



2000

# The Origins of the Preservation Movement in the Spanish Antilles

Rosina C. Negrón Menicucci  
*University of Pennsylvania*

Follow this and additional works at: [http://repository.upenn.edu/hp\\_theses](http://repository.upenn.edu/hp_theses)

 Part of the [Historic Preservation and Conservation Commons](#)

---

Menicucci, Rosina C. Negrón, "The Origins of the Preservation Movement in the Spanish Antilles" (2000). *Theses (Historic Preservation)*. 384.

[http://repository.upenn.edu/hp\\_theses/384](http://repository.upenn.edu/hp_theses/384)

Copyright note: Penn School of Design permits distribution and display of this student work by University of Pennsylvania Libraries.

Suggested Citation:

Menicucci, Rosina C. Negrón (2000). *The Origins of the Preservation Movement in the Spanish Antilles*. (Masters Thesis). University of Pennsylvania, Philadelphia, PA.

This paper is posted at ScholarlyCommons. [http://repository.upenn.edu/hp\\_theses/384](http://repository.upenn.edu/hp_theses/384)

For more information, please contact [libraryrepository@pobox.upenn.edu](mailto:libraryrepository@pobox.upenn.edu).

---

# The Origins of the Preservation Movement in the Spanish Antilles

**Disciplines**

Historic Preservation and Conservation

**Comments**

Copyright note: Penn School of Design permits distribution and display of this student work by University of Pennsylvania Libraries.

**Suggested Citation:**

Menicucci, Rosina C. Negrón (2000). *The Origins of the Preservation Movement in the Spanish Antilles*. (Masters Thesis). University of Pennsylvania, Philadelphia, PA.



UNIVERSITY  
PENNSYLVANIA  
LIBRARIES







THE ORIGINS OF THE PRESERVATION MOVEMENT  
IN THE SPANISH ANTILLES

Rosina C. Negrón Menicucci

A THESIS

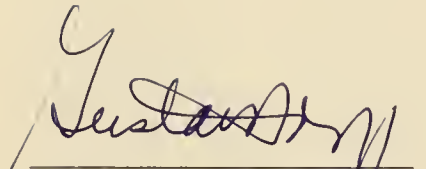
in

Historic Preservation

Presented to the Faculties of the University of Pennsylvania in  
Partial Fulfillment of the Requirements for the Degree of


MASTER OF SCIENCE

2000



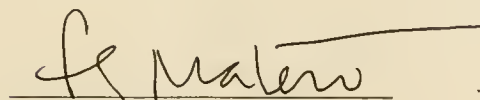
---

Supervisor  
Gustavo F. Araoz  
Lecturer, Historic Preservation



---

Reader  
Jorge Rigau  
Dean, School of Architecture,  
Polytechnic University of P.R.



---

Graduate Group Chair  
Frank G. Matero  
Associate Professor of Architecture





## TO MY PARENTS



## ACKNOWLEDGEMENT

The investigations that this thesis required were dependant on the help of many individuals and organizations in Puerto Rico, the Dominican Republic and Cuba. I was able to benefit from the knowledge of many people that throughout the years have worked on preservation in the Spanish Antilles.

I like to express my appreciation to everyone that helped me achieve this goal. Thanks to my advisor Gustavo F. Araoz and my reader Jorge Rigau for their encouragement in pursuing this topic, their time and cooperation. I would like also to thank the individuals that took time to talk with me and assist me in this research; Dr. Ricardo Alegría , Arch. Gloria Ortíz, Arch. González, Arch. Francisco Javier Blanco, Arch. Eugenio Pérez Montás, Arch. Esteban Prieto, Arch. Manuel S. Gautier, Arch. Linda María Roca, and Arch. Manuel del Monte Urraca. I thank the institutions and individuals that provided me with information, the Office of Cultural Heritage and the Commission of Monuments in the Dominican Republic, the National Council of Cultural Heritage of the Ministry of Culture in Cuba, Marta Díaz, Victor Marín, and Isabel Rigol. I also have to thank US/ICOMOS for providing me the opportunity, through their summer internship program, to explore preservation in Cuba.

I thank Patricia Gadala-María for her friendship, words of encouragement and proofreading. Finally, I would like to thank my family in Puerto Rico and the Dominican Republic, that throughout my education have been very supportive.



# CONTENTS

Acknowledgements	iii
List of Illustrations	v
Introduction	1
I. The Early Attempts in Preservation	15
Puerto Rico	17
Dominican Republic	23
Cuba	27
II. The International Influence	30
III. The Establishment of Preservation Programs	48
Puerto Rico	49
Dominican Republic	65
Cuba	80
IV. A Comparative Analysis of the Preservation Movements	93
Appendix A – Cultural Legislation of Puerto Rico	105
Appendix B – Cultural Legislation of the Dominican Republic	139
Appendix C – Cultural Legislation of Cuba	161
Bibliography	180
Index	185



## LIST OF FIGURES

- Figure 1. Map of the Antilles, 2.
- Figure 2. Caguana Ceremonial Center, Utuado, P.R., 3.
- Figure 3. View of Casas Reales, Santo Domingo, Dominican Republic, 6.
- Figure 4. Castle of San Felipe del Morro, San Juan, P.R., 8.
- Figure 5. The Iznaga Tower in the Valley de los Ingenios, Trinidad, Cuba, 9.
- Figure 6. The Convent of Porta Coeli, San Germán, P>R., 22.
- Figure 7. The Alcázar de Colón, Santo Domingo, Dominican Republic, 24.
- Figure 8. The Palacio de los Capitanes Generales, Havana, Cuba, 28.
- Figure 9. The Casa del Callejón, San Juan, P.R., 52.
- Figure 10. View of La Fortaleza and the City Walls, San Juan, P.R., 62.
- Figure 11. Church of Nuestra Señora del Rosario, Santo Domingo, Dominican Republic, 71.
- Figure 12. Atarazana St., Santo Domingo, Dominican Republic, 76.
- Figure 13. Castle of the Tres Reyes Magos del Morro, Havana, Cuba, 86.
- Figure 14. View of Plaza Vieja, Havana, Cuba, 89.
- Figure 15. San Juan, Santo Domingo and Havana, 93.





## INTRODUCTION

From colonial times to present, the heritage of the Spanish Antilles evolved as history developed. The individual cultures that encompass the Spanish Antilles developed an interest for the heritage that encouraged the establishment of the preservation movement. The factors that have allowed this movement in the Spanish Antilles to mature need to be recognized. The preservation movement is analyzed in a comparative manner to understand the national and international efforts that had made possible the development of the movement, and the legislation that has been established to protect and sustain the heritage of the Spanish Antilles.

Located in the Caribbean Sea between the American continent and the European and African continents, the four islands of Puerto Rico, La Hispaniola (the Dominican Republic and Haiti), Cuba and Jamaica form the Archipelago known as the Greater Antilles. Among them, Puerto Rico, the Dominican Republic (the western part of La Hispaniola) and Cuba comprise the Spanish Antilles. These three islands have developed in different ways, through distinctive histories, yet they display similarities in their cultural heritage.



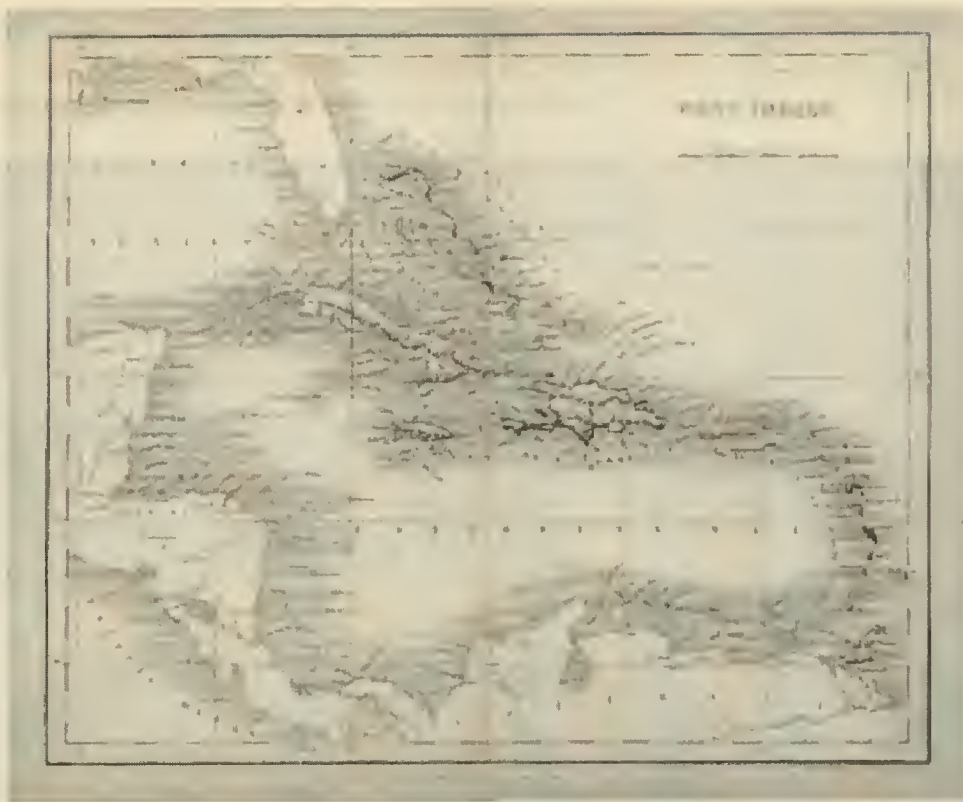


Figure 1. Map of the Antilles.  
From drawing by John Dower, *West Indies* (1840).

In 1492 the first Europeans arrived in the New World,<sup>1</sup> beginning the period of conquest and colonization. Until these decades, the Spanish Antilles were inhabited by various Arawak indigenous cultures, mostly the tribes *Táinos*, *Ciboneys* and *Guanahatabeyes*. These peoples represented a civilization with its own established lifestyle. They had a strong social structure, were politically organized and had their own myths and religious beliefs. Their settlements consisted of villages with ceremonial parks and dwellings, constructed of natural materials, wood poles and

---

<sup>1</sup> Christopher Columbus discovered the New World on October 12, 1492 as he arrived to an island he named San Salvador. This first expedition later arrived to Cuba on October 27, 1492 and to the Dominican Republic on December 5, 1492. During the second expedition Columbus discovered the island of Puerto Rico on November 19, 1493.



thatched roofs. These indigenous settlements have since become some of the most valuable archaeological sites in the Spanish Antilles.



Figure 2. Caguana Ceremonial Center, Utuado, P.R.  
Photograph from Taino Inter Tribal Council Inc.

The arrival of the Spanish introduced new types of settlements to the New World. La Hispaniola was the first island in which a Spanish village was founded. The attempts to create prosperous towns were not fruitful at the beginning. Many of the Spanish settlements vanished or were displaced from their original locations. La Navidad was the first settlement founded by Columbus in 1492, on the Northern part of La Hispaniola, although it eventually vanished. Similar developments took place in the town of La Isabela, founded on the Northern coast of the Western territory in 1494. As the Western part of La Hispaniola was explored a new village developed in 1498 on the Southern coast of what is today the Dominican Republic, La Nueva Isabela. This settlement was moved in 1502 from its original location and later became the city of



Santo Domingo. In the Spanish Antilles, the Dominican Republic remains significant for its important archaeological remains dating from these first Spanish settlements on the island.

The need to establish towns in the colonized territory was pursued throughout the Antilles. In Puerto Rico the Spanish established their first town, Caparra, in 1508. The dependence on maritime trade in the Spanish settlements led this principal settlement to relocate towards the coast. In 1519 the Spanish began to build the village of San Juan. A subsequent settlement established on Puerto Rico was the village of San Germán, founded in 1512, on the Southwestern coast. Over the years the village was moved to different locations. Despite the trend that the previous Spanish colonial settlements had followed, San Germán was displaced inland for defense purposes. Today these two towns embody some of the early architectural heritage of Puerto Rico.

The largest of the Spanish Antilles, Cuba, developed a more complex urban pattern. Cuba's urban history evolved from seven villages founded by the colonizers throughout the island after 1511. Nuestra Señora de la Asunción de Baracoa (1512), San Salvador de Bayamo (1513), Santísima Trinidad (1514), Sancti Spíritus (1514), Santa María del Puerto Príncipe – Camaguey (1514), San Cristóbal de la Habana (1514), and Santiago de Cuba (1515) were Cuba's early villages.<sup>2</sup> As in the rest of the Spanish Antilles, these villages shifted from their original location towards more favorable locations. Havana was moved in 1519 to its current location. Due to the establishment of many settlements, the architectural heritage of Cuba presently is not only concentrated in Havana but also extends throughout the island.

---

<sup>2</sup> Rachel Carley, *Cuba 400 Years of Architectural History* (New York: Whitney Library of Design, 1997), 50-51.





With the establishment of towns, Puerto Rico, the Dominican Republic and Cuba continued to evolve. The Spanish established their towns with specific purposes: to exploit the mineral resources, to convert the Indigenous cultures to Catholicism, to defend their settlements, to colonize new frontiers, to administer larger territories, to develop agriculture, to establish trade relationships and to facilitate the transportation of goods.<sup>3</sup> Several of the early settlements in the Spanish Antilles fulfilled some of these purposes.

The Dominican Republic became the main colony of Spain in the Spanish Antilles in the early decades of colonization. This allowed the city of Santo Domingo to develop as an important Spanish settlement. The first settlements in the Spanish villages consisted of the government or *cabildo*, the religious institutions, dwellings and the defense system. Santo Domingo was able to establish a series of permanent structures, including the Alcázar de Colón, the Cathedral and the Casas Reales. Meanwhile, Puerto Rico and Cuba developed a less permanent type of architecture. These two islands lacked the resources that the Spanish government provided for the Dominican Republic. Therefore, the Dominican Republic established a prosperous architectural heritage dating from the early sixteenth century, while this heritage in Puerto Rico and Cuba was scarce.

---

<sup>3</sup> Aníbal Sepúlveda Rivera, *San Juan Historia Ilustrada de su Desarrollo Urbano, 1508-1898* (San Juan, Puerto Rico: CARIMAR, 1989), 54.





Figure 3. View of Casas Reales, Santo Domingo, Dominican Republic.  
Photograph by the author.

In the mid 1500's the Spanish Crown became interested in territories that facilitated the transportation of goods and provided strategic routes for maritime trade. The geographical location of Santo Domingo was not beneficial to the Spanish Crown. Cuba, and particularly Havana, provided close proximity to the new Spanish territories in Central and South America. The seat of Colonial power was moved to Cuba. However, the Spanish Crown was also interested in the discovery of precious metals, limited in the Spanish Antilles but found in México and Perú. Over time, México became the center of the Spanish Empire in the New World.



The historic lack of wealth throughout the Spanish Antilles has today led to a limited architectural heritage from the early centuries. Nevertheless, much cultural heritage of other types flourished. During the sixteenth and seventeenth centuries the population of the Spanish Antilles began to immigrate to other colonies in search of better living conditions and greater wealth. Puerto Rico, the Dominican Republic and Cuba became dependant on agriculture, one of the mainstays of the economy of the Spanish in the Caribbean. Through the early years of colonization, the indigenous population had quickly vanished as a result of the conquest, the diseases brought to the New World by the Europeans, and the labor conditions under which they were forced to work. To fill the labor gap a new culture, that of Africa, was brought into the New World to alleviate this shortage of labor. The Africans came as slaves to work in agriculture. These three cultures, the Spanish, the indigenous and the African, contributed to the formation of the Puerto Rican, Dominican and Cuban cultures.

The seventeenth and eighteenth centuries were times of conflicts and wars between the European powers, which reflected in the Antilles. The economy of the New World, agriculture and mining, interested many European nations. As a result, this brought to the Antilles invasions and contraband trade. The towns established in the Spanish Antilles began to incorporate into their urban structure a system of fortifications to protect from the invasions. The early Spanish settlements in the Dominican Republic had fortifications built in the early decades of colonization. The lack of interest for this territory, developed during these centuries, did not expose the Dominican cities to great danger. However, Puerto Rico and Cuba were forced to construct defense systems in their main port cities. The castles of San Felipe del Morro



in San Juan, Los Tres Reyes Magos del Morro in Havana, and San Pedro de la Roca in Santiago de Cuba remain today as examples of Spanish military construction.



Figure 4. Castle of San Felipe del Morro, San Juan, P.R.  
Photograph by the author.

The situation throughout the Spanish Antilles continued to change during the late eighteenth and nineteenth centuries. Havana remained a main port in the Spanish Antilles. The resources brought from other Spanish colonies into Cuba allowed the encouragement of architectural production. In the late eighteenth century Cuba began to prosper due to agriculture, with the development of sugar production. The wealth began to extend throughout the island as sugar plantations were established in the Western part of Cuba. Similarly, Puerto Rico developed sugar and coffee production that allowed the island to prosper economically reflecting on its architecture. The architecture of many towns in Cuba and Puerto Rico began to flourish as civic, religious and domestic structures were built. The city of Ponce on the Southern coast of Puerto





Rico thrived as one of the main centers for sugar production and today reflects some of the architecture of the nineteenth century of the island. Meanwhile, the Dominican Republic was in a period of political, social and economic problems that evolved into a series of revolutions and culminated in Haitian domination. The architectural heritage of the Dominican Republic during these centuries continued to decline.



Figure 5. The Iznaga Tower in the Valley de los Ingenios, Trinidad, Cuba.  
Photograph by the author.

In the nineteenth century, Puerto Rico and Cuba continued to develop their architectural heritage. Spain retained control of the islands and continued to invest on



their infrastructure building a series of civic structures. During this century, the local citizens throughout the Spanish Antilles began to rebel against the powerful nations to proclaim their own independence. In 1898, the political situation of the islands began to change. Spain lost control of the colonies, while the United States gained its control. Puerto Rico became a colony of the United States. Cuba was granted control of its own government but continued relations with the United States. In the meantime, the Dominican Republic went through revolutions that led to its independence in 1844. The changes that Puerto Rico, the Dominican Republic and Cuba underwent initiated an era of national pride and cultural identity. This era of national pride achieved the individual heritage of the Spanish Antilles that formalized the beginning of the preservation movement.

The social, political, economic and urban transformation that previous centuries had experienced continued. The first towns that developed during the sixteenth century in Puerto Rico, the Dominican Republic and Cuba evolved into cultural centers that provide a framework for architectural preservation today. The architecture and planning of the traditional villages were transformed through time as international influences arrived in the Spanish Antilles. As the old cities continued to be developed, new cities were formed. The principal settlements, San Juan, Santo Domingo and Havana had developed into walled cities enclosed by fortifications. The cities, unable to cope with the dense population, began to expand into the outskirts. San Juan developed the areas known as El Condado and Miramar; Santo Domingo established Gazcue; and in Havana, El Vedado and Miramar were developed. With the *extramuros*



expansion, portions of the surrounding city wall began to be demolished. The original fabric of the city started to disappear.

The international influence began to have an effect on the Spanish Antilles, reflected on the colonial cities. New ideals in urban planning emerged as towns grew and enhancement was pursued. The international influence was focused on new development. A collage of styles, typologies and materials appeared in the urban fabric of the islands. The colonial architecture began to coexist with the architecture of the Modern Movement developed throughout the twentieth century.

The European and American influence encouraged the development of the Modern Movement throughout the Spanish Antilles. Puerto Rico received the influence of the United States, not only politically but also culturally. In 1952, the United States government gave the Puerto Ricans the right to elect their own government and draft their own Constitution. Puerto Rico became the Commonwealth of Puerto Rico, a protectorate of the United States. Nevertheless, the American influence remained on the island. The architecture of the island began to reflect the movements that occurred internationally brought mainly by local architects educated in the United States. The Modern Movement developed reflecting new styles and modes such as the Art Deco, Neo-classical and International.

Similarly, Cuba began to establish the Modern Movement. New construction reflecting the design of international and local architects appeared in the urban fabric of the cities. In 1959 Cuba began a socialist regime that would later be transformed into the communism we know today. With the new regime other communist countries, in particular the Soviet Union, gained interest in Cuba. As closer ties with the Soviet



Union developed the relations with the United States deteriorated. In 1962, the United States-Cuba relations ended when the United States government initiated a trade embargo on the island. The situation imposed on the island had an effect on its architecture. New materials and methods of construction began to be used in Cuba's infrastructure. The architecture of the Revolutionary period consists mostly of prefabricated construction that ranges from functional architecture to experimental design.<sup>4</sup> Furthermore, the collapse of the Soviet Union in 1990 affected Cuba and began a decade of crisis on the island. The architectural fabric began to suffer as materials lacked.

The Dominican Republic also developed the Modern Movement. In 1930 the Dominican Republic changed its governmental structure and began thirty years of dictatorship. With the new government new construction was encouraged and the architecture of the Dominican Republic began to flourish. In 1961, with the collapse of this regime, the country began a process of political democratization. However, the Modern Movement continued to develop through this period.

The changes that the Spanish Antilles underwent throughout the centuries have contributed to the transformation and establishment of their heritage. Puerto Rico, the Dominican Republic and Cuba developed their own cultural identity. The international influences that the Spanish Antilles received has inspired many cultural movements among which preservation is one.

To arrive to an understanding of the preservation movement in the Spanish Antilles, the early preservation movements and theories developed throughout the world

---

<sup>4</sup> Carley, 189.





have to be considered. The preservation theories began to evolve in the nineteenth century throughout Europe as the three main streams of thought in regard to the treatment of historic buildings flourished.<sup>5</sup> France, England and Sweden were pioneers in the development of preservation theories.

In France, Viollet-le Duc developed an approach to restoration that was broadly copied. For this French architect, the proper restoration took a building back to “a condition of completeness which could never have existed at any given time.”<sup>6</sup> With this theory, the recent additions to old buildings were to be removed.

In England, another theory was established. Contrary to French ideals, the British believed that the achievement of restoration was impossible. John Ruskin believed that a person could not hope to re-create the spirit of the workmen of the past no matter how clever he may be at copying old form.<sup>7</sup> His followers later agreed that no matter how venerable a building might have been, all later changes in it were to remain because they were just as valid as the original.<sup>8</sup> With different ideas, France and England developed their movements encouraged by different sectors. As the French established their movement under government initiative, it was the private sector in England that encouraged preservation.

A third initiative towards preservation was established in Sweden through a display of cultural history. An outdoor museum was created in a park to exhibit the

---

<sup>5</sup> Charles B. Hosmer, Jr., *Presence of the Past: A History of the Preservation Movement in the United States Before Williamsburg* (New York: Putnam, 1965), 23.

<sup>6</sup> Ibid, quoting Eugene Emmanuel and Viollet-le Duc, *On Restoration, and a Notice in Connection with Historical Monuments of France* (tr. By Benjamin Bucknall; London: Sampson, Low, Marston, Low, and Searle, 1875), 9.

<sup>7</sup> Ibid, 24, quoting Hans Huth, “The Evolution of Preservationism in Europe,” *Journal of the American Society of Architectural Historians*, I (October, 1941), 5-9.

<sup>8</sup> Ibid, quoting William Morris, “Architecture and History,” *7<sup>th</sup> Annual Meeting of the Society for the Protection of Ancient Buildings* (June, 1884), 47-76.



buildings that represented Swedish architecture. No matter if it has been through the theories of restoration or preservation, or through examples of cultural identity, these early movements settled the grounds for other actions to be developed and tested.

These first preservation movements and theories contributed to the encouragement of preservation throughout the world. As with the rest of history, they influenced the thought in the Spanish Antilles. Their Puerto Ricans, Dominicans and Cubans have embraced the cultural heritage as they developed their own preservation movements. The similarities and differences of the history and culture of Puerto Rico, the Dominican Republic and Cuba is reflected into the preservation movements.



# I

## THE EARLY ATTEMPTS IN PRESERVATION

A preservation movement can be interpreted as the act or process that allows the sustainability of the cultural significance of a place, its aesthetic qualities, and its historic, scientific or social values.<sup>1</sup> The Spanish Antilles began the preservation process as early as the settlements began to be developed. It was customary in the early centuries to rehabilitate, reconstruct or restore the civic, religious and domestic architecture on the islands. The social, political, economic and climatic conditions existing in the Antilles provided a background for preservation.

The calamities of nature inherent in the tropical climate, such as hurricanes, earthquakes and fires, and the political and social factors that led to invasions, affected the built environment. As towns recovered from these disasters new buildings were often erected but the rescue of the existing fabric was inevitable. Rebuilding must have been almost second nature<sup>2</sup> as traces of the early towns have survived in testimony of the existence of the preservation movement.

---

<sup>1</sup> "The Australia ICOMOS Charter for the Conservation of Places of Cultural Significance (The Burra Charter), 1982," *US/ICOMOS Scientific Journal ICOMOS Charters & Other International Doctrinal Documents*, vol. 1, no. 1 (1999): 38.

<sup>2</sup> Jorge Rigau, *Puerto Rico 1900: Turn of the Century Architecture in the Hispanic Caribbean, 1890-1930* (New York :Rizzoli International, 1992), 34.



The economic situation in the Spanish Antilles encouraged conservation as well. As the towns prospered, the civic and religious institutions, the main exponents of the accomplishments of the Spanish Crown in the Antilles, strived for the improvement of the structures. The betterment of the built environment was not always expressed through new construction. The use of available buildings for additions or alterations was also adopted. "As funds permitted, churches were customarily enlarged with new designs that often incorporated the old structure."<sup>3</sup> These principles of preservation were also incorporated into the development of domestic architecture.

Preservation continued to evolve during the seventeenth and eighteenth centuries. The economic situation of the Spanish Antilles and the political changes that occurred throughout the centuries, particularly in the Dominican Republic, influenced the movement. The Dominican Republic had been the main settlement in the Spanish Antilles during the early sixteenth century. With time, the commercial interest of the Spanish regime began to shift toward other territories in search of more favorable conditions. Therefore, the Dominican Republic was affected.

Differently from what was happening in other Antillean capitals as it is with La Habana, Cuba and San Juan, Puerto Rico, where the Spanish Crown invested great amounts of resources in the construction of all types of structures and in which innumerable wealthy citizens were able to built impressive palaces ..., the residents of Santo Domingo had to conform with a very modest plan of reconstruction...<sup>4</sup>

Although Havana (Cuba) and San Juan (Puerto Rico) benefited from new construction, the reconstruction of their architecture was also an integral part in the development of the urban fabric.

---

<sup>3</sup> Rachel Carley, *Cuba 400 Years of Architectural History* (New York: Whitney Library of Design, 1997), 64.

<sup>4</sup> Manuel del Monte Urraca, *Memorias de la Ciudad de Santo Domingo: Origen, Decadencia y Rescate de su Patrimonio* (Santo Domingo, República Dominicana: Empresas Unidad C por A, 1992), 34.





The factors that influenced the Spanish Antilles throughout the centuries had an effect on the process of preservation that had begun to be developed. The most important elements in the evolution of this preservation process occurred between the nineteenth and twentieth centuries with the interest of the Puerto Ricans, Dominicans and Cubans in their own culture and support from the governments. The citizens began to acquire interest in their cultural heritage and the government to establish legislation. During these centuries, a period of cultural awareness for the Spanish Antilles began to be developed.

## PUERTO RICO

Prior to the nineteenth century, the Spanish regime had instituted in the Antilles several laws to exert control on the colonies. In Puerto Rico, similar to other territories of the New World, a series of ordinances were established. The Law of the Indies introduced in 1573, although decades after the foundation of the first settlements, initiated the regulations for the built environment in the Spanish Antilles. They provided control over the design and layout of all Spanish colonial towns.

Additionally, the Spanish government later incorporated ordinances to regulate life in the cities, the “Bandos de Policía y Buen Gobierno.”<sup>5</sup> These ordinances included, among other issues, a series of urban regulations. It is through these standards that the

---

<sup>5</sup> Instituto de Cultura Puertorriqueña, “Estudio de Revitalización Integral del Centro Histórico de San Juan,” Tomo I (San Juan, Puerto Rico, 1990).



Spanish Antilles achieved the organization and enhancement of the city guided on its design and layout, and maintained the condition of the built environment.

The end of the nineteenth century culminated four centuries of Spanish regime for Puerto Rico. Throughout the last decades of this century, the island experienced demonstrations to obtain their independence. Among the citizens, an interest in the Puerto Rican culture began to be developed. Under this social and political instability the United States began its involvement in the island and in 1898, gained control of the island's authority. With a new government, new laws and regulations began to be implemented. The concern for cultural identity that the Puerto Ricans had developed was reflected as new laws for the protection of their cultural heritage began to be formulated.

Puerto Rico received in 1906 the first preservation law from the United States government, the Antiquities Act.<sup>6</sup> It was created to protect any historic or prehistoric ruin or monument, or any object of antiquity, situated on lands owned or controlled by the government of the United States. The United States was, therefore, responsible to declare by public proclamation historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest situated on territory owned or controlled by the government as national monuments.

The initial legislative effort in favor of preservation by the government of Puerto Rico began with the establishment of the Historian of Puerto Rico in 1913.<sup>7</sup> The historian was responsible for the documentation of yearly events that were of interest and worthy of remembrance to the citizens of Puerto Rico. The efforts of the government

---

<sup>6</sup> Public Law 16 USC 431-433, (8 June 1906).

<sup>7</sup> Erwin R. Harvey, *Legislación Cultural, Legislación cultural comparada, Legislación cultural puertorriqueña* (San Juan, Puerto Rico: Instituto de Cultura Puertorriqueña, 1993), 387, from Law 76, (13 March 1913).



were reinforced in 1919 with the creation of the Historical Archives of Puerto Rico.<sup>8</sup> This newly formed institution was responsible for the supervision, organization, classification, and cataloguing of documents from the former Spanish government and the institutions that were eliminated or reformed after 1898. These two regulations allowed for the documentation of the past, present and future history of Puerto Rico.

In 1930, a new law was created to enforce the preservation of Puerto Rico's built heritage. The Conservation Board of Historic Values was the first organism established to conserve and repair buildings and other structures that included fortifications and castles, and other monuments, federal, local or private; to gather objects, books and documents of historic value; to recognize the merits of the men, and to embellish the cities.<sup>9</sup> This governmental organism had, among their duties, the preparation and publication of a list of historic buildings, structures and monuments. The Board also intended to safeguard historic fabric declared of value as they overlooked any alterations that affected their original appearance. The Conservation Board of Historic Values was replaced in 1942 with the establishment of the Planning Board, which was created to regulate urban growth.

In order to promote preservation, the government continued their efforts through the approval of new laws, the amendment of old laws and the creation of regulations and incentives. The 1940's and 1950's were prosperous decades in the awareness of preservation in Puerto Rico. During these years, the citizens and the government acquired conscience of the problems, receiving international assistance and technical support.

---

<sup>8</sup> Ibid, 388-389, from Law 64, (20 June 1919).

<sup>9</sup> Ibid, 274-275, from Law 27, (23 April 1930).



Equally important was the protection of urban fabric. Through the laws, the preservation movement became an effort of the government for the people. In 1947, a law was instituted to declare all the monuments and historic sites of Puerto Rico public and for the benefit of the citizens.<sup>10</sup> Their reconstruction, restoration, preservation and maintenance were required.

A new law was passed in 1949 that allowed for the establishment of old or historic zones and tourist zones.<sup>11</sup>

An old or historic zone is an area in which buildings and structures, properties and places are of basic and vital importance for the cultural and tourist development because of its association with history, for its peculiar Spanish style, including color, proportions, form and architectural details; because it is part or has a relationship with a plaza, park or an area in which a design or general disposition should be conserved and/or developed in harmony with a specific plan based on cultural, historic or architectural motifs or purposes.<sup>12</sup>

The creation of this law reveals a new purpose for the preservation of cultural heritage. The focus of preservation began as a way to create awareness. Preservation allowed to document the past and present for the future and to provide control over the built environment. The establishment of historic zones provided a new reason to preserve, motivated by tourism and economic development.

The creation of a regulation for historic zones was followed by a regulation that provided control over these zones. In 1951, the Regulation of Old or Historic Zones was created.<sup>13</sup> This decree was concerned with the use within a historic zone. The zone was to endure as a living area but the development of new and special uses for tourism was encouraged. The design and other aesthetic features that could affect the historic fabric

---

<sup>10</sup> Ibid, 270-271, from Law 13, (1 June 1947).

<sup>11</sup> Ibid, 243-254, from Law 374, (14 May 1949).

<sup>12</sup> Ibid, 245.

<sup>13</sup> Ibid, 255-258, from Planning Regulation 5, (25 April 1951).





were controlled as well as the procedures that would take place within the zones. Under this regulation two committees were formed, the Technical Advisory Committee and the Historic Advisory Committee. They aided the Planning Board in the decision making process of the historic zones.

San Juan was Puerto Rico's main cultural center and displayed a great amount of buildings and structures, properties and places of importance for the cultural and tourist development of the island. In 1951, the government declared it the first historic zone in Puerto Rico, the San Juan Historic Zone.

With monuments and a new historic zone in the island, the government developed incentives as part of the preservation efforts. One of these incentives was the "Contribuciones sobre la propiedad y sobre ingresos."<sup>14</sup> The incentive allowed for tax exemptions for a period of ten years for the restoration and reconstruction of buildings in the only historic zone in the island, San Juan.

Together with the laws that were established, efforts by the government to execute preservation projects began to occur around the 1930's. During 1938, the government authorized for the investigation of the ruins and historic objects found in the premises of Caparra, the first Spanish settlement founded in 1508 in Puerto Rico.<sup>15</sup> Another project was the proposed restoration and conservation of the Convent of Porta Coeli, a religious building built in 1606 in the city of San Germán. In 1949, the Convent of Porta Coeli became one of the first historic monuments in the island acquired by the government to allow for its restoration.<sup>16</sup> It was also during this period that more

---

<sup>14</sup> Ibid, 258-265, from Law 7, (4 March 1955).

<sup>15</sup> Ibid, 280, from Law 172, (1938).

<sup>16</sup> Ibid, 276-277, from Law 75, (25 April 1949).



buildings and structures began to be declared historic monuments. In 1950 the house and pantheon of one of the island's distinguished man, Luis Muñoz Rivera, became a monument.<sup>17</sup>



Figure 6. The Convent of Porta Coeli, San Germán, P.R.  
Photograph by the author.

Preservation in Puerto Rico began as a movement sponsored by the government. The private sector later became involved as organizations advocated for the preservation of historic fabric. The Ladies Civic Club, a social organization of the 1920's promoted the preservation of several structures in San Juan. Later, in the 1950's, a group of citizens led by Helen Tooker founded the Society for the Development and Preservation of Old San Juan. This organization was oriented towards the protection of cultural

---

<sup>17</sup> Ibid, 277-278, from Law 37, (1 April 1950).



heritage in the Historic Zone of San Juan. Although concentrated in the capital, the preservation efforts began to extend towards the other towns throughout the island.

## DOMINICAN REPUBLIC

Similar to Puerto Rico, the Dominican Republic developed a movement of preservation. The political situation in this Spanish Antilles territory was different but the movement took a similar path. The Dominican Republic established the independence in 1844. Their autonomy allowed the formulation of a Constitution and with this, the first legislation came into effect. The government took the initiative to create laws to preserve the cultural heritage.

Before 1844, the Spanish and Haitian regimes advocated for preservation. The rehabilitation, reconstruction and restoration of civic, religious and domestic architecture had occurred since the sixteenth century. In 1807, the governor commanded the reconstruction of the Palacio de los Gobernadores (the former Casas Reales).<sup>18</sup> Furthermore, other palaces of the sixteenth century were reconstructed.

The nineteenth century developed as an era of cultural identity. The creation of laws to advocate for the nation's heritage reinforced the individuality of the Spanish

---

<sup>18</sup> del Monte Urraca, 41.



Antilles. These laws began in the Dominican Republic in 1870 when the first two national monuments were declared, the Alcázar de Colón and the Columna Chata.<sup>19</sup>



Figure 7. The Alcázar de Colón, Santo Domingo, Dominican Republic.  
Photograph by the author.

The interest in preservation extended beyond the creation of monuments and the conservation of the built heritage. In 1903, the archaeological artifacts found in the territory of the Dominican Republic were declared property of the State.<sup>20</sup> This regulation was reinforced in 1913 with a law that created the National Museum in order to preserve the historic artifacts dispersed throughout the nation.<sup>21</sup> This new law also allowed for the restoration of the Alcázar de Colón that was to house the National

---

<sup>19</sup> Plinio Pina, *Legislación Dominicana sobre Museos y Protección del Patrimonio Cultural 1870-1977* (Santo Domingo, República Dominicana: Ediciones Museo del Hombre, 1978), 11-12, from Decree 1164, (3 February 1870).

<sup>20</sup> *Ibid.*, 13-14, from Decree 4347, (15 December 1903).

<sup>21</sup> *Ibid.*, 15-16, from Law 5207, (25 March 1913).





Museum. It was not until 1927, under a new regulation, that such a museum was established.<sup>22</sup>

The 1930's began the "Era of Trujillo", a period of dictatorship for the Dominican Republic. The twentieth century was focused on new development and a policy of demolition and substitution for older buildings had begun to evolve under this new regime. Many of the historic and architectural treasures of the nation disappeared due to a state of public endangerment. The government gained a sensibility towards the heritage still existent in the colonial city and established new regulations in regards to preservation.

A new decree was instituted in 1930 in which several buildings, structures and fortifications were declared National Monuments.<sup>23</sup> An entity was responsible for these monuments, the General Inspection of Reconstruction. This organism was to guard the monuments in order to avoid any changes that altered its archaeological value or its original character.

The first formal institution created to enforce the preservation of cultural heritage in the Dominican Republic was the Commission for the Conservation of National Monuments. Established in 1932, the commission was in charge of the monuments, works and artifacts of historic, artistic or archaeological importance.<sup>24</sup> Another function of this commission was the creation and publication of an inventory of the structures, works and artifacts considered worthy of protection and preservation.

---

<sup>22</sup> Ibid, 17-18, from Law 666, (24 June 1927).

<sup>23</sup> Ibid, 19-20, from Decree 63, (26 November 1930).

<sup>24</sup> Ibid, 21-23, from Law 293, (13 February 1932).



Other institutions were also established during the “Era of Trujillo.” The Advisory Commission for the National Museum was formed in 1937,<sup>25</sup> to take charge of the museum created a decade before. Another organism was the Dominican Commission of Archaeology created through a decree in 1938, to broaden the studies of the archaeological past.<sup>26</sup> Furthermore, in 1947 the Dominican Institute of Anthropologic Investigations was established.<sup>27</sup> All these institutions worked in different sectors of the cultural heritage increasing the awareness of preservation during the “Era of Trujillo.”

While laws and governmental organizations were created, the government executed several preservation projects. The first intents during the “Era of Trujillo” for the restoration of heritage were experienced in Santo Domingo. This city had developed as one of the main settlements in the Antilles and had many exponents of civic, religious and domestic colonial architecture worthy of conservation. The small Church of Nuestra Señora del Rosario, a house in Atarazana Street and the Church of Bánica could be considered the first endeavors of the era. Other projects also included a house attached to the city wall to the Northern part of the Puerta de San Diego, the Capilla de la Tercera Orden de los Dominicos and the Church and Fortress of Santa Bárbara.

The preservation movement developed in the Dominican Republic in the early centuries but was reinforced in the twentieth century as the government formulated laws and created organisms to protect their heritage. Preservation was not only oriented towards the urban fabric. A far-reaching program had been created where archaeology

---

<sup>25</sup> Ibid, 29-31, from Law 1341, (10 July 1937).

<sup>26</sup> Ibid, 32, from Decree 22, (8 September 1938).

<sup>27</sup> Ibid, 35-36, from Law 1400, (19 April 1947).



and anthropology as well as architecture were all included. The movement was oriented towards the documentation of the cultural legacy of the Dominican Republic.

## CUBA

Unlike the preservation movements that developed in the other territories of the Spanish Antilles; Cuba promoted its preservation movement under the auspices of the private sector. In 1920 a group of intellectuals and architects organized by an eminent public man, Emilio Roig de Leuchsenring, initiated Cuba's preservation movement.<sup>28</sup> This movement began with the rescue and preservation of the historic and architectural patrimony of Havana.

The government soon initiated their efforts with the creation of the Office of the Historian of Havana founded in 1938 by Doctor Emilio Roig de Leuchsenring. The office gave birth to the fundamental ideas, which have made it possible to protect Cuba's heritage.<sup>29</sup>

In an era of pride, identity and search for cultural heritage, the government established other initiatives. A Commission for Historical and Artistic Monuments, Buildings and Places was also founded. Later, a Law on Historical, Architectural and Archaeological Monuments was instituted in 1939.

---

<sup>28</sup> del Monte Urraca, 77.

<sup>29</sup> Patricia Rodríguez Aloma, *Viaje en la Memoria: Apuntes para un Acercamiento a la Habana Vieja* (Pamplona: Castuera, 1996), 12.



Preservation projects were also executed in Havana. The city was an example of the many colonial cities that were established in the New World. As other settlements in the Spanish Antilles, Havana consisted of the plaza, the cabildo, the church, fortifications and dwellings. These components of the urban fabric were intervened throughout the years and became the first relevant rescue projects in Cuba. Works on the Plaza de Armas and the Palacio de los Capitanes Generales were performed in 1926. Later, in 1936, work was done on the Plaza de la Catedral under Luis Bay Sevilla.<sup>30</sup> Furthermore, during the 1950's and 1960's, the Cathedral and the Castillo de la Fuerza underwent projects of conservation. These initial preservation projects began the development of the conservation of built heritage in Cuba.



Figure 8. The Palacio de los Capitanes Generales, Havana, Cuba.  
From Rachel Carley, *Cuba 400 Years of Architectural History* (New York: Whitney Library of Design, 1997), 90.

---

<sup>30</sup> Isabel Rigol, *ICOMOS Cuba*, paper presented as part of the 1996 Interamerican Symposium on Authenticity in the Conservation and Management of the Cultural Heritage, San Antonio, Texas, March 1996.





The preservation movements that developed in the early decades of the 1900's established a strong foundation for conservation ideals to evolve. The political and social situation existent throughout the Spanish Antilles reinforced the creation of such movement. The national pride, the search for cultural identity and the efforts of both the public and private sectors were the determinant factors for the success of preservation ideal. The following decades transformed the evolution of preservation in the Spanish Antilles.



## II

### THE INTERNATIONAL INFLUENCE

The ideals that began to develop in the nineteenth and twentieth centuries in the Spanish Antilles were motivated by the desire of citizens to express their pride towards their culture and their heritage. The cultures of the Spanish Antilles, formed by a mix of societies, throughout the centuries, have reflected the influence of their international character. It has been mentioned that the Europeans brought to the Antilles their traditions and customs, their theories and beliefs. Puerto Rico, the Dominican Republic and Cuba have acquired many cultural trends that have been adopted into their social, political and cultural ways of life.

Throughout the centuries, the world has experienced a pattern of preservation. From the Romans to present civilizations, many theories have evolved. Violet-le Duc, Ruskin and other European architects and scholars established the first theories of preservation; these models that begun in Europe have been used as guides for the preservation movement in the New World.

Puerto Rico, the Dominican Republic and Cuba incorporated to their governmental structure legislation for the preservation of their national heritage. Furthermore, they established institutions to regulate the control of this heritage. Their



preservation programs were developed in a response to an era of national pride and cultural identity that had begun to appear in the last decades of the nineteenth century.

In the 1930's, the first governmental organisms were created. It was during this same decade that the first International Congress of Architects and Technicians of Historic Monuments met in Athens, Greece. In 1932, as a result of the conference, the first document to include the principles of restoration was drafted, the Athens Charter for the Restoration of Historic Monuments.<sup>1</sup> The preservation movement in the Spanish Antilles reacted to this first international initiative as their individual efforts reflected many principles exposed in the Athens Charter.

During the 1940's, 1950's and 1960's, the preservation movement evolved as scholars from Europe and the Americas shared their knowledge in the conservation of cultural heritage. The governments of Puerto Rico, the Dominican Republic and Cuba worked together with international professionals experienced in the field of preservation to increase their knowledge and improve their programs. These intellectuals engaged in various preservation tasks in the Spanish Antilles. They helped document national monuments, executed conservation projects and proposed recommendations to enhance the programs that were already in progress.

Many international organizations also demonstrated their interest in the Antilles. Together with scholars, these organizations provided the aid and support necessary to strengthen the efforts in preservation. However, the objectives of worldwide organisms have been oriented towards preservation field as well as the social, political, economical and cultural fields.

---

<sup>1</sup> "Athens Charter for the Restoration of Historic Monuments, 1932" *US/ICOMOS Scientific Journal ICOMOS Charters & Other International Doctrinal Documents*, vol. 1, no. 1 (1999): 4-6.



The United Nations Educational, Scientific and Cultural Organization, UNESCO, was established in 1946. Its main objective is to contribute to peace and security in the world by promoting collaboration among nations through education, science, culture and communication in order to further universal respect for justice, for the rule of law and for the human rights and fundamental freedoms which are affirmed for the peoples of the world.<sup>2</sup> Among their principal functions, UNESCO establishes research, training and teaching activities. They instituted their program in the Spanish Antilles, especially in the Dominican Republic and Cuba, which are member States of this worldwide organization. Particularly Cuba, has received special support from UNESCO through the establishment of the Regional Office for Latin America and the Caribbean, in Havana.

Another international organism that has provided assistance in the Spanish Antilles is the Organization of American States, OAS. Created in 1948, it is a regional agency within the United Nations. The OAS was developed to achieve order of peace and justice, to promote their solidarity, to strengthen their collaboration, and to defend their sovereignty, territorial integrity, and independence.<sup>3</sup> Among their main purposes, OAS helps to promote the economic, social, and cultural development of the State. Puerto Rico, participates through the United States; while the Dominican Republic and Cuba participate on their own. However, since 1962 the Cuban Government has been suspended from participating in OAS.

These worldwide institutions have provided assistance in the Spanish Antilles, and developed standards to guide those in the preservation field. Similar to the Athens

---

<sup>2</sup> "United Nations Educational, Scientific and Cultural Organization," in <http://www.unesco.org>; INTERNET.

<sup>3</sup> "Organization of American States," in <http://www.oas.org>; INTERNET.





Charter, UNESCO and OAS have established the International Charter for the Conservation and Restoration of Monuments and Sites<sup>4</sup> and the Norms of Quito,<sup>5</sup> respectively. In the Venice Charter, established in 1964, UNESCO continued the efforts begun in 1932 by the Athens Charter. This new document increased awareness in the preservation field and provided fundamental principles to direct professionals and organizations that preserve heritage.

The adoption of the Charter for the Conservation and Restoration of Monuments and Sites in Venice encouraged the creation of a new international organization. The International Council on Monuments and Sites, ICOMOS, was established in 1965 as a non-governmental organization dedicated to the conservation of the world's heritage. ICOMOS is UNESCO's principal advisor focused on the conservation and protection of monuments and sites. This organization has influenced the Spanish Antilles in the last decades of the twentieth century.

UNESCO continued its efforts to improve preservation throughout the world. In 1972, during the Convention Concerning the Protection of the World Cultural and Natural Heritage, presented in Paris, France, UNESCO established the World Heritage Committee.<sup>6</sup> The Committee was established to allow the international community to actively participate in the protection of the goods of their cultural and natural heritage. They had to establish, keep up-to-date and publish a World Heritage List of cultural and

---

<sup>4</sup> "Charter of Venice International Charter for the Conservation and Restoration of Monuments and Sites, 1964," *US/ICOMOS Scientific Journal ICOMOS Charters & Other International Doctrinal Documents*, vol. 1, no. 1 (1999): 7-8.

<sup>5</sup> "The Norms of Quito, 1967" *US/ICOMOS Scientific Journal ICOMOS Charters & Other International Doctrinal Documents*, vol. 1, no. 1 (1999): 9-16.

<sup>6</sup> "United Nations Educational, Scientific and Cultural Organization," in <http://www.unesco.org>; INTERNET.



natural properties, submitted by the States Parties considered to be of outstanding universal value. As part of UNESCO's general conferences, during the convention, the Venice Charter was revised and the concept of monuments, complexes and sites was defined.

OAS took a different approach from UNESCO in the development of their guidelines. The Norms of Quito, formulated in 1967, were oriented towards the value of cultural heritage with an interest in the economic and social development.<sup>7</sup> It also established an awareness towards the adequate preservation and utilization of monuments and sites of archaeological, historic, and artistic value. OAS believes that the cultural heritage resources are an economic asset and have the potential to be instruments of progress.<sup>8</sup>

These organizations influenced the ideas of professionals engaged in the preservation movement of cultural heritage in the Spanish Antilles. The Norms of Quito were essential for the evolution of the preservation movement. The legislation created in Puerto Rico, the Dominican Republic and Cuba was established under similar purposes, for education and for the documentation of the cultural heritage. The Norms of Quito provided a new purpose, the economic development of the territories.

The political situation in the Spanish Antilles controlled the evolution of the preservation movement. Puerto Rico, the most stable of the Antilles, had established laws in 1951 with similar ideas of those provided by OAS. The Regulation of Old or Historic Zones encouraged cultural heritage as a tool for economic progress. The

---

<sup>7</sup> "The Norms of Quito, 1967" *US/ICOMOS Scientific Journal ICOMOS Charters & Other International Doctrinal Documents*, vol. 1, no. 1 (1999): 9-16.

<sup>8</sup> *Ibid.*



Dominican Republic and Cuba unlike Puerto Rico were undergoing a period of change in political structure during the 1950's and 1960's. The recommendations provided in the Norms of Quito were later incorporated into the preservation movement of the Dominican Republic. However, the Norms of Quito did not influence Cuba suspended from OAS. Nevertheless, in the last decades of the twentieth century similar ideas were incorporated into Cuba's preservation program.

The United States also influenced the preservation movement in the Spanish Antilles. Since the nineteenth century, the American government became involved in Puerto Rico, the Dominican Republic and Cuba. In the early decades of the twentieth century the United States provided assistance in the field of planning throughout the Spanish Antilles. Institutions such as the US Army Corps of Engineers and the US Peace Corps assisted in urban development, and therefore influenced the field of preservation. In the Dominican Republic, US Peace Corps provided technical support to Dominican professionals and furthermore participated in the creation of an inventory for the historic complex of Santo Domingo.

Puerto Rico received more aid from the United States. Its political status allowed the American government to become involved in the management of their cultural heritage. The US Army Corps of Engineers, and later, the National Park Service supervised and maintained the fortifications, an important factor of Puerto Rico's built heritage. The National Park Service, an organization established in 1916 in the United States, was responsible for the protection of park resources and their availability for public enjoyment. The fortifications within the San Juan Historic Zone were considered



part of these resources. The US Army Corps of Engineers administered these fortifications until 1961 when the National Park Service came into existence in the island.

Furthermore, other programs were being established by the United States that influenced the documentation of patrimony, particularly in Puerto Rico. In 1933, the Historic American Buildings Survey, HABS, was established to contribute to the history and aesthetics of life through the documentation of architectural heritage. HABS became a permanent program of the National Park Services in 1934. Decades later, in 1969 a similar program, Historic American Engineering Record, HAER, was developed to raise awareness, understanding and appreciation of technological heritage.

The evolution of the preservation movement in the mid twentieth century became dependent on the previously mentioned international influences. The scholars and worldwide organizations helped further the preservation ideals already present in the Spanish Antilles. The development of studies during these decades increased the understanding of cultural heritage and, through recommendations, allowed for stronger preservation initiatives.

In Puerto Rico, the major exponent of international influence was the Argentinean architect, Mario Buschiazzo. The government had stipulated in laws the creation of inventories and studies of monuments and historic zones. In 1955, the Planning Board commissioned the first inventory. Mario Buschiazzo prepared the "*Monumentos Históricos de Puerto Rico*," to collaborate in the restoration of historic monuments on the island. The monuments included in this inventory contained historic or artistic value, a combination of both, and antiquity, a classification that was given to structures predating 1898. Included in this list were many public, religious, military and private buildings





throughout the island. The inventory also incorporated recommendations for further preservation; to include natural and archaeological sites and for the identification of demolished monuments.

Another contribution from Buschiazzo to Puerto Rico's preservation movement was the Project to Organize a Commission for Historic Monuments of the Commonwealth of Puerto Rico. This study emphasized the importance to create local organisms dedicated exclusively to restore and maintain the historic and artistic monuments. Buschiazzo, in 1955, believed that there were problems in the preservation movement in Puerto Rico "the conservation of monuments in the island depends at the moment on the good will of politicians that remember about them and to a greater or lesser extent on the professionals responsible for them."<sup>9</sup> The preservation movement was in jeopardy since the laws that had been created to preserve historic fabric were not being enforced. The plan that the government had established in 1930 for the preservation of Puerto Rico's cultural heritage with the Conservation Board of Historic Values was, in his opinion, a failure with no significant accomplishments in a period of twenty-five years. The preservation movement did not receive the required importance; the establishment of laws was not sufficient to preserve Puerto Rico's cultural heritage. With Buschiazzo's new proposals a new commission was created which specialized in the conservation and restoration of monuments with the intervention of architects and the collaboration of a group of advisors. In this report, he also stimulates an increment on the incentives provided to the proprietors of restored fabric and comments on the assignment of funds to the proposed commission.

---

<sup>9</sup> Mario Buschiazzo, *Estudio sobre Monumentos Históricos de Puerto Rico* (San Juan, Puerto Rico: Junta de Planificación, 1955), 50.



As part of the extended study prepared for Puerto Rico, Buschiazzo reviewed the San Juan Historic Zone and proposed the Revalorization of the Historic Areas of San Juan. In 1951, the entire city of San Juan was designated historic. Ever since, however, many buildings were demolished but none had been restored. San Juan faced the issues of how to preserve and how much preservation was needed. To Buschiazzo's understanding, many areas of the city had been incorporated into the historic zone without the required merits. He considered that different sections integrated the designated historic zone: each with their own character, a main zone and three transitional zones. The Revalorization of the Historic Areas of San Juan consisted on the amendment of the San Juan Historic Zone through a division into four different sections, each with their own conservation treatment.

The three studies done by Mario Buschiazzo for the monuments, commission and historic zone of Puerto Rico allowed for the recognition of the strengths and weaknesses of the preservation movement. Among the strengths, Puerto Rico maintained a rich architectural heritage and had developed a series of cultural legislations; nevertheless, the lack of management and implementation of these laws was not sufficient. The government received the suggestions offered by Buschiazzo and in the successive years amended their legislation and implemented new programs to their structure. Furthermore, the international influence has continued throughout the last decades of the twentieth century as the movement expanded.

The international influence continued throughout the Antilles. The Dominican Republic received international aid during the "Era of Trujillo." Several studies and works were conducted focused on the national heritage and on the monumental complex



of Santo Domingo. A wide array of professionals were involved in these projects; architects, investigators and historians were among the professionals that cooperated with the preservation movement of the Dominican Republic.

In 1945 a German investigator, Erwin Walter Palm began its support to the preservation movement of the Dominican Republic. Palm conducted the nation's first inventory of structures, "Índice de los Edificios Domésticos de Santo Domingo" which should be protected. In his study, the buildings were classified in chronological order and subdivided into three different categories. This grouping was classified into monuments that belong to the world's art history, structures that are of complete importance to determine the artistic character of a city even though its contribution to art history is important only regionally or locally, and structures of relative importance that contribute to the environment of the previous categories. The majority of the structures in the city of Santo Domingo, where the study was executed, were included into the last category, contributing to the environment. In 1955 Palm broadened his findings through his book, "*Monumentos Históricos de La Española.*"

International assistance was employed for the restoration of several monuments during the 1950's. In 1957, the technical expertise of a Spanish architect Javier Barroso was used for the rescue of the Alcázar de Diego Colón, a building that in 1870 had been declared a national monument. The project consisted in the complete restoration of the palace and its conversion into a colonial museum. Throughout the years, this project has stimulated debates; many considered Barroso's work an inappropriate restoration. The Alcázar underwent the elimination of authentic elements and the alteration of its built fabric. Barroso also worked in the restoration of the Church of the Compañía de Jesus,



which was converted into the National Pantheon. Discussions about the methods used in the restoration process were also encountered in this project.

International organisms were also present in the evolution of the preservation process in the Dominican Republic. They provided technical assistance and were involved in the proposal of restoration projects. UNESCO and the OAS were the main international exponents that brought to the Dominican Republic new preservation ideals.

The government, in its efforts to improve its preservation program modified in 1964 the Commission for the Conservation of National Monuments that had been established in 1932. At the same time, they petitioned UNESCO for technical assistance for the conservation of monuments. Through this assistance recommendations were formulated to improve the existent governmental institution. The Spanish architect José Menéndez Pinal drafted these recommendations. Among his proposal was the creation of a state office, the promulgation of a law to endorse the state office, and the urgent declaration of monuments and sites of national interest. These recommendations never produced the outcome that UNESCO envisioned due mainly to the political situation in the island.

The 1960's became a time in which historic preservation and urban planning were integrated. The National Planning Office in the Dominican Republic had been created in 1962, to motivate the conscience of urban planning in the different urban centers throughout the country. In their efforts to promote preservation, this office sponsored, together with UNESCO, an inventory of monuments in 1964.

OAS also began its involvement in the Dominican Republic. Under its mission, they helped promote the cultural development and provided advice and assistance in the





preservation movement. In 1965, during the republic's civil war, the Alcázar de Colón, which had been restored by Barroso, was damaged. The government requested OAS's assistance. As a result, the Adjunct Director of the Department of Cultural Affairs of OAS prepared a Program of Restoration and Rehabilitation. In this program, a proposal was made by Mexican architect Carlos Flores Marini. He recommended, among other things, to dismantle part of the work previously done by Barroso in 1957. However, his proposal was never executed.

The greatest contribution of OAS to the Dominican Republic was to encourage the creation of a specialized office for the conservation of monuments. For this purpose, OAS provided, through its Department of Cultural Affairs, the necessary assistance to create a governmental structure dedicated to the built heritage. Furthermore, they collaborated with technical advice needed to train professionals in the field.

Together with international scholars and worldwide organizations, local efforts were made to foster the thought of preservation. The Esso Standard Oil, S.A. Ltd with the initiative of its manager Mr. Andrés Freites sponsored in March of 1967 the Study for the Revalorization of the Historic Zones and Monuments of the City of Santo Domingo originally known as The Esso Project - Colonial Santo Domingo.<sup>10</sup> This study was the first planned significant instrument that gave importance to the colonial sector of Santo Domingo. Its purpose was to formulate an inventory of the monumental heritage that existed in the urban sector of the colonial walled city of Santo Domingo.

Dominican architects, Eugenio Pérez Montás, Manuel S. Gautier, Guillermo Santoni R. and Erwin Cott, among others, conducted the study. Nevertheless, the

---

<sup>10</sup> Eugenio Pérez Montás, *Estudio para la Revalorización de la Zona Histórica y Monumental de la Ciudad de Santo Domingo* (Santo Domingo, República Dominicana: Ediciones Culturales, C. pro A., 1973), 27.



international influence was also present in this project. The architects looked at a preservation model provided in another territory of the Spanish Antilles. San Juan, Puerto Rico was visited and studied to analyze and understand the experience that the city had already gone through in the preservation of their built heritage.

The Esso Project consisted in the study of existing resources or inventories of the colonial sector and recommendations of what could be done with these resources. It recommended solutions to stop the deterioration at a time in which the colonial and old city was becoming the victim of a process of outlying districts. An important statement made throughout the study, was that the colonial sector had a fundamental value as an urban monument that had to be protected, conserved and revalorized. Furthermore, it mentioned the importance in creating a conscience towards the excellence and the immovable heritage, to conserve it for the future in a living urban framework and, in accordance with a genuine tendency from the proprietors and residents, to also preserve their interests.<sup>11</sup>

The study defined several typologies found within the colonial sector. They included religious monuments, military works for defense, palaces and domestic structures, environments and sites, and service works. The project's inventory consisted of some of these typologies, which are part of the patrimony of the city of Santo Domingo. Such lists took into consideration the 1945 inventory of monuments by Erwin Walter Palm. This new inventory for the Esso Project established five different categories. In the same way as Palm's inventory, the categories consisted of monuments that belong to the history of the universal art; structures of absolute importance in

---

<sup>11</sup> Ibid, 28.



determining the historic-artistic character of the city; structures of relative importance necessary for the conservation of the city and of the structures of the first and second categories, and dwellings with isolated details of certain historic and artistic value. It also included two other categories; dwellings with traces of relative importance or interest, and historic sites. Together with the inventory, a General Plan of Monuments was created.

A plan for the revalorization of the colonial sector of the city of Santo Domingo was also included in the Esso Project. The plan contained a zoning proposal, which established four different zones. A Monumental Zone of Urban Restoration was designated as the most important and of major interest for the city. A second zone, the Protection Zone, created a buffer for the principal monumental zone. Two other zones were also identified; the Complementary Zone contained the remaining area of the walled city, while another zone corresponded to the Environments and Sites, the surrounding area along the monuments.

A specific recommendation was created for the revalorization of the Monumental Zone of Urban Restoration. This proposal included a pilot plan of restoration with a series of short-term and long-term recommendations. Specific projects were also part of the revalorization of the zone, which comprised the most important tourist area in the city and the most attractive and valuable monuments of the significant heritage within the walled area.

Other preservation aspects were also considered with this study. The Dominican Republic was in the need of stronger legislation and an organism responsible for their monuments. The Esso Project proposed amendments in these sectors and suggested



options that incorporated local and international assistance. They considered, in the project, the financing of the plan and technical assistance, which included the participation of international and foreign organizations, national organizations and the private sector.

The governmental recommendations included the creation of a public organism, which was to be in charge of the decisions related to the buildings, structures, zones and environments of historic or artistic value within the perimeter of the walled colonial city of Santo Domingo. As part of their duties, the institution had to dictate the rules and regulations that would require a process of colonial revalorization, assign the uses for the structures and sites in the city, control and regulate construction as well as establish a working zone within the perimeter of the city, regulate the transit of vehicles and its movement, dictate rules and regulations of several elements that would affect the monuments, and approve the construction, reconstruction, alteration or repair of the immovable heritage in the colonial city.

Together with changes in the organization of a governmental institution, the professionals in the Esso Project believed that legislation had to be amended to encourage the contribution of the private sector. A proposal was established to create a law of incentives. This law was to include tax exemptions for the owners of reconstructed dwellings that conformed to the rules and regulations established by the governmental institution, and a relative exemption over rent for a period of twenty years.

The Esso Standard Oil, S.A. Ltd and the OAS were the major contributors to the new preservation program that the government of the Dominican Republic would later establish. The studies of historians, investigators, architects, and the technical assistance





provided by UNESCO and OAS increased the interest of cultural heritage in the Dominican Republic.

The Spanish Antilles benefited from the international influence not only in their preservation programs but also in the evolution of their professionals. Architecture has been one of the fields involved in the sustainability of cultural heritage since the beginning. The professionals in the field of architecture in Puerto Rico, the Dominican Republic and Cuba, have throughout the years, adapted international trends to the architecture of the Antilles. Furthermore, the lack of formal educational programs in architecture in the Spanish Antilles prior to the twentieth century obliged those interested in the profession to venture in programs in Europe and North America. Many architects completed their formal training in programs in Spain, France, Italy, Germany and the United States.

As in most countries, prior to the 1960's, there was no formal training in the field of preservation, therefore engineers and architects were involved in many of the conservation projects. In 1955 the Argentinean architect Mario Buschiazzo expressed his ideas towards the field of preservation.

This kind of artistic task requires the intervention of architects – not engineers – of professionals whose technical knowledge are as high as their artistic sensibility ... It is even not sufficient the fact that the person responsible for the restorations has a degree as an architect; it should be someone, within this specialty, a technician with ample knowledge in culture and a vocation for history, and that understands the artistic and cultural value that old monuments have as fundamental factors in the formation of towns that have or aspire to have knowledge of their own identity.<sup>12</sup>

Preservation had become a profession acquired not in school but through professional practice.

---

<sup>12</sup> Buschiazzo, 50-51.



During the 1960's, educational programs in preservation began to be established. UNESCO, a leading worldwide organization in the preservation field, founded in 1956 the International Centre for the Study of the Preservation and Restoration of Cultural Property, ICCROM.<sup>13</sup> It is the only intergovernmental organization concerned with conserving all types of heritage, whether movable or immovable. The ICCROM became the leading voice in the conservation of cultural heritage around the world. Many professionals in the Spanish Antilles, have throughout the years, broadened their knowledge in the preservation field by attending the courses offered in ICCROM on conservation.

Other programs were later established throughout Europe and the Americas. The "Escuela Nacional de Conservación, Restauración y Museografía" in Churubusco, Mexico has been one of the educational institutions that have trained some professionals, particularly from the Dominican Republic<sup>14</sup> and Cuba.

In the last decades of the twentieth century, architecture and preservation programs have also been established in the Spanish Antilles. Puerto Rico has, at present, two schools of architecture, but no specific preservation program, although the newly created School of Architecture at the Polytechnic University of Puerto Rico integrates preservation to the design sequence. In the Dominican Republic a preservation program, a Master's Degree in the Conservation of Monuments and Cultural Heritage, was created in 1994. This program was established under the Regional Program of the Caribbean of the European Union strengthening the international influence in the Dominican Republic.

---

<sup>13</sup> "International Centre for the Study of the Preservation and Restoration of Cultural Property," in <http://www.iccrom.org>; INTERNET.

<sup>14</sup> del Monte Urraca, 112.



In addition to Puerto Rico and the Dominican Republic, Cuba has developed strong preservation programs. The ISPJAE, Polytechnic Institute of Superior Education José Antonio Echevarría in their School of Architecture includes in its curriculum courses oriented towards conservation. Furthermore, the “Cátedra Regional UNESCO de Ciencias de la Conservación Integral de los Bienes Culturales para América Latina y el Caribe” has developed courses on conservation in Cuba, and together with the National Center for Conservation, Restoration and Museology offers a Master’s Degree Program in Conservation and Rehabilitation. Other programs have been established throughout Cuba, particularly at the University of Camaguey, Faculty of Architecture and Construction.

The international organizations and individuals that developed studies, inventories, recommendations and standards, played an important role in the improvement of the preservation program in the Spanish Antilles. The international influence has continued into the last decades of the twentieth century as new ideals and new trends have emerged. Furthermore, the government and professionals in the Spanish Antilles have taken the initiative to preserve their cultural heritage and enhance the existing programs.



### III

#### THE ESTABLISHMENT OF PRESERVATION PROGRAMS

The Spanish Antilles was during the 1950's and 1960's, at an era of political evolution, as well as cultural integration. The political changes experienced in the Antilles encouraged the evolution of the preservation movement. The influences and changes that the preservation movement received were dependent on the political situation of the Spanish Antilles. Puerto Rico had been part of the United States since 1898, but in 1952, gained the right to elect their own government and redact their constitution. The same year, Luis Muñoz,Marín became the first governor of Puerto Rico. Dominican Republic, meanwhile, was in a period of transition between a dictatorship and the development of a democracy. The "Era of Trujillo" culminated in 1961. It was not until 1966 that the government of Dominican Republic began to be stable, under the rule of Joaquín Balaguer. In the meantime, Cuba was in an era of revolutions during the 1950's. In 1959, Fidel Castro gained control of the government and Cuba came under a socialist-communist regime. The development of new governments throughout the Antilles and the interest for cultural identity allowed for a stronger preservation movement to develop.





## PUERTO RICO

The preservation movement, as we know it today, began in the decade of the 1950's. The political change that occurred on the island in 1952, a government "of Puerto Ricans for Puerto Ricans," encouraged cultural identity. The national pride that had begun in the nineteenth century was now being reinforced.

The government, during this era, commissioned several studies for the improvement of the existent preservation program. The Argentinean architect, Mario Buschiazzo, developed in 1955 a series of studies, among which, included the recommendation for the creation of a Commission for Historic Monuments. In this study, he encouraged the establishment of a local organism specialized in the conservation and restoration of monuments, the amendment to the law of incentives of 1955, and the assignment of funds for the proposed local organism. This study served as a model for improvements to the island's preservation program.

In 1955, the Institute of Puerto Rican Culture was created as an initiative of governor Luis Muñoz Marín.<sup>1</sup> The Institute became the governmental organization dedicated to Puerto Rican cultural heritage. Its purpose was to conserve, promote, enrich and divulge the Puerto Rican cultural values and to accomplish a broad knowledge and appreciation of these values.<sup>2</sup>

---

<sup>1</sup> Ricardo Alegría, *El Instituto de Cultura Puertorriqueña 1955-1973. 18 Años Contribuyendo a Fortalecer Nuestra Conciencia Nacional* (San Juan, Puerto Rico: Instituto de Cultura Puertorriqueña, 1996), 7.

<sup>2</sup> *Ibid*, 257.



The creation of such institute initiated great controversies regarding what was to be considered Puerto Rican, a culture that had been enriched from the integration of Spanish, indigenous and Africans. Debates were torn between the existence of a strong Spanish influence and, in the last decades, the North American influence. But nevertheless, Puerto Rican culture had evolved since the sixteenth century.

The product of the integration that in a period of four and a half centuries happened in Puerto Rico between the respective cultures of the taíno Indians that were in the island during the colonization, of the Spanish that conquered and colonized it, and of the Africans that ever since the first decades of the sixteenth century were beginning to incorporate into our population.<sup>3</sup>

The Institute defined this as Puerto Rican national culture.

Another principle that the Institute established was the extension of cultural heritage throughout the island. In the previous decades, the preservation of cultural heritage had been focused on the metropolitan area of San Juan, its fortifications and its historic zone. The Institute understood the necessity to extend preservation as an island wide program.

The Institute of Puerto Rican Culture consisted of a Board of Directors and an Executive Director responsible for the administration of the Institute. The first Executive Director of the Institute was Dr. Ricardo Alegría, an anthropologist passionate about every aspect of Puerto Rico's cultural heritage. Dr. Alegría structured the Institute to be a group of Advisory Commissions, who would be knowledgeable people in the various fields of Puerto Rican culture. These commissions included the Historic Monuments, Plastic Arts, Musical Recording, Theatrical Arts, Music, and Publication Commission.

---

<sup>3</sup> Ibid, 8-9.



Several programs were developed to accomplish the institute's fundamental purpose. Among these was the Program of Monuments and Zones which accomplished three of the functions determined for the Institute: to conserve, guard, restore, and study the mobile and immobile heritage, tangible or intangible, of value for the knowledge of Puerto Rico's cultural historic heritage; to determine which buildings, structures and sites are of historic or artistic value; and to control and regulate the construction on zones established of historic value.

The Program of Monuments and Zones, together with the Program of Museums and Parks, whose purpose was to conserve the cultural heritage and to educate the population through the establishment of museums, fulfilled one of the Institute's goals; to restore historic monuments. Plazas, civic and religious buildings, fortifications and some dwellings, all historic monuments, were restored. On occasions these monuments were adapted for museums, while at other times, the buildings continued their original function. One of the first restoration projects in which the Institute was involved with was the Casa del Callejón, which became two museums, the Museum of Colonial Architecture and the Museum of the Puerto Rican Family.



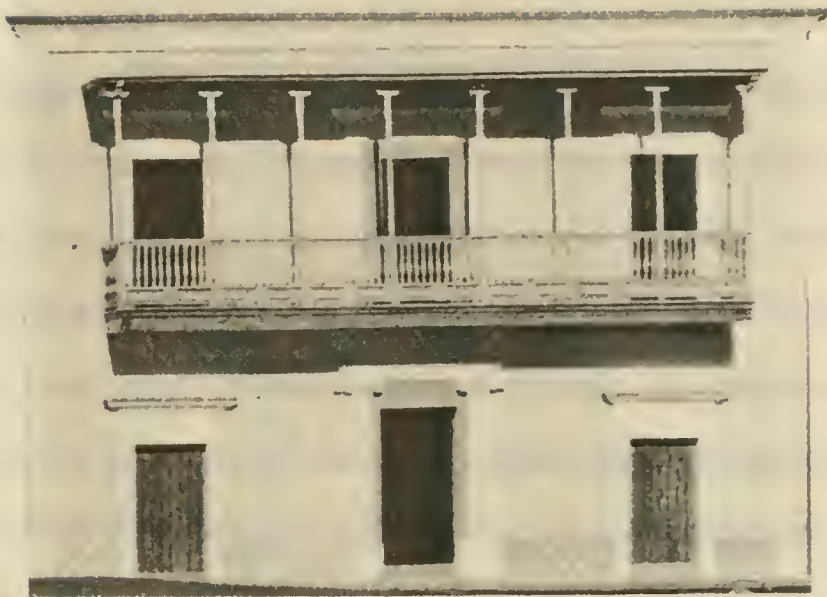


Figure 9. The Casa del Callejón, San Juan, P.R.  
Ricardo Alegría, *Programa de Parques y Museos*, (San Juan, P. R.: Instituto de Cultura Puertorriqueña, 1996) 15.

The Institute, under the Program of Monuments and Zones, also focused on the conservation of zones of historic or architectural character. Through the Program of Monuments and Zones, the Institute began to establish historic zones throughout the island. They encouraged citizens interested in preservation to acquire buildings and structures and restore them, allowing for housing or commercial establishments within these zones. The Institute, at the same time, acquired and restored several buildings in these historic zones.

San Juan had been the first historic zone established in Puerto Rico. The zone included the area within the walled city. The second historic zone was created in the city of Ponce on the Southern part of the island. Following San Juan, the creation of zones became a difficult task, as many citizens opposed their creation, due to the understanding





that with a historic zone the property values decreased and their decisions were regulated.<sup>4</sup> The historic center of San Juan had been abandoned as the city grew into outlying districts. Therefore, the area lost many of their commercial establishments and with that, its economic value. The situation in Ponce was different. Ponce, although it experienced urban growth, retained its historic center as the main commercial zone. Although the citizens of Ponce were opposed to the historic zone it was eventually established. Other towns experienced similar problems in the designation of historic zones, mainly the opposition of citizens. Currently, there are eight historic zones throughout the island: San Juan, Ponce, Guayama, Coamo, Arroyo, Caguas, Manatí, and San Germán.

The government also has regulated the designation of monuments and zones. The laws that had been created in the 1930's, 1940's and 1950's have subsequently been amended to include the Institute of Puerto Rican Culture. In the last decades the Institute has began to loss its power. With the establishment of the Planning Board in 1942, this urban regulating organism received the responsibilities of the Conservation Board of Historic Values. Therefore, the Planning Board had been the entity responsible for cultural heritage until the Institute of Puerto Rican Culture was created. The Institute, exclusively responsible for the conservation of cultural heritage, began in 1955. Its main goal was to monitor the preservation of Puerto Rico's cultural heritage.

The Institute became the organism responsible on advising the Planning Board in all issues regarding monuments and historic zones. Together with the Planning Board, the Institute had to determine the buildings and structures of historic or artistic value and

---

<sup>4</sup> Dr. Ricardo Alegría, interview by author, San Juan, Puerto Rico, 11 January 2000.



prepare the inventory.<sup>5</sup> They also had to provide guidance in the repair and conservation of these monuments. Another responsibility of the Institute was the creation of requirements, procedures, and rules to regulate the fabric within the historic zones and impose fines for any violation to the preservation laws and regulations.<sup>6</sup> The Regulation of Old or Historic Zones, established in 1951, has become the rule used by the Institute to enforce control on historic monuments and zones.

The Institute of Puerto Rican Culture, to fulfill its principles, preservation throughout the island, established an Office of Historic Monuments in several municipalities to assist with the responsibilities of the Institute in their geographical area. The Institute not only advised and assisted the Planning Board, but also the citizens that were interested in preserving their structures. The proposed projects had to be reviewed and approved by the Institute prior to the authorization of the Department of Regulations and Permits, the governmental entity responsible for issuing construction permits. Therefore, the Institute advised the architects responsible for the projects, evaluated their proposals and provided suggestions for improvement. In the early decades of the Institute, the projects were evaluated by “a commission that included art historians, such as Osiris Delgado and Arturo Dávila, and included civic leaders of San Juan, and architects, such as Rafael Carmoega.”<sup>7</sup>

Many people were involved with the preservation efforts that occurred throughout the island. Dr. Ricardo Alegría, was the principal leader in the development of the

---

<sup>5</sup> Erwin R. Harvey, *Legislación Cultural, Legislación cultural comparada, Legislación cultural puertorriqueña* (San Juan, Puerto Rico: Instituto de Cultura Puertorriqueña, 1993), 272, from Law 8, (18 July 1975).

<sup>6</sup> *Ibid*, 243, from Law 4, (15 July 1975).

<sup>7</sup> Alegría, interview.



preservation movement following the 1950's. Other professionals that contributed to the maturity of this movement were trained in architecture, history, art and literature, among other cultural fields. The professionals in architecture were the most involved in the preservation of monuments and zones. Eladio López Tirado was the architect who supervised the restoration works of the Institute of Puerto Rican Culture between the 1950's and 1970's.<sup>8</sup> Not only were professionals responsible for the development of the movement, the citizens that expressed their interest in their cultural heritage commissioning architects to restore their buildings were also an integral part of the improvement of the preservation movement.

Similar to the recommendations that the Argentinean architect Mario Buschiazzo had presented, the government created the Institute and the Office of Historic Monuments. Furthermore, with the interest of the Institute of Puerto Rican Culture, incentives were provided in favor of preservation projects. The Institute of Puerto Rican Culture worked together with the Governmental Bank of Development to provide loans to people interested in restoring buildings in historic zones.

The government established efforts to improve the laws of incentives. The law of "Contribuciones sobre la propiedad y sobre ingresos" which was passed in 1955 was amended in 1959.<sup>9</sup> This exemption, which had only been previously applied to San Juan, was extended throughout the island as new historic zones were created. The exemption period was also modified. The incentive that allowed only ten years of exemption in projects of complete restoration now included partial restorations. Projects that included the façade, *zaguán* and the main stairwell were considered partially restored. For this

---

<sup>8</sup> Alegría, 66.

<sup>9</sup> Harvey, 264, from Law 74, (25 June 1959).



phase in restoration, five-year exemptions were granted. Another incentive implemented in 1958 was the amendment to the “Ley de Alquileres Razonables.”<sup>10</sup> This law, which had been established in 1946, provided rules for the establishment of reasonable rent for buildings and sites. This amendment allowed for the exemption of this law to buildings of significance that were preserved, reconstructed or restored within the historic zones. The law for incentives has continued to be amended throughout the last decades of the twentieth century.

Another recommendation that Buschiazzo had proposed was the assignment of funds for the organization in charge of preservation. With the creation of the Institute, the government created the Funds for the Institute of Puerto Rican Culture. The assignment of funds to the Institute began with \$35,000 and throughout the years the funding has been increased. Furthermore, in 1986, a Finance Program was established, assigning funds to the Institute for cultural, historic and artistic activities, programs and projects.<sup>11</sup>

The Institute of Puerto Rican Culture has continued the legacy, which was begun in 1955. It was created with the motivation to conserve the heritage for national pride. With the establishment of the Institute, the preservation movement gained strength. The Institute of Puerto Rican Culture created awareness on the government, the citizens and the professionals about the conservation of cultural heritage.

Since 1949, the National Park Services had been the preservation organism that represented the United States in Puerto Rico. In 1966, the United States established the National Historic Preservation Act, “for the preservation of additional historic properties

---

<sup>10</sup> Ibid, 265-266, from Law 3, (10 March 1958).

<sup>11</sup> Ibid, 197-202, from Law 70, (30 June 1986).





throughout the nation.”<sup>12</sup> This act had to be enforced through the National Park Services, together with the government of Puerto Rico. The Preservation Act required the appointment of a State Historic Preservation Officer in Puerto Rico. In 1966, this official was designated. Dr. Ricardo Alegría, which had been appointed Executive Director of the Institute of Puerto Rican Culture in 1955, became the first State Historic Preservation Officer. Both appointments differed in status. The State Historic Preservation Officer had to answer to the Governor of the State or the Commonwealth, while the Executive Director had to respond to the Institute’s Board of Directors. Therefore, there were discrepancies created from the appointment of one individual to both positions, in which each responded to different controls. The federal agency required an amendment in the policy of nomination. Following this, a new State Historic Preservation Officer was appointed, Rafael Rivera García.<sup>13</sup> Rivera was also the Director of the Office of Cultural Affairs of La Fortaleza, an office created in 1973 to contribute to cultural development in Puerto Rico. Therefore, the State Historic Preservation Officer was now able to respond to one entity, the Governor, as required by the federal agency.

In 1983, a new State Historic Officer was appointed, Dr. Arleen Pabón.<sup>14</sup> With this new appointment, a new problem arose. The recently nominated Officer was no longer the Director of the Office of Cultural Affairs, and the Governor-Officer relationship was in jeopardy. In 1983, the State Historic Preservation Officer, which had been part of the Office of Cultural Affairs, became a program under the Office of the

---

<sup>12</sup> Congress. *National Historic Preservation Act, as amended*, 3<sup>rd</sup> ed. (Washington, D.C.: Advisory Council on Historic Preservation, 1993), 7.

<sup>13</sup> Oficina Estatal de Preservación Histórica, Oficina del Gobernador, *Plan Estatal de Conservación Histórica. Puerto Rico 1996-2000* (San Juan, Puerto Rico: Programa de Imprenta y Centros de Reproducción Administración de Servicios Generales, 1997), 10.

<sup>14</sup> *Ibid.*



Governor.<sup>15</sup> The separation of these two governmental organisms created a debate in which two institutions doubled resources and efforts for the preservation of cultural heritage. As a result, in 1985, the Office of Cultural Affairs was eliminated and the Program of Historic Preservation of the Federal Department of the Interior became the State Historic Preservation Office.<sup>16</sup>

The State Historic Preservation Office, SHPO, became, similar to the Institute of Puerto Rican Culture, an organism responsible for promoting the preservation of historic and cultural heritage in Puerto Rico. The SHPO had a series of responsibilities. They had to direct and conduct a comprehensive statewide survey of historic properties and maintain inventories. They also had to identify and nominate eligible properties to the National Register; a listing of districts, sites, buildings, structures, and objects significant in history, architecture, archaeology, engineering, and culture;<sup>17</sup> and administer applications for listing historic properties on the National Register of Historic Places. In Puerto Rico, the SHPO has prepared several studies and inventories to identify, evaluate, register, and protect the cultural resources existent in the island. These studies include historic districts, archaeological studies, studies of typologies, inventories of architectural resources, studies of sub aquatic archaeology, and plans for the protection of cultural resources.<sup>18</sup> Together with the inventories, more than 250 properties have been nominated and included in the National Register of Historic Places. They include civic, religious and domestic architecture, as well as archaeological sites and historic districts.

---

<sup>15</sup> Ibid, 28-29, from Administrative Bulletin 4174, (6 September 1983).

<sup>16</sup> Harvey, 288-290, from Administrative Bulletin 4498. (31 July 1985).

<sup>17</sup> Congress, 9.

<sup>18</sup> Oficina Estatal de Preservación Histórica, 15.



Other tasks designated to the SHPO were, to prepare an implement a comprehensive statewide historic plan; to advise and assist agencies and government in carrying out their historic preservation responsibilities; to ensure that historic properties are taken into consideration at all levels of planning development; and to provide public information, education and training, and technical assistance in historic preservation. Furthermore, the SHPO in Puerto Rico has the responsibility to coordinate with other agencies activities related to projects of special interest for the Governor. Another important role of the State Historic Preservation Office of Puerto Rico is to review the impact of all federal projects on the island's heritage.

The SHPO, together with the Institute of Puerto Rican Culture, has become the two governmental institution dedicated to safeguarding the sustainability of cultural heritage. Their purpose and tasks are very similar, but their administration is different. Moreover, the mission of the institute of Puerto Rican Culture is much broader as it deals with all aspects of tangible and intangible heritage. Established by the federal and state government, respectively, these organisms have worked to educate, document, and promote Puerto Rico's cultural heritage.

In 1970, the government of Puerto Rico and the United States, in a coordinated effort to support Puerto Rico's natural and cultural resources, founded a private institution, The Conservation Trust of Puerto Rico.<sup>19</sup> This organization's main purpose is to protect and enhance the natural resources and the beauty of the island, all for the benefit of the people. This purpose has been accomplished throughout the years through

---

<sup>19</sup> "The Conservation Trust of Puerto Rico," in <http://www.fideicomiso.org>; INTERNET.



the acquisition, management, and public interpretation of lands that have ecological, aesthetic or historic value.

The Conservation Trust has been involved in the documentation and preservation of Puerto Rico's heritage. The properties that the Conservation Trust holds include ecological sites but also hold properties with historic and architectural value, most of which comprise part of Puerto Rico's industrial heritage. Therefore, the Conservation Trust has contributed to the documentation of Puerto Rico's industrial heritage.

The Conservation Trust has documented many of the properties together with the Historic American Engineering Record, HAER. The documentation has included agricultural and maritime sites. The work of the Conservation Trust and HAER has facilitated the documentation of six plantations; five dedicated to sugar, among them, Hacienda La Esperanza; and one coffee plantation and corn mill, Hacienda Buena Vista. Thirteen other industrial sites have also been documented; which are the lighthouses that exist throughout Puerto Rico.

Among the documented sites, the Conservation Trust has also restored their fabric furthermore, using them as museums. Hacienda Buena Vista in Ponce is a nineteenth century coffee plantation and corn mill, in which the manor house, stables and other buildings and grounds serve as an example of the social patterns of the time. Another site is the natural reserve of Las Cabezas de San Juan. Here, the second oldest lighthouse is situated among many different ecological communities. The lighthouse has been restored and serves as a nature interpretation center and an observation deck. Moreover, among the first projects of the Conservation Trust was a cooperative effort with ICCROM to preserve Hacienda La Esperanza in Manatí.





The Conservation Trust has educated, documented and preserved another aspect of the Puerto Rican cultural heritage, its ecological patrimony. It has also been the institution that has contributed to Puerto Rico's industrial heritage<sup>20</sup>. Although the Institute of Puerto Rican Culture, in the early decades of its establishment, encouraged the creation of a Museum for the Sugar Cane and Coffee Industries, as part of its Program of Museums and Parks, it was never created. The SHPO has also been involved in the documentation of such heritage. The Conservation Trust has continued to contribute to the efforts of the Institute of Puerto Rican Culture and the State Historic Preservation Office.

The international organizations continued their involvement in Puerto Rico's cultural heritage, through the United States. UNESCO established in 1972 a program to encourage the protection of cultural heritage through their inclusion in a World Heritage List. In 1983 La Fortaleza and the San Juan Historic Site were declared part of the United States World Heritage Sites. This reinforced the importance of the Historic Zone of San Juan and its monuments. However, Puerto Rico differentiates from the Dominican Republic and Cuba since the city of San Juan is not declared a Heritage Site.

---

<sup>20</sup> Francisco Javier Blanco, telephone interview by author, Puerto Rico, 13 January 2000.





Figure 10. View of La Fortaleza and the City Walls San Juan, P.R.  
Photograph by the author.

OAS has also contributed to the preservation program in Puerto Rico. In 1974, a Colombian architect, Guillermo Tummiño was brought to the Institute of Puerto Rican Culture to evaluate the establishment of their monuments inventory. The Institute of Puerto Rican Culture continued to receive the assistance of international entities throughout the years. In the 1990's the Spanish Agency of International Co-operation together with the Institute produced a study of the city of San Juan.

After the different organizations were established, the government continued to institute new laws and amend existing ones. In the 1980's, the government began to formulate legislation for the preservation of archaeological heritage. In 1985, a law was passed to protect and conserve caves, the formations and natural materials, flora, fauna,



water and archaeological values.<sup>21</sup> Years later, in 1987 the sub aquatic archaeological sites and resources were declared of public interest and the Council for the Conservation and Study of Sub Aquatic Sites and Resources was created under the Institute of Puerto Rican Culture.<sup>22</sup> This Council was established to regulate control over sub aquatic sites and resources. Similarly, in 1988, another archaeological law was passed in which the Council for the Protection of the Terrestrial Archaeological Patrimony of Puerto Rico was also created under the Institute of Puerto Rican Culture.<sup>23</sup>

Puerto Rico seems to have reinforced the preservation movement after the 1950's with the efforts of the government to strengthen the existing regulations and encourage its enforcement. The establishment of the Institute of Puerto Rican Culture was a turning point for the preservation movement as the government, more professionals, and citizens became interested in conserving the cultural heritage. The movement continued to grow with the creation of the State Historic Preservation Office and the Conservation Trust of Puerto Rico. All these institutions have contributed to the sustainability of Puerto Rico's cultural heritage, its history, architecture, and archaeology. Although many efforts have been accomplished in the last centuries, there is still more to be improved in the preservation movement on the island.

The preservation movement seems to be concentrated in the colonial cultural heritage that began in the sixteenth century and extended until 1898. Puerto Rico has, in the last century, received great exponents of vernacular and twentieth century architecture that, as the colonial heritage, needs to be preserved. There is currently a new

---

<sup>21</sup> Harvey, 313-317, from Law 111, (12 July 1985).

<sup>22</sup> Ibid, 293-303, from Law 10, (7 August 1987).

<sup>23</sup> Ibid, 303-313, from Law 112, (20 July 1988).



organization being created to encourage the preservation of the recent past, the Commission for the Conservation of the Architectural Heritage of the Twentieth Century.<sup>24</sup> The proposed commission would identify, document, recognize, and promote the conservation of twentieth century examples of Puerto Rican architecture. Within their objectives, the commission envisions the establishment of a list of architectural heritage, its documentation and nomination for historic monuments. Many of these twentieth century structures are not eligible as historic monuments since they have been in existence for less than fifty years. Similar to the colonial past, they are susceptible to demolition and interventions that can jeopardize its original value that needs to be conserved.

The efforts to preserve the recent past will contribute to the development of Puerto Rico's preservation movement. The Puerto Rican heritage

is not solely a world of colonial images but a collage of the multiple elements which helped to shape the present century and, as a result, today's attitudes. Each generation can claim a different past, which is eventually to become our collective memory.<sup>25</sup>

It is not only the colonial character, a mixture of Spanish, indigenous and Africans. But is also the accumulation of the international influence that has been received throughout the centuries and the American influence that began in the twentieth century.

The Puerto Rican past and also the present have to be preserved for the future. The sustainability of Puerto Rico's culture, depends on the government, the professionals involved in the cultural fields, and on the general population. Preservation is an evolving

---

<sup>24</sup> Enrique Vivoni, "Resolución" (resolution presented for the creation of the Commission for the Conservation of Architectural Heritage of the XX Century).

<sup>25</sup> Jorge Rigau, "Against the museum-city and a search for the meaning of tradition," *Sunday San Juan Star Magazine* (July 17, 1997): 13.





process, the laws and institutions that have been created in the last century are only effective if the movement continues to develop.

## DOMINICAN REPUBLIC

During the 1960's, the preservation movement in the Dominican Republic was in a process of transition, similar to their governmental structure. The "Era of Trujillo" had ended and the Dominican Republic began to develop their democracy. With the new government, new ideas began to evolve. Nevertheless, changes were occurring throughout the 1950's and 1960's in the Dominican Republic, which continued the encouragement of their national pride and cultural identity.

Throughout the world, the preservation movement continued to develop and to influence the Dominican Republic. Worldwide organizations such as UNESCO and OAS worked together with Dominican professionals to help improve the programs that had been established in the early decades of the twentieth century. Their technical assistance and recommendations benefited the evolution of the preservation movement in the Dominican Republic. Furthermore, local efforts made by Esso Standard Oil, S.A. Ltd and Dominican professionals involved in their study increased the awareness of the necessity to improve the existing preservation programs and laws.

The recommendations presented by OAS and the Esso Project, to establish an institution dedicated to the conservation of the built heritage, contributed to the



improvement of the preservation movement in the Dominican Republic. The government became aware of the options to strengthen the current programs and legislation. Both local and international influence served as a model for the movements' future development.

The government of the Dominican Republic began, in the mid 1960's, to encourage the preservation movement and to increase awareness towards their cultural heritage. On November 28, 1966, the State declared the value of their patrimony.

All the artistic and historic value of the country no matter who the owner is will become part of the cultural patrimony of the nation, and would be under the safeguard of the State, and the law will establish whatever is necessary for its conservation and protection.<sup>26</sup>

This declaration appears in the Constitution and marks the beginning of a new era for the preservation movement.

In the years which followed 1966, a series of decrees were passed to improve the administration of cultural heritage. The preservation program in the Dominican Republic evolved as a movement by the government and for the government. The State began to acquire several properties in the city of Santo Domingo to preserve their built heritage.<sup>27</sup> The government actions served as an example for the community, making them aware of the value of their cultural heritage.

During 1967, the OAS established, in their Meeting on the Preservation and Utilization of Monuments and Sites of Artistic and Historical Value, the Norms of

---

<sup>26</sup> Manuel del Monte Urraca, *Memorias de la Ciudad de Santo Domingo: Origen, Decadencia y Rescate de su Patrimonio* (Santo Domingo, República Dominicana: Empresas Unidas C por A, 1992), 87.

<sup>27</sup> <sup>27</sup> Plinio Pina, *Legislación Dominicana sobre Museos y Protección del Patrimonio Cultural 1870-1977* (Santo Domingo, República Dominicana: Ediciones Museo del Hombre, 1978), 55-56, from Decree 906, (20 January 1967).



Quito.<sup>28</sup> The recommendations provided within the Norms were oriented towards the value of cultural heritage, to favor economic and social development. Therefore, the Dominican Republic began to adapt their preservation program, and their cultural heritage was viewed as an economic asset. In 1967, the first national monument of the Dominican Republic, the Alcázar de Colón, came under the responsibility of the National Office of Tourism.<sup>29</sup>

As an initiative of President Joaquín Balaguer, the government created in 1967 the Office of Cultural Heritage, an institution for the conservation of Dominican patrimony.<sup>30</sup> This office was established under the National Office of Tourism, and later, in 1971, it became directly dependent under the Executive Power. The Office of Cultural Heritage became a specialized and technical entity responsible to orient, coordinate, and execute plans and initiatives for conservation. Its first director was Manuel del Monte Urraca, a Dominican architect who studied and had been trained abroad.

The Office of Cultural Heritage received the advice of the OAS. OAS had recommended the establishment of a similar governmental organism in previous years. Through its Department of Cultural Affairs, OAS provided advice and technical assistance under its Adjunct Director, Guillermo de Zéndigui. To continue the joint efforts, the Office of Cultural Heritage, together with OAS, established a Technical Unit, in which José Lacret, from OAS, became the director.

Among the responsibilities granted to the Office of Cultural Heritage, was the preparation of a plan for the repair and rehabilitation of the Alcázar de Colón and its

---

<sup>28</sup> "The Norms of Quito, 1967" *US/ICOMOS Scientific Journal ICOMOS Charters & Other International Doctrinal Documents*, vol. 1, no. 1 (1999): 9-16.

<sup>29</sup> Pina, 57-58, from Decree 1396, (15 June 1967).

<sup>30</sup> *Ibid*, 59-60, from Decree 1397, (15 June 1967).



surrounding environs. OAS had been previously involved in the proposal for the restoration of the Alcázar, and assisted the Office of Cultural Heritage in their first preservation project. The restoration projects that were executed in the Dominican Republic by the Office of Cultural Heritage and other governmental entities later established, were utilized, to house museums, tourist related activities, and cultural institutions, similar to those at the Alcázar.

The Office of Cultural Heritage was also involved in the establishment of laws and regulations, the elaboration of a master plan, the formulation of short and long-term restoration programs, and a plan to create conscience in the community, among other tasks. Taking into consideration the recommendations of the Norms of Quito and the Esso Project, the Office of Cultural Heritage began the program of rescue and revalorization of the walled city of Santo Domingo. During this year, the government declared the limits of the “Colonial City” of Santo Domingo.<sup>31</sup>

In 1968, a new law was passed, the Cultural Heritage of the Nation.<sup>32</sup> This law subdivided the cultural heritage into four different categories. The Dominican Republic’s cultural heritage therefore included monumental patrimony, artistic patrimony, documentary patrimony, and folk patrimony. Among them, the monumental patrimony consisted of

monuments, ruins and burial grounds of pre-Columbian archaeology, colonial structures, urban complexes and other constructions of significant historical or artistic interest, as well as statues, columns, pyramids, fountains, crowns, and plaques destined to remain in a public place with a commemorative nature.<sup>33</sup>

---

<sup>31</sup> Ibid, 63, from Decree 1650, (13 September 1967).

<sup>32</sup> Ibid, 64-67, from Law 318 (14 June 1968).

<sup>33</sup> Ibid, 64.





Through these categories, the cultural heritage of the Dominican Republic was clarified. Furthermore, this law dictated the identification, description and limitation of cultural heritage, its inventory and classification according to their nature and finality.

To continue the efforts of the government in the conservation of cultural heritage, a regulation was passed in 1969, dealing with the Office of Cultural Heritage.<sup>34</sup> This regulation established the task of the Office of Cultural Heritage: to carry out, coordinate, and execute plans implemented in the Dominican Republic, related to the monumental and artistic heritage of the nation. With this law, the structure of the Office of Cultural Heritage was also established. The Office was to consist of two divisions. The first division was responsible for the conservation of monuments, monumental urban, and rural complexes; landscapes, parks and gardens, declared or not National Monuments. The other division was in charge of the archaeology and artistic heritage of the nation.

The regulation also established the mission of the Office of Cultural Heritage, to elaborate plans for the conservation, consolidation and preservation of national monuments and to conduct an inventory of the monumental, artistic, and archaeological wealth of the nation. The Office of Cultural Heritage became responsible for the designation of regional committees in provinces in which national monuments were located.

As objectives for new organization responsible for preservation were formulated, the cultural heritage continued to be identified. By 1967, the limits of the “Colonial City” of Santo Domingo had been established. Later, in 1969, a new law was passed to declare the city, with limits previously established, as the Colonial City of Santo

---

<sup>34</sup> Ibid, 68-73, from Regulation 4195, (20 September 1969).



Domingo.<sup>35</sup> Within this law, a Monumental Zone was established for the Colonial City. Furthermore, a series of National Monuments were also declared in Santo Domingo and in several provinces throughout the territory. The Office of Cultural Heritage became the governmental entity responsible for the supervision of the Monumental Zone, and the nomination and protection of National Monuments.

The Dominican patrimony continued to be assessed and, throughout the years, more zones were declared historic either by law, decree or resolution. Through law, similar to the Colonial City of Santo Domingo, the center of Puerto Plata was declared historic in 1973. Three other centers have also been declared historic through decree; San Pedro de Macorís in 1977; and Montecristi, and Santiago de los Caballeros in 1987. Furthermore, the historic centers of La Vega and Moca have been established through resolutions in 1991 and 1993, respectively.

The law which created the Monumental Zone and added National Monuments to the list of cultural heritage for the Dominican Republic, was also responsible for the establishment of incentives. The restoration of National Monuments and structures within the Monumental Zone, which complied with the rules and regulations of the Office of Cultural Heritage, received tax exemptions over rent for a period of five years. In addition, if the façade of a building was restored in accordance to the Office of Cultural Heritage, the owner was granted a fifty percent exemption on tax over rent for a period of three years.

The Office of Cultural Heritage tried to establish other incentives. In 1969, they proposed the creation of a special finance program to the Central Bank of the Dominican

---

<sup>35</sup> Ibid, 74-89, from Law 492, (27 October 1969).



Republic, as well as the creation of a Fund for the Investments for the Economic Development. However, these incentives were never implemented.

The Office of Cultural Heritage received the assistance not only of the OAS, but also of local governmental organisms. The Temporary Commission of Civic Ornate, an agency created by the Dominican government in 1966, with the support of the Inter-American Agency of Development from the United States, assisted the Office of Cultural Heritage. Although the Temporary Commission of Civic Ornate existed since 1966, it was not until 1969 when participation in restoration projects in the Dominican Republic began. These projects included the Chapel of Nuestra Señora de los Remedios, the Church of Nuestra Señora del Rosario, and the Ermita de San Lorenzo, in Santo Domingo.



Figure 11. Church of Nuestra Señora del Rosario, Santo Domingo, Dominican Republic.  
Photograph by the author.



The Dominican Republic increased their interest for preservation in the 1960's when many of the organizations responsible for the management of cultural heritage were established. The Office of Cultural Heritage, the first of many institutions created after the 1960's, currently consists of the Center of Inventory of Cultural Heritage, a Restoration Center of Goods and Chattels, a Museum Directorate, a Department of Monuments and Sites, and the Regional Offices of Cultural Heritage. At the present time, the Office of Cultural Heritage is located in Santo Domingo, and there are three regional offices located in the cities of Puerto Plata, Santiago, and San Pedro de Macorís.<sup>36</sup>

The government continued to establish more institutions for the preservation of the patrimony. In 1972, a new organism was created, the Commission for the Consolidation and Creation of Environments for the Great Historic Monuments of the City of Santo Domingo de Guzmán, also known as the Monuments Commission.<sup>37</sup> This new institution was established as a response to the damage produced in many monuments of the city of Santo Domingo during the earthquake of 1971. The Monuments Commission became responsible for the restoration of monuments and historical complexes, exclusively in the city of Santo Domingo and its immediate surroundings. Furthermore, the government granted the Monuments Commission the responsibility to fulfill some of the tasks that were part of the Office of Cultural Heritage,

---

<sup>36</sup> ICOMOS, 8.

<sup>37</sup> Pina, 94, from Decree 2123, (30 March 1972).





such as the restoration and creation of environments of monuments and historical complexes in the city of Santo Domingo.<sup>38</sup>

The preservation movement continued with the creation of more institutions and laws to manage cultural heritage. The creation of more institutions began a problem for preservation in the Dominican Republic, the duplication of functions. Preservation was focused on the many fields that involved the patrimony of the Dominican Republic. In 1972, the government created the Museum of the Dominican Man, an institution responsible for the anthropological, ethnological and archaeological heritage.<sup>39</sup> Furthermore, in 1973 it established a law for the protection and conservation of such objects.<sup>40</sup> Another organization established for the preservation of cultural patrimony was the Museum of the Royal Houses, created in 1973, to exhibit the evolution and characteristics of the colonial period.<sup>41</sup>

The focus on Dominican patrimony continued to expand. In 1974, the National Parks Department was founded.<sup>42</sup> This entity was in charge of the development, administration, order and care of a system of recreational, historical, natural and indigenous areas. The department's fundamental objective was the preservation of natural and human heritage.

While the government created new institutions to manage their nations' cultural heritage, the international organisms began to establish local chapters. The International Council on Monuments and Sites, ICOMOS, was established in the Dominican Republic

---

<sup>38</sup> ICOMOS National Committee, *Monuments and Sites Dominican Republic* (Sri Lanka: State Printing Corporation, Panaluwa, Padukka, 1996), 9.

<sup>39</sup> Pina, 96-100, from Law 318, (26 April 1972).

<sup>40</sup> *Ibid*, 116-120, from Law 564, (27 September 1973).

<sup>41</sup> *Ibid*, 121-123, from Law 580, (18 October 1973).

<sup>42</sup> *Ibid*, 124-130, from Law 67, (8 November 1974).



in 1973.<sup>43</sup> The Dominican ICOMOS became a civic association of private enterprise. Their objective has been to promote the study and favor the conservation and valorization of monuments and sites, awaken and develop the interest and respect of the government authorities and the Dominican people, towards their monuments, sites, and cultural heritage in general, and to monitor the programs of ICOMOS.

As different organizations continued to be established, laws were amended. In 1973, a new law of incentives was passed to modify the previous law established in 1969.<sup>44</sup> This law allowed for a tax exemption over rent for a period of twenty years and exemption of municipal and national taxes in the restoration of National Monuments and structures within the Monumental Zone that complied with the rules and regulations of both, the Office of Cultural Heritage and the Monuments Commission.

The continuous efforts to improve the preservation programs and the responsibility of the government to broaden the awareness about the nations' cultural heritage promoted the creation of a new institution. In 1976, the Center for the Inventory of Cultural Heritage was founded.<sup>45</sup> It was established as part of the Ministry of Education, Fine Arts and Culture, but in 1980 became a dependency of the Office of Cultural Heritage. The Center for the Inventory of Cultural Heritage became the entity responsible for the inventories, as well as their preparation and organization. It was also the institution that provided advice and support to other public or private organisms involved in the inventory or study of cultural heritage. Furthermore, the Center was

---

<sup>43</sup> Edwin Espinal Hernández, *Brevarios 3. Patrimonio Cultural y Legislación* (Santo Domingo, República Dominicana: Editorial Capel Dominicano), 112, quoting Dr. Carlos Dobal and Revista "Casas Reales," no.6-7 (mayo-diciembre 1978), 189.

<sup>44</sup> del Monte Urraca, 232-233, from Law 567, (19 September 1973).

<sup>45</sup> Pina, 134-135, from Decree 2310 (6 September 1976).



responsible for raising awareness of the values and needs for the preservation of cultural heritage. In 1979, a Commission for Underwater Archaeological Recovery was created to preserve, inventory and designate the underwater archaeological sites.

The creation of many institutions in the Colonial City of Santo Domingo related to the conservation of patrimony, motivated the city government to create a centralized organism. In 1982, the High Commission for the Colonial Zone of the City of Santo Domingo was established with the responsibility to direct and coordinate, under municipal power, the development and maintenance of the Historic Zone of the City.<sup>46</sup> This commission was composed of eleven governmental institutions involved in different tasks throughout the Colonial City. Despite the creation of the High Commission, this attempt to consolidate the institutions of the Colonial City of Santo Domingo was not successful.

International organizations, in particular OAS, continued to assist and influence the preservation movement in the Dominican Republic. They prepared projects, studies and recommendations for the preservation of the Dominican patrimony. In 1982, OAS organized under the Program of International Business and Tourism, a project for the use of cultural heritage oriented towards tourism and culture to provide for an economic asset; Terms of Reference for a Study of Pre-Investment about the Colonial Zone of Santo Domingo, Dominican Republic, with the Vision towards the Tourist-Cultural Benefit and the Socio-Economic Revenue of the Project.<sup>47</sup> In this project, OAS establishes the development of the Colonial Zone of Santo Domingo.

---

<sup>46</sup> ICOMOS, 15.

<sup>47</sup> Eugenio Pérez Montás, *De Patrimonio Cultural y Otros Temas. Discursos del V Centenario* (Santo Domingo, República Dominicana: Monograf, S.A. Taller Gráfico-Editorial, 1994), 18.



The cultural heritage of the Colonial Zone of Santo Domingo constitutes the most important resource that the country has among its attractive of international hierarchy. As much for the monumental and historic heritage already determined and other multiple opportunities that the zone offers, it is considered that this resource is the ideal compliment, adequate and consistent, as a policy for the tourist-cultural development based on the utilization of the natural and cultural attractive, and the human and economic resources of the country.<sup>48</sup>

The Colonial Zone of Santo Domingo became not only an instrument for tourism and economic development but also a way to preserve the Dominican Republic's cultural heritage.



Figure 12. Atarazana St., Santo Domingo, Dominican Republic  
Photograph by the author.

The pre-investment project created by OAS in 1982 continued to develop in 1991 with the Cradle of America Plan. The project focused on the use of the urban center as an economic and cultural resource. It was a plan for the revalorization of the Colonial

---

<sup>48</sup> Ibid.





City with the purpose of utilizing its tourist and cultural wealth. The plan had several objectives: economic, social, tourist, physical and environmental, urban, and cultural. The Cradle of America Plan represents a strategy of diversification for national tourism.

OAS sponsored other projects in the Dominican Republic as well as throughout the Caribbean. The Plan of the Greater Caribbean for the Monuments and Sites, CARIMOS, was founded in 1982.<sup>49</sup> The project was established to stimulate conservation and create conscience in the community of the Region of the Greater Caribbean about the importance of historic centers, monuments, and urban sites of the region. CARIMOS was a strategy for conservation and development through the revitalization of sites. The initial plan, under the auspices of OAS, was a project of ten years. Therefore, as OAS concluded its involvement in the project, the individuals and entities that participated in the initial plan continued to carry the efforts already established. In 1994, CARIMOS continued its objectives: the study, divulgation, protection, and restoration of monuments and sites that define local, regional, national and inter-regional character of the zone contributing to strengthen cultural identity and development.<sup>50</sup>

The international organizations continued their influence in the Dominican Republic. The Colonial City of Santo Domingo, considered throughout the years a principal exponent of cultural heritage in the Dominican Republic, was designated in 1990 a World Heritage Site. A city rich in cultural, aesthetic, historic and symbolic value

---

<sup>49</sup> Espinal Hernández, 113.

<sup>50</sup> "Organización del Gran Caribe para Monumentos y Sitios," CARIMOS. (Textos Para Folleto Institucional), working paper, Santo Domingo, Dominican Republic, 1999.



became part of UNESCO's World Heritage List, a program established to encourage countries to protect their own natural and cultural heritage.

As the interest for preservation grew in Dominican Republic, particularly in the city of Santo Domingo the need for financial assistance increased. The government established, in 1991, a monetary assignment for the city through the creation of the Fund for the Protection of the Colonial City of Santo Domingo. The assignment was part of a grant by the Dominican Government and the profits generated by the administration of properties owned by the government in the Colonial City. The Fund was created to assure a permanent monetary source for the maintenance and restoration of buildings in the Colonial City of Santo Domingo.

In 1993, a new organization was established in the city of Santo Domingo, the Foundation for the Colonial City of Santo Domingo.<sup>51</sup> The Foundation became the organism responsible to design and coordinate the action of different organisms, public and private, especially those cultural entities that received subsidy from the State and whose tasks include the preservation of the heritage of the Colonial City of Santo Domingo. The creation of such institution came as a response to the demands, obligations and responsibilities that the city assumed when it was recognized under the World Heritage List. This institution also incorporated into its functions the Fund for the Protection of the Colonial City of Santo Domingo.

During the last decades of the twentieth century, several projects have been developed in the Dominican Republic regarding cultural heritage. International entities continued their interest in the Dominican Republic and together with Dominican

---

<sup>51</sup> ICOMOS, 16.



professionals, encouraged the economic development and the enhancement of the built fabric. Currently, there are two projects being developed. The Inter-American Development Bank, together with some of the agencies responsible for the conservation of the Dominican patrimony, established an analysis of the problems that the Colonial City of Santo Domingo has encountered throughout the years. The project proposes the Revitalization of the Colonial City through regulatory plans for tourism and urbanism, among others. Other projects have also been developed through UNESCO. Pactarim, a French non-governmental organization, has proposed a project to restore dwellings in the Colonial City of Santo Domingo. The repair of dwellings located within the walls of the first city of the New World is part of a four-year program.

Similarly to Puerto Rico, where the preservation movement has concentrated in the colonial heritage, the Dominican Republic has focused their efforts in their colonial past. Nevertheless, the Republican period and Modern Movements in the Dominican Republic have also contributed to the development of the nations' heritage. In 1990, a new organism was established, the Documentation and Conservation of the Modern Movement, DOCOMOMO. It is an international organization that has established a local chapter in the Dominican Republic, created to teach about the Modern Movement, and document, conserve, and promote an understanding of the existing examples of this Movement. The architectural heritage of the Modern Movement in architecture is today more at risk than that of any other period, due to its age, its often-innovative technology, the functions it was designed to perform, and the present cultural climate.<sup>52</sup> The preservation of the recent past will further the efforts of the preservation movement in the

---

<sup>52</sup> "Documentation and Conservation of the Modern Movement," in <http://www.ooo.nl/docomomo/start.htm>; INTERNET.



Dominican Republic. Not only is the colonial past important, but also all the influences received throughout the centuries.

Preservation in the Dominican Republic is dependant on the efforts that are made for the past, but also for the present and the future. The coordination of all the organisms responsible for the sustainability of the Dominican heritage is essential. Furthermore, a movement that has been established by a government requires the involvement of the private sector. The joint efforts of the government, the professionals, the citizens, and the international institutions are fundamental for the continuation of the preservation movement.

## CUBA

The political situation in the Spanish Antilles demonstrated, throughout the years, its influence on the preservation movement. The situation in Cuba was no exception. In 1959, a new form of government developed, a socialist-communist regime and Cuba increased the interest in their culture and their heritage. During the following decades, the government formulated laws, regulations and programs to encourage Cuban patrimony.

The development of cultural heritage legislation in the 1930's continued through the 1960's with the new government. A new law was passed in 1961 which created a





cultural institution, the National Council of Culture.<sup>53</sup> This governmental institution became responsible for the cultural activities throughout the nation. The National Council had, among its tasks, to provide assistance to other governmental organisms in their cultural efforts. The creation of awareness throughout the nation and the rescue of Cuban traditions were also functions of this organism. The National Council of Culture, first established under the Ministry of Education, later became a dependency of the State's Central Administration.

The government continued to improve the structure of their cultural institutions. In 1976, a new organism replaced the National Council of Culture, the Ministry of Culture.<sup>54</sup> The tasks granted to the Ministry of Culture were similar to the previously established tasks of the National Council of Culture. The Ministry of Culture became the entity responsible for Cuba's cultural policy.

The Ministry of Culture had many responsibilities. It was the institution in charge of preservation, arts, and humanities, among other subjects. It had to study, conserve, and restore Cuba's patrimony, consequently, the Ministry of Culture established the National Directorate of Cuban Heritage under the supervision of Dr. Marta Arjona Pérez. The Ministry was also responsible to educate the citizens and to create awareness towards the cultural field. Furthermore, through culture, the Ministry of Culture was required to encourage the socio-economic development of the nation.

To accomplish their fundamental purposes, several institutions were created and incorporated into the Ministry of Culture. The Cuban Institute for the Arts and the Industry of Cinematography, the Cuban Institute of the Book, the House of the Americas,

---

<sup>53</sup> "Cubarte." In <http://www.cult.cu>; INTERNET, from Law 926, (4 January 1961).

<sup>54</sup> Ibid, from Law 1323, (30 November 1976).



the Superior Institute of the Arts, the National Center for Authorship Rights, and the National Council of Cultural Heritage have been established throughout the years to assist the Ministry in the many specialized tasks involved in the nation's cultural policy.

The government, in their initiative to improve the legislation of cultural heritage, continued not only the development of organizations but also the implementation of new laws and regulations. In 1977, a new law was established, the Law for the Protection of Cultural Heritage.<sup>55</sup> Cuba's cultural heritage was, therefore, considered according to its importance in archaeology, history, literature, education, art, science, and culture in general. The evaluation of goods and the establishment of methods for its protection were contemplated within this law, for which the Ministry of Culture became responsible.

The Law for the Protection of Cultural Heritage fomented the creation of a National Registry of Cultural Goods that became part of the Ministry of Culture. The Registry was in charge of documenting Cuba's cultural heritage. To assist in the implementation of their objectives, the National Registry of Goods was assigned a group of advisors, knowledgeable professionals in the many fields that contributed to Cuban culture.

In 1977, another law came into effect, the Law of National and Local Monuments.<sup>56</sup> This law provided a broader understanding of cultural heritage. National and Local monuments, urban historic centers, constructions, sites, and objects were identified. In addition, the criterion for designation of monuments was formulated. National and local monuments were classified according to their historic, artistic, environmental, natural and social values.

---

<sup>55</sup> Ibid, from Law 1, (4 August 1977).

<sup>56</sup> Ibid, from Law 2, (4 August 1977).



The Law of National and Local Monuments also provided for the creation of the National Commission of Monuments. The National Commission, a new organism under the Ministry of Culture, became the specialized group responsible for the legal protection of monuments. Among their responsibilities, the Commission had to declare monuments; to prepare studies and plans for their conservation and restoration; and to authorize, inspect, and supervise the conservation works.

Together with the National Commission of Monuments, Provincial Commissions were also established. These secondary commissions were in charge of monuments within their geographical region. Their responsibilities were similar to those of the National Commission. They became the keepers of monuments and were responsible for nomination to the National Commission.

Other aspects were established within this law. A series of protective measures to allow for the sustainability of the monuments was also established. As an aid for the identification of the monuments, a Registry of National and Local Monuments was created. The National and Provincial Commissions were enforced to keep an inventory of Cuba's monumental heritage.

The government in efforts to educate and create awareness in the community and to promote the preservation of cultural heritage, continued to establish laws. In 1979, these factors were conveyed through the creation of the Law of Municipal Museums.<sup>57</sup> The Cuban government required the establishment of museums, in each municipality of the Republic, focusing on the national and local history, the Cuban traditions, and the development of the nation, their economy and culture. The creation of museums became

---

<sup>57</sup> Ibid, from Law 23, (18 May 1979).



a way to educate the people about their culture and to establish examples for preservation. Existing structures were used to house the museum facilities. Buildings of historic or architectural value were included among the existing structures and therefore restored or adapted to allow for their new use.

During the 1970's, cultural legislation in Cuba was reinforced. The Law of National and Local Monuments had encouraged the Ministry of Culture to prepare rules for the conservation of Cuba's monumental heritage. Therefore, regulations began to be formulated. In 1979, the Regulation for the Execution of the Law of National and Local Monuments was passed.<sup>58</sup>

This decree elaborated on subjects previously established in 1977. The responsibility of the Commission of Monuments, both on a national and provincial level, was broadened. Furthermore, the structure of the National and Provincial Commissions was established. The Commissions were composed of governmental officials from the fields of construction, education, science, tourism, planning, forestry, and history. Together with them, a delegate from the organization that represented the architectural profession was included in each board. In addition, an advisory group of historians, architects, and other specialized personnel in the field of culture and preservation was designated. To further the commission's assistance, a series of Work Groups were established to promote the study, conservation, restoration, and care of the national and local monuments.

As part of the regulations established through this decree, the designation process of monuments was determined. The Commission of Monuments became the entity

---

<sup>58</sup> Ibid, from Decree 55, (29 November 1979).





responsible to designate monuments, and the National Registry had to keep their inventory. Furthermore, the national and local monuments were classified in accordance to their typology: urban historic centers, constructions, sites, and objects.

Within the decree, a level of protection for monuments was established. Four degrees of protection were created to control interventions on buildings and to ensure preservation and protection based on their value, state of conservation, relation to the environment, and the social and cultural interest. The monuments within the first two levels of protection were supervised by the National Commission, due to their importance and integrity while the others were under the responsibility of the Provincial Commissions, with assistance and technical support from the national level.

The government created institutions and laws but, at the same time, established projects throughout the island to preserve their cultural heritage. As interest in preservation grew in Cuba, especially in the city of Old Havana, projects began to be developed. In 1976, the National Directorate of Cultural Heritage of the Ministry of Culture began investigations in Old Havana, which led to the recognition of its exceptional values, as well as to a proposal for its rehabilitation.<sup>59</sup> Furthermore, in 1979, the city of Havana was declared a National Monument.

In 1981, the government began restoration work in the city of Havana through the Office of the Historian which had been founded in 1938. The Office of the Historian was directed by Eusebio Leal, a historian that ever since 1967 had been involved in Cuba's cultural field. In addition, the Work Groups designated through the Regulation for the Execution of the Law of National and Local Monuments to further cultural heritage, were

---

<sup>59</sup> Patricia Rodríguez Alomá, *Viaje en la Memoria: Apuntes para un Acercamiento a la Habana Vieja* (Pamplona: Castuera, 1996), 15.



established. In Old Havana, the Monument Restoration Company and the Architecture Workshop were established, as well as a Cabinet of Archaeology.

International organizations became more involved in the preservation of Cuban heritage during the 1980's. UNESCO, with the World Heritage Commission, encouraged the protection of Cuba's natural and cultural heritage. In 1982, Old Havana and its systems of fortifications, considered main exponents of Cuba's cultural heritage, were designated a World Heritage Site.



Figure 13. Castle of the Tres Reyes Magos del Morro, Havana, Cuba.  
Photograph by the author.

Throughout the years, other Cuban cities and sites have received similar distinctions. The town of Trinidad built in 1514 and including the Valley de los Ingenios with its sugar mills, became a World Heritage Site in 1988. More recently, in 1997, the San Pedro de la Roca Castle in Santiago de Cuba, one of Cuba's main fortifications, was also included in the World Heritage List. Not only have the historic and architectural



heritage been included as a World Historic Site for Cuba, but also in 1999 two of Cuba's significant natural sites were designated. On the southeast corner of the island, the Desembarco del Granma National Park, and on the northwestern part, the Viñales Valley, were included into the World Heritage List, both contributing to Cuba's natural heritage.

As the interest in Cuba's heritage continued, museums, monuments, and historic centers were designated. The government saw the necessity to create an organism in charge of the restoration of their mobile and immobile heritage. In 1982, the National Center for the Conservation Restoration and Museology, CENCREM, was established, financed by UNESCO. CENCREM became the institution within the Ministry of Culture, responsible for the scientific-technical development for the preservation of Cuban cultural heritage. This institution develops historical and scientific investigations, develops projects, provides advice and executes preservation works.

To further the laws established in the 1970's by the Cuban government, a Regulation for the Execution of the Law for the Protection of Cultural Heritage was formulated in 1983.<sup>60</sup> In this regulation, the main focus was given to the National Registry of Cultural Heritage and Cuba's cultural wealth. Similar to the Commission of Monuments, the National Registry began to receive assistance of regional registries. This new regulation established the declaration, inventory, and protection of Cuban goods which were part of the nation's patrimony.

As the preservation movement developed, the projects sponsored by the government continued the restoration of fabric. The city of Havana became a focus for preservation. In 1985, CENCREM, together with the Provincial Directorate of Physical

---

<sup>60</sup> "Cubarte," in <http://www.cult.cu>; INTERNET, from Decree 118, (23 September 1983).



Planning and Architecture, created the General Guidelines for the Recovery of the Historical Center of Old Havana.<sup>61</sup> Restoration projects continued to be developed as part of the governmental policy. In 1986, the Armed Forces took part of the preservation program, taking on the restoration of the forts of San Carlos de la Cabaña and the Tres Reyes Magos de el Morro in Havana. Furthermore, in 1991, the City's Directorate of Architecture and Urban Planning developed the First Stage of a Municipal Director Plan in the efforts to rescue Havana's historic center.

Until the 1990's, the preservation movement in Cuba had strongly developed accomplishing several goals, education, awareness, and projects. The 1990's began an era of economic recession, with the disintegration of the former Soviet Union and the embargo instituted by the United States. This era began a shift in Cuba's preservation policy.

During the period between 1976 and 1992 the restoration effort was characterized by being an activity that had the support and official recognition of the state. It was understood as a sociocultural action by the country and it was completely subsidized.<sup>62</sup>

Following this, Cuba was forced to begin a process of decentralization and the search for alternatives and economic financing. The budget for preservation was reduced and the government had to establish new mechanisms for their socioeconomic development. These new means included access to capital from foreign countries through mixed associations, the development of tourist activities within historic centers, an increase in the commercial and service activities, and the establishment of real estate agencies.<sup>63</sup>

---

<sup>61</sup> Rodríguez Alomá, 15.

<sup>62</sup> Nelson Melero Lazo, *General Considerations About the Restoration Efforts in Old Havana: Antecedents, and Strategies*, *Cuartilla Informativa*, vol. VII, no.6 (June 1999), 4.

<sup>63</sup> *Ibid.*





Meanwhile, the collaboration of international organisms increased in the 1990's. The influence and assistance of Spanish agencies began to be introduced into Cuba. In 1992, the Spanish Agency of Ibero-American Co-operation together with the Office of the Historian of Havana established a Workshop School to recover the skills and trades related to restoration. Specialist teams of architects, engineers, archaeologists, mural painters, art historians and social scientists were established. Furthermore, UNESCO continued its involvement as it launched an international campaign to raise funds for the conservation of the Plaza Vieja in Havana.



Figure 14. View of Plaza Vieja, Havana, Cuba.  
Photograph by the author.

As new mechanisms began to be adopted by the government, changes occurred in the institutional structure of Cuba's heritage. In 1993, the government approved a new



law that amended the functions of the Office of the Historian of the City of Havana.<sup>64</sup> This law provided maximum authority to the Office of the Historian to promote the conservation and restoration of the city's Monumental Heritage. In addition, it gave the institution legal status, powers to request, obtain and administer international assistance or cooperation funds, and powers to deal with the needs of the people that lived in the Historic Center of Havana. The Office of the Historian became a direct dependency of the State Council.

Cuba continued its new policy and the efforts to rescue and preserve their cultural patrimony. Several organisms were established to assist the economic sustainability of the country. In 1993, a tourism company, Habaguanex S.A. was created. This company became in charge of the commercial and hospitality sectors in the historic centers. Furthermore, the real estate agency, Fenix S.A., and a tourism company, San Cristobal, were also created. These company's provided financial support to the Office of the Historian, necessary to continue preservation projects.

In 1994 the Master Plan for the Integrated Revitalization of Old Havana was created, in a cooperative agreement between the Office of the Historian and the Spanish Agency of Ibero-American Co-operation, to establish policies for the rehabilitation of Havana. The plan was formulated with the goal to study the problems of the historic center and to protect the patrimony through a plan that combined the preservation of cultural heritage and the socioeconomic demands of the city. Additionally, the implementation of such plan provided the co-operation of several professional groups in Cuba. In 1995 the Historical Center of Havana was declared an area of high significance

---

<sup>64</sup> Rodríguez Alomá, 3.



for tourism.<sup>65</sup> The projects for the restoration and rehabilitation of the city began to be implemented.

In 1995, a new institution came into existence, the National Council of Cultural Heritage of the Ministry of Culture.<sup>66</sup> It is a national entity whose purpose is to protect, rescue, conserve, exhibit, investigate and divulge the cultural and natural heritage. The National Council consists of an Administration and three other sectors, Museums, Monuments and Economy. It is also the organism responsible for CENCREM and the National Registry, as well as the National Commission of Monuments.

The preservation efforts were not only concentrated in the city of Havana, they extended throughout Cuba. Other offices began to be created in several towns of historic character throughout the nation. Currently, the Office of the Conservator in Trinidad, the Office of the Historian of Camaguey, and the Office of the Conservator in Santiago de Cuba share similar responsibilities to those of the Office of the Historian of Havana. Furthermore, these towns and many throughout Cuba have developed restoration projects to preserve the patrimony.

The government in Cuba has not been alone in the efforts to preserve the cultural patrimony. Individuals and the professional organisms have taken a role in the field. The National Union of Architects and Construction Engineers, UNAICC, have established a Heritage Committee to contribute to the education of its members in cultural heritage. The Heritage Committees have been organized at national and local levels. Their objectives include the creation of study and work groups to contribute to the national heritage; to provide advice; to encourage the scientific and technical development; to

---

<sup>65</sup> Ibid, 15.

<sup>66</sup> "Cubarte," in <http://www.cult.cu>; INTERNET, from Resolution 73, (14 July 1995).



organize events, conferences, workshops and encourage investigations; and to work together with other organizations in the continuing efforts for preservation.

Cuba's cultural heritage extends into the twentieth century and encompasses their recent architecture. Similarly to Dominican Republic, Cuba has established a National Chapter for DOCOMOMO within the structure of the UNAICC. This group has been responsible for the documentation and preservation of the Modern Movements established after the revolutionary period.

The preservation movement in Cuba has developed through the efforts made in the past, but mainly the programs established throughout the last decades. The political and economical factors that influenced the island during the 1990's have encouraged the development of a movement in which many fields and institutions have joined efforts to favor preservation. The movement is still in a developing process, not only in Cuba but also throughout the Spanish Antilles. The efforts of the government, the citizens and the influences from abroad will continue to play an important role in the sustainability of the nation's heritage.





## IV

### A COMPARATIVE ANALYSIS OF THE PRESERVATION MOVEMENTS



Figure 9. San Juan, Santo Domingo and Havana, 1638  
Aníbal Sepúlveda Rivera, *San Juan Historia Ilustrada de su Desarrollo Urbano, 1508-1898* (San Juan, Puerto Rico: CARIMAR, 1989), 63.



Preservation in Puerto Rico, the Dominican Republic and Cuba has manifested ever since the early centuries. The economic situation of the Spanish Antilles between the sixteenth and nineteenth centuries encouraged the rehabilitation, reconstruction and adaptation of existing structures. The Creoles utilized the resources available in their territories regardless of their historic and artistic value. In the nineteenth century, the development of national pride throughout the Spanish Antilles began to promote an interest in the tradition of each country and encouraged awareness towards historic events and places of value. With an interest developed for cultural identity, Puerto Rico, the Dominican Republic and Cuba began to establish legislation for the preservation of cultural heritage.

The first country to establish a law for the protection of cultural heritage was the Dominican Republic. As previously mentioned, the preservation movement in the Spanish Antilles has been affected by the political status of the territories. During the 1870's, when the first law was passed, the Dominican Republic had already established their own form of government, while Puerto Rico and Cuba were still under the Spanish regime. In addition, the Dominican Republic recognizes its importance as the first settlement in the New World holding the oldest and most significant structures of the colonial era.

During the twentieth century, the Spanish Antilles experienced the development of their preservation policies. Puerto Rico, the Dominican Republic and Cuba established their own laws and preservation programs in different periods, but they all shared a main objective, the interest towards their cultural heritage. The efforts for the preservation movement strengthened in the 1950's, 1960's, and 1970's with the creation of a main



governmental institution dedicated to cultural policy; in Puerto Rico, the Institute of Puerto Rican Culture (1955); in Dominican Republic, the Office of Cultural Heritage (1967); and in Cuba, the Ministry of Culture (1976).

The interest towards patrimony in the Spanish Antilles became the focus of different fields: education, history, architecture, urban planning, archaeology, tourism, and economy. The laws and institutions established throughout the decades, included within their objectives, the encouragement of preservation in relation to these fields. Preservation in the Spanish Antilles began oriented exclusively towards the awareness of culture but was later envisioned as an asset for tourism and economic development.

The laws established were first aimed at safeguarding the cultural heritage of the Spanish Antilles, their artifacts and their monuments. Through these laws, many isolated monuments were declared of cultural value. Monuments are declared in each of the Spanish Antilles for their historic, architectural, social and natural value. However, the process of designation and categorization differs from one territory to another. In Puerto Rico, unlike the Dominican Republic and Cuba, cultural heritage functions at two levels, as Commonwealth and as part of the United States. The designation of the monuments occurs at national and federal produced by two distinctive institutions. The Institute of Puerto Rican Culture assists the Planning Board in the nomination and designation of the national monuments. The State Historic Preservation Office, in contrast, presents the federal monuments to the United States Secretary of the Interior for inclusion to the National Register. The process in the Dominican Republic is simplified, where only national monuments are designated. The Office of Cultural Heritage is the entity responsible for the designation of these monuments. In Cuba, the Ministry of Culture has



established two categories, national and local, both designated by the National Commission of Monuments with the assistance of Provincial Commissions.

The urban growth that occurred in each territory of the Spanish Antilles had an effect on the preservation movement. In the mid nineteenth century, the growth of the main cultural centers, San Juan, Santo Domingo and Havana, presented a danger to the heritage of these cities. The fortified cities began to develop into outlying districts requiring the partial demolition of their city walls and fortifications. Many citizens opposed to these actions, and efforts that favored preservation began to occur. Furthermore, after the 1920's, plans for the urban renewal of these cities developed. Most of them, however, were never accomplished. In Puerto Rico, an American firm, Keith and Feiss, presented a plan for San Juan that proposed the demolition of a section of the city. The Dominican Republic during the "Era of Trujillo" also produced several urban renewal plans for Santo Domingo. In Cuba, first a French urban planner, Forestier and later a Spanish, José Luis Sert, developed plans that included, among other things, the substitution of fabric in Havana.

To protect the cultural centers and their fabric several laws were established. The urban growth and the laws allowed the transition from isolated monuments to historic districts to occur. Puerto Rico was the first to establish a law for the protection of historic centers in 1949. Currently, eight historic zones have been designated throughout the island. The Dominican Republic also established, after 1967, laws for the protection of their historic centers. At present, there are seven historic centers throughout Dominican Republic. Cuba developed their laws in 1977, and has designated since fifty zones.





Similar to the isolated monuments, the historic districts are designated by the national preservation organizations in each of the Spanish Antilles.

The preservation of natural and archaeological sites is, together with monuments and districts, other cultural components included in the patrimony. The preservation of natural sites is in Puerto Rico, nationally and federally administered by the Institute of Puerto Rican Culture and the State Historic Preservation Office, respectively. Despite this, the Conservation Trust of Puerto Rico has been the organism that contributes the most to the preservation of the island's natural sites. In Dominican Republic, although the Office of Cultural Heritage is responsible for the cultural patrimony, a new institution was established to care for the historic, natural and indigenous sites; the National Parks Department. Cuba also protects their cultural sites. It designates them as part of UNESCO's Biosphere Program.

The archaeological sites in the Spanish Antilles have also been administered by main governmental institutions. The Dominican Republic is within the Antilles, the territory with the most important historic archaeological heritage. The first Spanish settlements in the New World were established in this country. It must be for this reason that the Dominican Republic has established several organisms responsible for the preservation of their archaeological heritage. The Dominican Commission of Archaeology, the Dominican Institute of Anthropologic Investigations, the Museum of the Dominican Man, and in general the Office of Cultural Heritage are responsible for the archaeological sites and heritage, all which have overlapping responsibilities. Furthermore, the Dominican Republic established a Commission for Underwater Archaeological Recovery. In Puerto Rico archaeology has not played a major role in the



development of the preservation movement, although there are several important pre-historic sites throughout the island. The Institute of Puerto Rican Culture and the State Historic Preservation Office have within their structure commissions for archeological investigations, but it is not until the 1980's that the government created the Council for the Conservation and Study of Sub Aquatic Sites and Resources and the Terrestrial Archaeological Patrimony of Puerto Rico. Cuba supervises their archaeological sites through the Ministry of Culture, the Cabinet of Archaeology, and the Academy of Sciences. Among the Spanish Antilles, Cuba fosters a balance between architecture and archaeology, almost inexistent in the rest of the Antilles by conducting archaeological investigations in many of the preservation projects executed.

In Puerto Rico, the Dominican Republic and Cuba, many institutions have been established to administer the cultural heritage. The lack of coordination and communication between these entities creates a problem for the preservation movement. In the Dominican Republic throughout the last century over a dozen institutions have been established. Their objectives and functions overlap in many occasions. "There is an incoherence in the legal instrument."<sup>1</sup> Although there is a central institution in charge of patrimony, the Office of Cultural Heritage, other organisms have been created for monuments and sites especially in the city of Santo Domingo. As some believe "what is necessary is to omit the majority of these organisms and strengthen the one that is

---

<sup>1</sup> Eugenio Pérez Montás, *República Dominicana Monumentos Históricos y Arqueológicos* (México: Instituto Panamericano de Geografía e Historia, 1984), 486.



responsible for these tasks... concentrate in perfecting what we have...<sup>2</sup> Coordinated efforts are necessary to accomplish the goal of preservation.

The structure of the preservation program in Puerto Rico is less complex. The Institute of Puerto Rican Culture and the State Historic Preservation Office are the two entities responsible of the island's cultural heritage. Although law does not require it, the professionals of both institutions have established throughout the last years communication and assist each other in the field. Nevertheless, there are existing threats to the preservation program. Within the Institute of Puerto Rican Culture, there is lack of coordination between the architecture and archeological fields. These commissions tend not to work together to accomplish their goals.

The structure in Cuba seems to be the more efficient, a central organization, the Ministry of Culture and its organisms, the National and Provincial Commissions, work for the objective of maintaining and preserving Cuba's cultural heritage. However, the Office of the Historian in four cities have received in the last decade an independent status. Nevertheless, both institutions have accomplished a common goal, the sustainability of Cuba's patrimony.

A major threat in the preservation movement of the Spanish Antilles is the lack of involvement of the community and the private sector. The preservation movement began as a response for national pride and cultural identity, encouraged by individuals interested in the cultural field. Although, in Puerto Rico and the Dominican Republic the government took the initiative to establish legislation, individuals and organizations such as the Ladies Civic Club and the Society for the Development and Preservation of Old

---

<sup>2</sup> Manuel del Monte Urraca, *Mi Propuesta* (República Dominicana: Editora Alfa & Omega, 1998), 115-116.



San Juan, both in Puerto Rico, and similar associations in the Dominican Republic, demonstrated the interest to conserve. In Puerto Rico, the restoration of the city has been made possible by proprietors with the help of the State; while the Dominican Republic has restored exclusively by Government initiative.<sup>3</sup> Cuba, on the other hand, promoted preservation in the early decades through the support of a group of intellectuals. The program was, in the following decades, continued by the government. Since there is no private wealth in Cuba involvement of the private sector is irrelevant.

The individuals that have been involved in the preservation movement throughout the Antilles represent many professional fields. History, architecture, archaeology, and anthropology are among these disciplines. The main precursors of the preservation movement have been the government leaders and the professionals in charge of the preservation programs. In Puerto Rico, the movement began as an initiative of governor Luis Muñoz Marín with the leadership of Dr. Ricardo Alegría as part of a much larger initiative to enhance the appreciation of all aspects of Puerto Rican culture. In the Dominican Republic, the political figure that encouraged and enforced preservation has been President Joaquín Balaguer. In this country, the professionals that have advocated for preservation have included Eng. José Ramón Báez López Penha, Arch. Manuel del Monte Urraca, Arch. Eugenio Pérez Montás, and Arch. Manuel S. Gautier. In Cuba, Dr. Emilio Roig de Leuchsenring promoted the initial concerns for preservation. Later, Fidel Castro began, under his regime, to establish programs that have been instituted under the supervision of Dr. Marta Arjona Pérez and Eusebio Leal, as well as professionals at CENCREM and Isabel Rigol. All these individuals, together with the architects,

---

<sup>3</sup> Ibid, 302-303.





historians and archaeologists involved in the conservation works, established the bases for the preservation programs in the Spanish Antilles.

The international involvement in the Spanish Antilles has furthered the efforts on preservation. Scholars, worldwide organizations and international, public and private, institutions have been involved in the evolution of the preservation movement. Puerto Rico has, in the last century, received most of its assistance from the United States through the establishment of laws and organisms such as the National Park Services and the Department of the Interior. The international influence has also been available in Puerto Rico through OAS and UNESCO. Nevertheless, the recommendations provided by such organisms such as the Venice Charter and the Norms of Quito, which provide guidelines for preserving historical heritage, have been almost inexistent in the preservation policy of the island. Between the two main cultural institutions, the State Historic Preservation Office seems to be the one that takes them into consideration.

The Dominican Republic has been widely assisted by OAS and UNESCO. Several of the programs established in Dominican Republic have been a direct response to the recommendations that OAS has formulated. UNESCO has also contributed with studies, recommendations and projects. Furthermore, the guidelines established by these organisms have been incorporated into the preservation policy of the Dominican Republic.

Among the Spanish Antilles, Cuba has received the maximum assistance from UNESCO, while OAS does not participate. Many programs and funding have been established in the island since the 1980's. In addition, similar to Puerto Rico and the Dominican Republic, Cuba has received the support of Spanish corporations, agencies,



universities and the government in many projects. Countless professionals, organisms and countries have assisted the Spanish Antilles in the preservation movement, particularly in Cuba. During the 1970's and 1980's Cuba made use of numerous scholarships by foreign countries for specialized training in preservation.

In order to educate the community and to establish awareness in cultural heritage, the government of Puerto Rico, the Dominican Republic and Cuba developed programs and laws for the establishment of museums. These programs encouraged the preservation of fabric as historic structures which were restored, reconstructed or adapted to house museum facilities and cultural institutions. It has been the government, with its initiative and establishment of patterns, that stimulated the citizens in the conservation of their properties.

Through time, preservation became an asset for tourism and economic development. They became factors pursued by the government in the preservation efforts throughout the Spanish Antilles at different stages. Puerto Rico developed an interest for tourism in the 1940's when their law for historic zones was developed. The Dominican Republic, similar to other countries in Latin America developed an economic interest in preservation, especially after the Norms of Quito were established. For Cuba, tourism has become an important factor in supporting preservation. Their interest was encouraged in this decade but with a stronger desire than that established in the rest of the Spanish Antilles. The economic situation of Cuba forced the country to seek tourism as an option for the sustainability of their heritage. The preservation movement throughout the Spanish Antilles has since then been focused on the conservation, restoration and



adaptation of buildings to hotels, restaurants, shops, museums, and governmental institutions.

The aspects to which preservation has been oriented, awareness and tourism, have been mostly developed in the cities of San Juan, Santo Domingo and Havana. For this reason, the majority of the studies, projects and recommendations have been prepared for these cities. Despite this, preservation has been spread throughout other cities in Puerto Rico, the Dominican Republic and Cuba.

Preservation in the Spanish Antilles has mostly been focused in the colonial past. In Puerto Rico the legislation explicitly establishes the ideal to preserve the colonial heritage. The criteria for evaluation of monuments and zones clearly determines “for its unique colonial Spanish style, including the color, proportions, form and architectural details.”<sup>4</sup> This is also visible in the legislation of the Dominican Republic. Here, the monumental heritage is described as “pre-Columbian ruins and digs, colonial buildings, urban complexes, and other constructions of historic or artistic value.”<sup>5</sup> In Cuba, preservation has also been oriented towards the colonial past although it is not established by legislation. Nevertheless, after 1998, an interest developed among the architects of the respective territories to identify and protect the valuable heritage of the recent past, that in many occasions is more vulnerable than the colonial. Local chapters of DOCOMOMO have been created in Cuba and the Dominican Republic, while recently; Puerto Rico has begun to formulate a Commission for the Conservation of the Architectural Heritage of the Twentieth Century.

---

<sup>4</sup> Erwin R. Harvey, *Legislación Cultural, Legislación cultural comparada, Legislación cultural puertorriqueña* (San Juan, Puerto Rico: Instituto de Cultura Puertorriqueña, 1993), 245.

<sup>5</sup> Plinio Pina, *Legislación Dominicana sobre Museos y Protección del Patrimonio Cultural 1870-1977* (Santo Domingo, República Dominicana: Ediciones Museo del Hombre, 1978), 64.



Puerto Rico, the Dominican Republic and Cuba have advocated for the preservation of their cultural heritage. The focus the Spanish Antilles has given to the colonial past has to expand to other periods in history. It is important to maintain a balance between the past, the present and the future. Preservation is an evolving process. The future success of the preservation movement would continue to depend on the laws and institutions developed by the government, the work of the professionals involved in the field, and the interest of the citizens.





APPENDIX A  
CULTURAL LEGISLATION OF PUERTO RICO

LEY 27<sup>1</sup>

JUNTA DE CONSERVACION DE VALORES HISTORICOS

Creando una Junta para la conservación de edificios, estructuras y monumentos de valor histórico, y para otros fines.

*Decrétase por la Asamblea Legislativa de Puerto Rico:*

SECCION 1. – Por la presente se crea una Junta con el objeto de conservar y reparar edificios y otras estructuras, incluyendo fortificaciones y castillos y otros monumentos, federales, insulares y privados: para acopiar objetos, libros y documentos de valor histórico; para reconocer los méritos de nuestros patricios, y para embellecer nuestras ciudades. Dicha Junta se denominará “Junta Conservadora de Valores Históricos”, que se compondrá del Comisionado del Interior, el Coronel del Regimiento de Puerto Rico y el Alcalde de San Juan, como miembros natos, y de nueve personas

---

<sup>1</sup> <sup>1</sup> Erwin R. Harvey, *Legislación Cultural, Legislación cultural comparada, Legislación cultural puertorriqueña* (San Juan, Puerto Rico: Instituto de Cultura Puertorriqueña, 1993), 274-275.



más nombradas por el Gobernador de Puerto Rico, las cuales desempeñarán sus cargos hasta que sus sucesores sean designados. El Comisionado del Interior será el presidente nato de dicha Junta y ésta designará de entre sus miembros un secretario y un tesorero.

SECCION 2. – Ninguno de los miembros de la Junta que por la presente se crea, recibirá directa ni indirectamente compensación alguna del Gobierno de Puerto Rico por razón de ser miembro de esta Junta, y, por consiguiente, desempeñarán sus cargos ad honorem.

SECCION 3. – La Junta Conservadora de Valores Históricos celebrará sesiones ordinarias en la primera semana de cada mes y las extraordinarias que estimare necesarias para el despacho de sus asuntos, debiendo el presidente citar previamente, por escrito, para dichas reuniones.

SECCION 4. – La Junta deberá aprobar un reglamento para su organización y regir sus actividades; disponiéndose, que dicho reglamento deberá ser aprobado por dos terceras partes de los miembros de la Junta, y que cinco miembros constituirán quórum para la aprobación de resoluciones, las cuales, en caso de que no asistieran más de cinco miembros a una sesión, deberán ser aprobadas por no más de cuatro miembros, y en todos los demás casos por mayoría.

SECCION 5. – La Junta de Conservación de Valores Históricos, dentro de un plazo razonable después de constituida que no excederá de sesenta (60) días, deberá preparar y publicar, para conocimiento general, una lista de los edificios, estructuras y monumentos históricos.

SECCION 6. – Los edificios, estructuras, incluyendo castillos y fortificaciones, y monumentos insulares que sean declarados de valor histórico por esta Junta, no



podrán ser alterados en forma que afecte su apariencia original, sin previa consulta y aprobación de la Junta Conservadora de Valores Históricos.

SECCION 7. – Esta Junta, en representación de El Pueblo de Puerto Rico, hará gestiones cerca del Gobierno Federal, entidades y personas particulares tendentes a conservar aquellas obras y objetos que estimare de valor histórico.

SECCION 8. – Esta Junta podrá iniciar suscripciones y aceptar donaciones de dinero y de propiedades y efectos de valor histórico, debiendo ingresar los dineros así obtenidos en un fondo especial del Tesoro Insular a disposición de la Junta para los gastos de custodia, reparación y conservación de los bienes de valor histórico a que se contrae esta Ley y para aquellas otras erogaciones necesarias para el cumplimiento de la gestión que por esta Ley se encomienda a dicha Junta.

SECCION 9. – La Junta gestionará cerca de las autoridades competentes y personas particulares, según sea el caso, el ornato y embellecimiento de las poblaciones de Puerto Rico, y especialmente de los parques, arboledas y calles.

SECCION 10. – La Junta Conservadora de Valores Históricos deberá efectuar una recolección de autores puertorriqueños que a su juicio merezcan conservarse y de que aquellos expedientes de las cortes, archivos del Gobierno, bibliotecas públicas y documentos de personas particulares que a su juicio sean de valor histórico.

SECCION 11. – La Junta deberá vulgarizar mediante publicación en periódicos y otras formas, los datos sobre los distintos valores históricos de Puerto Rico para que sean apreciados en su mérito tradicional y artístico.

SECCION 12. – La Junta podrá determinar, mediante resolución al efecto, cuáles han sido los hombres que a su juicio han prestado servicios distinguidos y



meritorios al país, y señalar al efecto un día del año como día conmemorativo en honor de estos patricios.

SECCION 13. – La Junta Conservadora de Valores Históricos queda autorizada por la presente para llevar a efecto aquellos otros actos que a su juicio sean conducentes a realizar los fines de esta Ley.

SECCION 14. – Toda ley o parte de ley que se oponga a la presente, queda por ésta derogada.

SECCION 15. – Esta Ley empezará a regir a los noventa días después de su aprobación.

Aprobada el 23 de abril de 1930.





## LEY 13<sup>2</sup>

### MONUMENTOS Y LUGARES HISTORICOS DE PUERTO RICO

Para autorizar y ordenar al Comisionado del Interior de Puerto Rico a adquirir en cualquier forma y por compra o expropiación forzosa a nombre del Pueblo de Puerto Rico aquellos monumentos y lugares históricos considerados como tales así declarados por la Junta Conservadora de Valores Históricos creada en virtud de la Ley número 27 del 23 de abril de 1930; para autorizar y ordenar al Comisionado del Interior la reconstrucción, conservación y mantenimiento de dichos monumentos y lugares históricos; para declarar los monumentos y lugares históricos del Puerto Rico de utilidad pública para beneficio de la comunidad; para asignar la suma de \$50,000 o la parte que fuere necesaria para dar cumplimiento a los fines de esta Ley, y para otros fines.

*Decrétase por la Asamblea Legislativa de Puerto Rico:*

ARTICULO 1. – Por la presente se declara de utilidad pública y para beneficio de la comunidad todos los monumentos y lugares históricos de Puerto Rico conocidos como tales, y aquellos otros lugares y monumentos que fueren considerados y declarados como monumentos y lugares históricos por la “Junta Conservadora de Valores Históricos” creada por la Ley Núm. 27 del 23 de abril de 1930.

ARTICULO 2. – Se autoriza y ordena al Comisionado del Interior de Puerto Rico a adquirir en cualquier forma legal y mediante compraventa o exportación forzosa

---

<sup>2 2</sup> Ibid, 270-271.



a nombre de El Pueblo de Puerto Rico cualquier monumento o lugar histórico de Puerto Rico, así como el uso, usufructo, arrendamiento o cualquier otro derecho sobre los mismos. En caso de expropiación, el Comisionado del Interior tendrá facultad para representar a El Pueblo de Puerto Rico en los procedimientos, y no será necesaria la previa declaración de utilidad pública por el Consejo Ejecutivo provista en la Ley General de Expropiación Forzosa.

ARTICULO 3. – Se ordena al Comisionado del Interior que reconstruya, restaure, conserve y atienda al mantenimiento de cualquier monumento o lugar histórico que pertenezca a El Pueblo de Puerto Rico o que en lo sucesivo se adquiera.

ARTICULO 4. – Se asigna de cualesquiera fondos en Tesorería Insular no destinados a otras atenciones la suma de \$50,000.00 o la parte de ella que fuere necesaria que se pondrá a disposición del Comisionado del Interior para dar cumplimiento a los fines de esta Ley. Cualesquiera otros fondos que existan en poder del Servicio Insular de Parques o cualquier otra agencia u organismo del Gobierno para estos mismos fines, serán puestos a disposición del Comisionado del Interior en adición a la suma anteriormente asignada.

ARTICULO 5. – Toda ley o parte de ley que se oponga a la presente queda por ésta derogada.

ARTICULO 6. – Esta Ley, por ser de carácter urgente y necesaria, comenzará a regir inmediatamente después de su aprobación.

Aprobada el 1ro. de Julio de 1947.



ZONAS ANTIGUAS O HISTORICAS Y ZONAS DE INTERES PUBLICO

Para facultar a la Junta de Planificación de Puerto Rico a crear zonas históricas, antiguas o de interés turístico y reglamentar, en diversas formas, el desarrollo y edificación en dichas zonas mediante una planificación armoniosa; conceder poderes a la Administración de Reglamentos y Permisos en cuanto a la expedición y regimen de permisos de construcción, de uso y de otra índole; dar participación en la administración de esta Ley al Instituto de Cultura Puertorriqueña y la Compañía de Turismo de Puerto Rico; establecer requisitos, procedimientos y normas para regir cada zona; e imponer penalidades de diversa índole por infracciones a esta Ley o a los reglamentos.

*Decrétase por la Asamblea Legislativa de Puerto Rico:*

ARTICULO 1. – Zonas Antiguas o Históricas y Zonas de Interés Turístico – Permisos de Construcción – Con el propósito de preservar los valores históricos de Puerto Rico y desarrollar el turismo mediante la conservación y protección de especiales lugares y estructuras, y mediante la planificación armoniosa de la construcción de nuevas estructuras, por la presente se dispone que toda solicitud de permiso de construcción, permiso de uso, o cualquier otra solicitud que se radique ante la Administración de Reglamentos y Permisos para realizarse dentro de los límites de una zona antigua o histórica o dentro de los límites de una zona de interés turístico ha de ser previamente realizada y autorizada en cuanto a sus detalles, rasgos

---

<sup>3</sup> Ibid, 243-254.



arquitectónicos y apropiada relación con el carácter de tal zona, en la forma más adelante dispuesta y conforme a las demás leyes aplicables.

En el caso de una zona antigua o histórica la Administración de Reglamentos y Permisos requerirá la recomendación favorable del Instituto de Cultura Puertorriqueña, antes de autorizar cualesquiera permisos de construcción o de uso.

ARTICULO 2. – Aprobación de Planos; Normas – La Administración de Reglamentos y Permisos, a los fines de esta Ley y en adición a sus otras obligaciones y deberes, dictaminará sobre la propiedad de todos y cada uno de los aditamentos (incluyendo rótulos), rasgos arquitectónicos, color, y demás características de cualquier edificación, estructura, pertenencia o parte de la misma que, a partir de la vigencia de esta Ley, desee erigirse, reconstruirse, ampliarse, alterarse, restaurarse, demolerse, o en cualquier modo desarrollarse dentro de cualquier zona antigua o histórica o de interés turístico. En ambos casos, dicho dictamen deberá incluir el uso a que se destina la propiedad, debiendo contra la Administración de Reglamentos y Permisos en los casos de interés turístico, con el endoso de la Compañía de Fomento de Turismo, y en los casos en zonas antiguas o históricas con el endoso del Instituto de Cultura Puertorriqueña.

La Junta de Planificación preparará y adoptará para su propia orientación y la del público, aquellos reglamentos, normas, planos, dibujos arquitectónicos, mapas, bosquejos o estudios que estime necesarios, para las edificaciones o proyectos en estas zonas. Tales reglamentos, normas, planos, dibujos arquitectónicos, mapas, bosquejos o estudios serán coordinados con y requerirán el endoso de la Compañía de Fomento de





Turismo de Puerto Rico, en el caso de las zonas de interés turístico y del Instituto de Cultura Puertorriqueña, en el caso de las zonas antiguas o históricas.

La Junta de Planificación podrá solicitar del Instituto de Cultura Puertorriqueña y de la Compañía de Turismo de Puerto Rico que preparen los estudios, dibujos, bosquejos, planos, o mapas y conduzca los procedimientos que la Junta estime convenientes delegarle, para el establecimiento de zonas antiguas o históricas y de zonas de interés turístico respectivamente.

La Junta de planificación podrá además, delegar en dichos organismos las funciones compatibles con la gestión de los mismos que propicien la ejecución más eficaz de esta Ley.

Los reglamentos antes mencionados serán adoptados con sujeción a lo dispuesto en la Ley Orgánica de la Junta de Planificación y a la presente Ley.

ARTICULO 3. – Establecimiento de Zonas Antiguas o Históricas y Zonas de Interés Turístico – La Junta de Planificación de Puerto Rico, queda por la presente facultada para establecer zonas antiguas o históricas, en coordinación con el Instituto de Cultura Puertorriqueña, y establecer zonas de interés turístico, en coordinación con la Compañía de Fomento Turístico en cualquier parte de Puerto Rico. Dichas zonas pueden incluir uno o más solares o pertenencias, o solamente parte de los mismos, bien sean de propiedad pública o privada; se establecerán siguiendo el procedimiento de previa vista pública dispuesto por la Ley Orgánica de la Junta de Planificación y las resoluciones estableciendo dichas zonas serán efectivas y tendrán fuerza de ley a los quince (15) días de ser adoptadas por la Junta. Igual procedimiento sera observado para



la discontinuación, ampliación, reducción o cualquier modificación del area de tales zonas.

Es una zona antigua o histórica, un área dentro de la cual los edificios, estructuras, pertenencias y lugares son de básica y vital importancia para el desarrollo cultural y del turismo por la asociación de los mismos con la historia; por su peculiar estilo colonial español, incluyendo color, proporciones, forma y detalles arquitectónicos; por ser parte o relacionarse con una plaza, parque o área cuyo diseño o disposición general debe conservarse y/o desarrollarse acorde a determinado plan basado en motivos o finalidades culturales, históricas o arquitectónicas en general.

Es una zona de interés turístico cualquier área de Puerto Rico que disponga como parte integrante de su ubicación geográfica o dentro de las inmediaciones de su localización, una serie de atractivos naturales y artificiales que estén actualmente desarrollados o que tengan un potencial turístico, tales como playas, lagos, bahías, lugares históricos y parajes de gran belleza natural, dentro de la cual los edificios, estructuras, belleza natural y otras cosas son de básica y vital importancia para el desarrollo turístico de Puerto Rico.

A partir de la vigencia de esta Ley y con el fin de preservar el carácter de las zonas antiguas o históricas, y de las zonas de interés turístico, será necesario obtener autorización de la Administración de Reglamentos y Permisos para la construcción, reconstrucción, alteración, ampliación, traslado o demolición parcial o total, de cualquier edificio dentro de las áreas comprendidas en las zonas antiguas o históricas, y de las zonas de interés turístico, a tenor con el procedimiento que por esta Ley o reglamento se establezca.



ARTICULO 4. – Procedimiento para la Aprobación de permisos – Todo proyecto, plano, elevación y toda información con cada solicitud de permiso de construcción, de uso, u otro, a realizarse dentro de una zona antigua o histórica o dentro de una zona de interés turístico, sean aprobados o autorizados, por la Administración de Reglamentos y Permisos, previo informe favorable de la Compañía de Turismo de Puerto Rico, en el caso de las zonas de interés turístico y del Instituto de Cultura Puertorriqueña, en el caso de las zonas antiguas o históricas. La Administración de Reglamentos y Permisos dará consideración al diseño y disposición general, material, color y estilo arquitectónico del edificio o estructura en cuestión, o al uso o proyecto a desarrollarse a su adecuada relación con los rasgos y características de los edificios e inmediata vecindad en general, y podrá solicitar cualquier información que estime necesaria a los fines de detener todos los elementos de juicio necesarios para evaluar y procesar cada solicitud.

En caso de desaprobación, total o parcial, la Administración de Reglamentos y Permisos expresará las razones de tal acción haciendo a su vez recomendaciones sobre el diseño, arreglo, materiales o colores más propios para la propiedad, proyecto u otra obra en cuestión, basándose en las normas o bosquejo que la Junta de Planificación haya determinado o considere propias para la zona en que radica tal proyecto.

ARTICULO 5. – En caso de así rechazarse un permiso de construcción o desarrollo de proyecto, la parte solicitante podrá recurrir en revision directamente al Tribunal Superior, Sala de San Juan, o Sala de ese Tribunal correspondiente al lugar donde ubican dichas zonas, dentro del término de quince (15) días a partir de la fecha de notificación de tal resolución o acuerdo de la Administración de Reglamentos y



Permisos; Disponiéndose, que dicha revisión, se podrá conceder y se limitará exclusivamente a cuestiones de derecho.

ARTICULO 6. – En armonía con lo dispuesto en esta Ley, no podrá implantarse sin la previa aprobación de la Junta de Planificación o de la Administración de Reglamentos y Permisos, según corresponda, acción alguna en una zona Antigua o histórica o en una zona de interés turístico que modifique el tránsito o altere los edificios, estructuras, pertenencias, lugares, plazas, parques o áreas de la zona por parte de personas particulares o agencias gubernamentales, incluyendo municipios. La agencia pertinente no podrá aprobar ninguna de las acciones señaladas sin contra con el previo endoso favorable por escrito del Instituto de Cultura Puertorriqueña, en el caso de una zona antigua o histórica y de la Compañía de Turismo, en el caso de una zona de interés turístico.

Para aquellas acciones de la naturaleza señalada en el párrafo anterior que hayan sido implantadas previo a la aprobación de esta Ley o se implanten en el futuro, la Junta de Planificación, motu proprio, con el asesoramiento del Instituto de Cultura Puertorriqueña en el caso de zonas antiguas o históricas y de la Compañía de Turismo en caso de zonas de interés turístico, o a petición de cualquiera de dichas agencias o de cualquier funcionario, organismo o persona interesada, podrá iniciar la investigación correspondiente para determinar si la acción de que se trata está conforme a los propósitos y fines de esta ley. La Junta de Planificación podrá requerir la información necesaria de todas las fuentes que estime pertinente, ofrecerá un término razonable a las partes para expresarse sobre la información recibida o generada y podrá celebrar vista administrativa o audiencia pública para recibir información en los casos que estime





necesario. Luego de evaluada la información y evidencia obtenida, la Junta de Planificación podrá ordenar, entre otras cosas, la paralización de la implantación de la acción de que se trate y la restitución de la zona a su estado original, requerir la modificación de la acción de que se trate y la restitución de la zona a su estado original, requerir la modificación de la acción implantada o implantándose, o condicionar la continuación de la implantación de la acción al cumplimiento de los requisitos pertinentes para garantizar los propósitos y fines de esta Ley.

Cualquier parte afectada por la determinación de la Junta de Planificación o de la Administración de Reglamentos y Permisos podrá recurrir en revisión al Tribunal Superior, a tenor con lo dispuesto en el Artículo 5 de esta Ley.

ARTICULO 7. – Penalidad – Toda persona que infrinja esta Ley o cualquier reglamento relacionado con la misma y promulgado para implementarla y se le declarase culpable por la infracción a la misma, se le impondrá una multa mínima de quinientos (500) dólares y máxima de dos mil (2,000) dólares.

El Tribunal, además, especificará en la sentencia un término, que no será mayor de tres (3) años, durante el cual no se podrán expedir permisos de construcción o uso por la Administración de Reglamentos y Permisos, en propiedades donde se haya infringido esta Ley o cualquier reglamento relacionado. El Tribunal notificará dicha sentencia al registro de la Propiedad correspondiente para su anotación en el mismo.

ARTICULO 8. – Esta Ley, por ser de carácter urgente y necesaria, empezará a regir inmediatamente después de su aprobación.

Aprobada el 14 de mayo de 1949



## Texto ordenado

La Ley 374 (aprobada el 14/5/49) ha sido enmendada por: a) la Ley 1 (aprobada el 2/3/51); b) la Ley 88 (aprobada el 16/6/53); c) la Ley 8 (aprobada el 8/6/72); d) la Ley 4 (aprobada el 15/7/75); e) la Ley 84 (aprobada el 28/6/78) y f) la Ley 8 (aprobada el 10/10/87).



## REGLAMENTO DE PLANIFICACION 5<sup>4</sup>

### ZONAS ANTIGUAS E HISTORICAS

ARTICULO 1. – Propósitos Generales – Con el propósito de conservar los valores históricos de Puerto Rico y para fomentar el turismo por medio de la conservación y la protección de edificios, estructuras y plazas históricas, la Junta de Planificación de Puerto Rico ha sido autorizada por la Ley Núm. 374 de 1949 para reglamentar y establecer zonas antiguas e históricas.

Una zona Antigua e Histórica es definida por dicha Ley como sigue: “Es una zona Antigua e Histórica, un área dentro de la cual los edificios, estructuras, pertenencias y lugares son de básica y vital importancia para el desarrollo cultural y del turismo, por la asociación de los mismos con la historia; por su peculiar estilo colonial español, incluyendo color, proporciones, forma y detalles arquitectónicos; por ser parte o relacionarse con una plaza, parque o área cuyo diseño o disposición general debe conservarse y/o desarrollarse acorde a determinado plan basado en motivos o finalidades culturales, históricas o arquitectónicas en general.”

ARTICULO 2. – Consideración Orgánica y Económica – En su interpretación de la Ley, la Junta tomará en consideración que la Zona Antigua e Histórica debe ser un área viviente de la ciudad donde se presume que los usos normales existentes han de continuar y donde el desarrollo de usos nuevos y especiales deberán ser estimulados. Se propone mantener un ambiente en el cual se establezcan los valores de las

---

<sup>4</sup> Ibid, 255-258.



propiedades, y se atraiga capital Nuevo e inversiones, especialmente para actividades turísticas o relacionadas con el turismo.

ARTICULO 3. – Uso de Pertenencias – Se tendrá cuidado de no obstaculizar los usos normales o funciones permitidos bajo las disposiciones de Reglamento de Zonificación. Se dará estímulo a usos tales como restaurantes, tiendas para turistas, casas de huéspedes, pensiones, y centros artísticos, los cuales son parte importante de programas turísticos para una zona de esta categoría.

ARTICULO 4. – Fachada de Edificios y Estructuras – Una vez establecida la Zona Antigua e Histórica, el propósito primordial en la interpretación y administración de la Ley será lograr que tanto las fachadas de los edificios y estructuras así como el interior, reparto y otras características de los mismos estén en armonía con los estilos existentes en dicha zona.

ARTICULO 5. – Consideración de Diseños – La Junta decidirá sobre la adaptabilidad de cualquier proyecto de construcción, reconstrucción, destrucción, reparación, cambio, o pintura de cualquier edificio, estructura, pertenencia, o parte de los mismos, incluyendo el diseño, la forma, material, color, estilo arquitectónico, y características tales como rótulos, detalles arquitectónicos y otros. Considerará también su relación con las características de edificios cercanos y de la vecindad.

ARTICULO 6. – Rótulos comerciales y Anuncios – (a) En las zonas Antiguas e Históricas se permitirán rótulos comerciales pero no anuncios. Rótulo commercial se define como todo letrero, escritura, impreso, pintura, emblema, dibujo, u otro medio cuyo propósito sea llamar la atención hacia una actividad, negocio, servicio, recreación, profesión u ocupación domiciliaria establecida en el local donde dicho rulo aparece.





Todo rótulo ofreciendo en venta o alquiler la misma propiedad donde aparece se considerará como rótulo commercial. Anuncio se define como todo letrero, escritura, impreso, pintura, emblema, dibujo, u otro medio cuyo propósito sea llamar la atención hacia un negocio, servicio, actividad, recreación, profesión u ocupación domiciliaria que se ofrece, o lleve a cabo en sitio distinto de aquel donde tal anuncio aparece. Todo letrero, escritura, impreso, pintura, emblema, marca, dibujo, u otro medio cuyo propósito sea llamar la atención hacia un producto o artículo, se considerará como un anuncio a los efectos de este reglamento.

(b) En aquellas áreas zonificadas los rótulos serán instalados adosados a la pared del edificio y su tamaño, ubicación, localización, o iluminación será de acuerdo a lo estipulado por el Reglamento de Zonificación.

(c) Se considerará como rótulo no conforme legal todo rótulo que exista para la fecha de vigencia de las enmiendas a este Reglamento y que no reúna los requisitos fijados en este Reglamento. Dichos rótulos se podrán seguir usando con el mismo fin para el cual se instalaron, siempre que se obtenga, el correspondiente permiso de uso no conforme legal del Negociado de permisos; pero los mismos no podrán en ningún momento ser variados, agrandados, mejorados, o en forma alguna alterados. Deberán ser borrados, suprimidos o eliminados dentro del término de tres (3) años a partir del 6 de mayo de 1952. Todo rótulo no conforme legal que fuera destruido parcial o totalmente bien sea por fuego, explosion, terremoto, huracán o cualquier acción de la naturaleza o por otras causas no podrá reconstruirse o repararse y por el contrario debe ser eliminado.

(d) Se considerará como anuncio no conforme legal todo anuncio que exista para la fecha de vigencia de las enmiendas a este Reglamento. Dichos anuncios se podrán



seguir usando para el mismo fin para el cual se instalaron siempre y cuando que se obtenga el correspondiente permiso de uso no conforme legal del Negociado de permisos pero el mismo no podrá en ningún momento ser variado, agrandado, mejorado o en forma alguna alterado. Todo anuncio no conforme legal deberá ser borrado, suprimido, o eliminado dentro del término de tres (3) años a partir del 6 de mayo de 1952. Todo anuncio no conforme legal que fuera destruido parcial o totalmente, bien sea por fuego, explosión, terremoto, huracán u otras causas no podrá reconstruirse o repararse y por contrario debe ser eliminado.

(e) La ausencia del permiso de rótulo o del permiso de uso no conforme legal será evidencia prima facie de que la instalación del anuncio o del rótulo y su uso, según sea el caso, es clandestino.

ARTICULO 7. – Líneas Eléctricas y de Comunicación – En casos de proyectos para la reparación o reinstalación de líneas eléctricas o de comunicación (overhead wires) de la Autoridad de las Fuentes Fluviales, la Compañía del Teléfono u otras compañías o entidades, las obras se harán de tal manera que estén en armonía con el carácter de la Zona Antigua e Histórica, o sea, que no conflija con la apariencia o el ambiente general de la misma. Tales proyectos incluirán líneas de energía eléctrica, de teléfonos, postes para las líneas, postes para el alumbrado u otras instalaciones. Cuando éstos estén bajo la jurisdicción de la Comisión de Servicio Público, se someterán a la Junta de Planificación aún cuando no estuvieren cubiertos por el Reglamento de Planificación Núm. 2.

ARTICULO 8. – Tramitación – (a) Todo proyecto para la construcción, reconstrucción, destrucción, reparación, cambio o pintura de edificios ubicados en todo



o en parte en una Zona Antigua e Histórica, se someterá directamente a la Junta de Planificación.

(b) Todo proyecto será radicado en original y cuatro (4) copias en la forma requerida por este reglamento y con la información necesaria a los fines de la Ley Núm. 374 de 1949 para que la Junta pueda juzgar y tomar acción sobre su conveniencia.

(c) De acuerdo con la Ley, una vez que un proyecto ha sido sometido, la Junta decidirá el caso dentro de un período no mayor de cuarenticinco (45) días. Enviará copias de la resolución correspondiente al Negociado de permisos y al peticionario.

(d) La Junta podrá requerir información adicional del peticionario. También ofrecerá al peticionario la información o ayuda necesaria incluyendo el consejo técnico.

(e) En el caso de la desaprobación de un proyecto, la Junta indicará las razones y al mismo tiempo podrá recomendar sobre el diseño que considera apropiado para que esté de acuerdo con sus normas.

ARTICULO 9. – Material de Orientación – Para guiarse en la consideración de proyectos, la Junta utilizará todos los datos e información pertinentes disponibles tales como: (a) planos de edificios típicos para varios usos; (b) fotografías de edificios de estilo prevaleciente en la zona en cuestión; (c) datos y crónicas históricas.

ARTICULO 10. – Cooperación de Otros Organismos – (a) La Junta nombrará un Comité Asesor Técnico del cual formarán parte funcionarios de agencias interesadas, comerciantes y arquitectos particulares, para asesorarla en casos en que lo solicite. Además, nombrará un Comité Asesor Histórico, el cual incluirá los historiadores de Puerto Rico y de la Capital, y un catedrático de historia de la Universidad de Puerto Rico.



(b) Para la mejor administración de este reglamento, la Junta podrá solicitar la cooperación de la Oficina de Turismo, del Servicio Nacional de Parques, del Gobierno de la Capital, y de cualesquier otro organismo o agencia, según lo estime necesario.

ARTICULO 11. – Vigencia del Reglamento de Zonificación – El Reglamento de Zonificación (Núm. 4) continuará en vigor en lo aplicable a distritos o zonas que estén dentro de la Zona Antigua e Histórica excepto en lo que esté en conflicto con éste reglamento.

ARTICULO 12. – Penalidad – Según dispuesto por la Ley Núm. 429 aprobada el 23 de abril de 1946 y las leyes enmendatorias de la misma, toda persona que infrinja las disposiciones de este Reglamento será culpable de delito menos grave (*misdemeanor*).

ARTICULO 13. – Cláusula de Salvedad – Si cualquier palabra, inciso, oración, artículo, sección, título u otra parte del presente Reglamento fuesen impugnadas por cualquier razón ante un tribunal y declaradas inconstitucionales o nulas, tal sentencia no afectará, menoscabará, o invalidará las restantes disposiciones y parte de este Reglamento, sino que su efecto se limitará a la palabra, inciso, oración, artículo, sección, título o parte en algún caso, no se entenderá que afecta o perjudica en sentido alguno su aplicación o validez en cualquier otro caso.

ARTICULO 14. – Términos Empleados y Aplicabilidad – Toda palabra usada en singular en este Reglamento se entenderá que también incluye el plural cuando así lo justifique su uso, en igual forma el masculino incluirá el femenino y viceversa.

Las disposiciones de esta reglamentación le son aplicables y cubren a toda persona, tanto natural como juridical, así como a asociaciones, instituciones,





corporaciones, sociedades, organizaciones y entidades, tanto privadas como públicas, semi-públicas, cívicas, o de cualquier clase o naturaleza, incluyendo los “funcionarios” y “organismos” de Puerto Rico, según definidos en el Artículo 2 de la Ley Núm. 213 de 1942, según ha sido posteriormente enmendada, comprendiendo organizaciones y corporaciones municipales de Puerto Rico.

ARTICULO 15. – Vigencia y Clausula Derogatoria – Este Reglamento de Zonas Antiguas e Históricas y las enmiendas que al mismo adopte la Junta, regirán a los treinta (30) días después de su aprobación por el Gobierno de Puerto Rico. Todo reglamento o parte de reglamento hasta donde fuere incompatible con la material específicamente cubierta por este reglamento, quedan por la parte derogados.

Aprobado el 25 de abril de 1951



## LEY 7<sup>5</sup>

### ZONAS ANTIGUAS E HISTORICAS

Para eximir del pago de contribuciones sobre la propiedad inmueble, restaurada, mejorada, reconstruida en la zona histórica de la ciudad de San Juan Bautista de Puerto Rico, conservando las características de la época colonial hispana, *o en cualquier zona histórica* establecida en Puerto Rico por el Instituto de Cultura Puertorriqueña, y para otros fines.

*Decrétase por la Asamblea Legislativa de Puerto Rico:*

ARTICULO 1. – Definiciones – Los siguientes términos tendrán el siguiente significado cuando los mismos sean usados en esta Ley:

(a) Solicitante o concesionario: Se entenderá cualquier persona natural o jurídica que posea título, dominio o posesión, de un inmueble, o un arrendatario por término fijo y con plena autorización del propietario para construir o reconstruir el edificio.

(b) Zona Histórica de San Juan: Se entenderá por dicha zona la que ha sido descrita en el Reglamento de la Junta de Planificación Núm. 5 aprobado y en vigor desde mayo 28 de 1951, y la así declarada por el Instituto de Cultura Puertorriqueña en virtud de la Ley 89 del 21 de junio de 1955, Sección 4, inciso (a), Núm. 8.

(c) Obras de Mejoras, Restauración o Reconstrucción: Se entenderá aquellas que sean sustanciales a la edificación que conserven las características de la época colonial hispana, y efectuadas bajo los planos y especificaciones para las mismas aprobadas por

---

<sup>5</sup> Ibid, 258-265.



el Instituto de Cultura Puertorriqueña y el Negociado de Permisos de la Junta de Planificación de Puerto Rico.

ARTICULO 2. – Cualquier persona natural o jurídica que se disponga a realizar obras de mejoras, restauración o reconstrucción de edificios existentes en la Zona Histórica de la Ciudad de San Juan Bautista de Puerto Rico, podrá solicitar del Secretario de Hacienda una excención de contribuciones sobre tal edificación y el solar donde está enclave de acuerdo con los términos de esta ley.

ARTICULO 3. – Una vez que se pruebe a satisfacción del Secretario de Hacienda que los planos y especificaciones para las obras que se disponga a realizar el solicitante en cuanto a mejoras, restauración o reconstrucción de edificios existentes en la Zona Histórica de la ciudad de San Juan o en cualquier zona histórica establecida en Puerto Rico por el Instituto de Cultura Puertorriqueña, han sido aprobados debidamente por el Instituto de Cultura Puertorriqueña y la Administración de Reglamentos y Permisos, el Secretario de Hacienda declarará la edificación que se proyecta mejorar, restaurar o reconstruir, y el solar donde ésta enclave, exento totalmente de contribuciones sobre la propiedad por el término de cinco a diez años de acuerdo con la recomendación que a los efectos haga el Instituto de Cultura Puertorriqueña que recomendará la exención de contribuciones sobre la propiedad de diez años, cuando de acuerdo con sus normas se haya realizado una restauración total del edificio; y de cinco años cuando la obra de restauración sea parcial, pero habiéndose entre otras, restaurado las fachadas, el zaguán de entrada y la escalera principal; entendiéndose que una propiedad restaurada parcialmente, a la cual se le reconozca una exención de cinco años basada en la reconstrucción parcial del inmueble, al ser objeto de mejoras adicionales



hasta completar su total restauración, podrá mediante recomendación del Instituto de Cultura Puertorriqueña, tener derecho a la exención durante cinco años adicionales y, que si la segunda etapa de la restauración total se efectúa en un inmueble que ha disfrutado durante uno o más años dentro del período de cinco años de exención concedidos en virtud de la primera restauración parcial, podrá, previa recomendación del Instituto de Cultura Puertorriqueña, gozar de exención por un número de años adicionales hasta completar diez años en total; entendiéndose también que, en cualquiera de los casos antes indicados, al expirar el término de diez años de exención contributiva de una propiedad, el Secretario de Hacienda declarará a la misma exenta por períodos de diez años, siempre que el Instituto de Cultura Puertorriqueña certifique que dicha propiedad 1) no ha sufrido alteraciones sustanciales en su diseño original, 2) merece ser conservada como parte de nuestro patrimonio cultural por su valor histórico o arquitectónico, y 3) quedará al terminarse la obra en conformidad con los requisitos del Instituto, en estado igual o mejor del que presentaba al realizarse su primera restauración total; disponiéndose, además, que las rentas percibidas como producto del alquiler de dichos edificios serán objeto de exención contributiva sobre ingresos en la misma medida. Las exenciones que se concedan serán efectivas a partir del día primero de enero siguiente a la fecha en que se expida por el Instituto de Cultura Puertorriqueña un certificado haciendo constar su conformidad con la obra tal y como ha sido terminada, y la Administración de Reglamentos y Permisos haya otorgado el correspondiente permiso de uso.





ARTICULO 4. – El Secretario de Hacienda podrá, previa audiencia a la persona a quien se haya concedido exención, revocar cualquier exención contributiva concedida bajo esta Ley, como se provee a continuación:

(a) Cuando la persona a quien se haya concedido exención no cumpla con cualquiera de las obligaciones que le hayan sido impuestas por esta Ley, por los reglamentos promulgados bajo la misma y por los términos de la declaración de exención.

(b) Cuando el concesionario falte a su obligación de mantener la propiedad restaurada o reconstruida, en buen estado de conservación.

(c) Cuando el concesionario cede en alquiler o permite que sus inquilinos subarrenden la edificación para propósito o fines contrarios a la reglamentación de la zona en que esté radicado el edificio.

ARTICULO 5. – Antes de decidir sobre cualquier solicitud de exención, el Secretario de Hacienda deberá en primer lugar considerar los informes que sobre cada solicitud deberán en primer lugar considerar los informes que sobre cada solicitud deberán suministrarle la Junta de Planificación y el Instituto de Cultura Puertorriqueña.

ARTICULO 6. – Cualquier concesionario adversamente afectado o perjudicado por cualquier acción tomada por el Secretario de Hacienda de Puerto Rico revocando o cancelando una concesión de exención contributiva, tendrá derecho a revisión judicial de la misma mediante la radicación de una apelación ante el Tribunal Superior de Puerto Rico, Sala de San Juan, dentro de treinta días después de la decisión final adoptada.

Durante la tramitación de la revista judicial el Gobernador queda autorizado, cuando a su juicio la justicia lo requiera, para posponer la fecha de efectividad de



cualquier acción tomada por el Secretario de Hacienda bajo aquellas condiciones que se requieran y en los extremos que sean necesarios para evitar daño irreparable. Cuando se solicite tal posposición y se deniegue, el tribunal apelativo puede decretar cualquier proceso necesario y apropiado para posponer la fecha de efectividad de cualquier acción tomada por el Secretario de Hacienda o para conservar el status o derecho de las partes hasta la terminación de los procedimientos de revisión, previa prestación de fianza a favor del Secretario de Hacienda, sujeta a la aprobación del Tribunal, por el monto de las contribuciones exentas y no pagadas hasta entonces, más intereses y penalidades, más intereses computados por el período de un año al tipo del seis (6) por ciento annual.

ARTICULO 7. – Separabilidad – Si cualquier cláusula, párrafo, sección, artículo o parte de esta Ley fuere declarada inconstitucional por una corte de jurisdicción competente, la sentencia dictada a ese efecto no afectará, perjudicará, o invalidará el resto de esta Ley, quedando sus efectos limitados a la cláusula, párrafo, sección, artículo o parte de esta Ley que fuere así declarada inconstitucional.

ARTICULO 8. – Esta ley empezará a regir inmediatamente.

Aprobada el 4 de marzo de 1955

Texto ordenado

La Ley 7 (aprobada el 4/3/55) ha sido enmendada por: a) la Ley 36 (aprobada el 11/6/57); b) la Ley 74 (aprobada el 25/6/59); c) la Ley 94 (aprobada el 20/6/60); d) la Ley 91 (aprobada el 27/6/69) y e) la Ley 43 (aprobada el 19/5/76).



## LEY 89<sup>6</sup>

### INSTITUTO DE CULTURA PUERTORRIQUEÑA

Para establecer el Instituto de Cultura Puertorriqueña y definir sus propósitos, poderes y funciones.

*Decrétase por la Asamblea Legislativa de Puerto Rico:*

SECCION 1. – Creación del Instituto – Con el propósito de contribuir a conservar, promover, enriquecer y divulgar los valores culturales del pueblo de Puerto Rico, y para más amplio y profundo conocimiento y aprecio de los mismos, se crea una entidad corporativa que se conocerá como Instituto de Cultura Puertorriqueña y se designará en adelante como Instituto.

SECCION 2. – Junta de Directores – El Instituto tendrá un Junta de Directores integrada por siete miembros nombrados por el Gobernador, con consejo y consentimiento del Senado, y uno de dichos directores será designado presidente por el Gobernador. Tres de los directores serán nombrados por un término de cuatro años. Los otro cuatro directores serán nombrados por un término de tres años. Al vencerse los términos de los primeros siete nombramientos los sucesivos se harán por términos de cuatro años. Todos deberán ser personas de reconocida capacidad en el conocimiento de los valores culturales puertorriqueños y significados en el aprecio de

---

<sup>6</sup> Ricardo Alegría, *El Instituto de Cultura Puertorriqueña 1955-1973. 18 Años Contribuyendo a Fortalecer Nuestra Conciencia Nacional* (San Juan, Puerto Rico: Instituto de Cultura Puertorriqueña, 1996), 257.



los mismos. Los directores no percibirán sueldos, pero devengarán dietas de veinte (20) dólares por sesión a que asistan. Tendrán derecho también a reembolso por gastos de viaje autorizados por la Junta. Cinco directores constituirán quórum para la celebración de reuniones. El Gobernador convocará la reunión para organizar la Junta. Las reuniones subsiguientes se celebrarán de acuerdo con el reglamento que apruebe la Junta de Directores.

#### SECCION 3. – Personal del Instituto –

(a) La Junta nombrará, con la aprobación del Gobernador, un Director Ejecutivo que será administrador del Instituto, sujeto a dirección e inspección general de la Junta. El Director Ejecutivo deberá residir en Puerto Rico y percibirá un sueldo de nueve mil seiscientos (9,600) dólares al año o el que disponga en lo sucesivo la Asamblea Legislativa en la Ley de Presupuesto Funcional.

(b) El Director Ejecutivo designará el personal que fuere necesario para llevar a cabo la funciones, poderes y deberes conferidos al Instituto.

#### SECCION 4. – Funciones y Poderes del Instituto –

(a) El Instituto podrá realizar las siguientes funciones:

(1) Conservar, custodiar, restaurar y estudiar los bienes muebles e inmuebles, corporales o incorporeales de valor para el mayor conocimiento del patrimonio histórico cultural del pueblo de Puerto Rico, y poner este conocimiento al alcance del público, a través de distintos medios de divulgación.

(2) Estimular y auspiciar estudio y conocimiento de la vida y obras de los puertorriqueños ilustres del pasado.





- (3) Atender a la pública divulgación de todas las manifestaciones sobresalientes de la cultura puertorriqueña, a través de exposiciones, ferias, certámenes y festivales, así como la creación y administración de museos y salas de exposiciones.
  - (4) Recoger, estudiar y estimular la conservación de todas las manifestaciones del folklore puertorriqueño.
  - (5) Estimular las artes y artesanías de tradición populares, tales como tallas, tejidos y bordados, cerámica, peletería y otras actividades de parecida naturaleza.
  - (6) Establecer y administrar archivos con miras a la ordenación y conservación de documentos públicos y de manuscritos sobre la historia del país.
  - (7) Determinar qué edificios, estructuras y lugares son de valor histórico o artístico en Puerto Rico.
  - (8) Limitar y reglamentar la construcción en aquellas zonas que determine como zonas de valor histórico.
  - (9) Conmemorar los hombres y hechos de significación en el desarrollo cultural de Puerto Rico.
  - (10) Fomentar la publicación del libro puertorriqueño, tanto antiguo como moderno, así como de estudios, monografías y colecciones documentales sobre Puerto Rico.
  - (11) Mantener bibliotecas y libros para uso público.
- (b) En el ejercicio de tales funciones, el Instituto tendrá los siguientes poderes:
- (1) Demandar o ser demandado.
  - (2) Adoptar, alterar y usar un sello corporativo.



(3) Adoptar, enmendar y derogar, por conducto de su Junta de Directores, las reglas que gobiernen su funcionamiento y el Descargo de los poderes y deberes concedidosle e impuéstole por ley.

(4) Adquirir por medios legales, para llevar a cabo los fines y propósitos de esta ley, cualesquiera bienes muebles e inmuebles, corporales o incorporales, o cualquier derecho o interés sobre ellos; retener, conservar, usar y operar los mismos; y venderlos, arrendar o de otra forma de disponer de dichos bienes.

Con la previa aprobación del Gobernador, el Instituto queda facultado para iniciar y tramitar procedimiento para la expropiación forzosa, a nombre de el Estado Libre Asociado de Puerto Rico, de cualesquiera bienes, mueble o inmueble, corporales o incorporales, o de cualquier derecho o interés sobre los mismos, que fueren necesarios para dar cumplimiento a los fines y propósitos de esta ley. Los bienes podrán ser expropiados por el Instituto, a nombre de el Estado Libre Asociado de Puerto Rico, o a solicitud y para uso y beneficio del Instituto, por el Estado Libre Asociado de Puerto Rico, representando por su Gobernador o por el funcionario en quién él delegue, sin la previa declaración de utilidad pública provista en la Ley General de Expropiación Forzosa. Por la presente se declaran de utilidad pública todos los bienes, muebles e inmuebles, corporales o incorporales, o cualquier derecho o interés sobre los mismos, que el Instituto considere necesarios para llevar a cabo los fines y propósitos de esta ley. En el caso de bienes muebles, éstos podrán adquirirse mediante expropiación forzosa solamente cuando sea necesario para evitar destrucción, deterioro o exportación del país.



(5) Aceptar regalos o donativos de servicios, o de bienes muebles o inmuebles, corporales o incorporeales, que ayuden a la realización de sus propósitos.

(6) Concertar, en el ejercicio de sus funciones, arreglos cooperativas con departamentos o agencias del Gobierno de Estados Unidos, del Gobierno de Puerto Rico o con los gobiernos municipales; o con corporaciones, asociaciones o individuos bajo tales términos y condiciones como creyere aconsejables.

#### SECCION 5. – Hacienda e Intervención Económica –

(a) Para desempeñar las funciones autorizadas por esta ley, se establece el Fondo del Instituto de Cultura Puertorriqueña.

(b) Se acreditarán a este fondo los ingresos de cualesquiera operaciones realizadas a tono con la presente ley, así como cualquier dinero asignado, concedido, transferido o donado al Instituto. El fondo estará disponible para el pago de todos los gastos del Instituto con arreglo a esta ley, y podrán hacerse inversiones en obligaciones del Estado Libre Asociado de Puerto Rico y sus dependencias y corporaciones públicas, con aprobación del Secretario de Hacienda.

(c) Se asignan treinta y cinco mil (35,000) dólares al Fondo del Instituto de Cultura Puertorriqueña.

(d) El Instituto prepara anualmente un presupuesto que someterá al Gobernador para revision y aprobación, de acuerdo con las reglas y los reglamentos que el Gobernador estableciere en cuanto a fecha para someterlo, forma y contenido, clasificación de la información y la manera cómo se preparará y se presentará.

SECCION 6. – Transferencias – Se autoriza al Gobernador a transferir al Instituto, por recomendación de la Junta, las funciones y aquellos fondos, propiedades,



personal y archivos de los departamentos, divisiones, dependencias y corporaciones públicas del Gobierno Estatal, de conformidad con las funciones del Instituto descritas en la Sección 4 de esta ley. Toda transferencia deberá hacerse por el Gobernador mediante Orden Ejecutiva, copia de la cual se remitirá a la Asamblea Legislativa para su información en la sesión ordinaria o extraordinaria más cercana a la fecha en que se expida dicha orden.

SECCION 7. – Informe a la Asamblea Legislativa – El Instituto someterá al Gobernador, para transmitirlo a la Asamblea Legislativa, al comenzar cada sesión regular, un informe anual de sus operaciones.

SECCION 8. – Vigencia – Esta ley empezará a regir el 25 de Julio de 1955.

Aprobada en 20 de Junio de 1955.





# NATIONAL HISTORIC PRESERVATION ACT<sup>7</sup>

As Amended Through 1992

AN ACT to Establish a Program for the Preservation of Additional Historic Properties throughout the Nation, and for Other Purposes, Approved October 15, 1966 (Public Law 89-665; 80 Stat. 915; 16 U.S.C. 470) as amended by Public Law 91-243, Public Law 93-54, Public Law 94-422, Public Law 94-458, Public Law 96-199, Public Law 96-244, Public Law 96-515, Public Law 98-483, Public Law 99-514, Public Law 100-127, and Public Law 102-575).

## SECTION 1 (16 U.S.C. 470)

- (a) This Act may be cited as the “National Historic Preservation Act.”
- (b) The Congress finds and declares that –
  - (1) the spirit and direction of the nation are founded upon and reflected in its historic heritage;
  - (2) the historical and cultural foundations of the Nation should be preserved as a living part of our community life and development in order to give a sense of orientation to the American people;
  - (3) historic properties significant to the Nation’s heritage are being lost or substantially altered, often inadvertently, with increasing frequency;

---

<sup>7</sup> Congress, *National Historic Preservation Act, as amended*, 3<sup>rd</sup> ed. (Washington, D.C.: Advisory Council on Historic Preservation, 1993), 7-8.



(4) the preservation of this irreplaceable heritage is in the public interest so that its vital legacy of cultural, educational, esthetic, inspirational, economic, and energy benefits will be maintained and enriched for future generations of Americans;

(5) in the face of ever-increasing extensions of urban centers, high-ways, and residential, commercial, and industrial developments, the present governmental and nongovernmental historic preservation programs and activities are inadequate to ensure future generations a genuine opportunity to appreciate and enjoy the rich heritage of our Nation;

(6) the increased knowledge of our historic resources, the establishment of better means of identifying and administering them, and the encouragement of their preservation will improve the planning and execution of Federal and federally assisted projects and will assist economic growth and development; and

(7) although the major burdens of historic preservation have been borne and major efforts initiated by private agencies and individuals, and both should continue to play a vital role, it is nevertheless necessary and appropriate for the Federal Government to accelerate its historic preservation programs and activities, to give maximum encouragement to agencies and individuals undertaking preservation by private means, and to assist State and local governments and the National Trust for Historic Preservation in the United States to expand and accelerate their historic preservation programs and activities.



## APPENDIX B

### CULTURAL LEGISLATION OF THE DOMINICAN REPUBLIC

#### DECRETO 1164<sup>1</sup>

Dios, Patria y Libertad – República Dominicana – El Senado Consultor de la República, en nombre de la República, á propuesta del Poder Ejecutivo, y previas las tres lecturas constitucionales, ha dado el siguiente decreto:

Considerando: que todas las naciones civilizadas, a mas de su profunda veneración hacia los objetos del culto externo, tributan ostentible y marcado respeto a los monumentos en que se refleja su gloria, y que junto con la tradición y los manuscritos, componen la fuente mas pura de que brotan las páginas de su respective historia.

Considerando: que el Alcázar de Colón, sitio a orilla occidental de la ría del Ozama, conocida por Casa del Almirante, es el primer edificio que se erigió en todo el Nuevo Mundo, cuya construcción supervigiló en persona aquel grande hombre, célebre por su valor, su inteligencia y su desgracia; y que a la vez compuso uno de los cargos mas graves formulados contra el descubridor de la América.

---

<sup>1</sup> Plinio Pina, *Legislación Dominicana sobre Museos y Protección del Patrimonio Cultural 1870-1977* (Santo Domingo, República Dominicana: Ediciones Museo del Hombre, 1978), 11-12.



Considerando: que las ruinas á cuyo costado se eleva una columna chata, colocada a la izquierda de la cuesta que conduce a la puerta de San Diego, en que se ostenta una lápida con una inscripción latina, casi ilegible ya, es el signo conmemorativo de un acto religioso, tan solemne como augusto, puesto que recuerda el primer sacrificio ofrecido por el Cristianismo a la Dicitinidad en esta ciudad.

Considerando por ultimo: que para perpetuar la memoria de esos acontecimientos históricos, ya religiosos, ya profanos, los Poderes sociales deben ser los primeros que consagren esa veneración, formulándola en mandato inviolables.

#### DECRETA:

ART. 1. – El alcázar de Colón, conocido vulgarmente por Casa del Almirante, no podrá en tiempo alguno, ser propiedad de particulares, sino un monumento respetable, perteneciente al dominio público e inenagenable por su naturaleza; sin que jamás, ni bajo concepto alguno, pueda destinarse para fines que repugnen a su histórica dignidad.

ART. 2. – La columna chata situada en la cuesta de San Diego, a inmediaciones del laudido alcázar, juntamente con las ruinas de la casa que le está contigua, forman parte de las cosas sagradas, pertenecientes al culto católico, que es la religion dominante de los dominicanos: y nadie podrá apropiársela jamás, destruirla, ni aun emprender restaurarla, bajo pretexto de su conservación u ornato, sin la indispensable intervención y mandato justificado de la autoridad eclesiástica.





ART. 3. – El Ejecutivo, por medio de Reglamentos especiales, dictará las medidas oportunas para llevar a cabo la restauración y conservación de los expresados monumentos.

ART. 4. – Este decreto abroga toda otra disposición que le sea contraria, y será enviado al Poder Ejecutivo para los fines constitucionales.

Dado en la sala de sesiones del Senado Consultor, en Santo Domingo, a los 31 días del mes de enero de 1870, año 26 de la Independencia, 6°. de la Restauración y 3°. de la Regeneración – El Presidente, Jacinto de la Concha – El Secretario, Gerardo Bobadilla.

Ejécútese, publíquese y circule en el territorio de la República para su puntual observancia.

Dado en Santo Domingo, a los tres días del mes de febrero de 1870, año 26 de la Independencia, 7°. de la Restauración y 3°. de la Regeneración – El Presidente de la República, Buenaventura Báez – Refrendado: El Ministerio de lo Interior, Policía y Agricultura, M.M. Gautier.



EL CONGRESO NACIONAL,

En Nombre de la República.

DECLARADA LA URGENCIA

HA DADO LA SIGUIENTE LEY:

ART. 1. – Los monumentos, obras y piezas de importancia histórica, artística o arqueológica, existentes dentro del territorio de la República, estarán bajo la protección oficial.

ART. 2. – Se crea, por esta Ley, una Comisión de Conservación de Monumentos, obras y piezas de importancia histórica, artística o arqueológica. Esta Comisión, que será nombrada por el Poder Ejecutivo, tendrá su asiento en la Capital de la República y constará de no menos de tres miembros. La Comisión tendrá facultad para nombrar delegados suyos en toda la República y para redactar su propio Reglamento, que someterá a la aprobación del Presidente de la República.

ART. 3. – Esta Comisión publicará una nómina de todos los edificios, obras y piezas sobre cuya conservación debe ejercerse vigilancia oficial. A la lista inicial, la Comisión agregará, cada vez que lo considere conveniente, nuevos edificios, obras o piezas de que tuviere noticia y su lista será la Oficial con derogación de la formulada por cualquiera ley anterior.

---

<sup>2</sup> Ibid, 21-23.



ART. 4. – La Comisión tendrá facultad para tomar todas las disposiciones que convengan para la conservación de dichos monumentos, obras o piezas, recibiendo la ayuda que sea necesaria de cualquiera de los Departamentos del Gobierno. No se podrá utilizar ninguna obra, ni menos introducir reformas, en los edificios declarados monumentos nacionales, según la lista formulada por la Comisión, sino con autorización escrita de esta misma Comisión, la cual deberá cerciorarse de que las obras por realizar no afectarán en nada el carácter antiguo del edificio.

ART. 5. – Tampoco se podrá, sin autorización expresa de la Comisión, transportar ninguna obra o pieza que haya sido declarada de interés histórico, artístico o arqueológico según las listas oficiales, no pudiendo el transporte en cuestión ser autorizado en ningún caso para el extranjero, salvo autorización del Congreso.

ART. 6. – La Comisión procurará que los edificios que han sufrido modificaciones indebidas sean restauradas en su primitiva forma. Investigará, además, el paradero de obras y piezas interesantes que hayan desaparecido injustificadamente.

ART. 7. – Las decisiones de la Comisión, que se denominará Comisión Conservadora de Monumentos Nacionales, son revocables, aún de oficio, por el Poder Ejecutivo.

Dada en la Sala de Sesiones del Palacio del Senado en Santo Domingo, Capital de la República Dominicana, el día nueve del mes de febrero del año mil novecientos treintidos, años 88o. de la Independencia y 69o. de la Restauración.



El Presidente,

MARIO FERMIN CABRAL

Los Secretarios:

LORENZO E. BREA

J.M. ILDEFONSO

Dada en la Sala de Sesiones de la Cámara de Diputados, en Santo Domingo, Capital de la República Dominicana, a los once días del mes de febrero del año mil novecientos treintidos, años 88o. de la Independencia y 69o. de la Restauración.

El Presidente,

MANUEL ANGEL ROCA

Los Secretarios:

L.E. HENRIQUEZ CASTILLO

J.B. RUIZ

Ejecútese, comuníquese y publíquese, en todo el territorio de la República, para su conocimiento y cumplimiento.

Dada en el Palacio del Ejecutivo, en Santo Domingo, Capital de la República Dominicana a los trece (13) días del mes de febrero del año mil novecientos treinta y dos.

RAFAEL L. TRUJILLO

Presidente de la República.





Refrendado:

Rafael Vidal,

Secretario de Estado de la Presidencia

Refrendado:

Agustín Aristy,

Secretario de Estado de Sanidad,

Beneficencia y Obras Públicas



DECRETO 22<sup>3</sup>

JACINTO B. PEYNADO,

Presidente de la República Dominicana

En ejercicio de la atribución que me confiere el inciso tercero del artículo cuarentinueve de la Constitución del Estado,

DECRETO:

PRIMERO: Crear la Comisión Dominicana de Arqueología, la cual se ocupará en ampliar, estudiar y sugerir pautas para la mayor organización de nuestro acervo arqueológico aborigen y colonial.

SEGUNDO: La Comisión Nacional de Arqueología estará integrada por las siguientes personas:

Lic. Porfirio Herrera

Prof. Osvaldo Báez Soler

Don Luis E. Alemar

Doña Abigail Mejía

Ing. José Antonio Caro A.

---

<sup>3</sup> Ibid, 32.



TERCERO: Dentro del mes que siga a la instalación de la Comisión, ésta redactará un proyecto de Reglamentación para su funcionamiento, el cual proyecto será sometido al Poder Ejecutivo para fines de aprobación.

Dado en Ciudad Trujillo, Capital de la República Dominicana, a los ocho días del mes de septiembre del año mil novecientos treintiocho.

JACINTO B. PEYNADO



EL CONGRESO NACIONAL

En Nombre de la república

HA DADO LA SIGUIENTE LEY:

ART. 1. – Se crea un Instituto Dominicano de Investigaciones Antropológicas, el cual tendrá su sede en Ciudad Trujillo, estará adscrito a la Universidad de Santo Domingo y tendrá a su cargo todo lo relativo a las investigaciones Antropológicas, Arqueológicas y Etnológicas en la República Dominicana.

ART. 2. – Corresponderá también al Instituto Dominicano de Investigaciones Antropológicas, intensificar las investigaciones arqueológicas en el país, preparar la clasificación, por medio de técnicos en la material, del material arqueológico existente en el Museo Nacional, del que vayan aportando las excavaciones que se realicen y del existente en colecciones privadas. El Instituto preparará el Catálogo Dominicano de Arqueología, así como un estudio de las culturas indígenas en el país.

ART. 3. – A partir de la vigencia de la presente ley, el Museo Nacional de Ciudad Trujillo funcionará como una dependencia del Instituto Dominicano de Investigaciones Antropológicas, el cual además, tendrá las funciones correspondientes a la Comisión Asesora del Museo Nacional creada por la Ley No. 1341, del 10 de Julio de 1937 y a la

---

<sup>4</sup> Ibid, 35-36.





Comisión Nacional de Arqueología, creada por el Decreto No. 22, del 8 de septiembre de 1938, quedando disueltas dichas Comisiones.

ART. 4. – La presente Ley modifica la de Gastos Públicos para 1947 en cuanto a la dependencia del Museo Nacional, y toda otra disposición legal o reglamentaria que le sea contraria.

Dada en la Sala de Sesiones de la Cámara de Diputados, en Ciudad Trujillo, Distrito de Santo Domingo, Capital de la República Dominicana, a los dieciseis días del mes de abril del año mil novecientos cuarenta y siete; años 104 de la Independencia, 84 de la Restauración y 17 de la Era de Trujillo.

El Presidente,

**PORFIRIO HERRERA**

Los Secretarios:

**POLIBIO DIAZ**

**FEDERICO NINA HIJO**

Dada en la Sala de Sesiones del Palacio del Senado, en Ciudad Trujillo, Distrito de Santo Domingo, Capital de la República Dominicana, a los diecisiete días del mes de abril del año mil novecientos cuarenta y siete; años 104 de la Independencia, 84 de la Restauración y 17 de la Era de Trujillo.

**M. DE J. TRONCOSO DE LA CONCHA,**



Presidente.

R. EMILIO JIMENEZ,

Secretario.

ABELARDO R. NANITA,

Secretario.

RAFAEL LEONIDAS TRUJILLO MOLINA

Presidente de la República Dominicana

En ejercicio de la atribución que me confiere el inciso 3° del artículo 49 de la Constitución de la República.

Promulgo la presente Ley, y mando que sea publicada en la Gaceta Oficial para su conocimiento y cumplimiento.

Dada en Ciudad Trujillo, Distrito de Santo Domingo, Capital de la República Dominicana, a los diez y nueve días del mes de abril del año mil novecientos cuarenta y siete, años 104 de la Independencia, 84 de la Restauración y 17 de la Era de Trujillo.

RAFAEL L. TRUJILLO



JOAQUIN BALAGUER

Presidente de la República Dominicana

Considerando: la conveniencia de llevar a la práctica las recomendaciones formuladas por técnicos al servicio de organismos internacionales relativos a la conservación y embellecimiento de los monumentos y sitios de interés histórico y artístico de la Nación, en función del desarrollo;

Considerando: que es aconsejable para la realización de esta labor el establecimiento, dentro de la Dirección General de Turismo, de un organismo que funcione como cuerpo especializado y técnico, encargado de la orientación, coordinación y ejecución de las iniciativas y planes que se lleven sucesivamente a la práctica.

En ejercicio de las atribuciones que me confiere el artículo 55 de la Constitución de la República, dicto el siguiente

DECRETO:

ART. 1. – Se crea, dentro de la Dirección General de Turismo, la Oficina de Patrimonio Cultural<sup>5</sup>, la cual funcionará como cuerpo especializado y técnico encargado de la orientación, coordinación y ejecución de las iniciativas y planes que se lleven sucesivamente a la práctica en la República Dominicana.

---

<sup>5</sup> Ibid, 59-60.



ART. 2. – La Dirección de la Oficina de Patrimonio Cultural estará a cargo de un Arquitecto dominicano de probada capacidad y experiencia en esta especialidad.

ART. 3. – Dicha Oficina estará ubicada en el piso bajo del edificio propiedad del Estado situado dentro de los jardines del Alcázar de Colón.

ART. 4. – La Dirección de la Oficina de Patrimonio Cultural contará con la asistencia y cooperación de las dependencias, organismos e instituciones oficiales interesadas, así como de las empresas privadas que auspicien proyectos afines.

ART. 5. – Corresponde a la mencionada oficina, debidamente asesorada, el señalamiento de los límites precisos de la Ciudad Colonial y la formalización progresiva de proyectos específicos de reparación, rehabilitación y ambientación de conjuntos, calle o sitios de interés turístico.

ART. 6. – La Oficina de Patrimonio Cultural emprenderá como Proyecto Piloto la debida reparación y rehabilitación museográfica del Alcázar de Colón y de las construcciones situadas dentro del perímetro de sus jardines.

ART. 7. – La Oficina de Patrimonio Cultural de la Dirección General de Turismo, contará con la asesoría del Departamento de Cultura de Organización de Estados Americanos.

Dado en Santo Domingo de Guzmán, Distrito Nacional, Capital de la República Dominicana, a los quince días del mes de junio del mil novecientos sesenta y siete, años 124 de la Independencia y 104 de la Restauración.

JOAQUIN BALAGUER





EL CONGRESO NACIONAL

En Nombre de la República

Considerando: que el artículo 101 de la Constitución de la República, establece que la riqueza artística e histórica del país, sea cual fuere su dueño, formará parte del patrimonio cultural de la Nación, y estará bajo la salvaguarda del Estado;

Considerando: que, en consecuencia, corresponde al Estado reglamentar todo lo relativo a la protección, conservación, enriquecimiento y utilización del patrimonio cultural de la Nación;

HA DADO LA SIGUIENTE LEY:

ART. 1. – A los efectos de esta ley, el patrimonio cultural de la Nación se subdivide en:

- (a) patrimonio monumental;
- (b) patrimonio artístico;
- (c) patrimonio documental;
- (d) patrimonio folklórico.

ART. 2. – Forman parte del patrimonio monumental los monumentos, ruinas y enterratorios de la arqueología precolombina; edificios coloniales, conjuntos urbanos y

---

<sup>6</sup> Ibid, 64-67.



otras construcciones de señalado interés histórico o artístico, así como las estatuas, columnas, pirámides, Fuentes, coronas y tarjas destinadas a permanecer en un sitio público con carácter conmemorativo.

ART. 3. – El patrimonio artístico está constituido por el conjunto de bienes muebles y piezas, sea cualquiera su origen y situación, de indubitable valor, en virtud de su arte o significación histórica, destinadas o susceptibles de destinarse a formar parte de los fondos propios de un museo público.

ART. 4. – El patrimonio documental lo forman los testimonios escritos del pasado histórico que ameritan y requieran adecuada conservación y clasificación en archivos o establecimientos accesibles a paleógrafos e investigadores.

ART. 5. – Forman el patrimonio folklórico, a los efectos de esta ley, la pluralidad de manifestaciones materiales típicas de la tradición dominicana, y, en especial, las expresiones plásticas más representativas del arte popular y las artesanías.

ART. 6. – El Estado Dominicano ejercerá la salvaguarda de los bienes que constituyen el patrimonio cultural de la Nación, conforme a las disposiciones de esta ley a través de los órganos creados por esta ley o por otras disposiciones legislativas o reglamentarias especiales.

ART. 7. – La salvaguarda de dichos bienes, implica su previa identificación, descripción y delimitación, según los casos, a cuyo efecto, los organismos indicados más arriba, dentro de sus respectivas esferas de acción, procederán a inventariarlos y clasificarlos según su naturaleza y destino, de acuerdo con los procedimientos modernos de registro, en un plazo de seis meses o en los plazos que prevea el reglamento, que al efecto dicte el Poder Ejecutivo.



ART. 8. – Los propietarios o tenedores de inmuebles, colecciones o piezas de indudable valor monumental, artístico, documental o folklórico, están en la obligación de declarar dichas pertenencias a los efectos de lo que establezca el precedente artículo.

ART. 9. – Los propietarios de uno de los bienes descritos anteriormente, deberán comunicar a los organismos correspondientes los traspasos que hicieron en los mismos, en un plazo que no excederá de noventa (90) días a partir de la fecha en que se realice la operación.

ART. 10. – Los bienes que integran el patrimonio cultural de la Nación, aún los pertenecientes a particulares, susceptibles de traslados, no podrán ser llevados fuera del país, sino cuando lo sea por tiempo limitado, para fines de exhibición, clasificación o estudio y con el consentimiento de la Dirección General de Bellas Artes o de los organismos correspondientes. Dicha autorización se otorgará en la forma que prevea el reglamento que al efecto dicte el Poder Ejecutivo, el cual regulará, además, las condiciones en que el traslado pueda ser efectuado.

ART. 11. – En ningún caso los bienes del patrimonio cultural de la Nación, sometidos al regimen establecido por la presente ley, podrán sufrir destrucción, daño o alteración inconsulta por parte de sus propietarios o poseedores.

ART. 12. – Quedan prohibidas las excavaciones en busca de minas u objetos arqueológicos en cualquier parte del territorio nacional. Sin embargo, la Secretaría de Estado de Educación, Bellas Artes y Cultos, a través de la Dirección General de Bellas Artes y los organismos creados por leyes o disposiciones especiales, encargados de la salvaguarda del patrimonio cultural de la Nación, podrán dentro del marco de sus atribuciones respectivas, autorizar dichas excavaciones para fines de investigaciones



arqueológicas a las Universidades del país, o a los Museos Nacionales o municipales reconocidos en el país, o a los organismos e personas físicas calificadas que a juicio de los indicados organismos, sean acreedores de esa autorización.

ART. 13. – Todo aquel que en lo adelante realice el hallazgo de cualquier objeto que se considere que forma parte del patrimonio cultural de la Nación, está en obligación de hacer una declaración, con todos los datos que fueren necesarios para la clasificación de dichos objetos.

Si el hallazgo ocurriere en el Distrito Nacional, la declaración se hará en las oficinas del Museo Nacional, cuyo Director a su vez lo comunicará al organismo calificado, de acuerdo con la ley o los reglamentos para recibir dicha declaración. Si por el contrario el hallazgo ocurriere fuera del Distrito Nacional, la declaración sera hecha, para los mismos fines, ante el Síndico Municipal de la Jurisdicción, de que se trate.

ART. 14. – El Poder Ejecutivo queda facultado para dictar los reglamentos que sean necesarios para la aplicación de la presente ley, así como para tomar cuantas medidas juzgue convenientes para la conservación y salvaguarda del patrimonio cultural de la Nación.

ART. 15. – Cualquier violación a las disposiciones de la presente ley o a las de los Reglamentos que para su ejecución dicte al efecto el Poder Ejecutivo, serán sancionadas con prisión de seis meses a dos años y con multas de RD\$200.00 a RD\$2,000.00.

ART. 16. – La Secretaría de Estado de Educación, Bellas Artes y Cultos, las autoridades policiales, aduaneras y de migración, tomarán las medidas adecuadas para los fines de ejecución de la presente ley.





ART. 17. – La presente ley deroga y sustituye la Ley No. 5207 del 16 de marzo de 1943, promulgada en la ciudad de Barahona y modifica en cuanto fuere necesario la Ley 293, del 13 de febrero de 1932. la Ley 1400 del 19 de abril de 1947 y cualquier otra ley que le sea contraria.

Dada en la Sala de Sesiones del Senado, Palacio del Congreso Nacional, en Santo Domingo de Guzmán, Distrito Nacional, Capital de la República Dominicana, a los veintitrés días del mes de mayo del año mil novecientos sesenta y ocho, años 125 de la Independencia y 105 de la Restauración.

ADRIANO A. URIBE SILVA,

Vicepresidente en funciones.

YOLANDA A. PIMENTEL DE PEREZ,

Secretaria.

ALBERTO D'MAYO,

Secretario ad-hoc.

Dada en la Sala de Sesiones de la Cámara de Diputados, Palacio del Congreso Nacional, en Santo Domingo, Distrito Nacional, Capital de la República Dominicana, a los doce días del mes de junio del año mil novecientos sesenta y ocho, años 125 de la Independencia y 105 de la Restauración.



PATRICIO G. BADIA LARA,

Presidente.

FEDERICO COLLADO G.,

Secretario ad-hoc.

RAMON ANTONIO GOMEZ,

Secretario ad-hoc.

JOAQUIN BALAGUER

Presidente de la República Dominicana

En ejercicio de las atribuciones que me confiere el artículo 55 de la Constitución de la República;

Promulgo la presente Ley, y mando que sea publicada en la Gaceta Oficial, para su conocimiento y cumplimiento.

Dada en Santo Domingo de Guzmán, Distrito Nacional, Capital de la República Dominicana, a los catorce días del mes de junio de mil novecientos sesenta y ocho, años 125 de la Independencia y 105 de la Restauración.

JOAQUIN BALAGUER



JOAQUIN BALAGUER,

Presidente de la República Dominicana

Considerando: que las principales ruinas históricas de la ciudad de Santo Domingo de Guzmán se encuentran en virtual estado de abandono, situación crítica que amerita que se tomen medidas urgentes, a fin de que se proceda a la consolidación de estos monumentos nacionales, de acuerdo con métodos técnicos que aseguren su conservación y de que adquieran una adecuada ambientación;

En ejercicio de las atribuciones que me confiere el artículo 55 de la Constitución de la República, dicto el siguiente

DECRETO:

ARTICULO UNICO – Se crea una Comisión compuesta por los señores Ingeniero José Ramón Báez López – Penha, Arquitecto Eugenio Pérez Montás, Ingeniero José Antonio Caro Alvarez, Arquitecto Manuel E. del Monte y Manuel García Arévalo, la cual deberá presentar al Poder Ejecutivo en un plazo de sesenta días, a partir de la publicación del presente Decreto, un programa de consolidación y ambientación de los grandes monumentos históricos de la ciudad de Santo Domingo de Guzmán.

---

<sup>7</sup> Ibid, 94.



Dado en Santo Domingo de Guzmán, Distrito Nacional, Capital de la República Dominicana, a los treinta días del mes de marzo del mil novecientos setenta y dos, años 129° de la Independencia y 109° de la Restauración.

JOAQUIN BALAGUER





APPENDIX C  
CULTURAL LEGISLATION OF CUBA

LEY 1<sup>1</sup>

LEY DE PROTECCION AL PATRIMONIO CULTURAL

CAPITULO I  
DISPOSICIONES GENERALES

ARTICULO 1: La presente Ley tiene por objeto la determinación de los bienes que, por su especial relevancia en relación con la arqueología, la prehistoria, la historia, la literatura, la educación, el arte, la ciencia y la cultura en general, integran el Patrimonio Cultural de la Nación, y establecer medios idóneos de protección de los mismos.

ARTICULO 2: El Ministerio de Cultura es el organismo encargado de precisar y declarar los bienes que deben formar parte del Patrimonio Cultural de la Nación.

CAPITULO II

---

<sup>1</sup> "Cubarte," in <http://www.cult.cu>; INTERNET.



## DEL REGISTRO NACIONAL DE BIENES CULTURALES

ARTICULO 3: Se crea el Registro Nacional de Bienes Culturales de la República de Cuba adscrito al Ministerio de Cultura. En el Registro a que se refiere el párrafo anterior se hará constar, además de los datos que permitan identificar el bien, el lugar en que esté situado, la persona natural o jurídica que sea tenedora del mismo por cualquier título y la razón del interés cultural de dicho bien.

ARTICULO 4: El Registro Nacional de Bienes Culturales, para el mejor cumplimiento de sus funciones y para el establecimiento de las coordinaciones necesarias, cuenta con un cuerpo de delegados asesores, designados por los organismos siguientes: Comité Estatal de Finanzas, Banco Nacional de Cuba, Ministerio de Comunicaciones, Ministerio de Educación, Ministerio de Educación Superior, Ministerio de las Fuerzas Armadas Revolucionarias, Ministerio del Interior, Ministerio de Justicia, Ministerio de Relaciones Exteriores, Academia de Ciencias de Cuba, Instituto Cubano de Radio y Televisión, Instituto Nacional de Turismo, Dirección General de Aduanas del Comité Estatal de Finanzas y el Instituto de Historia del Movimiento Comunista y de la Revolución Socialista de Cuba. A propuesta de dichos delegados, el Ministerio de Cultura puede disponer que integren también el cuerpo de asesores, delegados designados por otros organismos que, por la índole de sus funciones, puedan coadyuvar a la consecución de los objetivos de esta ley.

ARTICULO 5: Toda persona natural o jurídica tenedora por cualquier título de bienes que constituyan Patrimonio Cultural de la Nación, viene obligada a declararlos, previo requerimiento, ante el Registro Nacional de Bienes Culturales de la República de



Cuba, sin que ello implique modificación de título por el que se posee. Los que faltaren a esta obligación en el término que se les señale serán sancionados conforme a la legislación vigente.

ARTICULO 6: Cuando un bien se declare parte del Patrimonio Cultural de la Nación, se inscribe de oficio en el Registro Nacional de Bienes Culturales. Esta inscripción se notifica, dentro de un plazo no mayor de treinta días, al propietario, poseedor, usuario o tenedor por cualquier título o concepto, quien quedará obligado a garantizar su conservación y absoluta integridad.

### CAPITULO III

#### DE LA PROTECCION DE LOS BIENES CULTURALES

ARTICULO 7: Se declaran de utilidad pública e interés social los bienes culturales a que se refiere la presente ley, los que no podrán ser destruidos, remozados, modificados o restaurados, sin previa autorización del Ministerio de Cultura.

ARTICULO 8: Los bienes comprendidos en esta Ley sólo podrán ser extraídos del territorio nacional con expresa autorización del Ministerio de Cultura y por el tiempo que éste determine.

ARTICULO 9: No podrá efectuarse la transmisión del dominio o posesión de ningún bien de los protegidos por esta Ley, si no se obtiene previa y expresa autorización del Ministerio de Cultura. Los que infrigieren esta disposición serán sancionados conforme a la legislación vigente y se dispondrá el comiso del bien correspondiente. Recibida la solicitud de autorización a que se refiere el primer párrafo de este artículo, el



Ministerio de Cultura podrá hacer uso del derecho preferente a la adquisición del bien de que se trate, por el precio que corresponda.

ARTICULO 10: Cuando la transmisión a que se refiere el artículo anterior pretenda efectuarse a favor de una persona natural o jurídica que resida fuera del territorio nacional, el Estado Cubano podrá hacer uso del citado derecho de preferencia de adquirir el bien cultural de que se trate por el precio declarado por el vendedor o cedente, y si existieren dudas sobre la veracidad de dicho precio, por el que determinen los peritos designados al efecto.

ARTICULO 11: Los funcionarios y agentes de la autoridad encargados de fiscalizar las exportaciones que se hagan por cualquier vía, suspenderán la tramitación de las solicitudes de embarque cuando tengan conocimiento o abriguen racional sospecha de que se trata de la extracción de alguno de los bienes a que se refiere esta Ley, y darán cuenta por la vía reglamentaria al Ministerio de Cultura a fin de que éste, previa comprobación, determine lo procedente.

ARTICULO 12: La extracción o el intento de extracción del territorio nacional de bienes culturales protegidos por esta Ley sin haber obtenido previamente la autorización del Ministerio de Cultura, constituirá delito de contrabando y será sancionado conforme establece la Ley Penal. Dichos bienes serán siempre decomisados.

ARTICULO 13: Las personas naturales o jurídicas que introduzcan en el país, con carácter temporal, alguno de los bienes a que se refiere la presente ley, lo declararán en la Aduana correspondiente, la que expedirá un documento de admisión temporal que entregará al importador para su presentación en la Aduana en la oportunidad de la reexportación, sin cuyo requisito no podrá llevarla a efecto.





## DISPOSICIONES TRANSITORIAS

PRIMERA: El Ministro de Cultura, dentro de un plazo no mayor de 180 días a partir de la promulgación de esta Ley, organizará y pondrá en funcionamiento el Registro Nacional de Bienes Culturales de la República.

SEGUNDA: El Ministro de Cultura queda encargado de elaborar y redactar un proyecto de reglamento de la presente Ley y someterlo a la aprobación del Consejo de Ministros en el término no mayor de un año contado a partir de la vigencia de esta Ley, y hasta tanto sea aprobado, queda facultado para dictar las resoluciones y demás disposiciones que considere necesarias para el cumplimiento de lo que se dispone en la presente Ley.

## DISPOSICIONES

PRIMERA: Los Ministros de Cultura, de Relaciones Exteriores y del Transporte, el Director General de Aduanas y demás jefes de los organismos que se mencionan en esta Ley o que tengan relación con las medidas que en ella se establecen, cuidarán de su cumplimiento, en la parte que a cada uno corresponde.

SEGUNDA: Se derogan cuantas disposiciones legales y reglamentarias se opongan al cumplimiento de lo dispuesto en la presente Ley, la cual comenzará a regir a partir de su publicación en la Gaceta Oficial de la República.



Ciudad de La Habana, a los cuatro días del mes de agosto de mil novecientos setenta y siete.



## LEY 2<sup>2</sup>

### LEY DE LOS MONUMENTOS NACIONALES Y LOCALES

#### CAPITULO I

#### DE LOS MONUMENTOS NACIONALES Y LOCALES

ARTICULO 1: Se entiende por Monumento Nacional todo centro histórico urbano y toda construcción, sitio u objeto que, por su carácter excepcional, merezca ser conservado por su significación cultural, histórica o social para el país y que, como tal, sea declarado por la Comisión Nacional de Monumentos. Se entiende por Monumento Local toda construcción, sitio u objeto que, no reuniendo las condiciones necesarias para ser declarado Monumento Nacional, merezca ser conservado por su interés cultural, histórico o social para una localidad determinada y que, como tal, sea declarado por la Comisión Nacional de Monumentos. Se entiende por Centro Histórico Urbano el conjunto formado por las construcciones, espacios públicos y privados, calles, plazas y las particularidades geográficas o topográficas que lo conforman y ambientan y que en determinado momento histórico tuvo una clara fisonomía unitaria, expresión de una comunidad social, individualizada y organizada. Las Construcciones abarcan la obra o el conjunto de obras hechas por la mano del hombre desde la prehistoria hasta la época actual, pudiendo ser de carácter civil, conmemorativo, doméstico, industrial militar o religioso. Los Sitios comprenden todos los espacios, lugares o áreas donde se haya desarrollado un significativo hecho o proceso de carácter histórico, científico, etnográfico

---

<sup>2</sup> Ibid.



o legendario, o que posean características de homogeneidad arquitectónica o una singular morfología del trazado urbano, y también aquellos donde la naturaleza presente aspectos que justifiquen su conservación y protección. Pueden ser de carácter arqueológico, histórico, natural o urbano. Los Objetos son aquellos elementos que, por su excepcional significado histórico, artístico o científico, merezcan ser conservados y protegidos independientemente de que se encuentren en una institución oficial o en poder de una persona particular.

ARTICULO 2: La declaración de Monumento Nacional o Monumento Local puede disponerse:

1. por su valor histórico: aquellas construcciones, sitios y objetos dignos de ser preservados por su relación con un acontecimiento relevante de nuestra historia política, social, científica o cultural;
2. por su valor artístico: aquellas construcciones, esculturas monumentales y objetos que presenten por su estilo o detalles decorativos, valores dignos de ser preservados;
3. por su valor ambiental: aquellos centros históricos urbanos y construcciones que, debido a su forma o carácter arquitectónico, han llegado por el uso y la costumbre a representar un ambiente propio de una época o región;
4. por su valor natural o social: aquellos sitios que presenten características científicas o culturales en sí o que, por sus formaciones geológicas o fisiográficas, constituyan el habitat de especies animales o vegetales de gran valor o amenazadas de extinción.

## CAPITULO II

### DE LA COMISION NACIONAL DE MONUMENTOS





ARTICULO 3: Se crea la Comisión Nacional de Monumentos, adscripta al Ministerio de Cultura.

ARTICULO 4: Corresponden a la Comisión Nacional de Monumentos las funciones siguientes:

1. preparar estudios y planes para la localización, conservación y restauración de construcciones, sitios y objetos declarados o que se declaren Monumentos Nacionales o Locales;
2. autorizar, inspeccionar y supervisar toda obra que deba realizarse en una construcción, sitio u objeto declarado Monumento Nacional o Local, así como declarar la necesidad de realizar en ellos cualquier tipo de obra;
3. declarar cuáles construcciones, sitios y objetos son Monumentos Nacionales o Locales de acuerdo con las disposiciones de la presente Ley. La Comisión Nacional será el único órgano facultado para hacer esta declaración;
4. revisar las obras, objetos, instalaciones, edificaciones y construcciones y disponer, cuando fuere necesario, que se les hagan las modificaciones requeridas para restaurarles su más rigurosa autenticidad y su verdadero sentido histórico en relación con los orígenes y hechos de nuestra nacionalidad;
5. custodiar los archivos y la documentación correspondientes a los Monumentos Nacionales y Locales;
6. orientar y supervisar el trabajo de las Comisiones Provinciales de Monumentos;
7. cumplir cualesquiera otras disposiciones u orientaciones que, sobre esta materia, dicte o trasmita el Ministerio de Cultura.



ARTICULO 5: La Comisión Nacional de Monumentos está integrada por un Presidente, un Secretario Ejecutivo y un representante de cada uno de los organismos siguientes: Ministerio de la Construcción, Ministerio de Educación, Ministerio de Educación Superior, Academia de Ciencias de Cuba, Instituto Nacional de Turismo, Instituto de Planificación Física de la Junta Central de Planificación, Instituto Nacional de Desarrollo y Aprovechamiento Forestales, e Instituto de Historia del Movimiento Comunista y de la Revolución Socialista de Cuba. También integrarán la Comisión un representante de la organización que agrupe a los arquitectos de Cuba y representantes de cuantos más organismos estime necesarios el Ministerio de Cultura.

ARTICULO 6: El Presidente de la Comisión Nacional de Monumentos se designa y es removido por el Ministerio de Cultura; el Secretario ejecutivo lo es quien ostente el cargo de Director de la Dirección de Patrimonio Cultural del Ministerio de Cultura, y los miembros restantes son designados respectivamente por los jefes de los organismos mencionados en el artículo anterior, los que pueden removerlos libremente por propia iniciativa o a solicitud de la Comisión.

### CAPITULO III

#### DE LAS COMISIONES PROVINCIALES DE MONUMENTOS

ARTICULO 7: Se crean las Comisiones Provinciales de Monumentos, adscriptas a las Direcciones Sectoriales de Cultura de los Comités Ejecutivos de las Asambleas Provinciales del Poder Popular y subordinadas a la dirección técnica y metodológica del Ministerio de Cultura.



ARTICULO 8: Corresponden a las Comisiones Provinciales de Monumentos, las atribuciones y funciones siguientes:

1. adoptar las más estrictas medidas para la conservación de los Monumentos Nacionales y Locales de su territorio;
2. velar por la conservación de los Monumentos Nacionales y Locales de su territorio y respecto a ellos desarrollar trabajos de investigación y divulgación;
3. custodiar y conservar el archivo y la documentación correspondientes a los Monumentos Nacionales y Locales de su territorio;
4. tramitar y elevar a la Comisión Nacional las propuestas para la declaración de Monumento Nacional o Local;
5. controlar el mantenimiento de aquellas construcciones, sitios y objetos, de valor local, que no reúnan las condiciones para ser declarados Monumentos Locales;
6. cumplir las orientaciones de la Comisión Nacional de Monumentos.

ARTICULO 9: Las Comisiones Provinciales de Monumentos se integran de forma similar a la señalada en el artículo 5 de la presente Ley, por los representantes de las direcciones administrativas de los Comités Ejecutivos de las Asambleas Provinciales del Poder Popular que desempeñan las funciones de los organismos nacionales señalados en dicho artículo. No es indispensable que todas las actividades desempeñadas por los organismos relacionados en el propio artículo 5 estén representadas en las Comisiones Provinciales.

En el caso de que las actividades de los organismos señalados en el artículo 5, no se correspondan con una de las citadas direcciones administrativas del Poder Popular en las



provincias, y se estimare indispensable la representación de dicho organismo, su delegado se designa por la instancia nacional correspondiente.

El Presidente y Secretario Ejecutivo de las Comisiones Provinciales son designados y removidos por el Comité Ejecutivo de las Asambleas Provinciales del Poder Popular, a propuesta de la Dirección Sectorial correspondiente, y oído el criterio de la Comisión Nacional.

#### CAPITULO IV

#### DE LA PROTECCION Y LAS RESTRICCIONES EN LOS MONUMENTOS NACIONALES, MONUMENTOS LOCALES Y ZONAS DE PROTECCION

ARTICULO 10: Declarado Monumento Nacional o Monumento Local una construcción, un centro histórico urbano, sitio u objeto, se considerará de interés social y quedará sujeto a la protección y a las restricciones que se establecen por esta Ley.

Realizada la declaración a que se refiere el párrafo anterior, la Comisión Nacional deberá comunicarla al propietario o poseedor del mismo. En caso de que el Monumento Nacional o Monumento Local pertenezca a un particular, el Estado se reserva el derecho de adquirirlo si fuere necesario para su preservación. Si no se llegare a un acuerdo con el propietario o poseedor, la Comisión Nacional iniciará, conforme a la legislación vigente, el correspondiente procedimiento para la expropiación forzosa.

ARTICULO 11: La Comisión Nacional, en coordinación con las Comisiones Provinciales, llevará un Registro de los Monumentos Nacionales y Monumentos Locales





en el que se hará constar el lugar en que se encuentren situados, los nombres por los que son conocidos y una descripción pormenorizada de cada uno.

ARTICULO 12: La Comisión Nacional determina la zona de protección, que es el área contigua a un Monumento Nacional o Local, tanto si la declaración de esta condición ya se ha hecho como si se halla en proceso de investigación para declararla. Una vez fijada una zona de protección, la Comisión Nacional supervisará las construcciones que se realicen dentro de la misma, recomendará medidas, cuando sean necesarias, para eliminar o modificar las existentes y limitar y proscribir, si procediere, la actividad económica.

ARTICULO 13: Las direcciones administrativas de los Organos Locales del Poder Popular deben trasladar a la Comisión Provincial de Monumentos correspondiente, toda solicitud de licencia de obra que pretenda realizarse en un Monumento Local o zona de protección para su aprobación o delegación por la Comisión Nacional.

También puede la Comisión Nacional, cuando lo estime necesario, requerir y coordinar con los organismos pertinentes, la realización de cualquier obra de restauración o conservación de monumentos.

ARTICULO 14: No se permitirá la instalación de ninguna industria o comercio en los inmuebles declarados Monumento Nacional o Monumento Local o en zona de protección, sin la previa autorización de la Comisión correspondiente. La autorización de la Comisión Nacional o Provincial también será necesaria para la instalación de vallas anunciadoras, letreros y adornos, y la celebración de espectáculos públicos en los lugares antes mencionados.



ARTICULO 15: Mientras se lleve a cabo un proceso de investigación para determinar si procede declarar Monumento Nacional o Monumento Local a una construcción, centro histórico urbano, sitio u objeto, estos se consideran pendientes de declaración y, en consecuencia, protegidos contra cualquier destrucción y modificación, hasta tanto se adopte la resolución definitiva correspondiente.

ARTICULO 16: La Comisión Nacional orientará a las Comisiones Provinciales en el sentido de que designen delegados para atender especialmente los lugares de sus respectivos territorios que sean excepcionalmente valiosos por la naturaleza o elementos que los componen.

ARTICULO 17: Se prohíbe la exportación definitiva de todo bien declarado Monumento Nacional o Monumento Local. Únicamente, con la autorización de la Comisión Nacional después de realizadas las verificaciones necesarias, podrá exportarse, total o parcialmente y por tiempo determinado, un Monumento Nacional o Monumento Local. A tal efecto, será requisito indispensable presentar ante los funcionarios de aduanas el certificado expedido por la Comisión Nacional que acredite que el traslado al extranjero del bien de que se trate, ha sido autorizado, y el tiempo que permanecerá fuera del territorio nacional.

## CAPITULO V

### DE LAS INVESTIGACIONES ARQUEOLOGICAS



ARTICULO 18: Los organismos y personas que se propongan realizar excavaciones o investigaciones arqueológicas, deben obtener la aprobación de la Comisión Nacional de Monumentos y, en su caso, darle cuenta del resultado de su trabajo. La Comisión, si las autorizare, lo comunicará al Ministerio de la Agricultura, Instituto Nacional de Desarrollo y Aprovechamiento Forestales, Asociación Nacional de Agricultores Pequeños o a cualquier otro organismo o persona que tenga asignado o posea terrenos donde existan o puedan existir sitios arqueológicos, los cuales estarán obligados al estricto cumplimiento de las regulaciones que a continuación se establecen.

Los hallazgos arqueológicos casuales deben comunicarse inmediatamente a la Comisión Nacional para que sean investigados por el organismo competente. La obligación de comunicar dichos hallazgos recae en el descubridor y en el organismo o institución al que está asignado el lugar en cuestión, o en la persona que lo posea.

No deben modificarse las condiciones existentes en el terreno de que se trate al producirse el hallazgo arqueológico a que se refiere el párrafo anterior, hasta tanto los especialistas enviados por la Comisión se constituyan en el lugar y determinen lo pertinente.

Todos los elementos u objetos arqueológicos resultantes de un hallazgo o investigación arqueológica son propiedad del Estado cubano y quedan sometidos a las regulaciones establecidas en la presente Ley.

## CAPITULO VI

### DE LAS RESTAURACIONES DE OBRAS

### DE ARTES PLASTICAS EN LOS MONUMENTOS



ARTICULO 19: La Comisión Nacional de Monumentos es la única que puede autorizar restauraciones de obras de arte plástica en un Monumento Nacional o en un Monumento Local, las que serán realizadas bajo la dirección y supervisión de dicha Comisión. La Comisión correspondiente dará cuenta a las autoridades competentes, cuando sin su previa autorización se efectúe o se haya efectuado una obra en un Monumento Nacional, Monumento Local o zona de protección.

#### DISPOSICIONES FINALES

PRIMERA: El Ministerio de Cultura queda encargado de redactar un proyecto de Reglamento y someterlo a la aprobación del Consejo de Ministros en término no mayor de un año, contado a partir de la publicación de la presente Ley; y hasta tanto sea aprobado, queda facultado para dictar las resoluciones y demás disposiciones que considere necesarias para el mejor cumplimiento de lo que se dispone en la presente Ley.

SEGUNDA: Se derogan cuantas disposiciones legales y reglamentarias se opongan al cumplimiento de lo dispuesto en la presente ley, la que comenzará a regir a partir de su publicación en la Gaceta Oficial de la República.

Ciudad de La Habana, a los cuatro días del mes de agosto de mil novecientos setenta y siete.

Blas Roca Calderío





## LEY 23<sup>3</sup>

### LEY DE MUSEOS MUNICIPALES

ARTICULO 1: En cada uno de los municipios de la República se creará un museo en el que se conserven y muestren, para su conocimiento y estudio, documentos, fotografías u otros objetos referents a la historia nacional y local que reflejen las tradiciones del pueblo, los episodios sobresalientes de sus luchas, los hechos y la vida de sus personalidades destacadas en las diversas épocas y lo referente al desarrollo de su economía, su cultura y sus instituciones.

En las capitales de provincia el museo municipal que se cree tendrá, además, carácter provincial.

ARTICULO 2: Corresponde a las Asambleas Municipales del Poder Popular y a sus dependencias disponer, organizar y ejecutar lo necesario para crear los museos a que se refiere el artículo anterior, a cuyo fin, de manera modesta, utilizarán instalaciones existentes y otros recursos locales disponibles, incluyéndose entre estos, el acondicionamiento de inmuebles de valor histórico o arquitectónico, previa autorización y orientación de las Comisiones de Monumentos.

ARTICULO 3: Los museos municipales funcionarán bajo la atención dirección y control de la Dirección de Cultura de la Asamblea Municipal del Poder Popular correspondiente, subordinada a la orientación técnica y metodológica del Ministerio de Cultura.

---

<sup>3</sup> Ibid.



ARTICULO 4: Corresponde al Ministerio de Cultura impartir las instrucciones y dictar las normas técnicas y metodológicas para la instalación y funcionamiento de los museos municipales.

#### DISPOSICIONES TRANSITORIAS

PRIMERA: El Ministerio de Cultura dictará las orientaciones técnicas y metodológicas correspondientes, para la realización de lo dispuesto en la presente Ley, dentro del término de seis meses a partir de su promulgación.

SEGUNDA: Las Asambleas Municipales dentro del término de tres años a partir de la promulgación de la presente Ley, adoptarán las decisiones pertinentes y dispondrán lo necesario para la creación de los museos municipales.

El Ministerio de Cultura podrá disponer la ampliación del plazo establecido en aquellos municipios en que no existan las premisas necesarias para crear los museos adecuada y eficazmente.

#### DISPOSICION FINAL

Se derogan cuantas disposiciones legales y reglamentarias se opongan al cumplimiento de lo dispuesto en la presente Ley, la que comenzará a regir a partir de su publicación en la Gaceta Oficial de la República.



Ciudad de la Habana, a los dieciocho días del mes de mayo de mil novecientos setenta y nueve.

Blas Roca Claderío



## BIBLIOGRAPHY

- Alegría, Ricardo. *El Instituto de Cultura Puertorriqueña 1955-1973. 18 Años Contribuyendo a Fortalecer Nuestra Conciencia Nacional*. 2<sup>nd</sup> ed. San Juan, P. R.: Instituto de Cultura Puertorriqueña, 1996.
- \_\_\_\_\_. *Programa de Parques y Museos*. San Juan, P. R.: Instituto de Cultura Puertorriqueña, 1996.
- \_\_\_\_\_. Interview by author. San Juan, P. R., 11 January 2000.
- Báez López-Penha, José Ramón. *Por qué Santo Domingo es así*. Santo Domingo, Dominican Republic: Impresión Amigo del Hogar, 1992.
- Blanco, Francisco Javier. Telephone interview by author. Puerto Rico, 13 January 2000.
- Buschiazzo, Mario. *Estudio sobre Monumentos Históricos de Puerto Rico*. San Juan, P. R.: Junta de Planificación, 1955.
- Capablanca, Enrique, and Carlos Venegas Fornias. *La Habana Vieja, Trinidad: Patrimonio Cultural de la Humanidad*. La Habana, Cuba: Editorial Letras Cubanas, 1998.
- Carley, Rachel. *Cuba 400 Years of Architectural History*. New York: Whitney Library of Design, 1997.
- Casanovas, Xavier, and Monserrat Villaverde. "Pensamiento: Teoría, Historia y Crítica. El Patrimonio Construido, Criterios de Intervención." *Arquitectura en Cuba*, no. 378 (1998): 46-53.
- Colón Camacho, Doreen. *Guía para la Preservación del Patrimonio Cultural*. San Juan, P. R.: Instituto de Cultura Puertorriqueña, 1996.





Crespo, Rafael, and Arleen Pabón Charneco. *Arquitectura, Historia y Patrimonio*. San Juan, P. R.: Oficina Estatal de Preservación Histórica, Oficina del Gobernador, 1995.

“Cubarte.” In <http://www.cult.cu>; INTERNET.

Del Cueto, Beatriz. “La intervención en un edificio histórico: los conceptos fundamentales.” *Plástica, Revista de la Liga de Arte de San Juan*, no. 5, año 8, vol. 2. (Septiembre 1986): 73-82.

Del Monte Uraca, Manuel. *Memorias de la Ciudad de Santo Domingo: Origen, Decadencia y Rescate de su Patrimonio*. Santo Domingo, Dominican Republic: Empresas Unidas C por A, 1992.

\_\_\_\_\_. *Mi Propuesta*. Dominican Republic: Editora Alfa & Omega, 1998.

\_\_\_\_\_. Telephone interview by author. Dominican Republic, 20 February 2000.

“Documentation and Conservation of the Modern Movement.” In <http://www.ooo.nl/docomomo/start.htm>; INTERNET.

Espinal Hernández, Edwin. *Brevarios 3. Patrimonio Cultural y Legislación*. Santo Domingo, R. D.: Editorial Capel Dominicano.

Gautier, Manuel S. Interview by author. Santo Domingo, Dominican Republic, 24 November 1999.

Harvey, Erwin R. *Legislación Cultural, Legislación cultural comparada, Legislación cultural puertorriqueña*. San Juan, P. R.: Instituto de Cultura Puertorriqueña, 1993.

Hosmer, Jr., Charles B. *Presence of the Past; A History of the Preservation Movement in the United States Before Williamsburg*. New York: Putnam, 1965.

“United Nations Educational, Scientific and Cultural Organization.” In <http://www.unesco.org>; INTERNET.

ICOMOS. *ICOMOS National Committee, Monuments and Sites Dominican Republic*. Sri Lanka: State Printing Corporation, Panaluwa, Padukka, 1996.

Instituto de Cultura Puertorriqueña, “Estudio de Revitalización Integral del Centro Histórico de San Juan,” Tomo I. San Juan, P. R., 1990.

“International Centre for the Study of the Preservation and Restoration of Cultural Property.” In <http://www.iccom.org>; INTERNET.



- Le Riverend, Julio. *Breve Historia de Cuba*. La Habana, Cuba: Editorial de Ciencias Sociales, 1995.
- Leal, Eusebio. *Regresar en el Tiempo*. La Habana, Cuba: Editorial Letras Cubanas, 1986.
- Llamazares Martín, Vicente. *Santo Domingo*. Spain: Ediciones de Cultura Hispánica, 1990.
- Melero Lazo, Nelson. General Considerations About the Restoration Efforts in Old Havana: Antecedents, and Strategies, *Cuartilla Informativa*, vol. VII, no.6 (June 1999), 4.
- Moya Pons, Frank. *The Dominican Republic: a National History*. New Jersey: Markus Wiener Publishers, 1998.
- National Historic Preservation Act of 1966, as amended*. 3<sup>rd</sup> ed. Washington, D.C.: Advisory Council on Historic Preservation, 1993.
- Oficina Estatal de Preservación Histórica, Oficina del Gobernador. *Plan Estatal de Conservación Histórica. Puerto Rico 1996-2000*. San Juan, P. R.: Programa de Imprenta y Centros de Reproducción Administración de Servicios Generales, 1997.
- “Organización del Gran Caribe para los Monumentos y Sitios, CARIMOS, (Textos Para Folleto Institucional). Working Paper. Santo Domingo, Dominican Republic, 1999.
- “Organization of American States.” In <http://www.oas.org>; INTERNET.
- Palm, Erwin Walter. *Los Monumentos Arquitectónicos de la Española, con una introducción a América*. Ciudad Trujillo, Dominican Republic: Universidad de Santo Domingo, 1955.
- Pérez Montás, Eugenio. *Ciudad del Ozama: 500 Años de Historia Urbana*. 2da ed. Barcelona: Lunweg, 1998.
- \_\_\_\_\_. *De Patrimonio Cultural y Otros Temas. Discursos del V Centenario*. Santo Domingo, Dominican Republic: Monograf, S.A. Taller Gráfico-Editorial, 1994.
- \_\_\_\_\_. *Estudio para la Revalorización de la Zona Histórica y Monumental de la Ciudad de Santo Domingo*. Santo Domingo, Dominican Republic: Ediciones Culturales, C. pro A., 1973.



- \_\_\_\_\_. Interview by author. Santo Domingo, Dominican Republic, 24 November 1999.
- \_\_\_\_\_. *República Dominicana Monumentos Históricos y Arqueológicos*. Mexico: Instituto Panamericano de Geografía e Historia, 1984.
- Picó, Frenando. *Historia General de Puerto Rico*. 6<sup>th</sup> ed. Río Piedras, P. R.: Ediciones Huracán, 1998.
- Pina, Plinio. *Legislación Dominicana sobre Museos y Protección del Patrimonio Cultural 1870-1977*. Santo Domingo, Dominican Republic: Ediciones Museo del Hombre, 1978.
- Préstamo y Hernández, Felipe J. *Cuba: Arquitectura y Urbanismo*. Miami, Fl.: Ediciones Universal, 1995.
- Prieto, Esteban. Interview by author. Santo Domingo, Dominican Republic, 24 November 1999.
- Rodríguez Aloma, Patricia. *Viaje en la Memoria: Apuntes para un Acercamiento a la Habana Vieja*. Pamplona: Castuera, 1996.
- Rigau, Jorge. "La restadulteración del Viejo San Juan," *El Sol, Revista oficial de la Asociación de Maestros de Puerto Rico*. (año XXVII, no. 3-4, 1983): 43-45.
- Rigau, Jorge. "Against the museum-city and a search for the meaning of tradition," *Sunday San Juan Star Magazine* (July 17, 1997): 13.
- Rigau, Jorge. *Puerto Rico 1900: Turn of the Century Architecture in the Hispanic Caribbean, 1890-1930*. New York :Rizzoli International, 1992.
- Rigol, Isabel. *ICOMOS Cuba*. Paper presented as part of the 1996 Interamerican Symposium on Authenticity in the Conservation and Management of the Cultural Heritage, San Antonio, Texas, March 1996.
- Rigol, Isabel. *The Cuban National Experience*. Paper presented as part of the US/ICOMOS 2000 International Symposium, Indianapolis, April, 2000.
- Roca, Linda María. Interview by author. Santo Domingo, Dominican Republic, 25 November 1999.
- Suchlicki, Jaime. *Cuba : from Columbus to Castro and beyond*. 4<sup>th</sup> ed. Washington, DC.: Brassey's, 1997.



Secretaría General Organización de los Estados Americanos, Departamento de Desarrollo Regional y Medio Ambiente. *Plan Cuna de América. Reutilización Turística de la Ciudad Colonial de Santo Domingo, República Dominicana. Síntesis Ejecutiva*. Washington, DC., 1992.

Sepúlveda Rivera, Aníbal. *San Juan Historia Ilustrada de su Desarrollo Urbano, 1508-1898*. San Juan, P. R.: CARIMAR, 1989.

“The Conservation Trust of Puerto Rico.” In <http://www.fideicomiso.org>; INTERNET.

Ugarte, María. *Monumentos Coloniales*. Santo Domingo, Dominican Republic: Museo de las Casa Reales, 1977.

US/ICOMOS. *US/ICOMOS Scientific Journal ICOMOS Charters & Other International Doctrinal Documents*, vol. 1, no. 1 (1999).

U.S. Public Law 16 USC 431-433. 8 June 1906.

Vivoni, Enrique. “Resolución.” Resolution presented for the creation of the Commission for the Conservation of Architectural Heritage of the XX Century. San Juan, P. R., 1999.

Weiss, Joaquin. *La Arquitectura Colonial Cubana*. La Habana: Instituto Cubano del Libro, 1996.





## INDEX

- Africans, 7, 50, 64  
Alcázar de Colón, 5, 24, 41, 67, 139-141  
Alegría, 50, 54, 57, 100  
Antiquities Act, 18  
Archaeological  
    artifacts, 24  
    sites, 3, 97  
Arjona Pérez, Marta, 81, 100  
Athens Charter, 31, 33  
Báez López Penha, José Ramón, 100  
Balaguer, Joaquín, 48, 67, 100  
Barroso, Javier, 39  
Buschiazzo, 36, 37, 38, 45, 46, 49, 55  
Castro, 48, 100  
CENCREM, 47, 87, 91, 100  
colonial architecture, 11, 26  
Commission for the Conservation of  
    National Monuments, 25, 40, 142-145  
Commission for the Conservation of the  
    Architectural Heritage of the  
    Twentieth Century, 64, 103  
Commission for the Consolidation and  
    Creation of Environments for the  
    Great Historic Monuments of the City  
    of Santo Domingo de Guzmán, 72,  
    159-160  
Conservation Board of Historic Values,  
    19, 37, 53, 105-108  
Cuba, 1, 2, 4, 5, 6, 7, 8, 10, 11, 12, 14,  
    16, 27, 28, 30, 31, 32, 34, 35, 45, 46,  
    47, 48, 61, 80, 81, 82, 83, 84, 85, 86,  
    87, 88, 89, 90, 91, 92, 94, 95, 96, 97,  
    98, 99, 100, 101, 102, 103  
del Monte Urraca, Manuel, 67, 100  
DOCOMOMO, 79, 92, 103  
Dominican Commission of Archaeology,  
    26, 97, 146-147  
Dominican Institute of Anthropologic  
    Investigations, 26, 97, 148-150  
Dominican Republic, 1, 2, 3, 5, 6, 7, 8,  
    9, 10, 12, 14, 16, 23, 24, 25, 26, 30,  
    31, 32, 34, 35, 38, 39, 40, 41, 43, 44,  
    45, 46, 48, 61, 65, 66, 67, 68, 69, 70,  
    71, 72, 73, 75, 76, 77, 78, 79, 80, 92,  
    94, 95, 96, 97, 98, 99, 100, 101, 102,  
    103, 153-158  
Educational programs, 45, 46, 47  
Era of Trujillo, 25, 26, 38, 48, 65, 96  
Esso Project, 41, 42, 43, 44, 65, 68  
Fortifications, 7, 10, 19, 25, 28, 35, 36,  
    50, 51, 86, 96  
Gautier, Manuel S., 41, 100  
Havana, 5, 6, 8, 10, 16, 27, 28, 32, 85,  
    86, 87, 88, 89, 90, 91, 93, 96, 103  
High Commission for the Colonial Zone  
    of the City of Santo Domingo, 75  
Historian of Puerto Rico, 18  
Historical Archives of Puerto Rico, 19  
ICCROM, 46, 60  
ICOMOS, 33, 73, 74  
Incentives, 19, 21, 37, 44, 49, 55, 56, 70,  
    71, 74, 126-130



Indigenous, 2, 3, 5, 7, 50, 64, 73, 97  
 Institute of Puerto Rican Culture, 50, 53,  
     54, 55, 56, 57, 58, 59, 61, 62, 63, 95,  
     97, 98, 99, 131-136  
 Law for the Protection of Cultural  
     Heritage, 82, 87, 161-166  
 Law of Municipal Museums, 83  
 Law of National and Local Monuments,  
     82, 83, 84, 85, 167-179  
 Law of the Indies, 17  
 le Duc, Violet, 13, 30  
 Leal, Eusebio, 85, 100  
 México, 6  
 Ministry of Culture, 81, 82, 83, 84, 85,  
     87, 91, 95, 98, 99  
 Modern Movement, 11, 12, 79, 92  
 Monuments and Historic Sites, 109-110  
 Muñoz Marín, Luis, 48, 49, 100  
 Museum of the Dominican Man, 73, 97  
 Museum of the Royal Houses, 73  
 National Council of Culture, 81  
 National Historic Preservation Act, 56,  
     137-138  
 Norms of Quito, 33, 34, 35, 67, 68, 101,  
     102  
 OAS, 32, 33, 34, 35, 40, 41, 44, 45, 62,  
     65, 66, 67, 68, 71, 75, 76, 77, 101  
 Office of Cultural Heritage, 67, 68, 69,  
     70, 71, 72, 74, 95, 97, 98, 151-152  
 Office of the Historian, 27, 85, 89, 90,  
     91, 99  
 Old or historic zones, 20, 111-118  
 Palm, Erwin Walter, 39, 42  
 Pérez Montás, Eugenio, 41, 100  
 Perú, 6  
 Planning Board, 19, 21, 36, 53, 54, 95  
 Political situation of the Spanish  
     Antilles, 10, 11, 12  
 Preservation  
     movement, 1  
     theories, 12, 13, 14  
 Puerto Rico, 1, 2, 4, 5, 7, 8, 9, 10, 11, 12,  
     14, 15, 16, 17, 18, 19, 20, 21, 22, 23,  
     30, 31, 32, 34, 35, 36, 37, 38, 42, 45,  
     46, 48, 49, 50, 51, 52, 53, 54, 56, 57,  
     58, 59, 60, 61, 62, 63, 64, 79, 93, 94,  
     95, 96, 97, 98, 99, 100, 101, 102, 103  
 Rebuilding, 15  
 Reconstruct, 15, 16, 20  
 Regulation of Old or Historic Zones, 20,  
     34, 54, 119-125  
 Rehabilitate, 15  
 Restore, 15  
 Rigol, Isabel, 100  
 Roig de Leuchsenring, Emilio, 27, 100  
 Ruskin, John, 13, 30  
 San Juan, 4, 5, 8, 10, 16, 17, 18, 21, 22,  
     35, 37, 38, 42, 49, 50, 52, 53, 54, 55,  
     57, 60, 61, 62, 64, 93, 96, 99, 103  
 San Juan Historic Zone, 21, 35, 38  
 Santo Domingo, 4, 5, 6, 10, 16, 24, 26,  
     35, 39, 41, 42, 43, 44, 66, 68, 69, 70,  
     71, 72, 74, 75, 76, 77, 78, 79, 93, 96,  
     98, 103  
 Spanish settlements, 3, 97  
     La Isabela, 3  
     La Navidad, 3  
     La Nueva Isabela, 4  
     purposes, 5  
 SHPO, 58, 59, 61  
 The Conservation Trust of Puerto Rico,  
     63, 97  
 UNAICC, 91, 92  
 UNESCO, 32, 33, 34, 40, 45, 46, 47, 61,  
     65, 78, 79, 86, 87, 89, 97, 101  
 Venice Charter, 33, 34, 101  
 World Heritage, 33, 61, 77, 78, 86, 87









N/1198/02131/9509X

