Nomination form International Memory of the World Register

1.0 Checklist

Nominees may find the following checklist useful before sending the nomination form to the International Memory of the World Secretariat. The information provided in italics on the form is there for guidance only and should be deleted once the sections have been completed.

$\overline{\checkmark}$	Summary completed (section 1)		
$\overline{\checkmark}$	Nomination and contact details completed (section 2)		
$\overline{\checkmark}$	Declaration of Authority signed and dated (section 2)		
V	If this is a joint nomination, section 2 appropriately modified, and all Declarations of Authority obtained		
$\overline{\checkmark}$	Documentary heritage identified (sections 3.1 – 3.3)		
$\overline{\checkmark}$	History/provenance completed (section 3.4)		
$\overline{\checkmark}$	Bibliography completed (section 3.5)		
$\overline{\checkmark}$	Names, qualifications and contact details of up to three independent people or organizations recorded (section 3.6)		
$\overline{\checkmark}$	Details of owner completed (section 4.1)		
$\overline{\checkmark}$	Details of custodian – if different from owner – completed (section 4.2)		
$\overline{\checkmark}$	Details of legal status completed (section 4.3)		
$\overline{\checkmark}$	Details of accessibility completed (section 4.4)		
$\overline{\checkmark}$	Details of copyright status completed (section 4.5)		
$\overline{\checkmark}$	Evidence presented to support fulfilment of the criteria? (section 5)		
$\overline{\checkmark}$	Additional information provided (section 6)		
$\overline{\checkmark}$	Details of consultation with stakeholders completed (section 7)		
$\overline{\checkmark}$	Assessment of risk completed (section 8)		
$\overline{\checkmark}$	Summary of Preservation and Access Management Plan completed. If there is no formal Plan attach details about current and/or planned access, storage and custody arrangements (section 9)		
$\overline{\checkmark}$	Any other information provided – if applicable (section 10)		
$\overline{\checkmark}$	Suitable reproduction quality photographs identified to illustrate the documentary heritage. (300dpi, jpg format, full-colour preferred).		
<u> </u>	Copyright permissions forms signed and attached. Agreement to propose item(s) for inclusion on the World Digital Library if inscribed		

Nomination form International Memory of the World Register

Constitutio Antoniniana (Papyrus Gissensis, inventory number 15; Papyrus Gissensis I 40)

ID Code [2016-10]

1.0 Summary (max 200 words)

The papyrus being proposed for nomination contains the world's single surviving copy of the Constitutio Antoniniana, the first in a series of world-historically important documents of the history of civil and human rights as well as constitutional history, including the Magna Charta (1215), the Golden Bull of Emperor Charles IV (1356) or the Declaration of Human and Civil Rights by the French National Assembly (1789), which are all inscribed on the Memory of the World Register and related to human rights. The Constitutio Antoniniana (212/3), which had been promulgated by the emperor Caracalla in order to unite Roman society in a crisis situation, gave Roman civil rights to all free inhabitants of the Roman Empire. Thus, for the first time in world history, there was established a unitary citizenship in an area that included millions of people from different cultural backgrounds on three continents (Europe, Africa, and Asia). At the same time, people kept their current status: existing civil rights and local legal traditions were explicitly guaranteed, according to Roman legal tradition. In contrast to many other civil rights concessions in history, the measure was not oriented towards a specific European centre nor was it based upon a national constitution. It thus forms a unique historical reference point when it comes to the question of civil rights and civic membership in transnational and global networks. In this sense, it serves to establish civic identity far beyond the borders of Europe. It deserves, therefore, worldwide attention. Based on the extraordinary importance of the Constitutio Antoniniana, it is our goal to anchor in the public consciousness the outstanding opportunities that the exploration of the ancient world offers for dealing with global political issues in the future. According to the scholars, the existence of a comparable document may be excluded without any doubt. They also agree on the improbability of the existence of a second copy that has survived from antiquity and might be found some day.

2.1 Name of nominator (person or organization)

Professor Dr. Joybrato Mukherjee President of the Justus Liebig University Giessen Ludwigstrasse 23 35390 Giessen Germany

2.2 Relationship to the nominated documentary heritage

The documentary heritage is preserved in the University Library of the Justus Liebig University Giessen.

Scientific partner is the Institute of Classical Studies of the Justus Liebig University Giessen.

2.3 Contact person(s)

Dr. Peter Reuter, Director of the University Library (<u>direktion@bibsys.uni-giessen.de</u>; phone +49-(0)641-99-14000)

Professor Dr. Karen Piepenbrink, Professor of Ancient History (Karen.Piepenbrink@geschichte.uni-giessen.de; phone +49-(0) 641-99-28080)

2.4 Contact details

Name Address

Professor Dr. President of the
Joybrato Mukherjee Justus Liebig University Giessen
Ludwigstrasse 23
35390 Giessen
Germany

Telephone Facsimile Email

+49 (0)641-99-12000 +49 (0)641-99-12009 <u>praesident@admin.uni-giessen.de</u>

3.0 Identity and description of the documentary heritage

3.1 Name and identification details of the items being nominated

Giessen, Universitaetsbibliothek, Papyrus Gissensis, inventory number 15 / Papyrus Gissensis I 40

Papyrus: three decrees of the Emperor Caracalla (188-217 AD) from the years 212 and 215 AD

The most important of them is the *Constitutio Antoniniana* (left side). This edict from the year 212/3 AD gives Roman civil rights to all free inhabitants of the Roman Empire. It is the first known document in the world with such a legal content.

1 fragment; height: 27 cm, width: 46 cm

Front part (recto): 2 Columns with 16 and 29 lines Bought in 1901/2 from trade in Eschmunên (Egypt)

3.4 History/provenance

The Papyrus Collection which is currently preserved in the University Library Giessen comprises three papyrological sub-collections and one collection of ostraca (inscribed potsherds). The *Constitutio Antoniniana* belongs to the "Papyri Gissenses", which is the oldest sub-collection. All the Giessen sub-collections as well as the ostraca collection were brought together to one place to make them more easily accessible for research and education.

In 1900, Ernst Kornemann (1868-1946), who at that time was an ancient historian in Giessen, encouraged the establishment of a papyrus collection for teaching and research purposes. Private patrons such as the Giessen industrialist Wilhelm Gail (1854-1925) provided funding. In 1901/2, Kornemann travelled to Egypt. There he bought the first of about 150 papyri of the Papyri Gissenses from a merchant in Eschmunên. The vast majority originated from Heptakomia. All of them were placed in the Museum des Oberhessischen Geschichtsvereins (Museum of the Historical Society for Upper Hessia) in the Old Castle of Giessen. Further

acquisitions for the completion of the collection followed between 1903 and 1913.

The Constitutio Antoniniana was among the very first pieces of the collection. Its importance was recognized early and the papyrus was published for the first time in 1910 (under the publication number Papyrus Gissensis 40) by Paul M. Meyer (Berlin, 1865-1932). At that time, the Constitutio Antoniniana, together with a second large piece (Papyrus Gissensis, inventory number 16 respectively Papyrus Gissensis 6), was put under glass plates by Hugo Ibscher (1874-1943), who, in these days, was the world's leading papyrus restorer at the museums in Berlin and the Papyrus Collection of the Museum Island.

Due to their translocation to the University Library Giessen in 1930, the papyri and therefore the *Constitutio Antoniniana* still exist today. In December 1944, the Oberhessisches Museum (Museum for Upper Hessian) in the Old Castle was completely destroyed by fire, and the previous correspondence was destroyed, too.

In November 1939, all three papyrological sub-collections were stored in the library basement for their protection. In 1940, the Papyri Gissenses were placed in a bank vault (safe) in the city centre of Giessen. There they remained undamaged until 1945, when in March/April of the same year the flood of an adjacent brook caused the groundwater to rise and the vault was flooded. The library became aware of it only later, in spring 1946. That is why the papyri could not be recovered earlier. Once recovered, the papyri were returned to the library, which had also been destroyed in December 1944.

Between many glass plates that covered the papyri there was still water. Therefore, in 1946/47, the plates were opened, cleaned, dried, and finally re-glazed in the in-house bindery. With the *Constitutio Antoniniana* this did not work completely. Only the papyrus that had been linked to its back could be detached. The dark mould stains which are still visible today on the front side of the *Constitutio Antoniniana*, as well as the apparent colour changes stem from this time. Some smaller sub-fragments were lost. Already at this time, the papyrus could neither be separated from the glass plate on the front side nor from the layer of paper that was applied to its back. In addition, the glass was broken. From 1950-1953, the Papyri Gissenses were eventually re-organized by Hans Georg Gundel (1912-1999). Since 1958, the collections were housed in the papyrus room of the new library, which had been built on the old location; since 1984 they have been preserved in the newly built University Library on the campus for humanities.

In 2009, with great public interest, the financial support by the foundation Gemeinnützige Stiftung der Sparkasse Giessen made it possible to secure the *Constitutio Antoniniana* again by a re-glazing in the restoration department of the Papyrus Collection in the University Library Leipzig. Meanwhile, the mould was no longer active. Cf. 8.0.

4.0 Legal information

4.1 Owner of the documentary heritage (name and contact details)

Name Address
Universitätsstadt Kulturamt
Giessen – Brandplatz 2
Oberhessisches Altes Schloss
Museum 35390 Giessen
Germany

Telephone Facsimile Email

+49-(0)641-9609730 +49-(0)641 960973- museum@giessen.de

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4.2 Custodian of the documentary heritage (name and contact details if different from the owner)

Name Dr. Olaf Schneider	Address chneider University Library of the Justus Liebig University Giessen Universitätsbibliothek Giessen Otto-Behaghel-Str. 8 35394 Giessen Germany	
Telephone +49-(0)641-99-1405	Facsimile 2 +49-(0)641-99-1400	Email 9 Olaf.Schneider@bibsys.uni-giessen.de

4.3 Legal status

The Giessen Papyrus Collection and so the *Constitutio Antoniniana* is part of the Special Collections of the University Library Giessen.

Legal foundations and regulations:

Hessisches Hochschulgesetz / Hessian University and College Act (14/12/2009) § 6: Selbstverwaltungs- und Auftragsangelegenheiten, (2) 1: "Verwaltung des der Hochschule zur Verfügung gestellten Vermögens einschließlich der Pflege des damit verbundenen historischen Erbes und der Wahrnehmung landesbibliothekarischer Aufgaben" (custody of the historical heritage).

Hessisches Bibliotheksgesetz / Hessian Library Act (20/09/2010) § 7: Kulturelles Erbe – Digitalisierung / Cultural Heritage – Digitization.

Ordnung für das Bibliothekssystem der Justus-Liebig-Universität Giessen / Regulations for the Library System of the Justus Liebig University Giessen (Mitteilungen der Justus-Liebig-Universität Gießen 17/06/2015), § 2 (1).

Benutzungsordnung für das Bibliothekssystem der Justus-Liebig-Universität / Regulations of usage for the Library System of the Justus Liebig University (2015), especially § 8.

4.4 Accessibility

Under the condition of valid research interests, the *Constitutio Antoniniana* can be used by appointment in the University Library's special collections reading room during the regular opening hours. On special occasions, it can be shown to the public – but due to conservational reasons (cf. 8.0) this is possible only for a very short time. In the database of the "Papyrus Projekt Giessen" a digitized version of the papyrus is available online anytime (cf. 3.2).

During their preservation in the Museum des Oberhessischen Geschichtsvereins (Museum of the Historical Society for Upper Hessia), the Papyri Gissensis, as the oldest sub-collection of the Giessen Papyrus Collection, and so the *Constitutio Antoniniana*, were accessible for international research and education. With the transfer of the Papyri Gissenses to the University Library Giessen on permanent loan and through the merging of all sub-collections in 1930 at that place, the accessibility has improved considerably. After the destruction of the old library building in 1944, the Papyri and so the *Constitutio Antoniniana* have always been accessible for research and education in the various new buildings of the University Library

(1957/8 and 1984). Today, guided tours through the papyrus collection take place on a regular basis for interested scientists, summer school attendants, students and school groups. The *Constitutio Antoniniana* is always mentioned as a central subject during these tours. After the restoration of the *Constitutio Antoniniana* in 2009, it was presented in the context of a joint exhibition about conservation by the Giessen Collection of Classical Antiquities and the University Library entitled "Erhaltenswert. Archäologische und bibliophile Schätze für die Zukunft bewahren / Worth preserving: How to preserve archaeological and bibliophilic treasures for the future" in the Giessen Collection of Antiquities.

For scientific questions, the Institute of Classical Studies, with the fields of Ancient History, Classical Philology, and Classical Archaeology, is available. In the institute's lectures and seminars the *Constitutio Antoniniana* is regularly explored. The results are presented to the general public.

The custody of the collection lies within the responsibility of the University Library. It maintains and completes the database, which is being hosted technically by the IT Service Centre of Leipzig University (in the database system MyCore) since 2012 (http://papyri-giessen.dl.uni-leipzig.de/receive/GiePapyri schrift 00005300). This is done in cooperation with the local Papyrus Collection (in the University Library of Leipzig University) in the form of a uniform and common presentation of several German papyrus collections (Halle, Jena, Leipzig, and now Giessen). In parallel – with support by the DFG and in partnership with the University Library Giessen – the University Library of Leipzig University offers the "Deutsches Papyrusportal" in German and English language as an online meta search engine for German papyrus collections (http://www.papyrusportal.de/). Information on the Giessen papyri can additionally be found on local websites (http://www.uni-giessen.de/ub/ueber-uns/sam/papyri-ostraka-keilschrifttafeln).

Moreover, the University Library Giessen in exchange with the Institute of Classical Studies handles all requests that refer directly to the papyrus, which were especially numerous in 2012, the anniversary year of the *Constitutio Antoniniana*. Beyond Germany, questions about the *Constitutio Antoniniana* came from the Spanish Government, the French Ministry of Culture and Communication, French museums (e.g. the Musée des Civilisations de l'Europe et de la Méditerranée [MuCEM], Marseille) as well as the Universidad Nacional Mayor de San Marcos, Lima, Peru, amongst others. All of them asked in particular for appropriate image templates to present the *Constitutio Antoniniana* in the context of in-house publications, exhibitions and conferences as a legal and constitutional document of utmost importance for world history.

4.5 Copyright status

Papyrus Database: Public Domain

University Library Giessen, especially for high resolution images in the internet or in printed documents and other commercial publications.

5.0 Assessment against the selection criteria

5.1 Authenticity

The exact place of discovery of the *Constitutio Antoniniana* is unknown. In 1901/2, Ernst Kornemann bought it for the collection of the Papyri Gissenses (Papyri des Oberhessischen Geschichtsvereins im Oberhessischen Museum) from trade while staying in Eschmunên (Egypt). In 1930, this collection was transferred on permanent loan to the University Library of Giessen University (cf. 3.4).

Today the papyrus belongs to the City of Giessen (cf. the attached letter of the mayor of Giessen) and is being preserved in the Papyrus Collection of the University Library Giessen.

5.2 World significance

For the first time in world history, the *Constitutio Antoniniana* established a unitary citizenship in an area that included millions of people from different cultural backgrounds on three continents. Historically, it is the first in a series of outstanding awards and proclamations of civil and human rights as well as constitutional documents, followed, for example, by the Magna Charta (1215), the Golden Bull of Emperor Charles IV (1356) and the Declaration of Human and Civil Rights by the French National Assembly (1789) (these three documents are inscribed on the Memory of the World register).

Among the prominent documents the *Constitutio Antoniniana* deserves a special status: in contrast to the majority of the relevant regulations, it is not oriented towards a European centre nor is it based upon a national constitution. Thus it is also not to be seen in a context of centralized power, which results in the levelling of regional differences. It rather contains a severability clause (I. 8-9), which explicitly guarantees existing civil and local legal rights. The Roman citizenship status thus does not replace these rights but is granted additionally. This correlates with the characteristic leadership practice of the Roman Empire, which normally guarantees to integrate grown legal and administrative structures in the Roman state; this particularly meant to put a large part of the public duties in the responsibility of local authorities, by this means strengthening them. Here, conceptions can already be detected that have crucially shaped today's principle of subsidiarity. Through becoming members of a huge empire people got the chance to actively participate in communal administration and civil life. By gaining the status of a Roman citizen their possibilities to engage in their urban or local communities even increased.

Probably in 212 or 213 A.D., the *Constitutio Antoniniana* was promulgated by the emperor M. Aurelius Severus Antoninus, called Caracalla, in order to unite Roman society in a crisis situation. Hundred thousands of people who until then had been regarded as 'foreigners' became full members of the community. They were relieved from legal as well as fiscal discrimination; that meant for instance full right of electing and being elected, the right of

lawful marriage with a Roman citizen and to beget children who would be Roman citizens by birth, more commercial rights, the right to be sentenced in Rome and never to be tortured, as well as the right to keep all these legal advantages when moving to another place in the empire. At the same time, this act benefitted the empire by reducing social conflicts and increasing governmental revenues.

Since republican times there had been struggles about the expansion of Roman citizenship and the full legal integration of additional groups of people. Several pertinent laws had been promulgated before (e.g. the Lex Plautia Papiria in the 1st century B.C.), but they had concentrated either on single groups or on special regions, especially in the Italian centre. After nearly 300 years of stagnation, it was the *Constitutio Antoniniana* with its global orientation which took on a new dimension and managed to permanently resolve the problems of civic discrimination. The specific history of the *Constitutio Antoniniana*'s reception and impact should be seen in the fact that it can act as a unique historical reference point, especially in connection with the question of civil rights and civic membership in transnational and global networks, which include different cultural traditions. In this sense, it is capable of creating civic identity far beyond the borders of Europe.

Another reason for the *Constitutio Antoniniana*'s eminent importance for world history was the granting of civil rights to Christians: the Christians in the Roman Empire, which by the majority had not had the Roman citizenship so far, were also granted civil rights. This supported their identification with the Empire and, at the same time, was an indispensable requirement for the triumph of Christianity in the Roman Empire itself. This became concrete, for example, in the formation of a Christian empire after Constantine the Great and in the intensive cooperation between emperor and church, without which the European as well as the non-European history of the following 1.500 years would have taken a different course.

The papyrus of the *Constitutio Antoniniana* is the single surviving copy of the respective edict of the Roman emperor Caracalla. It was made available to the population of the empire in Latin and Greek; only the Greek version survived. It reads as follows:

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Αὐτοκράτωρ Καῖσαρ Μᾶ]οκος Αὐρήλι[ος Σεουῆρος ] Ἀντωγῖνο[ς] Ε[ὐσεβή]ς λέγει 1 ] η μᾶλλον αν [......τὰ]ς αἰτίας καὶ το[ὑς] λ[ογι]σμοὺς θ]εοῖς [τοῖ]ς ἀθ[αν]άτοις εὐχαριστήσαιμι, ὅτι τῆ[ς] τοιαύτη[ς] ] ησ με συ[νετ]ήρησαν / Τοιγ[α]ροῦν νομίζω [ο]ὕτω με ] ως δύ[ν]ασθαι τῆ μεγαλειότητι αὐτῷν τὸ ἱκαγὸν ποιεῖν 5 όσ]άκις ἐὰν ὑ[π]εισέλθ[ωσ]ιν εἰς τοὺς ἑμοὺς ἀν[θρ]ώπους ] ν θεῶν συνεί[σ]ενέγ[κοι]μι. Δίδωμι τοῖς συνάπασιν κατὰ τ]ὴν οἰκουμένην π[....]είαν Ρωμαίων μένοντος τοῦ δικαίου τῶν πολιτευμ]άτων χωρ[ῖς] τῶν [...]δειτικίων. ὀ[φ]είλει γὰρ τὸ ] νειν πάντα α[...]α ἤδη κ[α]ὶ τῆ νίκη ἐνπεριειληφ 10 ] αγμα . [...]λώσει [ τὴν] μεγαλειότητα [το]ῷ Ρωμα[ί-] ] . περὶ τοὺς . [...]υς γεγενῆσθα[ι] ἤπερ δ[ ]
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[Imperator Caesar] Marcus Aurelius Augustus Antoninus [Pius] says: ---- rather ---- the causes and consideration ----- to [the] immortal gods I may give thanks that [when] the so frightful [ambush occurred] they preserved me. Therefore, thinking that I should be able [on a grand scale and with piety] to make the return which would correspond to their majesty, [if] I were to lead [to the sanctuaries] of our gods [all those presently my people and others too] as often as they enter the ranks of my people, I grant to all those [who throughout] the world [are under my rule] Roman citizenship without the [..] deitikioi, with [the claim of communities] (on the services of their members) remaining unimpaired. For the [whole population?] ought [-----]

(Cf. Pferdehirt / Scholz (Eds.), Bürgerrecht, p. 47.)

already to have been included also in the victory. [--- my] edict would expand the majesty of the Roman [People ---] (Oliver, Greek constitutions, p. 500)

The subject of the edict is the grant of Roman citizenship to all free inhabitants of the Roman Empire (II. 7b-9a), with the only exception of the small group of "dediticii" respectively the "deitikioi" in the Greek version (I. 9) whose identity has still not been ascertained. Up to then, these inhabitants had by the majority been ranked among the "others" ("peregrini"). Thus, compared with the Roman citizens, their legal status had been flawed by fundamental disadvantages in the area of the criminal and civil law, tax assessments and social mobility. The Constitutio Antoniniana is fundamentally different from all previous grants of legal status in the Roman Empire, most of which were directed only to selected members of the provincial elites or to veterans and did not call into question the differentiation between Romans and "others".

The text of the edict is transmitted only in the Giessen papyrus, although numerous references to the edict can be found in the secondary tradition but no direct quotes. Only the papyrus contains essential information on the measure, including the occasion, intent, and scope. The edict is located in the first column of the text. The column is preserved in fragments, but thanks to intensive philological and historical research, crucial passages could be reconstructed. Thereby, the doubts on the historical positioning, which had been formulated in some older studies, could be dispelled. The papyrus is unique and therefore irreplaceable.

5.3 Comparative criteria:

1 Time

The document is the first of its kind: at this point in world history, there had never before been any civil right concessions to a comparable extent. The creation of a unitary citizenship with simultaneous respect for grown political unities can be appreciated as unique in world history.

2 Place

The document affects not only single regions or nations, but concerns the entire Roman Empire, which included Southern and Central Europe, the Middle East and northern Africa and which, up to the present time, has been exerting an influence that can hardly be measured: this is especially true for Roman law and legal thinking, which still shapes the jurisprudence in large parts of the world – including the civic conception of the Roman law, which is specifically named in the *Constitutio Antoniniana* –, as well as for the Roman Christian Church with its global organization, for the development of which the *Constitutio Antoniniana* provided a decisive turning point, e. g. by allowing mobility and, by this means, a better promoting of Christian faith.

3 People

The measure initiated by the document demonstrates how people can have multiple citizenships and how they can profit to a great extent from this, as individuals as well as a group, without any conflicts of affiliation arising.

4 Subject and theme

The central idea, represented by the document, is the political integration of people from different cultural backgrounds in a community in conjunction with a high degree of respect on the part of the state towards the group of people concerned, their values and their way of life. Given the challenges posed by globalization and migration, this idea is of utmost relevance to

the 21st century.

5 Form and style

The document is an imperial edict written on papyrus, an ancient writing material. Both, the form and material, are antiquated.

6 Social/ spiritual/ community significance:

The edict documents the strong integrative motivation to regard the heterogeneous population of the Roman Empire (cf. 2) as residents of *one* political network. At the same time, older ethnic and political affiliations were respected: therefore, the edict is also a document of high political tolerance.

6.0 Contextual information

6.1 Rarity

The papyrus is the world's only preserved and contemporary document that provides the original text of the civil rights grant of Emperor Caracalla in the exact wording. The document was written in Greek because it was addressed to the inhabitants of Egypt and thus to a Greek-speaking province of the Roman Empire. Only this one copy has survived from antiquity. All of the others – also those in Latin language – were lost. The existence of another similar copy or its discovery in the future is improbable according to the scholars. The whole further tradition has been solely based on indirect information in literary sources of classical antiquity (i.e. the closest: Cassius Dio, Roman history, 79,9,5).

6.2 Integrity

The papyrus shows old damages caused by worms and folding. For its protection, it was put under glass plates at an early stage. In the years 1945/46, the papyrus took damage due to a groundwater flooding of its storage place during the Second World War (a bank vault (safe) in the city centre of Giessen): further fragments were lost and mould growth began, which meanwhile has stopped. Therefore, the piece is now inseparably connected, symbiotically glued to the glass plate, which touches the front of the text completely. In addition, the glass plate is cracked. A paper layer, which originally was added for stabilization, adheres to its back. (Cf. 3.4, 8.0). This damage process has been brought to an ultimate stop by restauration in 2009.