1/100 000* (Paris : 1914-1932, 16 cartes).

<sup>54</sup> INP, IPAMED: *Carte Informatisée du Patrimoine* (Tunis : 2005), p 23.

The form of this collection, by its content and its design, is the oldest national archeology map of the country. This documentation brings together the location of archaeological sites, an essential starting point for inventory. There were no data changes after the First World War, no update or equivalent project and Tunisian archaeologists of the late 20th century continued to use these issues.<sup>55</sup>

At first, the early years of the protectorate 1881-1905 were marked by the pre-eminence of the concern to preserve only the ancient heritage, archaeological excavations and enhancement of ancient sites like Dougga and Carthage.

The French enthusiasm and interest in the Roman archaeology in North Africa was purely for political interests. Organizing exhibits of Roman remains was in a way to compete with Germany in terms of scientific discoveries.

This period marks the birth of inventories of archaeological heritage, because through the drafting of specifications by the CTHS, appears the desire to build a systematic and methodological census with specific standards set in advance.<sup>56</sup>

#### Legal Framework:

Since the establishment of a protectorate over Tunisia, the French Ministry of Education and Fine Arts, as well as archaeologists of the Academy of Inscriptions and Belles-Lettres, undertook the study and protection of the ruins of the country, a category of heritage left to be abandoned and not falling under any institution.

As early as 1882, a Decree by the Bey <sup>57</sup> (November 7, 1882), enacted measures for the conservation of “objects of art and antiquity, ruins and ancient buildings, statues, fragments of

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<sup>55</sup> Perrine Ournac, 2011, p 72.

<sup>56</sup> Saint-Arroman R , 1894-1896, p. 58

<sup>57</sup> A term used for the « souverain » of Tunisia



columns, the historical inscriptions carved and engraved, etc.".<sup>58</sup> This first Law also regulated the right of excavations and forbid the export of objects and works of art, aiming to combat the treasure hunters and wealthy collectors.

It established a "Service des Antiques" and a National Archeology Museum in Tunis . The service was under the control of the "Academie des Inscriptions et Belles Lettres" and the French Ministry of public education, through the "Comité des travaux historiques et scientifiques".

The Decree of March 7, 1886: an innovative text<sup>59</sup>:

In 1885, the Ministry of Public Instruction and the Academy of Inscriptions and Belles-Lettres conceived a text establishing the department of Antiquities and Arts<sup>60</sup> and a year later promulgated the Decree of March 7, 1886, both with the aim of studying, safeguarding, restoring and enhancing the country's heritage until independence. "Within this department, was created a commission charged of the publication of archaeological documents on the sites of North Africa."<sup>61</sup>

On March 8, 1886, the day after the creation of the Antiquities Department, a second decree "related to the ownership and preservation of antiques and objects of art", was again promulgated by the Beylical authorities to protect the ruins more effectively<sup>62</sup>. The decree of March 7, 1886 was first drafted to provide for the classification of all objects of interest for art

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<sup>58</sup> Decree November 7, 1882), *Journal officiel tunisien (JORT)*, Tunis, January 25, 1883.

<sup>59</sup> Myriam Bacha, "La Législation Patrimoniale Tunisienne au début du Protectorat : Le Décret du 7 mars 1886 : entre Innovation et Obsolescence," *Mihoub Mezouaghi, Les territoires productifs en question(s) : Transformations occidentales et situations maghrébines* (Tunis : Institut de recherche sur le Maghreb contemporain, 2006), p 191-201. <http://books.openedition.org/irmc/691>

<sup>60</sup>Decree of 8 march 1885 : Instituting the department of Antiquities "Service des Antiquités et des Beaux Arts" and historic monuments of Tunisia : limited to the preservation of the most endangered remains "the ruins of Antiquities".

<sup>61</sup> G Picard, 1983, p. 11-20.

<sup>62</sup> Decree of 7 march 1886, JORT, Tunis, 11 mars 1886, 41-43.

and history: immovable, movables, inscriptions and engraved stones. This is the regulation of the conditions of ownership applying to antiques, monuments, works of art discovered or to be discovered.<sup>63</sup> It fixes the practice of the excavations, the status of the discoveries and the particulars' collections.

The destruction, degradation or mutilation of the protected property is punishable by the penalties enacted in the penal code. Each excavation, from the smallest to the largest construction site, must be declared to the Antiquities Department and the discoveries must be reported. Private collections may receive a grant from the state but, in return, they are then legally considered private museums.

This measure thus facilitates and accelerates the constitution of public collections and, above all, limits those of individuals. This extends the powers of the administration, giving it the authority to manage the pre-Islamic vestiges of Tunisia.<sup>64</sup>

The establishment of an administrative and legal framework by the French protectorate officially recognized a certain type of heritage. However, Tunisian heritage institutions are established in accordance with the patrimonial definition enacted by the French scholars, which, in Tunisia in the 19th century, was mainly based on the objects of "Antiquity".

As for the Islamic monuments, which then depended on the "Djemaïa Habous" ( also known as Waqf ), a devout administration responsible for managing the mortmain<sup>65</sup> religious properties, were not integrated into the heritage field of the Department of Antiquities and Arts.<sup>66</sup>

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<sup>63</sup> Sadok Ben Baaziz, "Le Patrimoine Archéologique Tunisien : le Temps et l'Espace, Temps, Espace et Représentation," *Séminaire à l'occasion du Xe anniversaire de la Faculté des Lettres et sciences humaines de Sousse (1999-2000)* (Collective publication , 2002), p34.

<sup>64</sup> Ibid.

<sup>65</sup> The condition of lands or tenements held without right of alienation, as by an ecclesiastical corporation

<sup>66</sup> Myriam Bacha, "La législation PatrimonialeT au début du Protectorat : Le décret du 7 mars 1886 : entre Innovation et Obsolescence , " *Les territoires productifs en question(s) : Transformations occidentales et situations maghrébines* (Tunis : Institut de Recherche sur le Maghreb Contemporain, 2006) Accessed July 13, 2018. <http://books.openedition.org/irmc/691>

The new legislations put the heritage power in the hands of one administration and recognized only one type, that is the Antiquities in Tunisia compared to historical monuments in France. In both cases, the role of the state is reinforced, in the spirit of the French centralist tradition.<sup>67</sup>

From 1891<sup>68</sup> to 1905, there was Promulgation of 12 decrees classifying prehistoric remains as well as one single Islamic Monument “the Manouba Pavilion”, declared historic monument by the decree of 19 march 1894. Until the 1910s, the French and Tunisian texts presented some points of convergence. According to the Laws, buildings should all be classified for their historic value and regardless of their artistic value. Yet, concretely, a hierarchy was drawn depending on the era of the construction of the monuments. But in France, the Historic Monuments Service safeguarded the most vulnerable buildings, whatever their historical period.

In Tunisia, the Islamic heritage which should have been protected by the decree of 7 March 1886, wasn't part of the prerogatives of the Department of Antiquities: this category of monuments was not the subject of any classification during the first fifteen years of existence of this administration.

It is important to mention that, compared to the French law that was voted a year later (March 30, 1887), Tunisian legislation in this area was different. Unlike the French text, the Tunisian decree of March 7, 1886 allowed the classification of property without the agreement of the owner and limited its power to a simple dispute without incidence, which we will see later to cause several issues to the conservation of the private heritage.

Conversely, French legislation does not allow any classification without the agreement of the

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<sup>67</sup>Francoise Berce Française, “ La Naissance du Service des Monuments Historiques,” *Les Cahiers de la Ligue Urbaine et Rurale*, n° 85, special (1984), p 57-59.

<sup>68</sup> \*Decree of 8 June 1891 on the Classification of Monuments .

owner.<sup>69</sup> If an owner refuses the protection of his property, the only recourse of the State is to expropriate it for public utility as eminent domain, a procedure prior to the text of March 30, 1887<sup>70, 71</sup>.

Another concern with the regulation of excavations is that in Tunisia, any excavation site must be declared and authorized by the director of the Department of Antiquities (Title V, Article 25). In France, at the same time, it seems unlikely to introduce such a restriction that would inevitably meet the opposition of the scientific societies (many and particularly active in the field of archaeology). Compared to France, the Tunisian legislator who in this case is the director of the Antiquities Service, benefits from the social and political context of a country whose military conquest has just disorganized any form of civil authority. In France, on the other hand, the owners who constitute powerful interest groups would not have accepted such a stranglehold on their property.

1912 onwards: studies on North African local art / interest and protection of Islamic or “Arabic” monuments and culture :

From 1905 to 1925, the people in charge of heritage conservation began to include the Islamic heritage, local building traditions, crafts and lifestyles, in relation to the emerging practices of tourism.

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<sup>69</sup> Arlette Auduc Arlette, *Le Service des Monuments Historiques sous la III<sup>e</sup> République , Pour une histoire des politiques du patrimoine* ( Paris: Comité d’histoire du ministère de la Culture : Fondation de la Maison des sciences de l’homme, 2003), p 179.

<sup>70</sup> Isabelle Durand, *La Conservation des Monuments Antiques. Arles, Nîmes, Orange et Vienne au XIX<sup>e</sup> siècle* (Rennes: Presses Universitaires de Rennes, 2000 ), p 212.

<sup>71</sup> In application of the Decree of 7 march 1886, when a property is private, a study called « enquête de classement » should be ordered by the prime ministre at the Journal officiel tunisien. This order is notified to the owner of the property who can then communicate to the Prime Minister his observations, then forwarded to the director of the Department of Antiquities. The declaration of inquiry has the effect of equating the building with a classified monument, throughout the duration of the investigation. The investigation must be completed and the decree of classification promulgated within a year from publishing the decree in the Tunisian Official Journal (articles 4 and 5, "Decree of March 7, 1886, JJ, Tunis, March 11, 1886, 41).

In Algeria, in the last third of the 19th century, under the leadership of associations, individuals, erudite and European scholars, the first monuments of the Islamic era were elevated to the rank of heritage by the administration.

In Morocco, from the beginning of the colonization, ancient remains and Islamic monuments were integrated into the heritage field by the French authorities.<sup>72</sup>

In Tunisia, however, it was not until the beginning of the 20th century that the first Islamic buildings, mostly mosques, were protected.

In the Maghreb, the question of heritage and patrimonialization results, therefore, largely from the views of European scholars on the local culture and the concept of heritage. This exogenous gaze evolved at the beginning of 20th century towards taking into account the local material culture "native = indigenous ".<sup>73</sup>

In fact , from 1905 to 1910, European contractors drew on local heritage to design their architectural projects, creating a new movement “Arabization” which was inspired by the reinterpretation of the local architectures in its arrangements and the distribution of space. It showed a turnaround taking into account the local culture. In Tunisia, while local architects used ancestral architectural principles, according to tradition, memory and renewal of heritage, European architects also resorted to the vocabulary and distribution of local Islamic architecture.

Thus, they selected and manipulated a category of memory to serve their ideological purposes and affirm the colonial enterprise.

However, independently of the ideological-political objectives, this movement called “Arabization” or Orientalist architecture contributed to an enhancement of the local architectural tradition, previously denigrated, vilified and considered as archaic.

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<sup>72</sup> Leila Ammar, 2017. <http://www.al-sabil.tn/?p=2877>

<sup>73</sup> Ibid.

A few decades later, thanks to the work of groups of patrons, European scholars and groups of locals interested in the heritage issue, the destructive tendency to the local Islamic heritage was reversed into a protective attitude. It was also the result of ideological-political considerations to promote the colonial identity, protective France and the benefits of the new colonial regime. This protective attitude expressed, in Tunisia, with the Arabization movement, resulting from the debates on the regional architecture in France, would prevail until the 1930s.

The East / West debate and the evident opposition of realities, signs, symbols and references between the local and the metropolitan, was at this moment at the heart of the debate. At the beginning of the 20th century, from 1905 to 1930, in Tunis, the French architects of the administration realized a number of reconversions of some markets (Suq al Attarîn) and palaces, to install new uses and new functions. The interventions were rational and well-studied with the idea that reuse would preserve the building. The architectural movement of Arabization associated with the new protective political objectives of the colonized lands, coincided with the development of tourism, exoticism and the desire for authenticity.

I will mention here, the Decree of March 13, 1912: recognition of 29 historic buildings of Islamic Architecture (mosques, mausoleums..) and the change of expressions compared to the antiquities decrees from “to classify as a historical monument” to “to preserve as a historical monument”. This led to the first wave of protection of the remarkable Islamic monuments of the country and was soon followed by other decrees for the classification of less prestigious monuments. Later decrees systematically classified as many ruins of antiquity as Islamic monuments. Thus, the orientalist movement, born in the late 19th century, continued through a debate, on regional specificities and architectural recreations. It signified a big change from a hard, stigmatizing colonial intervention to a relative maturity in safeguarding the local heritage.

The years of the protectorate affirmed a tradition of safeguarding architectural and urban heritage and an organization of urban space, which have been maintained until today. Many buildings, restored and preserved under the protectorate, have kept their cultural functions until today.<sup>74</sup> At the end of this century, the definition of the patrimonial object previously limited to only monuments, was extended to the group of buildings, natural sites and Islamic architecture, especially under the impetus of new urban issues faced in Europe and North Africa.

The purpose of this section is to examine how the administrative structure represented by the Department of Antiquities and the Arts, by means of legislation designed to protect pre-Islamic antiquities, has been able to adapt to the evolution of defining the heritage concept and integrating new objects into its disciplinary field. Unprecedented conservative solutions will be put in place to no longer protect only the monuments but also their immediate surroundings.

This widening of the heritage field continued later to other objects in line with the concepts that advocated the preservation of the surroundings of listed buildings and their environment. But, this shed the light on the deficiencies of the decree of March 7, 1886 that allowed only the classification of movable and immovable properties but not their environment.<sup>75</sup> A policy of safeguarding urban enclosures was put in place, based on the establishment of easement zones around protected fortified towns.

The Decree of September 15, 1913, established non-aedificandi zones<sup>76</sup> on seven ancient cities (Dougga, Sbeitla, etc...) and on a the district of the Medina of Kairouan. The easements

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<sup>74</sup> Leila Ammar, 2017. <http://www.al-sabil.tn/?p=2877>

<sup>75</sup> Ibid.

<sup>76</sup> No construction zones.

were heavy and important constraints were to be respected: it was prohibited to build, plant or even proceed with any work without the agreement of the Antiquities Service.<sup>77</sup>

Another decree of August 6, 1915, ensured the protection of the site and buildings of the village of Sidi Bou Said, a distinctive village with predominantly “Arabization” style.

Finally, patrons, architects, groups of city-dwellers were grouped, thanks to the development of the Maghreb tourism, to defend the protection of the local inheritance.

This was the first interference of civil society, involved in political affairs that did not only affect archaeological sites but also contributed to the development of the protection of urban fabrics like the Sidi Bou Said Village.

With the declaration of the Commune of Carthage as a protected area of historic ruins with the Decree of January 8, 1920 and the Decree of March 3, 1920, the inhabitants of the medina of Tunis had joined forces to protect parts of its souks, in order to promote for the tourism development. Thus, it became more and more necessary to maintain and embellish the cities, especially Tunis, to attract more tourists. This decree also reveals the growing role played by civil society in the management of Tunisian heritage.

During the first third of the 20th century, several operations on the major sites of the Maghreb were continued <sup>78</sup>. This period was marked by the will of the state to appropriate and officialize the state ownership of all the Tunisian Antiquity vestiges. For example, L. Poinssot (1879- 1967), when he became Director of the Department of Antiquities, led the excavation of the site of Dougga for thirty-five years. He worked on a legislative reinforcement illustrated by the Decree of January 8, 1920, declaring "the Tunisian State ownership of all antiques prior to

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<sup>77</sup> Ibid.

<sup>78</sup> Paul-Albert Février, , 1989,p 63-65.



the Arab conquest " <sup>79</sup>. This new organization of archaeological research aimed to put an end to the constitution of private collections, a practice tolerated and widespread in Tunisia since the beginning of the Protectorate.

The new heritage policy gave greater importance to the preservation of historic towns and archaeological sites. In 30 years, only six decrees were promulgated for the classification of historic buildings, including four between 1920 and 1928 and the rest were concerning the safeguarding of urban and archaeological complexes including the decrees for the protection of historic zones around ancient monuments such as the village of El Djem.

These texts were later incorporated into a single decree (Decree of September 17, 1953) related to the protection of sites<sup>80</sup> and made it possible to classify, not only immovable or movable property, but whole sites to which protection easements were integrated.

Modernization: Independent Tunisia until the 1970's: Bourguiba's interest in modernity : abandoning of the Heritage management to INAA scientists

With the advent of independence in 1956, the time has come for the ideals of progress and modernity. The nation state, under construction, mobilizes all resources to build institutions but also the urban and architectural space, spearheaded by infrastructure policy, equipment and the eradication of "Gourbivilles" (a term born in North Africa to describe shantytowns).

Habib Bourguiba (the First Tunisian President), imbued with rationalism, embarked on an actual cultural revolution. In this context, the preservation of the Tunisian architectural heritage and, in particular, that of the Ottoman period, considered decadent, became the last priority.

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<sup>79</sup> Gilbert Charles-Picard, "La Recherche Archéologique en Tunisie des Origines à l'Indépendances," *Cahiers des Etudes Anciennes*, tome 16, 1983, p. 11-20, *Carthage VI, actes du congrès, première partie, sous la dir. de P. Senay*, (Université du Québec à Trois-Rivières).p 18

<sup>80</sup> For the first time, this decree gives a definition of the "site" and the conditions of classifications

With these new priorities, the first twenty-five years after independence, the Tunisian legislators did not resort to any of the decrees allowing the classification of historical monuments or historic ensembles (decree of March 7, 1886, decree of September 17, 1953). No monument was listed from 1956 to 1985, with the exception of the Ribat of Monastir in December 1956, the year of the independence, a questionable decision because it is located in the birthplace of the new president. The time has come for the affirmation of a new national identity and to major modernization projects in the country.<sup>81</sup>

It is at this moment, between 1956 and 1965, as a first initiative of this policy, that one project was planned to pierce the medina of Tunis by a route which goes, from Bâb al-Bahr to the Qasba (Figure 5) to turn the medina into the heart of a modern agglomeration with high buildings and parkings. An international competition confided to the urban planner Michel Kosmin the first plans; the project would be entrusted later to Olivier Clément Cacoub (architect-advisor to the president) and Bernard Zehrfuss, to prefigure this radical transformation of the ancient fabric of the medina of Tunis.<sup>82</sup>

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<sup>81</sup> Leïla Ammar, *L'Architecture Tunisienne des Premières Années de l'indépendance, Modernité et Défis, 1956-1970* (Tunis :Revue Archibat n° 30, 50 ans d'architecture en Tunisie,2013), p 24-26.

<sup>82</sup> Olfa Bohli-Nouri, *La Fabrication de l'Architecture de la Tunisie Indépendante : Une Rhétorique par la Référence*, (Doctoral Thesis, Université de Grenoble Alpes, 2 Vol, 2015).



Figure 5: The Plan of the breakthrough of the Medina. Source : « Villes de pouvoir, pouvoir des villes : les limites de l'État bourguibien dans la fabrique d'une capitale indépendante », Les Ouvrages Du CRASC, Centre de Recherche en Anthropologie Sociale et Culturelle.

As a reaction against the project of breakthrough of the medina, a new association was created called "l'Association de sauvegarde de la Médina (ASM)". Its main focus was on studying the built environment and urban frame on the one hand, and human and social factors (demographic and economic) on the other. Even before the project of the breakthrough, the beginnings of the program that Bourguiba declared were clearly implemented in the legal provisions made regarding the public and private habous and the institution in charge of their management: the Djemaia of the Habous.

With the Decrees of September 27, 1956<sup>83</sup> and July 18, 1957<sup>84</sup>, the only administrative body ensuring the survival of the medina was dissolved forever.<sup>85</sup>

With the abolition of the Habous system, many buildings were left without guardianship, status and financial resources. For example, most of them would be demolished while they served as

<sup>83</sup>JORT : Décret du 27/09/1956 abolishing the administrative and control organs of the djemaia of habous, and organizing its liquidation

<sup>84</sup>JORT: Decree of 18/07/1957: abolishing the regime of habous.

<sup>85</sup> "Villes de pouvoir, pouvoir des villes : les limites de l'État bourguibien dans la fabrique d'une capitale indépendante", *Les Ouvrages Du CRASC*, Centre de Recherche en Anthropologie Sociale et Culturelle. Accessed July 2, 2018. [https://ouvrages.crasc.dz/index.php/fr/45-les-ind%C3%A9pendances-au-maghreb/815-villes-de-pouvoir-pouvoir-des-villes-les-limites-de-l%E2%80%99%C3%A9tat-bourguibien-dans-la-fabrique-d%E2%80%99une-capitale-ind%C3%A9pendante#\\_ftnref7](https://ouvrages.crasc.dz/index.php/fr/45-les-ind%C3%A9pendances-au-maghreb/815-villes-de-pouvoir-pouvoir-des-villes-les-limites-de-l%E2%80%99%C3%A9tat-bourguibien-dans-la-fabrique-d%E2%80%99une-capitale-ind%C3%A9pendante#_ftnref7)

dwellings, warehouses or shops. Confiscated and left to the test of time, the majority of these properties ended up being ruined buildings. Thus, the capital Tunis lost, between 1962 and 1970, more than  $\frac{3}{4}$  of its oratories, mausoleums and madrassas (schools) .<sup>86</sup>

The 1970s were the beginning of an awareness of heritage values, both at the level of the population and by the state which, with the failure of the collectivist experience and the return to a liberal economy, wanted to be the protector of identity and heritage<sup>87</sup>. From 1957, the Tunisian state began to transform the old Department of Antiquities and Arts, but it was only in 1966 that a decree<sup>88</sup> on the organization of the National Institute of Archeology and Art (INAA) was enacted. The INAA created several institutes, each responsible for studying and taking charge of the heritage of a defined historical period in Tunisian history: a Hispano-Andalusian Study Centre (1973), centre for Classical Civilization and Roman and Byzantine Antiquities (1982), a Centre for the Study of Civilization and Islamic Arts in Kairouan (Raqqada), a centre for the Study of Phoenician Civilization, Punic and Libyan Antiquities and a section called "Conservation of the Great Mosque" Zitouna "and the religious monuments of historical nature".<sup>89</sup>

These departments, each of which was responsible for the study, conservation, presentation and exhibition of the heritage of a specific period. INAA was working on heritage objects that had been defined and constructed during the Protectorate period. In the continuity of the action

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<sup>86</sup> Leila Ammar, 2017. <http://www.al-sabil.tn/?p=2877>

<sup>87</sup> Ibid.

<sup>88</sup> Decree n° 66-140 of 2/4/1966

<sup>89</sup> Myriam Bacha," La Construction Patrimoniale Tunisienne à travers la Législation et le Journal Officiel, 1881-2003 : de la Complexité des rapports entre le Politique et le Scientifique ", *L'Année du Maghreb, IV* . Published October 01, 2008, pp 99-122. Accessed July 14, 2018. <http://journals.openedition.org/anneemaghreb/433>

of the Department of Antiquities, they focused their work on the heritage of ancient, Islamic, traditional arts and crafts<sup>90</sup>.

#### New Nation: New concepts:

A change of course was coinciding with the international context, criticism of the modern movement and the rediscovery of cultural differences. For the first time, there was a recognition of the concept of “National heritage”. Secondly, a new patrimonial object was integrated into the sphere of activity of the INAA administration: the arts and popular traditions.

With the beginnings of the ASM's work, the heritage and urban heritage of the Medinas “the old cities” was highlighted through notions of enhancement of the historic centre and conservation of urban space, translated in the first safeguarding plan of the medina of Tunis, proposed in 1973. This plan would only be approved in 1980, allowing for the implementation of two areas to be restructured, resulting in the renovation projects of working class neighborhoods around Tunis and sfax, financed by the World Bank in the 1970s like the Hafsiyya quarter I<sup>91</sup> and the Bâb Souika-Halfaouine district.<sup>92</sup> Decree No. 81-69 of 1 August 1981, leading to the establishment of the Agency for Rehabilitation and Urban Renovation (ARRU), revealed a change of direction in the heritage approach.<sup>93</sup> In addition to conducting urban planning studies and developing detailed development plans within the intervention areas, the ARRU was in charge of the restoration and urban rehabilitation operations.

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<sup>90</sup> Decrees for safeguarding local crafts had been implemented before the independence. Like the Decree of June 21, 1945 related to the protection à la protection of chiseled copper.

<sup>91</sup> Recipient of the Agha Khan award in 1979.

<sup>92</sup> Faïka Bejaoui,, “Hafsia, la Hara de Tunis,” *Revue Archibat n° 30*, p 50-52 ; “Bâb Souika- Halfaouine,” *Revue Archibat n° 30* (2013), p 60-62

<sup>93</sup> Myriam Bacha, 2008. <http://journals.openedition.org/anneemaghreb/433>

### Heritage Reform and Political Investment from the 1980s:

As a continuity to the desire to develop a discourse on the National memory, Decree n° 83-15 of January 8, 1983, formalized the founding of the Center for the History of the National Movement in 1977 (CHNM). This new centre, composed of a small number of researchers, was at the origin of several museums such as those of Ksar Hellal, TébourSouk, April 9, etc...<sup>94</sup>.

The politics never intervened in the work of the INAA's researchers, leaving them free to build the memory of the national movement from the archives consulted. Therefore, the initiative of the centre and the construction of a discourse on the national movement are more the result of scientists than of politics.<sup>95</sup>

The reform movement of the 1970s continued during the next decade under the leadership of non-INAA actors and affected the organization of heritage institutions and legislation. Decree of September 17, 1985: The renewal of the members of the Commission for the Classification of Monuments and Sites, the representatives of the Prime Minister, INAA, the Ministries of the Interior, Equipment and Housing, Tourism and Housing and the conservator of the Carthage site. This decree was the first step towards the implementation of a concerted policy of safeguard, exploitation and management of the heritage.<sup>96</sup>

The response to the recurrent problems of heritage management and the desire to integrate it into the economic circuits, therefore, involved the participation of official actors from ministries other than the Ministry of Culture.

The Decree n° 88-11 of February 25, 1988, created a National Agency for Development and Exploitation of the archaeological and historical Heritage (AMVP).

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<sup>94</sup> Ibid.

<sup>95</sup> Myriam Bacha, 2006.

<sup>96</sup> Myriam Bacha, 2008.

"Responsible for ensuring cultural, touristic and commercial purposes, the realization and management of the program for the development and exploitation of the archaeological, historical and museum heritage and natural sites of a historical nature; promoting and developing cultural tourism and fostering the creation and development of cultural industries in relation to heritage and cultural property " (Article 2).

This reform movement also involved the overhaul of the legislation which led, in the first instance, to the successive publication of two laws:

Decree n ° 86-35 of May 9, 1986 related to the protection of the archaeological properties of historical monuments.

Decree n° 88-44 of May 19, 1988 related to cultural property, "intermediate" texts incorporated the heritage concepts recently developed under the influence of the international organizations and finally articulated the safeguarding of the heritage in connection with the urban development plans.

International organizations had a big role in the evolution of the relationship between heritage and the Tunisian authorities (UNESCO was asked by the ASM to safeguard the Medina of Tunis). This pushed the government to advocate for the proper development and exploitation for the purposes of cultural tourism that would contribute to regional economic development.<sup>97</sup> The legislative body, which pragmatically completed the heritage laws, was thus gradually being refined.

Decree n ° 93-120 of December 27, 1993 and decree n ° 94-492 of February 28, 1994 were designed to encourage promoters to invest in areas as diverse as agriculture, public works, tourism, crafts and, above all, cultural production and industries and to create legal incentives for

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<sup>97</sup> Myriam Bacha, 2008.

owners to invest in the rehabilitation of their buildings; a solution to promote incentives for the acquisition and rehabilitation of old housing.

These regulatory reforms that were put in place to resolve the legal blockages preventing the rehabilitation of the Medinas, were the result of the participation of international organizations, Aga Khan, the World Bank, the United Nations Development Program (UNDP) and UNESCO. The inadequacies highlighted since the 1970s and the new patrimonial conceptions brought about by international bodies such as UNESCO were thus the driving forces behind the renewal of administration and legislation directly linked to heritage. However, to be effective and meet the economic objectives of the new Tunisian policy, the reform should also concern institutions that were not traditionally involved in heritage issues.

In addition to a new Urban Planning Code, two Decrees<sup>98</sup> provided the organization and set the powers of the Ministry of the Environment and Spatial Planning which became in charge of the preservation of the management of natural sites and natural heritage.

It was therefore under their influence that an awareness developed of the interest of rethinking the state's relationship with Tunisian heritage. Problems related to the management and the exploitation of the heritage, which were then considered as a secondary element, were not integrated into the economic policy or the urban policy of the country. INAA, whose activity was mainly research-based, had serious management, maintenance and heritage management problems and most monuments and sites were abandoned and were left with no visitor's

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<sup>98</sup> Decree n° 93-303 and Decree n° 93-304 of February 1, 1993.



structures or signage.<sup>99</sup> The most important step in this reform was the promulgation of the Heritage Code in 1994 and the recast of the INAA in 1993.<sup>100</sup>

The Decree n° 93-1609 of July 26, 1993 transformed the INAA into the National Heritage Institute (INP), a public administrative establishment with civil personality and autonomy under the supervision of the Ministry of Culture. INAA included in its field of action the heritage objects defined since independence: thus, the INP inherited the burden of perpetuating "the National civilization".

While seen as a scholarly object, heritage began to be considered as a possible source of progress and profit for the country, in the spirit of the policy that Bourguiba had set up in previous decades for other scientific disciplines.<sup>101</sup>

The 1990s were therefore fundamental because they marked both the overhaul of cultural institutions but also, the recognition of heritage by the State through its integration into quite extensive fields of activities: urban planning, urban design, ecology, economy and tourism. It was within the framework of these reforms that a series of decrees of classification and orders for the protection of historical monuments were published in 1989, 1992, 1999, 2001 and 2002. Among the classified monuments, there were many Islamic monuments. (Masjid El Arich, street Sidi Mahrez in Tunis, the Dar Hussein palace or Dar Lasram housing the ASM, the Khereddine Palace Court street 67, Dar Ben Ayed Dyers street in Tunis, Dar Marabet in Kairouan 68) and, for the first time, buildings dating back to the Protectorate like the Nejma Ezzahra palace of Sidi

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<sup>99</sup> Myriam Bacha, 2008.

<sup>100</sup> Internally, several texts were adapted such as Decree No. 85-35 of May 9, 1986 on the protection of archaeological property, historical monuments and natural and urban sites, Decree No. 88-44 of May 19, 1988 on cultural property and finally Decree No. 94-36 of February 24, 1994 on literary and artistic property.

<sup>101</sup> "Patrimoine et Planification," *Seminar Organized by ICOMOS, INAA, UNESCO, ICOMOS n°8730* (Hammamet, 17-23 Septembre 1984), Cited in Myriam Bacha 2008.

Bou Saïd. It marked the beginning of a series of classifications and protections of twentieth-century architecture, suggesting a state's uninhibited attitude towards heritage, with a strong ideological connotation. Thus, after the "Nejma Ezzahra" palace of Sidi Bou Saïd in 1989, for example, were classified the Theater and the Court House of Tunis built in the early twentieth century by the architect Resplandy.<sup>102</sup>

### Conclusion:

Heritage management in Tunisia has gone through several stages, that of explorations by travelers until 1830, to become more scientific until 1881, when Roman archaeology became one of the major concerns of the colonial administration. Since then, the conservation of the heritage was done under the supervision of the authorities of the French state. "The history of heritage is a story that traces the conditions for a French awareness of the architectural heritage present in this country" <sup>103</sup>.

Research activities were conducted until 1921 by members of the military and the Antiquities Department. At this point, only antiquity remains were considered heritage and all the work was focused on mapping and excavations on the major sites. From 1945 to the independence, there was a renewal of work and a new wave of interests towards Islamic architecture and Art and Orientalism.

The notion of heritage has endured, since the 19th century in the Maghreb and in Tunisia, a series of political and cultural shifts which turned it into an ideological and propaganda instrument. Heritage for independent Tunisia also experienced several phases: institutional organisation (INAA), creation of museums, and creation of Institutions within the ministry of

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<sup>102</sup> Myriam Bach, 2008.

<sup>103</sup> F.Matri, *Tunis sous le Protectorat : Histoire de la Conservation du Patrimoine Architectural et Urbain de la médina*, (Tunis: Centre de Publication Universitaire, , 2008) p 17.

culture, non-governmental institutions and keeping up with the international evolution of the concept of heritage.

Since the romantic concepts of the first Orientalists, looters and "Conservationists", in the early 19th century, until the preservation of 20<sup>th</sup> C buildings, the journey of the concept of heritage in Tunisia is a tormented route, whose importance in terms of ideology was defined by westernization, colonialism, totalitarianism, globalism and finally Islamism. Tunisia has not escaped these contemporary upheavals, heritage policies and acts of aggression towards the cultural heritage.

The presentation of the Tunisian legislation shows that despite the progress, the sector faces several difficulties because of the lack of clear political orientation. A couple of legislations are as important, one on the national map of archaeological sites, one to the INP (National Heritage Institute) and the last is the Heritage Code of 1994. They will be treated in the following chapter.

## CHAPTER 3

### MANAGEMENT AND POLICY ISSUES IN THE PROTECTION OF CULTURAL HERITAGE IN TUNISIA.

#### Cultural Heritage Institutions:

After having examined the evolution of the heritage concept in Tunisia, the description must be completed by a presentation of the institutions in charge of this field. In Tunisia institutional evolution is in line with political evolution, it mostly dates from the modern era, from the institutions set up under the protectorate, structures empowered by France, like the Service of Antiquities under the control of CTHS : “Comité des Travaux Historiques et Scientifique” (France) to the INP: “L’Institut National du Patrimoine”.

In this chapter, the focus will be on the latter since it is the one in charge of cultural heritage management today.

#### National Heritage Institute (INP) :

In Tunisia, the Ministry in charge of heritage must ensure both the protection and the enhancement of the national heritage. In addition to department-specific services, the Minister has the National Heritage Institute. The institute is a public institution with an administrative character and a civil personality. In particular, it is responsible for the inventory of the heritage and participates in its safeguarding. For animation and cultural creation programs, the Ministry relies on the Heritage Development and Cultural Promotion Agency. The agency is also a public institution.

The first official Institute in charge of heritage after the independence is the National Institute of Art and Archaeology established in 1966. It is the body responsible for all research and study in the field of archaeology and the arts; it consists of four sub-departments: the archaeological and historical research centre (research and publication), the management of historical monuments and archaeological sites (inventory of monuments and sites), the direction of archaeological and historical museums and the centre of arts and popular traditions.<sup>104</sup>

In 1993, the institute became the National Heritage Institute. The Decree No. 93-1609 of July 26, 1993 established the organization of the National Heritage Institute and the modalities of its operation.

According to Article 1: The INP is a public administrative institution with civil personality and financial autonomy, it is under the supervision of the Ministry of Culture and Heritage. Staff include researchers (research directors or trainees), curators and their assistants, regional inspectors, agents and guides.

Article 3 defines the INP as "a scientific and technical team responsible for establishing the inventory of cultural and archaeological heritage, history, civilization and art, of the study of heritage, its safeguarding and of its development".

It comprises the following divisions: Division of the preservation of monuments and sites; Division of general inventory and research; Museographic development division; Direction of programming, cooperation, publication and training; General Secretariat<sup>5</sup>. It also includes three scientific centers<sup>105</sup>: Center for heritage sciences and technology; National calligraphy center; National Laboratory for the Conservation and Restoration of Manuscripts.

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<sup>104</sup> Perrine Ournac, 2011, p 145.

<sup>105</sup> Decree N° 2369 - 1994 of November 18, 1994

Six regional inspections, each consisting of a territorial division comprising several governorates, complete the structure: The Northeast regional inspectorate, headquartered in Tunis and comprising the following governorates: Tunis, Ariana, Ben Arous, Zaghouan, Nabeul, Bizerte and La Manouba; The Sahel regional institution, headquartered in Sousse, which includes the following governorates: Sousse, Monastir and Mahdia. The Northwest regional inspection headquartered in Kef, which includes the following governorates: Le Kef, Jendouba, Béja and Siliana; The Central-West regional inspection headquartered in Kairouan and comprising the following governorates: Kairouan, Sidi Bouzid and Kasserine. The Regional inspectorate of the Sahel-South, headquartered in Sfax and comprising the following governorates: Sfax, Gabes, Medenine and Tataouine. The South-West regional inspection headquartered in Gafsa, which includes the following governorates: Gafsa, Tozeur and Kebili.<sup>106</sup> A resident inspector, who is responsible for reporting to the Regional General Manager, supervises all these six territorial constituencies.

Tunisia has developed an extensive inventory and heritage survey programs. In the 80's, it started working continuously with international bodies and several sites were classified as World Heritage, such as Carthage or the Medina of Sousse. The heritage inventory is entrusted to the National Heritage Institute. To do this, its 8 missions are clearly defined, the institute must in fact: preserve, safeguard, and restore archaeological sites, historic monuments and traditional urban fabrics. Organize and undertake research, excavations, inventories and prospections in the domains of archaeological, historical and civilizational heritage through the different periods. Collect, study, survey, exhibit the traditional heritage and popular arts and to show their

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<sup>106</sup> Presentation of the National Heritage Institute. Official INP website. Accessed July 2, 2018. [http://www.inp.rnrt.tn/index.php?option=com\\_content&view=article&id=100&Itemid=2&lang=en](http://www.inp.rnrt.tn/index.php?option=com_content&view=article&id=100&Itemid=2&lang=en)

civilizational values. Undertake all research, preservation, protection, restoration and exhibition of documents of civilizational, scientific or artistic value, including manuscripts, audio-visual documents in whatever form, artistic work in any form and any technical execution like plastic arts, furniture.... Create museums, safeguard their collections and promote exhibition methods. Publish scientific and cultural studies and disseminate them. To participate in the animation of heritage and its promotion thru all type of audio visual and written ways by organising exhibitions, conferences and meetings on the national and international levels. To recruit staff and train them in different scientific and technical sectors.<sup>107</sup> The Tunisian INP is therefore responsible for the inventory of archaeological sites and Historic Monuments, it is also in charge of ensuring the training of experts and the dissemination of information on the archaeological heritage.

Agency for Heritage development and cultural promotion (AMVPPC):

Another agency was established in 1988 under the title of “National Agency for the Development of Archaeological and Historical heritage” (or AMVPPC), under the law n° 88 of 25 February 1988, modified by the law 97-16 of 3 march 1997.<sup>108</sup> It is a non-administrative public establishment with a legal personality and financial autonomy subject to commercial law, under the authority of the Ministry of Culture and Heritage Conservation. Under the director general’s office, the Agency includes seven directions: Technical; Cultural Promotion; Exploitation; Production and Animation; Studies and Programming; Administration and Finance; Coordination and Monitoring. The Agency’s mission is to implement Government policy in fields connected with the presentation and interpretation of archaeological and historical heritage and its management. Hence it establishes and implements programs for heritage development

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<sup>107</sup> Ibid.

<sup>108</sup> Perrine Ournac, 2011, p 149.

and presentation (about sixty sites, monuments and museums), prepares and implements programs and events of a cultural nature with various partners. Similarly, the Agency's action is directed towards the restoration, presentation, and interpretation of many sites and monuments in the urban context.<sup>109</sup> One of the major responsibilities entrusted to the agency is the management of museums and the creation of new ones. The AMVPPC manages the revenue generated by the entrance fees (sites and museums) and then redistributes the surpluses through valorisation projects.

In the presentation of this institution, there is almost no mentioning of the relationship with INP even though there seems to be some institutional overlap between the two agencies. This raises questions about the real links between these institutions, which are both in charge of archaeological sites, their inventory, study, classification or promotion. *Are these actions coordinated? By whom and how?*

#### Heritage structures: big bureaucracy and poor efficiency:

The heritage sector suffers from a severe weakness in the level of the structure of its institutions as well as their ramifications, which confuses their intervention and reduces their efficiency. Within the Ministry of Supervision, there are two administrative structures that are intertwined at the level of many tasks, namely the General Directorate of Heritage and the Department of Architecture and Crafts.<sup>110</sup> This is in addition to the service of arts and crafts and the preservation of local memory in the structure of the regional delegates for Culture.

In parallel, we have the two specialized Heritage institutions, which I mentioned before, with

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<sup>109</sup> Agency for Heritage Development and Cultural Promotion (AMVPPC) Presentation , Official website. Accessed July 2, 2018.

<http://www.patrimoinedetunisie.com.tn/eng/presentation.htm>

<sup>110</sup> Hamad Ghodhbanî, “قطاع التراث بين انتفاخ الهياكل وضعف التشريعات”, *Nawaat*. Published in October 23, 2017. Accessed July 07, 2018. <https://nawaat.org/portail/2016/10/23/>



administrative and financial independence within the Ministry of Culture.

Without going into details about the tasks assigned by Law <sup>111</sup> to these institutions and departments, it is clear that their various functions highlight a big overlap.

Several people consider The INP and the AMPPV as a single structure since they are always mentioned together. Even though, each is supposedly specialized in some aspect of the heritage field, the details of their activities seem to be blurry and broad, which evidentially has negative effects on the heritage management.

The Departments in charge of inventory, classification, conservation of the monuments and sites have been faced with several cases of neglect and intentional attacks on historic monuments especially in the last years. However, preventive measurements are still not implemented. In fact, the number of monuments classified during the colonial period is multiple times more than what has been classified since the independence, and most of those monuments' status were not re-evaluated after independence, and some of them might have even disappeared.

Inventory and documentation are the cornerstone in the preservation of heritage, especially with the continuing threat of the political upheavals and the instability of the neighbouring countries. It is also worth questioning the achievements of the Institutes in terms of research and published work. For more than 70 scientists in charge of research ranging from Prehistory to popular traditions and Anthropology, research publication are almost non existing.

The same concerns regarding the work of the Department of Museum Development, with the exception of the rehabilitation of some museums like the museum of Sousse and Bardo, the

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<sup>111</sup> Decree No. 1819 of August 25, 2003 regulating the tasks entrusted to the Department of Architecture and Crafts / Decree No. 1885 of September 11, 2012 regulating the tasks of the General Directorate of Heritage / Decree No. 1440 of April 22, 2013 on the regulation of administrative and financial organization and the modalities of the operation of the Regional Delegates of Culture / Decree No. 1609 of 1993 of 26 July 1993 regulating the National Institute of Heritage / Law No. 11 of February 25, 1988, which was revised by Decree No. 16 of March 3, 1997, stipulating the AMCPPC's missions.

rest of the regional museums suffer from the lack of maintenance, bad management (Figure 6) and the absence of real development strategies. Despite the variety and importance of the Tunisian museums, both nationally and globally, Tunisia has not provided, at any time, a legal or regulatory reform on the organization of the museum institution. Even the notion of "museum" has never been the subject of identification or clarification or even legal protection.<sup>112</sup>



Figure 6: Roman column exhibition on a Roma mosaic floor, Bardo museum. Ramzy Boussette. Winou El Patrimoine? (bati) facebook page. Published May 2, 2018.

Tunisian museums suffer from an absence or a lack of legal framework, this is a reflection of the complex psychological, political, religious, economic, ideological and socio-cultural reality that Tunisia has gone thru since the independence. In Tunisia, despite the extent of the museum institutions (more than fifty museums), almost in all governorates, they remain confronted with insufficient protection.

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<sup>112</sup> Salwa Ghazouani , *Les musées en Droit Tunisien, Master Thesis in environmental Law* (Tunis: Faculté des sciences juridiques, politiques et sociales (TunisII), 2004).

In March 18, 2015, the Bardo museum, home of the richest collection of mosaics in the world and the biggest in the Maghreb<sup>113</sup>, was attacked by ISIS members killing 22 people and injuring 50, almost all tourists. The gunmen started shooting in the car park, killing nine people, before entering the museum and passing through security, carrying bags of weapons completely undetected.<sup>114</sup> This terror attack raised questions around the security of the Tunisian museums and highlighted the negligence of public authorities towards this sector especially that this is not the first security incident that Tunisian museums face. Another famous case that made it to the international press is the stealing of the Ganymede statue, a piece of art with a global value. In 2013, thieves broke into the Paleo-Christian Museum in Carthage and stole a fifth-century A.D. marble statue depicting the mythological figure of Ganymede embracing Zeus in the form of an eagle. Border police, customs, Tunisian airports and Interpol intervened in the research. Fortunately, it was successfully recovered by the sub-division of criminal cases and its Department of Conservation of Antiquities, after three years of efforts to return it.<sup>115</sup> Another major problem in Tunisia is the fact that there is no digital inventories of the physical or archaeological heritage stored or in the museums.

Although, in May 2014, the prestigious "Smithsonian Institution" and the Ministry of Culture declared their intention to collaborate to digitize all the antiquities of the Bardo museum, no one can assert the true numbers and values of Tunisian cultural artifacts scattered around the

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<sup>113</sup> "Explore the World's Richest Collection of Roman Mosaics," *Smithsonian.com*. Published September 15, 2016. Accessed August 2, 2018. <https://www.smithsonianmag.com/sponsored/national-bardo-museum-tunisia-worlds-largest-collection-roman-mosaics-180960204/>

<sup>114</sup> Press association, "Tunisia Museum Gunmen 'not searched' before Terror Attack," *The Guardian*. Published February 24, 2016. Accessed July 02, 2018. <https://www.theguardian.com/world/2016/feb/24/tunisia-bardo-museum-gunmen-not-searched-attack-sally-adey>

<sup>115</sup> Farouk ben Ammar, "Tunisie: Trafic d'Antiquités, une Activité à Réprimer ou à Organiser?," *Huffpost Maghreb*. Accessed March, 22 2017.

[https://www.huffpostmaghreb.com/farouk-ben-ammar/tunisie-traffic-dantiquite\\_b\\_15514292.html](https://www.huffpostmaghreb.com/farouk-ben-ammar/tunisie-traffic-dantiquite_b_15514292.html)

country.<sup>116</sup> These cases shed the light on the chaotic and vulnerable status of Tunisia's heritage, years after the fall of a government infamous for using the nation's legacy for personal ends. This explains the need to question the security of the remains and the preparedness of the heritage institutions towards the threats and challenges the region is currently facing. Indeed, the museum establishment is faced with the negligence of the public authorities as regards their organization, their identification and even their mode of operation.

This sector has not been the subject of any specific laws. Decree No. 94-35 of February 24, 1994 on the Code of Archaeological, Historic and Traditional Art Heritage, is more flawed with regard to the issue. The protection provided for movable objects is vague and there is no use of the term "museum" in any article.

Although a big part of this problem is due to the failure or misjudgement of some officials and lack of digital inventories of the physical or archaeological heritage in museums or the archaeological sites, most of these situations are due to structural and administrative constraints, rigid procedures and outdated legislation, as well as the modest financial resources and lack of scientific expertise.

As for the Agency for the Revival of Heritage and Cultural Development AMPVV, its situation is as unclear as that of the National Heritage Institute.

This institution benefited from a five-year funded project up to 19 million euros by the World Bank from 2002 onwards for "Strengthening of the legal and institutional framework", "development and marketing of tourism and cultural products 'and to the' development and

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<sup>116</sup> Ibid.

management of six selected sites: Carthage, Bardo museum, Sousse museum, Kairouan medina, the archaeological site of Oudhna and the island of Djerba ".<sup>117</sup>

Within this project, accusations of corruption have been raised against the General Director of the Agency. He had been accused of financial corruption, especially concerning the 32 billion dollars loaned by the World Bank (with a bank rate of about 26%), while the account of the Agency had 60 billion stranded.<sup>118</sup> This question, which remained unanswered, was raised by the union of the National Heritage Institute on national TV, the day after the 14<sup>th</sup> of January.

Today, corruption issues are still circulating<sup>119</sup> especially after the staff of the agency manifested their resentment against the change of the director general of the agency, Mohamed Ali Hammami, newly appointed after the revolution of January 14<sup>th</sup>, 2011. According to one of the protesters, Zouhayer Zouaoui, this change is "incomprehensible because the former director had done a great job in eradicating the corruption that was eating away at the agency ".<sup>120</sup>

One of the major tasks of the agency is the interpretation of the Tunisian heritage, like introducing signage on sites to facilitate the understanding of the Tunisian history. However, the lack of the competence and favoritism in choosing the staff within the institution<sup>121</sup> have led to major mistakes like the falsification of Tunisian history (Figure 7).

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<sup>117</sup> Agency for Heritage development and cultural promotion (AMVPPC) Presentation , official website. Accessed July 2, 2018.

<http://www.patrimoinedetunisie.com.tn/eng/presentation.htm>

<sup>118</sup> Faycal Labayed, *Facebook page*. Published July 2012. Accessed July 15, 2018.

[https://www.facebook.com/photo.php?fbid=436904789666775&set=a.102349143122343.5566.100000417734297&type=3&hc\\_ref=ARTgoSHVoJPKHRzKIFN7](https://www.facebook.com/photo.php?fbid=436904789666775&set=a.102349143122343.5566.100000417734297&type=3&hc_ref=ARTgoSHVoJPKHRzKIFN7)

<sup>119</sup> La Redaction, "Soupçons de Corruption à l'Agence de Mise en Valeur du Patrimoine", *Realities Online*. Published January 20, 2018. Accessed July 2, 2018.

<https://www.realites.com.tn/2018/01/soupcons-de-corruption-a-lagence-de-mise-valeur-patrimoine/>

<sup>120</sup> Seif Eddine Akkari, "Tunisie. Où en est l'enquête sur la Corruption à l'Agence du Patrimoine?", *Kapitalis*. Published march, 2012. Accessed July 3, 2018.

<http://www.kapitalis.com/culture/8554-tunisie-ou-en-est-lenquete-sur-la-corruption-a-lagence-du-patrimoine.html>

<sup>121</sup> Mouf Tunisie, *Facebook Page*. Published June 12, 2012.

<https://www.facebook.com/photo.php?fbid=4102319197582&set=a.1877347574682.110480.1271017487&type=3&theater>

Table of North African dynasties			
المغرب Maroc / Morocco	الجزائر Algérie / Algeria	إفريقية Tunisie / Tunisia	مصر Égypte / Egypt
	Omayyades / الأمويون (647-743)	Omayyades / الأمويون (660-749)	Omayyades / الأمويون (661-750)
	Rostémides / الرستميين (776-909)	Aghlabides / الأغلابيين (750-909)	Abbasides / العباسيين (750-868)
Idrisides / الإدريسيين (789-985)	Idrisides / الإدريسيين (789-985)		
	Aghlabides / الأغلابيين (800-909)		Tulounides / الطولونيين (868-935)
	Fatimides / الفاطميين (909-972)	Fatimides / الفاطميين (909-973)	Ikhshidides / الإخشيديين (935-969)
Zirides / الزيديين (971-1147)	Zirides / الزيديين (972-1152)	Zirides / الزيديين (973-1147)	Fatimides / الفاطميين (969-1171)
Almoravides / المرابطون (1059-1147)	Hammalides / الحماليين (1014-1152)		
	Almoravides / المرابطون (1063-1102)		
Almohades / الموحديين (1147-1269)	Almohades / الموحديين (1152-1247)	Almohades / الموحديين (1159-1228)	Ayyubides / الأيوبيين (1171-1250)
	Hafides / الحفصيين (1230-1574)	Hafides / الحفصيين (1228-1574)	
Mérinides / المرينيين (1244-1465)	Zanides / الزيانيين (1235-1536)		Mamlukes / المماليك (1250-1517)
Wattasides / الوطاسيين (1471-1554)			

Figure 7: A sign with a Time Table containing several mistakes concerning the Islamic dynasties of North Africa. Exp, mistaking the Aghlabide Dynastie which was Established in Kariouan, Tunisia for Algeria , Bardo National Museum. Source : حكايات تونسية منسية. Published Febraury 5, 2018.  
<https://www.facebook.com/hkeyetounseya/photos/a.708451769186830.1073741827.708074079224599/1815870531778276/?type=3&theater>

Monitoring its activities in the recent years in the areas of promoting national cultural production nationally and internationally, and the number of programs for the revival of monuments, sites and museums, development of cultural tourism, shows that the Agency lacks efficiency and research, which some describe to be superficial and used for propaganda and political purposes and with no actual studies and scientific research.

Tunisian bureaucracy presents an obstacle in protecting the heritage; there is an overlap of powers and a dispersal of tasks between the National Heritage Institute and the Agency for the Restoration of Heritage and Cultural Development, which prevents the responsibilities from being carried out at the required level of cost and efficiency.

The work of both institutions, especially in financial terms, remains opaque and subject to many rumours.<sup>122</sup> The Heritage structures in Tunisia are also burdened by a lack of administrative and scientific staff and the shortage of specialists.

#### Legal Framework:

The weakness of the legislative framework is a main contributor to the administrative shortcomings and corruption. *Is it reasonable to keep the laws that were established more than 20 years ago ?* To answer this question, it's imperative to understand the capacities and the limits of the Tunisian heritage code.

#### The Heritage Code:

Tunisia, aware of the wealth of its heritage, has in recent years adopted procedures designed to ensure the protection of archaeological and historical sites. The law of February 24, 1994<sup>123</sup> related to the code of archaeological heritage, history and traditional arts, determines the assets to be protected and the procedures that apply to them. This regulation defines the terms, the organization of the administration, the provisions on archeology, historical monuments and safeguarded sectors, but also the archaeological materials and their management.

Article 1 stipulates: "Archaeological, historical or traditional heritage shall be considered as vestige bequeathed by civilizations or previous generations, discovered or researched, in land or sea, whether movable, immovable, documents or manuscripts related to the arts, sciences,

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<sup>122</sup>Youssef Cherif, "Ganyède: Archéologie en péril," *Huffpost Magreb*. Updtaed January 28, 2014. [https://www.huffpostmaghreb.com/youssef-cherif/ganyede-archeologie-en-p b 4350961.html?utm\\_hp\\_ref=maghreb](https://www.huffpostmaghreb.com/youssef-cherif/ganyede-archeologie-en-p b 4350961.html?utm_hp_ref=maghreb)

<sup>123</sup> Law No. 94-35 of 24 February 1994: the Code of Archaeological, Historical and Traditional Arts , JORT of 1/3/1994, p. 355-361.

beliefs, traditions, daily life, public events and others dating from prehistoric or historical times and whose national or universal value is proven ". It is further specified that the archaeological, historical or traditional heritage is part of the public domain of the state, except the one whose private property has been legally established. It embeds the advances and evolution of the concept of heritage, thus recognizing the broadening of the heritage field to new objects. Article 2 defines the notion of "cultural sites" among which are archaeological sites: these are "sites that bear witness to human actions or joint actions of man and nature, including archaeological sites"; they are distinguished from "traditional historic ensembles" and "historic monuments" (Articles 3 and 4).

The 1994 law retains several types of protection. First, it includes landscapes within the protection of cultural sites, then urban centres within safeguarded areas, then buildings within historic monuments and finally movable objects. Excavations are also regulated.

#### Cultural sites:

Cultural sites are sites that bear witness to man's actions or joint actions of man and nature, including archaeological sites, which have a historic, aesthetic, artistic or traditional national or universal value. This denomination refers to a level of protection: a site declared a cultural site is of particular importance and enters the conservation procedure. The ministries of heritage and town planning define their perimeter jointly. These will be considered sites of national or universal importance that should be protected. Not only cultural sites, but also objects related to the site can be classified according to the same criterion of universality are included in the process of protection by Article 5. As from the publication of the decree and within a period not exceeding five years, the competent services proceed to the elaboration of a "plan of protection and enhancement" of the cultural site concerned. After investigation and the recommendations of



the National Heritage Commission, the plan is approved by a decree made on the proposal of the two ministers. The protection and enhancement plan includes the area plan and regulatory provisions. These provisions set out in particular the activities authorized within each zone, the conditions for the exercise of those activities and the easements specific to each zone. All work undertaken within the site is subject to the prior authorization of the Minister, which has a period of two months to decide. The work includes total or partial demolitions of any of the buildings on the site, construction or restoration projects, work likely to distort the external appearance of the zone or buildings in it, including work on electrical or telephone networks, the installation of billboards, bulletin boards and signs and other advertising means of a commercial nature, subdivision and allotment projects in the site.

#### Protected districts:

The safeguarded districts correspond to historical and traditional ensembles such as towns, villages and neighbourhoods which, because of their architecture, their uniqueness, their harmony or their integration into their environment, have a national or universal value, as far as their historical, aesthetic, artistic or traditional aspect. They are created by a joint order from the minister in charge of the urban planning and the minister in charge of heritage, after opinion of the concerned local authorities and the National Heritage Commission.

As of the date of publication of the decree, the services of the Ministry in charge of the heritage have five years to elaborate the "plan of safeguard" (equivalent to a preservation plan). It is the same process as for the cultural sites. After investigation and feedback of the National Heritage Commission, the plan is approved by a decree on proposal of the two ministers.

The safeguarding plan includes the parcel plan and the regulatory requirements.

It defines the immovable (built or not), to be preserved, buildings to be rehabilitated, buildings to

be demolished, the architectural standards to be respected, the layout of public spaces and prohibited activities. All work undertaken within the boundaries of the perimeter is subject to the prior authorization of the minister, which has two months to respond.

#### Historic monuments:

Historic monuments are defined as immovable, whether built or not, private or public properties, that require protection and conservation for their historic, aesthetic, artistic, traditional, national or universal value. The law retains two levels of protection and organizes a protection perimeter surrounding the monuments. The protection order is issued by the minister of heritage on his own initiative or on the initiative of any person having an interest in it and after consulting the national heritage commission. Property owners are notified of the protection order by the Minister and it is published in the Official Journal. A plaque should be affixed to the protected building (equivalent to a certificate of appropriation).

Protected buildings may not be restored, repaired, modified or reconstructed without the prior authorization of the Minister. It is also forbidden to demolish all or part of the protected buildings. The same goes for advertising facilities or any kind of infrastructure works. The administration has a period of four months to make known its opinion; if it doesn't the work is deemed authorized. The protection decision is treated as a preservation easement that is perpetual and binds both current and future owners to protect the historic character and values of the property. If the owner decides to sell the property, he is obliged to inform the purchaser and also the minister.

When a historic monument is in a state of peril or when its occupation or its use is incompatible with its protection, it becomes the object of a decree of classification.

The Ministry must notify the owner of the intention to classify the monument and receive any of their observations which should be submitted to the National Heritage Commission. The decree of classification involves the financial participation of the state in the restorations or any type of rehabilitation work (the state's financial participation depends on the property but cannot exceed 50% of the total work costs) <sup>124</sup>.

All work to be done on the property is subject to the prior authorization from the Ministry. The owner is obliged to undertake the necessary work within a period of three months and can request a fifteen days extension. If the owner refuses to do so, the Ministry will enforce the immediate execution and then the owner must repay the part of the work incumbent on him. The owner, who is unable to undertake the prescribed work, may propose to the State to acquire his property either amicably or by expropriation. If the historic monument is exposed to certain danger requiring urgent intervention, the Ministry may make a preventive order to avoid threats of collapse, demolition or profound alteration. The protected historic monuments impose a protected buffer zone on their surroundings within a radius of two hundred meters. No type of work may be undertaken in this area without prior authorization from the Minister under the same conditions previously mentioned.

Movable objects:

Movable property, including documents and manuscripts, may be protected for their historic, aesthetic, artistic, traditional, national or universal value. The protection decision goes through the same process as mentioned before for other types of properties. If the private owner does not give his consent, the Minister may oblige him to do so at the request of the cantonal judge. No repair, restoration, consolidation or transfer of the place of deposit of the movable property may

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<sup>124</sup> Article 35.

be carried out without the prior authorization of the Minister. In case of sale, a right of priority may be exercised by the state. The export out of the territory is prohibited. The trade in movable property is subject to authorization of the Minister.

Excavations and discoveries:

A landowner may not undertake any excavations without authorization from the authorities.

He does not have the right to claim the property discovered and cannot claim any benefits.

Only researchers and archaeologists can request an authorization to excavate under the control of the services of the Ministry of Heritage. In the case of fortuitous discoveries, the owner is obliged to inform the minister to take all the necessary measures.

#### Conclusion:

In conclusion, the National Heritage Institute and the Agency for the Restoration of Heritage and Cultural Development, in their present state and in their current structure, are going through a crisis. The Heritage management in Tunisia is the victim to the imbalances in coordination between them, given the overlap in the tasks and the inaccuracy of the texts governing the activity of each.

The Tunisian Heritage Code is a general text setting out the definition of historic heritage, divided into three types (cultural sites, historic and traditional ensembles, historic monuments), as well as the procedures and conditions for classification, protection and enhancement. It brings together measures for the protection of the historic heritage with a national value. Not only the sites are protected but also the artifacts related to them.

The evolution of the notion of heritage paved the way for the classification of new objects such as the 20<sup>th</sup> century architecture built during the Protectorate period. One of the novelties of this law was to recognize as heritage any object having universal value, and not only national.

The classification procedure is aimed at buildings in danger and requires the state's financial contribution to the building's conservation work. In addition, a new change: "zones within a radius of two hundred meters around protected or classified historic monuments and including built or non-public or private buildings" benefited from the same safeguarding rules as classified or protected historic monuments. In addition, historic and traditional settings benefit from being in protected areas for which a Safeguarding and Development Plan is required to be elaborated (Articles 16 and 17), thus replacing the urban management plan when there is one.

The implementation of the Safeguarding and Development Plans was conceived in such a way as to be articulated with the Urban Planning Code, promulgated on November 28, 1994. Any Urban Development Plan had to take into account and protect these protected zones, natural and cultural, and thus ensure the respect of the provisions related to the protection of Heritage. However, the legislative texts all reflect the concern to preserve the authenticity of the patrimonial property. They pay little to no attention to the use of the preserved heritage. The protection laws do not provide for any management plans, including their future use. Developing a comprehensive strategy for the valorisation of heritage and inclusion in the context of national cultural development and to be an economic pillar that would contribute to the overall development effort.

The Heritage code issued on 24 February 1994 does not provide legal protection for the intangible cultural heritage, although Tunisia ratified the UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage in 2006. This needs urgent revision in order to accommodate the developments in dealing with heritage in terms of diversity and the procedures for its protection and preservation. There is probably room for reflection as the number of protections continues to grow, including more and more heritage assets in our daily environment.

### Current threats to the Cultural Heritage:

The heritage sector in Tunisia faces a number of threats and this thesis will not be able to address all of them. So, I will address some of the most serious threats and provide some examples that may explain the reality of the situation.

### The archaeological map project, a never-ending inventory <sup>125</sup>:

The national map of archaeological sites and historic monuments acquired a legal existence in Tunisia in 1992, the year of the Valletta Convention. It is remarkable that Tunisia had adopted such a law as early as 1992. This can be explained by the realization of a national archaeological map project which began in the 1980s and marked the commitment of the state in this direction. The Tunisian law, although not up to date as mentioned before, deals in an accurate and efficient way with the various points related to the definition of the archaeological heritage and to the establishment of an inventory of archaeological sites. Developed for the first time in the late 19<sup>th</sup> century, the Archaeological Atlas of Tunisia is not taken up in its entirety until the late 1980s. At that time, to be able to conduct research programs on the Tunisian territory by renewing and by deepening the archaeological data, the interest of a national inventory became a priority. The initial project design from 1987 to 1992 was initiated by the COGEDRAT<sup>126</sup> in the framework of a co-operation agreement with the United Nations Development Program (UNDP) and was the joint action of Mrs Najet Khantouche and MM. Mustapha Chagren, Noureddine Chiha, J.-P. Hamel and S. Ben Baaziz<sup>127</sup>.

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<sup>125</sup> Perrine Ournac, 2011, p 195.

<sup>126</sup> General commissariat of the the regional development and territory management .

<sup>127</sup> L. Maurin, *Carte nationale des sites archéologiques et des monuments historiques, Bir Mcherga 028, under the direction of S. Ben Baaziz, carte : feuille XXVIII*, (Tunis : INP, 2003), p 3.

The "archaeological site" is defined by "any vestige bequeathed by civilizations or previous generations, which testifies to the human actions " as specified in the law of 1994 relative to the code of archaeological heritage, historical and traditional arts ( articles 1 and 2) <sup>128</sup>.

Then, a decree placed this project under the responsibility of the Ministry of Culture in 1992<sup>129</sup> via the INP. The Ministry has adopted a similar definition, while specifying that "any topographic space which preserves traces or vestiges of the past actions of man, regardless of the chronological period to which it belongs, and its order of magnitude."<sup>130</sup>

Thirty researchers were trained, especially graduate students (young researchers). Among the selected archaeologists, a very limited number of Tunisian researchers agreed to invest in the project. On the other hand, three French archaeologists collaborated in the direction of volumes published.<sup>131</sup> According to Ben Baaziz, the budget totalled about 450,000 euros, or 900,000 dinars, between 1987 and 2005. S. Ben Baaziz and his team relied on the documentary base of the previous century. As mentioned before, although The strengths and weaknesses inherent to the company are formalized in the publications, which made it possible to propose corrections imperfect, the first Atlas was compiled from hundreds of maps of archaeological sites that could be found and treated systematically. S. Ben Baaziz estimated the number of sites at the beginning of the mission, based on a calculation of territorial density: about 21,000 sites all periods combined<sup>132</sup>.

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<sup>129</sup> The text giving birth to the national map of archaeological sites and historic monuments, and defining its objectives is Decree No. 92- 1443 of August 3, 1992, relating to the establishment of Following the article 1 which gives life to the CAN, a series of articles fixe the content and the modalities of operation

<sup>130</sup> Sadok Ben Baaziz , "La carte archéologique de la Tunisie, Bilan de la recherche archéologique sur l'occupation du sol, " *De l'occupation du sol en Tunisie pendant l'Antiquité, Seminar 15 to 17 january 2004* (Université de Sousse, under the direction of Pr. Mrabet A, 2005), p 32.

<sup>131</sup> Ibid. pp 17-19.

<sup>132</sup> Sadok Ben Baaziz, "Le Patrimoine Archéologique Tunisien : le Temps et l'Espace," *Temps, Espace et Représentation*, (Seminar on the Xe anniversary of la Faculté des Lettres et sciences humaines de Sousse (1999-2000), 2002), p 13-38.

The project head, S. Ben Baaziz, identified a series of archives to which he did not have access and that would need to be integrated later: the aerial photographic coverage; the national archives; the archives dating from the French protectorate.<sup>133</sup> The archives of the post-protectorate excavations of sites, as well as the repositories where the remains are stored, have remained "inaccessible": thus, the preliminary phase of the documentary investigation has been truncated.<sup>134</sup> S. Ben Baaziz reported in many articles and publications his experience, the methodological choices, the limits of the missions as well as the difficulties that the project has been confronted with. The experiment, over several years, had been evaluated by its principal author, who offered a pragmatic view. The strengths and weaknesses of the project were formalized in several publications, which makes it possible to propose any corrections.<sup>135</sup>

The research accomplished by all members of the mission breaks down as follows: site search (orientation, tracking, oral survey), identification, spatial evaluation and documentation (description, sketch, survey, photographs).

In total, 7,193<sup>136</sup> sites have been listed. In 25 years, between 1987 and 2012, around 65% of the territory was surveyed. Even though the official website states that 46 cards have been processed, including 38 published in 2005, it shows 58 cards accessible in 2018. This represents 887 missions, 2000 reports and 55000 snapshots, for a total of 7000 inventoried sites. A total of 21 booklets were published in 2010.<sup>137</sup>

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<sup>133</sup> "Cf. le chapitre sur la question de la diffusion des données" (Part III, chap. 6, paragraphe 6.1).

<sup>134</sup> Sadok Ben Baaziz, 2005, p 33, 22.

<sup>135</sup> Sadok Ben Baaziz, 2005, p 9.

<sup>136</sup> *Les Sites Archeologique Inventories de la Tunisie*, (INP, 2012).

[http://www.inp.rnrt.tn/Doc\\_admin/Sites\\_Archeologiques\\_Tunisie\\_2012.pdf](http://www.inp.rnrt.tn/Doc_admin/Sites_Archeologiques_Tunisie_2012.pdf)

<sup>137</sup> Sadok Ben Baaziz, 2005, p 37.



The updating of the data of the old National Archaeological Map, has several fundamental features: the precise location of sites is now a given, their presentation on the map but especially their coordinates have been verified and form the main body of the inventory.

Additionally, several new sites have been identified from the regions of Cape Bon, the valleys of Oued Sarrate, Silina ..., which provide new research opportunities in various fields.

The main contributors implemented a training plan for young researchers and developed the general interest for the map through a series of public actions like conferences, exhibitions and media interventions which resulted in the IPAMED project.

The IPAMED is a Euro-Mediterranean project funded by the E.U to digitize the Mediterranean Heritage inventory. It is part of a global project called "Euromed Heritage I (1998-2004)"<sup>138</sup>. The definition of the project was to "train young people with modern knowledge at the same time as creating a new tool for knowledge and management of heritage" and had for main objective "to draw up an inventory of the heritage and to facilitate the networking of museums with other cultural institutions".<sup>139</sup>

The INP, in charge of The National Map of Archaeological Sites and Historical Monuments of Tunisia, was the pilot for a cooperation zone. The main components of this project included the creation of a Database Management System. The work on the archaeological map, its computerization, and volume publications continued after 2005.

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<sup>138</sup> A conference in Barcelona brought together, in 1995, the fifteen member states of the U.E. and twelve Mediterranean non-member countries (Algeria, Cyprus, Egypt, Israel, Jordan, Lebanon, Malta, Morocco, Syria, Tunisia, Turkey and the Palestinian Authority). The funds were allocated to three different projects : Euromed Heritage I (1998-2004), Euromed Heritage II (2002-2007), Euromed Heritage III (2004-2008).

<sup>139</sup> INP, 2005, p. 7.

Ben Baaziz added that the archaeological map project had unfortunately not been the result of an easy research program and from a financial point of view, detours had occurred, as many "necessary tips" (bribes) for the accomplishment of the mission.<sup>140</sup>

According to the feedback, it seems like there had been an institutional disagreement and vagueness and opacity around the IPAMED project.

#### Inaccessible data:

The incompleteness of the national inventory project is due to the significant delay in the publication of data from major excavations, particularly in urban areas. "This documentation is often inaccessible if it is not followed by publication, which is often the case"<sup>141</sup>. However, a public body, the Office of Topography and Cartography, has the archival and technical means to overcome the shortcomings. For example, dozens of aerial photography missions have been carried out since the end of the 1930s, but they have not been accessible.<sup>142</sup> Many heritage archives are also difficult to access. Whether the National Archives or extremely valuable documentation from French military missions, any operation on the territory since the 19<sup>th</sup> century is either dispersed or stored without classification. This aspect shows the difficulty of undertaking the national archaeological inventory, "lack of centralization or monitoring of operations by archaeological antennas, also lack of flexibility of management and access, this documentation is almost inaccessible"; "In total, archival documentary research is very uncertain if it is not impossible".<sup>143</sup> The methodological choice of the team of S. Ben Baaziz, involved necessary updates, which did not allow the project to be completed. In 2007, it was estimated

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<sup>140</sup> Perrine Ournac, Interview Transcript, September 18, 2006 with S. Ben Baaziz.

<sup>141</sup> S. Ben Baaziz, 2002, p. 27-28

<sup>142</sup> Ibid, p31.

<sup>143</sup> Ibid, p32-33.

that by 2011 , 52 cards would be published of archaeological sites and 100 plans of historic monuments and vernacular architecture. While Tunisian authorities have benefited from financial assistance to cover the entire territory, today, only about 40% of all maps for archaeological sites and 12% for historical and traditional monuments and collections was achieved. This clearly indicates the magnitude of the failure of this project , despite the considerable funds that have been harnessed. *So many questions remain unanswered for now. Was covering the entire territory overly ambitious and unachievable? Was there dysfunctions in the management of the programs? Corruption? Methodological problems?*

In the 21<sup>st</sup> century, since Archeology is defined as a systematic, scientific attempt to reconstruct activities and social groups that have occurred or existed in the past, and to see how these have changed through time, it is very important not to consider archeology as only prehistory, and not to think that archeological data exists only under the ground. Archeologists should not only be concerned with prehistory but also with the most recent past.

Therefore, the study of industrial buildings and systems that are scattered all over the country should be considered and studied too to seek understanding of the changing economic conditions and human practices.

#### Violations against Archaeological sites and Historic monuments:

Even though the looting and destruction of archaeological sites in Tunisia started in the 19<sup>th</sup> C<sup>144</sup>, it emerged again as an organized crime in Tunisia in the 1990s.<sup>145</sup>

Tunisia, also witnessed from 2012 to 2016, 540 cases of illegal excavation and 116 cases of

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<sup>144</sup> Hery Dunan ( 1828-1910), a Swiss Elits , the founder of the red cross . lived in Algeria and Tunisia (1856-1857) , wrote a book on Tunisia in 58 “Notice sur la Régence de Tunis”.

<sup>145</sup> In 1996, the first network was dismantled. It was established in 1993 and specialized in theft from museums and archaeological sites to sell pieces seized abroad.

trafficking on the national level.<sup>146</sup> Looting in Tunisia continued even after the independence and during Bourguiba's rule.

This trend was amplified with Ex dictator Zine El Abidine Ben Ali who was adept at pillaging the country of its history to decorate his family's homes. After the 14<sup>th</sup> of January 2011 (the Tunisian revolution), valuable artifacts were found in the houses of a number of Ben Ali's entourage, including Sakhr al-Materi and Belhassan Trabelsi.<sup>147</sup>

Tunisian archaeological heritage is threatened by the gangs of smugglers who are not held accountable for their actions. While Decree No. 43 of 2011 dated 25 May 2011 revised and modified the Heritage Code, especially with regard to the tightening of penalties for violators, many issues relating to the protection of heritage still need to be considered and scrutinized. For a country with almost between 30,000-50,000 historical and archaeological sites, there are only 179 site guards<sup>148</sup> which explains why open-air archaeological sites are being illegally excavated at a precipitous rate, an estimated 5-10 new digs open every day. This problem could only be blamed ignorance towards Tunisia's rich and valuable history and could be blamed on the authorities for the lack of efforts to raise awareness on the importance of heritage in general.

#### Urbanization and town planning:

Heritage in Tunisia is also effected by the random urban expansion, and urban development can be severe threat to heritage sites. A well-known example was the encroachment of suburban Tunis on the world heritage site of Carthage. Even though a UNESCO world heritage site since 1979, parcels had been declassified by order of President Ben Ali and made

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<sup>146</sup> Abd Alhafiz Alhergam, "Theft of Antiquities: The Looted Memory," *Leaders Arabic.*, 2017  
<http://ar.leaders.com.tn/article/1505-%D8%B3%D8%B1%D9%82%D8%A9-%D8%A7%D9%84%D8%A2%D8%AB%D8%A7%D8%B1-%D8%A7%D9%84%D8%B0-%D8%A7%D9%83%D8%B1%D8%A9%D8%A7%D9%84%D9%85%D9%86%D9%87%D9%88%D8%A8%D8%A9>

<sup>147</sup> "Complément d'enquête, Sakhr el Materi (partie archéologie)," *France2*, April 15, 2011.  
<https://www.youtube.com/watch?v=l1B2iaqlZJw>

<sup>148</sup> In 2013, According to the INP official website

available to a real estate project whose promoter was his brother-in-law, Belhassen Trabelsi.<sup>149</sup> Several constructions have occurred in the non aedificandi archaeological which are, by law, not constructible. Fortunately, most parcels were reclassified after the revolution (Decree Law No. 11 of March 10, 2011) and most of the archaeological zone is now under special protection that forbids new constructions. Once again, as on many other occasions, the state, having recovered the archaeological land for free, instead of implementing its protection and developing an efficient preservation and enhancement plan, is trying to sell the lands, claiming that it is constructible when it is not by law ( case of Qart-Hadašt site).<sup>150</sup>

Problems such these are particularly acute when the site is a living town and a historic ensemble . The intrusion of new buildings unsympathetic in style, scale, materials, or workmanship may well destroy the traditional ambience of a site.<sup>151</sup>

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<sup>149</sup> Balkis, “Tunisie : Carthage à vendre,” Tunisie Numerique. Published January 26,2018. Accessed July 02, 2018. <https://www.tunisienumerique.com/tunisie-carthage-a-vendre/>

<sup>150</sup> Ibid.

<sup>151</sup> ICOMOS management guide

## CHAPTER 4

### TUNISIA'S MODERN HERITAGE: COLONIAL HERITAGE

The European colonial empires from the 16<sup>th</sup> to the 20<sup>th</sup> centuries not only created European heritage overseas but facilitated global movements of population, influencing directly and indirectly over half of the world. The dissolution of these empires and the emergence of new nation-states raised the controversial issue of the role of the heritage of the colonial era in nation's identities.<sup>152</sup> Former colonial societies are seen to confront numerous dilemmas when conserving their urban heritage, arising from the fact that it is largely the product of a system grounded in the concept of colonization by a foreign force. One practical problem is that of dealing with the legacy of buildings and presenting them as part of the newly independent nation and not symbolic of the lingering presence and authority of the colonizer.

Some countries opted to eradicate the physical legacies of colonialism, others accepted them as witnesses to history. The prime eradicators of this type of heritage were not mainly developers but mostly politicians in a denial to consider colonial heritage as part of their nations' identity.

Tunisian cities have not escaped the contemporary upheavals of acts of aggressions against colonial cultural heritage. One of the most complex and controversial heritage issues in Tunisia is the ensemble of modern cities (colonial cities) and the historic centres, which are part of the daily life of many city dwellers and workers.

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<sup>152</sup> S.Marschall, "The Heritage of Post-colonial Societies," *B. Graham & P. Howard (Eds.), The Ashgate Research Companion to Heritage and Identity*, (Farnham: Ashgate, 2008).

The French established in Tunisia urban patterns and fabrics and left behind numerous buildings and monuments of distinct architectural styles. These buildings might be seen as representations of occupation and unequal power relations, but also considered by some a valued asset for the independent state and could serve as a tourism resource.

This chapter examines the contemporary issues of this built heritage in former colonial Tunisian cities. In this context, we will try to question why, despite the official texts and the promulgation of the code of heritage in 1994 and the colonial fabrics of Tunisia born around 1900, colonial cities that house many Tunisian citizens nowadays are not recognized and not considered valuable by the public authorities to be classified as national heritage along with the Islamic heritage of the Medinas. Thus, I will address the lack of preservation of this recent historic heritage.

#### Birth of Cosmopolitan Cities all over the country in the Colonial era:

Europeans had lived in Tunisia much before the protectorate especially after the sale of land to Europeans was made legal in 1859<sup>153</sup>. But, the enforcement of the French protectorate in 1881 strengthened the influx of European populations to the regency. More than 10,000 Italians lived in Tunisia in 1881, compared to the French residents who were less than 4,000. They remained the largest ethnic group within the European community throughout the period of the protectorate.<sup>154</sup>

It especially expanded the European communities of the capital Tunis, where more than half of the country's Europeans were concentrated. Europeans became almost as numerous as Tunisians. Studying the Tunisian population, Paul Sebag remarks that for the period 1891-1911,

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<sup>153</sup> Harold D. Nelson Ed., *Tunisia: a country study on Tunisia, Foreign Area Studies*. (Area handbook series, The American University, Library of Congress Catalogue in Publication Data, Research completed January 1986), p 64.

<sup>154</sup> Ibid, p 65.

"the Tunisian Muslim and Jewish population which accounted for four fifths (81.5%) represents only a little more than half (57.2%). On the other hand, the European population which accounted for barely one-fifth (18.5%) represents almost half (42.8%) "<sup>155</sup>.

The size of the European community increased: two-thirds were Italians and a large number of Maltese. The Europeans were occupationally differentiated; the Italians, mostly Sicilians, were blue-collar workers, public utilities workers, or small farmers whereas the Maltese, British subjects, were the proverbial shopkeepers. Shut out from the social and economic advantages reserved for French citizens, the Italians were held in contempt by both the Tunisians and the French. Except for members of the elite, seldom did Tunisians have contact with the French administrators, supervisors, managers, and owners - and even the elite did not meet them on a social level. Isolated nationals of different nationalities including English, Austrians, Belgians were becoming more numerous and outnumbered the French residents. It is the same for Muslim nationals (such as Tripolitans, Algerians, Moroccans, etc.). <sup>156</sup>

For centuries, major cities of Tunisia were limited to the Medinas and their ramparts. However, at the beginning of the French Protectorate, Tunis was developing on the surrounding hills and towards the lake, around the very wide Avenue Habib Bourguiba (at the time Avenue Jules Ferry). French, Italian, British, Jewish and Maltese left or started leaving the overcrowded areas of the Medina to settle in the brand new villas and apartments. Soon, theatres, operas, churches, shopping centres, were standing next to the Mosques and the Art Nouveau style rubbing against neo-Moorish houses.<sup>157</sup>

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<sup>155</sup>P. Sebag, *Tunis*, Histoire d'une ville, (Paris : L'Harmattan, 1998), p 336.

<sup>156</sup>Harold D. Nelson, *A Country Study, Study on Tunisia*, p 65.

<sup>157</sup> Fabio Benedetti-Valentini , "Tunis, Passé Colonial et Modernité, " *Azur ever*  
<https://www.azurever.com/tunisie/magazine/tunis-moderne.php3>



For nearly a century, the capital Tunis was a cosmopolitan city. The cosmopolitan aspect of the city is clearly visible in terms of urban planning since the modern city was expanding considerably. New neighbourhoods, for a large number of French, were emerging because the cheaper housing. This is the case in France-ville and Mutuelle-ville.

The Italians of modest means occupied two neighbourhoods: "La petite Sicile" (currently la Goulette) and "La petite -Calabria" "(currently Lafayette) and the most destitute ones in Borgel and "the goubivilles". While the richest of the different communities lived side by side in the affluent neighbourhoods of the modern city, the poorest tended to group together according to ethnic divisions. Besides, slums or the goubivilles were crammed with Tunisians from the countryside, exclusively Muslim Tunisians, victims of the great crisis of the thirties.<sup>158</sup> Unfortunately, the establishment of the European city of Tunis caused the disappearance of parts of its ramparts, replaced by a belt boulevard, limiting the perimeter of the city<sup>159</sup>. However, the development of other European cities of Tunisia did not follow the same model.

From 1890 and about ten years after the installation of the protectorate, a second concept emerged in the development of the Second European city of Sousse, taking into account the experiences already acquired in the Algerian cities and in Tunis.

Sousse was perceived by the European visitors in the middle of the 19th century, as a small town made of a mosaic of white volumes, low height, letting the air and the light through. Overlooking the sea, the city, was surrounded by ramparts and dominated by its amazing Kasbah. In Sousse, the French tried to preserve clear boundaries, between the old and the new urban fabric, to safeguard the ramparts and develop broad boulevards. They also created a public

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<sup>158</sup> Abdesslem Ben Hamida, "Cosmopolitisme et Colonialisme. Le Cas de Tunis", *Cahiers de l'Urmis*. Published 2002. Accessed Jun 6, 2018. <https://journals.openedition.org/urmis/4>

<sup>159</sup> Leila Ammar, 2005, p. 206.

square, a way to assert the clear separation between the two fabrics.<sup>160</sup> A separation between the old and the new, preserved the integrity of the Medina and its way of life.

The development of this city was structured by two regulatory provisions: Article 54 of the decree of April 1, 1885, ordered the whitening of all facades to respect the local color, and the decree of December 12, 1885<sup>161</sup> imposed a non-aedificandi zone within a radius of 250 m around the ramparts of Sousse; this decree allowed for a scenography enhancement of the space of the Medina. The European city of Sousse is the first example of a new way of setting up overseas cities. It developed while limiting its contact with the walls of the Medina, resulting in a total respect of the vernacular local spaces.<sup>162</sup>

The establishment and development of European cities in the capitals of North Africa are based on the criteria of the European practitioners of that time (beautification, hygiene, air circulation, sanitation, etc.), as well as on other factors specific to overseas cities, namely functionality, population control and modernization. Their planning was the culmination of decades of practice. In fact, each of the capital cities of North Africa benefits, in one way or another, from previous experiences, and in turn influences the next project either through the full adoption or a solution previously applied.<sup>163</sup> In Algiers, in the 1840's, the ancient fabric was destroyed to create new places which would be seen later in the Haussmannien model.

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<sup>160</sup> Afef Ghannouchi Bouachour, "La Construction de l'Identité de la Place Publique à Sousse au début du Protectorat Français : le Cas de la Place « Pichon »,," *Al-Sabil : Revue d'Histoire, d'Archéologie et d'Architecture Maghrébines*. Published April 2017 <http://www.al-sabil.tn/?p=3608>

<sup>161</sup> A. Sebault, *Dictionnaire de la Législation Française* (Dion, imprimerie Sirodot-Carré, 1896), p 581.

<sup>162</sup> Afef Ghannouchi, "The European city of Sousse: Birth of an urban landscape," *Projets de Paysage , scientifique revue on the design and management of space*, p 1. Published January 4, 2012. [http://www.projetsdepaysage.fr/la\\_ville\\_europ enne\\_de\\_sousse\\_naissance\\_d\\_un\\_paysage\\_urbain](http://www.projetsdepaysage.fr/la_ville_europ enne_de_sousse_naissance_d_un_paysage_urbain)

<sup>163</sup> Ibid, p 2.

In Tunisia, this idea was modified and the development of the modern cities was done outside of the Medina with the preservation of its buildings and in an orthogonal grid.<sup>164</sup>

#### The Birth of new Architectural styles:<sup>165</sup>

The medinas of Tunisia were marked through the centuries by a constructive work that was characterized by the reproduction of the same architectural and decorative configuration: Narrow and labyrinthine alleys, white blind elevations with different interior decorations in materials, techniques and patterns. Some of these elements were due to a foreign European influence (essentially Italian), dating back to the turn of the sixteenth and seventeenth centuries.

This new trend of integrating new western elements was accentuated with the beginning of the French Protectorate in 1881 and the birth of colonial cities responding to the mass arrival of Europeans. Tunisian cities thus began to experience a new constructive movement produced by the skills of architects, contractors, masons and craftsmen of various nationalities, revealing an important artistic enrichment and the appearance of new architectural and decorative styles that were developing, growing and spreading rapidly.

It is therefore in a modernist context and with the arrival of the French, that a new urban landscape began to emerge and new typological elements started to appear (richly decorated street frontages, verandas, balconies, etc.), while keeping some old techniques and ornamental processes of the traditional repertoire of the country. Oscillating between continuity with an ancient heritage and rupture, between tradition and modernity, the constructive production in Tunisia of the colonial period testifies to a great artistic renewal and the presence of crossed influences. Indeed, the Protectorate's constructive projects shared an architecture inspired by a

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<sup>164</sup> Ibid, p 1. .

<sup>165</sup> Mosbah Chiraz , ‘‘Article n°3 , La Tunisie : un héritage colonial menacé,’’ *Patrimoine Architectural* (blog), January 20, 2008. <http://patrimoinearchitectural.blogspot.com/2008/01/>

western repertoire (particularly French and Italian) and an architecture that referred to the local tradition. In fact, from 1905-1910, the European contractors would draw or drew on the local heritage, to design their projects. In the beginning, they limited the re-use of elements of the architectural decoration of the local Islamic buildings.

This movement translated, by a real reinterpretation of the local architectures, in their arrangements and their space organizations, would last until the dawn of 1930s. It showed a turn around, as it took into account the local culture on a regional architecture.<sup>166</sup>

The new constructions reflected new artistic styles that were foreign to the Muslim Tunisia and displayed an exteriorized architecture with monumental façades widely opening on to public spaces. Thus, different architectural trends developed in the quarters of the new city of Tunis. Some drew their inspiration from European architectural and decorative styles in vogue, with new forms and expressions.<sup>167</sup>

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<sup>166</sup>Leila Ammar, 2017, p 3.

<sup>167</sup>Mosbah Chiraz, 2008.

These several architectural styles can be grouped in 5 artistic tendencies according to different periods:

-The Eclectic Style (1881-1900)



Figure 8: Immeuble Bismuth. 4, Avenue de la liberté, angle avenue de Madrid Architect : Auguste Peters, 1909.  
Source :Tunis. Architecture 1860-1960. Juliette Hueber et Claudine Piaton.

- The Eclectic Style branched out into Art Nouveau (1900-1920):



Figure 9: Immeuble Azram. Between Av de Paris and Rue de Marseille, Protected since 2000, in an abandoned state.  
<https://www.facebook.com/photo.php?fbid=10154846325962191&set=pcb.1171911602940807&type=3&theater&img=1>

-Art Deco (1925-1940), inaugurating the times of modernization on the territory of the Tunisian Regency:



Figure 10: Zirah Villa , n°131, Liberty Avenue ( Giovanni Ruota)  
<http://patrimoinearchitectural.blogspot.com/>

-The Neo-Moorish style (1900-1930):



Figure 11: Sousse Train Station (1899-1904). Source : collection Ch. Attard  
<http://www.sousse18811956.com/villeuro/gare.htm>

-The Modernist style (1943-1947):

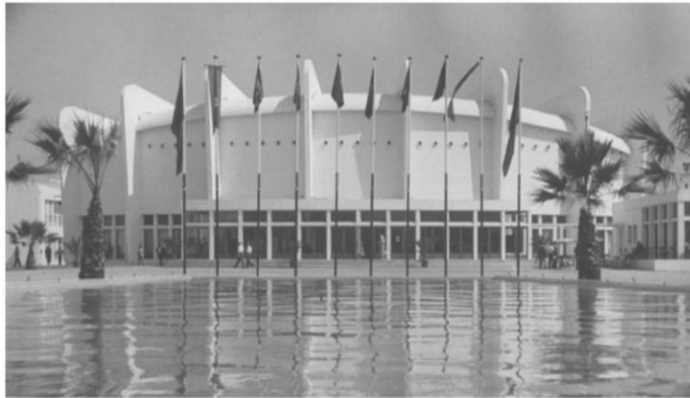


Figure 12: The old labour exchange, Tunis. Architect: Levandawski, 1950. Source : Juliette Hueber and Claudine Piaton ,Tunis. Architecture 1860-1960.

### Colonial Downtowns : Decay and abandonment

*But what has happened at the dawn of the 21st century to most of the urban fabrics of Tunisia's cities, inhabited mainly by Tunisians?*

Like most buildings of the protectorate and the 20<sup>th</sup> century, the central districts of Tunisia have, unfortunately deteriorated. Faulty and obsolete sanitation, broken down and damaged sidewalks and pavements, absence of public lighting, inadequate networks, transport or road infrastructures and falling buildings. The only aspect that resisted the time are the socio-spatial relationships, produced, perceived and lived by the inhabitants and shop owners.<sup>168</sup> Most of the colonial buildings present signs of aging and pose serious conservation and restoration problems.

The little Sicilia district is a good example of buildings that have become a danger to their inhabitants (cracking in walls, erosion of iron columns...). The neighbourhood has become deserted in the recent years, the outer parts of the buildings have collapsed and their integrity threatened by the small modifications made by the occupants to patch these cracks with modern

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<sup>168</sup> Leila Ammar, 2017, p 13.



day cement or aluminium windows instead of the colonial old openings leading to a complete distortion of the buildings. Yet, most of the inhabitants refuse to leave because of their economic status: very low rent, and sometimes illegal occupation.

Most of the housing and public buildings are degraded and are therefore threatened with demolition. The indifference, the negligence, the lack of maintenance and financial means, the uncontrolled transformations as well as a strong land speculation, risk disfiguring the urban landscape of the different Tunisian cities and, more importantly, contribute to the slow disappearance of this abandoned or misused exceptional heritage, that deserves to be restored, preserved and revalorized by the public, local and national authorities.<sup>169</sup>

The first major threats to the colonial architecture of Tunisian cities appeared in the 1980s with the development of new modern centres of commerce and residences.



Figure 13: Leisure Example: Leisure Complex of Tunis (Habib Bourguiba Avenue). This complex is composed of four buildings: the Municipal Theatre, the Winter Casino called "Palmarium", the casino café and the hotel "Tunisia Palace". This ensemble was built during the years 1900-1902 by the architect Jean-Émile Resplandy. From this complex, and since 1990, only the Municipal Theatre has remained. Source: tunisia-leisure.blogspot.com

The city centres then went through a depopulation because of the maintenance, unsafe activities, and difficulties of circulation and parking that led to their depreciation.

Currently, middle-class or low-income populations continue to reside in Tunisian city centres,

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<sup>169</sup> Mosbah Chiraz , 2008.



which favours a deterioration of urban structures and a deterioration of these colonial buildings. The question of the rehabilitation of these degraded fabrics and their preservation passes, first of all, by a recognition of the right to housing and to the city, to the social and functional mix, for the inhabitants of these historic districts. At present, some colonial monuments of great architectural interest are relatively well preserved and are the subject of special attention. In fact, this colonial heritage is unevenly preserved and its preservation depends essentially on the real estate market. Renovation and rehabilitation actions are therefore of great importance.

In this context, some buildings dating back to the late nineteenth and early twentieth centuries began to benefit from a desire for classification as national heritage like the Municipal Theatre of Tunis (1992), Central Post of Tunis (1992), the secondary school of Carthage (2001), Tozeur station (2001) and the protection of several elevations like Azermard Designi buildings in Tunis and the train station of Kalaa sghira in Sousse (2000)<sup>170, 171</sup>.

As we can see, the priority was given to monumental and outstanding buildings with historical value meanwhile the “ordinary” heritage, without any notable character and an economic interest is still threatened. As a result, traditional residential units had to give way to modern construction programmes in cities like Sousse and Sfax. Despite these transformations, Tunisia has managed to preserve a very wealthy architectural heritage.

In recent years, other buildings have been the subject of restoration work (Saint Vincent de Paul Cathedral in Tunis, Sousse Palace of Justice, Sfax Town Hall, secondary school in Gafsa, etc.) supported by the National Heritage Institute and the Medina Safeguarding Associations. Specific

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<sup>170</sup> Decree of September 1, 2000. [http://www.legislation.tn/detailtexte/Arr%C3%AAt%C3%A9-num-2000-718-du-01-09-2000-jort-2000-074\\_2000074007184](http://www.legislation.tn/detailtexte/Arr%C3%AAt%C3%A9-num-2000-718-du-01-09-2000-jort-2000-074_2000074007184)

<sup>171</sup> List of Classified and Protected Historic and Archeological Monuments of Tunisia, ( National Heritage Institute, Published May 15, 2012). [http://www.inp.rnrt.tn/Monuments\\_classees/monuments\\_classes.pdf](http://www.inp.rnrt.tn/Monuments_classees/monuments_classes.pdf)

operations affect many monuments (churches, administrative offices, theatres and hotels) following renovation or conversion programs in public and cultural facilities.

These safeguarding measures are costly interventions and the effort made by the Tunisian State remains insufficient; it has to be followed by other private actions (national and international) for a better consideration of this heritage.<sup>172</sup> It is clearly evident that classifying or protecting certain buildings is not enough, it should instead create safeguarded districts like the Tunisian medinas.

Today, in 2018, many traces of the colonial era have disappeared while others slowly fade to give way to new architectural forms responding to modernist trends and new decorations replacing the facades and the storefronts of colonial buildings (Figure 14-15).



Figure 14: Colonial era Building in Av Habib Bourguiba, Bab Bhar, Sousse. Source: Picture posted by Rochdi Gardabou, in Winou El Patrimoine ( bati) ? Facebook group , taken May 21, 2017.  
<https://www.facebook.com/groups/winouelpatrimoine/permalink/1130150353783599/>

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<sup>172</sup>Mosbah Chiraz, 2008. <http://patrimoinearchitectural.blogspot.com/2008/01/>



Figure 15: Update on the Same building, destroyed in 2018. Rochdi Gardabou, in Winou El Patrimoine ( bati) ?

Facebook group , taken May, 2018. <https://www.facebook.com/groups/winouelpatrimoine/permalink/1130150353783599/>

These current choices translate into a chaotic ugly urban landscape of Tunisian cities and by a spread of an "international style", monotonous and unsuited to the climate of the country. We are witnessing a conception of spaces, where no appropriate urban studies are planned and where the architecture of the buildings responds to the taste of Real Estate developers and resulting in a spread of high rise buildings in contrast to the historic feel and standards of these colonial districts. Promoting architectural awareness of national authenticity and the difficulty of integrating imported models is essential in order to allow a better return to the old constructive traditions and the abandonment of these new trends. *But, what are the real threats behind the degradation of these fabrics and what is the Role of the Authorities in preserving them?*

#### Tunisian Real Estate but Foreign owners:

After the independence in 1956, besides the officials who were relocated back to France, the majority of Europeans ( settlers and Europeans whose ancestors migrated to Tunisia since the 16th C) made the choice to leave the Tunisian soil for different reasons (economic, safety, and religious issues...), even though the Tunisian authorities, at the time of independence, gave them

reassuring words.<sup>173</sup> For those who chose to stay, the working conditions became more and more difficult<sup>174</sup> and eventually were indirectly expelled. Many of the Europeans who fled Tunisia, left not just their memories of 'better times' but also their properties; their homes, their lands, their belongings and their businesses.

With the decree of 12 May 1964 on the nationalization of land belonging to foreigners, they witnessed from afar the seizure of their lands.<sup>175</sup> After fifty years of the nationalization of these agricultural lands, another controversy arose. It is about the foreign ownership of real estate in Tunisia and who still controls it. Efforts to mobilise the public opinion to push for a sovereign political decision to transfer ownership of buildings and land acquired by foreigners before independence started to arise in the last couple of years.

The proliferation of ownership contracts or managing it by the power of attorney is the subject that we will address in an attempt to clarify the ambiguity of this subject. This issue gave birth to a new association called the Tunisian Association for the Defence of the Rights of Occupants of Foreign Property (ATDDOBE) in June 7<sup>th</sup>, 2012. The mission of this association is to lobby the different authorities and national organisations (National Constituent Assembly, government,

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<sup>173</sup> During the speeches delivered at the signing of the "Protocol of the Franco-Tunisian Agreement", on March 20, 1956, relating to independence. The Vice President of the Tunisian Council, Bari Ladgham, devoted most of his short statement to allaying the French people's concern that a new era was opening up in Franco-Tunisian cooperation: "We must tell them that independence of Tunisia, and we solemnly say to them, does not mean their ousting from Tunisia,". CADNC Archives, Tunisia 2nd Payment, Carton 2493, Protocol of the Franco-Tunisian Agreement signed on March 20, 1956, 11 pages.

<sup>174</sup> Tunisian authorities privileged Tunisian workers , In fact, a law of 5 November 1959 on the protection of labor provides that foreign workers are subject to the obligation to possess a work permit, which is granted only if the employment can not be done by a Tunisian.

Stéphane Mourlane, *La France et les « prétentions » Italiennes en Tunisie au lendemain de la Décolonisation* ( Matériaux pour l'histoire de notre temps, vol. 99, no. 3, 2010), p 84-89.

<https://www.cairn.info/revue-materiaux-pour-l-histoire-de-notre-temps-2010-3-page-84.htm#re15no411>

<sup>175</sup> Geneviève Falgas, "Les Français de Tunisie en images," *Revue Science and Video*, 3, Varia (2010). <http://scienceandvideo2.mmsh.univ-aix.fr/Varia/Pages/falgas.aspx>

Tunisian League for the Defence of Human Rights, etc.) to push the Tunisian government to nationalize these properties similarly to the agricultural lands.<sup>176</sup> Ahmed Bessioud, vice-president of the association, considers that «the independence of Tunisia will be incomplete until the goods acquired by foreigners before 1956 will be recovered». He also contests that Tunisian tenants continue to pay rent for properties they have been occupying for more than a century.<sup>177</sup> It is important to mention that the properties concerned are only the real estate and lands acquired by foreigners before the independence of Tunisia in 1956 and do not include foreign investments. According to the latest published official figures, throughout the colonial period, foreigners of different nationalities owned more than fifteen thousand properties all over the country mostly between Tunis and Bizerte (the latest colonial city before the independence)<sup>178</sup>. Fakhruddin al-Andalusi, head of the department of Foreign Property, Ministry of State Property and Real Estate Affairs, mentions that until 2015, the equivalent of 7645 properties had been acquired by the government including 3000 sold and 4645 still under the ownership of foreigners, but their files are in the process of being studied by the "SNIT"<sup>179</sup>, which will be later transmitted and presented to the National Commission for Privatization<sup>180, 181</sup>.

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<sup>176</sup>Moncef Mahroug, "Tunisie : La guerre de «libération» des biens des étrangers aura-t-elle lieu? ", *Webmanager center*, Published septembre 24, 2012 . <https://www.webmanagercenter.com/2012/09/24/125051/tunisie-la-guerre-de-liberation-des-biens-des-etranagers-aura-t-elle-lieu/>

<sup>177</sup>Ibid.

<sup>178</sup> "عقارات أيلة للسقوط.. والدولة عاجزة عن صيانتها...!", *Africa Press*, Published November, 2017. Accessed June 10, 2018.

<https://www.africa-press.com/tunisia/files/>

<sup>179</sup> Société Nationale Immobilière de Tunisie SNIT: National Real Estate Company of Tunisia

<sup>180</sup>The National Commission for Privatization was established by Decree No. 1522 of 1992 on 15 August of the same year. Its presidency was entrusted to the Minister of State Property and Real Estate Affairs. Its composition consisted of representatives of the National Real Estate Company of Tunisia, the Ministry of Finance and Interior, the Housing Bank.

<sup>181</sup> Kais Arkoub, "متروكة دون تسوية، أملاك الأجانب في تونس اعتراف رسمي بوجود "مافيات" و 5 آلاف عقار", *Elyass News*, , Published May 25, 2016. Accessed June 10, 2018. [http://www.elyssanews.com/2016/05/5\\_25.html](http://www.elyssanews.com/2016/05/5_25.html)

### Geographical distribution by nationality:

Recent statistical indicators reveal that properties belonging to foreigners, built or owned before 1956, are classified as follows: 67.3% of properties are distributed between the states of "Greater Tunis", "Nabeul" and "Zaghuan", 10.5% in Bizerte, 3 % in the northwest, 5.8 % percent in the center and 13.4 % in the south. The French and Italians are the largest number of owners of these properties. Fifty-six per cent (56 %) of the properties are owned by French nationals (estimates 6 thousand properties in the capital alone, including social housing and industrial and commercial shops<sup>182</sup>) and 17 per cent (17%) by Italians, while the remaining 27 per cent (27%) are distributed among different foreign nationalities, most notably European and Russian.<sup>183</sup>

### Agreements with France and Italy:

Despite the importance of these properties and their financial and mostly heritage value, only by the 23<sup>rd</sup> of February 1984, did Tunisia sign agreements with the French government in particular, in accordance with the 1964 law, which included the nationalization of land under foreign possession, but still excluded the real estate and subjected it to other specific conditions.<sup>184</sup>

These agreements gave the right to these foreigners to retain the ownership of their properties if they choose not to sell (The Constitution of Tunisia and its legislation respects the property of foreigners).

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<sup>182</sup> Mona Yahyaoui, "2787 عقارا وافقت عليها اللجنة الوطنية للتقويت إلى غاية أكتوبر الفارط", *Touris*. Published in February 18, 2009. <https://www.turess.com/assabah/18441>

<sup>183</sup> Kais Arkoub, *Elyass News*, [http://www.elyssanews.com/2016/05/5\\_25.html](http://www.elyssanews.com/2016/05/5_25.html)

<sup>184</sup> The data confirm that the Tunisian state entered into agreements with France on 23 , the first only in February 1984 related to the real estate in Bizerte and then concluded a second agreement concerning the rest of the properties that are Owned by French nationals in the rest of the Republic by 9/05/1989.

Ali Al Zayed , "أكثر مالكي هذه العقارات فرنسيون وإيطاليون.. وأغلبها تمت تسويتها", *Turess*, Published in Juin 28,2009. <https://www.turess.com/assabah/22347>

The agreement of 1983 regarding the property of foreigners, presented several developments including a proposal from the Tunisian government to buy all these properties. These offers stipulated that the Tunisian state would give the owners time to think and stated that if the answer was a refusal from the landlord, it remains under their ownership and if they accept the offer or do not respond to it, it should be considered sold to the Tunisian state.<sup>185</sup>

It also concluded an agreement with Italy, whereby the Tunisian buyer can purchase the property belonging to the foreigners without any special procedures, unlike other nationalities where the buyer has to obtain a license in advance from the state authority and the Ministry of State Property and Land Affairs.<sup>186</sup>

The Ministry of State Property and Real Estate Affairs divides the property of foreigners into two categories, the first of which represents the largest share of those properties that were acquired by the Tunisian state from its French owners and thus transferred to the state (after the 1984 agreement), and a second one includes properties that are still under the control of Foreigners of various nationalities, whose names are registered in their real estate titles and often have been delegated to Tunisian lawyers who would manage it while pending the settlement of their real estate status.<sup>187</sup>

The first category represents the largest share of the total of these properties and is being sold to Tunisian citizens who meet the legal conditions for the expropriation. The beneficiary is a real estate occupant and has priority in the right of purchase and does not have another residential estate in a circle that does not exceed 30 km radius from the property to be

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<sup>185</sup> Ibid.

<sup>186</sup> Kais Arkoub, *Elyssa News*, [http://www.elyssanews.com/2016/05/5\\_25.html](http://www.elyssanews.com/2016/05/5_25.html)

<sup>187</sup> Bouhlel, "التفويت في 2787 عقارا بولايتي تونس وبنزرت", *Turess*. Published in December 12, 2008. <https://www.turess.com/assabah/16269>

sold.<sup>188</sup> The law entrusted “SNIT” to act on behalf of the Tunisian State.<sup>189</sup> As a result of this agreement, several properties have become the tenants’ ownership and only few have still been left under the state property that did not comply with these terms<sup>190</sup>.<sup>191</sup> The second category of these properties is about the owners who refused to sell and did not accept the offer of the Tunisian state. This type of property has remained under the ownership of the ex-settlers, and they have relied mostly on real estate agents or lawyers in the management of their property (receiving rents instead of them, or representing them in all the court cases filed by the Tunisian occupants).<sup>192</sup>

#### Legal background:

Apart from foreigners who have reached agreements with the Tunisian state to sell their properties, others have rejected this compromise to keep around 4645 properties under their ownership. In view of the absence of all of the foreign owners and their direct disregard for the properties, Law No. 61 of 1983, dated June 27, related to properties owned by foreigners and built or acquired before 1956, gives the right to the Minister of State Property and Real Estate Affairs to authorize the disposal of such properties. According to this law, “SNIT” has the right to dispose of about 2,810 real estate units out of a total of 4645 under the decision of the minister concerned. The role of the company is to extract the rents and perform repairs and renovations of the properties, as well as the right of litigation against the squatters, when it is defined as "inappropriateness" or non-payment of the acreage in its deadlines.<sup>193</sup> Additionally, Legally, the

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<sup>188</sup> The official website of the Ministry of State Domains and Land Affairs. Published April 05, 2017. <https://www.domainetat.tn> التفويت في العقارات التي أصبحت على ملك الدولة الخاص في نطاق الإتفاقيات التونسية – الفرنسية

<sup>189</sup> *Turess*, “أكثر مالكي هذه العقارات فرنسيون وإيطاليون.. وأغلبها تمت تسويتها” <https://www.turess.com/assabah/22347>

<sup>190</sup> Ibid.

<sup>191</sup> According to The Commission of Expropriation by 2009, have approved the concession of 2787 properties, including 918 properties in Tunis and 1686 properties in Bizerte. <https://www.turess.com/assabah/18441>

<sup>192</sup> *Turess*, “أكثر مالكي هذه العقارات فرنسيون وإيطاليون.. وأغلبها تمت تسويتها” <https://www.turess.com/assabah/22347>

<sup>193</sup> *Turess*, “التفويت في 2921 مسكنا.. وحلول للمسائل العالقة في الأفق”



deeds of properties acquired prior to 1956 have been awarded by the “joint council” created by the general Paul Cambon in July 1885, therefore by the occupier, which is now considered an illegal Act.<sup>194</sup> This issue has several facets of corruption as Hatem al-Ashi mentioned at a press conference in Kasbah, held on Friday, February 12, 2016. The Minister of State Property and Real Estate Affairs Hatem al-Ashi said that "the property of foreigners will be scrutinized and controlled because there are mafias controlling these properties in Tunisia."<sup>195</sup>

The most questionable owner is a Tunisian Belgian real estate company “Van De Put group”<sup>196</sup> that controls eight companies<sup>197</sup> and which, according to the association, holds nearly 130 buildings in Tunis only.<sup>198</sup> The vice president of the Tunisian Association for the Defence of the Rights of Foreign Property Owners, Ahmed Bissioud, said that taking over the property of foreigners has become a business. He added on accusing Tunisia's real estate company of "privatizing properties for non-occupants based on favouritism". In his statement, "45 percent (%) of the rest of the properties are falling apart". He added, "The complicity of the Belgian and Tunisian real estate companies together with the real estate agency “SNIT” involved in the property of foreigners, in financial corruption and intentionally leaving these buildings to a state of degradation to get its occupants out of the way.”, "These companies are deliberately neglecting the properties they own despite receiving monthly maintenance subsidies from the plaintiffs and the 86 billion of the state budget allocated by the Ministry to cover maintenance

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Published in alhiwar July 11 , 2010. <https://www.turess.com/alhiwar/8196>

<sup>194</sup> By Moncef Mahroug. Webmanager center. <https://www.webmanagercenter.com/2012/09/24/125051/tunisie-la-guerre-de-liberation-des-biens-des-etrangers-aura-t-elle-lieu/>

<sup>195</sup>[http://www.elyssanews.com/2016/05/5\\_25.html](http://www.elyssanews.com/2016/05/5_25.html)

<sup>196</sup> This company is under the inspection of the General Authority of supervision for financial corruption files.

<sup>197</sup>(Société Belge de Prêts Immobiliers, Société Immobilière Belgo-Tunisienne, Société immobilière immobilière Canado-belge , Société immobilière de la Gare, Société immobilière belgo-argentine, Société immobilière and financier belgium, Union franco-italien and Société immobilière belgo-argentine)

<sup>198</sup>The association's official website.  
<https://sites.google.com/site/atddobe/>

and rehabilitation expenses," said the head of the association.<sup>199</sup>

Other factors that lead to aggravating the situation of the foreign properties are the confusion and ongoing uncertainty about the number of rental contracts. The second category that is mentioned above, is also the cause of many problems and hundreds if not thousands of judicial cases. In case of a foreign-owner's death, it gets difficult to resolve the status of his/her property when there is no legal address abroad to refer to.<sup>200</sup>

#### Conclusion :

Although almost 60 years have passed since the departure of foreign settlers in Tunisia, their properties, which occupy the heart of the historic downtowns and strategic locations in all provinces, from Tunis to Nabeul, Jendouba, Kairouan, Gabes, Sfax, Sousse and El Kef, are causing serious legal controversy as the government is unable to find final solutions to these properties that real estate investors are waiting for to seize.

Since the departure of the settlers in the early 1960s, Tunisians have occupied apartments and real estate of foreigners in exchange for rents, that have not changed since then and range from \$ 15 to \$ 25 and given to the companies that manage and dispose them, while others have taken possession of these properties without any legal basis or contracts. There is an urgent need to find legal solutions to the property of foreigners, which would facilitate their re-incorporation within the economic cycle because of their strategic locations, thus have great opportunities to stimulate trade, economic and tourist movement in Tunisian Downtowns.

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<sup>199</sup>[http://www.elyssanews.com/2016/05/5\\_25.html](http://www.elyssanews.com/2016/05/5_25.html)

<sup>200</sup>Farah Slim, "Al Arabi ", *Al Jadid*. Published August 22, 2016.  
<https://www.alaraby.co.uk/economy/2016/8/22/>

### Buildings threatened to collapse / corruption:

Approximately, most of the properties remaining from the colonial period (more than a 100 years old) are unmaintained and threatened to collapse at any moment. Their architectural beauty is hidden behind the rubbles and the cracks of these old buildings and villas that have become offensive to the value of these urban landscapes. All the streets and alleys of the historic centres in all the Tunisian states, are decorated with various colonial styles with high historical values and representing an era where Tunisia was a cosmopolitan country that attracted people from different countries with different religions and beliefs, but unfortunately those scenes reflect the neglect towards these resources. Most of these properties are doomed to collapse and threaten the safety of its inhabitants and even passengers walking by.

Sadly, there have been several cases where balconies fell suddenly from lack of maintenance by the occupants and the municipality shows no interest in restoring this splendid architecture (Figure 16).



Figure 16: On May 21, 2018, a big section of a building in Tunis located at Rue de l' Atlas, between Rue de Liban, and Avenue Chedly Kallala, collapsed but fortunately did not cause any casualties.<sup>201</sup>

The main reason for this deplorable situation is that these buildings are in a complex situation between the government, the non interest of the foreign owners who refuse to conduct any work on their properties and the corruption within the Tunisian National Real Estate Company “SNIT” and the National Agency for the Disposal of Foreign Property in Tunisia.<sup>202</sup> This file still shows reluctance from the authorities to find any solutions like nationalizing these properties but to which the response was, according to the president of the association, the Tunisian government cannot resort to the nationalization of the foreigners’ properties or their expropriation as public domain because it might lead to international conflicts.<sup>203</sup>

As Mr. Boussette said "The state was supposed to preserve these old buildings by

<sup>201</sup>I.B.A , “Ecrroulement d’une partie d’un immeuble au centre ville de Tunis,” Realities online. Published May 21,2018.

<https://www.realites.com.tn/2018/05/ecroulement-dune-partie-dun-immeuble-au-centre-ville-de-tunis-photos/>

<sup>202</sup> “عقارات آيلة للسقوط.. والدولة عاجزة عن صيانتها..؟! ” AfricaPress. Published November, 2017.

<https://www.africa-press.com/tunisia/files/>

<sup>203</sup>Ibid

renovating them and exploiting them in the tourism sector”.<sup>204</sup> This file remains on hold without any solutions from the authorities which shows that there is no political will to resolve the file and reveals the existence of a "deliberate intention" to lead these properties into a status of collapse and then force the occupants to leave, demolish and convert them into commercial complexes to be sold to investors. One wonders about the role of the National Institute of Heritage and the municipalities in the preservation of these buildings and opposing these hidden intentions.

In general, homeowners have a certain reluctance to undertake repair work, especially in the case when these buildings are occupied by old tenants enjoying the right to maintain and at the lowest rent rate. For example, tenants occupying apartments of four or five rooms pay rent not exceeding sometimes 40 dinars per month. The owner can neither evacuate them nor ask for a rent rise defined by law for this category of rentals. The only way to get them to leave the premises is not to proceed with the work of maintenance or repair, especially when the building in question becomes dilapidated to the point of threatening to collapse. What to do then in this case?

The municipality, acting in the general interest of the citizens, may compel the owner, by all means, to make the necessary repairs. In other cases, it can even proceed to the expropriation or the acquisition of a building in question. The owner can refuse in some cases the work of restoration of a building facing ruin. In this case, the administration is obliged to acquire the property in question or expropriate it when it takes charge of its restoration, and this in the conditions stipulated in article 22 of the code of development of the territory and town

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204 Mehrez Mejri, “الاحتفاء بأملالك الأجانب”، *Correspondents.org*. Published October 24, 2017. <http://correspondents.org/2017/10/24/9%83%D8%A7%D9%84%D8%A3%D8%AC%D8%A7%D9%86%D8%A8/>

planning.<sup>205</sup> In case these buildings are listed as National Heritage , and according to “article 38” of the Heritage Code, the ministry of Culture thru the National Heritage Institute is obliged to participate in all restoration work carried out on a classified monument, up to 50% of the cost of the restoration work.

The author considers the incapability of the authorities to preserve this national heritage as a never ending cycle added to the favoritism among certain developers who essentially aim to demolish these colonial city centers and create commercial projects instead.

The Project Law of May, 2018 concerning buildings threatened to collapse:

In October 2017, the collapse of a building in Sousse revived the public debate around urban renewal and procedures concerning "Immeubles Menaçant Ruines = Buildings threatened to collapse" that may threaten the safety of their inhabitants, passengers or neighbours.

The Minister of Equipment, Housing and Territorial Development, Mohamed Salah Arfaoui, said that the number of buildings threatening to collapse is estimated around Five thousand throughout the country.<sup>206</sup> The minister added that the current law has shortcomings, in that it does not order the compulsory evacuations and does not give the latitude to local or central authorities to intervene and force the inhabitants to evacuate the premises, in case of imminent danger.

In a statement, the minister pointed out that a new law would soon be submitted to the government and the Assembly of People's Representatives (ARP) to address these shortcomings, by stipulating state intervention either through a partnership with the owners, or through its

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<sup>205</sup>“Les Bâtiments menaçant Ruine et les Obligations du Propriétaire,” *Le temps*. Published November 18, 2010. <http://www.sada-el-ma7akem.com/tunisie/fait/divers/49643/date/2010-11-18/titre/Letemps/>

<sup>206</sup>Mohamed Salah Arfaoui, Minister of Equipment, Housing and Territory development , announced at the meeting of the Committee on Industry, Energy, Natural Resources, Infrastructure and of the environment.

expropriation.<sup>207</sup> As a result, the Council of Ministers introduced a bill on buildings threatened to collapse. This project sets out the procedures and steps for identifying these buildings and the conditions for mandatory interventions by local authorities and the state. To this end, the Ministry of Equipment, Housing and Territorial Development, declared that it would carry out a pilot program for the demolition and reconstruction of threatened buildings through a rapid intervention on 19 buildings located in Tunis, of which 12 are to be demolished and rebuilt and 7 require major restorations. These buildings have 84 housing units and 22 commercial premises.<sup>208</sup>

Its purpose is to provide the Minister of Equipment, Housing and Territorial Development with almost discretionary power to intervene promptly when a building is showing signs of decay and constitutes a public menace. It should be noted that the threatened buildings law concerns urban fabrics including historic houses in the Medinas, colonial downtowns and any degraded properties. In its corpus, the law defines the threatened buildings as being "any building or construction whose total or partial collapse may constitute a danger to the safety of its owners, its operators or passengers and to neighbouring buildings" (Article1).

This discretion is not limited to ordinary constructions. It extends to buildings of heritage value: classified or protected historic monuments, buildings located within a radius of two hundred meters from a listed monument or in a protected area. According to this bill, the Minister in charge of Equipment, Housing and Territorial development will require the Minister of Culture responsible for heritage management, to respond within a short period of one month

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<sup>207</sup> "200 batiments menacant ruine à travers la Tunisie (minister)," *GlobalNEt*. Published Octobre 05, 2017. <http://www.gnet.tn/actualites-nationales/200-batiments-menacant-ruines-a-travers-la-tunisie-ministre/id-menu-958.html>

<sup>208</sup> "Tunisie : Le gouvernement se saisit du dossier des immeubles menaçant ruine," *African Manager*. Published October 10, 2017. Accessed July 5, 2018. <https://africanmanager.com/51-tunisie-le-gouvernement-se-saisit-du-dossier-des-immeubles-menacant-ruine/>

with the safeguarding measures. After this period, interventions will be made as it deems necessary (Article3). This law is planned to be presented in the Assembly of People's Representatives to be voted on by the deputies. It also lays down the procedures for homeowners to solve problems related to the recovery of expenses following the demolition or evacuation or restoration of their buildings that also require the intervention of the State.<sup>209</sup>

This law is very threatening, wanted to be the protector of citizens from the danger of collapsing buildings but became a law of demolition and destruction of heritage and historic constructions. In an article entitled "The heritage that kills ... let's kill it"<sup>210</sup>, published in Tunisia's Press, Dr Abdelaziz Daouletli, former director general of the INP and former vice president of the ASM, also considered this law "dangerous" as it aims to give "almost discretionary power to the Minister of Equipment, Housing and Territory Planning to intervene promptly when a building shows signs of decay and constitutes a public danger". The former director of the INP criticizes this bill for excluding The Minister of Culture (including all agencies concerned with Tunisian heritage) which is assigned, according to the code of historical, archaeological and traditional arts heritage (1994), the mission of protection of monuments and sites. This Code is in flagrant contradiction with the regulatory provisions of the Heritage Code.<sup>211</sup> The advice of experts in heritage or preservation of historic monuments has not been solicited. Zoubeir Mouhli, director of the Association for the safeguarding of the Medina of Tunis, stated in a text published on his Facebook page<sup>212</sup>, that this law was made in the "haste",

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<sup>209</sup>Neila Gharbi , "La presse de Tunisie, Vieux immeubles menaçant ruine :Un patrimoine en danger," *La presse*. Published March 2,2018. Accessed July 5, 2018.

[http://www.lapresse.tn/component/jeux/index.php?option=com\\_societe&task=article&id=144813](http://www.lapresse.tn/component/jeux/index.php?option=com_societe&task=article&id=144813)

<sup>210</sup>Abdelaziz DAoulatli "Le patrimoine qui tue...tuons-le" *La presse Tunisie*, Published February 02, 2018.

[http://www.lapresse.tn/index.php?option=com\\_nationals&task=article&id=144530](http://www.lapresse.tn/index.php?option=com_nationals&task=article&id=144530)

<sup>211</sup> Ibid.

<sup>212</sup>Zoubeir Mouhli," Vigilance", *Facebook*. Published January 24, 2018.

<https://www.facebook.com/zoubeir.mouhli/posts/10212511133546911>



without associating the experts and calls for "vigilance". He also questions the exclusion of architects from the process of diagnosis, while they are the most qualified (Article 7)<sup>213</sup>.

According to him, it is a repressive law that will generate "massive destruction in the central areas of major cities and cause damage and greater losses among the beautiful buildings of the nineteenth and twentieth centuries always coveted and threatened by land speculations", adding that this law represents "a regression in the protection of the Tunisian heritage for which activists have given themselves thoroughly so that it shines throughout the country and in the world."<sup>214</sup> The security pretext does not convince experts in the field. "Since its inception, there has been no communication, no coordination, neither between the ministries nor with civil society," says Adnene Ben Nejma. A lack of coordination also contrary to the recommendations made in this Ministry in terms of town planning. "The result is a purely technical document that does not clearly distinguish the difference between buildings with historical and heritage value and those that do not have any."<sup>215</sup>

#### The mobilization of civil society, a popular awakening:

Architects, urban planners, historians, academics and activists launched on March 11, a call for mobilization after having read the draft law proposed by the Ministry of Equipment, Housing and Development concerning buildings threatened to collapse. Using some provocative visuals (Figure 17) with a petition, preservationists and especially civil associations, demanded the withdrawal of this proposition, which is considered a direct threat to historic buildings already in danger due to abandonment from the authorities. Conscious of the potential danger towards these

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<sup>213</sup> "الجنة الصناعة والطاقة والثروات الطبيعية والبنية الأساسية والبيئي" Majlis mersad. Published on line on February 20, 2018. <https://majles.marsad.tn/2014/chroniques/5a8be8124f24d054906a850a>

<sup>214</sup> Najla Gharbi, "Vieux immeubles menaçant ruine : Un patrimoine en danger," *La presse de Tunisie*. Published March 2, 2018. [http://www.lapresse.tn/component/jeux/index.php?option=com\\_societe&task=article&id=144813](http://www.lapresse.tn/component/jeux/index.php?option=com_societe&task=article&id=144813)

<sup>215</sup> Adriana Vidano, "Quand le ministère de l'Équipement menace le patrimoine architectural," *Nawaat*. Published March 29, 2018. <https://nawaat.org/portail/2018/03/29/quand-le-ministere-de-lequipement-menace-le-patrimoine-architectural/>

historic buildings, they demanded a more in-depth study of a legislative alternative.

"This is a dubious and hasty law," says Adnene Ben Nejma, member of the National Order of Tunisian Architects and the Association "Edifices et Mémoires", one of the responsible of this campaign. "It largely incites the demolition without conducting a study of the historical values of these building and a possibility of rehabilitation," he summarizes, "and thus leave them to the hands of developers and land lobbyists".<sup>216</sup> In two weeks, the petition against the bill has already gathered more than 1,100 signatures and now around 1250 signatures.<sup>217</sup>



<sup>216</sup>[Ibid.](#)

<sup>217</sup> "Tunisie Assemblée des Représentants du Peuple: Immeubles menaçant ruine: Non aux spéculations foncières," *Petition on Avaaz.org*. Created on March, 2018 By :

ICOMOS Tunisie, Associations de Sauvegarde des Médinas -ASM- de Tunis et Mahdia, Patrimoine 19/20, Association Tunisienne des Urbanistes-ATU, Association Monuments et Sites, Associations Winou El Trottoir et Winou El Patrimoine, Association BeTounsi, Association Beiti, Association des Amis de Carthage, Les voix du Soleil, ATLCR, ....

[https://secure.avaaz.org/fr/petition/Tunisie\\_Assemblee\\_des\\_Representants\\_du\\_Peuple\\_Immeubles\\_menant\\_ruine\\_Non\\_aux\\_speculations\\_foncieres/?frFuGmb&fbogname=Youssef+M.&utm\\_source=sharetools&utm\\_medium=facebook&utm\\_campaign=petition-493904-](https://secure.avaaz.org/fr/petition/Tunisie_Assemblee_des_Representants_du_Peuple_Immeubles_menant_ruine_Non_aux_speculations_foncieres/?frFuGmb&fbogname=Youssef+M.&utm_source=sharetools&utm_medium=facebook&utm_campaign=petition-493904-)

[Tunisie Assemblée des Représentants du Peuple Immeubles menaçant ruine Non aux spéculations foncières&utm\\_term=FuGmb%2Bfr](https://secure.avaaz.org/fr/petition/Tunisie_Assemblee_des_Representants_du_Peuple_Immeubles_menant_ruine_Non_aux_speculations_foncieres/?frFuGmb&fbogname=Youssef+M.&utm_source=sharetools&utm_medium=facebook&utm_campaign=petition-493904-)



Figure 17: “Notre memoires collective en danger”, Edifices et memoires. Published March 23, 2018  
<https://www.facebook.com/edificesetmemoires/photos/pcb.376462572763786/376460206097356/?type=3&theater&ifg=1>

### Conclusion:

It was during the colonial era that Tunisian cities became cosmopolitan. They were an example of cohabitation and tolerance between different ethnicities and religions.

Walking in historic colonial centers is like walking in an open air museum. Buildings present various styles, a reflection of the communities who left their fingerprints in every alley, street and avenue. It recalls the inter community interactions and moments of daily exchanges. These historic centers are also witnesses to the political apprisers and clashes for the independence in the 1950's and to the Tunisian revolution in 2011. This built colonial heritage exhibits a symbolism that affects how it is presented and interpreted instead of serving as a tool for nation building and as a tourist attraction. Policies about its conservation and uses are influenced by inherited meanings and memories.

The observation results, thus far, indicate that colonial heritage is still an unaccepted feature with no efforts directed at its conservation from the authorities. The population should accept colonial heritage as a legitimate component of national history and an important attractor for high-income tourism.

So, in order to determine the appropriate practices and conservation policies for its preservation, two main questions arise and should be studied: *Is colonial Heritage a national Heritage? What should be preserved and who should decide on this subject?*

Research often demands a multidisciplinary approach with synthesis across fields such as sociology, history, anthropology, geography, architecture, heritage conservation, management, and interpretation. As explained in the Valletta principles, cultural heritage has been defined in a wider scale, more directed to the urban scale and dynamics of living and changing cities.

This approach aims to integrate heritage management into urban development of historic cities and their communities. The subsequent development pressures in urban areas the need for understanding and protecting the urban landscape as a social construct that is an important part of (inter)national, regional, and local identity, as well as morphology, history, and memory.<sup>218</sup>

To answer the second question and because the identification is already lacking and exhaustive inventory has never been published, a preliminary survey of colonial buildings in each city should be conducted alongside research on their history, while providing standard guidelines and a descriptive process for the assessment and the classification of these cultural resources ( identification, evaluation, registration... ).

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<sup>218</sup> Dolores Hayden, *The power of place: urban landscapes as public history*, (cambridge, Mass: MIT Press, 1997). Cited from “LoesVeldpaus, Ana Pereira Roders: learning a legacy “.

A preservation plan for each historic city and district should be implemented while including locals, historians and urban planners, who should all work together to preserve this part of our heritage. Interested public should also be engaged and involved in the decision-making process, since what they may want to preserve may not have any “architectural value”, but still represents the soul of their district, and so strengthens their city’s identity.

Preservation and presentation decisions are not just about the past, but about present struggles for control and contemporary meanings. Thus, making the system more citizen-oriented may be a better route to improving cultural resource management. Give people a chance and a voice in the way their cultural environment and political landscape is managed.

## CHAPTER 5

### BERBER HERITAGE: WHEN INDIGINOUS CULTURAL HERITAGE IS NOT CONSIDERED NATIONAL.

In Tunisia as everywhere in North Africa, there is an extensive cultural denial and identity confusion based on discrimination rooted from a national policy favoring the Arab and Islamic cultures. The first Article of the Tunisian constitution (both the current and the 1956's constitutions) cites that Tunisia is a Muslim country with Arabic its official and only language. A clear discrimination against the Berber speaking community and a violation of the principles of the International Convention on the Elimination of All Forms of Racial Discrimination.<sup>219</sup> This policy prevents the Tunisian society from a real democracy and from going towards pluralism.

Since the Arabization of North Africa and the domination of the Arab culture, the Berber civilization and the Amazigh culture have been in the process of extinction.

In Tunisia as everywhere in the Maghreb countries, there is a serious cultural and identity denial where the Amazigh culture is deliberately ignored and neglected in history books. While Arabic is considered the only national language second to it the French language, which is used in educational institutions, Tamazight language has no official status and is not taught in schools.

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<sup>219</sup> Which Tunisia ratified in January 13, 1967.

As a consequence only few thousand Tunisians still speak it like in Djerba (Guellala, Adjim ...) and in the central and southern regions of the country; Tataouine (Chenini, Douirat), Gafsa (Tamagourt) and Matmata (Zraoua and Taouedjout).<sup>220</sup>

In this chapter, I will examine perception and representation of the Berber heritage, from a historic perspective and the ideology behind the creation of a homogeneous national identity at the expense of the Berber identity.

The objectives of this chapter are divided into three major parts: a review of the challenges and the pressures that have led to the isolation and the disappearance of the Berber culture in Tunisia, a presentation of the current Berber issues in Tunisia in comparison to the status of Berber in Morocco and Algeria; and a study of the material manifestation of the Berber heritage ( the research is based on the architectural Berber heritage) and how it is interpreted by the Tunisian society, while providing an overview on the strategies to revive Tunisian Berber heritage .

*How the denial of the Berber heritage as a national heritage does, affects its interpretation and management?*

The investigation is based on data obtained through various resources, mostly collected from online publications, historic books and Tunisian, Algerian, Libyan and Moroccan Amazigh blogs and websites and Facebook pages.

#### Historic Overview:

Before talking about the discrimination against the Berber speaking communities in Tunisia and how it is leading to the eradication of the Berber culture, it seems important to recall a number of historical elements about North Africa.

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<sup>220</sup> “Les Tunisiens ont-ils oublié leur héritage Amazigh ?,” *We post magazine*.  
<http://www.wepostmag.com/les-tunisiens-ont-ils-oublie-leur-heritage-amazigh/>

This will enable the reader, unfamiliar with the cultural issues that severely divide North Africa, to understand the linguistic and cultural denial made against Berber speaking minorities in Tunisia and to North Africans in general.

Just like the Berbers in Algeria, Morocco and Libya, the Berber speakers of Tunisia (although the fewest in number) suffer various discriminations that threaten their existence and their culture. To understand the situation of Tunisian Berber heritage of today and the identity recognition challenges to which this culture has been subject, it is important to present a brief review of the history of this marginalized culture.

#### From Libyan / Numidian / Barbarous / Berber / Amazigh: a controversial naming

The Berbers are descendants of the, pre-Arab, indigenous inhabitants of Africa, an ethnic autochthone group also known in the Antiquity as Libyans, Moors, Gaetuli, Garamantes and Numidians. For the Greeks, who in the 7th century BC established colonies on the shores of the southern Mediterranean, these local populations are "Barbarous", literally "non-Greeks", without any pejorative connotation. The use of the term spread under the Romans of Roman Africa who called the invading Vandals "Barbarians", then the Numidians allying themselves with the Vandals to take over Carthage. This term, deformed into "Berber" by Arab historians, will end up referring to all the tribes constituting the original population of North Africa.<sup>221</sup> However, according to Mouhamed Khalfallah<sup>222</sup>, from the association of Amazigh Culture, to be called Berber is offensive, Amazigh is much preferred. In fact, it conveys a negative connotation because the word Berber is still mistaken for the word Barbarous linked to meanings like

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<sup>221</sup> Berber Nesmenser, "Berbers: The Empire Without Borders," *Temehu*; Zuwarah, Libya. October 12, 2017. Accessed June 17, 2018.

*Berbers*, *Etymology*. Accessed May 20, 2018.

<http://www.taneter.org/berbers.html>

<sup>222</sup> "The Status of Berber in Tunisia: An Ideological Construct of a Linguistic Identity," *Tunisian Berber, Sociolinguistic*. Accessed June 5, 2018.

<http://tunisianberber.ws.gc.cuny.edu/sociolinguistics/>



uncivilized, savage or barbaric even though Greeks and Romans always used it to describe civilized nations like the Ancient Egyptians.<sup>223</sup>

As for the Berbers, today, they denominate themselves "Imazighen" (Amazigh in the singular), which means: "free men". Singular Amazigh (ⴰⵎⴻⵣⵉⵖ/Amaziḡ), plural Imazighen (ⵉⵎⴻⵣⵉⵖⵉⵢ /Imaziye).<sup>224</sup>

#### North Africa, an Amazigh land (Berber)

The Berbers are found in the northern part of Africa specifically Morocco, Algeria, Tunisia, Libya, Egypt, Mali, Niger, and Mauritania and the Canary islands. They speak different Amazigh languages belonging to the Afro-Asiatic family related to Ancient Egyptian.<sup>225</sup>

Today, the figures about the Berber population and genetic profile of North Africans, even though there is no official census made, are estimated around 14 million in Morocco, 9 million in Algeria, and much smaller numbers in Tunisia, Libya, Egypt, and Mauretania; in the Sahara of southern Algeria and of Libya, Mali, Niger and the Canary Islands.

Historically, a series of Berber peoples (Mauri, Masaesyli, Massyli, Musulami, Gaetuli, Garamantes) gave rise to Berber kingdoms under Carthaginian and Roman influence. Of those kingdoms, Numidia and Mauretania were formally incorporated into the Roman Empire in the late 2nd century BC, but others appeared in late antiquity following the Vandal invasion in 429

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<sup>223</sup> Ibid.

<sup>224</sup> S. Chaker, « Amaziḡ (le/un Berbère) », *Encyclopédie berbère*, 4 (Alger – Amzwar, Aix-en-Provence, Edisud, 1986), p 562-568.

<sup>225</sup> H. Ekkehard Wolff, "Berber language," *Encyclopedia Britannica*. Updated September 26, 2016, accessed June 3, 2018.

AD and the Byzantine reconquers in 533 AD only to be suppressed by the Arab conquests of the 7th and 8th centuries AD.<sup>226</sup>

All historians of North Africa testify that Berbers have populated the land since the Prehistory. Thus, in 1931, historian Charles-André Julien<sup>227</sup> noted that: "Today, it is generally not known that Morocco, Algeria and Tunisia are populated by Berbers, who are daringly described as natives. They often refer to themselves as Amazigh (Tamazight in the feminine, Imazighen in the plural), which meant the free men, then the nobles, and applied to several tribes before the Roman occupation".<sup>228</sup>

In addition, the historian Ibn Khaldoun<sup>229</sup> wrote about Tamazgha: "From the earliest times, this race of men lives in the Maghreb of which it has populated the plains, the mountains, the plateaux, the maritime regions, the countryside and the cities. Concerning the religions professed in North Africa: "there were among them [tribes] who professed the Jewish religion, other Christians and other pagans, worshippers of the sun, the moon and idols."<sup>230</sup>

### No unified history

The Berbers have never been a unified nation with one political identity, which makes the history of the Berbers as a whole very complicated. There have been several Berber led and Berber populated kingdoms and cultures, existing in parallel in the various regions of North Africa, but never a unified Berber empire. There are also no written Berber records, except for

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<sup>226</sup> Michael Brett, "Berber ," Encyclopedia Britannica. Published May 27, 1999 , accessed June 04, 2018. <https://www.britannica.com/topic/Berber>

<sup>227</sup> Julien C. A, History of North Africa (Paris: Payot, 1931), p2.

<sup>228</sup> Hannibal GENSERIC, "Tunisie : la Constitution auto-ethnocide," Tribune Libre. Published March 11, 2014.

Accessed June 10, 2018. <https://www.agoravox.fr/tribune-libre/article/tunisie-la-constitution-auto-149109>

<sup>229</sup> Ibn Khaldoun, History of the Berbers (Paris, Geuthner, 1999), p 167.

<sup>230</sup> Ibid, p 177.

short inscriptions on a few monuments and buildings. Instead, the Berbers have tended to assimilate the culture and adopt the written language of their conquerors, initially Phoenician, Greek and Latin, later Arabic, while continuing to speak spoken Berber among themselves.<sup>231</sup>

#### Significant dates in the Berber History<sup>232</sup>

- ca 10000 BC - The Maghreb region in north western Africa is believed to have been inhabited by Berbers.<sup>233</sup> Capsian Culture, a Mesolithic society
- ca 6000-2000 BC - Development of a Neolithic society in Northern Africa (cave paintings and rock art).<sup>234</sup>
- ca 3000 BC - first Egyptian references to the “Libyan” people who are now called Berber.
- ca 1100 BC - Phoenicians establish trade centres.
- ca 814 BC - Carthage is founded.<sup>235</sup>
- ca 202-40 BC - Berber kingdom of Numidia located in Algeria and a smaller part of Tunisia and Libya.<sup>236</sup>
- 146 BC - Romans destroy Carthage and establish the province Mauritania Tingitana (the origin of the word Moor) in North Africa / Tamazgha.
- 88 BC - Division into one big kingdom on the East and a smaller western kingdom.

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<sup>231</sup> Amazigh, “(berber) the Indigenous Non-Arab Population of North Africa, and their language,” *Phoenicia.org* <https://phoenicia.org/berber.html>

<sup>232</sup> Ennaji Moha, Kabbal Maati, Souag Moha and al, *Le Brassage de la Culture Amazighe et de la Culture Hassanie: leur relation avec les cultures subsahariennes* ( le Centre Sud Nord pour le Dialogue Interculturel et les Études sur la Migration, 2016), p 179.

[https://www.researchgate.net/profile/Kwesi\\_Prah2/publication/306016601\\_Amazigh\\_Culture\\_in\\_Africa/links/57aac8f808ae3765c3b5a8b4/Amazigh-Culture-in-Africa.pdf](https://www.researchgate.net/profile/Kwesi_Prah2/publication/306016601_Amazigh_Culture_in_Africa/links/57aac8f808ae3765c3b5a8b4/Amazigh-Culture-in-Africa.pdf)

<sup>233</sup> Hsain Ilahiane, *Historical Dictionary of the Berbers* (Imazighen, 2006), p 112.

<sup>234</sup> Estes, Tiliouine and Richard J, Habib, *The State of Social Progress of Islamic Societies: Social, Economic,* (Springer, 2016), p 115.

<sup>235</sup> Warmington, *Carthage* (1960) p. 22.

<sup>236</sup> Joshua J Mark, “The Masaesyli and Massylii of Numidia,” *Ancient History Encyclopedia*. Modified February 27, 2018. Accessed June 14, 2018 <https://www.ancient.eu/article/1196/>

- ca 200 - Berbers become Christians. Most notable figure was the Berber St. Augustin, an outspoken opponent of Donatism, the Catholic Church viewed as heretics.
- ca 350 - North Africa / Tamazgha becomes a hotbed for "heretic" Christian cults in the Christian Roman Empire.
- ca 396 - great uprisings against the Punic territories.<sup>237</sup>
- 429 - Vandals invade North Africa / Tamazgha (Morocco, Algeria, Tunisia and Libya).
- 533 - Byzantine Empire drives out the Vandals and takes control - religious conflicts between Berber Christian "heretics" and Byzantine church.<sup>238</sup>
- 674 -700 - Muslim Arabs drive out the Byzantines and conquer North Africa / Tamazgha Conversion to Islam begins.<sup>239</sup>
- 711-713 - Spain conquered by Muslim Arabs and Berbers. Al-Andalus established in Spain
- 739-40 - Open revolt because of the discriminatory attitude of the Arabs against the Berber converts and the banner of Ibadin Islam.<sup>240</sup>
- Emerging of several berber dynasties during the middle ages in North Africa and AlAndalus. The most notable are the Zirids (Ifriqiya, 973-1148), the Hammadids (Western Ifriqiya, 1014–1152), the Almoravid dynasty (Morocco and Al-Andalus, 1050–1147), the Almohads (Morocco and Al-Andalus, 1147–1248), the Hafsids (Ifriqiya, 1229–1574), the Zianids (Tlemcen, 1235–1556), the Marinids (Morocco, 1248–1465) and the Wattasids (Morocco, 1471–1554).
- 1492 - Moors driven out of Al-Andalus

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<sup>237</sup> Picard and Picard, *The Life and Death of Carthage* (1969), p172.

<sup>238</sup> "The Bible in Christian North Africa," *The Donatist World* (Minneapolis: Fortress Press 1997), p 61.

<sup>239</sup> Cf., H. Mones, "Conquest of North Africa and Berber Resistance," *General History of Africa*, v.III (1992), p 125-126.

<sup>240</sup> Berber People, "Berbers and the Islamic conquest," *World heritage Encyclopaedia*,. Accessed June 15,2018. [http://www.worldjournal.org/articles/Berber\\_people](http://www.worldjournal.org/articles/Berber_people)

-1900 - French and Spanish colonial aspirations in North Africa / Tamazgha, leading to colonization

-1956-1963 - Independence for North Africa /Tamazgha.

### An Arab Nation:

Today, while the vast majority of Tunisians and other North Africans, identify culturally with Arabs, scientific studies tend to indicate that although very ethnically complex, they are closer to Berbers than they are to Arabs. Recent studies show that this is the case for all of North Africa, including Egypt and Libya and conversely countries that reject any Arab affiliation, such as Iran, are predominantly Arab.<sup>241</sup>

The Genographic Project<sup>242</sup>, a study conducted for several years on groups of people on four continents, brought down all the myths, falsification of history and denials of identity. First, the study reveals that several countries, considered as Arabs, are more or less not. This is the case of Egypt, which the genome of its population with 68%, clearly designates as a North African nation, in the same way as Tunisia, Algeria, Libya or Morocco. Tunisia, for its part, chosen to represent the Maghreb, is only 4% Arab, 88% North African, 5% Southern European and 2% central and western African.

These revelations should change the way Tunisians look at the Amazigh nation, from being considered as a minority (around 5% of the population is considered Amazigh) to being part of every Tunisian, meaning a national identity and stop referring to the Amazigh as “THEM”

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<sup>241</sup> “Génétiquement, les Maghrébins ne sont pas des Arabes,” *La Cause du Peuple*. Published August 6, 2012. Accessed June 6, 2018.

<https://numidia-liberum.blogspot.com/2012/08/identite-maghrebine-la-genetique.html>

<sup>242</sup> Reference Populations - Geno 2.0 Next Generation, *National Geographic*. Accessed June 5, 2018.

<https://genographic.nationalgeographic.com/reference-populations-next-gen/>

instead of “US”. However, today, among the countries of the Maghreb, Tunisia has the lowest rate of Berber speakers (1% - 10%)<sup>243</sup> (Figure 18-19). This low percentage derives from the Islamic history in the Maghreb, which has made of this region the place of the strongest Arabization. Moreover, since the independence, Tunisia has recorded the highest rate of literacy in Arabic in the Maghreb countries.<sup>244</sup>

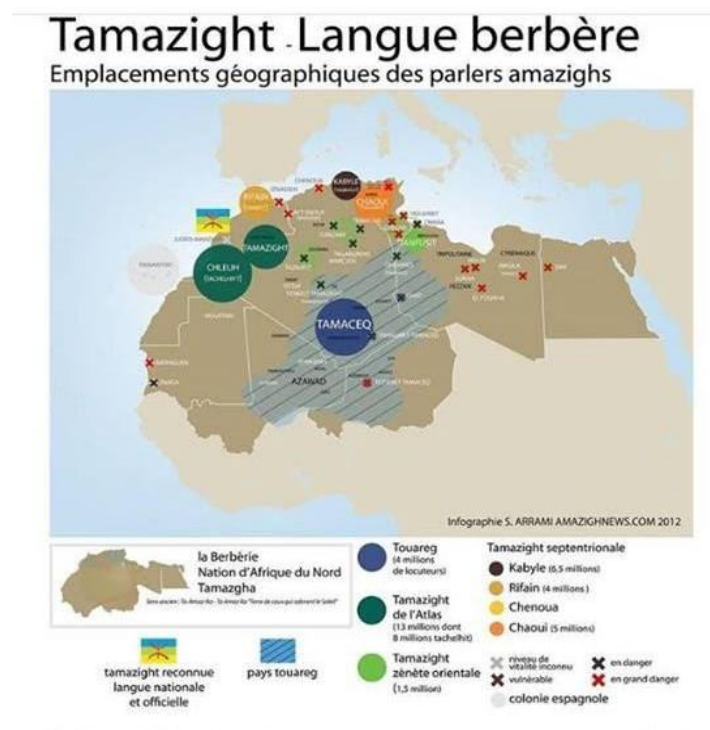


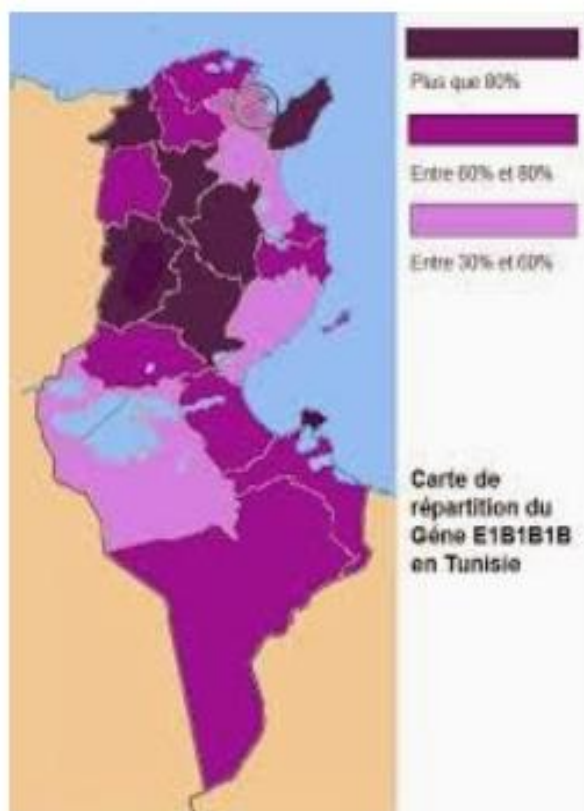
Figure 18: Geographic location of amazigh speakers. Source: Work by S. Arrami AMAZIGHNEWS.com2012.

<sup>243</sup> André Basset, “La langue berbère,” *Handbook of African Languages 1, ser. ed. Daryll Forde*, (London: Oxford University Press, 1952) estimates 1% but at the world Amazigh congress, the committee on economic, social and cultural Rights in the 59 Session held September 19 to October 7, 2016 in Geneva estimates it to 10%.

[https://tbinternet.ohchr.org/Treaties/CESCR/Shared%20Documents/TUN/INT\\_CESCR\\_CSS\\_TUN\\_24718\\_E.pdf](https://tbinternet.ohchr.org/Treaties/CESCR/Shared%20Documents/TUN/INT_CESCR_CSS_TUN_24718_E.pdf)

<sup>244</sup> Stéphanie Pouessel, “Premiers pas d’une « renaissance » amazighe en Tunisie. Entre pression panamazighe, réalités locales et gouvernement islamiste,” *Le Carnet de l’IRMC*, 7 décembre 2012. Accessed June 4, 2018.

<https://irmc.hypotheses.org/646>



## Gène berbère

Figure 19: Berbers in Tunisia Tamaghza Report, presented to the working Group on the Universal Periodic Review. United Nations Human Rights Council, first session of the UPR Working Group, Geneva, April 7 to 18, 2008.

### The causes of the decline of Berberophones in Tunisia:

Several factors have triggered the endangered status of Tunisian Berber and contributed to the ideologies of isolation and denial. Zouhir Gabsi <sup>245</sup> sorted these factors into three types: geographical, economical, and socio-cultural. The analysis of the first factor is the localization of Berbers near the mountainous regions in small villages in the south of the country. Since the influx of Arabs in the late 7<sup>th</sup> Century, Berber speaking communities have been immigrating continuously towards the southern and rural parts of the country.

<sup>245</sup> Zouhir Gabsi, *Attrition and maintenance of the Berber language in Tunisia* (International Journal for the sociology of Language, 2011), p135.

As a result, modern day Berbers are found only in five small villages in the south: Chninni, Douiret, Ouirighen, Cedouikech, and Gellela. On the economic level, excessive mobility towards the cities and urban areas for work has made it difficult to maintain the native language and culture vis-à-vis Arabic language and western clothing.

Finally, the socio-cultural factor is that in the lack of institutional support in Tunisia, such as associations, organizations, and museums, has had negative effects on the native speakers' attitudes towards the components of their identity. From this perspective, any reference to Berber identity, cultural heritage, or language is considered anti-Islamic, anti-Arabic, and anti-Pan-Arabist.<sup>246</sup> However, all these factors that Mr. Gabsi explained are only the obvious results of the authorities' policies throughout the years.

In the course of invasions and crossbreeding, Tunisia has lost its multi-cultural identity, which all successive powers have perceived as an element of sedition and separatism.

The political regimes that have prevailed since independence are characterized by a complete lack of freedom of organization, by the systematic repression of all opposition and by a dominant ideology of Tunisian nationalism based on the concept of "one-party" and the leader's idolization. Any identity claim that does not conform to the national Arab Muslim identity was strictly prohibited and subject to repression and perceived as a source of dividing and a threat to the Tunisian nation.<sup>247</sup>

The denial of the Berber identity is just a continuity to the process that had been initiated by the French protectorate, as it is always easier to organize populations in one nation rather than in tribes or diversified communities because consolidation facilitates dominance. Therefore, even

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<sup>246</sup> Ibid.

<sup>247</sup> Khaled Kmira, "De la situation des Amazighs de Tunisie," *Huffpost Maghreb*. Updaed October 18, 2017. Accessed June 18, 2018.  
[https://www.huffpostmaghreb.com/khaled-kmira/de-la-situation-des-amazighs-de-tunisie\\_b\\_12523280.html](https://www.huffpostmaghreb.com/khaled-kmira/de-la-situation-des-amazighs-de-tunisie_b_12523280.html)



though it did not take a stand against it, imposing a uniform identity and language was the easiest way to halt regionalism and build nationalism. In addition, the economic and social situation of the disadvantaged regions have led to a massive rural exodus to the cities, primarily to Tunis, since the thirties. It is the southern regions of Tunisia that first experienced a massive departure of their inhabitants since the nineteen-fifties and with the introduction of the public schools system, families were detaching from their towns.

After the independence, public schools were based on bilingual, Arabic and French, education leading to the loss of Amazigh language. By then, the Berber culture was seen as a savage tribal system against the western modern ideology. In the 1970's, several attempts were made to get rid of the language and the distinctive signs of this culture such as the Amazigh facial tattoos and clothing. Denying the registration of the new born with Amazigh names that don't have Arabic roots<sup>248</sup> also led to the disappearance of Berber names and contributed to the Arabization of the people of North Africa.

The other detrimental action of the regime, from the first years of independence, was the systematic denigration of all that is "traditional", Tunisia has to be "modern".

“Under Bourguiba and Ben Ali, we were marginalized; Arabic and French, languages of colonization, have taken precedence over Berber, which seemed incompatible with modernity”, explains Sherif Dergaa, a native of Djerba, and member of Culture and Heritage Amazigh.<sup>249</sup>

Thus, the traditional clothes, certain behaviors, attitudes and "ways of being" were denounced in the speeches, by street campaigns and by the media, as being backward, unworthy

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<sup>248</sup> Decree No. 85 of December 12, 1962

<sup>249</sup> Farid Alilat et al. “Afrique du Nord : l'Internationale Berbère entre érosion et résistance,” *Jeune Afrique*. Published October 23, 2013. Accessed June 5, 2018.

<http://www.jeuneafrique.com/135822/politique/afrique-du-nord-l-internationale-berb-re-entre-rosion-et-r-sistance/>

of the “Bourguibian” Tunisia. Indirect campaigns were carried out by portraying the “jbalijas” (mountain people), the villagers and the peasants, as rural, backward, rude and ignorant people, who landed in the city totally devoid of good manners.<sup>250</sup>

Something that is still perceived, today in 2018, from the city dwellers (Sahel Region and Tunis the capital) towards people from the South and the North West (Kef, Jendouba, Beja...). Thus, this Tunisian Berbers’ identity and the identity of all Tunisians is clearly an ideological construct and not anthropological.

All these factors, whether they stem from political orientations or are related to the needs of the modernisation, have inevitably led to the marginalisation of the Tunisian Amazigh language and the disappearance of traditions and customs of the Amazigh lifestyle.

#### Tunisian Revolution: False hopes?

Today, after the events of the Tunisian Revolution of 2011, Berber cultural demands have resurfaced all over North Africa. In response, in July 2011, Morocco took the lead in recognizing the Amazigh language, spoken by 35% to 40% of the population<sup>251</sup>, as an official language.<sup>252</sup> Algeria on the other hand, was the first country to recognize Berber as a “national language” by the constitutional amendment of 8 May 2002 and an “official language” along Arabic in 2016.<sup>253</sup> Paradoxically, in Algeria where 28%<sup>254</sup> of the Population still speaks Berber

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<sup>250</sup> “The Status of Berber in Tunisia: An Ideological Construct of a Linguistic Identity,” *Tunisian Berber, Sociolinguistic*. Accessed June 5, 2018.

<http://tunisianberber.ws.gc.cuny.edu/sociolinguistics/>

<sup>251</sup> Salem Chaker, “Berber, a Long-Forgotten Language of France”, *INALCO*, p2.

[http://www.utexas.edu/cola/insts/france-ut/files/pdf/resources/chaker\\_english.pdf](http://www.utexas.edu/cola/insts/france-ut/files/pdf/resources/chaker_english.pdf)

<sup>252</sup> Ahmed Boukous, *Revitalisation de la Langue Amazighe Défis, Enjeux et Stratégies* (Rabat, Institut Royal de la Culture Amazighe, 2012), p53.

<sup>253</sup> “Algeria reinstates term limit and recognises Berber language,” *BBC News*. Published 7 February 2016. Accessed July 2018.

<https://www.bbc.com/news/world-africa-35515769>

<sup>254</sup> Chaker, “Berber, a “Long-Forgotten” Language of France”.

and cradle of the Berber cultural movement, a popular movement with democratic demands but with an old and violent history, has been fading in the last years.

Since the Berber Spring (in Berber: Tafsut Imaziyen) of 1980's and the bloody repression of the black spring of 2001, the Kabyle <sup>255</sup> region remains marginalized socially, economically and culturally. In Libya, according to Mohamed Bagoush, a Berber from Zouara, the parliament is still not ready to recognize the Berber's rights and culture even though this community contributed to the fall of Ghaddafi. What makes it tenser for the Libyan case, is that the majority of the Berbers of Libya are Ibadite (they belong to a minority, heterodox current of Islam, distinct from Sunnism and Shiism present in Djerba).<sup>256</sup>

In Tunisia, where the language is lost more than elsewhere, younger generations are trying to reclaim it. Since the fall of Dictator Ben Ali, countless associations have emerged. Even non speakers claim the Berber heritage as a significant component of the country's identity. "Before the revolution, we could not express ourselves, display our identity, it was frowned upon by the authorities. The language was spoken only in the houses, almost clandestinely ", declared Mohamed Khalfallah, a resident of Gafsa, founding member of the Tunisian Association for Amazigh culture.<sup>257</sup>

In the wake of the 2011 Arab Spring, the Berber question has increasingly been brought up on the wider political and social spectrums across the region. At the World Social Forum held in

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<sup>255</sup> Represents almost 17% of the Algerian population and the origin of the largest Berber speaking group in the country

<sup>256</sup> Achille, "À L'ombre des printemps arabes, le réveil des berbères, " *L'Humanité*. Published June 4, 2013. Accessed June 10, 2018. <https://www.humanite.fr/lombre-des-printemps-arabes-le-reveil-des-berberes>

<sup>257</sup> Ibid.

Tunis, at the end of March 2013, workshops on the Berber issue attracted a large crowd and sparked heated debates and political issues surfaced.<sup>258</sup>

Today, Berber activists seek a re-examination of what constitutes North Africa's collective memory and how the historical and socio-political roles of Berbers in the construction of North Africa can be finally recognized and highlighted. They also demand social justice and the improvement of the social status of Berbers, especially living in rural areas.

This movement of cultural appropriation and collective identity questioning, coupled with a great desire for unity of North Africa, could oppose the pan Arab politico-religious model that North African countries have inherited for almost half a century.

For Pr. Salem Chaker<sup>259</sup>, these cultural mutations are the index of profound political transformations.<sup>260</sup> In an interview with Amazigh 24, he adds: "Despite appearances, the Arab Maghreb is finished. There is a historical failure of pan-Arab ideology".<sup>261</sup>

However, despite these social uprisings and recognitions, Amazigh Heritage is still in a critical situation because of the official and constitutional negation of the Amazigh existence.

The New Tunisian Constitution specifies that the state belongs to the Islamic world and adds that Arabic is the language of the Tunisian state (Article 1) .

This shows that the fundamental law of the state is based on the policy of Arabization and negation of the Amazigh identity of the country. The Arabic language being considered the only

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<sup>258</sup> Claire Provost , "World Social Forum begins with march through streets of Tunis," *The Guardian*. Published March 23, 2013. Accessed June 20, 2018. <https://www.theguardian.com/global-development/poverty-matters/2013/mar/27/world-social-forum-march-tunis>

<sup>259</sup> A professor at the University of Aix-Marseille, a specialist in Berber linguistics

<sup>260</sup> Salem Chaker, *L'officialisation de Tamazight (Maroc/Algérie) : quelques réflexions et interrogations sur une dynamique aux incidences potentielles considérables* (Rabat : Asinag, Ircam, 2013), p. 36.

<sup>261</sup> "Salem Chaker: le Maghreb arabe, c'est fini !," *Amazigh 24*. Published December 7, 2017. Accessed June 24, 2018. <http://amazigh24.ma/salem-chaker-le-maghreb-arabe-cest-fini/>

national and official language of the Tunisian state, even though the Berber is a living language practiced by thousands of Tunisians especially concentrated on the island of Djerba (Guellala, Adjim, ...) and in the Southeast regions, around Tataouine (Chenini, Douirat), Matmata (Zraoua and Taouedjout) and the East of Gafsa (Tamagourt and Senned), denotes a real desire for Arabization of the Berber-speaking populations. Therefore, clearly the refusal to give the Berber language an official status in the Tunisian society only means the denial of the contribution of the Berber civilization to the Tunisian history and as a Tunisian living culture.

In a report presented to the committee for the elimination of racial discrimination (CERD) during the United Nation's 74th session, TAMAZGHA<sup>262</sup> added that the reports submitted by the Tunisian state to the various human rights mechanisms give no details as to the ethnic composition of Tunisia or the languages actually used in society. Thus, for example, the report presented by the Tunisian state to the 62nd Session of the CERD in 2003 (CERD / C / 431 / Add.4) reduces Tunisians to the Arab ethnic group, even though a portion of the Tunisian citizens identify as Berbers. It especially ignores the presence of the indigenous people of this land.

The Tunisian state, which, by its clear marginalizing attitude towards Berber, violates one of the fundamental principles of the International Convention for the Fight against All Forms of Racial Discrimination.<sup>263</sup>

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<sup>262</sup>Non Governmental Organization defending the rights of Imazighen (Berbers)

[www.tamazgha.fr](http://www.tamazgha.fr)

<sup>263</sup>TAMAGHZA, *Les Berbères en Tunisie Rapport de Tamazgha Présenté au Comité pour l'élimination de la discrimination raciale* (Geneva :United Nations Human Rights Council 74th session of the Committee on the Elimination of Racial Discrimination (CERD), February 16 to March 6, 2009), p6.

[https://berberi.org/Documenti/Rapport\\_Tamazgha\\_Tunisie\\_CERD\\_2009.pdf](https://berberi.org/Documenti/Rapport_Tamazgha_Tunisie_CERD_2009.pdf)

### Berber Built Heritage in danger:

The history of Tunisia has shaped the lives of the Berbers, especially the Hilalien invasions<sup>264</sup>. Constantly vanquished and raided, they were forced to structure their sedentary lives on a pastoral life. This life has been served and structured by the geography of the land especially in the South East ( Medenine, Tataouine) as well as the South East ( Kebili, Douz). Their agricultural economy had to adapt to the possibilities offered by the topography of the mountains as well as the cultivable lands in the surroundings.

After they were originally settled in the plains, they were partially driven out by the Hilalian invaders that came from the east of Egypt. A big part of the natives took refuge in the piedmonts or occupied the mountains and protected themselves in citadels “kalaa”, which served as collective granaries. Others, the nomads, settled in the plains, often nearby a collective mountain settlement known as “ksar”, where they collect their harvests. The ones who sought refuge in the mountains were later called “Jbaliya” meaning the people of the mountains. While the people of the plain, who had to interact with the nomadic Arabs and mostly became Arabized Berber, were leading an agro-pastoral life, the Berbers of the mountains had to organize their life around the mountain reliefs. ( Figure 20)

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<sup>264</sup> A confederation of tribes of Arabia from the Hejaz and Najd regions of the Arabian Peninsula that immigrated to North Africa in the 11th century. According to Ibn Khaldoun, their wives and their children accompanied the Hilalians when they came to North Africa, eventually coexisting with the Berber tribes

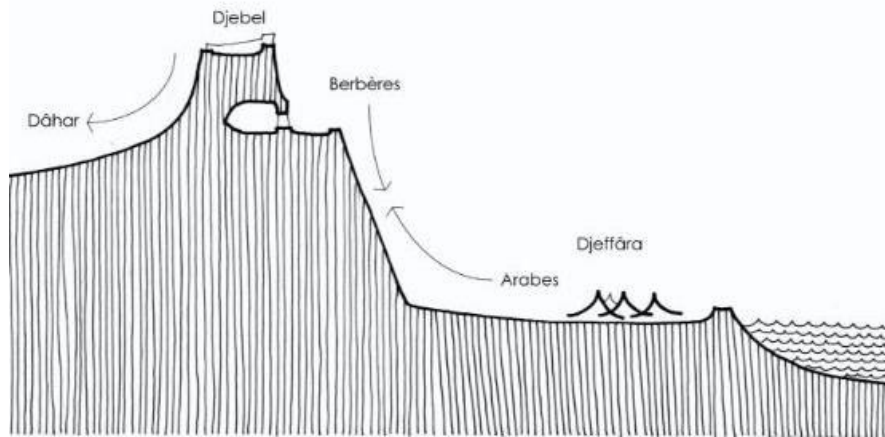


Figure20: The topographic settlement resulting the Arab invasions. Source : *Évolution d'un habitat : le monde berbère du Sud tunisien* André Louis et Stanley Ira Hallet. p19.

These changes in their ways of life resulted in various forms of settlements, depending on whether the Berber who safeguarded their independence, had to deal with their Arab neighbors or had already assimilated to the nomadic culture.

“It is the refusal or the acceptance of the Arab presence and the lifestyle that it entails, that will affect the material conditions of life, the formulas of habitat, the working rhythms of these populations of the south of Tunisia” <sup>265</sup>. According to Stanley Hallet <sup>266</sup>, “It is time to approach the phases of this struggle and to see, on the field, how it fits in a concrete way, in the habitat modalities of these populations.”

#### Fortified Villages “Kalaa”:

The first reflex of the Berbers was to seek refuge in the mountains and to build defensive villages. A site organized as a defensive Kalaa with fortified granaries. However, these

<sup>265</sup> Louis André, *Le Monde "Berbère" de l'extrême Sud Tunisien* (Revue de l'Occident musulman et de la Méditerranée, n°11,1972) p 120-125.

<https://doi.org/10.3406/remmm.1972.1145>

<sup>266</sup> Louis André and Stanley Ira Hallet, *Évolution d'un habitat : le monde berbère du Sud tunisien* ( USA: blurb, 2011), p 18.

agglomerations could not do without the plowed lands in the plains occupied by the invaders. They could not live without exchanges with their neighbors from below; they had to accept an economic association. But for those who had better advantaged sites, they only associated with the nomads when it served them. Thus, there were almost inaccessible villages like Chenini, Douiret, Guermessa that were dominated by imposing fortresses (Figure 21).<sup>267</sup>

In simple forms and shapes, the Amazigh people carved and built their dwellings around the mountains, where it became their homes and protected them from enemies during wars. They lived there for centuries, leaving a very distinguished legacy of a way of life. These villages express a social and spatial dynamic in constant evolution, where relationships between the habitants and their environment are structured in function of the natural constraints. An architecture born on the spot, shaped by the morphological and climatic constraints of its environment, it is the product of an intelligent interaction of the human with his environment.

The vernacular of the village, responds to the exigence of its inhabitants in the respect of the surrounding nature, with its way of life, with the social, cultural and economic character and by its architectural forms and local materials, which ensure a pleasant microclimate. Each village has its story and is different from the other ones. In general, these mountain settlements include three main elements: a group of small rooms surrounded by walls, reserved for storage and overlooking the plains, the Ksour. The second element is the dwellings that were designated for housing. We can distinguish several types some caved and others built. The third element is related to the field of agriculture like the camel-driven olive press. With time, these settlements went thru several modifications with the intrusions of the Arabs<sup>268</sup>, the Moors who were

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<sup>267</sup> Ibid, p120.

<sup>268</sup> The Legend says they intentionally built conspicuous white mosques at the top of the mountains to deceive Muslim invaders. As they passed, seeing the mosque in the distance, they would assume the village had already converted and continue on their way.



excluded from Andalusia and the French colonizer. Mosques, mausoleums, schools and even coffee shops were introduced.



Figure 21: Douiret Village, Chennini. Source : La mosquée troglodyte de Douiret, Trouve ta mosquée website.

<https://www.trouvetamosquee.fr/la-mosquee-troglodyte-de-douiret/>

Others, who settled on the edge of the Dahar Mountains, refused the Arab presence by organizing themselves against them. Eventually, because of the rough environment, they had to compromise and establish for several centuries a *modus vivendi* between the two groups.<sup>269</sup> Therefore, the relationship between these two types of tribes fluctuated "between confrontation, serfdom and protection to achieve complementarity based on trade in products from the mountain and the plain".<sup>270</sup>

This agreement helped in the break from the historic conflicts and led the Berbers to abandon their pedestrian sites (residential caves /granaries) to live outside in villages like Brega,

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<sup>269</sup> Louis André, 1972, p121.

<sup>270</sup> Hédi Ben Ouezdou, *Découvrir la Tunisie du Sud. De Matmata à Tataouine. Ksour, jessour et troglodytes*, (Tunis: Faculté des sciences humaines et sociales de Tunis, 2001).

Remada and Segdal , whose inhabitants left, centuries ago to more northern cities like Takrouna in Enfidha and Zriba el Oulya in Zaghuan.<sup>271</sup>

In order to regain some rights of plowing and in the plain, the people of Chenini concluded a pact with nomadic Zorgane Arabs<sup>272</sup>, thanks to whom they will be able to cultivate a part of the land. Many of the Berbers had no other choice than to settle in smaller villages detached from the main chains and form a group of villages caught between the various nomadic groups of the Plains. They left their villages and their fortresses to settle down on cultivable lands that Arabs had left, in Troglodytic habitations (Figure 22).



Figure 22: Matmata Village and its troglodyte houses. Source: Gene Lempp, Designing from Bones ~ Troglodyte Housing, World Press. <https://genelempp.wordpress.com/2012/04/25/designing-from-bones-troglodyte-housing/>

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<sup>271</sup> Louis André, 1972, p 120-121.

<sup>272</sup> Possibility of a Real pact between Chenini and Zorgane. Louis André *Tunisie du Sud : Ksars et villages de crêtes*, CNRS, p. 82 . Cited in in Louis André, Stanley Ira Hallet, 2011, p 31.

### The Berber Villages: ghost villages

One of the most threatening decisions made at the very beginning of the independence was the displacement of villages throughout Tunisia and mainly in the Matmata and Tataouine mountains. This was under the pretext "removal to more accessible places". Thus Toudja, Matmata, Guermassa, Douiret, Tamazret, Zraoua, etc., were doubled with modern villages located outside the mountains, sometimes several kilometres from the village of origin. The consequence is that today Zraoua and Douiret have become ghost villages emptied of their inhabitants and in state of decay. The inhabitants of Matmata, of Tamazret refused to leave their villages of origin, some from Toudja who left their homes earlier returned. Only Chenini escaped this operation of "modernization".

The villages that resisted were shelved from any development and deprived of necessary infrastructure for decades. It took more than 30 years after the independence for Douiret, Chenini, Ras El Oued, Tamazret and Taoudjout to get a suitable road, and another decade to be supplied with drinking water and with electricity.<sup>273</sup>

Because of the abandonment in favor of the newly-constructed cities, these dwellings sculpted in the mountains are on the way of disappearance. Incontestably, the urban development and the rural exodus of the population has emptied the mountains and the local fabric has been lost to the profit of the modern cities. The troglodyte architecture is now considered ancestral, outdated and not adequate for the modern lifestyle, and this led to some kind of refusal to make it part of this new world. This means a big part of Tunisian history, the collective memory and the identity are disappearing.

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<sup>273</sup> Khaled Kmira, "De la situation des Amazighs de Tunisie," *HuffpostMaghreb*. Published October 17, 2016. Accessed June 18, 2018.  
[https://www.huffpostmaghreb.com/khaled-kmira/de-la-situation-des-amazighs-de-tunisie\\_b\\_12523280.html](https://www.huffpostmaghreb.com/khaled-kmira/de-la-situation-des-amazighs-de-tunisie_b_12523280.html)

Today, the landscape has totally changed, from an open landscape where dwellings depend on what nature offers to chaotic constructions erupting and blocking the views. Most of the abandoned structures have fallen down in the recent years because of the absence of life and lack of maintenance.

#### The Ksour: a tourist attraction but in decay

The Ksour characterize the entire mountain range of Dahar, which begins south of Gabes and rises to the south, towards Medenine and Tataouine, and beyond the borders of Libya. This crescent-shaped mountain range creates a physical barrier between the sea and the plain of El Jeffara, from Gabes to Tripoli on the one hand, and the desert itself, which is to the rear to the south and the southwest.<sup>274</sup> These Ksour are part of the cultural heritage of this region of Tunisia and testify to its historical and sociological evolution.

There are nearly 150 Ksour in southeastern Tunisia. This particular architectural form appeared at first on ridges and peaks. It characterizes a sedentary Berber population who practiced agriculture in the heights and took refuge in the mountains, from the nomadic Bedouin tribes of the desert plains as mentioned before.<sup>275</sup>

Bedouin raids, in search of their main goods, regularly attacked these Berbers to seize their cereals, wheat, olives and livestock products, carefully stored in the attics made of Ghorfas, such as the cells of a hive arranged around courtyards. There was a time when the nomadic bedouin tribes of the desert came to raid the Berber crests, for their goods stored in these mountain Ksour and these Ksour served as impregnable fortresses. At first, they continued using their old

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<sup>274</sup> Mohamed Sadok Chaieb, "Requalification des Ksour du Sud Tunisien," *Archi-mag*. Accessed June 27, 2018. [http://www.archi-mag.com/essai\\_41.php](http://www.archi-mag.com/essai_41.php).

<sup>275</sup> Ibid

granaries “Ksour” but later, the Ksour moved from the top of the mountain towards the plain according to the historical and economic necessities; closer to their villages.

A new type of Ksour came into existence, unrelated to the dwellings and used by the Arabs or the Arabized Berbers, like the Ksar Ouled Soltane and Ksar Dghara.<sup>276</sup>

The Ksar is an attic made up of storage cells, called Ghorfas, for the use of one or more tribes.

The Ghorfas spread over several levels and can reach fifteen meters.

According to Sadok Chaieb , there are three types of Ksour:

There are Ksour citadels (circa 11th century): inhabited ksour as Douiret, Chenini or Guermassa (Figure 23). They clearly have a defensive purpose from the nomadic tribes. It is difficult to access and identify them from afar, because they are high perched on reliefs in which they merge because of their structure and color. The villages are troglodyte dwellings with underground olive oil mills. The oldest inscriptions found on the walls of Ghorfas date back to the time of the Hilalian invasions but their construction could be anterior.



Figure 23: Ksour of Guermassa, Tataouine. Source : Michel Durand, A Douiret , Guermassa et Chinini, les ksours et les kalâas font corps avec les villages.

<http://www.enmanquedeglise.com/article-a-douiret-guermassa-et-chinini-les-ksours-et-les-kalaas-font-corps-avec-les-villages-118568696.html>

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<sup>276</sup> A. Louis, *Habitat et habitations autour des ksars de montagne du Sud tunisien* (IBLA., 1971) , p 123-148.

The Mountain Ksour: kind of fortified lofts, built all on the same type.<sup>277</sup>

In contact with the Arabs of the Plain, Berber groups are getting in the way, gradually giving up their customs (and their language) to partly adopt the rhythm of life of the nomads.

On the other hand, some Arab tribes lost their mobility and engaged in agriculture, while continuing the pastoral transhumance.

In contact with ancient Berbers Djebaliya, they did not hesitate to ask them to shelter their crops in their mountains, for fear of raids from other Arab tribes.<sup>278</sup> They also have a defensive nature but are more accessible than the first type.

They have a vocation of agricultural storage but not associated with any villages and just serve as places of storage. Examples Ksar Ouled Soltane (Figure 24 a-b).

A whole social life develops around the ksar. Andrés Louis describes it as very animated on Friday afternoon, at the end of the prayer. People come to communicate, discuss the news...<sup>279</sup> Today, it is the most visited Ksour in the area and restricted to mostly tourists and occasional visitors.

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<sup>277</sup> Louis André, Stanley Ira Hallet, 2011, p 50.

<sup>278</sup> Ibid

<sup>279</sup> Louis André, *Tunisie du Sud, ksars et villages de Crêtes*, p. 107. Cited in Louis André, Stanley Ira Hallet, 2011, p 63.



Figure 24a: Ksour Ouled Sultan, 1968 (before restauration of 1993), Tataouine. Source: Stanley Ira Hallet, 2011, p 62.



Figure 24b: Ksour Ouled Sultan, Tataouine after restoration ,using plaster and loosing a part of the authenticity of the structure. Credit: Ian Sewell.2006

Ksour de Plaine: From a later period, dating from the late 19th century, the Berbers of the crests, in a period of peace, as mentioned before, descended to the plains. Their Ksour are bigger



because there are no more topographic constraints. They are sometimes integrated in the urban centers of the French protectorate, as in Medenine, Zarsis and Tataouine (Figure 25).



Figure 25: Medenine Ghorfas, Author: Lucien Ruth. Source: <http://mapio.net/pic/p-14809353/>

Current state:

The Ksour are almost no longer used as family granaries and new functions arise. Some successive transformations and developments have followed one another since the 1970s (especially after the release of Star Wars): The National Heritage Institute intervened in the restoration of some Ksour in a scientific and professional approach.<sup>280</sup>

However, the private initiatives by local actors seeking economic and tourist value, do not necessarily respect the architecture of the Ksour and their original constructive mode. Private initiatives are taking over these ancient structures, offering tourists accommodation and services within these Ksour. These activities are generally poorly documented and poorly established. Transformations are being carried out with lack of supervision; this particular heritage is at risk

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<sup>280</sup> Restoration and enhancement projects of historic monuments of the South and Southeast of Tunisia 2009 – 2010. It includes ten Ksour: Ouled-Soltane, Beni Barka, Tounket, El-Ferch, Guermessa, Douiret, Tamellist, El-Zahra, Chenini, El-Gaâ and three mountain villages: Guermassa, Chénini and Douiret.



of losing its authenticity. New materials such as red brick and reinforced concrete are widely used, incompatible with these monuments that lead to the degradation of the original materials (Figure 26).



Figure 26: Patchings with reinforced concrete, Ksar Hallouf, Medenine. Source: Mohamed Sadok CHAIEB, "Requalification des Ksour du Sud Tunisien," *Archi-mag*. Accessed June 27, 2018. [http://www.archi-mag.com/essai\\_41.php](http://www.archi-mag.com/essai_41.php)

These interventions represent a danger for the durability of these monuments that reflect an architectural specificity and a particular constructive mode, in danger of disappearing.

Some of the oldest Amazigh sites in Tunisia are in the southeast, little known and rarely visited. Some of them are in an advanced state of disrepair and sometimes only a few traces of them remain. In addition, there is almost no awareness of the value of this heritage since they have no national recognition or protection from the authorities. In November 2016, residents demolished houses in a village dating back to the first millennium, Ksour Baghali. They had instead built modern houses ( Figure 27). The municipality of Ghomrassen ordered to destroy these new buildings, but today this decision has still not been applied.



Figure 27: A new construction after the demolition of a section of the Ksour Baghali, Ghomrassen. Source : Association Sauvegarde Patrimoine Ghomrassen جمعية صيانة التراث بغمراسن facebook page. <https://www.facebook.com/TourathGhomassen/photos/a.1253788104637886.1073741885.182476941769013/1966945573322132/?type=3>

Another threat this heritage is facing is the absence of guards or surveillance measures. A recent example is the trashing of the Ksour Beni Ghadir by some young people. This place has become a dumpster and a place for illegal activities ( Figure 28).



Figure 28: graffiti on the walls of Ksour Beni Ghadir. Source : Association Sauvegarde Patrimoine Ghomrassen جمعية صيانة التراث بغمراسن facebook page.

Ironically, in the same village, in May 2016, the Ministry of Development also demolished the Berber houses of Ksour Baghali to allow the construction of a road (Figure 29).



Figure 29: the demolished houses of Ksour Baghali. Source : Association Sauvegarde Patrimoine Ghomrassen جمعية صيانة التراث بغمراسن facebook.

The first initiative on surveying the Tunisian Ksour is a research project on collective granary of the Maghreb countries, which resulted in the publication of a volume<sup>281</sup>, in 2010, written by two geographers Professor Dr. Herbert Popp and Professor Dr. Abdelfettah Kassah . It includes, on one hand, a synthesis and re-evaluation and critical review of the cultural heritage of Ksour in its many aspects of territorial, historical, social and architectural nature, and on the other hand, a systematic and comprehensive documentation of more or less all ksour southern Tunisia, which are illustrated opulently with numerous photos, maps, satellite imagery and oblique aerial photographs

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<sup>281</sup> Herbert Popp and Abdelfettah Kassah, *Les Ksour du Sud Tunisien : Atlas Illustre d'un Patrimoine Culturel*, (Beyrouth, Germany: Naturwissenschaftliche Gesellschaft Bayreuth , 2010).

Since 2014, the National Heritage Institute (INP) is intensifying its efforts, in partnership with all stakeholders and civil society in Tataouine and Beni Khedache, for the inscription of 29 of the Saharan Ksour of the region on the preliminary list of UNESCO World Heritage. The list of Ksour was presented during the festival of Saharan Ksour <sup>282</sup>, an annual three day festival in the end of March in Tataouine.

In 2015, it was declared that the INP is currently undertaking a series of interventions in the Tataouine region to enhance the architectural heritage and restore some of the Saharan Ksour, citing for this purpose the ongoing work in the mountain village and "Ksar Beni Barka".<sup>283</sup> These interventions will be followed by the development of the routes leading to these sites so that they become a tourist destination and a source of economic development for the region. Unfortunately, nothing has been actually done since then and the Ksour never made it on the UNESCO's tentative list.

Eventually, these Ksour will perish soon if not protected on the national level instead of aiming for the international level. As long as there are no heritage policies for the protection of the Berber villages, they will always be considered as buildings with no specific value. To change the situation of these Ksour, revalorization actions are required: a detailed inventory and a regional map listing these 150 monuments should be created, and setting conservation and rehabilitation Bulletins, while identifying the legal and land instruments.

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<sup>282</sup> "Des ONG de Tataouine et Beni Khedache demandent l'inscription de 29 ksour au patrimoine de l'humanité," *HuffPost Maghreb and TAP*. Last updated May 15, 2015. Accessed July 1, 2018.

[https://www.huffpostmaghreb.com/2014/03/24/ksour-tunisie-unesco\\_n\\_5020044.html](https://www.huffpostmaghreb.com/2014/03/24/ksour-tunisie-unesco_n_5020044.html)

<sup>283</sup> HuffPost Tunisie, "Qu'est ce qu'un ksar tunisien? L'institut National du Patrimoine en passe d'inscrire les ksour au patrimoine mondial de l'UNESCO," *HuffpostMaghreb*. Updated May 15, 2015. Accessed July 1, 2018.

[https://www.huffpostmaghreb.com/2015/05/14/ksour-tataouine\\_n\\_7283616.html](https://www.huffpostmaghreb.com/2015/05/14/ksour-tataouine_n_7283616.html)

There are some non-governmental small organizations that are in charge of the protection of these sites. However, the creation of a specific organization for the safeguard of the Ksour, like the ASM (Association of the protection of the Medina) is required. Finally, the most vital recommendation would be the recognition and investment from the local authorities.

### Troglodyte Dwellings:

According to Collins Dictionary, the word "troglodyte", first used in the 1550s<sup>284</sup>, comes from the Latin troglodyte, derived from the ancient Greek τρωγλοδύτης, from τρώγλη (cave) and δύνειν (penetrate, dive).<sup>285</sup> Generally used to describe a prehistoric human being or an animal living in a cave or dwelling dug in rocks or supported by cliffs or natural caves; the troglodyte is the inhabitant of this permanent or seasonal house. The terms cave dwelling, troglodyte city, troglodyte house, etc., are commonly used to talk about life in the underground. In Tunisia, it exists two types of Troglodyte Dwellings (Figure 30a-b ):

Vertical Troglodyte with a central patio ( Figure 30-a: like in Chnenni and Douiret) and Underground Troglodyte on the mountain slopes (Figure 30-b: Matmata, Haddeg).

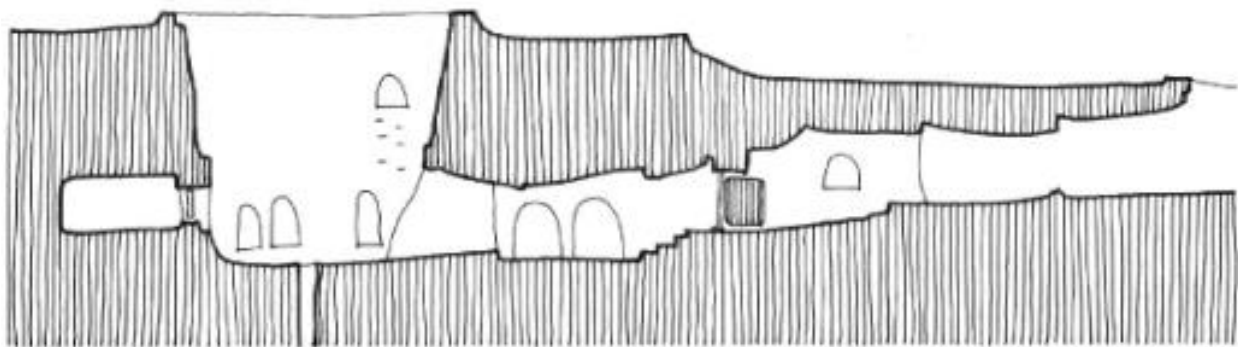


Figure 30-a : Section of a Vertical Troglodyte house, House of Abdallah Ben Mohamed Ben Romdane Latrech El Gosrani, Drawing survey by Mr. Sylvander, architect of the service of historical monuments and archeological sites of Tunisia. Source : Stanley Hallet in Louis André, Stanley Ira Hallet, 2011, p138.

<sup>284</sup> Francois Rabelais, M.Screch ed., *Tiers Livre* (Paris: Librairie Droz, 51 edition , 1546), p 341.

<sup>285</sup> Collins Dictionary. <https://www.collinsdictionary.com/dictionary/english/troglodyte>



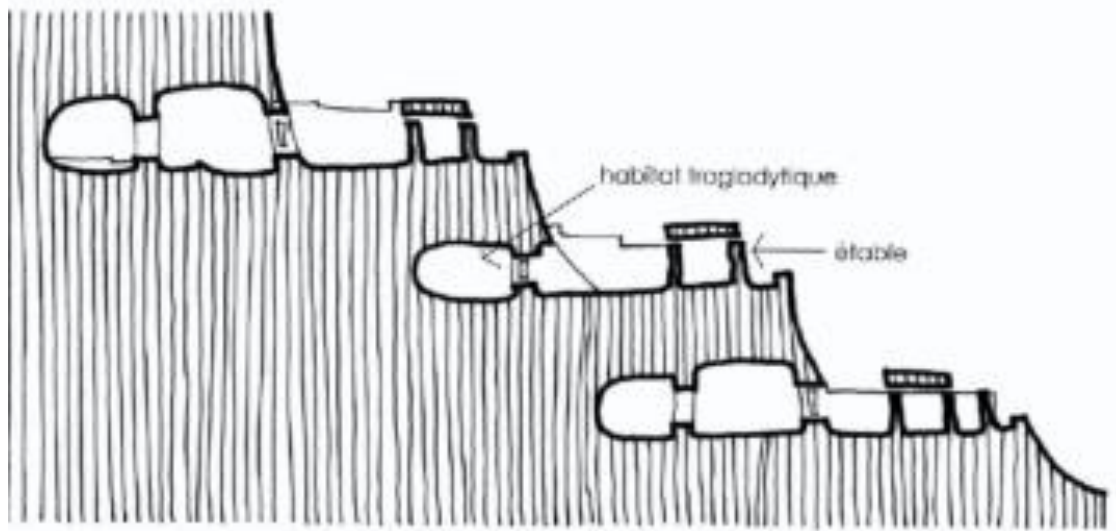


Figure 30-b: Section of a Lateral Troglodyte house, Checnini. Illustration by Stanley Hallet in Louis André, Stanley Ira Hallet, 2011, p32.

These Berber houses are composed of (Figure 31 a-b):

- 1- A discreet entrée.
- 2-A tunnel in a small slope called “SKIFA”.
- 3-A stable for the animals with dimensions that differ from a house to another.
- 4-The “SHAN”, a patio in the center of the house, the only source of light and distribution to the rest of the rooms. Designed in a way that decreases the temperatures and the strong winds.
- 5-The main room “Dar” serves for lodging,
- 6-Other rooms serve as rooms for weaving.
- 7-A room with a storage shed that leads to another smaller room that serves as a shower.
- 8-On the second floor, we find the granaries for storing the grains that can be accessed in the traditional way using a rope (Figure 32) or thru carved stairs (Figure 33), they have a small hole to pass all the cereals and a small animal shed from above. <sup>286</sup>

<sup>286</sup> Donata Bori, “Il raffrescamento passivo degli edifice AS17,” *Architettura della sottrazione* (Napoli : Sistemi Editoriali, 2006), p22.

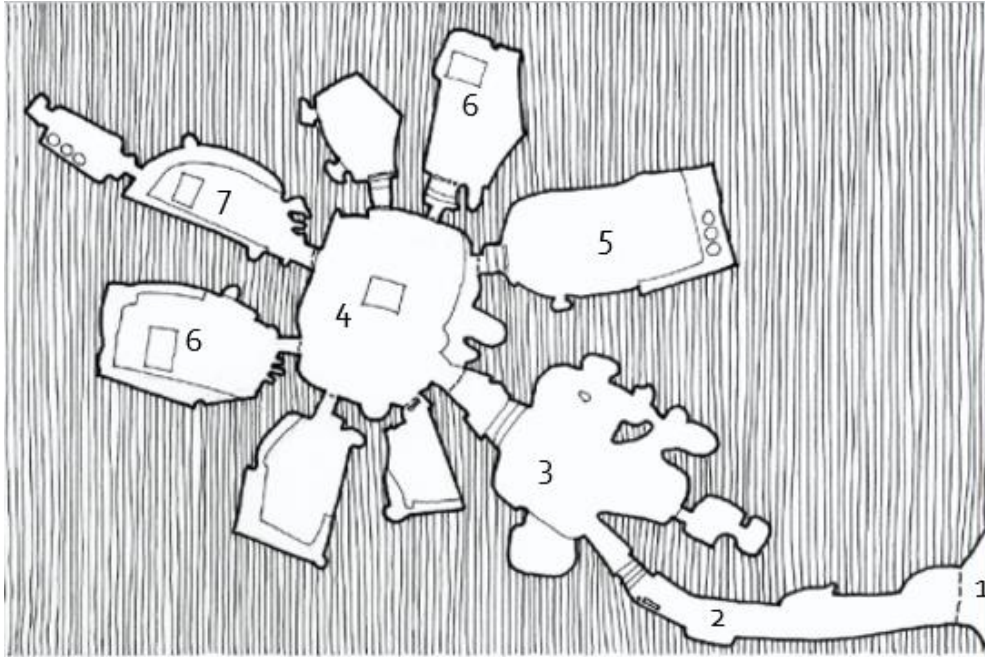


Figure 31 a: Troglodyte Dwelling Plan. , Drawing survey by Mr. Sylvander, architect of the service of historical monuments and archeological sites of Tunisia. Source : Stanley Hallet in Louis André, Stanley Ira Hallet, 2011, p138. Modified by author.

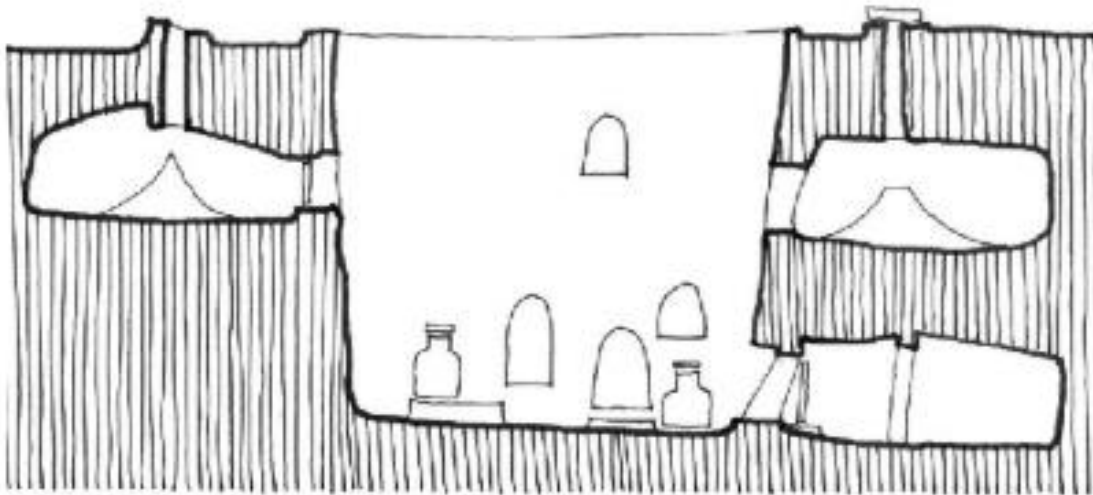


Figure 31 b :Troglodyte Dwelling section. Source: , Drawing survey by Mr. Sylvander, architect of the service of historical monuments and archeological sites of Tunisia. Source : Stanley Hallet in Louis André, Stanley Ira Hallet, 2011, p138



Figure 32: Rope used to access second floor. Source : Zohra Bensemra, "Last residents hold on in Tunisia's underground houses," *Reuters*. Published February 23, 2018. Accessed June 20, 2018. <https://uk.reuters.com/article/uk-tunisia-troglodytes/last-residents-hold-on-in-tunisias-underground-houses-idUKKCN1G70XE>



Figure 33: Carved Stairs, matmata. Source : JiCeGe, "Voyager avec JiCeGe sur son blog," Canalblog. Published April 07, 2018. Accessed June 20, 2018. [http://jicege.canalblog.com/albums/diaporama\\_tunisie/photos/24240363-71matmata\\_troglodyte.html](http://jicege.canalblog.com/albums/diaporama_tunisie/photos/24240363-71matmata_troglodyte.html)



The whole region was unknown to the outsiders until 1967, when the locals were prompted to seek help from the government because of the severe flooding. Ten years later in 1977, George Lucas chose one of the Troglodytes as one of the locations for his film Star wars (Tataouine).

In Matmata for example, there are about 370 troglodyte houses. Of the total, nearly 100 are abandoned; about 150 are used as stables for animals and around a hundred are still inhabited.<sup>287</sup> Some inhabited houses are still authentic and have not seen any changes. No furniture has been added and with no access to electricity.

One successful case of reuse of a troglodyte house is the hotel Marhala in Matmata, where the Belgian architect J. Bergerot transformed 5 Troglodyte houses into a hotel. (Figure 34) S.I. Hallet observes in his book<sup>288</sup> that in 2009, the hotel has not changed since his last visit in the 1960's.



Figure 34: Images showcasing the excellent reuse of the underground houses and th respect of the authenticity of the space. Credit Stanley Ira Hallet in Louis André, Stanley Ira Hallet, 2011, p 147.

<sup>287</sup> "Matmata," *Architecture Traditionnelle Méditerranéenne* (MEDA, EUROMED HERITAGE, 2001).

[http://www.meda-corpus.net/frn/portails/PDF/F1SITES/Tn\\_s06.pdf](http://www.meda-corpus.net/frn/portails/PDF/F1SITES/Tn_s06.pdf)

<sup>288</sup> Louis André, Stanley Ira Hallet, *Évolution d'un habitat : le monde berbère du Sud tunisien* ( USA: blurb, 2011), p 147.

However, most of the Troglodytes have been drastically changed. Often, those who still inhabit these caves, try to adapt to the modern life without consulting the experts in preservation or without contacting the National Heritage Institute.

Modifications like adding structures for bathrooms in the middle of the patio, using modern materials like cement and visible electric wirings threaten the authenticity of these historic dwellings. Fortunately, most of the modifications could be reversible.

A handful of the troglodyte houses have been transformed into hotels. Probably the most famous one is the Hotel Sidi driss better known as the Star Wars Hotel that was used as a setting for Georges Luca famous movie Star Wars (IV 1978 and II, 2002).

In the following years, the hotel fell back into disrepair and negligence (most of the decorations of the film were removed by the owners). But after the second filming, the movie decorations have been restored and are still preserved and used as a tourist attraction (Figure 35).<sup>289</sup>



Figure 35:Star wars set, Hotel Sidi Driss, matmata. Source : Atlas Obscura.

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<sup>289</sup> Stane, "Hotel Sidi Driss: The original film set of Luke Skywalker's Tatooine home from the 'Star Wars' trilogy," *Atlas Obscura*. Accessed June 20, 2018.  
<https://www.atlasobscura.com/places/hotel-sidi-driss>

Even though the underground troglodytes are probably the most preserved Berber built heritage, the majority are in a state of decay (Figure 36) for several reasons including the changes of ways of life, the invasion of new construction techniques, lack of finances to maintain or restore these structures. The massive departure of the inhabitants hides other reasons. "Conflicts over inheritance and periods of drought or heavy rains, which can cause the collapse of houses, have also contributed to the rural exodus".<sup>290</sup> To maintain the houses in good condition, only a few inhabitants of the region still have the knowledge of this craft.



Figure 36: Troglodyte house in a state of disrepair, Matmata. Source : Carlos Soler Martinez , DremasTime. August 17, 2014. <https://ru.dreamstime.com/-matmata>

The troglodyte habitat, the main characteristic of the Matmata and Tataouine regions, is a perfect adaptation to the nature of southeastern Tunisia, as well as to the forms of relief and climate. This form habitat offers an unparalleled advantage in these regions because the troglodyte houses are isothermal; cool in summer and warm in winter.

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<sup>290</sup> Ayda Labassi, "Ils habitent les maisons troglodytes: Aperçu sur cette vie souterraine au Sud de la Tunisie," *Huffpost Maghreb*. Updated March 01, 2018. Accessed June 20, 2018. [https://www.huffpostmaghreb.com/2018/02/27/matmata-troglodyte-tunisi\\_n\\_19329032.html](https://www.huffpostmaghreb.com/2018/02/27/matmata-troglodyte-tunisi_n_19329032.html)

Gideon Golany<sup>291</sup>, attributes the significance of the Tunisian earth sheltered dwellings to their ingenious design. The 10 meter depth of the patio from the surface and the thickness of the soil cover have significant impact on the temperatures and shades during the day. Another study conducted in 1997 by Moncef Krarti <sup>292</sup>, using sensors and an acquisition system, shows that the troglodyte dwellings provide more comfortable environment than above grade houses in the Matmata region throughout the year.

Table 1: Comparison of indoor environment for typical winter and summer days in a subterranean dwelling and a conventional above-ground house in Matmata. Author: Moncef Krarti.

<i>Dwelling Type</i> Season	<i>Subterranean Dwelling</i>		<i>Above-grade Dwelling</i>	
	Winter	Summer	Winter	Summer
Outdoor Temp.	6.6 °C (44 °F)	41.1 °C (106 °F)	6.6 °C (44 °F)	41.1 °C (106 °F)
Outdoor RH	70 %	11 %	70 %	11 %
Indoor Temp.	15 °C (59 °F)	25.5 °C (78 °F)	10.5 °C (51 °F)	36.5 °C (98 °F)
Indoor RH	48 %	38 %	60 %	20 %

Thus, this architecture is the fruit of the genius of the Berbers. With the means they had, they were able to defy the excessive heat in summer and winter cold climate and their enemies. They have created a self-sufficient life and an architecture without expense: the earth as materials and the palm wood to make the furniture. This shows ingenuity and exceptional craftsmanship.

<sup>291</sup> Gideon Golany, *Earth-Sheltered Dwellings in Tunisia: Ancient Lessons for Modern Design*, (, Newark, New Jersey: University of Delaware Press, 1988), p 29.

<sup>292</sup> Moncef Krarti, *Thermal Performance of Ancient Underground Dwellings in Tunisia* (ASME Solar Energy Engineering Conference, 1998), pp. 65-72.

As Gideon Glonay<sup>293</sup> mentions in his book, these constructions provide ancient lessons that can be used for contemporary designs. They offer lessons in the use of energy and sun.

Hypothetically, this cultural heritage should be used and explored in its scientific, historic, sociologic and cultural significance. However, in the recent years, Matmata is confronted with problems of rehabilitating its architectural heritage and its urban extension, in particular the proliferation of constructions that could disfigure these sites. The Municipality of Matmata created, in 1996, with the support of the Government (Ministry of Culture, National Tourist Office) and the INP, an urban development plan<sup>294</sup> to rationalize the site's management and preserve its specificity in a hope to take charge of the future of Matmata.

In conclusion, depending on their environment and on the relationships with their surroundings and their neighbors, whether Berbers or Arabs, the Berbers constructed unique villages with different Typologies.

According to Andre Louis the difference between the Kalla and ksar is that the Kalla served both as a protected granary against every day thefts, but also as a defensive citadel, where the inhabitants could take refuge during skirmishes with either neighboring Berber tribes or the Arabs occupying the plains below. The Ksour or Ksar provided a granary for semi-nomadic berbers spending less time living in their 'home' village.

Stanley I. Hallet presents Ghoumrassen as an excellent example of the architectural evolution of the Berber Habitat and villages, as their granaries descend from the mountain top above (now stripped bare), to reestablish themselves in rows in front of the troglodytic homes of the guardian dug into the mountain side below. These ghorfas would accommodate the grain as more and

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<sup>293</sup> Gideon Golany, 1988.

<sup>294</sup> "Matmata," *Architecture Traditionnelle Méditerranéenne* (Meda, Euromed Heritage ,2001).  
[http://www.meda-corpus.net/frn/portails/PDF/F1SITES/Tn\\_s06.pdf](http://www.meda-corpus.net/frn/portails/PDF/F1SITES/Tn_s06.pdf)

more family members spent more time away from their ancestral home.<sup>295</sup> Eventually the tribes would live in small troglodytic houses, huts or tents and would return to the Ksour of the mountains or the plains only to store their grains,<sup>296</sup>

To better understand the evolution of the Berber History and their Habitat, Stanley I. Hallet resumes it in one cut that represents a master code (Figure 37), grouping the various typologies mentioned previously.

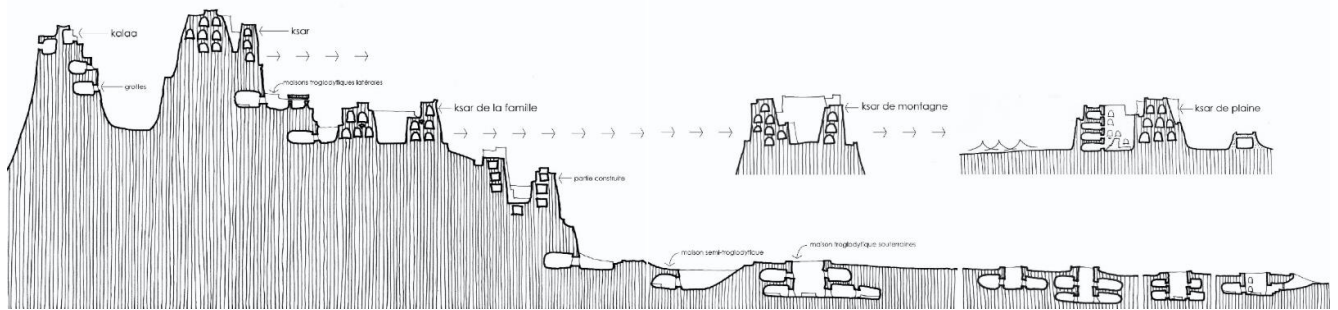


Figure 37: a sectional cut , representing the evolution of Berber Villages. Source : Louis André, Stanley Ira Hallet, *Évolution d'un habitat : le monde berbère du Sud tunisien* ( USA: blurb, 2011), p 152.

<sup>295</sup> Louis André, Stanley Ira Hallet, *Évolution d'un habitat : le monde berbère du Sud tunisien* ( USA: blurb, 2011), p 44.

<sup>296</sup> Ibid, p 66-81.

### Rock Art:

Human habitation in the North African region occurred over one million years ago.<sup>297</sup>

Remains of Homo erectus during the Middle Pleistocene period, have been found in North Africa 750 kya<sup>298</sup> (circa thousands of years ago).<sup>299</sup> Dating to the much more recent Mesolithic era, stone blades and tools, as well as small stone human figurines, of the Capsian culture (named after Gafsa in Tunisia) are associated with the prehistoric presence of Berbers in North Africa. The Capsian is the culture native to the Maghreb region, circa twelve to eight Kya.<sup>300</sup> -

Thereafter Berbers who antedated, by many millennia, the Phoenicians and the establishment of Carthage, lived as an independent people in North Africa, including the Tunisian region.

One of the most shared prehistoric heritage between the North African countries is the rock art. In archaeology, rock art is human-made markings placed on natural stone. It includes pictographs (drawings or paintings), petroglyphs (carvings or inscriptions), engravings (incised motifs), petroforms (rocks laid out in patterns), and geoglyphs (ground drawings).<sup>301</sup> It has been produced in many contexts throughout human history and as a global phenomenon, rock art is found in many culturally diverse regions of the world.

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<sup>297</sup> L. Bailout, "The Prehistory of North Africa," *General History of Africa, volume I, Methodology and African Prehistory Abridged Edition*. (University of California/UNESCO 1989), p241.

<sup>298</sup> Appearance of Homo sapiens , circa 200 kya

Out-of-Africa migration , circa 60 kya Last Glacial Maximum , circa 20 kya

Neolithic Revolution , circa 10 kya

<sup>299</sup> D. H. Trump, *The Prehistory of the Mediterranean* (Yale University, 1980) , p10.

<sup>300</sup> Ibid, p 20.

<sup>301</sup> David S. Whitley, *Introduction to Rock Art Research* (Walnut Creek, California: Left Coast Press, 2005), p3.



Hundred thousand copies of painted and engraved motifs have been discovered in North Africa. But, the physical context of rock art sites varies depending on geographical and topographical factors; for example, Moroccan rock engravings are mostly found on open rocky formations (Figure 38), while Tunisia's rock art sites have all been found in rock shelters (Figure 39) or the Libyan Rock art found in both rock shelters and in open air (Figure 40).



Figure 38: Ait Ouazik near Tazzarine in the pre-Sahara, Morocco. Source: <http://wildmorocco.com/prehistoric-rock-art-in-morocco/>



Figure 39: Overview of the shelters of Ain Khanfous (S. Yahia)  
[https://www.academia.edu/8705784/55\\_Yahia](https://www.academia.edu/8705784/55_Yahia)





Figure 40 : The rock carvings of Messak Settafet & Mellet, Libya.  
<https://africanrockart.org/rock-art-gallery/libya/nggallery/page/2?lang=fr>

The most renowned site is the cave paintings found in the Tassili n'Ajjer mountains in southeast Algeria. Classified as a World Heritage Site by UNESCO in 1982 and Biosphere Reserve in 1986. The rock art was first discovered in 1933 and has since yielded 15,000 engravings and drawings that keep a record of the various animal migrations, climatic shifts, and change in human habitation patterns in this part of the Sahara from 6000 BCE to the late classical period<sup>302</sup>. This puts Algeria at the forefront of the countries of northern Africa for the abundance of its rock art.

Tunisia is also famous for the abundance of its prehistoric sites, especially the region of Gafsa , that have yielded very important witnesses of the Palaeolithic era, as the oldest "monument" worship uncovered so far on earth, the famous Hermaïon (Figure 41), dating back more than 40,000 years, was discovered in the vicinity of the locality of El Guettar (Gafsa

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<sup>302</sup> "Tassili n'Ajjer" *UNESCO World Heritage Center*. Assessed June 26, 2018. <http://whc.unesco.org/en/list/179>

governorate) and today exposed in the national museum of Bardo (removed temporarily after the 2012 shooting)<sup>303</sup>.<sup>304</sup>



Figure 41: Hermaion, El Guettar, Gafsa governorate. Source: INP website, Prehistory of Tunisia.  
<http://www.inp.rnrt.tn/album/LA%20TUNISIE%20ANTIQUE/PREHISTRIQUE/slides/15.html>

The territory of Tunisia comprises two vast mountainous regions: in the north, the chains of the Atlas; in the south the massifs of the Sahara. Both contain a wealth of rock art with exceptional diversity of expression. In the first region, there are engravings and paintings that have been discovered but not surveyed completely while others are still being counted in the Saharan zone. Although the inventory remains incomplete, we can estimate more than what have been discovered. There are several sites in Tunisia, the richest are those of Jebel Ousselat: Oued Chara and Wadi Magel in the North of the Massif and Ain Khanfous in the South.

Two others are located south of Jebel Zaghouan: the little known Hammadet Essarassif along the road Kairouan and Bou Salem. Other sites in the region of Tamerza and Ghomrassen in southern Tunisia. The first cave paintings to have been spotted in the country, a presentation of

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<sup>303</sup> National Bardo museum website, *L'Hermaion d'El Guettar*. Assessed June 26, 2018.  
[http://www.bardomuseum.tn/index.php?option=com\\_content&view=article&id=108%3Alhermaion-del-guettar&catid=41%3Aprehistoire&Itemid=74&lang=fr](http://www.bardomuseum.tn/index.php?option=com_content&view=article&id=108%3Alhermaion-del-guettar&catid=41%3Aprehistoire&Itemid=74&lang=fr)

<sup>304</sup> Houcine Tlili, "Peintures Rupestres De Tunisie," *La Presse De Tunisie*. May 09, 2011. Accessed June 26, 2018.  
[http://www.lapresse.tn/?option=com\\_sport&task=article&id=28747](http://www.lapresse.tn/?option=com_sport&task=article&id=28747).

silhouettes of men and animals, are those of Jebel Bliji.<sup>305</sup> They were published in 1911 by H. Roux in the “Revue Tunisienne” ( Figure 42).

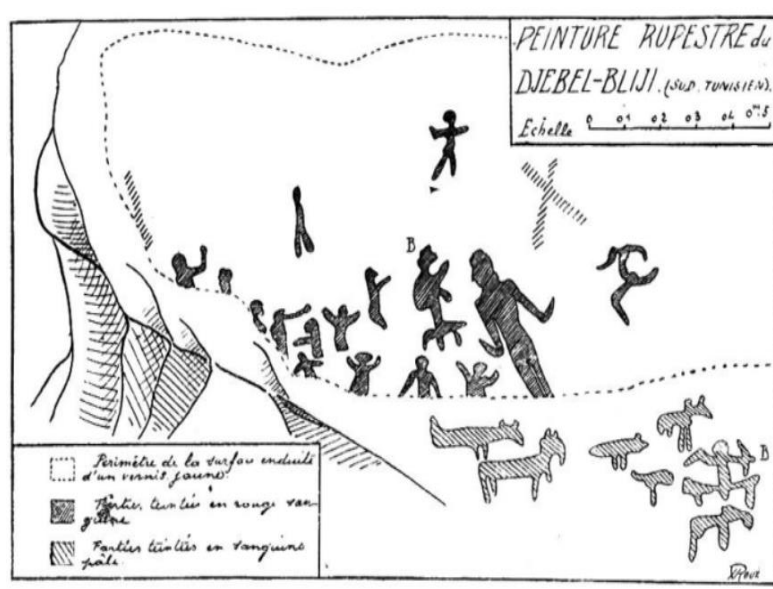


Figure 42: hand drawn sketch in 1911 and dated to Berber and not prehistoric origins, Jebel Bliji.  
Source: Bulletins and Memoirs of the Anthropological Society of Paris, VI ° Series, Volume 2, 1911. p. 31.

Notwithstanding the influence of the Saharan rock painting, this art expressed itself in a very original graphic treatment. Its paintings are very similar to the rock paintings of Tassili in its phase of "round heads" Bubaline and that of Bovidae.<sup>306</sup> After that, Paintings at Jebel Bou Salem, Djebibina , located in Zaghouan governorate, were discovered and had been brought to the attention of the scientific community and later studied by the French researcher M. Solignac

<sup>305</sup> Roux Henri, “Peinture Rupestre du Jebel-Bliji (Sud –Tunisien),” *Bulletins et Mémoires de la Société d'anthropologie de Paris*, VI° Série. Tome 2 (1911), p 31-32.  
[www.persee.fr/doc/bmsap\\_0037-8984\\_1911\\_num\\_2\\_1\\_8311](http://www.persee.fr/doc/bmsap_0037-8984_1911_num_2_1_8311)

<sup>306</sup> Houcine Tlili, "Les aventures de la figuration artistique en Tunisie depuis le Néolithique ." *La Presse De Tunisie*. January 15, 2016. Accessed June 26, 2018.  
<http://www.letemps.com.tn/article/95247/les-aventures-de-la-figuration-artistique-en-tunisie-depuis-le-n%C3%A9olithique>

(1936)<sup>307</sup> and also included in the Prehistoric Atlas of Tunisia.<sup>308</sup> It depicts animal and human representations in ochre painting style. Some representations show semi-wild animals, such as fennec, with a very realistic treatment of the tail that can suggest by contrast the volume of the animal. Other drawings depict a mouflon standing on its hind legs and a man facing him. Another representation shows an exaggerated human form. They have not been tampered despite being kept open for thousands of years.



Figure 43 : Rock art, Bou Salem. Source: "Art Rupestre Et Sites De Peintures Rupestres En Tunisie." Globe Trotter, Blog Voyage. May 9, 2011. Accessed June 25, 2018. <http://www.blog-voyage.tn/art-rupestre-et-sites-de-peintures-rupestres-en-tunisie/>

Other rock art was discovered in 2003 in Rmada and Dar H'ssine in Jebel Ousselat (central Tunisia). Engraving is an extremely rare technique in Tunisian rock art but at Jebel Ousselat, the station Rmada is dedicated to it entirely. The art is in a naturalistic style and represents wildlife

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<sup>307</sup> M. Soullignac, *Les peintures rupestres de la région de Djebibina* (Rev. Tunisienne, 1936).

<sup>308</sup> Mounira Harbi-Riahi, Abderrazak Gragueb, Gabriel Camps, Ali M'timet, and Jamel Zoughlami, *Atlas Préhistorique De La Tunisie, 8 Maktar* (Rome: École Française De Rome, 1985), p7. <http://www.inp.rnrt.tn/periodiques/atals/Maktar.pdf>

(rhinoceros, ancient buffalo and antelopes) and domestic animals (sheep, cattle) as well as the symbolic decorated ram (Figure 43) .



Figure 44 : A decorated ram, Rmada. Source: Jaâfar Ben Nasr, *Des gravures rupestres de la Tunisie Centrale*, p 119.

The Ram adorned in R'mada is associated, in a symbolic way, to an anthropomorph (a stylized human figure in prehistoric art)<sup>309</sup>. Its silhouette is explained, according to researcher Jaafar Ben Nasr, by wearing a skin adornment. The head of the animal acts as a mask and the worn skin is prolonged like a cloak. The wearing of adornment skin is often tied to actions or ceremonies of a ritualistic nature. An engraving of the station of Khelou at Sidi Cheikh (Ksour Mountains) shows the same skin-adornment worn by the character described in Rmada<sup>310</sup>.

“In fact, some of the rock art compositions are explicit enough, disclosing a ritualistic and mythological aspect. Their highly symbolic connotation can bring about different possibilities of interpretation. One may consider for instance the rianthropes (probably involved in a hunting scene) identified in the paintings of Chaabit El-Maarik-Ghomrassen, whose exact nature is still

<sup>309</sup> Jaâfar Ben Nasr, *Des Gravures Rupestres de la Tunisie Centrale* (Sahara,2012), p 118.

<sup>310</sup> F. Soleilh Voup, *Animaux Sacralisés dans l'Art rupestre de l'Atlas Saharien : le cas du bélier Orné* (Archeologia Africana – Saggi occasionali T3, 1997),p 68.



questionable: masked men participating in a hunting scene, gods or surreal heroes”.<sup>311</sup>

The engravings of the Ramada shelter show significant links to the rock arts in the Saharan Atlas especially in Morocco. The decorated ram shown in the engravings is mostly a reference to the famous ram with spheroid of the Saharan Atlas, combined with an anthropomorphic figure wearing an animal’s skin in a symbolic posture (Figure 45 , element 8). It hints at the “Boujloud” character (a man dressed in animal skins), present in the rites of the Berber mountaineers’ carnival in the Atlas and southern Morocco.<sup>312</sup> This character is connected to a wide-ranging rite of water in the Maghreb (rain or even river flood rites)<sup>313, 314</sup>

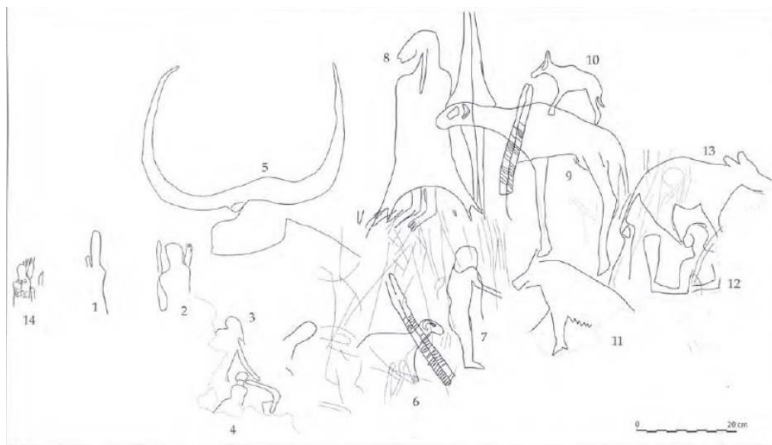


Figure 45: overview hand sketch drawing, R'mada.

Source: Jaâfar Ben Nasr, *The Rock Art of Tunisia: When, Why and to Whom?*

<sup>311</sup> Jaafar Ben Nasr, *Recherches sur le peuplement préhistorique du Jebel Ousselat (Tunisie Centrale)*, (doctoral thesis, Université d'Aix-Marseille I, Aix-en-Provence, 2 vol ,1997).

<sup>312</sup> Jaâfar Ben Nasr, "The Rock Art of Tunisia When, Why and to Whom", *Expression n°8, Academia.edu* (June 2015),p 17-19 , accessed June 23, 2018.

[https://www.academia.edu/13452594/The\\_Rock\\_Art\\_of\\_Tunisia\\_When\\_Why\\_and\\_to\\_Whom](https://www.academia.edu/13452594/The_Rock_Art_of_Tunisia_When_Why_and_to_Whom)

<sup>313</sup> Joleaud Léonce, "Gravures rupestres et rites de l'eau en Afrique du Nord,Rôle des Bovins, des Ovins et des caprins dans la Magie Berbère Préhistorique et aActuelle ," *Journal de la Société des Africanistes, T 3, 1933*, p197. [www.persee.fr/doc/jafr\\_0037-9166\\_1933\\_num\\_3\\_1\\_1548](http://www.persee.fr/doc/jafr_0037-9166_1933_num_3_1_1548)

<sup>314</sup> Ben Nasr , *The Rock Art of Tunisia When, Why and to Whom*, p 19 .

The discoveries of the engraved sets in Jebel Ousselat, fill a big gap in the knowledge of rock art in Tunisia. It draws its value from the fact that they are the only ones with the naturalistic style up to now in the Tunisian territory.

These discoveries have also extended the geographical range of the Bubalin naturalist style <sup>315</sup> (the engravings of the large wild fauna executed with the deep and polished dark patina of the first panel of the shelter of Rmada) and the symbolic theme of the ornate beast, which seemed well confined to the Atlas and the Sahara.

On this panel, wildlife is found next to domesticated species; characters and therianthropes (half-men, half-animals) are also represented in close relationship with animals. The figures are intertwined with each other. According to S. Yahyaoui<sup>316</sup>, the stick held by all the characters could be the symbol of a pastoral way of life, as well as the obstruction that is placed on the necks of some cattle. In a stylized naturalistic style, the species are perfectly identifiable, they present many anatomical details but have the particularity of having the limbs exaggeratedly elongated and terminated in point. She considers this mode of representation as one of the characteristic criteria that relates them to the works of the school of Tazina as defined Muzzolini<sup>317</sup>, even though it is far from the geographical expansion.<sup>318</sup>

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<sup>315</sup> A stylistic school, contemporary to the "bovidian" period, named so because it depicts the last giant buffalo.

<sup>316</sup> Sophie Yahia Acheche, "Les Gravures de Ghorfat-er-Rmada (Tunisie centrale)," *Cahiers de l'AARS*, 11 (2007), p. 145-156

<sup>317</sup> Alfred Muzzolini, *Les Images Rupestres du Sahara* (édition de l'auteur, Toulouse: 1996), p 447.

<sup>318</sup> To understand the Chronology of Rock art in the north Africa and Sahara region refer to :

Arts rupestres sahariens : état des lieux depuis 2010 et perspectives 2010.

[https://www.researchgate.net/publication/320383994\\_Arts\\_rupestres\\_sahariens\\_etat\\_des\\_lieux\\_depuis\\_2010\\_et\\_perspectives\\_2010\\_am\\_mndh\\_walmamwl\\_alwaq\\_alshrawyt\\_alskhryt\\_alfnwn](https://www.researchgate.net/publication/320383994_Arts_rupestres_sahariens_etat_des_lieux_depuis_2010_et_perspectives_2010_am_mndh_walmamwl_alwaq_alshrawyt_alskhryt_alfnwn)

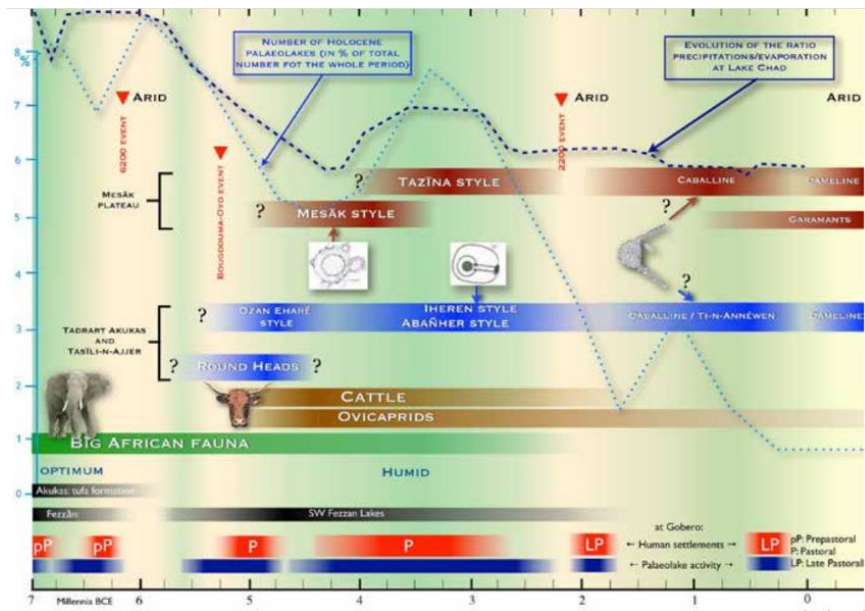


Figure 46: Graphic explaining the relationship between cultural data (prehistoric art) and climate change in the central Sahara during the Holocene.

Source: Jean-Loïc Le Quellec , Arts rupestres sahariens : état des lieux depuis 2010 et perspectives (Abgadiyat, research gate, online journal, 2017), p80.

[https://www.researchgate.net/publication/320383994\\_Arts\\_rupestres\\_sahariens\\_etat\\_des\\_lieux\\_depuis\\_2010\\_et\\_perspectives\\_2010\\_am\\_mndh\\_walmamwl\\_alwaq\\_alshrawyt\\_alskhryt\\_alfnwn](https://www.researchgate.net/publication/320383994_Arts_rupestres_sahariens_etat_des_lieux_depuis_2010_et_perspectives_2010_am_mndh_walmamwl_alwaq_alshrawyt_alskhryt_alfnwn)

Similarly, with the presence of the “*Syncerus caffer antiquus*”, S. Yahyaoui classifies this type of engraving among the ancient engravings belonging to the Neolithic era.<sup>319</sup>

The rock engravings of the Jebel Ousselat are therefore the most northern at present known.<sup>320</sup> The mountains with milder slopes have undoubtedly been more favorable to human settlements. Sophie Yahia Ayache distinguishes two categories of rock stations. The first category concerns stations of variable size and importance that have been invested by a single group. They could constitute a short stage in the course of the prehistoric or protohistoric populations. The latter, on the other hand, seems to be of particular importance because humans of different cultures and eras have occupied them and have come to engrave and paint on the

<sup>319</sup> Sophie Yahia Acheche , 2007, p 155.

<sup>320</sup> Ben Nasr, Des gravures rupestres de la Tunisie Centrale, p123.



stone their imaginary, without ever interfering with the representations of those who preceded them (Figure47).<sup>321</sup>



Figure 47: Engraved Arab inscriptions, Ain Khanfous, Kairouan.

Source: Roland , Alix Marti ,Peintures rupestres en Tunisie, Histoire de Tunisie (June 2017).

<https://www.youscribe.com/BookReader/Index/2848025/?documentId=3092648>

The South of Tunisia has also delivered rich Neolithic rock art sites in the form of very original and quite numerous rock engravings (90 in total) discovered by Moussa Tababi, a young heritage researcher, on the site of Doukène Jfara, 3 km to the east of Redeyef. In this site, the engravings are representations of human silhouettes (Figure 48), animals engraved in a realistic or schematized manner and sometimes unidentifiable and abstract geometric shapes (dots, stars...). These are engravings with continuous and deep lines. Standing figures appear to officiate in ceremonies and wear loincloths. Animals (cattle, ostriches and other dogs) are also part of the scene.<sup>322</sup> This site in Redayef, discovered in 2009, became one of the most important rock art sites in Tunisia because of the originality and the number of findings.

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<sup>321</sup> Sophie Yahia Acheche , Ousselat (Jebel – ; Tunisie) : Préhistoire et art rupestre (Academia, online Journal), P5987. [https://www.academia.edu/8705784/55\\_Yahia](https://www.academia.edu/8705784/55_Yahia)

<sup>322</sup> Tlili, Les aventures de la figuration artistique en Tunisie depuis le Néolithique.

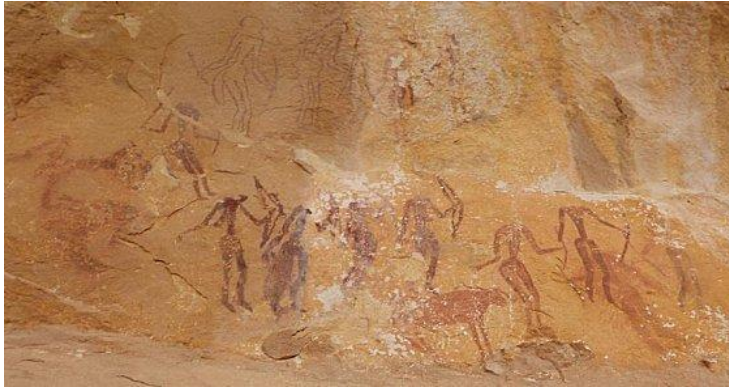


Figure 48: Hunting scene, Ain Khanfous Source: destination-tunis.fr

Redeyef is known only as an empty and dry mining region (phosphate) located in the southwest of the country and is contiguous to Algeria. However, although hard to believe, this region was the most "civilized" region of Tunisia especially during the Capsian settlements of Wadi Redeyef.<sup>323</sup> This era left us multiple proofs of the inhabitancy of this region thru its artistic productions which were recently discovered like the rock engraving of Jebel Douken Jfara. Douken Jfara enriches our knowledge of the prehistory of our country. This site (Redeyef) is still undergoing archaeological, chronological and stylistic evaluation. According to Ben nasr<sup>324</sup>, the best preserved and richest rock art images so far are the paintings and engravings of Jebel Ousselat (central Tunisia), the rock paintings of Ghomrassen (south-east Tunisia) and the engravings of Douken Jefara (Redeyef, central west Tunisia).

#### Research and Conservation state:

The prehistoric art in North Africa and more particularly in Tunisia did not pass by the same manifestations by which it passed in Europe (Lascaux, Altamira). The rock art of these two

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<sup>323</sup> Ibid

<sup>324</sup> Ben Nasr, The Rock Art of Tunisia When, Why and to Whom, p15.

European sites developed during the Paleolithic periods, while the rock art that developed in Tunisia only appeared in the Neolithic or Epipaleolithic period.<sup>325</sup>

Independently of the style practiced by the representation of prehistory and independently of the rock painting stations discovered in Zaghouan region and the other sites that were also discovered in Redeyef and Douken Jefara in the region of Gafsa, the Insefri discoveries in Tataouine, these discoveries enrich our knowledge of our prehistory and it means that Tunisia, like other regions of North Africa (southwest Algeria and southern Morocco and even in the Sahara), also has the same heritage in engravings and rock paintings mostly dating from the same "Neolithic " period. It reflects the richness of the region as a prehistoric site especially in rock engravings.<sup>326</sup>

They also show that this region reached during the Capsian and the Neolithic era a very high degree of civilization and figurative art. Unfortunately, because this heritage is not spectacular and monumental, it is not well understood by the general public and because it is not studied and interpreted enough by the specialists and does not retain the attention of the people in charge of the safeguarding of Tunisian heritage, it suffered and still does from the combined degradations caused by nature and by humans.

“These jewels of prehistory are unfortunately abandoned and the INP shows no plans for protecting these sites. They are open to the tourists and the curious who do not hesitate to touch or even end up destroying them as in several cases with no guards and no fences.

More seriously, sometimes children from the region draw on them with sharp objects.”<sup>327</sup>

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<sup>325</sup> Tlili, “Les Aventures de la Figuration Artistique en Tunisie depuis le Néolithique,” *La presse Tunisie*.

<sup>326</sup> Ibid.

<sup>327</sup> “Fouilles illégales, “Constructions Sauvages : des Sites Archéologiques Tunisiens en perdition,” *France 24, les observateurs*. Published in February 1st, 2017. Accessed in June 26, 2018.  
<http://observers.france24.com/fr/20170201-fouilles-illegales-sites-archeologiques-tunisie-ghomrassen>

Protests led by Omar Ghrab, a member of the Ghomrassen Heritage Safeguarding Association, an NGO, aimed to alert the authorities to the multiple degradations these sites have been subjected to in recent months.

The NGO launched a project to install metal barriers to protect these paints.<sup>328</sup> ( Figure 49) Adding to his plea, regrettably the flashes that come from taking photos damages the paint from its surface. Also, if visitors are trying to brush the rock to get a clearer image, or if people are touching or bumping into the paintings, they will gradually degrade the images. Unfortunately also, some previous methods of recording and documenting have caused damage to the vibrancy and integrity of the images, which is the case of the Algerian UNESCO site, the Tassili's rock walls that were commonly sponged with water in order to enhance the reproduction of its images.

This washing of the rock face has had a devastating effect on the art, upsetting the physical, chemical, and biological balance of the images and their rock supports. Many of the region's subsequent visitors, tourists, collectors, photographers, and the next generation of researchers have continued the practice of moistening the paintings in order to reveal them. Today scholars report paintings that are severely faded while some have simply disappeared.<sup>329</sup> This definitely applies to the Tunisian case.

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<sup>328</sup> Ibid.

<sup>329</sup> Nathalie Hager, "Running horned woman, Tassili n'Ajjer." *Khan Academy*. Assessed June 27, 2018. <https://www.khanacademy.org/humanities/ap-art-history/global-prehistory-ap/paleolithic-mesolithic-neolithic/a/running-horned-woman-tassili-najjer>



Figure 49: The cave murals protecting bars, Insefri, Ghomrassen. Source: Ghomrassen Heritage Safeguarding Association جمعية صيانة التراث بغمراسن. Facebook page.

Another case is the rock paintings of Ain Khanfous cave, of Jebel Ouesslat. The paintings were ravaged by people who visit freely without any legal framework and the interest of institutions in charge. (Figure 50)



Figure 50 : Drawings engraved with sharp objects on the painted Art, Ain Khanfous, around Kairouan. Source: Marhabat.tn . <http://www.marhba.com/articles/7-000-ans-d-histoire-de-la-tunisie-detruits-par-l-ignorance-humaine>

Prehistoric sites in Tunisia continue to lack the legal and physical protection they deserve. To date, none of them is legally protected and none has been the subject of a protection and enhancement program. Compared to its neighbours, Tunisian rock art documentation and protection is far behind not due to the evidence and discoveries but to the lack of exhaustive



scientific research. This could only be explained by the fact that the INP's research has been focalised essentially on one kind of the national archaeological heritage: the Roman and Punic archaeology. In fact, after a long stagnation period marked by a few works (Roux, 1911; Solignac, 1936; Gragueb, 1988; Gragueb et al., 1991), renewed field research (Ben Nasr, 2001–02; 2007; 2011; 2012; Yahia, 2007; 2009; 2011) has revealed that rock art in Tunisia is not as rare as it was thought and that the Tunisian territory has a great potential.<sup>330</sup>

It may also mean that other sites of paintings or figurative engravings could be discovered in the area. Still, a major research effort is needed to exhaustively inventory all the sites not yet searched throughout Tunisia. The inactions of the authorities towards this prehistoric Berber heritage, is embodied in the fact that on the international scale is not considered to have valuable Rock Art.

On all the scientific papers, that I have examined on the north African and Saharan rock art, Tunisia is either never mentioned or simply summarized and reduced to five lines mentioning that it has some discovered red ochre paintings that consist of some simple geometric symbols and human presentations. A good example of this is the British Museum's project since 2013 to study and catalogue the rock art images of Africa and digitally preserve African rock art. Their research provides new information and perspectives on the collection and the ancient and modern cultures it represents. However in a map on their website, Tunisia is the only country in North Africa that is excluded from their study. (Figure 51)

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<sup>330</sup> Ben Nasr , The Rock Art of Tunisia When, Why and to Whom, p 15 .



Figure 51 : Screen shot of the interactive map of countries involved in African Rock Art image project. Source: The British museum website. <https://africanrockart.britishmuseum.org/>

It was always thought that Tunisia did not possess any Neolithic rock art. Latest discoveries proved that Tunisia's rock art is numerous and that it is part of the Neolithic discoveries that are spread all over North Africa and in all the Sahara (south of Morocco , southeast of Algeria, Mauritania, , Chad, Mali, Nigeria ...).

Finally as Jaafar ben Nasr said: "rock paintings are an archaeological document of great importance that can bring new elements on the prehistory of Tunisia. It is therefore necessary to take emergency measures for the conservation and protection of this priceless heritage, because of the anthropic destruction whose impact is very clear on several paintings."<sup>331</sup>

#### Berber tourism and development: Between neglect and folklorisation :

The specificity of the territory, the economic, social and political conditions have influenced the development of craftsmanship throughout history by the population to adapt to a constraining and fragile environment, to make use of materials and construction techniques

perfectly mastered and adapted to its environment. The case of our country is typical at this level. To evaluate it, it is enough to look closely at our tourism products, the behavior of the authorities towards the interpretation of the Berber heritage and its evolution in time from the sixties to the contemporary era. The most visual manifestations are observable on different levels of the folklorization of our culture and our history.

One of the most illustrious examples of this kind of practice is the lack of historical research, understanding and interpretation of the Berber culture.

The Tunisian south is characterized by the presence of traditional ensembles formed by isolated or grouped constructions which have an exceptional value from the historical and socio-cultural point of view because of their specific architecture.<sup>332</sup> The rehabilitation of the Berber villages should be associated with the new villages, a program that is not limited to the tourist attractions but open to the ordinary life (shops, accommodation, housing, cultural or administrative facilities). The Berber heritage then could participate in the development of the territories by its reintroduction in the economic circuits. The perception of the Berber heritage, and in particular the troglodyte heritage, is more than just a tourist attraction, beyond the picturesque and entertaining interest of vestiges of the past.

In Tunisia, traditionally seaside tourism (Sousse, Hammamet..) is turning towards the significant tourism potential of the chains of Matmata in the South-East (horizontal and vertical troglodyte habitat, ksour and Berber villages..). Since the 70's, Tunisia has invested in a tourism economy that is labeled as a cultural tourism but in reality ended up as a mass tourism. UNESCO defines culture tourism as “to create a discerning type of tourism that takes account of other

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<sup>331</sup> Jaafar Ben Nasr, “Quatre abris peints découverts au Jebel Ousselat (Tunisie centrale),” *Préhistoires Méditerranéennes* 2002. Published May 13 2009. Assessed June 22, 2018. <http://journals.openedition.org/pm/266>

<sup>332</sup> Mohamed Souissi, *Géographie du Tourisme en Tunisie : Contraintes et Innovations*, ( Université du Maine mémoire de DEA en géographie, le Mans, 2002), p 93.



people's cultures" (UNESCO, 2005).

However, in coastal Tunisian cities, the policies aim at the commercialization of pleasure and leisure through the commodification of wealth, services, space and superficial culture to tourists with minimum contact and understanding of the lives of natives. The need to exhibit the superficial layer of the Tunisian identity took over, an empty and "false" architecture have begun to appear in monumental hotels and "tourist areas" that invaded the domestic and local architecture.

In the southern section of the country, the Saharan tourism is an alternative to the seaside tourism. It concerns the tourist area of Gafsa-Tozeur which has aroused, these last years, an increasing interest of the different actors of the tourism in Tunisia. The main element of the Saharan tourism is the practice of Tour tourism.

The diversity of landscapes, cultures and traditional habitats in these Saharan regions explain the importance of this form of tourism. As part of the animation of the stays in the seaside resorts, the tour operators and the travel agencies schedule excursions in the Saharan regions, in particular around the Chott el Jerid and in the main tourist cities of southern Tunisia.<sup>333</sup> The tourism activity in the southern regions of Tunisia is organized around two areas based on two different types of activity: Djerba-Zarzis seaside tourism focused on the hotel stays and the Saharan tourism in Tozeur-Douz area focused on tours and excursions.

The statistics show a wide difference in the length of stay between the two regions since the Djerba-Zarzis seaside region has an average duration of 7.5 days, whereas the Gafsa-Tozeur Saharan region does not exceed 1.3 days. The review of statistics also shows that tourism supply and demand are relatively limited in the Gafsa-Tozeur Saharan tourism region, compared to

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<sup>333</sup> Mohamed Souissi, "Le tourisme de circuit dans le Sahara tunisien : réalités et perspectives," *Insaniyat / إنسانيات*, 51-52, (2011) p 271-287.

Tunisia as a whole. The hotel capacity is only 5% of the total capacity of the country, as for attendance, it represents only 14% of the total number of tourists who stayed in Tunisia in 2007.<sup>334</sup> Despite the diversity that the Saharan regions offer from troglodyte homes to pre historic rock art as we have seen, the marketing of these tours or circuit tourism remains publicized mainly as a complementary product to the seaside tourism of Djerba-Zarzis, a short secondary trip or a limited duration stay in the region.

This all has led to the “Folklorisation” of the local culture of this region . The notion of Folklorization is the process of selecting the most obvious cultural particularities of the minorities to make their "promotion".<sup>335</sup> This approach is defined as an "instrument of domination, with a function to integrate ethnic differences by assimilation to values arbitrarily defined as negative".<sup>336</sup> This definition makes it possible to designate a certain view of “minority” cultures that results in a process of simplification and popularization of the cultural traditions specific to each group.<sup>337</sup>

In the case of the South of Tunisia, Berber villages were molded into model villages for tourists, folklore shows or folklore parks, a kind of live ethnic zoos.

The question of Folklorizing the traditions and beliefs of indigenous people who are confronted with tourism, even voluntarily, presents the framework of this section. A short 15-minute interaction with the locals and the inhabitants could not be considered a cultural exchange or fall under culture tourism, like the case of Saliha Mohamedi, who admits letting tourists visit

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<sup>334</sup> Ibid.

<sup>335</sup> Rym Ben Younes, “Tourisme et folklorisation”, *Archi Mag*. Accessed June 10, 2018.  
[http://www.archi-mag.com/essai\\_35.php](http://www.archi-mag.com/essai_35.php)

<sup>336</sup> Ibid.

<sup>337</sup> Ibid.

her Troglodyte house in Matmata for tips.<sup>338</sup> This type of interaction does not go beyond the outer and superficial image of the relationship of Berbers and their environment. Indeed, under the guise of authenticity and cultural value, we lock up the Berbers in clichés and denature their cultural rituals, thus contributing to the acculturation process.

Interpreting Berber culture for tourists requires deeper understanding of their interactions with their surroundings, interpretation of patterns, signs and even the tattoos that the Berber women drawn on their faces. Selling industrial crafts and souvenir with symbols that have no relevance to the Berber designs to tourists could only be called as “cultural pollution” where tourism plays a big role in the impoverishment of the Berber identity meaning the Tunisian identity. This tourism is a production sold as a package, a simple commercial exploitation of the collective memory.

#### Conclusion:

If the 2011 revolution sparked a new craze for Amazighs, it is mostly a reaction to the debates surrounding the Arabo-Muslim identity of Tunisians. Associations and festivals are often organized to perpetuate the Amazigh traditions, although the laws still do not mention the Berber origins of Tunisia.

The Berber built heritage has great potential. However, today, several disturbing threats are identified which could damage its cultural value, integrity and authenticity. It is important to highlight the importance of the existing local heritage and to analyze the involvement of stakeholders in the process of conservation and valuation.

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<sup>338</sup> Zohra Bensemra and Aiden Lewis, “Last residents hold on in Tunisia's underground houses,” *Reuters*. Published February 23, 2018. Accessed June 10, 2018.  
<https://www.reuters.com/article/us-tunisia-troglodytes/last-residents-hold-on-in-tunisias-underground-houses-idUSKCN1G70XF>

All of these heritage resources identified in the region are today the support for economic activities, such as tourism, handicrafts, folklore festivals and all productions related to the exploitation of specific local resources. These activities have even become the main source of income for a number of people. The Berber heritage should be part of a broad framework of protection of the architectural and landscape heritage. It has significant and diversified potentials and in identifying the cultural resources of the Berber heritage, it is vital to study it as an ensemble not as entities, buildings and objects. I have focused primarily on architecture as a material expression of this culture, a formal manifestation of a way of being and an element of national heritage. However, it is important to mention in the context of this thesis the existence of several other endangered cultural resources of great historical interest that have yet to be identified studied and dated, like the Jessour <sup>339</sup>that are being destroyed with the socio economic changes in the region.

This should also be the case for the Haouanet, which many are being used as dumpsters.<sup>340</sup> This heritage potential, which currently supports a number of economic activities, is today increasingly exposed to multiple threats that seriously affect its cultural value and may damage sustainable local development in the region. But, despite all the weaknesses and constraints, it is undeniable that the Berber heritage, since the revolution, is now reconsidered for its cultural value. The process of conservation and valorisation could finally only benefit the region, its cultural heritage and its future. The conservation and enhancement of heritage resources of the

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<sup>339</sup> A way of exploiting the surface runoff water for agriculture in arid regions. It is the oldest system of the highlands in the southeastern regions of Tunisia and constitutes the foundation of the agricultural activities in this zone. It is based on a retention dam made of earth or stone perpendicular to the runoff, behind which the crops, mainly fruit trees, are cultivated. The dam stops and stores the runoff and supplies in this way water to the crops.

<sup>340</sup> roughly cubic shaped, from 1.25 to 2.50 meters side, ancient sepulchral chambers dug in the rock. They are present mainly in Tunisia as well as in the eastern regions of the Algeria. These burials have one or more funeral chambers sometimes with interior arrangements (bench or pit). Presumably, of Numidian origin, haouanet were used until the time of the Roman presence in North Africa.

region therefore require- local governance that allows for arbitration between the different actors and allows the reconciliation of sometimes divergent interests. It is about putting in place a form of governance that ensures the management of collective resources in a democratic and inclusive way. A form of management that must be able to overcome the past conflicts between the different actors and communities and towards objectives that constitute a common national interest. For that, it is necessary that the conditions of the economic, social and especially political environment of these now minorities be improved.

## CHAPTER 6

### CONCLUSIONS AND RECOMMENDATIONS

When I began this thesis, I wanted to answer the research question on, *How history and politics can affect the conservation of a national Heritage.*

*The process of doing this thesis revealed many things,* politicians can betray a country's heritage by favoring some of its history's components and obscuring others. In the case of Tunisia, the patrimonial work was initiated under and through colonization, which distorted from the outset the patrimonial problem as a whole, because it was engaged in a manipulation of the past, largely favoring Roman heritage over Punic and Islamic heritage.

A new approach, conceived during the colonization of neighboring Algeria, was widely disseminated in Tunisia. It was based on the idea that France, as a worthy heir of ancient Rome, was somehow taking possession of a territory whose history and archeology proved that it was the legitimate owner. Gaston Boissier<sup>341</sup>, perpetual secretary of the French Academy, actively participated in spreading this representation of the past, which knew a large posterity especially with the French of Tunisia. At the same time, the political authorities of the Protectorate continued to widely promote the idea that the observation of the history of Roman colonization in North Africa could be rich in lessons, likely to facilitate the establishment of French

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<sup>341</sup> Gaston Boissier et al., *L'Histoire en Tunisie, La Tunisie* (Paris, Delagrave: 1898), p 17-21.

trusteeship over Tunisia. The objective was clearly expressed; it was to show that the true "civilization" came from the other side of the Mediterranean.<sup>342</sup>

This orientation, clearly colonial, has durably tainted the action of the administrators of the Department of Antiquities up through current times. Indeed, the work of the Antiquities Service has long been perceived as falling under imperialist objectives.<sup>343</sup> They considered themselves the only heirs of this heritage hence it was their responsibility. Later on, the heritage sector became a tool to compete within the realm of scientific developments against other western countries like Germany. All along, the practices and beliefs of indigenous cultures, and how they are acknowledged and accounted for in heritage management policies, continued to be ignored. The French scientists considered Roman archeology the only heritage that needed protection. Islamic and local heritage was not "patrimonized" until 1912, when the western interest towards oriental culture became exotic and intriguing. Today, heritage policies are still facing the same fate. The visions inherited from the protectorate period and the national heritage ideas implemented since the Bourguiba era are still predominant: this protection of Roman heritage and a sense of pride of the sole native and traditional heritage that is the Islamic heritage.

*What are the challenges that face Tunisian heritage management today ?*

As a start, the scarcity of archives and physical resources on tangible and intangible heritage, makes it very difficult to know Tunisian history accurately. It is restricted for several reasons: political, ideological and management contrasts. Then, there is the absolute absence of scientific research, which compensates documents and written texts for the deconstruction of

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<sup>342</sup> *La Tunisie Mosaïque*, (Toulouse, Presse universitaire du Mirail, 2000).

<sup>343</sup> Myriam Bacha, "La Construction Patrimoniale Tunisienne à travers la Législation et le Journal Officiel, 1881-2003 : de la complexité des rapports entre le politique et le scientifique ," *L'Année du Maghreb* IV (2008) Published October 01, 2011. Accessed June, 05 2018. <http://journals.openedition.org/anneemaghreb/433>

some critical issues in the history of Tunisia. This is one of the factors behind the paucity of historical information that does not meet the needs of researchers who strive to form a more scientific picture.

Another issue is the relationship of conflicting association between history, heritage, religion and identity that is largely nourished by the fact that these discourses each invest in their own way the emotional space of identity issues and attempt to structure the collective imagination and create a certain selective memory. Part of my curiosity in wanting to better understand the politics of the cultural heritage management in Tunisia was receiving my DNA test results. Even though, I wasn't completely shocked, I recall being confused by the results. I had a 60% North African Genome, 20% Italian, 10% Iberian and a 5% Middle eastern. Although these results have been proven not to be a 100% accurate, they still do reflect my genetic composition and mixture. These results made me question how I and most Tunisians identify ourselves as North African Arabs. This contemporary identity confusion is reflected in the degree of appreciation and presentation of cultural heritage places in Tunisia that contribute to the nation's sense of place and pride.

#### Recommendations:

*How to approach the conservation of a heritage that is a reminder of a complex past? Is there a need to redefine what a National Heritage is?*

Unravelling contested histories, probing the complexity and contradictions of the politics of remembrance and the contested material and psychological landscapes of our lives, should be used to construct narratives, establish connections with places and support the contemporary identity. Traces of diverse past identities and history should be celebrated, and empowerment of communities to investigate their own past should be encouraged and increased.



In addition, preservationists should examine ways of ‘disarming’ heritage so that it can be a tool for constructive dialogue, dignity, and union and should respect the full complexity of Tunisia’s history in the conservation of all aspects of cultural heritage.

Regarding Tunisia’s colonial heritage, it is very important to question the absence of policies for its preservation. The State’s attitude towards it has shown that it is still not included in the heritage field on any level, which answers the questions raised in Chapter 4 whether it is considered a constituent part and a component of the Tunisian national heritage or it is a post-colonial residue that triggers the memory of a dark time of the Tunisian history.

The first step in the conservation of this urban heritage would be a comprehensive inventory of all the colonial heritage with a vision to preserve not only the iconic and monumental (like the successive restoration of the Municipal Theater of Tunis or Saint-Vincent-de-Paul Cathedral), but also the every-day sites, buildings and neighborhoods of value that came out of this era. It is important to note that, recently, there has been a significant amount of attention paid towards colonial heritage inventories.

The order of the architects of Tunisia and the association Edifices & Memories<sup>344</sup> have begun as of June 2018 a campaign of inventory of the buildings of the city center of Tunis. This inventory will be used to develop a clear emergency response plan and will also serve to delineate protected areas from development. This impressive work should develop to also include the other endangered colonial cities. The INP should provide standard detailed field surveys. But as a first protection step and before classifying buildings in the national register, colonial city centers should be classified and inventoried as historic districts as a whole to restrict the urban expansion. A preservation plan should be included with every urban plan and a

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preservation committee in addition to the technical committee should be implemented in every municipality.

This will result in developing guidelines and standards to guide the preservation and restoration work on the national and local level.

On the other hand, raising awareness about the value of this heritage could have a more immediate effect on its conservation. This could be accomplished by including the community in the decision making phase. Engaging the public in preserving their environment will help in giving a sense of belonging to these colonial cities.

When it comes to the Berber Heritage, the current perception and presentation of this indigenous heritage is very questionable. The ideology of creating an Arab homogenous modern society by President Bourguiba has led to the eradication of the Berber culture and sometimes even the appropriation of some of its aspects to other cultures.

In an effort to answer the main question, *How the denial of the Berber heritage as a national heritage affects its interpretation and management*, this thesis first examined the reasons and events that led to the rejection of this heritage in comparison to its status in the neighboring countries. It also presented a study of the built Berber heritage and its relationship with the socio evolution of the Berber communities.

In identifying the threats that have and could damage the integrity and the authenticity of this heritage, it prevails that the main factors that affect the way the Tunisian society associates with the Berber heritage are a result of the authorities' policies since colonization. Just like the colonial heritage, the first step in ensuring the immediate protection of the Berber physical heritage is to embark in an intensive inventory of all its physical manifestations including objects, districts, sites, buildings, cemeteries and religious places.

This cultural heritage should be used and explored for its scientific, historic, sociologic and cultural significance. Workshops for architecture students should be held to understand the construction methods and the ingenuity of their ancestors in creating this isothermal vernacular architecture. In addition, since this heritage is on the verge of disappearing it is important to conduct several oral history interviews that could help in its assessment.

Before acknowledging the Berber language as one of the official languages in Tunisia, research studies on the Berber languages are highly needed and the inclusion of this language in schools as an optional language besides German, Spanish and Chinese should be recommended. All these steps could only be effective if there is an official recognition of Berber as the major component of the Tunisian society ethnically, historically and culturally. History books should be revised and modified and the Berber history should be celebrated and glorified as much as the Arab history. On the preservation policy level, a specific law related to the conservation of Berber heritage as an endangered indigenous heritage should be added in addition to the Heritage code that manages the Tunisian Heritage.

Just like the Native American Graves Protection and Repatriation Act (NAGPRA)<sup>345</sup> and American Indian Religious Freedom Act of 1978<sup>346</sup>, Berber existence should be recognized at all the legal levels.

In conclusion, preservationists should examine ways of ‘disarming’ heritage, so that it can be a tool for constructive dialogue, dignity, and union and should respect the full complexity of Tunisia’s history in the conservation of all aspects of cultural heritage.

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<sup>345</sup> 825 USC 3001-3013

<sup>346</sup> 42 USC 1996, 1996a: Protection and Preservation of Traditional Religions of Native Americans.

### Reflections:

For this research to continue, I feel the obvious next step would be to investigate on other case studies of unaccepted and unappreciated heritage, like the Jewish heritage (the role of Jewish communities in the metropolitan cities of Tunisia, Djerba, synagogues, Harras, Jewish traditions, rituals, food, music....), the Christian Heritage ( especially the cases of the repurposed cathedrals all over the country) and also the forgotten Andalusian heritage of Tunisia ( stories of villages like “Takrouna”, Andalusian music “Maoulf”, traditions....). There is a wide variety of heritage issues and threats that need to be addressed by scholars.

However, the lack and scarcity of financial and physical resources can make it difficult to prepare comprehensive cultural studies. For this reason, it is important to provide incentives for young researchers to multiply the studies, publications and literature on Tunisian heritage.

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