XVII International Congress on Dry Stone

"Dry stone perspectives: challenges after the UNESCO inscription" Cavtat, Croatia, October 1-2 2021

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Rescue, restoration, and promotion of mountainous traditional dry stone structures

The case of the drystone paths of Verga (Kalderimia of Selitsa) in Taygetus Mnt

Summary:

Documenting and defending traditional dry-stone paths -A 10-year Odyssey (2012 – 2022)

- 1. Documenting the existence, age, public use, and ownership of traditional paths.
- 2. Presenting the case to the Administration (community, municipality, regional authority, decentralized administration, government).
- 3. Recognition of traditional drystone constructions as Monuments of Cultural Heritage, by the Greek Ministry of Culture. Restoration studies by citizen organizations and their approval by the Ministry.
- 4. Opposition by contractors, challenging the public use and ownership of the old communal paths in front of criminal courts with false arguments, as well as with the involvement of public services and administrative courts against supporters of the case
- 5. Long court struggles of residents and their associations, defending the case in criminal and administrative courts, until their solemn acquittal. The resulting court decisions constitute jurisprudence about the existence, historicity, communal use, and public ownership of traditional dry-stone paths. Especially the decision of the "Council of State", judgments of which constitute case law for similar cases.



- 6. Refusal of the decentralized administration to recognize that the centuriesold –"Kalderimia of Selitsa" existed before 1923 CE. They invoked irrational provisions of outdated Greek urban planning legislation.
- 7. Indifference and refusal of the municipal authority of Kalamata and the regional authority of Peloponnese to finance the restoration of the above paths, despite several court decisions and approvals of the restoration studies.
- 8. The paths of Verga were included in the Archaeological Cadaster of the Greek Ministry of Culture, upon request of the "Friends of Verga". Similar requests by citizen associations to the Greek Ministry of the Environment, for inclusion of the old traditional paths in the Greek National Cadaster, are still pending, waiting for relevant legislation.
- 9. Expanding the objectives and the involvement of local community associations, led to the design and implementation of a "Holistic & Participatory approach to a Sustainable Development Program for Mount Taygetus". It provides for the participation of all four neighboring municipalities: Kalamata Sparta West & East Mani, scientists and researchers from many university departments, research institutions & laboratories, national & international organizations, associations, and local businesses.

Keywords: Kalderimia Selitsa Verga Taygetus

Drystone

Paper:

Rescue, restoration, and promotion of mountainous traditional dry stone structures

The case of the old Paths of Verga (Kalderimia of Selitsa): a 10-year-old Odyssey

1. Introduction - a brief history of a 10-year Odyssey (2012 - 2022)

The three settlements of Selitsa (Verga), are located on the western slope of Mount "Kalathi" (Borolivas), part of the Taygetus mountain range.

Selitsa (alias Ano Selitsa, Ano Verga), the oldest settlement (founded 800 CE), extends at an altitude of 850 - 900 m. Kato Selitsa (alias Kato Verga), the newer settlement (1835 - 1850 CE), extends at an altitude of 200 - 350 m., and Paralia

Verga, the recent settlement (~ 1950 - 2000 CE), extends at an altitude of 5 - 200 m. From 1956 onwards the name "Selitsa" was substituted by "Verga".

The Old Communal Path (OCP) of Selitsa, alias "Kalderimi 3":

- it was for hundreds of years the only access road from the ancient Selitsa to the beach of Almyros in Kalamata, as well as to Agios Georgios on Mount Kalathi (altitude 1340 m.)
- since Kato Selitsa and later Paralia Verga were inhabited, the OCP connects all three settlements with the coastal road of Mani, as well as with Mount Kalathi and the Taygetus mountain range
- until1989, when the new Evangelistrias road reached Kato Verga, the OCP was still the only access road to the settlement, mentioned as the communal road in contracts and Community certificates
- the OCP is a drystone paved path with drystone sidewalls, about 8 km long, which was recently designated (2015 2018) as Cultural Heritage Monument with successive proposals of the Central Council for New Monuments (KSNM) and then decisions of the Ministry of Culture (YPPO)



Gov. Gazette 185/AAP/2015: 1st CHARACTERIZATION OF MONUMENTS - ROUTES IN KATO SELITSA

- a decision of the highest annulment court, the "Council of State" (STE), which rejected an appeal by trespassers, ratified the YPPO decision in designating the OCP a Cultural Heritage Monument.
- the Kalderimi 3, is an old mule-road dating before 1830 CE, but in the form in which the drystone pavement exists today- is protected by the Ministry of Culture

as a newer monument dating back before 1915 CE. Therefore, based on the Vetustas doctrine, this old mule road qualifies as a road of public use.

Gov. Gazette 143/AAP/2018: 2nd CHARACTERIZATION OF MONUMENTS ROUTE: KATO SELITSA – APANO SELITSA – Ag. GEORGIOS

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CIRCLE PROGRAM OF THE SELITSA – APANO SELITSA – AG. GEORGIOS

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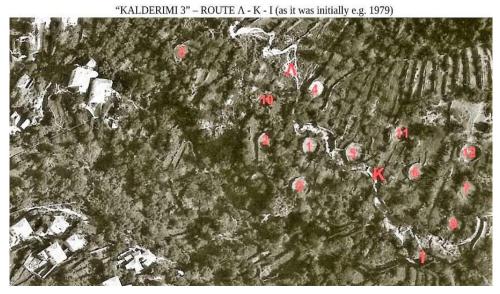
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SEGRETARION

- after successive lawsuits and disputes of interested trespassers, which lasted six years, seven court decisions have repeatedly given reason to the arguments of residents and citizens' associations, the decisions of the YPPO, and the reports of the Urban Planning Department (YDOM) of Kalamata: five criminal, an administrative and the highest annulment court (STE)
- based on all the above decisions for the monuments, the Ministry of Culture approved the restoration studies of Kalderimi 3 and a stone-built Fountain (Ano Vrisi)



- three traditionally built drystone paved paths (Kalderimia 1, 2 & 3), 10 traditional threshing floors (Petralona), and a Fountain of Verga were recently included in the Archaeological Cadaster as Cultural Heritage Monuments (https://www.arxaiologikoktimatologio.gov.gr/el/search-data-map/?type= 158646)
 since 2013 the "Friends of Verga" have submitted requests to the Decentralized Administration to recognize the "Kalderimi 3" as a road pre-existing 1923 CE, as provided in the Greek urban planning legislation, and thus acquire the status of a legal communal road. Due to the incoherence of this outdated and irrational legislation, a Presidential Decree (!) is required for this, preceded by an audit of the Supreme Annulment Court STE (!).
- the "Friends of Verga" recently submitted a request to the (newly established)
 National Land Registry for registering the "Kalderimi 3" in the cadastral diagrams of Verga, as a "public road, with a special code for public areas, different from rural roads". This is necessary to secure the common use and public ownership of those roads, to protect them from disputes and encroachments. Such a designation requires an additional provision in current legislation, ensuring that there will be no building rights in the agricultural properties next to those roads. These complications and contradictions are due to the irrationality of the Greek

urban planning legislation, which allows for "exceptional building rights outside urban areas" (!)

- to integrate the issues of cultural heritage in a broader context, in terms of geography history environment climate mild and sustainable development, a "Taygetus Holistic and Participatory Development Program" was prepared collectively by civil society organizations. The program includes mountainous areas of all the four Municipalities of Taygetus (Kalamata, Sparta, West, and East Mani). In addition to issues of cultural heritage and traditional stone constructions, the program covers also other areas and activities, such as natural environment, landscape, flora, and fauna with emphasis on forests and pollinators, cultivating terraces and drystone walls, thematic tourism (mountaineering hiking cycling religion nature). Other goals are the revival of abandoned traditional mountainous settlements and residents' and citizens' awareness-raising.
- The program starts with three Conferences in Kalamata, Sparta, and Athens, with the participation of speakers and organizations (Greek and international) for the above areas of interest. Scientists from major Greek universities and research institutes support the program. The organizers want to repeat it every 3 or 5 years for progress monitoring and updating.

"KALDERIMI 3" - PHOTOS FROM OLD ROUTE B to A



2. The attitude of the local government

Since 2012, the removal of arbitrarily deposited rubble (> 2,400 m3, ~ 4,000 tons) from the Old Communal Path (OCP) of Selitsa is still pending, even though the Mayor of Kalamata in 2013 decided the "removal of arbitrarily deposited materials and the restoration of this communal area to its previous state".

The Peloponnese Regional Governor also decided in 2014 that this was "an excavation without a license" and imposed fines and administrative sanctions.

After the designation of the Kalderimi as a cultural monument, the Ministry of Culture approved the restoration studies submitted by the "Friends of Verga," providing for "removal of the rubble until the revelation of pre-existing natural soil (and) for complete restoration - reconstruction of the traditional drystone pavement and the drystone walls, including the regeneration of still existing sections under the embankments".

OLD "KALDERIMI 3" - PHOTOS FROM ROUTE Λ - K (4000 tons of rubble in 2012)



CONTRACTOR'S ARBITRARY AND ILLEGAL ACTIONS

OLD "KALDERIMI 3" - PHOTOS FROM ROUTE Λ - K (after 2012)



The "Ombudsman", for several years, has been harshly criticizing the Mayor of Kalamata for non "restoring the old, paved path and not removing the arbitrary embankments", pointing out also that -"the problem arose from the inaction/omissions of the Municipality....-that the answers of the Municipality are vague, not satisfactory or sufficiently documented...that -there is the impression that there is an intention on the part of the Municipality to not conduct the restoration and that (the Municipality) has taken no action to find necessary resources" etc. The mayor claimed that he aims to promote tradition and cultural heritage and seeks an appropriate financial program since the Municipalities' resources are not sufficient at this time"

OLD "KALDERIMI 3" - PHOTOS FROM ROUTE I - M (paving-walling before 1800)











Finally, the former Mayor of Kalamata found an "appropriate financial program", when he took over as Governor of the Peloponnese Region, and - at the request of the "Friends of Verga" - gave instructions so that this – approved by the Ministry of Culture – restoration "be considered in the Taygetus financial program". Finally, after 3 years, it turned out to be a mockery, to postpone the protests of residents and citizen organizations.

KATO SELITSA: TRADITIONAL STONE CONSTRUCTIONS (1750 - 1950)













KATO SELITSA (VERGA): TRADITIONAL STONE CONSTRUCTIONS (1870 - 1900)







STONE BUILT AQUEDUCT TANKS (1871)

The new Mayor of Kalamata continued the perpetuation of not imposing sanctions and the concealment of illegalities. The municipal water service proceeded with massive concrete construction in the trampled and covered with rubble area, without the approval of the Ministry of Culture, an arbitrary and illegal act concerning the provisions of the archaeological law. This attitude of the Municipality confirms the assessment of the Ombudsman that "there is an impression that there is an intention on the part of the Municipality not to proceed with the restoration after the removal of the rubble".

This arbitrary and illegal intervention in a Monument should be immediately demolished, the rubble removed at last under the supervision of the Ministry of Culture, and the Monument restored properly by the municipality. Administrative

and criminal responsibilities should be sought by the authorities, and appropriate sanctions should be imposed on the perpetrators, so as not to create a climate of arbitrariness and impunity, which is catastrophic for the Cultural Heritage, as emphasized in a relevant letter to the municipality from the Archaeological Ephorate of Messenia.



On the contrary, the new Mayor hired one of the two trespassers as an "unpaid special Advisor for urban and cultural issues"! This happened two months before a civil court of appeals adjudicated on the lawsuit of the two trespassers against the Municipality, seeking to be recognized as the owners of parts of the new municipal road and the old communal path. Both the former mayor in a court of the first instance and the new one in the court of appeals refused to appear in the courts and defend the common use and public ownership of the roads, thus "giving" their friends the citizens' property. The decision of the court of appeals is still pending.

KALDERIMI from KATO to APANO SELITSA – OLD ROUTE M-N-Ξ-Ο-Π (before 1800)

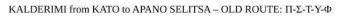
The stubborn refusal of the Mayor of Kalamata and the Governor of Peloponnese Region to impose appropriate sanctions on their collaborators/perpetrators, to defend the communal use and public ownership of the roads, and to finance the restoration of the damaged monuments from public Greek and EU budget, is unjustified and inadmissible.

At the 17th International Conference of the "international scientific Society for interdisciplinary studies on Dry Stone" (SDS), held in October 2021 at Cavtat - Konavle - Croatia, the delegates agreed to support the 10-year efforts of the "Friends of Verga" for the rescue - preservation – restoration, and promotion of the old traditional dry-stone structures in the settlements of Verga (Selitsa). "We call on the Municipal Authority of Kalamata and the Regional Authority of Peloponnese to proceed with the financing of the restoration and promotion of these monuments, from Greek and European Community Resources."

KALDERIMI from KATO to APANO SELITSA – OLD ROUTE: Π-Σ-Τ-Υ-Φ



SDS, "The International Molinological Society" (TIMS)-Hellenic Department, the

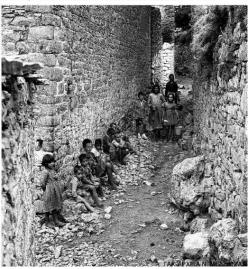




Greek society "Flowers on Stone" (Anthi tis Petras) also sent letters to the Mayor of Kalamata and the Regional Governor of Peloponnese. These International and Greek organizations, specialized in dry-stone and other traditional constructions, express their desire to cooperate in the restoration and promotion of the monuments of Verga and ask for financing the restoration by national and community programs. No answer from the Greek Authorities, so far.

ANCIENT SETTLEMENT OF SELITSA (APANO VERGA) - LEFT PHOTO 2018 - RIGHT PHOTO 1969





3. The attitude of the Greek Decentralized Administration

In addition to the Municipality and the Region, the Decentralized Administration of Peloponnese (ADP) also takes a similar stance: bureaucratic obstacles, tergiversation, attempt to cover up arbitrariness, justification of trespassers.

The "Friends of Verga" have since 2014 submitted a complete case file to the ADP for the recognition of the fact that the old mule-road of Selitsa is much older than 1800 CE, and that the drystone pavement and its drystone walls predate at least 1923 CE. The file contains pre-1923 parcel contracts and a sequence of legal property transfers to date, signed statements of old residents, detailed reports with topographic drawings, -and interpretations of orthophoto maps. It contains thorough research of historical references to Selitsa from 1300 CE to 1865 CE. Frankish contracts of 1360 CE, Venetian censuses of settlements and populations of 1700 CE, Venetian maps of 1700 CE from Italian and Austrian archives, excerpts of books dating about 1800 CE, maps and texts of the "French Scientific Mission to Morea" around 1835 CE, maps and inventories of the new Greek State.

Competent services and authorities that studied the case, such as the urban planning office of Kalamata, the Ministry of Culture, the Ombudsman, criminal, and administrative courts that examined relevant lawsuits and appeals, including the "Council of State" (STE), give justice to the arguments and data presented by the citizens and their associations.

All active citizens' organizations of Kalamata and hundreds of individual citizens supported the case in writing to the Decentralized Administration. However, this administration and its advisory councils and services refused to proceed with the recognition.

APANO SELITSA: CHURCHES / CHAPELS (1700 CE)









Evading a decision, in 2018 CE they referred the matter to the Ministry of Environment (YPEN), because "it exceeds the competence of the Decentralized Administration due to serious urban planning consequences, and a Presidential Decree should be issued"! However, they did not submit a complete file to YPEN, with the arguments and documentation mentioned above, but only unfounded - untrue views of their service and the trespassers. YPEN returned the file, unable to form an opinion and decide based on insufficient evidence.

KALDERIMI from APANO SELITSA to Ag. Georgios / FIR FOREST- Route: X – Ψ – Ω

In 2021, the "Friends of Verga" re-submitted the 2014 request, to YPEN and ADP, updated with all the latest information. The response of YPEN was in principle positive: it announced that it expects a complete dossier from ADP, supplemented with an updated opinion of its advisory councils and services, "for further examination and submission of a legislative proposal".

4. The urgent need to modernize the Greek Urban Planning Legislation

• The old mountainous paths and roads, located outside the boundaries of recent urban plans, pre-existed the neighboring private agricultural properties. They have always connected the settlements between themselves, with cities and ports, to transport and sell livestock - agricultural - forestry products from these mountain settlements to the cities and abroad. Conversely, for purchasing processed products from the city and imported goods from abroad.



• In the period before the National Independence (1821 CE), the land was the property (manor) of Byzantine - Frankish - Venetian or Ottoman landowners, while the Greek inhabitants of the settlements were employed as serfs. Throughout all these years, the mountainous paths and paved roads remained communal in use, as they continue to be till today.



"Ω" (1340 m.) – Ag. Georgios – Mnt "KALATHI" (Boro-Livas) – SELITSA – View to TAYGETUS Mnt

The drystone walls on both sides of those paths were boundaries between the public road and the agricultural properties in addition to their use as retaining walls. The drystone-paved mule-roads were typically three meters wide, allowing the simultaneous passage of loaded mules and herds of goats and sheep. Especially in areas with groups of threshing floors (Petralona), where loaded animals were "parked," the Kalderimi reached a width of six meters to allow the simultaneous passage of two loaded animals on both central "lanes", in addition to those parked near threshing floors.

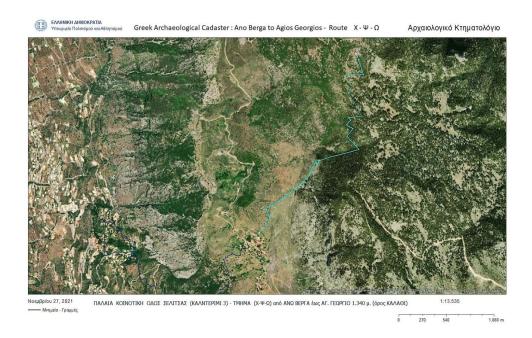
- The routes of those paths and mule-roads amount to hundreds of kilometers on the Greek mountains, connecting settlements, but also with other destinations, such as coastal cities ports, monasteries, churches, chapels, mountain shelters, fountains, springs. This network of old mountain roads is a valuable heritage from our ancestors, which is not only monumental but remains functional and useful to this day.
- In the light of protecting the environment and the landscape, the conservation of biodiversity (the mountain flora and fauna)-, the revival and utilization of mountain settlements, the value of this network of traditional roads, are enormous.

They constitute a readily available development capital, as elements necessary for the desired mild and sustainable tourism and product development and the response to the climate crisis.



• Traditional drystone paths and mountainous settlements acquire special tourist and development importance in the context of climate change and rising temperatures, as the coastal tourism of the Mediterranean countries must compete with coastal tourism in northern European countries. In general, the preference of visitors for mild tourism in areas of natural beauty increases, in combination with physical exercises such as hiking or mountaineering, and with a healthy stay in traditional settlements.

This kind of mild and environmentally friendly tourist development contributes to an autonomous revival of abandoned traditional settlements, as well as abandoned agricultural and livestock activities giving a higher income to the local community, compared to the big tourist resorts and,-cruise ships, where the accommodation of visitors concerns prepaid "all-inclusive" programs, without a benefit to the local economy.



- Despite all these advantages, there is no provision yet for the registration of the mountainous path networks as of communal and public ownership in the (newly founded) Greek National Cadaster. An important reason for this is that the recognition of the communal and public ownership of these old traditional roads, located outside the boundaries of urban plans, creates the right to build houses in the adjacent agricultural or forestland. This is based on the provision of "exceptionally building outside the borders of urban Plans", which is an outdated and absurd peculiarity of the Greek urban plan law!
- The Municipal and Regional Authorities HAVE NOT BEEN INTERESTED in securing those roads' communal and public properties, either defending them against trespassers in the courts or registering them in the National Cadaster. On the contrary, due to their dependence on their voters and on friendly "investors", they oppose the efforts of civil society organizations for rescuing and promoting them, even in the cases where the YPPO designated these old traditional roads as Monuments of Cultural Heritage.
- Hiking Mountaineering and other Associations already have coordinates of these "mountain trails", which they posted on hiking maps. The Associations pursue their efforts to register those roads at the cadastral offices, as "Interconnecting Roads"

between settlements or between settlements and other destinations, e.g., Monuments, Churches, Shelters, Fountains. They propose complementary legislation for a "new code of public area different from that of rural roads", to avoid the possibility of converting adjacent agricultural land into residential plots of land as well as to prevent damage, encroachments, and private claims.

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