

A critique on private ownership and protection of architectural heritage: Case study of Arpaz Tower

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Abstract

Appropriate conservation and management practices for architectural heritage are crucial for national and local governments to develop since they are not only valuable individually as monuments, but they also impact the environment they are located in. However, this process can become complex when the property has a private owner. The aim of this research is to discuss the issue of private ownership in the conservation and restoration of architectural heritage and to provide an overview of its positive and negative aspects. To analyse these aspects, Arpaz Tower, which is located in the Western region of Anatolia and owned by the same family until recently (since it was built in the 19th century) was selected as a pilot study. The analysis of the performed research suggests that it might not always be possible to manage and protect an architectural heritage only with the efforts of private owners or governmental organisations. Therefore, a concrete strategy that can inform the owners before and during the protection process and adequate collaboration is required.

Keywords

Architectural heritage, Arpaz Tower, Ownership, Private, Collaboration.

1. Introduction

One of the evaluation criteria used for assessing an architectural structure as a cultural heritage has been the age value offered by Riegl (Riegl, 1903). Nowadays, the architectural structures of the 20th century have started to get into the heritage lists with acceleration since it has been more than a hundred years from the date they were built, and they began to satisfy the criterion of age value. When the heritage of the last century is analysed, it can be expected that private ownership is likely to become more common in the future of heritage topics since most of the structures of 20th century architecture are residential buildings and neighbourhoods which have private owners (Doğan, 2020). Currently, heritage conservation and restoration are performed by either governmental entities or nongovernmental organisations most of the time (Yung & Chan, 2012). However, in the future, due to having more residential buildings as heritage, the restorations might be performed more by private owners, which can create new dynamics in the heritage field. In that regard, it is crucial to understand the various aspects of private ownership and the issues related to that in the protection of architectural heritage.

Hodder (2010) argues that cultural heritage should not be discussed by ownership or decent, but it should be more considered due to terms of both benefit from and participation in cultural heritage. Furthermore, Jokilehto (2012) states that the usage of cultural heritage is not merely the right of the owners, but it should be viewed as a human right. In that regard, the management of these structures can become crucial since it is directly related to the general public interests, and this might outweigh the private gain.

In the matter of the protection of architectural heritage, having a private owner can have both positive and negative consequences from time to time. As De Clippele and Lambrecht (2015) state, while the traditional way of property rights is focused on the absolute enjoyment of the owners regarding their possessions when the property is a heritage, it might interfere with these

rights from lower levels to higher ones. Owning a architectural heritage property differs from owning any property and brings a different responsibility. However, this may restrict the actions that can be implemented and demand charges on the owners depending on the classification measures and conservation strategies. Furthermore, the cost of conserving and restoring can also impose a significant financial burden on their owners. While these impositions might create an uncomfortable environment for the owners, it should be noted that it is for the well-being and sustainability of not only the physical characteristics of the heritage but also for their intangible values. However, it should also be noted that expropriation should not be the only solution, and new strategies are required.

This research discusses the issue of private ownership in the conservation and restoration of architectural heritage and provides an overview of its positive and negative aspects. While the topic of private ownership is expected to be an issue related to 20th century heritage in the near future, these structures have other complications regarding not being appreciated by society when they become a cultural heritage. Therefore, to entirely focus on the ownership issues, the paper analyses Arpaz Tower as a pilot study of broader research. The basis for the selection of Arpaz Tower is related to two main reasons. The first reason is that even though the building complex is highly appreciated by the locals, and it is frequently mentioned in symposiums by academics, no preventative interventions occurred for this building complex, and it requires a strategy for its protection. The second reason is the fact that, until recently, the complex was owned by the same private owner since it was built in the 19th century. However, the status changed last year, and it was expropriated. Therefore, studying this building is found beneficial for the discussion of positive and negative aspects of private ownership of cultural heritage properties with multiple layers.

The paper starts by giving brief information regarding the property rights of architectural heritage and private ownership in heritage conserva-

tion. Following that, it focuses on private ownership and attempts to analyse its positive and negative aspects. In the third section, the paper examines the approaches and legislation towards the protection of privately owned heritage. It discusses different approaches which are implemented and focuses specifically on the Turkish conservation legislation and its relationship with property rights. In the fourth section, the paper focuses on the case study of Arpaz Tower. In this section, the paper provides information about the history of the tower to explain the context and assesses the issues that occurred related to its ownership and the consequences of it in the current situation of the structure. In conclusion, the research assesses the impacts and the possible strategies which can be followed for the improvement of the situation.

2. Property rights of heritage objects and private ownership in heritage conservation

Due to the intangible values they carry, cultural heritage - including architectural heritage- have a special status in law, which focuses on their protection, both for the culture and, at the same time, for the sustainability of the identity. As stated by Campfens (2020), this special status has been preserved in international laws since the first days. However, the issue of architectural heritage can be complicated from time to time due to ownership. In United Nations Educational, Scientific and Cultural Organization (UNESCO)'s Draft Medium-Term Plan 1990–1995, cultural heritage was defined as *“the entire corpus of material signs - either artistic or symbolic - handed on by the past to each culture and, therefore, to the whole of humankind.”* In this definition, one of the emphases is that heritage belongs to the whole of humankind, and it requires to be assessed in a holistic way (UNESCO, 1989). Appropriate conservation and management practices for architectural heritage are crucial for national and local governments to develop since they are not only valuable individually as monuments, but they also impact the environment they are located

in. When the approaches towards heritage conservation and protection are analysed in various countries, it is possible to see different strategies which involve regulations prepared and controlled by different institutions from different levels, such as national, federal and local.

For example, in Austria, if any change is intended to be performed on an architectural heritage, an application is required for permission from the municipality. After this application, the city takes over the responsibility and decision-making process by following the comprehensive laws (Stubbs, 2011). This approach can be regarded as similar in most European Union countries. On the other hand, in the UK, no single comprehensive law can be implemented nationwide. The approach followed in the UK is to have multiple pieces of legislation and regulations overseen by different organisations (Zaleckis et al., 2022). Therefore, there are a series of standards and strategies which are recommended to be applied in the process of rehabilitation and conservation, and there are various aspects and layers of them.

Property rights can be regarded as one of the under-emphasised aspects of heritage maintenance, with a few exceptions researched by Lai and Ho (2016) and Benhamou (2020). According to Cheung (1987), property rights of cultural objects are not clearly defined and effectively enforced, especially when the topic involves rights related to privately owned objects (movable and immovable) listed nationally or internationally. However, especially regarding movable tangible heritage, international laws on property rights exist, and most of the time, they are in favour of cultural heritage rather than private property rights (i.e. UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, 1970). As stated by Baysan (2007), even in 1877, in France, a legal regulation was introduced that limited the rights of the private owners of heritage properties in the name of protection of cultural assets. However, some scholars, such as Shelby (2007), Matthes (2018) and

Aykan (2018), state that ownership is valued more over heritage rights due to its close connection with human rights. Furthermore, due to inheritance being the core notion of the concept of cultural heritage. Because if nobody finds a heritage object culturally valuable, it will not have any importance. Therefore, the owner might be more influential in the equation. In the case of immovable heritage, the convention of the Council of Europe on Offences relating to Cultural Property was adopted in 2017 as well, which clearly stated that the destruction or damage of cultural property, when committed intentionally, is a criminal act. Therefore, there is legislation for the protection of cultural property; however, private ownership might be adding another layer to the protection process, and from time to time, it might create a clash between fundamental property rights and the protection of heritage. In this matter, private ownership and private property rights, their limits, and implementation of them in the protection of heritage become essential to discuss.

2.1. Private ownership of heritage properties

The definition of property objects and the content of ownership claims has been transforming in recent decades due to the growth of global capitalism (Aykan, 2018). While priorly, property was limited to tangible objects, nowadays, even information can be a subject of property rights. To own a property or to have a possession is one of the rights of human beings, which is stated in Article 17 of the Universal Human Rights Declaration. However, owning a cultural heritage property might have a different dimension than any other property (United Nations, 1948). As Blake (2011) states, cultural heritage and the rights of the owners are important issues in themselves, as well as the identities of individuals and societies and their development since these processes are directly related. Furthermore, Rowlands (2004) states that cultural heritage can be significant in the identity construction process for people, and it is directly related to personal and collective right to exist. Therefore, the owner of a cultural

property is responsible towards the other people as well, who recognise the reflection of their identity in these objects. However, as Logan (2014) states, this causes the conflict between individual and collective rights and creates the debate on which one is more dominant (Jakubowski, 2016). As stated by Macmillan (2013), there is a need to reach an agreement between governmental bodies and private owners depending upon some choices as to which rights should prevail and how. Especially when an architectural heritage has private owners, interventions towards the property might primarily focus on the interests or wishes of the owners (Wu and Hou, 2021). In that regard, it can be stated that private property owners have a paucity on considering the heritage values of their properties, which might create the perception that public ownership is more beneficial for the sustainability of the object. However, even though private ownership can contain negative aspects, it can also offer certain assets which would be to the advantage of these architectural heritage.

2.2. Positive and negative aspects of private ownership of heritage

Historical Monuments Act of France, which was signed in 1913, introduced a public easement that did not allow the private owners of historical monuments to make any changes to their artefacts without supervision or permission from the Ministry of Culture, which might alter the physical integrity of the property. Therefore, the negative aspects of private ownership have been a topic for a long while. However, private ownership can be a crucial positive asset for protection.

First of all, especially if the owner of the architectural heritage inherited the structure, it is possible that the object will have a sentimental value for the owner. As stated by Thurley (2005), valuing is one of the essential elements of heritage protection. When people attach a value to the heritage, it is more likely that they will spend an effort to care about it. In that regard, it is more likely that the private owners will attach a memento value to that heritage,

which can motivate them to protect and preserve the structure. Therefore, this can ensure the long-term survival of the structure.

Secondly, private owners might have the financial means to invest in the preservation and conservation of the buildings, which can shorten the process of searching for an investor or funding. Therefore, it can reduce the financial and economic burden on public funding. Furthermore, the interest in their own property can create philanthropic efforts, which can result in supporting conservation projects, educational programs, and community outreach initiatives for other heritage as well (Starr, 2010). In that regard, the private owners will not only help their own properties, but it can benefit the heritage community.

On the other hand, owners may not have the required resources, or even they might not have an interest in preserving the property. Prioritising the economic considerations rather than the meaning of the building can lead to making the objects vulnerable to not only to deterioration but also to their destruction. Therefore, this can be considered as one of the negative aspects of private ownership. According to Pickard (2009), in the countries in transition in central and eastern Europe, land and property restitution to the private owners can still be an issue, and it is even possible to notice a reluctance towards it. This can be due to the fear that the private owners might not accept the responsibility for safeguarding the heritage assets. Private owners of heritage objects have the tendency not to consider the value of the object for the general public and just act as if these structures are only their property. Essentially, this can cause accessibility issues for the structures, such as limiting the public from entering the building or restricting access in general. This can affect both academicians and professionals who want to document the structure but, at the same time, the citizens for their cultural experiences. As Lai and Ho (2016) state, in most cases, the regulations followed and the application in practice cannot provide a solution to the problem of open access to heritage buildings which have pri-

vate ownership. However, approaches such as expropriations should be implemented as a last resource. It is believed that situations regarding accessibility can be solved by the initiatives of private-public partnerships and heritage communities.

3. Assistance for the protection of privately owned heritage and legislation

Even though the conservation and restoration of architectural heritage can be funded by the government or other entities, the inevitable increase in the number of listed buildings implies increasing costs (Benhamou, 2015). Furthermore, even though there are some funding options, the continuity of these projects cannot be provided from time to time. Therefore, management regarding the conservation and restoration of some of these buildings can be left to their owners, and this will emerge the need of assistance for protection. As Bademli (2006) states, private properties cannot be expected to be protected by their owners purely because, in that case, private benefits and interests will be at the forefront when it is compared to the public good. Therefore, a long-term strategy for preserving the structures is required for the heritage belonging to private owners. Especially communicating the knowledge on the confirmation of whether or not any approvals are required for changes can be necessary for the private owners. Furthermore, information on how to achieve an outcome both for protecting the structure as well as personal gains can get the attention of the owners and assist them to be more involved in the process.

Cases regarding supporting the owners and providing information with technical sheets can be detected in various countries. For instance, in the example of Fremantle, which is a city in Western Australia, the Heritage Council of the City provides information on different topics, such as an introduction to good conservation practices, a checklist for inspections, how to look after limestone walls, make limestone mortars and repoint lime mortar joints and how to deal with dampness in old

walls (Heritage Council of the City of Fremantle, 2015). On the other hand, the city of Warsaw in Poland provides information regarding legal works for their citizens who privately own heritage and technical drawings of good practice ideas for the interventions which can be implemented in the area of Żoliborz (Domagalska et al., 2017). Even though tailored technical information is particularly crucial for assisting private owners and private initiatives, provided general information can support in general terms as well. However, every heritage in different locations will require a particular approach and traditional methods, which will merely be supported by the help of the experts.

3.1. Different approaches regarding the management of heritage

Without the advice of the experts, the protection of privately owned structures can be complicated, not only due to not having enough knowledge about the physical repairments but also due to the subjective approach towards its management. Therefore, different approaches are required for the protection and management of heritage.

To facilitate an easier living standard for the owners, façadism was used as an adaptive reuse strategy for various architectural heritage structures in the past, even though it does not comply with the Venice Charter. According to the definition of Richards (1994), façadism is the retention of the front or exterior of a building, even though the interior is completely gutted and replaced. Therefore, this approach only protects the façade but not the essence of the building; furthermore, it establishes a theatre décor rather than a historical environment. While this approach preserves the historical façades, it allows the unrestricted alteration of the interiors (Benhamou, 2015). Loyer (2001) states that, in the 17th and 18th centuries, façadism was employed to beautify cities. It was used in the post-war period to preserve the historical material that remained during the rebuilding efforts. In contemporary usage, it is more about keeping the façade for economic reasons and is seen as

a compromise between divergent interests, especially in the US. However, perceiving the façade as a separate element segregates the building from its own design and the environment, which might result in different outcomes. Furthermore, it might be possible to state that this method can establish more negative results rather than positive ones for the heritage, and it cannot even be regarded as maintenance or restoration.

Another approach can be regarded as expropriation, which is followed by the preservation of the architectural heritage that have private ownership. For the first time, the possibility of expropriation was included in the Granada Convention of the Council of Europe to protect architectural heritage. Article Four, sections C and D in the Granada Convention (1985) states that each Party shall prevent the disfigurement, dilapidation, or demolition of protected properties, and they should introduce legislation which “permits public authorities to require the owner of a protected property to carry out work or to carry out such work itself if the owner fails to do so” and “allows compulsory purchase of a protected property”. Every country has their own practices of expropriation for fair compensation of the property rights of the private owners.

Other than expropriation, governments can have other direct interventions for achieving the conservation goals of the privately owned heritage property. Using regulatory policy instruments such as zoning, land acquisition, and development control are the traditional approaches which can be implemented (Hou et al., 2020). However, Shahab et al. (2018) state that the efficacy of these approaches to deal with privately owned built heritage is questionable since they have low effectiveness. Therefore, new approaches are required continuously. Partnerships and the transfer of development rights are some of the most common programs since they meet the demand. At the same time, they have the ability to balance the conflicts between public and private interests with minimal use of public funds (Hou et al., 2020). Furthermore, they assist the public partic-

ipation while lowering the transaction costs. However, every country has different approaches and legislation.

3.2. Turkish conservation legislation and its relationship with property rights

According to the Protection of Cultural and Natural Heritage Law (No. 2863, Article 6), in Turkey, the structures which are built in 1899 and before are identified as immovable cultural assets that require to be preserved without the need for any other action. However, immovable properties constructed after the year 1900 can be only a subject of protection if they are recognised by the Ministry of Culture (Özel, 2018). Immovable cultural heritage, such as architectural heritage which is under the scope of this law, can have both governmental and private ownership. While the structures which are owned by the government are under the responsibility of the government for their protection, the private owners are obliged to fulfil the maintenance and repair of these assets (Protection of Cultural and Natural Heritage Law No. 2863, Article 11). Furthermore, private owners can only use the powers provided to them by their property rights over these assets only to the extent that they do not conflict with the provisions of the law. For the restoration projects or the physical restoration of the privately owned heritage, the owners can apply to the Ministry of Culture and the General Directorate of Cultural Assets and Museums for assistance (Official Gazette of the Republic of Turkey, 2009).

From time to time, related to the inheritance issues, the architectural heritage might not only have one private owner but multiple private owners. This can happen regularly in the context of Turkey. In this situation, the private ownership becomes more complicated because a deed of consent will be required from the other owners. Furthermore, it might also affect the decision-making process since there would be more than one person who is responsible for the safeguarding of the objects. In circumstances like this, the government can frequently follow the

expropriation route.

In Turkey, the expropriation of cultural assets is supported by the fees which are collected as a part of the real estate taxes. According to the regulations on the contribution for the protection of immovable cultural assets, there is an imposed rate of 10% of the real estate tax, which is used for the implementation of the projects and expropriation (Regulations on the contribution for the protection of immovable cultural assets, 2009). In order to implement the expropriation and the other steps, such as the preservation and evaluation of immovable cultural heritage property, the government bodies prepare a series of documents. Most of the time, the expropriation procedure is implemented depending on the urgency of the conditions of the heritage property (Albu & Leşan, 2021). However, the expropriation of heritage properties which has private owners should be used as the last action to protect the structures or in the situation when the private owner is not taking care of the building intentionally.

Some of the architectural heritage in Turkey can encounter deterioration, not only due to belonging to private owners but also due to being owned by institutions such as the General Directorate of Foundations. According to Akar (2011), the General Directorate of Foundations is one of the oldest institutions since it is the continuation of the foundation institution from the Seljuk and Ottoman eras. However, this institution is not only responsible for the still-existing foundations and their properties but also structures with an appointed trustee registered in the name of the state treasury (Doğan, 2023). Therefore, from time to time, the preventive measures for these structures can result in conflicting situations, especially regarding political decisions. However, models such as private-public partnerships, which work with the intention of restoring and managing the process and subsequently transferring the property rights of the heritage or sponsorship agreements which can assist in the restoration and maintenance of the properties, are commonly used in Turkish

legislation.

In the end, the poor state of repair of the architectural heritage in the environment can generate no socio-economic benefits to anyone (Greffé, 2004). With the management of the restoration and maintenance of the heritage property, the decay could be much more rapid. One of the examples of this is Arpaz Tower, which is located in the Western Anatolian region of Turkey. The structure is not being restored, and in its current state, the appreciation towards the building is decreasing day by day. In that regard, it is found to be a beneficial example for understanding the positive and negative aspects of private ownership and how it is dealt with.

4. Case study: Arpaz Tower

4.1. History

Arpaz Tower is a unique architectural heritage in its surroundings due to its physical characteristics, but at the same time, due to the historical period it represents. (Figure 1.). It is one of the few structures left in the Western Anatolian region, which was built as a defence tower.

The tower is located in Arpaz (Esenköy) village, near Nazilli. The tower is part of a complex, which is one of the examples of Ayan Architecture in the Ottoman Empire. According to the Encyclopaedia of the Ottoman Empire (Agoston, 2008), the word Ayan represents the local noble class or dynasts in the 16th to the early 19th century in the Ottoman Empire who held different degrees of authority in provincial towns. They used to supervise the interaction between the government and the public, such as helping the government to collect and supervise the distribution of tax (Ergenç, 1981). However, especially in the late 18th century, the system started to get corrupted, and the head of the noble classes became more of a feudal lord with bigger lands and environmental authority than the government itself (Öksüz, 2005). In these lands, they gave the opportunity to the local public to work and stay, and in return, provided them protection. The Arpaz family was one of those noble families who had lands in the area, which is located near the



Figure 1. Façade of the Arpaz Tower (The photo is taken by the author).



Figure 2. The complex with the tower and the mansion (The photo is taken by the author).

Meandros River. The family owned significant lands on this plain, which included a mansion, a tower and outbuildings located all around the farm (Figure 2.). Furthermore, ruins of a castle in the same plot were found in 1986 (Arel, 1986).

After the 1829 uprising in Aydın

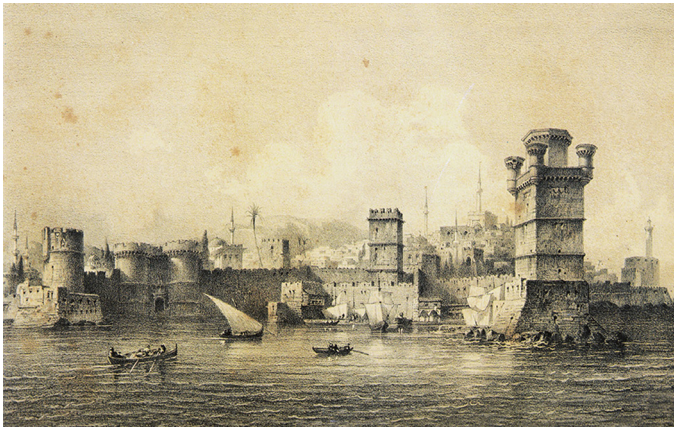


Figure 3. Engraving of the fortifications of the harbour of Rhodes as seen in 1862 (N. Kasseris, 1997).

surrounding, the head of the family, Arpaz Hacı Hasan Bey, was exiled to Rhodes by Sultan Mahmud II due to being unable to control the uprising. However, a few years later, he was forgiven by the Sultan, and he returned to his family lands (Hürol, 2011). As stated by Hürol (2011), when he returned from Rhodes, he brought approximately 30 Greek mason workers with him, whom he used to repair his farm and fortify the existing tower. According to Arel (1992), in this repair process, the workers from Rhodes made the tower look similar to the Naillac Tower of Saint John Knights (Figure 3.).

4.2. Issues caused the current situation of the building complex

While various reasons caused the issues regarding the current situation of the Arpaz Tower, one of the most dominant ones can be identified as the neglect towards the structure. However, this might be the result of different layers of problems.

One of the problems can be regarded as the ownership status of the building with two different aspects. First of all, the structure was still owned by the same family who built the structure in the 19th century until 2022. Therefore, it had private ownership, which established the expectation to be protected and maintained by its owners. However, this could not be achieved successfully.

According to the interviews with the family, which took place in 2011 as a part of a master's thesis research at Yildiz Technical University, Istanbul, by Şahizer Meltem Hürol, it is revealed

that one of the problems regarding the building was not the ownership issue due to the private owners but the number of owners at present. Therefore, there was the existence of multiple private owners (Seven family members) who were required to give each other the deed of consent in anything that needed to be done. According to Hürol (2011), until the beginning of the 20th century, there was no problem with the maintenance and the use of the buildings since the owner of the complex was the eldest son of the family, and he was taking care of the structures. However, after he passed away, inheritance was divided between the relatives, which provided some rights to the buildings for many people. As a result, since there was not one person in charge of the restoration or the maintenance of the structure, it started to be neglected. Therefore, over the years, the building got damaged, both due to the disregard by the owners and, at the same time, the disregard by the heritage institutions. Furthermore, the climate conditions started to affect the complex more, which accelerated the decay.

The tower and the whole complex were registered as an architectural heritage in 1988 by the Ministry of Culture of Turkey (Yaşar & Tarhan, 2022). According to Hürol (2011), one of the owners at the time claimed that he applied many times to the Ministry of Culture to receive financial and technical support for the conservation and maintenance of the complex. However, he was not able to get the required funding. Furthermore, according to the statement of the family to author Meltem Hürol, in the same period, the family also stated that they donated the heritage objects to the General Directorate of Foundations on the condition that they would be repaired within seven years; however, no repairs were conducted, and the property was given back to the responsibility of the family again (Hürol, 2011). After this date, the building complex and its deterioration process continued.

Another reason which can be regarded as one of the causes of the damage to the complex can also be the fact that the tower and the mansion have

been empty for a long time. Since nobody lives in this complex, the issues about the complex cannot be detected regularly, and it limits the interventions which can be done on time. However, there is the necessity of preventive repair from the deterioration of the complex. Due to the immense amount of cultural heritage in Turkey, the approval periods of the projects might be lengthy and slow. However, if the property owned is listed, it does not mean that the owners cannot make any changes to the structure, and as long as the proposed changes are conducted legally, these maintenance and repair work are regarded as development in most cases. Therefore, even though these broader maintenance and preventative repairs were required for the integrity of this complex by the consultation with the experts, these measures were not taken.

In 2022, the municipality of Nazilli expropriated the complex by having an agreement with all seven owners who had the inheritance rights on the property (Yaşar & Tarhan, 2022). Furthermore, the municipality received authorization from the municipal council for the employment of 20 personnel for the restoration of the structure. Even though it was announced that the complex was included in the 2023 investment program by the Ministry of Culture for its restoration, no changes are still taking place (Beginning of 2024), and no work has started. Unfortunately, at present, the survival of the structure is only possible with comprehensive restoration work to be done (Figure 4.). However, despite the expropriation, there is no concrete strategy for the structure and the financial consequences of the restoration projects still remain a burden to the municipality, as it was a burden to the private owners of the structure. Apart from the problems arising from economic reasons, other factors that threaten the existence of the complex are external factors such as theft, fire and treasure hunting.

5. Conclusion

When an architectural heritage has private ownership, it might be possible to state that from time to time, it can be harder to protect the property, or it can



Figure 4. Deterioration at the terrace floor (The photo is taken by the author).

be more complicated if it is compared with a governmentally owned structure since it is accompanied by various consequences. These consequences can be both negative and positive, and they can directly affect the conservation and protection process. Especially in the case of residential buildings, if a heritage has a private owner, it should be remembered that before being a heritage, the structure is a house for the people who inhabit them. Therefore, it is crucial to establish the balance between the rights of the owner and the general public and, furthermore, adjust the negative and positive aspects. If it would not be possible to establish the proper equilibrium, it can create potential concerns about the continuity of the heritage.

One of the negative aspects of private ownership can be the limited public access to heritage. However, a solution to this can be arranged by the initiatives of private-public partnerships and collaboration with heritage communities. Furthermore, another negative

aspect can be conflicting interests with the profit motive towards the heritage, which can result in the potential risk of neglect or commercial exploitation. On the other hand, inheriting a heritage can also have a positive outcome, which is adding sentimental and memento value for the owners. Therefore, this can motivate the owners to protect and look after the structure. Furthermore, if the private owners have the required finances, it can make the process faster, rather than waiting for sponsorship and funding.

Many countries have laws and regulations regarding the protection of heritage regardless of ownership issues of them. Especially governments and heritage organisations have a crucial role in developing strategies so the heritage can continue its life. These strategies can involve legal protection, such as establishing restrictions on alterations, demolitions, or changes to the façades; financial incentives, such as tax credits or grants, to private owners who invest in the preservation and restoration of architectural heritage. Furthermore, strategies can involve providing expertise and helping to engage the local communities in the process. Creating technical expertise sheets which are tailored for each individual building can be beneficial. Therefore, it can provide the required knowledge both before and during the protection process.

In the case of Arpaz Tower, even though there are many approaches which can be followed by the governmental institutions, unfortunately, the governmental organisations are taking a slow pace for the protection of the building. The government can implement a strategy that can encourage the creation of public-private partnerships and foster joint efforts to conserve and protect the building. Furthermore, it can acquire the financial responsibilities for the restoration of the complex to benefit from it for tourism. In that regard, the model of “restore, manage, transfer” can also efficiently work for this complex. Partnerships and the transfer of development rights are some of the most common programs since they meet the demand. At the same time, they have the ability to balance the conflicts between public and private interests with minimal use of

public funds.

It is possible to state that balancing private ownership rights with the need for heritage protection is an ongoing challenge. However, finding a sustainable approach that encourages private investment while safeguarding architectural heritage is also achievable. Therefore, Arpaz Tower is still lacking a concrete strategy even though it is crucial to ensure that this valuable landmark can continue to enrich the understanding of heritage for future generations. In that regard, it should be noted that it might not be possible to manage a heritage, such as the Arpaz Tower, with the efforts of only private owners or governmental organisations. As a result, collaboration is immediately required; however, the government also needs to act as soon as possible before the complex totally vanishes. The balance between ownership rights and heritage rights is a complex and, most of the time, a context-specific matter that is subject to negotiation, debate, and evolving societal norms and values. However, the relative importance of these rights is a matter of ongoing discussion and may change over time as societies evolve.

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