

Creativity: Revitalising Nigeria's Historic structural heritage through the 1972 UNESCO Convention

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Abstract

Culture is the panoply of resources showing the uniqueness or distinctiveness of a place. Inspiration towards future creativity can be derived from the resources of the past. Refurbishing an old building or adapting an old skill for modern use leads to reinventing cultural heritage. There is no gainsaying that today's classic was yesterday's innovation. Dealing appropriately with the old, and not only a continuous invention of the new, is an aspect of creativity. This article reflects on the historic heritage of Nigeria and attempts to chart a way forward towards ensuring creativity and sustainability of the momentous heritage through the World Heritage Convention.

Introduction

Historic cultural heritage is an aspect of cultural heritage. Historic structures or monuments have over the years been threatened in several ways ranging from destruction during armed conflicts, increasing urbanisation, industrialisation, social and economic upheaval, pollution, climate change and international tourism. National laws have over the years attempted a protection of this aspect of heritage. Monuments of ancient Rome was protected in 1462 by a Papal Bull of Pius II¹ and a fear of the destruction of monuments of antiquity in churches during the Reformation led, in

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¹ Prott L.V and O'Keefe P.J, *Law and the Cultural Heritage: Volume 1 Discovery and Excavation*. Abingdon: Professional Books Limited, 1984: 34-35

1560, to Elizabeth I of England proclaiming against the breaking or defacing of Monuments of antiquity in churches.²

In the early nineteenth centuries, the basis for protecting monuments emerged with the French experience during the revolution and was reflected by Antione Quatremere de Quincy in 1789 to the effect that some monuments were important because of the effect of the structure and not because of the purpose for which they were used.³ The *comite des travaux historiques* was set up in 1830 to protect such monuments and by 1849, some 3,000 monuments had state funds earmarked for their preservation.⁴

The protection of monuments is borne out of the fact that historic sites are important to man's psychological, moral, spiritual, social, educational and recreational well-being. *Quatremère de Quincy*⁵ has stated the importance of monuments in ancient times thus:

'...monuments are connected diversely, extensively and in a highly significant manner with the history of the human intellect and its discoveries, errors and prejudices, and with the sources of all human knowledge. For discovering ancient customs, religious beliefs, laws and social institutions and for correcting, verifying and interpreting history, resolving its inconsistencies, making good its omissions and casting light on its obscurities, these monuments of antique art are an even greater source of inspiration than they are to the imitative arts. Thus philosophy, history, the science of languages, an understanding of the poets, a chronology of the world, scientific astronomy, and criticism are so many different parts of what is called the republic of the arts – all with

² O'Keefe R, *The Protection of Cultural Property in Armed Conflict*. New York: Cambridge University Press, 2006:28

³ *Ibid*: see also, Forrest C., *International Law and the Protection of Cultural Heritage*. London and New York: Routledge, 2010: 225

⁴ *ibid*

⁵ *Quatremère de Quincy A-C*, 1796. Extracts from Letters to General Miranda (Letter No. 2 p.20-21) in Prott L.V, *Witnesses to History...op.cit*.19

an interest in the whole. Hence, where an artist may admire the genius who endows material with life, the scholar may discover a masterpiece of astronomy, a decision at a sad juncture in history, new scientific inductions, or parallels leading to a hitherto unknown truth. It is therefore in the interests of science, no less than art that nothing should muddy, obstruct or dry up the source of this reproduction of the treasures of antiquity.'

In Nigeria, declaration of historic monuments was in 1956. Before then, the focus was on Nigeria's archaeological riches which showcased Nigeria's wealth in cultural resources leading to the neglect of Nigeria's monuments. This neglect has been a source of the deterioration and final disappearance of many historic buildings and sites in Nigeria leading to impoverishment of historic heritage in Nigeria.

The 1972 World Heritage Convention was inaugurated because of events, one of which is the construction of the Aswan High Dam which was completed in 1970 in Egypt for the purpose of controlling the annual flood of the Nile and to generate electricity for industry. Prior to its completion, it was realised that the dam would engulf several of the monuments that depict the long history of human habitation in the Nile Delta. Under UNESCO's intervention many of these monuments were saved and moved to higher ground.⁶ The need for an international cooperative effort also came to limelight in 1966 with the flooding of the historic cities of Venice and Florence which were saved by UNESCO's intervention.⁷ In 1970, UNESCO also prevented the disappearance of the archaeological remains of Carthage, Tunisia and halted the degradation of the temples of Borobudur in

⁶ O'Keefe, P. J. and Prott, L.V. Eds. *Cultural Heritage Conventions and Other Instruments. A Compendium with Commentaries*. Great Britain: Institute of Art and Law Ltd. 2011: 77

⁷ Forrest C., *op. cit.*: 227

Indonesia.⁸ The spur for the 1972 Convention was the fact that a permanent system of co-operation was needed to assist States in their role of protecting heritage of significance to humankind as a whole.

This article attempts to identify the scope of historic monuments from the international perspective and examines how this fits into the Nigerian context while at the same time considers the available protection in Nigeria in line with that offered by the World Heritage Convention. The article concludes by charting a creative way forward towards revitalising Nigeria's historic monuments.

The definition and scope of historic structural heritage

In the international arena, the destruction of historic heritage during armed conflict was the bane of the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict while the 1970 UNESCO Convention and the 1995 UNIDROIT Convention provide for protection of monuments in times of peace. The 1972 Convention for the Protection of World Cultural and Natural Heritage, however, made provisions for heritage 'of outstanding universal value' to mankind as a whole. The 1972 Convention, while protecting cultural heritage also aimed at developing environmental law by protecting natural areas and landscapes. Francioni⁹ sees this very close link between the cultural and natural heritage as a recognition of the fact that man and his creations are as much a product of nature as the aspect of creation that has evolved without man's interference.

The 1954 Hague Convention, in defining cultural property referred to '*immovable property of great importance to the cultural heritage of every people such as monuments of architecture, art or history, whether religious or circular; archaeological sites; groups of buildings which, as a whole, are of historical or artistic*

⁸ *ibid*

⁹ Francioni, F., *The 1972 World Heritage Convention*. Oxford: Oxford University Press, 2008: 5

interest; ...¹⁰ Buildings meant for preserving or exhibiting the movable cultural property also qualify as cultural property.¹¹

Under the 1970 UNESCO Convention, the categories of cultural property include elements of artistic or historical monuments or archaeological sites which have been dismembered.¹² The 1995 UNIDROIT Convention which made use of the nomenclature 'cultural objects' adopted the categories in the 1970 Convention.

The 1972 World Heritage Convention defined cultural heritage as:

'Monuments: architectural works, inscriptions, cave dwellings and combination of features, which are of outstanding universal value from the point of view of history, art or science;

Groups of buildings: groups of separate or connected buildings which, because of their architecture, their homogeneity or their place in the landscape, are of outstanding universal value from the point of view of history, art or science;

Sites: works of man or the combined works of nature and of man, and areas including archaeological sites which are of outstanding universal value from the historical, aesthetic, ethnological or anthropological point of view'.

The above definition is with regard to the fact that not all monuments and sites which fall into any of the suggested categories should be protected but only those of universal importance and interest from the view point of aesthetic, picturesque, scientific or historical perspective.¹³ Moreover, the categories constitute an integral whole which overlap.

The Operational Guidelines of the 1972 Convention give more focus to the categories above by reflecting that they constitute both

¹⁰ 1954 Hague Convention, Article 1(a)

¹¹ *Ibid*, Article 1(b)

¹² 1970 UNESCO Convention, Article 1(d)

¹³ Forrest C., *op. cit.*: 231

the definitional and constitutive elements of cultural heritage and applies to immovable cultural heritage.¹⁴

In Nigeria, the Antiquities Act 1953 was the first legislation protecting monuments. This Act was followed by the National Commission for Museums and Monuments (NCMM) Act 1979.¹⁵ The NCMM Act¹⁶ refers to Monuments as any antiquity declared as such by Section 13 of the Act while antiquity¹⁷ means

- (a.) *Any object of archaeological interest or land in which any such object was discovered or is believed to exist; or*
- (b.) *Any relic of early human settlement or colonisation; or*
- (c.) *Any work of art or craft work, including any statue, model, clay figure, religious mask, staff, drum, bolt, ornament, utensil, weapon, armour, regalia, manuscript of document if such work of art or craftwork is of indigenous origin and –*
 - (i) *was made or fashioned before the year **1918**; or*
 - (ii) *is of historical, artistic or scientific interest and is or has been used at any time in the performance and for the purposes of any traditional ceremony, and in the case of any object or relic mentioned in paragraph (a) or (b) of this section includes for the purposes of this Act any land adjacent thereto which in the opinion of the Commission, a State Government or, as the case may require, the President, is reasonably required for the purpose of maintaining the same or the amenities there of*

¹⁴ Operational Guidelines 2008, paragraph 48

¹⁵ National Commission for Museums and Monuments (NCMM) Act 1979, Cap. N19 Laws of the Federation of Nigeria (LFN)2004

¹⁶ NCMM Act, section 32

¹⁷ *ibid*

or for providing or facilitating access thereto, or for the exercise of proper control or management with respect thereto;

Objects of Archaeological interest has been defined¹⁸ to include

‘... (b.) any side trace or ruin of an ancient habitation, working place, midden or sacred place; or

(c.) any cave or other natural shelter or engraving, drawing, painting, inscription on rock or elsewhere; or...

(e.) any ancient structure, erection, memorial, causeway, bridge, cairns, tumulus, grave, shrine, excavation, well, water tank, earthwork, wall, gateway or fortification; ...

From the above definition, it is clear that under the NCMM Act, existing shrines are not protected and the cut-off date for human creativity worthy of protection is 1918.

Challenges in historic heritage articulation

As earlier mentioned, not all monuments, buildings or sites qualify for protection under the 1972 Convention. The major challenge has to do with determining those monuments with outstanding universal value which alone are worthy of protection.

Outstanding universal value is the key that qualifies an immovable heritage as a World heritage. This key is not defined in the Convention as it is elusive and fluid and changes over time from differing cultural perspectives. The Operational Guidelines for the Convention¹⁹ has however defined this notion as *‘cultural or natural significance which is so exceptional as to transcend national boundaries and to be of common importance for present*

¹⁸ *ibid*

¹⁹ Article 11, para.2

and future generations of all humanity.' Criteria for consideration for listing by the World Heritage Committee specified in the guidelines²⁰ are as follows:

- i. *Represent a masterpiece of human creative genius;*
- ii. *Exhibit an important interchange of human values, over a span of time or within a cultural area of the world, on developments in architecture or technology, monumental arts, town planning or landscape design;*
- iii. *Bear a unique or at least exceptional testimony to a cultural tradition or to a civilization which is living or which has disappeared;*
- iv. *Be of outstanding example of a type of building, architectural or technological ensemble or landscape which illustrates(a) significant stage(s) in human history;*
- v. *Be an outstanding example of a traditional human settlement, land use, or sea use which is representative of culture (or cultures), or human interaction with the environment especially when it becomes vulnerable under the impact of irreversible change;*
- vi. *Be directly or tangibly associated with events or living traditions, with ideas or with beliefs, with artistic or literary works of outstanding universal significance. (the committee considers that this criterion should preferably be used in conjunction with other criteria);*

²⁰ *Ibid.* and para.5

- vii. *Contain superlative natural phenomena or areas of exceptional natural beauty and aesthetic importance;*
- viii. *Be outstanding examples representing major stages of earth's history, including the record of life, significant on going geological processes in the development of landforms, or significant geomorphic or physiographic features;*
- ix. *Be outstanding examples representing significant on going ecological and biological processes in the evolution and development of terrestrial, freshwater, coastal and marine ecosystems and communities of plants and animals;*
- x. *Contain the most important and significant natural habitats for in-situ conservation of biological diversity, including those containing threatened species of outstanding universal value from the point of view of science and conservation.*²¹

Aside meeting at least one of the above criteria, the item to be listed for protection must meet the requirements of authenticity and integrity.²² Integrity signifies the property must be in good condition with the effects of deterioration controlled.²³ Authenticity on the other hand, requires that the value attributed to the heritage is reliable or trustworthy. A major challenge is that this value judgement varies from one culture to the other.

The World Heritage Committee has however made a noticeable shift in their practice from a selective understanding of

²¹ Operational Guidelines for the Implementation of the World Heritage Convention, WHC 5/2, 2 February 2005, Annex 3

²² *ibid*, para. 78

²³ *ibid*, para. 89

'outstanding universal value' meaning 'the best of the best' to an all embracing approach for cultural property depicting what is 'representative of the best.'²⁴

A great challenge faced in implementing the World Heritage Convention in Africa was the fact that in Africa, the societies do not demarcate between nature and culture and this served as a form of setback to embracing the Convention. Human beings were inseparable from the natural parks and reserves whereas Article 2 of the Convention lays emphasis on protecting the natural habitat from man's activities which is seen as destructive to the ecological balance. The Convention was not in line with the cultural and natural priorities of Africa. Africa's representation on the World Heritage List was therefore 4.95% in 1993.²⁵ This development led to the inauguration by the World Heritage Committee of the 'Global Strategy' to ensure a more representative and credible World Heritage List involving Africa. In promoting the Global Strategy, African experts ensured the elevation of the thematic areas such as archaeological heritage, living cultures (traditional know-how and techniques); spiritual heritage; cultural landscapes; routes and itineraries.²⁶ This feat increased the participation of African states in the Convention as the number of states that have ratified the Convention increased between 1994 and 2006 from 28 to 43. The number of cultural sites from Africa on the World Heritage List also increased from 17 to 35 between 1994 and 2007. The Global Strategy led to the listing of sites as Sukur Landscape in Nigeria; Matobo Cultural Landscape in Zimbabwe; Tsodilo Hills in Botswana; Kasubi Tombs in Uganda; Ambohimanga

²⁴ Cameron C., Evolution of the Application of Outstanding Universal Value" for Cultural and Natural Heritage, in doc. WHC- 05/29. COM/INF.98 of 15 June 2005.

²⁵ Munjeri D, Introduction to international conventions and charters on immovable cultural heritage in Ndoro W, Mumma A and Abungu G (eds.) *Cultural Heritage and the Law, Protecting Immovable Heritage in English Speaking Countries of Sub-Saharan Africa*. ICCROM Conservation Studies 8: 20

²⁶ *ibid*

Royal Hill in Madagascar and Osun- Osogbo Sacred Grove in Nigeria.²⁷

For Nigeria, the greatest challenge in the national legislation is the fact that the qualification as monument is benchmarked at being created before the year 1918.

3.0 Benefits for heritage listed in the light of the 1972 Convention²⁸

The 1972 Convention in its preamble,²⁹ has stated the background to the Convention which is the recognition of the fact that national governments require a large scale of resources, both economic, scientific and technical in nature to protect the heritage. Also, it is imperative for the international community to complement the efforts of national governments on whose territory heritage of outstanding universal value is found, to protect such from the magnitude and gravity of the new dangers threatening them.

The aim of the Convention is to identify from all over the world, properties of outstanding universal value, for inclusion on the World Heritage List. Even though the criteria for listing are artificial in nature, the Convention creates awareness and ensures that states, in an attempt to provide properties for nomination on the list, will take care of heritage within their domain by pumping resources into their protection and preservation instead of allowing them depreciate or be destroyed. This in turn will enhance sustainability of the heritage. The sites which end up being listed stand to benefit from the wealth of resources available from the Advisory bodies to the World Heritage Committee³⁰ which are international non-governmental organisations.

²⁷ *ibid*

²⁸ On the Convention and the activities of the World Heritage Committee, see generally: Francioni F, 2002. Thirty years on: Is the World Heritage Convention ready for the 21st Century? In *Italian Yearbook of International Law*: 14; Strasser P, 2002. Putting Reform into Action- Thirty years of the World Heritage Convention: How to Reform a Convention without Changing its Regulations, in *International Journal of Cultural Property*: 240

²⁹ The 1972 World Heritage Convention, Preamble, paras. 4 & 8

³⁰ 1972 World Heritage Convention, Article 8, para. 3

These advisory bodies are International Council of Monuments and Sites (ICOMOS) which is in charge of cultural heritage, World Conservation Union, formerly the International Union for Conservation of Nature and Natural Resources (IUCN) in charge of natural heritage and both bodies for mixed heritage. They are charged with the responsibility of making recommendations to the World Heritage Committee which the Committee is not bound to follow.

After a site has been listed, the site stands to benefit from these advisory bodies in the following manner:

1. ICOMOS aims at promoting application of theory, methodology and scientific techniques to the conservation of the architectural and archaeological heritage.³¹ Its roles as regards the World Heritage Convention include “...*monitoring the state of conservation of World Heritage cultural properties, reviewing requests for international assistance submitted by state parties, and providing input and support for capacity building activities.*”³²
2. Article 2 of the IUCN’s Statutes, contains its objectives which are “*to influence, encourage and assist societies throughout the world to conserve the integrity and diversity of nature and to ensure that any use of natural resources is equitable and ecologically sustainable.*” It is charged with similar functions as ICOMOS,³³ but in relation to natural heritage.
3. ICCROM- International Centre for the Study of the Preservation and Restoration of Cultural Property has the objective of carrying out research, documentation, technical assistance, training and public awareness programmes to fortify the conservation of movable and immovable cultural

³¹ Operational Guidelines para.34

³² *ibid.* para.35

³³ Operational Guidelines para.37

heritage.³⁴ Its functions as regards the World Heritage Convention is similar to that of ICOMOS and IUCN.³⁵

State parties in General Assembly during the ordinary sessions of the UNESCO General Conference can request that the World Heritage Committee seek the advice of other governmental and non-governmental organisations having objectives similar to theirs in the cultural or natural field on executing their programmes and projects.

The above shows the benefits of listing which is international aid and assistance in preserving the listed heritage.

4.0 The available protection of historic heritage in Nigeria

The NCMM Act, like its predecessor, the repealed Antiquities Act 1953, authorised the Antiquities Commission to declare as a monument any antiquity it views needed to be protected in the 'national interest.'³⁶ The repealed 1953 Act³⁷ made use of the words 'public interest' as opposed to 'national interest' found in the existing Act.

Obayemi appositely commented that there are

'thousands of buildings, city walls, fortifications, shrines...and sites within the borders of Nigeria which are veritable monuments, each with its unique personality, special attributes and message, ... from the creative ancestors.'

Through subsidiary legislation,³⁸ the National Commission for Museums and Monuments (NCMM) has declared several monuments some of which are:

³⁴ See ICCROM Statutes

³⁵ See Operational Guidelines para.33

³⁶ NCMM Act, Section 13

³⁷ Antiquities Act 1953 (repealed), Section 14

³⁸ Subsidiary legislation such as National Commission for Museums and Monuments (Monuments) Declaration Notice 1956; National Commission for Museums and Monuments (Monuments) Declaration (No. 2) Notice 23rd April 1959; National Commission for Museums and Monuments

The stone built causeway at Forof, near Bokkos in Plateau Province, together with an area of land including the stream within a radius of three hundred feet of the centre of the causeway;³⁹ the steel footbridge originally erected by the late Lord Lugard at Zungeru in 1904 and re-erected in 1954 in the Kaduna Gardens;⁴⁰ the first mining beacon to be erected in Nigeria, which was set up at Tilden Fulani, at mile 14 of the Jos- Bauchi road, by the Late Lt.- Col. Henry William Laws, CMG, Dso. On 19th September, 1905, together with the land within a radius of one hundred feet;⁴¹ the building known as 'Ilojo Bar', Nos. 6 Alli Street and 2 Bamgbose Street, Lagos, and the compound in which it is situated;⁴² the hills known as Kufena near Zaria and an area of farmland within three hundred feet of the foot of the hills;⁴³ the old West African Frontier Force fort situated at Okuta and the area

(Monuments) Declaration (No. 3) Notice 26 May 1959; National Commission for Museums and Monuments (Monuments) Declaration (No. 5) Notice 14th August 1959; National Commission for Museums and Monuments (Monuments) Declaration Notice 19th March 1963; National Commission for Museums and Monuments (Monuments) Declaration Notice 28th May 1964; National Commission for Museums and Monuments (Monuments) Declaration Notice 15th December 1964; National Commission for Museums and Monuments (Monuments) Declaration Notice 5th August 1965; National Monument (Old Secretariat Building) Declaration Order 6th August 1982.

³⁹ Legal Notice 12 of 1956 (16th Feb.)

⁴⁰ *ibid*

⁴¹ *ibid*

⁴² Legal Notice 31 of 1956 (5th April); According to Kenneth Murray, this building is probably of the architectural interest of all the old buildings in Lagos. See K.C. Murray, A List of Sites, Buildings and other Antiquities Declared to be Monuments under the Antiquities Act from February 1956 to December 1964. (1967) IV *Journal of the Historical Society of Nigeria* p. 161 quoted in The Destruction and Neglect of Historic Monuments in Nigeria. *Cultural Heritage Law and Management in Africa*. Lagos: Centre for African Arts and Civilisation(CBAAC) 2013:113-139 at 116

⁴³ Legal Notice 80 of 1956 (17th July); a town wall believed to have been built by Bakua or her daughter Zaria lay at the foot of the hill. Bakua is said to have been the 22nd ruler in the Zaria Chronicle who died in the sixteenth century. See See Shyllon F., The Destruction and Neglect of Historic Monuments in Nigeria, *loc.cit*.

within three hundred feet of the perimeter wall of the fort; the statue in Opobo representing King Jaja and the land lying within a radius of one hundred feet thereof;⁴⁴ the house and compound in Calabar known as the 'Old Residency' together with the contents thereof;⁴⁵ the house and compound in Calabar known as the 'Old Consulate';⁴⁶ the house and compound at No 19 Boko Street Calabar, known as Chief Ekpo Bassey's house;⁴⁷ the Old Iga building in Iga Idunganran, Lagos;⁴⁸ Sungbo's shrine in Ijebu-Ode, Ogun State⁴⁹ the river side shrine and sacred grove of Osun at Oshogbo, Osun State together with the shrine, its grove, the surrounding land;⁵⁰ among many others.

It is however very sad to note that the NCMM Act has neither provisions nor subsidiary legislation for the adequate protection and preservation of these monuments declared as national monuments and many of them have, since their declaration, been in a state of disrepair and some have even totally collapsed.⁵¹ Moreover, the societal chain whose links are based on the values of the society was not motivated by legislation thereby leading to a disregard of the nature of the Nigerian society and ultimately the collapse of the sites. For heritage to be preserved, local managers are essential.

Nigeria became a signatory to the World Heritage Convention in 1974. The Operational Guidelines of the Convention⁵² stipulate

⁴⁴ Legal Notice 179 of 1959 (14th August)

⁴⁵ *ibid*

⁴⁶ *ibid*

⁴⁷ *Ibid*; the house depicts a prefabricated timber house which was built by Chief E.E Bassey in 1886. See Shyllon F., *The Destruction and Neglect of Historic Monuments in Nigeria*, *loc.cit*

⁴⁸ Legal Notice 138 of 1969 (15th December); This palace built by the Portuguese in return for trading rights in Lagos is said to date from the reign of Oba Akinsemoyin (1704-1720)

⁴⁹ *ibid*

⁵⁰ S.I 10 of 1993 (23RD November)

⁵¹ For a detailed account of the total collapse of several monuments in Nigeria as a result of neglect, see Shyllon F., *The Destruction and Neglect of Historic Monuments in Nigeria*, *op.cit*

⁵² Operational Guidelines, paras. 96-119

that state parties in charge of properties listed should put in place adequate long term legislative, regulatory, institutional or traditional protection and management to ensure their safeguarding in addition to a management plan or documented management system. This is expressed in the Guidelines thus:

'Nominations presented to the Committee shall demonstrate the full commitment of the state party to preserve the heritage concerned, within its means. Such commitment shall take the form of appropriate policy, legal, scientific, technical, administrative and financial measures adopted and proposed to protect the property and its outstanding universal value.'

On the World Heritage List, Nigeria has two heritage sites namely the Osun-Osogbo Sacred Grove, Osun State⁵³ and the Sukur Cultural Landscape, Adamawa State.⁵⁴ The tentative List of UNESCO's World Heritage has a number of heritage sites intended to be nominated for inscription on the World Heritage List in future years.⁵⁵ On the Tentative List of Nigeria in 2007, a number of sites were listed. They are the Ancient Kano City Walls, Kano State;⁵⁶ Oke-Idanre Hill, Ondo State; Ogbunike Caves, Anambra State; Arochukwu Long Juju Slave Rute, Abia State; Surame Cultural Landscape, Sokoto State. Alo Ikom Monoliths, Cross River State was added to the Tentative List in 2008. Other

⁵³ The site is situated along the banks of the Oshun River and regarded as the home of the goddess of fertility – Osun. It is considered as the last of the Yoruba's sacred forests that is still standing. In 2005, it was listed by UNESCO as a World Heritage Site. Its yearly festival brings thousands of spectators, tourists and Osun worshippers from around the world.

⁵⁴ This is Nigeria's first landmark to be inscribed on UNESCO World Heritage Site in 1999. The landscape features a palace, ritual featured terraced fields decorated with dry stones and granites, which make the village setting so natural and exceptional.

⁵⁵ Operational Guidelines, para.62

⁵⁶ It was once regarded as West African's most impressive monument, a 14km radius earth monument that is associated with the state's historical, cultural and spiritual significance

significant heritage sites in Nigeria include Gashaka- Gumpti National Park, Taraba State and Oban Hills of Cross River State.⁵⁷ In 2010, the Minister of Culture, Tourism and National Orientation inaugurated a Management Committee, which works closely with the Madagali Local and the Adamawa State Government to protect and preserve the Sukur Cultural Landscape site together with UNESCO.⁵⁸ The other requirements of the Guidelines in protecting listed sites have not been met. The 1972 UNESCO Convention is also yet to be domesticated and implemented.

There is no gainsaying that today, the sustainability of the Sukur landscape is as a result of the harmony between the international, national and local levels of protection. As far back as the seventeenth century, the customary law protection centred on the *Hidi*, who is the spiritual leader/ wife to the society's elders and trustee/ collective husband. Young men divided into age groups aided 'the couple' in maintaining the vast landscape and the *Hidi* palace. Over the centuries, the landscape had been preserved because of the nature and character of the society that fashions out roles and responsibilities as norms aimed at retaining and sustaining the values of the landscape. The checks and balances in place kept the heritage intact.

5.0 Conclusion and Recommendation

Sustaining the cultural and natural heritage in Nigeria is only feasible when international law, national law and customary law are harmonised. This is because local customs and practices form the bedrock of both local and universal values. Nigeria needs to develop a legal framework and legislation that gives priority to historic heritage. The legal framework must be such that

⁵⁷UNESCO World Heritage Sites in Nigeria. Retrieved 5th September 2015 from <http://www.travelstart.com.ng/blog/unesco-world-heritage-sites-in-nigeria/>

⁵⁸ Eze-Uzomaka P, Archaeology and Heritage Legislation: A Comparative Study. *Research on Humanities and Social Sciences*. Vol.4, No.8, 2014. Retrieved 5th September 2015 from <http://iiste.org/Journals/index.php/RHSS/article/viewFile/12493/12817>

harmonises the world heritage Convention with national law as well as traditional systems.

With this in place, the future of Nigeria benefitting from the World Heritage Convention through technical assistance and funding for the purpose of conserving the heritage sites will be enhanced as more sites will end up being listed on the World Heritage List.